



FedEx Regulatory Alerts & Updates

Regulatory Alert: Section 301 China Tariff Exclusions for COVID Medical Products Extended to May 31, 2022

November 29, 2021

BACKGROUND

The U.S. Trade Representative (USTR) initially modified its Section 301 tariff actions on products of China by excluding from additional duties certain medical-care products required to address the COVID-19 outbreak in 2020. Since then, the USTR has announced two extension periods for these medical-care products that were scheduled to last through November 14, 2021.

WHAT HAS CHANGED?

The USTR has determined to provide a 16-day transition period for 99 COVID-related product exclusions through November 30, 2021, and to extend 81 of the COVID exclusions for an additional 6 months through May 31, 2022.

The formal USTR notice is dated November 8, 2021 and is listed in the References section below.

This new extension period is effective for the identified 81 goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 am December 1, 2021, and before 11:59 pm EST on May 31, 2022.

Q & A

Q 1 - Which products are included in this extension action?

A 1 – The specific 1 medical-care and COVID-19 response products extended until May 31, 2022 are identified in Annex B of the USTR announcement.

Q 2 – Do the medical-care articles with extended exclusions retain the same Chapter 99 subheadings?

A 2 – No. The USTR designated this extension to be under subheading 9903.88.66 with U.S. Notes identifying specific groups of covered articles. The extended exclusions for the 81 medical care products for COVID-19 purposes are identified in Annex B. All of them will be filed under subheading 9903.88.66 and the specific U.S. Note listed in the USTR November 8, 2021 notice:

- 24 articles under U.S. Note 20 (sss)(i)
- 9 articles under U.S. Note 20 (sss)(ii)
- 26 articles under U.S. Note 20 (sss)(iii)
- 22 articles under U.S. Note 20 (sss)(iv)

REFERENCES

USTR November 8, 2021 Notice:

<https://ustr.gov/sites/default/files/enforcement/301Investigations/Extensions%20to%20COVID-19%20Exclusions%20-%20FRN%2011-8-21.pdf>

Regulatory Alerts & Updates March 9, 2021:

https://www.fedex.com/content/dam/fedex/us-united-states/International/images/2021/RegAlert_21-054_China_Section_301_Exclusions_Extended_for_COVID_Medical_Care_Products.pdf

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