



SECTION 301:
a quick guide

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introduction

Section 301 represents an investigation of the acts, policies, and practices of the Government of China related to technology transfer, intellectual property, and innovation. These tariffs are a result of the determination that the acts, policies, and practices of China under the Section 301 investigation are unreasonable or discriminatory and burden or restrict U.S. commerce, and are thus actionable under Section 301(b) of the Trade Act of 1974, as amended (Trade Act).

This document has been created to assist in the understanding of Section 301 Tariffs and how to navigate the various 9903 tariffs that have been established with these protective tariffs against imported goods from China. There are currently 4 lists for these tariffs, the 4th list being broken into separate part A and B lists.

This document breaks out each Section 301 List and its Chapter 9903 tariff number and associated tariff rate. Also provided are hyperlinks to both an official list as well as to an interactive list provided by Sandler, Travis & Rosenberg, P.A. where one can review the affected HTSUS Tariffs.

Note that the primary tariffs for these the four lists are as follows. Note: they do not fall in sequential order:

- List 1: 9903.88.01
- List 2: 9903.88.02
- List 3: 9903.99.03
- List 4A: 9903.88.15
- List 4B: 9903.88.16

A comprehensive list of all active lists can be found at: [Comprehensive List](#)

Also provided are hyperlinks to exclusion lists and their commodity scope description for products that have been excluded from the original Section 301 list. The commodity must fall within the [scope description](#) provided in each exclusion list. The tariff in itself does NOT constitute a product as being excluded. The exclusion tariffs will not necessarily fall in sequential order.

Example scope description for exemption tariff
9903.88.06:

- (10) Machinery for filtering water, submersible, powered by batteries, manually operated, such machinery designed for use in pools, basins, aquariums, spas or similar contained bodies of water (described in statistical reporting number 8421.21.0000)

If you are in question as to whether a commodity falls within any of the Section 301 Lists or whether it falls within or outside of an exclusion scope description, please contact the compliance department. We will be more than happy to review and provide you with a final determination. These can be tricky so please do not guess or make assumptions. It is better to have us make the final determination, and if wrong then it is on us, not you.

list 1

9903.88.01

Section 301 List 1, effective date July 6th, 2018. First list to impose duties on goods from China with an annual trade value of approximately \$34 billion. Current rate is 25%.

[To review the official list, click here.](#) You must scroll down past the Federal Register Notice. A concise list that provides subject tariffs and tariffs granted exclusions can be found by clicking: [USTR Section 301 List 1 with Exclusions.](#)

EFFECTIVE
July 6, 2018

Below are the official Exclusion Lists for Section 301 List 1. Each document reported is in the Federal Register.

- [9903.88.05 Exclusion List 1](#)
- [9903.88.06 Exclusion List 2](#)
- [9903.88.07 Exclusion List 3](#)
- [9903.88.08 Exclusion List 4](#)
- [9903.88.10 Exclusion List 5](#)
- [9903.88.11 Exclusion List 6](#)
- [9903.88.14 Exclusion List 7](#)
- [9903.88.19 Exclusion List 8](#)

For a Quick Review of Exclusions for Section 301 Lists 1, 2, 3, and 4, click below:

[Product Specific Exclusions Granted - All Lists Combined](#)

list 2

9903.88.02

Section 301 List 2, effective date August 23rd, 2018. Second list to impose duties on goods from China with an annual trade value of approximately \$16 billion. Current rate is 25%. [To review official list, click here.](#) You must scroll down past the Federal Register Notice.

Below are the official Exclusion Lists for Section 301 List 2. Each document is reported in the Federal Register.

- [9903.88.12 Exclusion List 1](#)
- [9903.88.17 Exclusion List 2](#)
- [9903.88.20 Exclusion List 3](#)

For a Quick Review of Exclusions for Section 301 Lists 1, 2, 3, and 4, click below:

[Product Specific Exclusions Granted – All Lists Combined](#)

EFFECTIVE
august 23,
2018

EFFECTIVE
september
24, 2018

list 3

9903.88.03 & 9903.88.09

(9903.88.09 is for the extension of duty increase from 10% to 25% on the 9903.88.03 tariffs). Section 301 List 3, effective date September 24th, 2018. Third list to impose duties on goods from China with an annual trade value of approximately \$200 billion. Current rate is 25%. [To review official list, click here.](#)

Below are the official Exclusion Lists for Section 301 List 3. Each document is reported in the Federal Register.

9903.88.04 is a sub-section of List 3 that is automatically excluded from these tariffs. These can be found at the bottom of the Section 301 List 3 Tariffs, it is primarily for children's furniture.

[9903.88.13 Exclusion List 1](#)

[9903.88.18 Exclusion List 2](#)

[9903.88.33 Exclusion List 3](#)

[9903.88.34 Exclusion List 4](#)

For a Quick Review list of all Exclusions for Section 301 Lists 1, 2, 3, and 4 click below:

[Product Specific Exclusions Granted - All Lists Combined](#)

Special Exclusions for Sets and Ensembles Tariffs requiring secondary tariffs that may be subject to a different Section Tariff. **Please contact compliance in regard to these specialized exclusions. A complete list of tariffs for sets and ensembles can be found below.**

9903.88.21 Excludes 9903.88.03 & 9903.88.09 if subheading for the set tariff is found on 9903.88.01. Effective September 24th, 2018.

9903.88.22 Excludes 9903.88.03 & 9903.88.09 if subheading for the set tariff is found on 9903.88.02. Effective September 24th, 2018.

EFFECTIVE
september
1, 2019

9903.88.23 Excludes 9903.88.03 & 9903.88.09 if subheading for the set tariff is also found under 9903.88.03 & 9903.88.09. Effective September 24th, 2018.

9903.88.24 Excludes 9903.88.03 & 9903.88.09 if subheading for the set tariff is found on 9903.88.15. Effective September 24th, 2018.

list 4 (a)

99038.15

Section 301 List 4A, effective date September 1st, 2019. Part of the 4th list to impose duties on goods from China with an annual trade value of approximately \$300 Billion. Current rate is 15%. To review official list please click:

[Section 301 List 4A Tariffs.](#)

Special Exclusions for Sets and Ensembles Tariffs requiring secondary tariffs that may be subject to a different Section Tariff. **Please contact compliance in regard to these specialized exclusions. A complete list of tariffs for sets and ensembles can be found below.**

9903.88.25 Excludes 9903.88.15 if subheading for the set tariff is found on 9903.88.01. Effective September 1st, 2019.

9903.88.26 Excludes 9903.88.15 if subheading for the set tariff is found on 9903.88.02. Effective September 1st, 2019.

9903.88.27 Excludes 9903.88.15 if subheading for the set tariff is found on 9903.88.03 & 9903.88.09. Effective September 1st, 2019.

9903.88.28 Excludes 9903.88.15 if subheading for the set tariff is found 9903.88.15. Effective September 1st, 2019.

list 4 (b)

9903.88.16

Section 301 List 4B, effective date December 15th, 2019. Part of the 4th list to impose duties on goods from China with an annual trade value of approximately \$300 Billion. Proposed rate is 15%. To review official list please click: [Section 301 List 4B Tariffs.](#)

There are no exclusions for this tariff at this time.

appendix

SECTION 301 LIST 3

Special Exclusions for Sets and Ensembles Tariffs requiring secondary tariffs that may be subject to a different Section Tariff. **Please contact compliance in regard to these specialized exclusions.**

9903.88.21: 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.

9903.88.22: 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.

EFFECTIVE
**september 1,
2019**

9903.88.23: 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.

9903.88.24: 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.”

SECTION 301 LIST 4A

Special Exclusions for Sets and Ensembles Tariffs requiring secondary tariffs that may be subject to a different Section Tariff. **Please contact compliance in regard to these specialized exclusions.**

9903.88.25: 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.

9903.88.26: 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.

9903.88.27: 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.

9903.88.28: 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.”

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