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## Presidential Proclamation To Modify The Harmonized Tariff Schedule Of The United States

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This month a number of new and revised tariff provisions in the Harmonized Tariff Schedule of the United States (“HTSUS”) will take effect. The changes to the HTSUS are designed to ensure that the HTSUS includes significant updates made by the World Customs Organization (“WCO”) to the International Convention on the Harmonized Commodity Description and Coding System (the “Convention”). The Presidential Proclamation also includes other changes that are required by operative free trade agreements and that address certain technical aspects associated with the continued imposition of additional duties on most imports of Chinese-origin articles into the United States.

On December 23, 2021, President Biden signed [Proclamation 10326](#), which modifies the HTSUS in accordance with recommendations by the United States [International Trade Commission](#). The 2022 updates include a number of new or revised tariff classifications for articles including 3D printers, agricultural products, food products, and placebos and double-blinded clinical trial kits, among several others.

In addition, the updates to the 2022 HTSUS streamline certain classifications to meet strategic regulatory priorities. For example, [new subheadings](#) have been created for dual use goods that could be diverted for unauthorized use, such as radioactive materials and biological safety cabinets. The 2022 HTSUS also introduces new subheadings covering various controlled goods, such as chemicals controlled under the Chemical Weapons Convention, hazardous chemicals controlled under the Rotterdam Convention, and certain persistent organic pollutants controlled under the Stockholm Convention. Further, new subheadings have been added to better monitor and control fentanyl and its derivatives and precursors.

Other modifications to the HTSUS include certain technical corrections under various free trade agreements, the removal of Ethiopia, Guinea, and Mali as designated sub-Saharan African beneficiary countries



under the Generalized System of Preferences pursuant to section 506A of the Trade Act of 1974 (the “Trade Act”), and changes to maintain the duty treatment with respect to actions taken by the Trump and Biden Administrations under section 301 of the Trade Act, including the ongoing China tariff actions.

With certain exceptions, the updates to the HTSUS will take effect on or around January 27, 2022 (*i.e.*, 30 days after the date of publication in the Federal Register of Proclamation 10326, which occurred on December 28, 2021). Importers should review these changes in order to assess any potential impacts on product classifications, which could affect general duty rates, preferential-duty treatment eligibility, and coverage by retaliatory trade measures, among other customs compliance considerations.

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