

Questions for Section 232 & 301 Tariffs Webinar

Q: What does it mean product driven versus tariff driven?

A: The exclusion is very specific to the product. The IOR must make sure your product is an exact match to the description on the exclusion list and not just falling in the HTS chapter.

Q: Does JAS provide a service for applying for exclusions?

A: Unfortunately, no. The section 232 are the only exclusions still open at this time and they are extremely specific, and you must know the product. It may even be in the IOR's best interest to have an attorney review it before submitting to the request as there were a lot of requests rejected due to not being submitted with complete information.

Q: Will CBP get suspicious if we review our HTS and revise codes to the correct codes because of the 232 and 301 duties?

A: It may cause CBP to do a CF28 and ask for information, but the IOR should always be reviewing their HTS and making sure they are using the correct HTS for your product.

Q: If my cargo is brought into FTZ and HTS is now excluded, does that mean that I can withdraw my cargo from the FTZ without paying additional China tariffs?

A: Sure does, if the IOR's product is imported and entered in an FTZ. When it is ready to be withdrawn, the exclusions will apply.

Q: Can we reach out to our sales rep to get added to the newsletter.

A: Yes.

Q: What if I just cannot determine what my HTS is for an item. Is there a way to know if a refund has been requested for any entry that has an excluded HTS?

A: We could help by filing a binding ruling with CBP. The response from a binding ruling usually takes approximately 6-8 weeks. If a product has to go to a lab for testing, it could take even longer.

Q: Would JAS charge a fee for such service HTS help?

A: Yes, there would be an associated service fee.

Q: What if JAS isn't my broker?

A: JAS of course would love to be your broker. However, if we were not the broker on an entry we have the capability to submit a post summary correction or protest on your behalf.

Q: Does JAS have a publication that summarizes all the exclusions that have been granted and their start date, expiration date, and retroactive date, please?

A: Please see the article entitled "China Tariffs: Section 301 Tariff Exclusions Update."

Q: How can I determine if all entries related to a bond have been liquidated and the liability is closed?

A: You can ask your local branch office to run a liquidation report to see what is open and pending.

Q: Has the USTR published a date when new exclusions will be published?

A: Currently we have not been advised of any new list but if one is announced we will issue a client advisory.