

CPS Client Alert:

Current Snapshot of the U.S. Tariff Landscape: Rates, Pending Actions, and IEEPA Refund Status as of August 10, 2026

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The U.S. tariff regime has undergone a fundamental restructuring over the last two years. Beginning in February 2025, with the imposition of tariffs under the International Emergency Economic Powers Act (“IEEPA”), the landscape shifted dramatically and continued into 2026 after the Supreme Court’s invalidation of IEEPA tariffs. That decision was immediately followed by (1) the imposition of the Section 122 tariffs global surcharge under the Trade Act of 1974, (2) the expiration of Section 122 on July 24, 2026, and (3) the imposition of new Section 301 tariffs on July 24, 2026, on countries failing to impose safeguards on trade involving forced labor. This Client Alert summarizes the currently active tariff framework, pending actions, the status of IEEPA tariff refunds, and key upcoming dates.

Currently Active Tariffs

The traditional (ordinary) column 1 tariffs provide the Most-Favored-Nation baseline tariff applicable to most trade partners with standard duty rates (ranging from 0- % to higher item-specific rates) and the higher column 2 base tariffs applicable to a handful of countries with non-market or restricted trade status.¹ In addition to those ordinary tariffs, the United States continues to impose country- and product-specific Antidumping Duty (“ADD”) and Countervailing Duty (“CVD”) tariffs designed to combat unfair trade practices.² Against this background, the following evolving tariff regimes are in place:

1. Section 301 Forced Labor Tariffs (effective July 24, 2026)

The Office of the United States Trade Representative (“USTR”) imposed tariffs of 10% or 12.5% on imports from 60 economies under Section 301 of the Trade Act of 1974, replacing the expired Section 122 global surcharge. The lower rate of 10% is available for approximately 17 economies that ban forced-labor imports, have committed to such a ban in an Agreement on Reciprocal Trade, or operate a partial regime (including Canada, Mexico, the EU, the UK, India, Indonesia, and Taiwan). The remaining economies, including China, Japan, South Korea, Australia, Brazil, and Vietnam, pay 12.5%. To further mitigate the impact of these tariffs for some countries, Japan, South Korea and Switzerland pay the 12.5 Section 301 forced labor tariffs net of the MFN rate and the European Union and Taiwan pay the 10% Section 301 forced labor rate net of the MFN rate. An exemption to the new Section 301 Forced Labor

¹ Currently, Cuba, North Korea, Russia and Belarus.

² ADD target goods sold in the United States below fair market value and CVD targets foreign government subsidies.

tariff applies to products already covered by Section 232 (metals, autos, semiconductors), United States-Mexico-Canada Agreement (“USMCA”)-qualifying goods from Canada and Mexico, pharmaceuticals, civil aircraft, and humanitarian donations. A complete country-by-country summary of Section 301 forced labor tariff rates and HTS numbers is attached as **Addendum A**.

[2. Section 232 National Security Tariffs \(2018 to present\)](#)

Steel and aluminum are at 50% (wholly) / 25% (derivatives); copper at 50% / 25%; automobiles and auto parts at 25% (with preferential rates for the EU, Japan, and South Korea at 15%, and the UK at 10% for a quota of 100,000 vehicles); medium- and heavy-duty vehicles at 25% (buses at 10%); timber and lumber at 10%; upholstered furniture at 30% and kitchen cabinets/vanities at 50%; and semiconductors at 25%. All rates apply to full customs value since the April 6, 2026, restructuring.³

[3. Section 301 China Tariffs \(2018-present\)](#)

Lists 1-3 remain at 25% and List 4A at 7.5%, covering approximately \$370 billion in Chinese goods. Strategic increases from the 2024 four-year review are in force: EVs at 100%, solar cells at 50%, lithium-ion EV batteries at 25%, medical gloves at 100%, face masks at 50%, and natural graphite/permanent magnets at 25%. 178 product exclusions are extended through November 10, 2026.

[4. Bilateral Trade Agreements](#)

Preferential rates apply to key partners: the EU enjoys a general 15% all-inclusive ceiling effective July 1, 2026—but many exceptions apply (although steel and aluminum remain at 50% outside of the ceiling, there is a December 31, 2026, deadline for resolution: if the U.S. does not reduce steel and aluminum derivative tariffs to the 15% ceiling by that date, the EU is empowered to suspend tariff concessions granted to the United States); the UK enjoys a 10% ceiling with reduced steel/aluminum and pharmaceutical rates; and Japan and South Korea are each at 15% ceiling rates with preferential auto and civil aircraft treatment. The U.S.–China tariff truce (20% -30% cap on tariff rates for China and pause of Chinese countermeasures, including ease on restriction on critical minerals/rare earths) expires November 10, 2026, unless renewed.

Pending Actions: Tariffs and Investigations

[1. Section 338 Canada Tariffs \(effective August 19, 2026\)](#)

Three proclamations signed July 20, 2026, impose a 50% ad valorem duty on specific Canadian goods, covering dairy, alcoholic beverages, motor vehicles, and hundreds of additional product lines including cement, furniture, textiles, and sporting goods. These proclamations provide no relief under USMCA; however, exclude Section 232 products and certain groups of products, including energy, potash, fish, and critical minerals. Once enacted, the Section 338 regime does not provide for an expiration date.

[2. Section 232 Pharmaceutical Tariffs \(effective July 31/September 29, 2026\)](#)

A 100% tariff on patented and branded pharmaceuticals, active pharmaceutical ingredients (“**APIs**”), and key starting materials took effect July 31, 2026, for 17 named companies and September 29, 2026, for all others. Generics, biosimilars, and orphan drugs are exempt. Bilateral deals reduce the rate to 15% for the EU, Japan, South Korea, and Switzerland, and 10% for the UK. A 20% rate is available for companies with approved U.S. onshoring plans.

³ Prior to April 6, 2026, Section 232 for derivative steel and aluminum articles were imposed on the “value of the steel/aluminum content” only.

3. Section 301 Excess Capacity Investigation

USTR initiated Section 301 investigations on March 11, 2026, into structural excess capacity and production in manufacturing sectors, covering 16 economies including China, the EU, Japan, South Korea, India, and several Southeast Asian nations. No proposed action has been announced yet.

4. Ongoing Section 232 investigations

On August 7, 2026, President Trump proclaimed a 15% ad valorem tariff on polysilicon and derivative products under Section 232, along with minimum price floors (\$21/kg for polysilicon, \$100/kg for ingots and wafers, \$0.22/watt for solar cells, \$0.38/watt for solar modules), with preferential caps of 15% for the EU, Japan, South Korea, Taiwan, and Switzerland and 10% for the UK. Additionally, there is a lineup of Section 232 investigations in the queue, including investigations for critical minerals, commercial aircraft, drones, wind turbines, robotics, medical supplies/equipment, and anthracite coal. Any of these could result in additional sectoral tariffs.

The Status of IEEPA Tariff Refunds

Following the Supreme Court's February 20, 2026, decision in *Learning Resources, Inc. v. Trump* holding that IEEPA does not authorize the imposition of tariffs, CBP has refunded approximately \$100 billion of the ~\$166 billion of collected IEEPA tariffs (roughly 60%) pushing Customs into a negative net revenue collection area of approximately \$25 billion according to the Monthly Treasury Statement for June 2026. While it is settled that the tariffs imposed under IEEPA are unlawful, the applicable remedy continues to be debated before the Court of International Trade ("CIT") under the current IEEPA lead refund case, *Freestyle World, Inc. v. CBP* (CIT No. 26-01088), which replaced the *Euro-Notions* case which was dismissed on June 17, 2026. While U.S. Customs established the CAPE refund portal in response to the CIT's universal injunction ordering refunds of all previously paid IEEPA tariffs, the government's appeal of the CIT's universal injunction is before the Federal Circuit, with briefing due on August 10, 2026. For entries containing IEEPA tariff payments that are liquidated for more than 80 days, filing at the CIT under 28 U.S.C. § 1581(i) is currently the only pathway to recovery because the CAPE system rejects finally liquidated entries absent a court order. If the Federal Circuit sustains the government's position and class certification fails, importers without pending CIT cases will have no mechanism to recover.

Key Upcoming Dates

- August 10, 2026: Federal Circuit briefing deadline on government's appeal of CIT universal IEEPA refund order.
- August 19, 2026: Section 338 Canada tariffs take effect.
- September 29, 2026: Section 232 pharmaceutical tariffs extend to all remaining companies.
- November 10, 2026: U.S.–China tariff truce and Section 301 exclusions expire.
- December 31, 2026: Deadline for the United States to bring EU steel/aluminum derivative tariffs in line with 15% ceiling or face suspension of EU concessions.

USMCA Uncertainty: The USMCA review formally commenced July 1, 2026, adding further uncertainty to the North American trade framework.

For further guidance on tariff classification, duty mitigation strategies, or **IEEPA refund filings with the Court of International Trade**, please contact your Dentons International Trade Team.

This client alert is for informational purposes only and does not constitute legal advice. The information contained herein should not be acted upon without specific legal advice based on particular situations. Receipt of this alert does not create an attorney-client relationship.

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ADDENDUM A: Section 301 Forced Labor Duties Country Summary (60 Economies)

Effective 12:01 a.m. EST, July 24, 2026 | Alphabetical by Economy: Subject to further changes at any time

Economy	HTS Number(s)	Tariff Rate	Country-Specific Exemption(s)
Algeria	9903.05.20	12.5%	None specified
Angola	9903.05.21	12.5%	None specified
Argentina	9903.05.22	10%	9903.06.10, 9903.06.11
Australia	9903.05.23	12.5%	None specified
Bahamas	9903.05.24	12.5%	None specified
Bahrain	9903.05.25	12.5%	None specified
Bangladesh	9903.05.26	10%	9903.06.12, 9903.06.13
Brazil	9903.05.27	12.5%	None specified
Cambodia	9903.05.28	10%	9903.06.02, 9903.06.03
Canada	9903.05.29	10%	9903.05.93 (USMCA free-of-duty entries exempt)
Chile	9903.05.30	12.5%	None specified
China	9903.05.31	12.5%	None specified
Colombia	9903.05.32	12.5%	None specified
Costa Rica	9903.05.33	12.5%	9903.05.95 (CAFTA-DR textiles)
Dominican Republic	9903.05.34	12.5%	9903.05.95 (CAFTA-DR textiles)
Ecuador	9903.05.35	10%	9903.06.18, 9903.06.19
Egypt	9903.05.36	12.5%	None specified
El Salvador	9903.05.37	10%	9903.06.07, 9903.06.08, 9903.06.09
European Union	9903.05.38 / .39	10% (threshold-based)	9903.05.97
Guatemala	9903.05.40	10%	9903.06.04, 9903.06.05, 9903.06.06

Guyana	9903.05.41	12.5%	None specified
Honduras	9903.05.42	10%	9903.05.95 (CAFTA-DR textiles)
Hong Kong, China	9903.05.43	12.5%	None specified
India	9903.05.44	10%	None specified
Indonesia	9903.05.45	10%	9903.06.16, 9903.06.17
Iraq	9903.05.46	12.5%	None specified
Israel	9903.05.47	12.5%	None specified
Japan	9903.05.48 / .49	12.5% (threshold-based)	None specified
Jordan	9903.05.50	10%	9903.06.20, 9903.06.21
Kazakhstan	9903.05.51	12.5%	None specified
Kuwait	9903.05.52	12.5%	None specified
Libya	9903.05.53	12.5%	None specified
Malaysia	9903.05.54	10%	9903.05.99, 9903.06.01
Mexico	9903.05.55	10%	9903.05.94 (USMCA free-of-duty entries exempt)
Morocco	9903.05.56	12.5%	None specified
New Zealand	9903.05.57	12.5%	None specified
Nicaragua	9903.05.58	12.5%	9903.05.95 (CAFTA-DR textiles)
Nigeria	9903.05.59	12.5%	None specified
Norway	9903.05.60	12.5%	None specified
Oman	9903.05.61	12.5%	None specified
Pakistan	9903.05.62	10%	None specified
Peru	9903.05.63	12.5%	None specified
Philippines	9903.05.64	12.5%	None specified

Qatar	9903.05.65	12.5%	None specified
Russia	9903.05.66	12.5%	None specified
Saudi Arabia	9903.05.67	12.5%	None specified
Singapore	9903.05.68	12.5%	None specified
South Africa	9903.05.69	12.5%	None specified
South Korea	9903.05.70 / .71	12.5% (threshold-based)	None specified
Sri Lanka	9903.05.72	10%	None specified
Switzerland	9903.05.73 / .74	12.5% (threshold-based)	9903.05.98
Taiwan	9903.05.75 / .76	10% (threshold-based)	9903.06.14, 9903.06.15
Thailand	9903.05.77	12.5%	None specified
Trinidad and Tobago	9903.05.78	10%	None specified
Türkiye	9903.05.79	12.5%	None specified
United Arab Emirates	9903.05.80	12.5%	None specified
United Kingdom	9903.05.81	10%	9903.05.96
Uruguay	9903.05.82	12.5%	None specified
Venezuela	9903.05.83	12.5%	None specified
Vietnam	9903.05.84	12.5%	None specified

Note: General exemptions under headings 9903.05.85–9903.05.92 (in-transit goods, civil aircraft, pharmaceuticals, aluminum/steel/vehicles/semiconductors, humanitarian donations, informational materials) apply uniformly to all 60 economies.

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