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Many of our clients have asked us for more information regarding the US Section 301 and 232 tariffs. Below is a brief description of these duties, links to more information, and links to data sheets detailing the affected HTS codes.

### **Section 301**

The “Section 301” tariffs are additional duties against products from China. These duties were originally implemented in July of 2018 against a list of HTS codes representing \$34 billion worth of goods from China. Over the following several months, the USTR implemented three more sets of duty increases for additional HTS codes. Additionally, a number of exemptions were granted.

USITC list of effected codes:

<https://hts.usitc.gov/view/China%20Tariffs?release=2022HTSABasicRev1B>

Any exemptions have been removed (or partial exemptions noted).

The CBP also has a lookup tool here:

<https://ustr.gov/issue-areas/enforcement/section-301-investigations/search>

Detailed history and explanation can be found at the US CBP site linked below:

<https://www.cbp.gov/trade/remedies/301-certain-products-china> (Already outdated)

Our best summary of the situation is as follows:

The list of the 4 groups of HTS codes being assessed the additional penalty:

Tranche 1: <https://syslp.customsinfo.com/Sections/Home/Download/Sec301-99038801.xlsx>

Tranche 2: <https://syslp.customsinfo.com/Sections/Home/Download/Sec301-99038802.xlsx>

Tranche 3: <https://syslp.customsinfo.com/Sections/Home/Download/Sec301-99038803.xlsx>

<https://syslp.customsinfo.com/Sections/Home/Download/Sec301-99038804.xlsx>

Tranche 4(A): <https://syslp.customsinfo.com/Sections/Home/Download/Sec301-99038815.xlsx>

Tranche 4(B): <https://syslp.customsinfo.com/Sections/Home/Download/Sec301-99038816.xlsx>

(List4B was not going to be effective till December 15<sup>th</sup> 2019, and in the end it was suspended indefinitely.)

On May 9<sup>th</sup> 2019, the penalties for the products in 9903.88.03 and 9903.88.04 were raised to 25% from 10%. When the penalty was raised to 25% from 10%, a special exemption was created for goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern standard time on May 10, 2019, and before June 1, 2019, and exported to the United States before May 10, 2019. For these goods the code 9903.88.09 can be used to keep the penalty at the original 10%.

On Feb 14<sup>th</sup> 2020 the rates of Tranche 4 ( 9903.88.15 ) were reduced from 15% to 7.5%.

The US has also published 8 groups of products that are listed in the “first tranche” under 9903.88.01 that are *exempted* from the additional duty. Each set of exemptions is associated with a new code in Chapter 99 as follows. The links take you to Excel documents with the exempted HS Codes.

Heading [9903.88.05](#) and U.S. note 20(h) to subchapter III of chapter 99;

Heading [9903.88.06](#) and U.S. note 20(i) to subchapter III of chapter 99;

Heading [9903.88.07](#) and U.S. note 20(j) to subchapter III of chapter 99;

Heading [9903.88.08](#) and U.S. note 20(k) to subchapter III of chapter 99

Heading [9903.88.10](#) and U.S. note 20(m) to subchapter III of chapter 99

Heading [9903.88.11](#) and U.S. note 20(n) to subchapter III of chapter 99

Heading [9903.88.14](#) and U.S. note 20(q) to subchapter III of chapter 99

Heading [9903.88.19](#) and U.S. note 20(x) to subchapter III of chapter 99

There are also 3 groups of exempted products from the “second tranche”:

Heading [9903.88.12](#) and U.S. note 20(o) to subchapter III of chapter 99

Heading [9903.88.17](#) and U.S. note 20(v) to subchapter III of chapter 99

Heading [9903.88.20](#) and U.S. note 20(y) to subchapter III of chapter 99

There are 7 groups of exemptions from the third or fourth tranches:

Heading [9903.88.13](#) and U.S. note 20(p) to subchapter III of chapter 99  
Heading [9903.88.18](#) and U.S. note 20(w) to subchapter III of chapter 99  
Heading [9903.88.33](#) and U.S. note 20(ll) to subchapter III of chapter 99  
Heading [9903.88.34](#) and U.S. note 20(mm) to subchapter III of chapter 99  
Heading [9903.88.35](#) and U.S. note 20(nn) to subchapter III of chapter 99  
Heading [9903.88.36](#) and U.S. note 20(oo) to subchapter III of chapter 99  
Heading [9903.88.37](#) and U.S. note 20(pp) to subchapter III of chapter 99  
Heading [9903.88.38](#) and U.S. note 20(qq) to subchapter III of chapter 99  
Heading [9903.88.39](#) and U.S. note 20(rr) to subchapter III of chapter 99  
Heading [9903.88.40](#) and U.S. note 20(ss) to subchapter III of chapter 99  
Heading [9903.88.41](#) and U.S. note 20(tt) to subchapter III of chapter 99  
Heading [9903.88.42](#) and U.S. note 20(uu) to subchapter III of chapter 99  
Heading [9903.88.43](#) and U.S. note 20(vv) to subchapter III of chapter 99  
Heading [9903.88.44](#) and U.S. note 20(ww) to subchapter III of chapter 99  
Heading [9903.88.45](#) and U.S. note 20(xx) to subchapter III of chapter 99  
Heading [9903.88.46](#) and U.S. note 20(yy) to subchapter III of chapter 99  
Heading [9903.88.47](#) and U.S. note 20(zz) to subchapter III of chapter 99  
Heading [9903.88.47](#) and U.S. note 20(aaa) to subchapter III of chapter 99

In October of 2019 the following exemptions were added:

For purposes of heading 9903.88.21, the additional duties imposed by heading 9903.88.03 or 9903.88.09 shall not apply to entries under subheadings 2202.99.36, 2202.99.37, 5810.91.00, 5810.92.10, 5810.92.90, 5810.99.10, 5810.99.90, 8205.90.60, 8206.00.00, 8215.20.00, 9017.90.01, 9620.00.15, and 9620.00.30, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.01.

For purposes of heading 9903.88.22, the additional duties imposed by heading 9903.88.03 or 9903.88.09 shall not apply to entries under subheadings 2202.99.36, 2202.99.37, 5810.91.00, 5810.92.10, 5810.92.90, 5810.99.10, 5810.99.90, 8205.90.60, 8206.00.00, 8215.20.00, 9017.90.01, 9620.00.15, and 9620.00.30, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.02.

For purposes of heading 9903.88.23, the additional duties imposed by heading 9903.88.03 or 9903.88.09 shall not apply to entries under subheadings 2202.99.36, 2202.99.37, 5810.91.00, 5810.92.10, 5810.92.90, 5810.99.10, 5810.99.90, 8205.90.60, 8206.00.00, 8215.20.00, 9017.90.01, 9620.00.15, and 9620.00.30, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.03 or 9903.88.09.

For purposes of heading 9903.88.24, the additional duties imposed by heading 9903.88.03 or 9903.88.09 shall not apply to entries under subheadings 2202.99.36, 2202.99.37, 5810.91.00, 5810.92.10, 5810.92.90, 5810.99.10, 5810.99.90, 8205.90.60, 8206.00.00, 8215.20.00, 9017.90.01, 9620.00.15, and 9620.00.30, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.15.

For purposes of heading 9903.88.25, the additional duties imposed by heading 9903.88.15 shall not apply to entries under subheadings 2106.90.52, 2106.90.54, 6103.22.00, 6103.23.00, 6103.29.05, 6103.29.10, 6103.29.20, 6104.22.00, 6104.23.00, 6104.29.05, 6104.29.10, 6203.22.30, 6203.29.10, 6203.29.15, 6203.29.20, 6203.29.30, 6204.21.00, 6204.22.30, 6204.23.00, 6204.29.20, 8215.10.00, 9005.90.40, 9005.90.80, 9110.11.00, 9110.90.20, and 9608.50.00, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.01.

For purposes of heading 9903.88.26, the additional duties imposed by heading 9903.88.15 shall not apply to entries under subheadings 2106.90.52, 2106.90.54, 6103.22.00, 6103.23.00, 6103.29.05, 6103.29.10, 6103.29.20, 6104.22.00, 6104.23.00, 6104.29.05, 6104.29.10, 6203.22.30, 6203.29.10, 6203.29.15, 6203.29.20, 6203.29.30, 6204.21.00, 6204.22.30, 6204.23.00, 6204.29.20, 8215.10.00, 9005.90.40, 9005.90.80, 9110.11.00, 9110.90.20, and 9608.50.00, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.02.

For purposes of heading 9903.88.27, the additional duties imposed by heading 9903.88.15 shall not apply to entries under subheadings 2106.90.52, 2106.90.54, 6103.22.00, 6103.23.00, 6103.29.05, 6103.29.10, 6103.29.20, 6104.22.00, 6104.23.00, 6104.29.05, 6104.29.10, 6203.22.30, 6203.29.10, 6203.29.15, 6203.29.20, 6203.29.30, 6204.21.00, 6204.22.30, 6204.23.00, 6204.29.20, 8215.10.00, 9005.90.40, 9005.90.80, 9110.11.00, 9110.90.20, and 9608.50.00, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.03 or 9903.88.09.

For purposes of heading 9903.88.28, the additional duties imposed by heading 9903.88.15 shall not apply to entries under subheadings 2106.90.52, 2106.90.54, 6103.22.00, 6103.23.00, 6103.29.05, 6103.29.10, 6103.29.20, 6104.22.00, 6104.23.00, 6104.29.05, 6104.29.10, 6203.22.30, 6203.29.10, 6203.29.15, 6203.29.20, 6203.29.30, 6204.21.00, 6204.22.30, 6204.23.00, 6204.29.20, 8215.10.00, 9005.90.40, 9005.90.80, 9110.11.00, 9110.90.20, and 9608.50.00, if such entries are subject to an applied rate of duty under such enumerated subheadings that is derived from another subheading that is subject to the additional duties imposed by heading 9903.88.15.

The above information on the exemptions can also be validated or seen in the US Tariff in Chapter 99. See the link below:

[Chapter 99 Rev 19](#)

### **Section 232**

The “Section 232” tariffs are additional duties on steel and aluminum products from all over the world with a few exceptions. These duties initially went into effect in March of 2018 with several subsequent proclamations added over the following months. For more details, please see the US CBP page linked below:

<https://www.cbp.gov/trade/remedies/232-tariffs-aluminum-and-steel>

**The following link will open an Excel spreadsheet detailing the affected HTS Codes:**

<https://syslp.customsinfo.com/Sections/Home/Download/Sec232-SteelAlum.xlsx>

\*Any future additions or changes that may be published by the US to codes affected under Section 232 will be updated in the Excel file linked here.

Please note that the US has not published a definitive list of codes affected under the Section 232 tariffs. Rather, the agencies have simply posted proclamations describing the steel and aluminium products affected under a range of HTS headings. We have therefore compiled a list that adheres as closely as possible to the specifications they have given. For more information, you can also refer to the links below:

- <https://www.cbp.gov/trade/programs-administration/entry-summary/232-tariffs-aluminum-and-steel/faqs>
- <https://www.whitehouse.gov/presidential-actions/presidential-proclamation-adjusting-imports-steel-united-states/>

The Section 232 penalties are listed under HS codes 9903.80.01 and 9903.80.02.

- Goods entered for consumption, or withdrawn from warehouse for consumption before 12:01 a.m. eastern daylight time on May 21, 2019, shall be filed using the 9903.80.02 special provision for 50% ad valorem duty rate for products of iron and steel from Turkey.
- Goods entered for consumption, or withdrawn from warehouse for consumption on or after 12:01 a.m. eastern daylight time on May 21, 2019, shall be filed using the 9903.80.01 special provision for 25% ad valorem duty rate for products of iron and steel from all countries (including Turkey) except Argentina, Australia, Brazil, Canada, Mexico and South Korea.