

Time Is Running Out to File for Section 301 List 3 Exclusion Requests: Timeline and Alternative Options

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Companies subject to additional tariffs for imports from China have an opportunity to file requests to be excluded from the heightened tariff lists. But time is running out, as the deadline for filing List 3 exclusion requests is **September 30, 2019**. Companies should focus on preparing exclusion requests, while also strategizing on additional ways to lower import duties and reduce the effect on their bottom line.

If you import products that are subject to increased or increasing tariffs from the Section 301 duties on Chinese goods, *you should focus on all of these options*. Together, they can really better your company's position for both the short and long term.

- Review your classifications to ensure that they are correct. Do not rely on a broker or on classifications that have not been vetted by a customs attorney who understands the General Rules of Interpretation and Customs decisions. (Brokers are your agent, and you are responsible for their classifications.)
- Examine your bills of materials and the manufacturing processes to verify that the country of origin for each item is in fact China under the

specific country of origin rules and requirements of U.S. law. These rules are different from the tariff classification analysis. *Don't rely on point of shipment.*

- Make sure you have filed for all possible exclusions. If you have items on List 4, start preparing for another exclusion process.
- Check the USTR lists for granted exceptions and exclusions that may apply to your products. The decisions are product-specific, not applicant-specific. Thus, take advantage of others' successful exemptions/exclusions that will avoid any duties on your imports. *Are your specialists checking these lists?*

Begin an analysis of long-term options to import using free trade agreements or alternative sourcing or manufacturing locations to reduce import duties and minimize risks.

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