

Richard Mojica Comments on China Tariff Relief in Law360

"China Tariff Relief is Back, and So is Importers' Angst"

LAW360

10.08.2021

Richard Mojica commented on the Biden administration's restart of a process to secure exclusions from tariffs on Chinese goods. U.S. Trade Representative (USTR) Katherine Tai announced that she would reinstate the tariff exclusion process that allows importers to avoid paying levies on Chinese goods that are not sufficiently available from other sources, giving a lift to importers who have been pressing the government to reinstate the exclusion process for months. When importers exclusions requests were denied by USTR, they were told it was because it "failed to show that the imposition of additional duties on the particular product would cause severe economic harm" to their business interests. "USTR never truly articulated what a requestor had to demonstrate in order to cross that threshold...When I talk to companies about this process, I know I am going to be prioritizing the effects of tariffs on labor and their ability to quantify what that effect can be. The better case you can make on that, the more likely I think you're going to be able to demonstrate the economic harm argument," Mojica told *Law360*.