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## china 301 list 2 – effective august 23, 2018

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### *MSK Client Alert*

August 8, 2018

USTR Lighthizer yesterday published notice that the 25% tariff on goods appearing on List 2 will become effective on August 23, 2018. For those who wonder if filing comments makes a difference, the answer is yes! In his announcement, USTR Lighthizer made the point the list dropped from 284 to 279 tariff items based on testimony and comments which had been received. None of this, of course, helps those companies which are taking a serious financial hit from these tariffs, but then once the official notice is published in the Federal Register, an exclusion request will be included, and so companies should be gearing up to do two things:

1. File exclusion requests for any products on Lists 1 and 2; and
2. File comments for those products on List 3.

While those impacted hope for a quick resolution, prudence dictates planning for a List 4. List 1 is discussed in the general press as worth \$34 billion. List 2's goods are worth \$16 billion, and List 3's goods are worth \$200 billion. Both President Trump and USTR Lighthizer have spoken of imposing additional tariffs on \$500 billion worth of goods imported from China. If that happens, any product not on the other lists will end up on List 4.

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