

# Harmonized Tariff Schedule of the United States (2018) Revision 5

Annotated for Statistical Reporting Purposes

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## U.S. Notes (con.)

- (h) For purposes of subheading 9903.45.25 to this subchapter, the duty rate in the Rates of Duty 1-General subcolumn and the Rates of Duty 2 column in any of the periods enumerated below shall be as follows, with the duty rates set forth herein applied in addition to those applicable under subheading 8541.40.60:

If entered during the period from February 7, 2018 through February 6, 2019.....	30%
If entered during the period from February 7, 2019 through February 6, 2020.....	25%
If entered during the period from February 7, 2020 through February 6, 2021.....	20%
If entered during the period from February 7, 2021 through February 6, 2022 .....	15%

Such duty shall be imposed on the declared value of such modules, including the cost or value of the non-cell portions thereof (such as aluminum frames), as Customs in its regulations or instructions may require.

19. (a) This note and the tariff provisions referred to herein set forth the ordinary customs duty treatment applicable to all entries of the aluminum products of all countries other than of the United States, when such aluminum products are classifiable in the headings or subheadings enumerated in subdivision (b) of this note. All anti-dumping or countervailing duties, or other duties and charges applicable to such goods shall continue to be imposed, except as may be expressly provided herein.

- (i) Heading 9903.85.01 provides the ordinary customs duty treatment of aluminum products of all countries other than products of the United States and other than of countries expressly exempt therefrom, pursuant to the article description of such heading. For any such products that are eligible for special tariff treatment under any of the free trade agreements or preference programs listed in general note 3(c)(i) to the tariff schedule, the duty provided in this heading shall be collected in addition to any special rate of duty otherwise applicable under the appropriate tariff subheading, except where prohibited by law. Goods for which entry is claimed under a provision of chapter 98 and which are subject to the additional duties prescribed herein shall be eligible for and subject to the terms of such provision and applicable U.S. Customs and Border Protection ("CBP") regulations, except that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article. No claim for entry or for any duty exemption or reduction shall be allowed for the aluminum products enumerated in subdivision (b) of this note under a provision of chapter 99 that may set forth a lower rate of duty or provide duty-free treatment, taking into account information supplied by CBP, but any additional duty prescribed in any provision of this subchapter or subchapter IV of chapter 99 shall be imposed in addition to the duty in heading 9903.85.01.

- (ii) Subheadings 9903.85.05 and 9903.85.06, inclusive, provide the ordinary customs duty and quota treatment of such goods enumerated in subdivision (b) of this note when they are the product of any country enumerated in the superior text thereto and expressly exempt from the scope of heading 9903.85.01, subject to the limitations in subdivision (e) of this note.

- (b) The rates of duty set forth in heading 9903.85.01 and subheadings 9903.85.05 and 9903.85.06, inclusive, apply to all imported products of aluminum classifiable in the provisions enumerated in this subdivision:

- (i) unwrought aluminum provided for in heading 7601;
- (ii) bars, rods and profiles provided for in heading 7604; wire provided for in heading 7605;
- (iii) plates, sheets and strip provided for in heading 7606; foil provided for in heading 7607;
- (iv) tubes, pipes and tube or pipe fittings provided for in heading 7608 and 7609;
- (v) castings and forgings of aluminum provided for in subheading 7616.99.61.

Any reference above to aluminum products classifiable in any heading or subheading of chapter 76, as the case may be, shall mean that any good provided for in the article description of such heading or subheading and of all its subordinate provisions (both legal and statistical) is covered by the provisions of this note and related tariff provisions.

- (c) The Secretary of Commerce may determine and announce any exclusions from heading 9903.85.01 that may be appropriate for individual aluminum products otherwise covered by subdivision (b) of this note or for individual shipments thereof, whether or not limited to particular quantities of any such goods or shipments, and shall immediately convey all such determinations to U.S. Customs and Border Protection ("CBP") for implementation by CBP at the earliest possible opportunity, but not later than five business days after the date on which CBP receives any such determination from Commerce.

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- (d) Any importer entering the aluminum products covered by this note under heading 9903.85.01 and subheadings 9903.85.06 and 9903.85.06, inclusive, shall provide any information that may be required, and in such form, as is deemed necessary by CBP in order to permit the administration of this subheading. Importers are likewise directed to report information concerning any applicable exclusion granted by Commerce in such form as CBP may require.
  - (e) Subheadings 9903.85.05 and 9903.85.06, inclusive, set forth the ordinary customs duty treatment for the aluminum products (as enumerated in subdivision (b) of this note) of any country enumerated in the superior text to such subheadings, subject to the annual aggregate quantitative limitations proclaimed for these subheadings and as set forth on the Internet site of CBP at the following link: <https://www.cbp.gov/trade/quota>. Beginning on July 1, 2018, imports from any such country in an aggregate quantity under any such subheading during any of the periods January through March, April through June, July through September, or October through December in any year that is in excess of 500,000 kg and in excess of 30 percent of the total aggregate quantity provided for a calendar year for such country, as set forth on the Internet site of CBP, shall not be allowed.
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