

116TH CONGRESS
2D SESSION

S. 4364

To amend the Tariff Act of 1930 to require online retailers to disclose whether articles sold by such retailers originate in the People's Republic of China, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2020

Ms. MCSALLY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Tariff Act of 1930 to require online retailers to disclose whether articles sold by such retailers originate in the People's Republic of China, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DISCLOSURE BY ONLINE RETAILERS OF**
4 **WHETHER ARTICLES ORIGINATE IN THE PEO-**
5 **PLE'S REPUBLIC OF CHINA.**

6 (a) IN GENERAL.—Section 304 of the Tariff Act of
7 1930 (19 U.S.C. 1304) is amended by adding at the end
8 the following:

1 “(m) MARKING OF ARTICLES FROM THE PEOPLE’S
2 REPUBLIC OF CHINA SOLD BY ONLINE RETAILERS.—

3 “(1) IN GENERAL.—Any person that sells,
4 through an online marketplace or e-commerce plat-
5 form, articles of foreign origin imported into the
6 United States, shall state as legibly as possible, in
7 a conspicuous place on the webpage for each such
8 article, if any of the following is the People’s Repub-
9 lic of China:

10 “(A) The country of origin of the article.

11 “(B) The country of origin of any major
12 component of the article.

13 “(C) The country in which the article was
14 manufactured.

15 “(D) The country in which the article was
16 assembled.

17 “(2) APPLICATION OF CERTAIN PROVISIONS.—

18 The following provisions of this section shall apply
19 with respect to the statement required by paragraph
20 (1) to the same extent that such provisions apply
21 with respect to the marking of articles under sub-
22 section (a):

23 “(A) Paragraphs (1) and (2) of subsection
24 (a).

1 “(B) Subparagraphs (E), (H), (I) of sub-
2 section (a)(3).

3 “(C) Subsections (f), (g), (h), (k), and
4 (l).”.

5 (b) REGULATIONS.—The Secretary of the Treasury
6 shall prescribe regulations to carry out subsection (m) of
7 section 304 of the Tariff Act of 1930, as added by sub-
8 section (a), which regulations may include exceptions to
9 the requirements of that subsection for small retailers or
10 for second point-of-sale retailers.

11 (c) APPLICABILITY.—The amendment made by sub-
12 section (a) shall apply with respect to articles entered, or
13 withdrawn from warehouse for consumption, on or after
14 the date that is 15 days after the date of the enactment
15 of this Act.

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