



update on reciprocal tariffs

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MSK Client Alert

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More re the reciprocal tariffs, the White House Fact Sheet states the 10% reciprocal tariff on all countries starts on April 5, 2025 at 12:01 a.m. EDT (laden on board and goods en route are exempt if they arrive later). The other reciprocal tariffs which were announced per country are effective April 9, 2025 at 12:01 a.m. EDT (a similar exemption applies). The country specific tariffs are described to be in addition to the 10% universal reciprocal tariff. However, the New York Times issued a notice that it had confirmed with the White House, the country specific rates include the 10%, so if it says 34% for China, that means 10% as the base reciprocal tariff, and 24% under IEEPA.

The **Reciprocal Tariffs Executive Order** has been published. Here is some particularly interesting language in the **Reciprocal Tariffs Fact Sheet** and the Executive Order:

"Some goods will not be subject to the Reciprocal Tariff. These include: (1) articles subject to 50 USC 1702(b) [authorities not granted to the President]; (2) steel/aluminum articles and autos/auto parts already subject to Section 232 tariffs; (3) copper, pharmaceuticals, semiconductors, and lumber articles; (4) all articles that may become subject to future Section 232 tariffs; (5) bullion; and (6) energy and other certain minerals that are not available in the United States.

For Canada and Mexico, the existing fentanyl/migration IEEPA orders remain in effect, and are unaffected by this order. This means USMCA compliant goods will continue to see a 0% tariff, non-USMCA compliant goods will see a 25% tariff, and non-USMCA compliant energy and potash will see a 10% tariff. In the event the existing fentanyl/migration IEEPA orders are terminated, USMCA compliant goods would continue to receive preferential treatment, while non-USMCA compliant goods would be subject to a 12% reciprocal tariff."

The list of reciprocal tariffs by country can be found [here](#).

attorneys

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practice areas

international trade
regulatory



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Stay tuned for further updates. If nothing else happens, companies need to laser focus on where their goods are made, not in which country they were purchased. What does your supplier agreement include that helps you in this regard?

Update on April 7, 2025

Annexes to the original Executive Order:

Annex I

Annex II

Annex III