

NCBFAA Customs Broker Members Take Action to Prepare Importers for Tariffs

Silver Spring, MD, Feb. 17, 2025 – The National Customs Brokers and Forwarders Association of America (NCBFAA), which represents more than 1,300 Regular Member companies that provide customs brokerage services to hundreds of thousands of U.S. importers – large and small, remains at the forefront of providing pertinent regulatory and operational information to our nation’s customs brokers to ensure utmost compliance with the latest round of import tariffs imposed in recent weeks by the White House.

IEEPA Tariff Background

President Trump on Saturday, Feb. 1, issued Executive Orders, under the authority of the International Emergency Economic Powers Act (IEEPA), to impose at midnight starting Feb. 4, 25% tariffs on imports from Canada (except energy products tariffed at 10%) and Mexico, and an additional 10% on imports from China. However, after discussions on Monday, Feb. 3, with the leaders of Mexico and Canada during which they promised increased enforcement against drug trafficking and immigration along their borders with the U.S., President Trump announced a delay of 30 days to impose the 25% tariffs and said he looked forward to continued negotiations with Mexico and Canada. The new prospective effective date is March 4.

This was not the case for China. The 10% additional tariffs on imports from China took effect at 12:01 a.m. ET, Feb. 4. Initially, the Executive Order removed all Chinese goods from eligibility under a section 321 de minimis claim. Removal from de minimis entry meant that Chinese goods had to enter either under a formal or informal entry. By Friday, Feb. 7, the President issued an amendment to his original [executive order](#) that allows Chinese goods to use de minimis until such time as the Department of Commerce notifies the President that “adequate systems are in place to fully and expediently process and collect tariff revenue applicable.”

Then, on Feb. 10, President Trump [announced](#) 25% tariffs on all steel and aluminum imports entering the U.S. Those tariffs will take effect on March 12. All previous Steel and Aluminum agreements with trading partners including Argentina, Australia, Brazil, Canada, EU, Japan, Mexico, S. Korea, Ukraine, the U.A.E., or the UK are cancelled, effective March 12. For Steel products and derivatives from Turkey a 25% tariff will be applied. No exclusions or exemptions will be issued, effective February 11, and all generally approved exclusions shall terminate on March 12. However, if an importer has an existing exclusion for steel or aluminum products, the Commerce Department has issued a notice that the exclusion is effective until the expiration date or until their excluded volume is exhausted, whichever occurs first. Customs and Border Protection (CBP) has also been directed to prioritize reviewing classification of steel and its derivative products and directs CBP to issue penalties without consideration of mitigating factors if it finds such products misclassified in a manner that avoids the additional tariffs.

This tariff announcement was followed on Feb. 13 by President Trump’s [announcement](#) that the White House will commence a comprehensive investigation to determine “the equivalent of a reciprocal tariff with respect to each foreign trading partner” on other countries with existing tariffs on U.S. goods. These tariffs will not be imposed immediately by the Trump Administration with goal to give countries time to either lower or eliminate their tariffs on U.S. goods, according to the White House. The U.S. has



one of the lowest average duty rates – 2-2.5% -- on imported goods, whereas India, for example, currently has a more than 10% tariff on U.S. goods.

On Feb. 14, the White House published in the Federal Register the [annex](#) containing the list of aluminum derivatives that will receive additional 25% tariffs, as well as the [annex](#) of steel derivative items that will be subject to Section 232 tariffs.

Customs Committee Poses China IEEPA, De Minimis Questions to CBP Leadership

The NCBFAA Customs Committee continues to engage in open dialogue with CBP leadership on the recent developments concerning the China IEEPA tariffs and the status of de minimis in light of its impending prohibition for Chinese originating goods. Based on our members' feedback we have presented detailed questions on the following topics that CBP will address in an upcoming meeting with the NCBFAA:

China IEEPA Tariffs

- Whether an immediate transportation (IT) entry for China goods is subject to the duty rate when the IT was accepted at the original port of entry.
- Clarification of the tariff savings clause, "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" prior to 2/1/25 generally, and its applicability to FTZs.
- If transmitting the 9903.01.23 subheading is the necessary importer certification and if any supporting information is required.
- Confirming whether merchandise from China qualifies for informal entry only up to \$250.00 due to the applicability of the section 301 tariffs in Chapter 99.
- Obtaining guidance regarding Chapter 98 provisions exempt from the IEEPA tariffs.
- Providing the HTSUS provisions associated with the 9903.01.21 and 9903.01.22 exemptions.

China De Minimis Prohibition

- Bond requirements for informal entries.
- Reasons for rescinding the de minimis prohibition.
- Potential time frame to reinstate the prohibition.
- Commerce's role in coordinating the de minimis issue with CBP.
- Ability to file PSCs for informal entries.

The Customs Committee will be keeping our members updated on insights resulting from our CBP discussions concerning these and other critical trade and tariff matters as they develop.

Meanwhile, it is now more important than ever for NCBFAA Customs Broker members to prepare their operations and importer clients for the March 4 tariff implementation. Are your importer clients on Importer ACH Debit/Credit and approved for Periodic Monthly Statement with CBP? Our Customs Broker members should also work with importer clients to check their bond amounts, review any FTZ needs and dates as applicable, and prepare for stoppages at the border for non-payment of duties, COO checks, unplanned transfers to CFS facilities or in-bond warehouse moves.



The NCBFAA Customs Committee, along with Customs Counsel and Legislative Advisor of Sandler, Travis & Rosenberg, P.A., are in regular contact with CBP to gain the latest insights and guidance for customs brokers to implement the tariff requirements within their operations. NCBFAA will tentatively hold a meeting with CBP officials to discuss compliance with the tariffs this week.

Keeping You Informed

NCBFAA member questions and comments regarding IEEPA tariffs on China can be sent to the Customs Committee at customs@ncbfaa.org.

Meanwhile, NCBFAA will continue to keep our members updated about the U.S. tariffs through the Monday Morning eBriefing and eblasts, and a dedicated [IEEPA Tariffs webpage](#) on our website.

About NCBFAA

Headquartered in Silver Spring, Maryland, the [National Customs Brokers and Forwarders Association of American \(NCBFAA\)](#) represents more than 1,300-member companies with 110,000 employees in international trade -the nation's leading freight forwarders, customs brokers, ocean transportation intermediaries (OTIs), NVOCCs and air cargo agents, serving more than 250,000 importers and exporters. Established in New York in 1897, NCBFAA is the effective national voice of the industry. Through its various committees, counsel and representatives, the Association maintains a close watch over legislative and regulatory issues that affect its members. It keeps them informed of these and other related issues through its weekly Monday Morning eBriefing, and various meetings and conferences throughout the year.

