

## insights

**TYPES NOT MAPPED YET** February 26, 2025 | TTR not mapped yet | Tyler Black, Evelyn A. Clark, Sean McGowan, Robert A. Shapiro, Yasmin L. Younis

## Recent Trade & Compliance Actions

In an era marked by global unrest, regulatory complexities, and a shifting market landscape, companies must remain diligent in their trade compliance procedures and stay apprised of changes in the law.

TC Trade Alerts will serve as a central resource for identifying the policy changes, executive orders, and necessary information and context regarding government actions affecting international trade.

See below for more information on the last TC Trade Alerts. If you have any questions about how this affects your business, please don't hesitate to contact one of our attorneys.

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### April 16, 2025 | Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Semiconductors and Semiconductor Manufacturing Equipment

#### THOMPSON COBURN TRADE ALERT - IMPORTS

HEADLINE	Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Semiconductors and Semiconductor Manufacturing Equipment
DATE	April 16, 2025
AGENCY	Department of Commerce; Trump Administration
EFFECTIVE DATES	Deadline to Submit Comments in Docket No. 250414-0066 - May 7, 2025 (21 Days after Publication Date)
BACKGROUND	On April 1, 2025, the Trump Administration directed the Secretary of Commerce to conduct a 232 investigation into semiconductors, semiconductor manufacturing equipment ("SME"), and their derivative products to determine whether such imports impair the national security of the United States.
DETAILS	<p>The Department of Commerce's Bureau of Industry and Security is seeking written comments, data, and information related to the national security impacts of semiconductors, SME, and their derivative products.</p> <p>The Department is specifically interested in receiving comments and information regarding the following areas:</p>

- Current and future demand for semiconductors (including as embedded in downstream products) and SME differentiated by product type and node size
- Ability of domestic production of semiconductors at each node size for each product type, and production of SME to meet demand
- Role of foreign supply chains, particularly from major exporters, in meeting U.S. demands
- Concentration of U.S. semiconductor imports (including as embedded in downstream products) and SME imports from a small number of suppliers and the associated risks
- Impact of foreign government subsidies, overcapacity, and predatory trade practices on domestic industry competitiveness
- Impact of low semiconductor and SME prices due to unfair trade practices and state-sponsored overproduction
- Risks from potential export restrictions by foreign nations
- Feasibility of expanding domestic semiconductor (in different product types and node sizes) and SME production to reduce dependence on imports
- Impact of current trade policies on domestic semiconductor and SME production and whether additional measures, including tariffs or quotas, are necessary to protect national security
- What product types and node sizes could be built only using SME from U.S. companies
- What SME is manufactured abroad and faces limited competition from U.S.-made products
- What SME parts or components are only available outside the United States
- Where domestic workforce faces a talent gap in production of semiconductors, SME, or SME components

Please refer to the Notice linked below for filing instructions. Comments can be submitted electronically at [www.regulations.gov](https://www.regulations.gov), ID: BIS-2025-0021, and all comments should refer to XRIN 0694-XC121

BASIS	Section 232 of the Trade Expansion Act of 1962; part 705 of the National Security Industrial Base Regulations (15 CFR parts 700 through 709)
CITE	<a href="#">Federal Register: Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Semiconductors and Semiconductor Manufacturing Equipment</a>

[Read more](#)

## April 16, 2025 | Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Pharmaceuticals and Pharmaceutical Ingredients

### THOMPSON COBURN TRADE ALERT - IMPORTS

HEADLINE	Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Pharmaceuticals and Pharmaceutical Ingredients
DATE	April 16, 2025
AGENCY	Department of Commerce; Trump Administration
EFFECTIVE DATES	Deadline to Submit Comments in Docket No. 250414-0065 - May 7, 2025 (21 Days after Publication Date)
BACKGROUND	<p>On April 1, 2025, the Trump Administration directed the Secretary of Commerce to conduct a 232 investigation into pharmaceuticals, pharmaceutical ingredients, and their derivative products to determine whether such imports impair the national security of the United States.</p> <p>The Department of Commerce's Bureau of Industry and Security is seeking written comments, data, and information related to the national security impacts of pharmaceuticals, pharmaceutical ingredients, and their derivative products.</p>
DETAILS	<p>The Department is specifically interested in receiving comments and information regarding the following areas:</p> <ul style="list-style-type: none"><li>• Current and future demand for pharmaceuticals and pharmaceutical ingredients</li><li>• Ability of domestic production of pharmaceuticals and pharmaceutical ingredients to meet demand</li><li>• Role of foreign supply chains, particularly from major exporters, in meeting U.S. demands</li><li>• Concentration of U.S. pharmaceutical and pharmaceutical ingredients imports from a</li></ul>

small number of suppliers and the associated risks

- Impact of foreign government subsidies, overcapacity, and predatory trade practices on domestic industry competitiveness
- Impact of low pharmaceutical and pharmaceutical ingredients prices due to unfair trade practices and state-sponsored overproduction
- Risks from potential export restrictions by foreign nations
- Feasibility of expanding domestic pharmaceutical production to reduce dependence on imports
- Impact of current trade policies on domestic pharmaceutical production and whether additional measures, including tariffs or quotas, are necessary to protect national security

Please refer to the Notice linked below for filing instructions. Comments can be submitted electronically at [www.regulations.gov](http://www.regulations.gov), ID: BIS-2025-0022, and all comments should refer to XRIN 0694-XC120

**BASIS**

Section 232 of the Trade Expansion Act of 1962; part 705 of the National Security Industrial Base Regulations (15 CFR parts 700 through 709)

**CITE**

[Federal Register: Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Pharmaceuticals and Pharmaceutical Ingredients](#)

[Read more](#)

## April 11, 2025 | Trump Administration Clarifies Scope of “Semiconductor” Exclusion from Baseline and Reciprocal Tariffs

### THOMPSON COBURN TRADE ALERT - IMPORTS

**HEADLINE**

Trump Administration Clarifies Scope of “Semiconductor” Exclusion from Baseline and Reciprocal Tariffs

**DATE**

April 11, 2025

**AGENCY**

Executive Branch; CBP Cargo Systems Messaging Service (CSMS) notice

**EFFECTIVE  
DATE**

April 5 2025, 12:01 a.m. Eastern Time

**BACKGROUND**

Executive Order 14257, issued April 2, 2025, and published in the Federal Register Notice, “[Regulating Imports with a Reciprocal Tariff to Rectify Trade Practices that Contribute to Large and Persistent Annual United States Goods Trade Deficits](#),” 90 FR 15041 (Apr. 7, 2025), as amended by Executive Order 14259, issued on April 8, 2025, “[Amendment to Reciprocal Tariffs and Updated Duties as Applied to Low-Value Imports from the People’s Republic of China](#),” and as further amended by the Executive Order dated April 9, 2025, “[Modifying Reciprocal Tariff Rates to Reflect Trading Partner Retaliation and Alignment](#)” did not define “semiconductors” in listing the products in its exception from the baseline and reciprocal tariffs.

On April 11, the Trump Administration announced the [Clarification of Exceptions Under Executive Order 14257 of April 2, 2025, as Amended - The White House](#), and CBP issued corresponding CSMS notice [CSMS # 64724565 - UPDATED GUIDANCE - Reciprocal Tariff Exclusion for Specified Products; April 5, 2025 Effective Date](#). These actions clarify the products properly classified in the headings and subheadings of the Harmonized Tariff Schedule of the United States (HTSUS) and excepted from the baseline and reciprocal tariffs.

**DETAILS**

The clarification has retroactive effect for merchandise entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. Eastern Daylight Time on April 5, 2025.

For products classified in the below headings and subheadings, importers should report the secondary classification under heading **9903.01.32** to declare the exception from the reciprocal tariff provided in heading 9903.01.25, or in headings 9903.01.43 - 9903.01.62 or 9903.01.64 - 9903.01.76 on April 9, 2025, or in heading 9903.01.63 since April 9, 2025.

According to the notice, importers of products covered by the below HTSUS provisions entered for consumption or withdrawn from warehouse for consumption on or after April 5, 2025, should take action to correct entries as necessary to reflect the exception under

heading 9903.01.32, “as soon as possible within 10 days of the cargo’s release from CBP custody.”

<b>BASIS</b>	International Emergency Economic Powers Act (IEEPA), 50 U.S. Code § 1701 <i>et seq.</i>
<b>HTS/ PRODUCTS</b>	<b>9903.01.32:</b> <ul style="list-style-type: none"> <li>• 8471 (all)</li> <li>• 8473.30</li> <li>• 8486 (all)</li> <li>• 8517.13.00</li> <li>• 8517.62.00</li> <li>• 8523.51.00</li> <li>• 8524 (all)</li> <li>• 8528.52.00</li> <li>• 8541.10.00</li> <li>• 8541.21.00</li> <li>• 8541.29.00</li> <li>• 8541.30.00</li> <li>• 8541.49.10</li> <li>• 8541.49.70</li> <li>• 8541.49.80</li> <li>• 8541.49.95</li> <li>• 8541.51.00</li> <li>• 8541.59.00</li> <li>• 8541.90.00</li> <li>• 8542 (all)</li> </ul>
<b>COUNTRY</b>	All
<b>CITE</b>	<p><b>Executive Order</b> <a href="#">Clarification of Exceptions Under Executive Order 14257 of April 2, 2025, as Amended - The White House</a>,</p> <p><b>CSMS Notice</b> <a href="#">CSMS # 64724565 - UPDATED GUIDANCE - Reciprocal Tariff Exclusion for Specified Products; April 5, 2025 Effective Date</a>.</p>

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## April 9, 2025 | 90-Day Pause on Enhanced Reciprocal Tariffs, Except for China

### TRADE ALERT - IMPORTS

<b>HEADLINE</b>	90-Day Pause on Enhanced Reciprocal Tariffs, Except for China
<b>DATE</b>	<b>April 9, 2025</b>
<b>AGENCY</b>	Trump Administration; Department of Commerce; United States Trade Representative; Customs and Border Protection
<b>EFFECTIVE DATE</b>	<b>12:01 am EDT on April 10, 2025</b>
<b>BACKGROUND</b>	<p>On <a href="#">April 2, 2025</a>, the Trump Administration announced a “baseline” 10% tariff on imports from all countries effective April 5, and enhanced “reciprocal” tariff rates for specific countries effective <a href="#">April 9</a>.</p> <p>On April 9, 2025, the Trump Administration announced via social media a 90-day “pause” on the country-specific reciprocal tariffs, with the exception of China. Instead, these country tariff rates fall to 10% in line with the other countries only subject to the “baseline” tariff rate. This was confirmed in an Executive Order published April 10, 2025.</p>
<b>DETAILS</b>	<p>The Executive Order specifically states that the pause is effective until 12:01 a.m. EDT July 9, 2025.</p> <p>The Cargo Systems Messaging Service guidance implementing this change only noted that the country-specific reciprocal tariffs “are suspended” and did not provide an expiration date for the suspension.</p>
<b>BASIS</b>	International Emergency Economic Powers Act of 1977 (IEEPA)

HTS/PRODUCT S	All products. • <b>9903.01.25:</b> Articles the product of any country, except for products described in headings 9903.01.26-9903.01.33, and except as provided for in heading 9903.01.34, and except for articles the product of China, including products of Hong Kong and Macau, will be assessed an additional ad valorem duty rate of 10%.
COUNTRY	All countries, except for China/HK/Macau
CITE	<a href="#">Modifying Reciprocal Tariff Rates to Reflect Trading Partner Retaliation and Alignment - The White House</a> <a href="#">CSMS # 64701128 - UPDATED GUIDANCE - Reciprocal Tariffs - Increase in Rate for China and Reversion of Other Country-Specific Rates, Effective April 10, 2025</a>

[Read more](#)

## April 9, 2025 | Reciprocal Tariffs on China/HK/Macau Increased to 125%

### TRADE ALERT - IMPORTS

HEADLINE	Reciprocal Tariffs on China/HK/Macau Increased to 125%
DATE	April 9, 2025
AGENCY	Trump Administration; Department of Commerce; United States Trade Representative; Customs and Border Protection
EFFECTIVE DATE	12:01 am EDT on April 10, 2025
BACKGROUND	<p>On <a href="#">April 2, 2025</a>, the Trump Administration announced a “baseline” 10% tariff on imports from all countries effective April 5, and enhanced “reciprocal” tariff rates for specific countries <a href="#">effective</a> April 9. The specific tariff rate announced at that time for goods from China was 34%. On <a href="#">April 8, 2025</a>, China’s rate was raised to <a href="#">84%</a>, with additional increased duties on <i>de minimis</i> shipments from China.</p> <p><b>Starting on April 10, 2025, the enhanced reciprocal tariff rate for China (defined to include Hong Kong and Macau), which was initially announced at 34%, has been raised to 125%.</b> This represents a 91% increase in the rate applicable to Chinese origin goods, in addition to other tariffs (unless exempted, see below).</p> <p><b>In-Transit Goods.</b> Goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. EDT April 9 will not be subject to the respective additional tariffs so long as they are entered before May 27.</p>
DETAILS	<p><b>Exemptions.</b> No other aspect of the “reciprocal” tariff program exemptions changed as a result of the increased tariff on China. The following exemptions remain:</p> <ul style="list-style-type: none"><li>• Steel or aluminum articles and derivatives subject to Section 232 duties;</li><li>• Automobiles and automotive parts subject to recently imposed Section 232 duties;</li><li>• Copper, pharmaceuticals, semiconductors, lumber articles, certain critical minerals, energy and energy products, and other products (set forth in <a href="#">Annex II**</a>);</li><li>• Imports subject to column 2 rates of duties (goods from Cuba, North Korea, Russia, and Belarus);</li><li>• Goods subject to future Section 232 actions;</li><li>• Goods validly claiming exemption under Chapter 98 duty relief.</li></ul> <p>China is <a href="#">not</a> included in the recent 90-day pause on reciprocal tariffs.</p>
BASIS	International Emergency Economic Powers Act of 1977 (IEEPA)
HTS/PRODUCT S	All products. <b>9903.01.63:</b> Articles the product of China, including Hong Kong and Macau, will be assessed an additional ad valorem rate of duty of <b>125%</b> .
COUNTRY	China/HK/Macau
CITE	<a href="#">Amendment to Reciprocal Tariffs and Updated Duties as Applied to Low-Value Imports from the People’s Republic of China - The White House</a> CSMS # 64701128 - <a href="#">UPDATED GUIDANCE - Reciprocal Tariffs - Increase in Rate for China and Reversion of Other Country-Specific Rates, Effective April 10, 2025</a>

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## April 8, 2025 | Additional Changes to *De Minimis* from China

### TRADE ALERT - IMPORTS

HEADLINE	Additional Changes to <i>De Minimis</i> from China
DATE	April 8, 2025
AGENCY	Trump Administration; Department of Commerce; United States Trade Representative; Customs and Border Protection
EFFECTIVE DATE	12:01 am EDT on May 2, 2025
BACKGROUND	<p>On <a href="#">April 2, 2025</a>, the Administration eliminated the duty-free <i>de minimis</i> exemption for goods from China, imposing:</p> <ul style="list-style-type: none"><li>• 30% tariffs on shipments valued under \$800, effective May 2, 2025.</li><li>• \$25 tariff per postal item entered between May 2, 2025, and June 1, 2025.</li><li>• \$50 tariff per postal item entered on or after 12:01 am ET June 1, 2025.</li></ul>
DETAILS	<p>The recent EO increases the duty rate and taxes on <i>de minimis</i> shipments from China/HK/Macau valued under \$800 to:</p> <ul style="list-style-type: none"><li>• 90% ad valorem rate of duty, effective May 2, 2025.</li><li>• \$75 tariff per postal item entered between May 2, 2025, and June 1, 2025.</li><li>• \$150 tariff per postal item entered on or after 12:01 am ET June 1, 2025.</li></ul>
BASIS	International Emergency Economic Powers Act of 1977 (IEEPA)
HTS/PRODUCTS	<i>De minimis</i> shipments valued under \$800
COUNTRY	China/HK/Macau
CITE	<a href="#">Amendment to Reciprocal Tariffs and Updated Duties as Applied to Low-Value Imports from the People's Republic of China - The White House</a>

[Read more](#)

## April 2, 2025 | Removal of *De Minimis* Treatment for Products of China and Hong Kong

### THOMPSON COBURN TRADE ALERT - IMPORTS

HEADLINE	Removal of <i>De Minimis</i> Treatment for Products of China and Hong Kong
DATE	April 2, 2025
AGENCY	Department of Homeland Security, Customs and Border Protection (CBP); Trump Administration
EFFECTIVE DATE	12:01 am ET on May 2, 2025
BACKGROUND	<p>Trump previously imposed additional 20% tariffs on products of China (10% effective <a href="#">February 4</a> and additional 10% effective <a href="#">March 4</a>).</p> <p>An EO issued <a href="#">February 5</a> further amended the tariffs on China to eliminate duty-free <i>de minimis</i> treatment of products from China upon notification by the Secretary of Commerce that adequate systems were in place.</p>
DETAILS	<p>President Trump amended his previous Executive Order to increase tariffs on products from China and Hong Kong to eliminate duty-free <i>de minimis</i> treatment under 19 U.S.C. 1321(a)(2)(C) once the Secretary of Commerce establishes adequate systems are in place to implement the Order. The April 2 Order states the Secretary of Commerce has notified the President that adequate systems are now in place for eliminating duty-free <i>de minimis</i> treatment on shipments valued less than \$800 under Section 321.</p> <p>The current EO provides:</p> <ul style="list-style-type: none"><li>• 30% tariffs on shipments valued under \$800.</li><li>• \$25 tariff per postal item entered between May 2, 2025, and June 1, 2025.</li><li>• \$50 tariff per postal item entered on or after 12:01 am ET June 1, 2025.</li><li>• Bond Requirement: Any carrier that transports international postal items containing</li></ul>

goods from the PRC or Hong Kong to the United States, by any mode of transportation, must have an international carrier bond to ensure payment of the duty

BASIS	International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 604 of the Trade Act of 1974 (19 U.S.C. 2483), and section 301 of title 3, United States Code.
HTS/ PRODUCTS	All
COUNTRY	China and Hong Kong
CITE	<a href="#">Further Amendment to Duties Addressing the Synthetic Opioid Supply Chain in the People's Republic of China as Applied to Low-Value Imports - The White House</a>

[Read more](#)

## April 2, 2025 | Trump Imposes 10% Reciprocal Tariffs on All Countries, Enhanced Tariffs on Certain Countries with Higher U.S. Trade Deficit

### TRADE ALERT - IMPORTS

HEADLINE	Trump Imposes 10% Reciprocal Tariffs on All Countries, Enhanced Tariffs on Certain Countries with Higher U.S. Trade Deficit
DATE	April 2, 2025
AGENCY	Trump Administration; Department of Commerce; United States Trade Representative; Customs and Border Protection
EFFECTIVE DATE	12:01 am EDT on April 5, 2025 (baseline 10% reciprocal tariff rate) 12:01 am EDT on April 9, 2025 (enhanced reciprocal tariff rate)

**BACKGROUND** In February 2025, the Trump Administration set forth its plan to review the tariff and non-tariff barriers to trade that other countries applied to U.S. imports in anticipation of creating a reciprocal tariff program applied to foreign imports.

**Reciprocal Action.** The Trump Administration announced two categories of sweeping reciprocal tariffs affecting nearly all countries and products.

- **Baseline 10% reciprocal tariff rate for all.** A baseline 10% tariff on imports from all countries effective April 5, 2025, at 12:01 a.m. EDT.
- **Enhanced reciprocal tariff rates for some countries.** Approximately 60 countries included in [Annex I](#)\*, will be subject to a higher tariff than the baseline rate, effective April 9, 2025, at 12:01 a.m. EDT. Major countries that will be subject to a higher rate include China/HK/Macau (34%), the EU (20%), Vietnam (46%), Taiwan (32%), Japan (24%), India (26%), and South Korea (25%).

Unless otherwise indicated, these tariffs are *in addition* to other measures imposed by the United States.

\*The Order does not explicitly state whether, on April 9, the enhanced reciprocal tariff rates will be *added to* the baseline 10% rate OR will instead *replace* the baseline 10% rate. Additional clarification from the Administration will be necessary.

### DETAILS

**In-Transit Goods.** Goods loaded onto a vessel at the port of loading and in transit on the final mode of transit before 12:01 a.m. EDT on each respective effective date will not be subject to the respective additional tariffs.

### EXEMPTIONS

- USMCA-compliant imports;
- Steel or aluminum articles and derivatives that are subject to Section 232 duties;
- Automobiles and automotive parts subject to recently imposed Section 232 duties;
- Copper, pharmaceuticals, semiconductors, lumber articles, certain critical minerals, energy and energy products, and other products (set forth in Annex II\*\*);
- Imports that are subject to column 2 rates of duties (goods from Cuba, North Korea, Russia, and Belarus);
- Goods subject to future Section 232 actions;
- Goods from Canada or Mexico that are subject to current IEEPA Tariffs.  
—If the IEEPA tariffs on Canada and Mexico are removed, USMCA-compliant goods will not be subject to additional duties, while non-USMCA compliant goods will be subject to a 12% reciprocal tariff.

Additionally, the tariffs apply only to the non-U.S. content of a subject article, provided at least 20% of the value of the subject article is U.S. originating.

\*\*Importers should take note that Annex II states that “the formal language in Annex III governs the tariff treatment of products covered by the action,” even though no Annex III is referenced in the Order and no Annex III has been otherwise posted or published.

#### MISC.

- These duties are eligible for duty-drawback.
- The order does not discuss the application of Chapter 98 duty relief to the reciprocal tariffs.
- Goods admitted into an FTZ must be in “privileged foreign status.”
- Section 321 (de minimis) treatment to be removed, when processes are available.
- The order contains authority for the President to modify or remove the tariff on each country if trading partners retaliate, decrease, or remove the tariffs.

**BASIS** International Emergency Economic Powers Act of 1977 (IEEPA)

**HTS/PRODUCTS** All products. Specific rates for different countries.

**COUNTRY** All

**EO:** <https://www.whitehouse.gov/presidential-actions/2025/04/regulating-imports-with-a-reciprocal-tariff-to-rectify-trade-practices-that-contribute-to-large-and-persistent-annual-united-states-goods-trade-deficits/>

**FR:** <https://www.federalregister.gov/documents/2025/04/07/2025-06063/regulating-imports-with-a-reciprocal-tariff-to-rectify-trade-practices-that-contribute-to-large-and>

**Annex I:** <https://www.whitehouse.gov/wp-content/uploads/2025/04/Annex-I.pdf>

**CITE** **Annex II:** <https://www.whitehouse.gov/wp-content/uploads/2025/04/Annex-II.pdf>

**Annex III:** <https://www.whitehouse.gov/wp-content/uploads/2025/04/Annex-III.pdf>

**Fact Sheet:** [President Donald J. Trump Declares National Emergency to Increase our Competitive Edge, Protect our Sovereignty, and Strengthen our National and Economic Security - The White House](#)

**White House Charts:** <https://www.cnn.com/business/live-news/tariffs-trump-news-04-02-25/index.html>

#### Annex I -

Countries and Territories	Reciprocal Tariff, Adjusted
Algeria	30%
Angola	32%
Bangladesh	37%
Bosnia and Herzegovina	36%
Botswana	38%
Brunei	24%
Cambodia	49%
Cameroon	12%
Chad	13%
China	34%



Côte d'Ivoire	21%
Democratic Republic of the Congo	11%
Equatorial Guinea	13%
European Union	20%
Falkland Islands	42%
Fiji	32%
Guyana	38%
India	27%
Indonesia	32%
Iraq	39%
Israel	17%
Japan	24%
Jordan	20%
Kazakhstan	27%
Laos	48%
Lesotho	50%
Libya	31%
Liechtenstein	37%
Madagascar	47%
Malawi	18%
Malaysia	24%
Mauritius	40%
Moldova	31%
Mozambique	16%
Myanmar (Burma)	45%
Namibia	21%
Nauru	30%
Nicaragua	19%
Nigeria	14%
North Macedonia	33%
Norway	16%
Pakistan	30%
Philippines	18%

Serbia	38%
South Africa	31%
South Korea	26%
Sri Lanka	44%
Switzerland	32%
Syria	41%
Taiwan	32%
Thailand	37%
Tunisia	28%
Vanuatu	23%
Venezuela	15%
Vietnam	46%
Zambia	17%
Zimbabwe	18%

#### **Annex II -**

<https://www.whitehouse.gov/wp-content/uploads/2025/04/Annex-II.pdf>

[Read more](#)

### **March 27, 2025 | Trump Imposes 25% Tariffs on Automobiles & Parts**

#### **THOMPSON COBURN TRADE ALERT - IMPORTS**

<b>HEADLINE</b>	Trump Imposes 25% Tariffs on Automobiles & Parts
<b>DATE</b>	<b>March 26, 2025</b>
<b>AGENCY</b>	Trump Administration; Department of Commerce; United States Trade Representative; Customs and Border Protection
<b>EFFECTIVE DATE</b>	<b>12:01 am ET on April 3 2025 for Automobiles</b> <b><i>To be determined, prior to May 3 2025 for Automobile parts</i></b>
<b>BACKGROUND</b>	<p>In 2019, Commerce conducted Section 232 investigations into imports of vehicles and Trump directed the USTR to pursue negotiations regarding vehicles and vehicle parts from Europe, Japan, and other countries as deemed appropriate. The negotiations did not result in agreements.</p> <p>In light of the investigations in his first term, Trump has announced 25% tariffs on:</p> <ul style="list-style-type: none"> <li>• Automobiles entered on or after April 3, 2025, and</li> <li>• Automobile parts, as listed in a yet-to-be-published Annex (at a date to be specified, no later than May 3, 2025)</li> </ul>
<b>DETAILS</b>	<p>Although the order does not enumerate specific tariff provisions affected by the action, the preamble suggests the order will affect passenger vehicles (sedans, sport utility vehicles, crossover utility vehicles, minivans, and cargo vans) and light trucks (collectively, automobiles) and certain automobile parts (engines and engine parts, transmissions and powertrain parts, and electrical components) (collectively, automobile parts).</p> <p>Several additional points:</p> <ul style="list-style-type: none"> <li>• The 25% tariff will apply only to the non-U.S. content of automobiles that qualify for USMCA treatment.</li> <li>• If CBP determines that the declared value of U.S. and non-U.S. content of an</li> </ul>

automobile is inaccurate due to an overstatement of U.S. content, the 25% tariff will apply to the entire vehicle and will apply retroactively and prospectively to the full value of all automobiles of the same model.

- The action on automobile parts applies only to individual automobile parts as defined by Annex I (not yet published), but does not apply to “automobile knock-down kits or parts compilations.”
- Automobile parts remain eligible for USMCA treatment temporarily, until such time that the Secretary of Commerce & CBP establish a process to apply the 25% to non-U.S. content, similar to whole automobiles.
- No duty drawback is available for the 25% imposed on automobiles and specified parts.
- The tariff is in addition to any other duties, fees, and charges applicable to such imported automobiles and automobile parts.

**BASIS** Section 301 of title 3, United States Code; section 604 of the Trade Act of 1974, as amended; and section 232 of the Trade Expansion Act of 1962, as amended.

**HTS/PRODUCTS** Automobiles and auto parts (to be defined later)

**COUNTRY** All

[Adjusting Imports of Automobiles and Automobile Parts Into the United States - The White House](#)

**CITE** [Federal Register :: Adjusting Imports of Automobiles and Automobile Parts Into the United States](#)

[Read more](#)

## March 24, 2025 | Imposing Tariffs on Countries Importing Venezuelan Oil

### THOMPSON COBURN TRADE ALERT - IMPORTS

**HEADLINE** Imposing Tariffs on Countries Importing Venezuelan Oil

**DATE** March 24, 2025

**AGENCY** Trump Administration; Department of State; Department of Commerce; Department of Homeland Security; United States Trade Representative

**EFFECTIVE DATE** 12:01 am E.T. on April 2, 2025

**BACKGROUND** The United States has imposed a variety of list-based, blocking, debt, sectoral, and other sanctions on Venezuela since 2015, culminating in the blocking of the government of Venezuela in [August 2019](#). The Venezuelan government of Nicolas Maduro has continued to derive significant revenue from the sale of oil abroad. In response, this action imposes tariffs on all goods from countries identified as buying Venezuelan oil.

On March 24, the Trump administration announced it may impose 25% tariffs on all goods imported into the United States from any country that the Secretary of State and Secretary of Commerce determine are importing Venezuelan oil\* (either directly from Venezuela or indirectly\*\* through third parties) on or after April 2, 2025. This action is in essence a coercive measure, borne by U.S. importers of non-Venezuelan merchandise imported into the United States, that is designed to prompt Venezuela into taking actions to combat the immigration crisis and Tren de Aragua gang.

The Executive Order leaves several major questions unanswered.

**DETAILS**

- **No list of countries that might be affected by the Order.** According to a 2024 analysis by the U.S. Energy Information Administration, China purchased 68% of the oil exported by Venezuela, making it the most likely country to be affected by these measures. Spain, India, Russia, Singapore, and Vietnam are also significant known recipients of Venezuelan oil. See [Trump says countries that buy Venezuelan oil face 25% tariff](#).
- **Dual delegations to Secretaries of State and Commerce.** The Order authorizes the Secretary of State to determine whether the tariff will apply to imports from any country and to “impose” the tariffs established by the Order, but the Secretary of Commerce is authorized to “determine whether a country has imported Venezuelan oil” and “issue regulations, guidance, and determinations as necessary to implement the order.” It is unclear whether both Commerce and State must separately publish their determinations.
- **No indication of effect on other tariff relief measures (e.g. Chapters 98/99), exclusions,**

**duty drawback, FTZs and FTAs.** The Order states the 25% duties will supplement other tariffs including IEEPA, Section 232, and Section 301 tariffs. But the Order does not address whether tariff relief measures or exclusions, for example those contained in Chapter 98 or Chapter 99 of the HTSUS or free trade agreements such as the USMCA, would apply to provide relief related to these additional 25% duties. These questions may be answered in a subsequent implementation publication or CSMS notice.

The tariffs will expire one year after the last date the country imported Venezuelan oil, or at an earlier date if the Secretary of Commerce, Secretary of State, Secretary of Treasury, Secretary of Homeland Security, and the USTR determine the tariffs imposed on a particular country should expire earlier. Prior Presidential Proclamations, EOs, or other Presidential directives inconsistent with this Order are terminated, suspended, or modified to give full effect to this Order. If the Secretary of State decides to impose a tariff under this Order on China, that tariff shall also apply to the Hong Kong Special Administrative Region and the Macau Special Administrative Region, as a measure to reduce the risk of transshipment and evasion.

#### BASIS

International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), Executive Order 13692 of March 8, 2015 (Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela), as continued most recently in the notice of February 27, 2025 (Continuation of the National Emergency with Respect to Venezuela), and Section 301 of title 3, United States Code

#### CITE

[IMPOSING TARIFFS ON COUNTRIES IMPORTING VENEZUELAN OIL - The White House](#)

\*"Venezuelan oil" means crude oil or petroleum products extracted, refined, or exported from Venezuela, regardless of the nationality of the entity involved in the production or sale of such crude oil or petroleum products.

\*\*"Indirectly" includes purchases of Venezuelan oil through intermediaries or third countries where the origin of the oil can reasonably be traced to Venezuela, as determined by the Secretary of Commerce.

[Read more](#)

## March 12, 2025 | Canada Requests Comments by April 2 on Proposed \$125 Billion Tariffs on U.S. Goods

### THOMPSON COBURN TRADE ALERT - EXPORTS

**HEADLINE** Canada Requests Comments by April 2 on Proposed \$125 Billion Tariffs on U.S. Goods

**DATE** March 12 2025

**EFFECTIVE DATE** Comments due April 2, 2025

#### BACKGROUND

Canada [imposed](#) 25% reciprocal tariffs on C\$30 billion of certain U.S. goods, effective 4 March 2025, in response to the U.S. imposing 25% tariffs on goods from Canada.

Canada [imposed](#) an additional 25% tariffs on C\$29.8 billion of U.S. goods, effective 13 March 2025, in response to the U.S. imposing 25% tariffs on steel and aluminum products.

#### DETAILS

On March 12, Canada issued a Notice of Intent to implement an additional round of tariffs, this time on C\$125 billion of imports of additional goods from the U.S. These will undergo a comment period before implementation, requesting public comments from businesses, stakeholders, and Canadians by April 2, 2025.

The list of products in this recent Notice is extensive, with over 4,400 unique lines (compared to the 1,250 lines in the March 4 list and 550 lines in the March 13 list). A searchable spreadsheet of both lists is [available here](#).

#### HTS/PRODUCTS

[Canada Notice Products List](#)

#### CITE

[Notice of Intent to Impose Countermeasures in Response to United States Tariffs on Canadian Goods - Canada.ca](#)

[Read more](#)

## March 12, 2025 | EU & Canada Retaliation Announcements Against March 12 Section 232 Steel/Aluminum Tariffs

### THOMPSON COBURN TRADE ALERT - EXPORTS

**HEADLINE** EU & Canada Retaliation Announcements Against March 12 Section 232 Steel/Aluminum Tariffs

**DATE** March 12, 2025

**EFFECTIVE DATE** Canada: March 13 2025 at 12:01 am  
EU: April 1 2025 (Phase 1) and mid-April (Phase 2)

President Trump signed Proclamations on February 10 removing country-based and product-based exclusions for [steel](#) and [aluminum](#), which went into effect on March 12.

#### BACKGROUND

The February 10 Proclamations also placed 25% duties on *derivative* steel and aluminum articles but notably suspended these until the Secretary of Commerce published that it had systems in place to collect tariffs on derivative articles. The Department of Commerce and U.S. Customs and Border Protection (CBP) announced on March 11 at 4:45 p.m. and 9:05 p.m., respectively, that the agencies now had systems in place and would begin implementing the 25% tariffs on steel and aluminum *derivative* articles on March 12 at 12:01 a.m., giving importers less than three hours' notice before collecting these additional duties on these derivative items.

#### Canada:

Canada announced 25% retaliatory tariffs on March 12 in response to the United States' steel and aluminum tariffs. This 25% applies to C\$29.8 billion in product imported from the U.S., effective on March 13, 2025, at 12:01 a.m., and will 'remain in place until the U.S. eliminates its tariffs against Canadian steel and aluminum products.' A searchable spreadsheet of both the [March 4](#) and [March 13](#) lists [available here](#).

#### European Union:

In response to the aluminum and steel tariffs, the EU [announced](#) a two-pronged approach:

- **Reimpose** the EU's 2018 and 2020 retaliatory tariffs issued against Trump's first rounds of steel and aluminum tariffs in his first term, effective April 1, 2025, after being [suspended](#) since 2022. These countermeasures target a range of U.S. products that respond to the economic harm done on €8 billion of EU steel and aluminium exports.
- **Implement new countermeasures package** on U.S. exports following a two-week EU stakeholder consultation. This new package would come into force by mid-April. The legal basis for this act will be the Enforcement Regulation (Regulation (EU) No [654/2014](#)).

#### DETAILS

The EU announced it will be targeting a mix of industrial and agricultural products with its new measures.

- Industrial products include i.e.- steel and aluminum products, textiles, leather goods, home appliances, house tools, plastics, wood products.
- Agricultural products include i.e.- poultry, beef, certain seafood, nuts, eggs, dairy, sugar, and vegetables. The Commission has stated these countermeasures will affect €26 billion of U.S. exports to "match the economic scope of the U.S. tariffs." The full list of initial proposed target products is [located here](#).

Various media reports claim that President Trump plans to respond to the EU counter-tariffs.

#### United Kingdom:

The U.K. did not join the EU in its decision to retaliate immediately but affirmed that it reserves the right to do so if deemed necessary.

Canada: [List of products from the United States subject to 25 per cent tariffs effective March 13, 2025 - Canada.ca](#).

#### HTS/PRODUCTS

Also included in our spreadsheet under Sheet "[Canada Tariffs - Mar-13](#)"

EU target list (fully searchable): [Spreadsheet](#)  
EU (*proposed only*): <https://circabc.europa.eu/ui/group/e9d50ad8-e41f-4379-839a-fdfe08f0aa96/library/9f483239-477f-4f14-8e2a-a09e1edb1f3d/details?download=true>

#### CITE

Canada: [Canada responds to unjustified U.S. tariffs on Canadian steel and aluminum products - Canada.ca](#)

EU: [Commission responds to unjustified US steel and aluminium tariffs with](#)

[countermeasures](#)

- EU 2018 Tariffs: [Commission Implementing Regulation \(EU\) 2018/886 \(20 June 2018\)](#)

- 2018 Annexes: [G/L/1237](#) ; [G/SG/N/12/EU/1](#)

- EU 2020 Tariffs: [Commission Implementing Regulation \(EU\) 2020/502 \(April 6, 2020\)](#)

U.K.: [News Article – Bloomberg Government](#)

[Read more](#)

## March 11, 2025 | Request for Public Comments on Section 232 Investigation of Imports of Copper

### THOMPSON COBURN TRADE ALERT - IMPORTS

**HEADLINE** Request for Public Comments on Section 232 Investigation of Imports of Copper

**DATE** March 11 2025

**AGENCY** Bureau of Industry and Security, Office of Strategic Industries and Economic Security, U.S. Department of Commerce

**EFFECTIVE DATES** April 1 2025 - Deadline to submit comments

**BACKGROUND** On February 25, 2025, the Trump Administration directed the Secretary of Commerce to conduct a 232 investigation into copper to determine whether imported copper and copper products impair the national security of the United States.

Pursuant to Trump's Feb. 25 order, the Department of Commerce initiated a Section 232 investigation into imports of copper on March 10, 2025. Commerce is seeking written comments, data, and information related to the national security impacts of copper supply.

Specific areas of interest include:

- Current and future demand for copper in defense, energy, and critical infrastructure
- Ability of domestic production, smelting, refining, and recycling to meet demand
- Role of foreign supply chains, particularly from major exporters, in meeting United States demands
- Concentration of United States copper imports from a small number of suppliers and the associated risks
- Impact of foreign government subsidies, overcapacity, and predatory trade practices on domestic industry competitiveness
- Impact of low copper prices due to dumping and state-sponsored overproduction
- Risks from potential export restrictions by foreign nations
- Feasibility of expanding domestic copper production to reduce dependence on imports
- Impact of current trade policies on domestic copper production and whether additional measures, including tariffs or quotas, are necessary to protect national security

Please refer to the Notice linked below in CITES for specific filing instructions. Comments can be submitted electronically at [www.regulations.gov](https://www.regulations.gov), ID No. BIS-2025-0010, and all comments should refer to X-RIN 0694-XC116.

**BASIS** Section 232 of the Trade Expansion Act of 1962

**CITES** [Federal Register :: Notice of Request for Public Comments on Section 232 National Security Investigation of Imports of Copper](#)  
[Executive Order 14220 - Addressing the Threat to National Security From Imports of Copper](#)

[Read more](#)

## March 11, 2025 | Department of Commerce Posts Certification of Systems Processing for Steel and Aluminum Tariffs; CBP Posts Implementation of Duties Beginning March 12, 2025

### THOMPSON COBURN TRADE ALERT - IMPORTS

**HEADLINE** Department of Commerce Posts Certification of Systems Processing for Steel and Aluminum Tariffs; CBP Posts Implementation of Duties Beginning March 12, 2025

DATE	March 11 2025
AGENCY	Bureau of Industry and Security, Department of Commerce; U.S. Customs and Border Protection
EFFECTIVE DATE	March 12 2025 at 12:01 a.m.
BACKGROUND	<p>President Trump signed Proclamations on February 10 removing country-based and product-based exclusions for <a href="#">steel</a> and <a href="#">aluminum</a>, terminating the exclusion process, increasing the duties on aluminum from 10% to 25%, and subjecting additional derivative steel or aluminum articles to the additional duties, as defined in Annex 1.</p> <p>The Proclamations required the Secretary of Commerce to certify that adequate systems are in place to process and collect tariff revenue for all covered articles.</p> <p>The March 11 Notice certifies that adequate systems are now in place to process and collect tariff revenue for covered articles for both steel and aluminum.</p> <p>Shortly after, CBP issued CSMS Messages # <a href="#">64384496</a> and # <a href="#">64384423</a>, announcing collection of 25% duties on stated steel and aluminum and derivative articles beginning March 12, 2025. The HTS classifications mirror those in the Federal Register notices for <a href="#">steel</a> and <a href="#">aluminum</a>.</p>
DETAILS	<p>We note that for steel derivatives listed in 9903.81.91 and aluminum articles under 9903.85.08 for which the duty only applies to the steel content will need to be entered on 2 lines (line 1 as non-steel/aluminum content; line 2 as value of the steel/aluminum content).</p> <p>Importers must be able to provide information that may be requested by CBP to prove the content of aluminum or steel in the imported items. If the value of the steel or aluminum is unknown or is the same as the entered value, the duties will be based on the entire value of the derivative steel or aluminum article.</p> <p>Additionally, importers must report the melt and pour country of the steel and the smelt and cast country of the aluminum.</p>
BASIS	<p>Proclamations of 10 February, Section 232 of the Trade Expansion Act of 1962; 3 U.S.C. 301; 19 U.S.C. 2483</p> <p><b>Summary Chart:</b> <a href="#">Section 232 chart Final (1).pdf</a></p> <p>The aluminum and derivative aluminum products subject to the additional tariffs in <a href="#">Proclamation 9704</a> and <a href="#">Proclamation 9980</a>. The steel and derivative steel products subject to the additional tariffs in <a href="#">Proclamation 9705</a> and <a href="#">Proclamation 9980</a>.</p>
HTS/PRODUCTS	<p><a href="#">Steel List</a></p> <p><a href="#">Aluminum List</a></p> <p><a href="#">A fully searchable spreadsheet based on the Public Inspection Annexes is available <u>here</u>.</a></p>
CITE	<p><a href="#">Unpublished Notice - Scheduled to be published March 14 CSMS # 64384423 - UPDATED GUIDANCE: Import Duties on Imports of Steel and Steel Derivative Products</a> <a href="#">CSMS # 64384496 - UPDATED GUIDANCE: Import Duties on Imports of Aluminum and Aluminum Derivative Products</a></p>

[Read more](#)

## March 6, 2025 | Pause of Tariffs on Goods from Mexico and Canada That are Compliant With the USMCA

### TRUMP ADMINISTRATION TRADE ALERT - IMPORTS

HEADLINE	Pause of Tariffs on Goods from Mexico and Canada That are Compliant With the USMCA
DATE	March 6 2025
AGENCY	Trump Administration, Executive Order

**EFFECTIVE  
DATE**

March 7 2025, 12:01 a.m. Eastern Time

**BACKGROUND**

President Trump issued executive orders in February that imposed 25% ad valorem tariffs on articles that are products of [Mexico](#) and [Canada](#) in February 2025. These measures were delayed[CE1] after negotiation until March 4, 2025, which were then implemented for [Mexico](#) and [Canada](#). After significant market disruption, especially to the automotive industry, the Administration issued revised executive orders on March 6 providing certain exceptions.

The original orders imposed:

- 1) An additional 25% tariffs on all products of Mexico
- 2) An additional 25% tariffs on all products of Canada, except “energy products” from Canada which will only have a 10% tariff

The March 6 revisions provided an exception to these duties for articles that qualify for the United States - Mexico - Canada (USMCA) agreement(*i.e.*, those articles that are entered free of duty under the terms of General Note 11 to the Harmonized Tariff Schedule of the United States (HTSUS)).

**DETAILS**

Although the order cites the automotive industry as the impetus for the revision, the exception applies to any USMCA qualifying article. Additionally, the revised orders provide a lower 10% rate of duty for potash that does not enter under USMCA.

The Administration has said in press reports that this USMCA exception will last until April 2. But it is noteworthy that there is no expiration date applicable to this exception included in the revised orders.

Retaliation clauses in the original EOs on Mexico ([clause \(c\)](#)) and Canada ([clause \(d\)](#)), which threaten additional tariffs if a country imposes tariffs on U.S. goods, have not yet been employed even though Canada has enacted [retaliatory tariffs](#) on \$30 billion in goods imported from the U.S.

**BASIS**

International Emergency Economic Powers Act (IEEPA), 50 U.S. Code § 1701 *et seq.* citing a declaration of national emergency in response to the “extraordinary threat posed by illegal aliens and drugs, including deadly fentanyl”; the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA); section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483); and section 301 of title 3, United States Code.

All products of Mexico and Canada that are entered free of duty as a good of Canada or Mexico under the terms of the USMCA (General Note 11 to the HTSUS). This exception includes any qualifying treatment in subchapter XXIII of chapter 98 and subchapter XXII of chapter 99 of the HTSUS.

**HTS/  
PRODUCTS**

The applicable HTSUS subheadings for potash are as follows:

- 2815.20.0050
- 2815.20.0090
- 3104.20.0010
- 3104.20.0050
- 3104.30.0000
- 3104.90.0100
- 3105.10.0000
- 3105.20.0000
- 3105.60.0000

**COUNTRY**

Mexico, Canada

**CITE**

**Executive Order** [Amendment to Duties to Address the Flow of Illicit Drugs Across Our Southern Border - The White House](#)

**Executive Order** [Amendment to Duties to Address the Flow of Illicit Drugs Across Our Northern Border - The White House](#)

[CSMS # 64335789 - GUIDANCE - Update on Additional Duties on Imports from Mexico - USMCA Qualifying Products and Potash](#)

[CSMS # 64336037 - GUIDANCE - Update on Additional Duties on Imports from Canada - USMCA Qualifying Products and Potash](#)

The use of IEEPA for the imposition of tariffs is a relatively untested mechanism for the President's authority for raising tariffs. We anticipate that these tariffs will be challenged in court if they remain in place, even if the tariffs are ultimately only imposed on non-USMCA-qualifying importations of Canadian or Mexican origin. Importers are advised to track the liquidation of entries for which the IEEPA duties on goods from Canada or Mexico are assessed in order to file protests, if necessary.



**March 3, 2025 | Additional 10% Tariffs on Products of China and Hong Kong (Total of 20% tariffs from Feb. 1 EO)****TRUMP ADMINISTRATION TRADE ALERT - IMPORTS**

<b>HEADLINE</b>	Additional 10% Tariffs on Products of China and Hong Kong (Total of 20% tariffs from Feb. 1 EO)
<b>DATE</b>	<b>March 3 2025</b>
<b>AGENCY</b>	Department of Homeland Security, Customs and Border Protection (CBP); Trump Administration
<b>STATUS</b>	Additional 10% tariffs have been imposed on goods from China and Hong Kong (totaling 20% duties from Feb. 1 EO), entered or withdrawn from warehouse on March 4, 2025, (unless one proves that the goods were shipped prior to February 1, 2025)
<b>EFFECTIVE DATE</b>	March 4 2025, 12:01 a.m. Eastern Time, except for items that were loaded onto a vessel at the port of loading, or in transit on the final mode of transport prior to February 1, 2025 and entered or withdrawn from warehouse for consumption before March 7, 2025.
<b>BACKGROUND</b>	<p>On February 1, 2024 President Trump issued <a href="#">Executive Order 14195</a> imposing 10% duties on all goods from China and Hong Kong, <a href="#">effective February 4, 2025</a>.</p> <p>President Trump amended his previous Executive Order to increase tariffs on products from China and Hong Kong from 10% to 20% citing that China “has not taken adequate steps to alleviate the illicit drug crisis through cooperative enforcement actions.” <b>As a result of this and the actions taken against China in President Trump’s first term, most goods from China now have a minimum effective total duty rate in excess of 45%.</b></p> <p>This Executive Order has immediate effect. Therefore, all goods entered or withdrawn from warehouse for consumption after 12:01 am ET on March 4, 2025 will be subject to these duties.</p> <p>CBP Cargo Systems Messaging Service (CSMS) No. 64299816 published on March 3 provided additional guidance regarding the implementation of the new duties on products from China and Hong Kong, including:</p> <ul style="list-style-type: none"><li>• <b>EFFECT ON OTHER DUTIES.</b> The additional duties apply in addition to all other applicable duties including antidumping and countervailing duties, Section 301 duties, Section 232 duties, taxes, fees, exactions, and charges other than previously announced exceptions for donations, information materials, and personal items in accompanied baggage.</li><li>• <b>CHAPTER 98.</b> The additional duties will not apply to goods for which entry is properly claimed under a provision of Chapter 98 of the tariff schedule other than goods entered under heading 9802.00.80 (the additional duties apply to the value of the article assembled in China and Hong Kong, less the cost or value of such products of the United States) and subheadings 9802.00.40, 9802.00.50, and 9802.00.60 (the additional duties for these goods apply to the value of repairs, alterations, or processing performed (in China and Hong Kong)).</li><li>• <b>FOREIGN TRADE ZONE.</b> For foreign trade zone products subject to each order, articles that are products of China or Hong Kong, other than “domestic status” eligible products defined in 19 CFR 146.43, entered after the effective date must be admitted as “privileged foreign status” as defined in 19 CFR 146.41, and upon entry for consumption will be subject to the increased duties in effect at the time of admittance into the foreign trade zone.</li><li>• <b>DRAWBACK.</b> No drawback program relief (19 CFR parts 190, 191) is available with respect to the duties imposed.</li><li>• <b>DE MINIMIS.</b> The de minimis exemption for imports valued under \$800 (an administrative exemption from duty and certain taxes at 19 U.S.C. 1321(a)(2)(C)) continues to be available for articles that are otherwise eligible for the exemption, including eligible articles sent to the United States through the international postal network.</li></ul>
<b>DETAILS</b>	

China has announced that it will be imposing retaliatory tariffs of 15% against imports of [chicken, wheat, corn, and cotton](#), and 10% against [sorghum, soybeans, pork, beef, aquatic products, fruits, vegetables and dairy products](#).

BASIS	<a href="#">Executive Order 14195</a> and authorities incorporated by reference.
HTS/ PRODUCTS	The initial 10% tariffs were <a href="#">implemented</a> under HTS subheading 9903.01.20, which was in effect from Feb. 4 - March 4
	The now-20% tariffs are <a href="#">implemented</a> under 9903.01.24, effective March 4, 2025 at 12:01 AM
COUNTRY	China
CITE	<a href="#">Further Amendment to Duties Addressing the Synthetic Opioid Supply Chain in the People's Republic of China - The White House</a> <a href="#">Unpublished CBP Notice</a> - Scheduled to be published in the Federal Register on March 6, 2025 <a href="#">Announcement of the Customs Tariff Commission of the State Council on Imposing Additional Tariffs on Certain Imported Goods Originating in the United States</a> CSMS # 64299816; Related CSMS: <a href="#">63988468</a> , <a href="#">63992482</a> , <a href="#">64045612</a> , <a href="#">64082249</a> , <a href="#">64018403</a> , <a href="#">64235342</a> , <a href="#">64196888</a>

[Read more](#)

## March 3, 2025 | Implementation of Duties on Steel and Aluminum Products Pursuant to Proclamations 10895 and 10896

### THOMPSON COBURN TRADE ALERT - IMPORTS

HEADLINE	Implementation of Duties on Steel and Aluminum Products Pursuant to Proclamations 10895 and 10896
DATE	<b>March 3 2025</b>
AGENCY	Department of Commerce, Bureau of Industry and Security (BIS)
EFFECTIVE DATES	<b>March 12 2025</b> - All covered products except for derivative steel articles classified outside of Chapters 72 or 73 of the Harmonized Tariff Schedule of the United States (HTSUS) and derivative aluminum articles classified outside of HTSUS Chapter 76 (with the exception of items classified in HTSUS subheading 8708.10.30 and 8708.29.21).  <b>To Be Determined</b> – Derivative steel or aluminum articles other than those described above.
BACKGROUND	On February 10, 2025, the President issued Proclamations adjusting imports of aluminum (Proclamation 10895 of February 10, 2025) (90 FR 9807) and steel (Proclamation 10896 of February 10, 2025) (90 FR 9817) into the United States. The Department of Commerce, in consultation with other agencies, was tasked with revising the HTSUS so that it conforms to the amendments and effective dates.  The Department of Commerce published Notices for public inspection implementing the revised tariffs on aluminum and steel articles. The Notices, which are scheduled to be published March 5, adhere to the Executive Orders by indicating that the tariffs on certain derivative aluminum or steel articles will be delayed until a later notification by the Secretary of Commerce.
DETAILS	<b>Aluminum:</b> The aluminum notice adds new tariff subheadings and subdivisions to U.S. note 19 to subchapter III of chapter 99 of the HTSUS. Such provisions will apply to goods entered after 12:01 am Eastern on March 12, 2025, <i>except</i> for those in subdivision (k) that contain derivative iron or steel products classified outside of Chapter 76, which will be announced by the Department of Commerce at a later date.  <b>Steel:</b> The steel notice adds new tariff subheadings and subdivisions to U.S. note 16 to subchapter III of chapter 99 of the HTSUS. Such provisions will apply to goods entered after 12:01 am Eastern on March 12, 2025, <i>except</i> for those in subdivision (n) that contain derivative iron or steel products classified outside of Chapter 73, which will be announced by the Department of Commerce at a later date. Derivative steel articles that were in a Foreign Trade Zone (FTZ) in privileged foreign status prior to March 12, 2025, will also be subject to the tariffs.  Other items of note are contained in the notices: • The quantity of the steel and aluminum content is to be reported in kg, and the duty imposed on certain derivative steel or aluminum articles as listed in the applicable subheading shall only apply to the declared value of the respective metal content.

• Derivative articles will be eligible for applicable provisions of chapter 98, except “that duties under subheading 9802.00.60 shall be assessed based upon the full value of the imported article.” While this is less than clear in the Notice, we believe this provision applies to the calculation of the ordinary duties, rather than the 232 tariffs. Such a conclusion would appear to fit with the statement that the tariffs do not apply to derivative steel or aluminum articles produced from steel that was melted and poured, or aluminum that was smelted or cast, in the United States.

For the full Annex of each notice and the subheadings contained in each new subdivision, please click the links below. Like other recent trade actions, these tariffs should be monitored for unanticipated changes in policy.

**BASIS** Section 232 of the Trade Expansion Act

**Aluminum:**

- 9903.85.02 (headings 7601, 7604, 7605, 7607, 7607, 7608, 7609, 7616.99.51)
- 9903.85.04 (derivative articles - wire, cable, bumper stampings)
- 9903.85.07 (derivative articles - i.e. aluminum structures, kitchenware/household articles, other articles of aluminum)
- 9903.85.08 (delayed effective date) (derivative articles - base metal mountings, air conditioners, instruments, etc.)
- 9903.85.09 (derivative articles processed from aluminum articles that were smelted and cast in the United States)

**HTS/PRODUCT S**

**Steel:**

- 9903.81.87 (headings 7208 - 7215, 7225 - 7228, 7304 - 7306, 7206 7207, and more)
- 9903.81.89 (derivative articles - nails, bumper stampings)
- 9903.81.90 (derivative articles - i.e. tubes/pipes, stoves, kitchenware/household articles, other articles of steel)
- 9903.81.91 (delayed effective date) (derivative articles - base metal mountings, furniture, signs, etc.)
- 9903.81.92 (derivative articles processed from steel articles that were melted and poured in the United States)
- 9903.81.93 (certain derivative articles admitted to a U.S. FTZ under “privileged foreign status” prior to March 12, 2025)

**COUNTRY** All

[Federal Register :: Implementation of Duties on Steel Pursuant to Proclamation 10896 Adjusting Imports of Steel Into the United States](#)  
[Federal Register :: Implementation of Duties on Aluminum Pursuant to Proclamation 10895 Adjusting Imports of Aluminum Into the United States](#)  
[CSMS # 64384423 - UPDATED GUIDANCE: Import Duties on Imports of Steel and Steel Derivative Products](#)  
[CSMS # 64348288 - GUIDANCE: Import Duties on Imports of Aluminum and Aluminum Derivative Products](#)

**CITE**

[Read more](#)

## March 3, 2025 | Implementation of Additional Duties on Products from Canada

### TRUMP ADMINISTRATION TRADE ALERT - IMPORTS

**HEADLINE** Implementation of Additional Duties on Products from Canada

**DATE** March 3 2025

**AGENCY** Department of Homeland Security, Customs and Border Protection (CBP)

**STATUS** 25% duties implemented on all goods from Canada; 10% on oil and gas and critical mineral articles (except donated items intended to relieve human suffering under 9903.01.11, informational items under 9903.01.12, and products for personal use included in accompanied baggage of persons arriving in the U.S.)

**EFFECTIVE DATE** March 4 2025, 12:01 a.m. Eastern Time

**BACKGROUND** On February 1, 2025, President Trump issued an Executive Order imposing 25% duties on all goods from Canada.

On February 3, 2025, Canada negotiated a 30-day extension with President Trump until March 3.

CBP's Notice of modifications to the Harmonized Tariff Schedule of the U.S. (HTSUS) to implement the increased duties on products of Canadian origin was published for public inspection on March 3, 2025. It is scheduled for official publication on March 6, 2025. The duties will be effective at 12:01 a.m. on March 4, 2025.

#### DETAILS

- HTS 9903.01.10 imposes 25% duties on all products of Canada. Pursuant to the Notice, a good is a "product of Canada" if it is determined to be so pursuant to Part 102 of Title 19, or if the good was last substantially transformed in Canada.
- HTS 9903.01.13 imposes 10% duties on oil, natural gas, lease condensates, natural gas liquids, refined petroleum products, uranium, coal, biofuels, geothermal heat, the kinetic movement of flowing water, and critical minerals, as defined by 30 U.S.C. § 1606(a)(3).
- The de minimis exemption for duty-free treatment is allowed to continue for goods imported from Canada until the Secretary of Commerce notifies the President that adequate procedures are in place to handle those entries.
- The Notice reiterates additional exceptions for certain personal and humanitarian shipments.
- The additional duties do not apply for goods properly claimed under a provision of Chapter 98, except the additional duties apply to the value of repairs declared under 9802.00.40, 9802.00.50, and 9802.00.60. For 9802.00.80, the additional duties apply to the value of the article assembled abroad, less the cost of value of such products of the United States.

It is possible that the Notice may be modified or revoked prior to the official publication, as was the case when the duties were first announced in February.

#### BASIS

International Emergency Economic Powers Act (IEEPA), 50 U.S. Code § 1701 *et seq.*; the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA); section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483); and section 301 of title 3, United States Code.

#### HTS/ PRODUCTS

Subheading 9903.01.10 imposes an additional 25% duties on all goods of Canada

Subheading 9903.01.13 imposes an additional 10% duties on certain oil & gas and critical mineral articles

#### COUNTRY

Canada

#### CITE

[Federal Register :: Notice of Implementation of Additional Duties on Products of Canada Pursuant to the President's Executive Order 14193, Imposing Duties To Address the Flow of Illicit Drugs Across Our Northern Border](#)  
[Federal Register :: Amendment to Duties To Address the Flow of Illicit Drugs Across Our Northern Border](#)  
[Federal Register :: Imposing Duties To Address the Flow of Illicit Drugs Across Our Northern Border](#)  
[Amendment to Duties to Address the Flow of Illicit Drugs across our Northern Border - The White House](#)  
[Imposing Duties to Address the Flow of Illicit Drugs Across Our Northern Border - The White House](#)

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### March 3, 2025 | Implementation of Additional Duties on Products from Mexico

#### TRUMP ADMINISTRATION TRADE ALERT - IMPORTS

##### HEADLINE

Implementation of Additional Duties on Products from Mexico

##### DATE

March 3 2025

##### AGENCY

Department of Homeland Security, Customs and Border Protection (CBP)

##### STATUS

25% duties implemented on all goods from Mexico (except donated items intended to relieve human suffering under 9903.01.02, informational items under 9903.01.03, and products for personal use included in accompanied baggage of persons arriving in the U.S.)

EFFECTIVE DATE	March 4 2025, 12:01 a.m. Eastern Time
BACKGROUND	<p>On February 1, 2025, President Trump issued an Executive Order imposing 25% duties on all goods from Mexico.</p> <p>On February 3, 2025, Mexico negotiated a 30-day extension with President Trump until March 3.</p> <p>CBP's Notice of modifications to the Harmonized Tariff Schedule of the U.S. (HTSUS) to implement the increased duties on products of Mexican origin was published for public inspection on March 3, 2025. It is scheduled for official publication on March 6, 2025. The duties will be effective at 12:01 a.m. ET on March 4, 2025.</p> <ul style="list-style-type: none"><li>• HTS 9903.01.01 imposes 25% duties on all products of Mexico. Pursuant to the Notice, a good is a "product of Mexico" if it is determined to be so pursuant to part 102 of Title 19, or if the good was last substantially transformed in Mexico.</li><li>• The de minimis exemption for duty-free treatment is allowed to continue for goods imported from Mexico until the Secretary of Commerce notifies the President that adequate procedures are in place to handle those entries.</li><li>• The Notice reiterates additional exceptions for certain personal and humanitarian shipments.</li><li>• The additional duties do not apply for goods properly claimed under a provision of Chapter 98, except the additional duties apply to the value of repairs declared under 9802.00.40, 9802.00.50, and 9802.00.60. For 9802.00.80, the additional duties apply to the value of the article assembled abroad, less the cost of value of such products of the United States.</li></ul> <p>It is possible that the Notice may be modified or revoked prior to the official publication, as was the case when the duties were first announced in February</p>
DETAILS	
BASIS	International Emergency Economic Powers Act (IEEPA), 50 U.S. Code § 1701 <i>et seq.</i> ; the National Emergencies Act (50 U.S.C. 1601 <i>et seq.</i> ) (NEA); section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483); and section 301 of title 3, United States Code.
HTS/ PRODUCTS	Subheading 9903.01.01 will impose an additional 25% tariff to all goods of Mexico.
COUNTRY	Mexico
CITE	<p><a href="#">Federal Register :: Notice of Implementation of Additional Duties on Products of Mexico Pursuant to the President's Executive Order 14194, Imposing Duties To Address the Situation at Our Southern Border</a></p> <p><a href="#">Federal Register :: Progress on the Situation at Our Southern Border</a></p> <p><a href="#">Federal Register :: Imposing Duties To Address the Situation at Our Southern Border Amendment to Duties to Address the Situation at our Southern Border - The White House</a></p> <p><a href="#">Progress on the Situation at Our Southern Border - The White House</a></p>

[Read more](#)

## February 25, 2025 | Section 232 Investigation Into Copper Imports

### THOMPSON COBURN TRADE ALERT - IMPORTS

HEADLINE	Section 232 Investigation Into Copper Imports
DATE	February 25 2025
AGENCY	Department of Commerce; Trump Administration
EFFECTIVE DATES	November 22 2025 - Report due date from Secretary of Commerce
BACKGROUND	<p>The Trump Administration has ordered the Secretary to conduct a 232 investigation into copper to determine whether imported copper and copper products impair the national security of the United States. This is the same statute President Trump used to impose duties on steel and aluminum in 2018, and to increase the duties on aluminum and eliminate the previously negotiated product and country-based exceptions to the <a href="#">steel</a> and <a href="#">aluminum</a> duties earlier this month.</p>

#### DETAILS

The EO directs the Secretary of Commerce to investigate the impacts of copper imports, including:

- Raw mined copper,
- Copper concentrates,
- Refined copper,
- Copper alloys,
- Scrap copper, and
- Derivative products.

The EO does not define what derivative products are to be included in the investigation. The Secretary is directed to submit a report within 270 days on the Department's findings and provide recommendations such as tariffs, export controls, or incentives for domestic production. Based on this timeframe, we can expect a report by November 22, 2025.

The findings from the Secretary may or may not result in additional tariffs on imported copper goods.

#### BASIS

Section 232 of the Trade Expansion Act of 1962

#### CITE

[Addressing the Threat to National Security from Imports of Copper - The White House Federal Register :: Addressing the Threat to National Security From Imports of Copper](#)

[Read more](#)

**February 21, 2025 | President Trump issues Executive Order greenlighting the offset of any digital service taxes (DSTs), policies, fines, and other actions foreign nations impose on American corporations**

#### THOMPSON COBURN TRADE ALERT

##### HEADLINE

President Trump issues Executive Order greenlighting the offset of any digital service taxes (DSTs), policies, fines, and other actions foreign nations impose on American corporations

##### DATE

**February 21 2025**

##### AGENCY

Presidential Action

##### EFFECTIVE DATE

**N/A**

##### BACKGROUND

The Trump Administration announced in a Presidential Memorandum that it will impose tariffs or take other responsive actions to mitigate harm against American companies in response to foreign governments it identifies as imposing fines, taxes, penalties, or other burdens that are discriminatory or disproportionate, particularly regarding the technology sector and intellectual property.

The Administration will review:

- Taxes imposed on American companies by foreign governments that could be discriminatory;
- Regulations imposed on American companies by foreign governments that could inhibit growth or operations of American companies;
- Any foreign government's act, policy, or practice that may jeopardize an American company's intellectual property; and
- Any act, policy, or practice of a foreign government that serves to undermine the global competitiveness of American companies.

##### DETAILS

The USTR will:

- Decide on renewing investigations into digital services taxes (DSTs) by France, Austria, Italy, Spain, Turkey, and the UK;
- Assess DSTs from other countries that could harm American companies and explore potential action against Canada's DST;
- Explore tools for securing a permanent moratorium on customs duties on electronic transmissions; and
- Create a process for American businesses to report harmful foreign tax or regulatory practices.

The USTR, Treasury Secretary, and Commerce Secretary will:

- Identify foreign practices that harm American companies in the digital economy and suggest countermeasures;
- Investigate if EU or UK policies incentivize American companies to undermine free

speech or content moderation, and recommend countermeasures; and

- Assess if foreign taxes discriminate against American citizens or companies, including digital economy taxes, and report findings.

**BASIS** Presidential Memorandum

**CITE** [Defending American Companies and Innovators From Overseas Extortion and Unfair Fines and Penalties - The White House](#)  
[Federal Register :: Defending American Companies and Innovators From Overseas Extortion and Unfair Fines and Penalties](#)

[Read more](#)

## February 21, 2025 | Trump Administration directs the Committee on Foreign Investment in the United States (“CFIUS”) to restrict Chinese and other foreign investments to bolster national security

### THOMPSON COBURN TRADE ALERT

**HEADLINE** Trump Administration directs the Committee on Foreign Investment in the United States (“CFIUS”) to restrict Chinese and other foreign investments to bolster national security

**DATE** February 21 2025

**AGENCY** Presidential Action Directing Multiple Agencies

**EFFECTIVE DATE** February 21 2025

**BACKGROUND** The United States has several policy instruments, including the Committee on Foreign Investment in the United States (CFIUS) to limit foreign investment in domestic companies. The Memorandum aims to preserve and encourage an open investment environment among specified “partners” while expanding on the scope of industries reviewed by CFIUS with respect to Chinese investment to include health care, agriculture, energy, raw materials, and “other strategic sectors” in addition to critical infrastructure and critical technologies currently reviewed by CFIUS. The Memorandum also proposes new “fast-track” provisions and to restructure the CFIUS mitigation procedures and enhance outbound investment reviews.

The Memorandum pledges to:

- Create a “fast-track” process to facilitate greater investment from specified allied and partner sources in United States businesses, allowing for increased foreign investment subject to security provisions, including requiring approved foreign investors to avoid partnering with foreign adversaries of the United States (i.e., China, Cuba, Iran, North Korea, Russia, and Venezuela under Nicolás Maduro’s regime).
- Encourage passive investments from foreign persons, such as non-controlling stakes and shares with no voting, board, or other governance rights and that do not confer any managerial influence, substantive decision-making, or non-public access to technologies or technical information, products, or services.
- Reduce the exploitation of public and private sector capital, technology, and technical knowledge by foreign adversaries such as China by using all legal instruments, including CFIUS, to restrict Chinese-affiliated persons from investing in American technology, critical infrastructure, health care, agriculture, energy, raw materials, or other strategic sectors.

### DETAILS

- Use all necessary legal instruments to deter Americans from investing in the Chinese military-industrial sector through the imposition of sanctions under IEEPA, blocking assets, or through other actions.

The Administration plans to review:

- E.O. 14105 to examine whether it includes sufficient controls to address national security issues.
- The possibility of enforcing new or expanded restrictions on American outbound investment in certain Chinese sectors including **semiconductors, artificial intelligence, quantum, biotechnology, hypersonics, aerospace, advanced manufacturing, directed energy**, and other areas implicated by the Chinese military.
- Whether to suspend or terminate the 1984 United States-The People’s Republic of China Income Tax Convention.
- Whether adequate financial auditing standards are upheld for companies covered by the Holding Foreign Companies Accountable Act.
- The variable interest entity and subsidiary structures used by foreign-adversary companies to trade on United States exchanges.



Various government agencies, including Treasury, State, Defense, and others, will implement the policy through regulatory measures, including CFIUS actions. The EPA will handle environmental review processes related to investments. Treasury, the SEC, and the FBI will assess risks associated with foreign adversary companies listed on U.S. exchanges, ensuring compliance with auditing and oversight standards.

**BASIS** IEEPA, section 721 of the Defense Production Act of 1950, as amended; Holding Foreign Companies Accountable Act

**CITE** [America First Investment Policy - The White House](#)

[Read more](#)

## February 21, 2025 | Notice of Proposed Action in Section 301 Investigation of China's Targeting of the Maritime, Logistics, and Shipbuilding Sectors for Dominance

### THOMPSON COBURN TRADE ALERT

**HEADLINE** Notice of Proposed Action in Section 301 Investigation of China's Targeting of the Maritime, Logistics, and Shipbuilding Sectors for Dominance

**DATE** February 21 2025

**AGENCY** United States Trade Representative

**EFFECTIVE DATES**  
**February 21 2025:** Comment Period Opens  
**March 10 2025:** Deadline to Request to Participate in Hearing  
**March 24 2025:** Deadline for Written Comments  
**Seven Calendar Days After Last Day of Public Hearing:** Deadline to submit Post-Hearing Rebuttal Comments

**BACKGROUND** On March 12, 2024, a group of petitioners filed a Section 301 petition against China's acts, policies, and practices aimed at dominating the maritime, logistics, and shipbuilding sectors. The USTR initiated an investigation, issuing a report dated January 16 finding that China's actions are unreasonable and restrictive to U.S. commerce, undercutting competition and increasing dependencies on China. The implementation of the proposed remedies will likely impact shipping costs between the U.S. and its trading partners.

In the February 21 Notice, the USTR proposed several possible actions, including:

Service Fees on:

- *Chinese Maritime Transport Operators (MTOs)*
  - up to \$1 million per U.S. port entrance of any vessel; OR
  - up to \$1,000 per net ton of the vessel's capacity per entrance.
- *MTOs with Fleets Composed of Chinese-Built Vessels*
  - up to \$1.5 million per vessel entrance;
  - up to \$1 million per entrance (>50 percent Chinese-built vessel fleet composition), \$750,000 per entrance (25-50 percent Chinese-built vessel fleet composition), and \$500,000 per entrance (>0-25 percent Chinese-built vessel fleet composition); OR
  - up to \$1 million per entrance if the percentage of Chinese-built vessels in the operator's fleet is equal to or greater than 25 percent.

### DETAILS

- *MTOs with Prospective Orders for Chinese Vessels* (based on the percentage of vessels **ordered or expected to be delivered** from Chinese shipyards within the next **24 months**, applied per vessel entry)
  - Up to **\$1 million** per vessel entry for vessel orders or deliveries in Chinese shipyards **≥ 50%**, up to **\$750,000** per vessel entry for vessel orders or deliveries in Chinese shipyards between **25-50 percent**, and up to **\$500,000** per vessel entry for vessel orders or deliveries in Chinese shipyards between **>0-25 percent**; OR
  - Up to **\$1,000,000** per vessel entry (flat fee) triggered by a 25 percent threshold based on an operator's total vessel orders (or expected deliveries) come from Chinese shipyards.

Operators may receive a refund of up to \$1 million per vessel entry into a U.S. port for U.S.-built vessels used in international maritime transport. Refunds are issued annually and apply to fees charged under this section.



The proposal would also add restrictions on services to promote the transport of U.S. exports on U.S. vessels:

- Immediate effect: At least 1 percent of U.S. exports must be transported on U.S.-flagged vessels.
- After two years: At least 3 percent of U.S. exports must be transported on U.S.-flagged vessels.
- After three years: At least 5 percent of U.S. exports must be transported on U.S.-flagged vessels, with 3 percent specifically on U.S.-built vessels.
- After seven years: At least 15 percent of U.S. exports must be transported on U.S.-flagged vessels, with 5 percent specifically on U.S.-built vessels.

The notice also proposes a restriction that U.S. goods must be exported on U.S.-flagged, U.S.-built vessels, with exceptions granted if the operator proves that at least 20 percent of the U.S. products they transport annually will be carried on U.S.-flagged, U.S.-built ships.

The USTR proposes taking other actions, such as restricting access to China's National Transportation and Logistics Public Information Platform (LOGINK) and entering into negotiations with allies and trade partners to counteract China's acts, policies, and practices to reduce dependency on China in maritime, logistics, and shipbuilding sectors.

The USTR seeks public comments and rebuttal comments regarding the above specified issues, and will hold a hearing on March 24, 2025, to discuss these proposals. Interested parties can submit comments (docket number USTR-2025-0002) by March 24, 2025, and request to participate in the hearing by March 10, 2025 (docket number USTR-2025-0003), as specified in the notice.

**BASIS** **Trade Act of 1974**, 19 U.S.C. § 2411(a)-(c) (Section 301(a)-(c)) and 19 U.S.C. § 2414 (Section 304)

**CITE** [Ships Proposed Action FRN.pdf](#)  
[Report on China's Targeting of Maritime, Logistics, and Shipbuilding Sectors for Dominance](#)  
[Federal Register :: Proposed Action in Section 301 Investigation of China's Targeting of the Maritime, Logistics, and Shipbuilding Sectors for Dominance](#)

[Read more](#)

## February 14, 2025 | Release of Derivative Steel and Aluminum Annexes

### THOMPSON COBURN TRADE ALERT - IMPORTS

**HEADLINE** Release of Derivative Steel and Aluminum Annexes

**DATE OF ACTION** **February 14 2025**

**AGENCY** Trump Administration

**EFFECTIVE DATE** Removal of country-based exclusions as of March 12, 2025; termination of exclusion process, effective immediately; Duties on new derivative steel or aluminum articles postponed until "public notification by the Secretary of Commerce, that adequate systems are in place to fully, efficiently, and expediently process and collect tariff revenue on covered articles."

**BACKGROUND** President Trump signed Proclamations on February 10 and February 11 removing country-based and product-based exclusions, terminating the exclusion process, increasing the duties on aluminum from 10% to 25% and subjecting additional derivative steel or aluminum articles to the additional duties, as defined in Annex 1.

On February 14, 2025, the Administration published a Federal Register Notice for public inspection that provides the relevant annexes, attached to this trade alert. This trade alert also highlights additional compliance concerns regarding the Steel and Aluminum Proclamations.

**DETAILS** The 25% derivative steel and aluminum Annexes were submitted for public inspection on 14 February and are scheduled to be published in the Federal Register on Tuesday 18 February. (The version that is published on Tuesday will be controlling, if there are any differences.)

**Steel Annex I** - pages 24-26 There are 155 subheadings in Chapter 73 (entire value subject to tariff) and 12 derivative items in CHs 84, 85, and 94. The non-Chapter 73

derivative items will only owe duty on the steel content they contain.

**Aluminum Annex I** - pages 19-21 There are 18 subheadings in Chapter 76 (entire value subject to tariff) and 104 in chapters 66, 83, 84, 85, 87, 88, 90, 94, 95 or 96. The non-Chapter 76 derivative items will only owe duty on the aluminum content they contain.

Importers will be expected to provide to U.S. CBP sufficient information to identify the steel or aluminum content used in the manufacture of the derivative articles covered by each Proclamation. An additional Notice will establish a process for the designation of additional derivative steel or aluminum articles.

In addition to analyzing the effect of the removal of the previous Section 232 exclusions based on country of origin, importers should begin assessing the steel and aluminum content in these derivative headings and the associated supply chains, considering whether U.S.-origin aluminum or steel may be used in the processing. It is also recommended that importers consider their exposure with respect to derivative aluminum or steel articles that are not listed in the appendices to these notices, as duties may be assessed on these products with relatively little warning.

<b>BASIS</b>	Proclamations of 10 February; Section 232 of the Trade Expansion Act of 1962; 3 U.S.C. 301; 19 U.S.C. 2483
<b>HTS/ PRODUCTS</b>	<a href="#">A fully searchable spreadsheet based on the Public Inspection Annexes is available here.</a>
<b>COUNTRY</b>	All (some exceptions may be negotiated prior to implementation)
<b>CITE</b>	<a href="#">Federal Register :: Adjusting Imports of Steel Into the United States</a> <a href="#">Federal Register :: Adjusting Imports of Aluminum Into the United States</a> <a href="#">CSMS # 64384423 - UPDATED GUIDANCE: Import Duties on Imports of Steel and Steel Derivative Products</a> <a href="#">CSMS # 64348288 - GUIDANCE: Import Duties on Imports of Aluminum and Aluminum Derivative Products</a>

[Read more](#)

## February 13, 2025 | Reciprocal Trade and Tariff Memorandum

### THOMPSON COBURN TRADE ALERT - IMPORTS

<b>HEADLINE</b>	Reciprocal Trade and Tariff Memorandum
<b>DATE OF ACTION</b>	February 13 2025
<b>AGENCY</b>	Trump Administration; The Secretaries of the Treasury, Commerce, and Homeland Security; The Director of the Office of Management and Budget; The United States Trade Representative ("USTR"); The Assistant to the President for Economic Policy; The Senior Counsel to the President for Trade and Manufacturing.
<b>EFFECTIVE DATE</b>	Implementation undetermined. Unlikely to be before 1 April 2025.
<b>BACKGROUND</b>	The Presidential Memorandum of January 20, 2025 ( <a href="#">America First Trade Policy Memorandum</a> ) outlined the Administration's opposition to "unfair practices and limited access to foreign markets." <a href="#">Reciprocal Trade and Tariffs Memorandum</a> (hereafter, the "Memorandum") seeks to address the "lack of reciprocity" in tariff rates that the Administration says contributes to these issues and the annual trade deficit.
<b>DETAILS</b>	<p>The <a href="#">Memorandum</a> does not implement reciprocal tariffs; rather, it is a policy statement and instruction for various agencies to investigate and report on "non-reciprocal" trade measures other countries employ towards the United States. These reports, which do not have a specific due date (other than a fiscal impact assessment from the Office of Management and Budget, which is due Tuesday, August 12), are not expected for months and will assumably propose remedies for tariff implementation.</p> <p>The Memorandum introduces the "Fair and Reciprocal Plan" to counter non-reciprocal trading arrangements by "determining the equivalent of a reciprocal tariff with respect to each foreign trading partner." To this end, the Secretary of Commerce and USTR are instructed to investigate "non-reciprocal trade arrangements" after agency reports are due (1 April 2025) and submit a report detailing proposed remedies.</p>

The Memorandum includes within the scope of non-reciprocal trading arrangements “unfair, discriminatory, or extraterritorial taxes, . . . include value-added tax.” The Memorandum leaves considerable questions unanswered, including the full scope of the measures and their basis in statutory authority; the timing of the investigations, reports, and tariff actions; and the practical manner in which the implementation will occur. Delayed timing leaves opportunities for nations to negotiate, but companies should take steps now to analyze potential exposure and mitigate risk of sudden price increases.

BASIS	None provided
HTS/ PRODUCTS	To be determined
COUNTRY	To be determined
CITE	<a href="#">Reciprocal Trade and Tariffs Memorandum</a> <a href="#">Fact Sheet: President Donald J. Trump Announces “Fair and Reciprocal Plan” on Trade - The White House</a>

### ***Policy Specifics***

**Section 2** of the Memorandum states that the policy of the United States is to reduce its annual trade deficit and address “other unfair and unbalanced aspects of our trade with foreign trading partners.” To this end, the “Fair and Reciprocal Plan” aims to determine “the equivalent of a reciprocal tariff with respect to each foreign trading partner.” The plan considers the following to be “non-reciprocal” aspects of a trade relationship:

- (a) tariffs imposed on U.S. products;
- (b) unfair, discriminatory, or extraterritorial taxes imposed by U.S. trading partners on United States businesses, workers, and consumers, including a value-added tax;
- (c) costs to U.S. businesses, workers, and consumers arising from nontariff barriers or measures and unfair or harmful acts, policies, or practices, including subsidies, and burdensome regulatory requirements on U.S. businesses operating in other countries;
- (d) policies and practices that cause exchange rates to deviate from their market value, to the detriment of Americans; wage suppression; and other mercantilist policies that make U.S. businesses and workers less competitive; and
- (e) any other practice that . . . imposes any unfair limitation on market access or any structural impediment to fair competition with the market economy of the United States.

**Section 3** instructs the Secretary of Commerce and USTR to investigate “the harm to the U.S. from any non-reciprocal trade arrangements adopted by any trading partners” after agency reports under the America First Trade Policy Memorandum are due (*i.e.*, 1 April 2025). After their investigations, they will submit a report “detailing proposed remedies in pursuit of reciprocal trade relations with each trading partner.”

Additionally, the Memorandum instructs the Director of the Office of Management and Budget to “assess all fiscal impacts on the Federal Government and the impacts of any information collection requests on the public,” and to provide a written assessment to the President by 12 August 2025.

### ***Unanswered Questions***

The Memorandum leaves considerable questions unanswered.

- **Scope and authority questions.** What is the full array of trade measures that will be considered for implementation? What authorities will be used to implement any response measures? Do these authorities require additional investigations or reports? Will the President need new authority from Congress to implement any measures, or with the implementation of reciprocal tariffs require an act of Congress?
- **Timing questions.** How long will the Secretary of Commerce and USTR need to complete their investigations after the agency reports are submitted on April 1? Weeks? Months? Years? How long after these investigations are complete will implementation take? Does the OMB fiscal impact assessment due 12 August mean that implementation cannot occur before this date?
- **Implementation questions.** What HTS heading or subheading level (*i.e.*, 6-digit, 8-digit, etc.), which comprises tens of thousands of individual classifications and rates, will be the basis for the reciprocal analysis or tariff implementation? Will the reciprocal rates be made unique for each country against which action is taken? Will the U.S. rates adjust if the foreign rates adjusts (up or down)? What are the “collection requests on the public” that are mentioned, and will there be a process to challenge these comments or request exemptions?

### ***What To Do Now***

Delayed timing could leave opportunities for nations to negotiate and reduce the impact of these measures, but the bottom line is it is currently unclear how and when these tariffs will be implemented, limiting the ability of industry to

adapt. A self-assessment of exposure by country and tariff classification using all available data (*i.e.*, ACE data, internal sales data, etc.) and access to non-U.S. tariff schedules to begin to measure the possible impact of the Reciprocal Trade and Tariff Memorandum. Additional measures include:

- Set up news alerts specific to your merchandise or countries of interest.
- Don't make decisions too quickly...some of this is likely a negotiation tactic and political theater, similar to the 25% tariffs on Mexico and Canada which were postponed.
- Negotiate appropriate contractual and sales terms to mitigate the impact of sudden and significant costs associated with tariff implementation.

[Read more](#)

## February 10, 2025 | Pause On Certain FCPA Enforcement Actions

### THOMPSON COBURN TRADE ALERT - EXPORTS

**HEADLINE** Pause On Certain FCPA Enforcement Actions

**DATE** February 10 2025

**AGENCY** Department of Justice

**EFFECTIVE DATE** February 10 2025 through 9 August 2025 (180 days) or as extended by the Attorney General

The Foreign Corrupt Practices Act of 1977 ("FCPA") as amended in 1998 prohibits American companies and individuals from offering or paying "anything of value" to foreign government officials in order to gain or maintain business and requires publicly traded companies to maintain accurate books and records and robust internal accounting controls to prevent such practices.

#### BACKGROUND

President Trump believes that U.S. companies are disadvantaged by excessive FCPA enforcement, which prevents them from engaging in practices common among global competitors, resulting in an uneven playing field. A White House official [reported to CNBC](#) that there will be "a pause in enforcement to better assess how to streamline the FCPA, ensuring it aligns with economic interests and national security."

President Trump's Executive Order directs Attorney General Pam Bondi to pause FCPA investigations or enforcement actions until new enforcement guidelines are issued, unless an "individual exception" is warranted.

The Attorney General will:

- (i) halt new FCPA investigations and actions, unless an exception is necessary;
- (ii) review existing investigations and ensure FCPA enforcement stays within proper limits, while protecting the President's foreign policy powers; and
- (iii) issue updated guidelines that prioritize American interests, economic competitiveness, and efficient use of federal resources.

The review may be extended for another 180 days. Any FCPA actions taken after the new guidelines are issued will follow those guidelines and require the Attorney General's approval. After the updated guidelines are issued, the Attorney General will determine if further actions, including correcting past FCPA issues, are needed and may recommend actions to the President.

#### DETAILS

The Attorney General's February 5, 2025, memorandum, "Total Elimination of Cartels and Transnational Criminal Organizations," states that the FCPA Unit will focus on foreign bribery tied to Cartels and Transnational Criminal Organizations (TCOs), and reduce unrelated investigations.

The FCPA is still in force, and its anti-bribery and accounting provisions have not been suspended or revoked.

**Duties Do Not Apply to Derivative Steel (Aluminum) Articles processed in another country from steel (or aluminum) articles that were melted (smelted) and poured (cast) in the United States.** It is not yet clear how this clause will be interpreted with respect to Chapter 98 HTSUS classifications, and how it will be implemented for any situations where Chapter 98 may not be used.

**BASIS** Executive Order

## CITE

[Pausing Foreign Corrupt Practices Act Enforcement to Further American Economic and National Security - The White House](#)  
[Total Elimination of Cartels and Transnational Criminal Organizations](#)  
[Federal Register :: Pausing Foreign Corrupt Practices Act Enforcement To Further American Economic and National Security](#)

[Read more](#)

## February 10, 2025 | Executive Order Imposing Additional Duties on Aluminum Products

### THOMPSON COBURN TRADE ALERT - IMPORTS

**HEADLINE** Executive Order Imposing Additional Duties on Aluminum Products

**DATE** February 10 2025

**AGENCY** Department of Homeland Security, Customs and Border Protection (CBP); Trump Administration

**EFFECTIVE DATE** **For changes to prior aluminum proclamations: 12 March 2025 12:01 AM EST For additional changes: effective upon public notice by the Sec. Commerce.**

**BACKGROUND** President Trump signed an executive order on February 10 imposing new 25% tariffs on aluminum and certain downstream aluminum products. In his previous administration, President Trump used Section 232 to impose 10% tariffs on a narrower subset of aluminum articles, respectively, and several agreements were reached with several allied countries. However, these new actions (1) raise the tariff amount from 10% to 25%, (2) terminate the previous exceptions, and (3) supplement the previous aluminum tariff scope.

The actions will:

- Remove previous Section 232 aluminum tariff exemption agreements for products of Argentina, Australia, Canada, Mexico, the European Union, and the United Kingdom, subjecting originating aluminum products in scope to the 25% duties.
- Wind down individual product exclusions and the product exclusion process authorized by [Proclamation 9704](#), [Proclamation 9776](#), and [Proclamation 9980](#). The granted product exclusions remain effective until they expire or reach the applicable imported product volume, whichever occurs first.
- Expand tariffs to include additional derivative aluminum articles specified in Annex I (which was not published with the order), at a time to be specified later by publication in the Federal Register.

**DETAILS**

The duties imposed by the E.O. are not available for duty drawback.

Additional duties on derivative aluminum articles do not apply to such articles processed in another country from aluminum articles that were smelted and cast in the United States. Importers must document any information necessary to identify the aluminum content used in the manufacture of aluminum derivative articles imports.

**Duties Do Not Apply to Derivative Steel (Aluminum) Articles processed in another country from steel (or aluminum) articles that were melted (smelted) and poured (cast) in the United States.** It is not yet clear how this clause will be interpreted with respect to Chapter 98 HTSUS classifications, and how it will be implemented for any situations where Chapter 98 may not be used.

**BASIS** Section 232 of the of the Trade Expansion Act of 1962; 3 U.S.C. 301; 19 U.S.C. 2483

**HTS/ PRODUCTS** The aluminum and derivative aluminum products subject to the additional tariffs in [Proclamation 9704](#) and [Proclamation 9980](#). Additional derivative aluminum products in Annex I (not yet published)

**COUNTRY** All

**CITE** [Federal Register :: Adjusting Imports of Aluminum Into the United States](#)  
[Federal Register :: Implementation of Duties on Aluminum Pursuant to Proclamation 10895 Adjusting Imports of Aluminum Into the United States](#)

### *Modification of Existing Section 232 Aluminum Tariffs*

The actions cancel the following allowances for specific countries:

- **Argentina, Australia** ([Proclamation 9758](#) with respect to imports of aluminum articles);

- **Canada** ([Proclamation 9893](#), [Proclamation 10106](#) with respect to imports of aluminum articles);
- **Mexico** ([Proclamation 9893](#), [Proclamation 10782](#) with respect to imports of aluminum and derivative aluminum articles);
- **EU members** ([Proclamation 10327](#), [Proclamation 10690](#) with respect to imports of aluminum articles); and
- **United Kingdom** ([Proclamation 10405](#) with respect to imports of aluminum articles).

As a result, after 12:01 a.m. Eastern time on March 12, 2025, all imports of aluminum articles and derivative aluminum articles from these countries will become subject to the additional tariffs proclaimed in [Proclamation 9705](#) and [Proclamation 9980](#) at a rate of 25%, except for derivative aluminum articles processed in another country from aluminum articles that were smelted and cast in the United States.

Effective “immediately,” no more product exclusions may be considered or renewed, with previously granted product exclusions remaining in effect until they expire or until the applicable excluded product volume is imported, whichever occurs first.

The action also revokes the ability of the Secretary of Commerce to grant relief from the duties or quantitative restrictions, including the provisions of clause 3 of [Proclamation 9704](#), clause 1 of [Proclamation 9776](#), or clause 2 of [Proclamation 9980](#).

#### ***Inclusion of Additional Aluminum Articles***

The actions will apply an additional 25% tariff to all imports of derivative aluminum articles specified in Annex I (which was not published with the order).

- These products (yet to be identified) will be subject to the increased tariff as of the date that the Secretary of Commerce publishes a notification in the Federal Register.
- These additional duties do not apply to derivative aluminum articles processed in another country from aluminum articles that were smelted and cast in the United States.
- To the extent derivative aluminum articles identified in Annex I (not published) that are not in Chapter 76 of the HTSUS, the additional duties apply only to the aluminum content of the derivative article.

Importers must provide to U.S. Customs and Border Patrol (CBP) “any information necessary to identify the aluminum content used in the manufacture of aluminum derivative articles imports.”

#### ***Process for Including Additional Derivative Aluminum Articles within Scope***

The order directs the Secretary of Commerce to establish a process for including additional derivative aluminum articles within the scope of the proclamation within 90 days. This process will involve a mechanism for domestic producers of an aluminum article or derivative aluminum article, or an industry association representing one or more such producers, to where the request additional products be included if such products “impair the national security or otherwise undermine the objectives” of the actions. The Secretary will have 60 days to issue a determination regarding whether to add the products to the scope.

#### ***Prioritization of Classification Reviews***

The order also directs CBP to “prioritize reviews of the classification of imported aluminum articles and derivative aluminum articles” and to punish misclassification to “the maximum amount permitted by law and shall not consider any evidence of mitigating factors in its determination.”

CBP is further instructed to notify the Secretary of Commerce regarding “evidence of any efforts to evade payment of the ... duties ... through processing or alteration of aluminum articles or derivative aluminum articles prior to importation,” and such processed or altered aluminum articles shall be considered to be derivative aluminum articles. It is not entirely clear from the order, however, if this Commerce department “consideration” will be made ad hoc as applied to an individual importer or if it will inform additional actions by the Secretary via the process for including additional derivative aluminum articles to be published in the Federal Register.

#### ***Miscellaneous***

Aluminum or derivative articles admitted to U.S. foreign trade zones on or after March 12 not eligible for domestic status will be entered under “privileged foreign status” subject upon entry for consumption to any added duties, as applicable.

Derivative aluminum or steel articles that are in a foreign trade zone in privileged status prior to the March 12, 2025 and withdrawn for consumption after March 12, 2025 will be subject to the rates of duties applicable under this proclamation.

Finally, the duties imposed by the E.O. are not available for duty drawback.

## February 10, 2025 | Executive Order Imposing Additional Duties on Steel Products

### THOMPSON COBURN TRADE ALERT - IMPORTS

HEADLINE	Executive Order Imposing Additional Duties on Steel Products
DATE	February 10 2025
AGENCY	Department of Homeland Security, Customs and Border Protection (CBP); Trump Administration
EFFECTIVE DATE	For changes to prior steel proclamations: March 12 2025 12:01 AM EST For additional changes: effective upon public notice by the Sec. Commerce.
BACKGROUND	<p>President Trump signed an executive order February 10 imposing new 25% tariffs on steel and certain downstream steel products. In his previous administration, President Trump used Section 232 to impose 25% tariffs on a narrower subset of steel articles, respectively, and several agreements were reached with several allied countries. However, these new actions terminate these exceptions and supplement the previous steel tariff measures.</p> <p>The actions will:</p> <ul style="list-style-type: none"> <li>Remove previous Section 232 steel tariff exemption agreements for products of Argentina, Australia, Brazil, Canada, Japan, Mexico, South Korea, the European Union, Ukraine, and the United Kingdom, subjecting originating steel products in scope to the 25% duties.</li> <li>Wind down individual product exclusions and the product exclusion process authorized by <a href="#">Proclamation 9705</a>, <a href="#">Proclamation 9777</a>, and <a href="#">Proclamation 9980</a>. The granted product exclusions remain effective until they expire or reach the applicable imported product volume, whichever occurs first.</li> <li>Expand tariffs to include additional derivative steel articles specified in Annex I (which was not published with the order), at a time to be specified later by publication in the Federal Register.</li> </ul> <p>The duties imposed by the E.O. are not available for duty drawback.</p> <p>Additional duties on derivative steel articles do not apply to such articles processed in another country from steel articles that were melted and poured in the United States. Importers must document any information necessary to identify the steel content used in the manufacture of steel derivative articles imports.</p>
DETAILS	
BASIS	Section 232 of the of the Trade Expansion Act of 1962; 3 U.S.C. 301; 19 U.S.C. 2483
HTS/ PRODUCTS	The steel and derivative steel products subject to the additional tariffs in <a href="#">Proclamation 9705</a> and <a href="#">Proclamation 9980</a> . Additional derivative steel products in Annex I (Now published in <a href="#">Proclamation 10896</a> )
COUNTRY	All
CITE	<a href="#">Adjusting Imports of Steel into The United States - The White House Federal Register :: Adjusting Imports of Steel Into the United States Federal Register :: Implementation of Duties on Steel Pursuant to Proclamation 10896 Adjusting Imports of Steel Into the United States</a>

### *Modification of Existing Section 232 Steel Tariffs*

The actions cancel the following allowances for specific countries:

- **South Korea** ([Proclamation 9740](#) with respect to imports of steel articles);
- **Argentina, Australia, and Brazil** ([Proclamation 9759](#) with respect to imports of steel articles);
- **Brazil** ([Proclamation 10064](#) with respect to imports of steel articles);
- **Canada and Mexico** ([Proclamation 9894](#) with respect to imports of steel articles);
- **Mexico** ([Proclamation 10783](#) with respect to imports of steel articles);



- **EU members** ([Proclamation 10328](#) and [Proclamation 10691](#) with respect to imports of steel articles and derivative steel articles);
- **Japan** ([Proclamation 10356](#) with respect to imports of steel articles and derivative steel articles);
- **United Kingdom** ([Proclamation 10406](#) with respect to imports of steel articles and derivative steel articles);
- **Ukraine** ([Proclamation 10403](#), [Proclamation 10588](#), and [Proclamation 10771](#) with respect to steel articles and derivative steel articles).
- **Argentina, Australia, Brazil, Canada, Mexico, South Korea, and EU member countries** (provisions of clause 1 of [Proclamation 9740](#) as applicable to imports of steel articles or derivative steel articles).
- **Argentina, Australia, Canada, Mexico, and South Korea** (provisions of clause 1 of [Proclamation 9980](#) as applicable to imports of derivative steel articles).

As a result, after 12:01 a.m. Eastern time on March 12, 2025, all imports of steel articles and derivative steel articles from these countries will become subject to the additional tariffs proclaimed in [Proclamation 9705](#) and [Proclamation 9980](#) except for derivative steel articles processed in another country from steel articles that were melted and poured in the United States.

Effective “immediately,” no more product exclusions may be considered or renewed, with previously granted product exclusions remaining in effect until they expire or until the applicable excluded product volume is imported, whichever occurs first.

The action also revokes the ability of the Secretary of Commerce to grant relief from the duties or quantitative restrictions, including the provisions of clause 3 of [Proclamation 9705](#), clause 1 of [Proclamation 9777](#), and clause 2 of [Proclamation 9980](#).

#### ***Inclusion of Additional Steel Articles***

The actions will apply an additional 25% tariff to all imports of derivative steel articles specified in Annex I (which was not published with the order).

- These products (yet to be identified) will be subject to the increased tariff as of the date that the Secretary of Commerce publishes a notification in the Federal Register.
- These additional duties do not apply to derivative steel articles processed in another country from steel articles that were melted and poured in the United States.
- To the extent derivative steel articles identified in Annex I (not published) are not in Chapter 73 of the HTSUS, the additional duties apply only to the steel content of the derivative steel article.

Importers must provide to U.S. Customs and Border Patrol (CBP) “any information necessary to identify the steel content used in the manufacture of steel derivative articles imports.”

#### ***Process for Including Additional Derivative Steel Articles within Scope***

The order directs the Secretary of Commerce to establish a process for including additional derivative steel articles within the scope of the proclamation within 90 days. This process will involve a mechanism for domestic producers of a steel article or derivative steel article, or an industry association representing one or more such producers, to request that additional derivative products be included if such products “impair the national security or otherwise undermine the objectives” of the actions. The Secretary will have 60 days to issue a determination regarding whether to add the products to the scope.

#### ***Prioritization of Classification Reviews***

The order also directs CBP to “prioritize reviews of the classification of imported steel articles and derivative steel articles” and to punish misclassification to “the maximum amount permitted by law and shall not consider any evidence of mitigating factors in its determination.”

CBP is further instructed to notify the Secretary of Commerce regarding “evidence of any efforts to evade payment of the ... duties ... through processing or alteration of steel articles or derivative steel articles prior to importation,” and such processed or altered steel articles shall be considered to be derivative steel articles. It is not entirely clear from the order, however, if this Commerce department “consideration” will be made ad hoc as applied to an individual importer or if it will inform additional actions by the Secretary via the process for including additional derivative steel articles to be published in the Federal Register.

#### ***Miscellaneous***



Steel or derivative articles admitted to U.S. foreign trade zones on or after March 12 that are not eligible for domestic status will be entered under "privileged foreign status" and are subject upon entry for consumption to any added duties, as applicable.

Finally, the duties imposed by the E.O. are not available for duty drawback.

[Read more](#)

## February 4, 2025 | China Imposes Retaliatory Tariffs & Export Controls

### THOMPSON COBURN TRADE ALERT - EXPORTS

<b>HEADLINE</b>	China Imposes Retaliatory Tariffs & Export Controls
<b>DATE</b>	February 4 2025 12:30PM EST
<b>AGENCY</b>	China - Ministry of Finance
<b>STATUS</b>	Signed
<b>EFFECTIVE DATE</b>	10 February 2025
<b>BACKGROUND</b>	China responded to President Trump's February 1 Executive Order imposing an additional 10% duties on all goods from China with retaliatory tariffs, export controls.
<b>DETAILS</b>	<p>China announced retaliatory tariffs against the U.S., including a 15% tariff on coal and liquified natural gas imports, and a 10% tariff on crude oil, agricultural machinery, pickup trucks, and large-engine cars. China also unveiled new export controls on 25 rare metals and chemicals including tungsten, tellurium, bismuth, and molybdenum, which are used in a range of industrial &amp; aerospace appliances.</p> <p>China filed a complaint with the WTO's dispute settlement mechanism against the U.S. decision to impose additional tariffs on goods from China, and is undertaking investigations of certain U.S. companies, although the government did not directly relate these investigations to the tariff actions by the United States.</p>
<b>BASIS</b>	N/A
<b>HTS/ PRODUCTS</b>	15% - coal and liquified natural gas, as specified in <a href="#">Annex 1</a> 10% - crude oil, agricultural machinery, large-displacement vehicles, pickup trucks, as specified in <a href="#">Annex 2</a>
<b>COUNTRY</b>	China, U.S.
<b>CITE</b>	<p><a href="#">Reuters - China launches limited tariffs after Trump imposes sweeping new levies</a>   <a href="#">Reuters BBC - Five ways China is hitting back against US tariffs</a> <a href="#">Le Monde - China retaliates against US tariffs with tariffs, probes, WTO complaint</a> <a href="#">Chinese Announcements/Notices - Announcement of the Customs Tariff Commission of the State Council on Imposing Additional Tariffs on Certain Imported Goods Originating in the United States</a> <a href="#">PRC Ministry of Commerce - Announcement No. 10 of 2025 of the General Administration of Customs of the Ministry of Commerce</a></p>

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## February 3, 2025 | U.S. Customs and Border Protection Implement Additional Duties on Products of the People's Republic of China; U.S. and Canada/Mexico Agree to One-Month Pause on Tariffs

### THOMPSON COBURN TRADE ALERT - IMPORTS

<b>HEADLINE</b>	U.S. Customs and Border Protection Implement Additional Duties on Products of the People's Republic of China; U.S. and Canada/Mexico Agree to One-Month Pause on Tariffs
<b>DATE</b>	February 3, 2025, 5:30 PM EST
<b>AGENCY</b>	Department of Homeland Security, Customs and Border Protection (CBP); Trump Administration

STATUS	<p><b>China</b> - Duties to be imposed on goods entered or withdrawn from warehouse on February 4, 2025, unless one proves that the goods were shipped prior to February 1, 2025. <a href="#">Federal Register :: Implementation of Additional Duties on Products of the People's Republic of China Pursuant to the President's February 1, 2025 Executive Order Imposing Duties To Address the Synthetic Opioid Supply Chain in the People's Republic of China</a></p> <p><a href="#">Federal Register :: Amended Notice of Implementation of Additional Duties on Products of the People's Republic of China Pursuant to the President's February 1, 2025 Executive Order Imposing Duties To Address the Synthetic Opioid Supply Chain in the People's Republic of China</a></p> <p><b>Canada</b> - <a href="#">Federal Register :: Progress on the Situation at Our Northern Border</a></p> <p><b>Mexico</b> - <a href="#">Federal Register :: Progress on the Situation at Our Southern Border</a></p>
EFFECTIVE DATE	<p><b>China</b> - February 3, 2025, 12:01 a.m. Eastern Time</p> <p><b>Canada, Mexico</b> - March 3, 2025 (tentative)</p>
BACKGROUND	<p>On February 1, 2025, President Trump issued three Executive Orders requiring the imposition of 10% duties on all goods from China, 10% duties on Canadian petroleum products, and 25% duties on all other goods from Canada and all goods from Mexico.</p> <p>On February 3, 2025, Mexico negotiated an extension with President Trump, DHS posted Federal Register Notices regarding the new tariffs on goods from China and Canada, and Canada negotiated an extension with President Trump.</p>
DETAILS	<p><u><a href="#">China</a></u></p> <p>CBP published modifications to the Harmonized Tariff Schedule of the U.S. (HTSUS) duties to implement the increased duties on products of Chinese origin. In addition to reiterating requirements of the Executive Orders implementing the tariffs, the notices clarify that:</p> <ul style="list-style-type: none"><li>– goods entered or withdrawn for consumption, after 12:01 a.m. Eastern Standard Time on February 4, 2025, that were loaded or in transit on the final mode of transport prior to entry into the United States before 12:01 a.m. Eastern Standard Time on February 1, 2025, are not subject to additional duties if the importer certifies declares new HTSUS heading 9903.01.23 (China) as described in the annex;</li><li>– the additional duties apply to the value of Chinese processing of materials imported pursuant to 9802.00.40, 9802.00.50, 9802.00.60, and the value of the assembled article for 9802.00.80, but otherwise do not apply to goods entered pursuant to a provision of Chapter 98 HTSUS;</li></ul> <p><u><a href="#">Canada and Mexico</a></u></p> <ul style="list-style-type: none"><li>– Trump and the leaders of Canada and Mexico announced on social media an agreement to a “one-month” pause on implementation of the February 1 duties imposed on their respective nations.</li><li>– CBP issued its proposed modifications to the HTS implementing tariffs on goods from Canada prior to the delay - <a href="#">2025-02291.pdf</a>. This will likely be rescinded. (Edit: The document was indeed withdrawn.)</li></ul>
BASIS	1 February 2025 Executive orders and authorities incorporated by reference.
HTS/ PRODUCTS	<p><u><a href="#">China</a></u></p> <ul style="list-style-type: none"><li>– Subheading 9903.01.20 will apply an additional 10% tariff to goods of Chinese or Hong Kong origin as defined in the Annex.</li></ul>
COUNTRY	Canada, China, Mexico
CITE	<p><b>China</b> - <a href="#">Federal Register :: Implementation of Additional Duties on Products of the People's Republic of China Pursuant to the President's February 1, 2025 Executive Order Imposing Duties To Address the Synthetic Opioid Supply Chain in the People's Republic of China</a></p> <p><a href="#">Federal Register :: Amended Notice of Implementation of Additional Duties on Products of the People's Republic of China Pursuant to the President's February 1, 2025 Executive Order Imposing Duties To Address the Synthetic Opioid Supply Chain in the People's Republic of China</a></p> <p><b>Canada</b> - <a href="#">Federal Register :: Progress on the Situation at Our Northern Border</a></p> <p><b>Mexico</b> - <a href="#">Federal Register :: Progress on the Situation at Our Southern Border</a></p>

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## February 1, 2025 | Trump imposes additional 10% tariffs on all products originating in China and 25% tariffs on all products originating in Mexico and Canada (with a lower 10% on Canadian “energy products”)

### Summary

#### TRUMP ADMINISTRATION TRADE ALERT - IMPORTS

HEADLINE	Trump imposes additional 10% tariffs on all products originating in China and 25% tariffs on all products originating in Mexico and Canada (with a lower 10% on Canadian “energy products”)
DATE	1 February 2025
AGENCY	Presidential Action
STATUS	Canada - Executive Order <a href="#">Imposing Duties to Address the Flow of Illicit Drugs Across our Northern Border</a> Mexico - Executive Order - Signed but not yet published China - Executive Order - Signed but not yet published
EFFECTIVE DATE	4 February 2025, 12:01 a.m. Eastern Time
DETAILS	<p>Trump issued three executive orders imposing:</p> <ol style="list-style-type: none"><li>1) An additional 25% tariffs on all products of Mexico</li><li>2) An additional 25% tariffs on all products of Canada, except “energy products” from Canada which will only have a 10% tariff</li><li>3) An additional 10% tariff on all products of Chinese products.</li></ol> <ul style="list-style-type: none"><li>• The duties imposed by the E.O. are not available for duty drawback.</li><li>• The E.O. also prohibits the use of Section 321 for the “products of” Mexico, Canada, and China, as that term will be defined in the Federal Register Notice.</li><li>• The tariffs imposed by the E.O. are in addition to ordinary duties and any other tariff programs (e.g., Section 301 China tariffs, ADD/CVD, Section 232) that may apply.</li></ul> <p>No exclusion process was provided for in the executive actions. A retaliation clause threatens additional tariffs if a country imposes tariffs on U.S. goods.</p>
BASIS	International Emergency Economic Powers Act (IEEPA), 50 U.S. Code § 1701 <i>et seq.</i> citing a declaration of national emergency in response to the “extraordinary threat posed by illegal aliens and drugs, including deadly fentanyl”; the National Emergencies Act (50 U.S.C. 1601 <i>et seq.</i> ) (NEA); section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483); and section 301 of title 3, United States Code.
HTS/ PRODUCTS	Nearly all. All products of Mexico and Canada “as defined by the Federal Register” will be subject to a 25%, except “energy products” from Canada which will only have a 10% tariff; Chinese products will be subject to an additional 10% tariff. The Federal Register notice that defines the products has yet to be published.
COUNTRY	Mexico, Canada, and China
CITE	<a href="https://www.whitehouse.gov/presidential-actions/">https://www.whitehouse.gov/presidential-actions/</a>

### Summary

President Trump issued three executive orders that “impose, consistent with law, ad valorem tariffs on articles that are products of” 25% on products of Mexico, 25% on products Canada (except energy products, which are at a lower 10% rate), and an additional 10% on products of China as set forth in each order, under IEEPA and other authorities. These duties are effective Tuesday February 4, 2025. There is no drawback or duty-free de minimis relief available for these duties, and they will apply on top of other applicable programs.

### Products Affected

The executive orders cover “all articles” that are the product of Mexico, Canada, and China, “as defined by the Federal Register notice.” The Secretary of Homeland Security is tasked with determining and publishing “the modifications necessary to the Harmonized Tariff Schedule of the United States (HTSUS) in order to effectuate this order consistent with law.” This notice has not been published yet. While it is anticipated that these E.O.s will cover all products from each nation, with the exception of Canadian energy products, there are significant questions to be resolved. For example, if a Chinese item was excluded from the Section 301 tariffs, will it be subject to the tariffs under the February 1 E.O.? Similarly, does the E.O. apply equally to goods that originate in Canada or Mexico

under the USMCA as it does to goods that are substantially transformed in Canada or Mexico, but do not qualify as originating under USMCA.

Canadian “energy or energy resources” which are subject to a 10% tariff instead of the 25% tariff applicable to other Canadian products, are defined by reference to section 8 of the President’s order on January 20, 2025 Declaring a National Energy Emergency to include “crude oil, natural gas, lease condensates, natural gas liquids, refined petroleum products, uranium, coal, biofuels, geothermal heat, the kinetic movement of flowing water, and critical minerals, as defined by 30 U.S.C. 1606 (a)(3).”

#### **Effective Date**

The increased rates are effective as of 12:01 a.m. eastern time on February 4, 2025 but will not apply to goods entered/withdrawn for consumption on or after 12:01 a.m. eastern time on February 4, 2025, that were loaded onto a vessel at the port of loading or in transit on the final mode of transport prior to entry into the United States before 12:01 a.m. eastern time on February 1, 2025, provided the importer certifies to CBP in accordance with the procedure that will be specified in a future Federal Register notice.

The February 4 effective date is suggestive of an attempt by the administration to force negotiations with China, Canada, and Mexico. While there is no way to predict if there will be negotiations or how the negotiations will work out, it is possible that the effective date for these tariffs gets delayed.

#### **Application in Relation to other Duties**

The rates of duty established in each order are defined to be in addition to any other duties, fees, exactions, or charges applicable to such imported articles.

No drawback program relief (19 CFR parts 190, 191) is available with respect to the duties imposed pursuant to these orders.

Duty-free de minimis treatment under 19 U.S.C. 1321 is not available for the articles affected by the tariff action.

For foreign trade zone products subject to each order, articles that are products of Canada, other than “domestic status” eligible products defined in 19 CFR 146.43, entered after the effective date must be admitted as “privileged foreign status” as defined in 19 CFR 146.41, and upon entry for consumption will be subject to the increased duties in effect at the time of admittance into the foreign trade zone.

There is no indication as to whether goods that are entered pursuant to one of the provisions of Chapter 98 of the HTSUS would be exempt from these duties.

#### **Retaliation Clause**

Each order contains a retaliation clause reserving the right to “increase or expand in scope” of the tariffs imposed by each E.O., should the country retaliate by imposing additional tariffs on U.S. goods. Canada and Mexico have already announced tariff retaliations are planned, with Canada specifying 25% additional duties would be imposed on C\$30 billion of U.S goods as of February 4, and an additional C\$125 billion in goods in three weeks, according to Prime Minister Justin Trudeau’s announcement on February 1. He stated the list of products would include “American beer, wine and bourbon, fruits and fruit juices, including orange juice, along with vegetables, perfume, clothing and shoes...major consumer products like household appliances, furniture and sports equipment, and materials like lumber and plastics, along with much, much more” as well as some “non-tariff measures” related to critical minerals, energy procurement, and other unspecified partnerships. *See* Transcript of Trudeau’s response to U.S. tariffs on Canada, Global News, Posted February 1, 2025 10:21 pm, *available at* <https://globalnews.ca/news/10993376/trudeau-trump-tariffs-us-canada/>.

#### **Products Excluded and/or Exclusion Process**

There were no product exclusions or exclusion process announced.

#### **Removal of Duties**

The Secretary of Homeland Security is charged with consulting with several other cabinet secretaries and the Attorney General regarding the emergency situation and is required to “inform the President of any circumstances that, in the opinion of the Secretary of Homeland Security,” indicate the government of the tariffed country has taken “adequate steps” to alleviate the emergency that gave rise to the order. If the President determines sufficient action to stem the crisis has occurred, the tariffs will be removed. What constitutes “adequate steps” to justify removal is not defined.

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authorsTest

**tyler**

Tyler Black

**evelyn**

Evelyn A. Clark

**sean**

Sean McGowan

**robert**

Robert A. Shapiro

**yasmin**

Yasmin L. Younis