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Outcome of Batch One of China's Tariff Exclusion Process

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Report Highlights:

On September 11, 2019, the Ministry of Finance posted an announcement on its website by the State Council Customs Tariff Commission (SCCTC) that provides two tariff exclusion lists for certain U.S. products subject to additional Section 301 retaliatory tariffs. The tariff exclusions are effective from September 17, 2019 through September 16, 2020. Certain products are also eligible for refunds of tariffs already collected. Relevant importing enterprises must apply for tariff refunds within 6 months of the publication of the announcement. This report provides an unofficial translation of the SCCTC announcement, as well as identifying the agricultural products that appear on the two tariff exclusion lists.

Summary:

On September 11, 2019, the Ministry of Finance posted an announcement on its website by the State Council Customs Tariff Commission (SCCTC) that provides two tariff exclusion lists for certain U.S. products subject to additional tariffs. The tariff exclusions are effective from September 17, 2019 through September 16, 2020. Products in List I are eligible for refund of tariffs already collected, while Products in List II will be excluded from future tariffs through September 16, 2020, but are not eligible for refund of previously collected tariffs. Relevant

importing enterprises must apply for tariff refunds within 6 months of the publication of the announcement. List I contains twelve products in total, of which four are agricultural products, while List II contains four products in total, of which one is an agricultural product.

The SCCTC announcement is available at:

http://gss.mof.gov.cn/zhengwuxinxi/zhengcefabu/201909/t20190911_3384638.html

Unofficial Translation of the SCCTC Announcement

The State Council Customs Tariff Commission Announcement on the Exclusion Lists for the First Batch of U.S. Products Imposed with Additional Tariffs
(Tariff Commission Notice [2019] No. 6)
September 11, 2019

According to the *Notice of the State Council Customs Tariff Commission on the Trial Implementation of the Exclusion Process for U.S. Products Subject to Additional Tariffs* (Tariff Commission Notice [2019] No. 2), the State Council Tariff Commission has organized a review of the valid applications submitted by applicants and has decided to exclude certain products from the first batch of U.S. products imposed with additional tariffs. The exclusion process will be implemented through two lists. The relevant matters are announced as follows:

For products included in List I, the additional tariffs which were imposed to counter U.S 301 Measures will no longer be collected from September 17, 2019 to September 16, 2020 (one year). Tariffs already collected shall be refunded and the relevant importing enterprises shall apply to Customs within 6 months of the publication of the exclusion list.

For products included in List II, the additional tariffs which were imposed to counter U.S. 301 Measures will no longer be collected from September 17, 2019 to September 16, 2020 (one year). Tariffs already collected will not be refunded.

The State Council Tariff Commission will continue to carry out the exclusion work for U.S. products imposed with additional tariffs and will publish follow-up lists in due course.

Appendixes

1. [Exclusion List I for the First Batch of U.S. Products Imposed with Additional Tariffs](#)
2. [Exclusion List II for the First Batch of U.S. Products Imposed with Additional Tariffs](#)

Appendix 1

Exclusion List I for the First Batch of U.S. Products Imposed with Additional Tariffs (Agricultural products only)

EX①	HS Code②	Commodity Description
	03063610	Other Shrimps/Prawns for Cultivation
	12141000	Lucerne (Alfalfa) Meals & Pellets
EX	12149000	Other Lucerne (Alfalfa), not including meals and pellets
	23012010	Flours and meals of fish, of a kind used in animal feeding

Note:

① “EX” indicates that the excluded commodity is under this HS line but “commodity description” shall prevail.

② HS code refers to the Customs Import and Export Tariff of the People’s Republic of China in 2019.

Appendix 2

Exclusion List II for the First Batch of US Products Imposed with Additional Tariffs (Agricultural products only)

EX①	HS Code②	Commodity Description
EX	04041000	Whey for feed use (protein content by weight 2%-7% and lactose content of 76%-88%)

Note:

① “EX” indicates that the excluded commodity is under this HS line but the “commodity description” shall prevail.

② HS code refers to the Customs Import and Export Tariff of the People’s Republic of China in 2019.