

# Trade Law Update



## HIGHLIGHTS FROM NOVEMBER 2025

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### U.S. Modifies Tariffs on Brazilian Imports

On November 20, 2025, the White House issued an [Executive Order](#) marking a significant shift in U.S. trade policy toward Brazil. This action updates the measures originally imposed under Executive Order [14323](#) from July 30, 2025, which had established a 40% additional ad valorem duty on certain Brazilian goods under the International Emergency Economic Powers Act (IEEPA) due to concerns over Brazil's policies and practices impacting U.S. national security and foreign policy.

### Week of November 17, 2025, Trade News

Recent developments highlight a coordinated, aggressive approach by the U.S. Government to crack down on schemes that undermine U.S. trade laws.

### Trump Reduces IEEPA Fentanyl Tariffs to 10% Effective November 10; Continues Suspension of Heightened Reciprocal Tariff Rate

Following the U.S. and China trade meetings last week, President Trump issued an [Executive Order](#) reducing the rate of fentanyl-related tariffs on China from 20% to 10%, effective November 10, 2025. These tariffs were originally imposed under the International Emergency Economic Powers Act ("IEEPA") on February 1 and March 3, 2025 to address China's failure to alleviate the influx of synthetic opioids into the U.S.

### BIS Suspends "Affiliates Rule" for One Year Following U.S. Agreement with China

The U.S. Commerce Department's Bureau of Industry and Security (BIS) has issued a [final rule](#) which will suspend BIS's recently enacted Affiliates Rule effective as of November 10, 2025 and continuing through November 9, 2026. The Trump Administration committed to make this change as part of its [Deal on Economic and Trade Relations with China](#), which was announced on November 1, 2025.

### Petition Summary: Van-Type Trailers and Subassemblies Thereof from Canada, Mexico, and the People's Republic of China

On November 20, 2025, the American Trailer Manufacturers Coalition ("the Coalition") ("Petitioners"), filed a petition for the imposition of antidumping and countervailing duties on U.S. imports into the United States of van-type trailers and subassemblies thereof imported from Canada, Mexico, and the People's Republic of China ("China").

## U.S. DEPARTMENT OF COMMERCE DECISIONS

### Investigations

- None.

### Administrative Reviews

- Certain Passenger Vehicle and Light Truck Tires from Taiwan: On November 18, 2025, Commerce issued its Final [Results](#) of Antidumping Duty Administrative Review; 2023–2024.
- Acetone From the Republic of Korea: On November 24, 2025, Commerce issued its Final [Results](#) of Antidumping Duty Administrative Review; 2023–2024

## Sunset Reviews

- Calcium Hypochlorite From China: On November 18, 2025, Commerce issued its Final [Results](#) of the Expedited Second Sunset Review of the Countervailing Duty Order.
- Certain Collated Steel Staples From the People's Republic of China: On November 18, 2025, Commerce issued its Final [Results](#) of the Expedited First Sunset Review of the Countervailing Duty Order.
- Collated Steel Staples From People's Republic of China: On November 18, 2025, Commerce issued its Final [Results](#) of the Expedited First Sunset Review of the Antidumping Duty Order.
- Lightweight Thermal Paper From the People's Republic of China: On November 18, 2025, Commerce issued its Final [Results](#) of the Expedited Third Sunset Review of the Countervailing Duty Order.
- Lightweight Thermal Paper From the People's Republic of China: On November 18, 2025, Commerce issued its Final [Results](#) of the Expedited Third Sunset Review of the Antidumping Duty Order.

## Scope Ruling

- None

## Circumvention

- None

## INTERNATIONAL TRADE COMMISSION

### Investigations

- Chlorinated Isocyanurates From China (Second Review); On November 21, 2025, the ITC issued its [determination](#) to continue the countervailing duty order as revocation would lead to the recurrence or continuation of material injury within a reasonably foreseeable time.

## U.S. CUSTOMS AND BORDER PROTECTION

### Enforce and Protect Act

No new Reports.

### Customs Bulletin Weekly

On November 25, 2025, CBP [announced](#) a five-year pilot program starting no earlier than December 1, 2025, allowing both asset-based and non-asset-based third-party logistics providers ("3PLs") to join the Customs Trade Partnership Against Terrorism ("CTPAT"). The program, responding to the CTPAT Pilot Program Act of 2023, will assess whether expanding membership to 3PLs improves port security and supply chain integrity. The pilot will include 10 asset-based and 10 non-asset-based 3PLs, chosen first-come, first-served, who must meet security criteria, have a North American office, and comply with licensing and bonding rules. Participants will complete a security profile and undergo on-site validation within a year. If successful, the pilot could expand CTPAT's reach and strengthen supply chain security by integrating more logistics providers.

On November 17, 2025, the U.S. government [announced](#) charges against Indonesian jewelry company UBS Gold, its co-owner, and two employees for conspiring to evade over \$86 million in U.S. customs duties. The group allegedly routed Indonesian-made jewelry through Jordan to falsely claim origin under a free trade agreement, and, after tariffs were imposed on Jordan, swapped U.S. scrap gold for Indonesian jewelry, falsely declaring it as U.S.-made to avoid tariffs. Two individuals were arrested and face up to 20 years in prison, while UBS Gold could be fined up to \$500,000 or twice the gain from the fraud. The case highlights an aggressive, coordinated U.S. crackdown on customs evasion schemes.

On November 21, 2025, CBP via CSMS [#66870289](#) announced it expanded the list of parties qualified to collect and pay duties on international mail following the end of the de minimis exemption on August 29, 2025. The updated list is available to the public and will continue to be revised as more parties become certified. Qualified parties can pay duties on behalf of an international mail carrier or act in lieu of the carrier.

On November 4, 2025, the World Customs Organization [announced](#) it will consider a new explanatory note clarifying the meaning of "price actually paid or payable" for customs valuation based on transaction value. The proposed note covers forms of payment, direct and indirect payments, required adjustments, relevant WTO Committee on Customs Valuation decisions, and deductions such as payments not related to the goods and post-importation charges. This explanatory note is intended to provide clearer guidance for customs authorities and traders. The WCO said the note will be submitted for approval to the WCO Council at its June 2026 sessions. The initiative aims to harmonize and clarify customs valuation practices globally. Approval of the note is pending review by the Council next year.

## COURT OF INTERNATIONAL TRADE

### Summary of Decisions

#### [Slip Op. 25-143: United States v. Rago Tires, LLC](#)

The Court granted the Government's motion for default judgment against Rago Tires, LLC ("Rago") for negligent misentry of truck and bus tires from China that were subject to antidumping and countervailing duty orders. Rago had incorrectly declared the tires as not subject to any orders, resulting in its failure to pay the required cash deposits at the time of entry. Although Rago subsequently corrected the entry and paid the applicable duties, it did not pay the necessary deposits and failed to respond to or defend against the penalty proceedings. The Court found Rago's error to be material, but not grossly negligent, concluding that the mistake stemmed from carelessness rather than willful or reckless misconduct. Taking into account mitigating factors (that the error was isolated, Rago took steps to correct it, and there was no evidence of concealment or recurring violations) the Court imposed a civil penalty equal to the amount of unpaid deposits plus interest and costs, rather than the higher penalty requested by the Government.

#### [Slip Op. 25-144: Ban Me Thuot Honeybee JSC v. United States](#)

The Court vacated the Clerk's dismissal of the case for failure to prosecute and granted plaintiffs leave to file their complaint after the statutory deadline. The case challenges the final results of the 2021–2023 administrative review of the antidumping duty order on raw honey from Vietnam. Plaintiffs missed the 30-day filing deadline because their counsel mistakenly believed the complaint had been filed via CM/ECF, when in fact it had not. The Court determined that the deadline is a claim-processing rule rather than a jurisdictional bar, and found the delay constituted excusable neglect. The Court noted that plaintiffs acted in good faith by emailing the complaint before the deadline and promptly seeking to correct the mistake, the delay was brief, and there was no prejudice to the opposing party. Concluding that dismissal would be a disproportionate sanction under these circumstances, the Court r allowed the late filing.

#### [Slip Op. 25-145: Matra Americas, LLC v. United States](#)

The Court sustained Commerce's remand results issued in the consolidated proceeding concerning the assessment methodology and rationale for antidumping duties on imports of thermal paper from China and Germany. The decision followed the agreement of all parties that the Court should uphold Commerce's remand results.

#### [Slip Op. 25-146: Honeywell Int'l, Inc. v. United States](#)

The Court granted the Government's motion for rehearing and vacated its prior decision classifying Honeywell Int'l, Inc.'s ("Honeywell") imported radial, web, and chordal segments as duty-free aircraft parts under HTSUS 8803.20.00. On reconsideration, the Court found that the segments undergo significant downstream processing before they can be used in aircraft brake assemblies, including carbonization, densification, and extensive machining, which substantially changes their form and function. Because the articles at importation do not exhibit the essential character of an aircraft part, the Court concluded they cannot qualify for classification under heading 8803. Instead, the Court determined that the merchandise meets the terms of heading 6307 as "[o]ther made up articles, including dress patterns," and should be classified under HTSUS 6307.90.98, which carries duty liability of seven percent.

#### [Slip Op. 25-147: Superior Com. Sols. LLC v. United States](#)

The Court sustained Customs' final determination under EAPA, finding that Superior Commercial Solutions LLC ("Superior") evaded antidumping and countervailing duty orders on quartz surface products from China. Superior argued that procedural defects in the investigation required the Court to vacate the evasion determination entirely. Specifically, Superior contested that CBP's failure to initiate the investigation within the required 15-day period and its delay in notifying Superior until interim measures were already imposed. While the Court agreed that CBP had violated statutory procedural requirements, it concluded that these errors did not justify setting aside the full investigation. Instead, the Court imposed a targeted remedy, prohibiting CBP from applying interim or final duties to entries made after the statutory initiation deadline, but allowing the evasion finding to stand for earlier entries. The Court further upheld CBP's substantive determinations, including its use of adverse inferences against Vietnamese suppliers that failed to cooperate and its finding that the merchandise in question was of Chinese origin. Because the core evasion determination was supported by substantial evidence, the Court sustained the remaining aspects of the CBP's decision.

## COURT OF APPEALS FOR THE FEDERAL COURT

### Summary of Decisions

#### [Appeal No. 24-1436: Nutricia North America, Inc. v. United States](#)

The Court of Appeal for the Federal Circuit (“CAFC”) reversed the judgment of the Court of International Trade and held that Nutricia North America’s imported medical food products are properly classified as duty-free “medicaments” under HTSUS heading 3004, rather than as dutiable food preparations under heading 2106. The CAFC explained that the products at issue, which were specially formulated nutritional therapies administered under medical supervision to treat serious medical conditions, fall within the ordinary meaning of medicaments. It rejected the government’s argument that the products were excluded as foods or beverages, explaining that the relevant exclusion does not extend to medical foods that satisfy the requirements of HTSUS heading 3004. Because classification under heading 3004 applied, the CAFC did not reach Nutricia’s alternative classification argument. The court therefore reversed the CIT’s decision and remanded for entry of judgment consistent with its ruling.

#### [Appeal No. 24-1431: Kaptan Demir Celik Endustrisi Ve Ticaret A.S. v. United States](#)

The Court of Appeal for the Federal Circuit (“CAFC”) affirmed the Court of International Trade’s judgment sustaining Commerce’s remand determination in the 2018 countervailing duty administrative review of steel rebar from Turkey. The dispute centered on whether steel scrap supplied by an affiliate, Nur Gemicilik ve Ticaret A.S. (“Nur”), was “primarily dedicated” to Kaptan Demir Celik Endustrisi Ve Ticaret A.S.’s (“Kaplan”) rebar production such that subsidies received by Nur should be cross-attributed to Kaptan. Commerce had originally treated the scrap as primarily dedicated and attributed Nur’s subsidies to Kaptan, but the CIT remanded for further explanation, finding Commerce had not adequately addressed whether the scrap was merely a link in the production chain or accounted for its byproduct nature. On remand, Commerce developed a multi-factor analysis and concluded that Nur’s unprocessed steel scrap was a common input used in a variety of products and industries and that Nur’s business activities were not primarily dedicated to rebar production, leading Commerce to find Nur was not a cross-owned input supplier and to reduce Kaptan’s countervailing duty rate to de minimis. The CAFC held that the CIT did not abuse its discretion in ordering the remand and that Commerce’s final remand findings were adequately explained, supported by substantial evidence, and consistent with the law.