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## Industry News

### Section 301 Exclusions Will Not be Implemented by CBP Until Government Shutdown Ends

On 28 December 2018, the Office of the US Trade Representative (USTR) announced the first batch of products that will be excluded from the additional 25% tariffs imposed on approximately US\$34 billion worth of imports from China under Section 301 investigation.

2. The US Customs and Border Protection (CBP) announced that it will not be able to implement the first group of Section 301 tariff exclusions until the impasse over government funding is resolved. While the Office of the US Trade Representative issued a notice on the exclusions, CBP is unable to update the Automated Commercial Environment (ACE) to reflect the exclusions. At the conclusion of the government funding hiatus, CBP will issue instructions on entry guidance and implementation.

3. Once the government shutdown is ended, the updates to ACE on the exclusions will be implemented 10 days later. Until these updates are completed, entry and entry summaries must be submitted without the Chapter 99 product exclusion number. Any entry and entry summaries that include the Chapter 99 product exclusion numbers will be rejected.

4. After CBP issues guidance and implements the ACE updates, a Post Summary Correction (PSC) or a Protest may be submitted for a refund. The product exclusions apply retroactively as of 6 July 2018, the date the first set of tariffs took effect, and will remain in effect for a year.

5. Details of the CBP's announcement can be found in the following website:

[https://csms.cbp.gov/viewmssg.asp?Recid=23970&page=&srch\\_argv=18-000757&srchtype=all&btpe=&sortby=&sby](https://csms.cbp.gov/viewmssg.asp?Recid=23970&page=&srch_argv=18-000757&srchtype=all&btpe=&sortby=&sby)

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