



Bulletin 19-40 December 7, 2019

CIAA Bulletin

**An Exclusive CIAA Member
Update**

USTR Seeks Input on Products to Carousel, Duty Rate in Large Civil Aircraft Tariff Action

Late Friday evening, the U.S. Trade Representative (USTR) [issued](#) a Federal Register notice outlining the process to review the current Section 301 duties related to the large civil aircraft dispute with the European Union (EU). The review of the tariff action, which may result in goods being added or removed from the list and a change in the tariff level, is mandated by Section 306(b)(2) of the Trade Act of 1974.

As previously reported, the initial onslaught of duties occurred in October 2019 when the U.S. imposed 10 percent tariffs on new European large civil aircrafts and 25 percent tariffs on agricultural and other products. This included a large number of cheeses and dairy products imported from various EU countries.

USTR is seeking comments on:

- What changes should be made to the current list of goods subject to the tariff action (i.e. whether products should be added or removed from the list). It should be noted, that USTR will only consider adding goods that were proposed as part of the lists issued the Federal Register notices from April and July associated with this action;
- If the rate of duty should be increased to as high as 100 percent;
- Whether maintaining or imposing additional duties on a specific product of one or more specific EU member states would be appropriate to enforce U.S. WTO rights or to obtain the elimination of the EU's World Trade Organization (WTO)-inconsistent measures, and/or would be likely to result in the EU implementing the WTO Dispute Settlement Body recommendations in the Large Civil Aircraft dispute or in achieving a mutually satisfactory solution (i.e. whether is action is effective and how can USTR make it more effective to bring the EU into compliance); and
- Whether maintaining or imposing additional duties on specific products of one or more specific EU member states would cause disproportionate

economic harm to U.S. interests, including small or medium-size businesses and consumers.

Comments must be submitted to USTR through [regulations.gov](https://www.regulations.gov) (Docket # USTR-2019-0003) by January 13, 2020.

CIAA intends to submit comments in response to this notice. CIAA members should provide their assessment of the impact of these tariffs to the association in order to help CIAA provide context to USTR on the impact the tariffs have already had on members. CIAA also encourages its members to submit individually on the impact these tariffs have on their businesses.

We will continue to keep you updated as developments related to these duties occur. If you have questions, please contact the Husch Blackwell team at CIAAGeneralCounsel@huschblackwell.com

Dates to Remember

December 20, 2019 (approximately)
FAS issues first notice of calendar year 2020 licenses to licensees.

December 31, 2019
Last day for licensees to make entries to fulfill the requirement to use 85% of their calendar year 2019 license amount. Last day for which calendar year 2019 licenses are valid.

January 1, 2020
First day of validity for calendar year 2020 licenses.

January 19, 2020
CIAA Fancy Food Show Reception
5:00 pm- 7:30 pm
Thirsty Bear Brewery
San Francisco, CA

* If a deadline date falls on a Saturday, Sunday, or Federal holiday, the deadline will be the next business day (Section 6.36(a) of the Dairy Tariff-Rate Import Quota Licensing Regulation). This does not apply to dates of entry for eligibility.

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