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DW-China Trade Update (40th Edition)

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by Mark Heusel and Hezi Wang

USTR ISSUES DETERMINATION OF REINSTATEMENT OF CERTAIN EXCLUSIONS FROM CHINA SECTION 301 TARIFFS ON MARCH 23, 2022

美国贸易代表办公室在2022年3月23日宣布重新豁免部分中国进口商品301关税

In our previous [Trade Update \(39th Edition\)](#), we reported that the Office of the U. S. Trade Representative was considering the possible reinstatement of previously extended product exclusions from China Section 301 Tariffs. Specifically, USTR invited comments from the public on whether to reinstate the 549 previously granted and extended exclusions. We enclosed an index of the 549 exclusions in our previous trade alert. Most of these extended exclusions expired by December 31, 2020, and the remaining exclusions expired by 2021.

在之前的[第三十九期简报](#)中，我们团队报道了美国贸易代表办公室正在考虑对已经获得延长关税豁免的产品恢复其豁免资格。具体而言，美国贸易代表办公室邀请了公众对是否重新豁免之前已取得豁免资格的549项产品进行评论。我们在上期简报中为大家附上了这549项产品关税豁免资格清单。其中绝大多数的产品豁免早已于2020年12月31日失效，并且其余的产品豁免也于2021年失效。

On March 23, 2022, USTR made an official announcement of its determination to reinstate 352 of the 549 eligible exclusions after its careful consideration of the public comments and in consultation with other government agencies.

在2022年3月23日，美国贸易代表办公室发布了一项正式的声明，在全面考虑公众评论以及与政府其他部门协商之后，美国贸易代表办公室决定将恢复此前考虑的549项中的352项中国产品关税豁免。

The reinstated exclusions are set out in the Federal Register notice (the "Notice"), which was published on March 28, 2022. A copy of the Notice can be viewed [here](#).

此次恢复的产品关税豁免刊登在于2022年3月28日公布的《联邦纪事》公告中。点击[此处](#)可浏览该公告。

The reinstated product exclusions announced in the Notice include 89 exclusions covered under List 1, 34 exclusions covered under List 2, 187 exclusions covered under List 3, and 42 exclusions covered under List 4A. These reinstated exclusions are available for any product that meets the descriptions in the Notice, regardless of whether an exclusion request was filed with USTR or not. In particular, the scope of each reinstated exclusion is governed by the scope of the 10-digit HTS Code and product descriptions outlined in the Annex to this Notice.

公告中所列的此次恢复的产品关税豁免涵盖了第一批次的89项产品，第二批次的34项产品，第三批次的187项产品，以及第四批次的42项产品。恢复的产品关税豁免适用于任何符合公告中描述的产品，即使您没有为您的产品向美国贸易代表办公室提交过产品豁免申请。具体而言，公告中所列的每一项恢复的产品关税豁免的范围都由该产品的10位美国协调关税码以及公告附件中所列特定的产品描述所决定。

As explained in the Notice, these 352 reinstated exclusions are retroactive to October 12, 2021 (the date when USTR began the public comment process) and are valid through December 31, 2022. USTR "may consider further extensions as appropriate," but it has not opened public comments process regarding such further extensions.

正如公告正文所解释的，恢复的这352项产品关税豁免将从2021年10月12日起（美国贸易代表办公室开启恢复豁免的公众评论程序之日）生效直至2022年12月31日。美国贸易代表办公室还表示其可能会根据情况考虑进一步延长产品豁免，但是尚未开启此类延长豁免的公众意见征询程序。

As always, if you have any questions regarding the Section 301 exclusion process, please do not hesitate to contact us.

如往常一样，如果您对301关税豁免程序有任何问题，请随时联系我们。

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