

ALERT

USTR Announces Decisions on Petitions for Reinstatement of Expired Exclusions from Section 301 Tariffs

March 24, 2022

On March 23, 2022, the Office of the U.S. Trade Representative (USTR) posted a draft *Federal Register* notice announcing the reinstatement of 352 separate product-specific exclusions from the Section 301 tariffs on Chinese-origin goods. USTR's announcement concludes a process that began on October 12, 2021, when the agency solicited comments regarding the potential reinstatement of 549 exclusions, all of which expired on or after December 31, 2020.

In its original request for comments, USTR solicited information regarding whether relevant products were available from manufacturers outside of China, whether reinstatement would result in severe economic harm to U.S. interests, and the overall impact of the exclusion(s) on the goal of eliminating China's harmful trade practices.

As indicated in USTR's original request for comments, the 352 reinstated exclusions are not retroactive to the date on which those exclusions originally expired. Rather, the reinstatements will only be retroactive as to entries made on or after October 12, 2021. USTR has also indicated that the reinstated exclusions will be valid on a going-forward basis through the end of 2022. The agency has stated that it may consider further extension of the reinstated exclusions but has not yet announced any process for petitioning for such extensions.

Wiley has robust International Trade, Supply Chain, and National Security practices and extensive experience helping clients to navigate trade enforcement and Section 301 product exclusion matters. For more information about these issues, please contact the

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Practice Areas

International Trade
National Security
Supply Chain and Transactional Support
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attorney listed on the alert.