

Trade Law Update



HIGHLIGHTS FROM JANUARY 2026

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[International Trade & Supply Chain Law: Download Our 2025 Year in Review & 2026 Outlook](#)

2025 marked a turning point for international trade, with sweeping tariffs, regulatory shifts, and supply chain upheaval reshaping the global business landscape.

Husch Blackwell's 7th annual report unpacks the year's most consequential developments and offers practical guidance for importers, exporters, manufacturers, and logistics providers navigating a rapidly changing environment.

[President Trump Announces Section 232 Tariffs on Semiconductors and their Derivative Products](#)

On January 14, 2025, President Trump signed a proclamation entitled "[Adjusting Imports of Semiconductors, Semiconductor Manufacturing Equipment, and Their Derivative Products into the United States](#)." The proclamation imposes a 25% tariff under Section 232 on certain advanced computing chips that meet the technical specifications detailed in [Annex I](#) of the proclamation. The measure specifically targets high-performance processors, such as Nvidia's H200 AI chip and AMD's MI325X.

[U.S. and Taiwan Announce Trade Agreement with New Tariff Rates](#)

On January 15, 2026, the U.S. Department of Commerce [announced](#) that the United States and Taiwan reached a trade agreement. As part of the deal, Taiwanese semiconductor and technology companies will invest at least \$250 billion to expand production capacity within the United States, with the Taiwanese government providing \$250 billion in credit guarantees to support these investments. In exchange, the United States will reduce the IEEPA reciprocal tariffs on Taiwanese goods will total no more than 15 percent, down from the previous rate of 20%. The agreement also eliminates tariffs on generic pharmaceuticals and their ingredients, aircraft components, and certain natural resources imported from Taiwan. For Taiwanese auto parts and lumber derivatives currently subject to Section 232 tariffs, the rate will be capped at 15%, compared to the 25% rate applied to most countries.

[Fastener Importer Disputes CBP's Valuation Methodology for Section 232 Tariffs in CIT Case](#)

A new lawsuit has been filed at the U.S. Court of International Trade ("CIT"), challenging how U.S. Customs and Border Protection ("CBP") has been valuing and applying Section 232 tariffs on imported steel and aluminum derivative products.

[Trump Administration Delays Higher Tariffs on Wood Furniture and Cabinet Imports until 2027](#)

On December 31, 2025, President Trump signed proclamation, [Amendments to Adjusting Imports of Timber, Lumber, And Their Derivative Products into the United States](#), delaying higher tariffs on upholstered furniture, kitchen cabinets, and vanities until January 1, 2027. The proclamation cited "productive negotiations with trade partners to address trade reciprocity and national security concerns regarding imports of wood products" as the reason for the postponement. The tariff increases, originally scheduled to take effect on January 1, 2026, would have doubled tariffs on cabinets and vanities from 25 percent to 50 percent, and raised tariffs on upholstered wooden furniture to 30 percent. The tariff level will now remain at 25% for all the affected items.

[Petition Summary: Fresh Winter Strawberries from Mexico](#)

On December 31, 2025, the Strawberry Growers for Fair Trade ("SGFT") ("Petitioners"), filed a petition for the imposition of antidumping duties on U.S. imports into the United States of fresh winter strawberries from Mexico.

[Customs Transitioning to Electronic Refunds](#)

Effective February 6, 2026, Customs and Border Protection ("CBP") will issue refunds electronically via Automated Clearing House ("ACH"). This rule change will affect *all* refunds, subject to limited exceptions (e.g., certain emergency payments, transactions involving national security or law enforcement concerns, transactions involving individuals who do not have access to banking services or electronic payment systems, etc.). [FR Document 2025-24171](#). Also this rule will apply to all importers, brokers, filers, sureties, service providers, facility operators, foreign trade zone operators, and carriers as well as designated third parties listed on a CBP Form 4811. In short, absent a waiver, after February 5, 2026 CBP will not issue refunds by check.

[Petition Summary: Citric Acid and Certain Citrate Salts from Canada and India](#)

On January 21, 2026, Archer-Daniels-Midland Company, Cargill, Incorporated, and Primary Products Ingredients Americas LLC ("Petitioners"), filed a petition for the imposition of Antidumping Duties and Countervailing Duties on Imports of Citric Acid and Certain Citrate Salts from Canada and India.

U.S. DEPARTMENT OF COMMERCE DECISIONS

Investigations

- Chromium Trioxide From India: On January 5, 2026, Commerce issued its [Initiation](#) of Countervailing Duty Investigation.
- Certain Monomers and Oligomers From the Republic of Korea: On January 5, 2026, Commerce issued its Preliminary Affirmative [Determination](#) of Sales at Less Than Fair Value, Preliminary Affirmative Determination of Critical Circumstances, in Part, and Postponement of Final Determination, and Extension of Provisional Measures.
- Chromium Trioxide From India and the Republic of Türkiye: On January 5, 2026, Commerce issued its [Initiation](#) of Less-Than-Fair-Value Investigations.
- Fresh Mushrooms From Canada: On January 8, 2026, Commerce issued its [Initiation](#) of Countervailing Duty Investigation.
- Fresh Mushrooms From Canada: On January 8, 2026, Commerce issued its [Initiation](#) of Less-Than-Fair-Value Investigation.
- Steel Concrete Reinforcing Bar From Algeria: On January 13, 2026, Commerce issued its Preliminary Affirmative Countervailing Duty [Determination](#).
- Steel Concrete Reinforcing Bar From Egypt: On January 13, 2026, Commerce issued its Preliminary Affirmative Countervailing Duty [Determination](#), and Alignment of Final Determination With Final Antidumping Duty Determination.
- Steel Concrete Reinforcing Bar From the Socialist Republic of Vietnam: On January 13, 2026, Commerce issued its Preliminary Affirmative Countervailing Duty [Determination](#) and Alignment of Final Determination With Final Antidumping Duty Determination.
- Lattice Boom Crawler Cranes From Japan: On January 16, 2026, Commerce issued its Preliminary Affirmative [Determination](#) of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures.
- Hardwood and Decorative Plywood From Indonesia: On January 22, 2026, Commerce issued its Preliminary Affirmative Countervailing Duty [Determination](#) and Alignment of Final Determination With Final Antidumping Duty Determination.
- Hardwood and Decorative Plywood From the People's Republic of China: On January 22, 2026, Commerce issued its Preliminary Affirmative Countervailing Duty [Determination](#), Preliminary Affirmative Critical Circumstances Determination, and Alignment of Final Determination With Final Antidumping Duty Determination.
- Hardwood and Decorative Plywood From the Socialist Republic of Vietnam: On January 22, 2026, Commerce issued its Preliminary Affirmative Countervailing Duty [Determination](#), Preliminary Negative Determination of Critical Circumstances, and Alignment of Final Determination With Final Antidumping Duty Determination.
- L-Lysine From the People's Republic of China: On January 22, 2026, Commerce issued its Preliminary Affirmative Countervailing Duty [Determination](#) and Alignment of Final Determination With Final Antidumping Duty Determination.
- Polypropylene Corrugated Boxes From the People's Republic of China: On January 22, 2026, Commerce issued its Final Affirmative Countervailing Duty [Determination](#).
- Fiberglass Door Panels From the People's Republic of China: On January 22, 2026, Commerce issued its Preliminary Affirmative [Determination](#) of Sales at Less Than Fair Value, Postponement of Final Determination and Extension of Provisional Measures.
- Polypropylene Corrugated Boxes From the People's Republic of China: On January 22, 2026, Commerce issued its Final Affirmative [Determination](#) of Sales at Less Than Fair Value.
- Certain Chassis and Subassemblies Thereof From the People's Republic of China: On January 26, 2026, Commerce issued its Preliminary [Determination](#) of Covered Merchandise Inquiry.
- Certain Monomers and Oligomers From Taiwan: On January 26, 2026, Commerce issued its Final Affirmative Countervailing Duty [Determination](#) and Final Affirmative Critical Circumstances Determination.
- Van-Type Trailers and Subassemblies Thereof From Canada, the People's Republic of China, and Mexico: On January 26, 2026, Commerce issued its [Initiation](#) of Countervailing Duty Investigations.
- Certain Brake Drums From the People's Republic of China: On January 27, 2026, Commerce issued its [Initiation](#) of Circumvention Inquiry on the Antidumping and Countervailing Duty Orders

Administrative Reviews

- Welded Line Pipe From the Republic of Korea: On January 2, 2026, Commerce issued its Final [Results](#) of Antidumping Duty Administrative Review; 2022–2023.
- Stainless Steel Sheet and Strip in Coils From Taiwan: On January 15, 2026, Commerce issued its Final [Results](#) of Antidumping Duty Administrative Review; 2023–2024.
- Certain Uncoated Paper From Brazil: On January 21, 2026, Commerce issued its Final [Results](#) of Antidumping Duty Administrative Review; 2023–2024.
- Organic Soybean Meal From India: On January 23, 2026, Commerce issued its Final [Results](#) of Antidumping Duty Administrative Review; 2023–2024.
- Certain Hardwood Plywood Products From the People's Republic of China: On January 26, 2026, Commerce issued its Final [Results](#) of Administrative Reviews of the Antidumping and Countervailing Duty Orders and Final Determination of No Shipments; 2023.
- Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of

- China: On January 27, 2026, Commerce issued its Final [Results](#) of Countervailing Duty Administrative Review; 2022.
- Forged Steel Fluid End Blocks From Germany: On January 27, 2026, Commerce issued its Final [Results](#) of the Antidumping Duty Administrative Review; 2023.
- Forged Steel Fluid End Blocks From Italy: On January 27, 2026, Commerce issued its Final [Results](#) of Antidumping Duty Administrative Review; 2023.

Sunset Reviews

- Certain Oil Country Tubular Goods From India and the Republic of Türkiye: On January 8, 2026, Commerce issued its Final [Results](#) of the Expedited Second Sunset Reviews of the Countervailing Duty Orders.
- Ferrovanadium From the Republic of South Africa and the People's Republic of China: On January 8, 2026, Commerce issued its Final [Results](#) of the Expedited Fourth Sunset Reviews of the Antidumping Duty Orders.
- Light-Walled Rectangular Pipe and Tube From the Republic of Korea, Mexico, the Republic of Türkiye, and the People's Republic of China: On January 8, 2026, Commerce issued its Final [Results](#) of the Expedited Third Sunset Reviews of the Antidumping Duty Orders.
- Tow-Behind Lawn Groomers and Certain Parts Thereof From the People's Republic of China: On January 8, 2026, Commerce issued its Final [Results](#) of the Expedited Third Sunset Review of the Antidumping Duty Order.
- Utility Scale Wind Towers From Canada, the Socialist Republic of Vietnam, Indonesia, and the Republic of Korea: On January 8, 2026, Commerce issued its Final [Results](#) of the Expedited First Sunset Reviews of the Antidumping Duty Orders.
- Carbon and Certain Alloy Steel Wire Rod From Brazil: On January 9, 2026, Commerce issued its Final [Results](#) of the Expedited Fourth Sunset Review of the Countervailing Duty Order.
- Carbon and Certain Alloy Steel Wire Rod From Brazil, Indonesia, Mexico, Moldova, and Trinidad and Tobago: On January 9, 2026, Commerce issued its Final [Results](#) of the Expedited Fourth Sunset Reviews of the Antidumping Duty Orders.
- Certain Oil Country Tubular Goods From India, the Republic of Korea, the Republic of Türkiye, the Socialist Republic of Vietnam, and Ukraine: On January 9, 2026, Commerce issued its Final [Results](#) of the Expedited Second Sunset Reviews of the Antidumping Duty Orders.
- Light-Walled Rectangular Pipe and Tube From the People's Republic of China: On January 9, 2026, Commerce issued its Final [Results](#) of the Expedited Third Sunset Review of the Countervailing Duty Order.
- Utility Scale Wind Towers From Canada and the Socialist Republic of Vietnam: On January 9, 2026, Commerce issued its Final [Results](#) of the Expedited First Sunset Reviews of the Countervailing Duty Orders

Scope Ruling

- None

Circumvention

- None

INTERNATIONAL TRADE COMMISSION

Investigations

- Silicon Metal From Russia (Fourth Review); On January 2, 2026, the ITC issued its [determination](#) to continue the antidumping duty order as revocation would lead to the recurrence or continuation of material injury within a reasonably foreseeable time.
- Thermoformed Molded Fiber Products From China and Vietnam (Final); On January 7, 2026, the ITC issued its affirmative [determination](#) of less-than-fair-value investigations.
- Lightweight Thermal Paper From China (Third Review); On January 8, 2026, the ITC issued its [determination](#) to continue the antidumping and countervailing duty orders as revocation would lead to the recurrence or continuation of material injury within a reasonably foreseeable time.
- Chromium Trioxide From India and Turkey; On January 12, 2026, the ITC issued its affirmative [determination](#) of less-than-fair-value investigations.
- Fresh Mushrooms From Canada (Preliminary); On January 22, 2026, the ITC issued its affirmative [determination](#) of less-than-fair-value investigations.
- Certain Collated Steel Staples From China; On January 30, 2026, the ITC issued its [determination](#) to continue the antidumping and countervailing duty orders 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 EAPA Notices of Action.

Customs Bulletin Weekly

On January 31, 2026, CBP via a new [FAQ](#) clarified that most of its activities are “excepted” from the federal government shutdown, so core operations will continue as normal. Trade operations, including cargo exams, releases, in-bond processes, liquidation, protests, and drawback claims, will not be affected. CBP staff at ports of entry and key trade personnel will keep working. However, some activities like external engagements, website updates, and employee travel may be limited. The ACE portal will remain operational, and tariff updates and CSMS messages will continue during the shutdown.

On January 29, 2026, CBP [announced](#) that it issued a Withhold Release Order (“WRO”) against coffee harvested by Finca Monte Grande, a Mexican coffee farm. Effective immediately, CBP at all U.S. ports of entry will detain coffee harvested by Finca Monte Grande. This is the first WRO of 2026 and the third for Fiscal Year 2026, bringing CBP’s total to 55 active WROs.

On January 14, 2026, the Commercial Customs Operations Advisory Committee (“COAC”) [made](#) eight recommendations to CBP to improve Section 232 tariff compliance. The committee urged CBP to provide clearer guidance with visuals, flowcharts, and decision trees, and to allow importers to use publicly available metal commodity prices for valuing steel, aluminum, and copper subject to Section 232 tariffs. COAC also recommended a minimum two-week notice before new tariff inclusions take effect, and asks CBP to clarify which components are covered by new tariff inclusions in coordination with the Bureau of Industry and Security. Other suggestions included exempting in-transit cargo, setting a nominal value threshold for insignificant derivatives, allowing “Other than Russia” declarations for aluminum, and standardizing communication through Trade Information Notices.

On January 14, 2026, CBP via CSMS #[67400472](#) provided guidance on the proclamation entitled “Adjusting Imports of Semiconductors, Semiconductor Manufacturing Equipment, and Their Derivative Products into the United States,” which was signed the same day. The guidance outlines new requirements and procedures for the importation of these products in accordance with the proclamation.

On January 14, 2026, CBP via CSMS #[67396418](#) announced it has added more parties to the list of those qualified to pay duties on international mail shipments, following the end the de minimis exemption. Under the new rules, duties on international mail must be paid by either the international mail carrier or a CBP-certified qualified party acting on the carrier’s behalf. The updated list of qualified parties is available online, and only these parties are authorized to collect and pay duties on international mail shipments.

On January 16, 2026, CBP [reported](#) that it flagged 721 shipments worth \$69.16 million for potential violations of the Uyghur Forced Labor Prevention Act in the first quarter of fiscal year 2026. Of these, 528 shipments are still under review, 140 were denied, and 53 released. The majority of flagged shipments came from the machinery, apparel, and automotive sectors. Most of the shipment value originated in Malaysia (\$40.67 million), followed by China (\$15.64 million). In fiscal year 2025, CBP flagged 7,186 shipments for UFLPA violations, mostly from the automotive and aerospace sector, denying 5,970 and releasing 613.

On January 16, 2026, CBP via CSMS [67423068](#) announced it has updated the ACE Certification environment to improve duty calculation validation. Software vendors in CERT will now see condition codes 624 (EST DUTY/CALC'D DUTY MISMATCH - LINE) and 627 (Est Duty/Calc'd Duty Mismatch - Total) when incorrect duty values are provided on entry summary lines with up to 32 HTS codes. This enhancement will be deployed to the ACE Production environment on February 17, 2026.

On January 6, 2026, CBP via [CSMS # 67297933](#) announced that importers seeking review of shipments detained or excluded for forced labor enforcement must now submit their requests through a new forced labor portal launching this month. According to the message, all review requests, including those for withhold release orders and UFLPA applicability, must be submitted through this portal to the appropriate port of entry or Center of Excellence and Expertise. This new portal builds on CBP’s June 2023 launch of a platform for submitting forced labor allegations. Previously, CBP had indicated that a separate review portal would be released in 2026, but the timeline has been accelerated. The portal is designed to streamline and centralize forced labor review processes for the trade community.

On January 5, 2026, CBP issued HQ [H337689](#), ruling on whether importer Dreamwear could use “first sale” transaction value for its apparel imports involving multiple middleman vendors and factory sellers. CBP emphasized that the importer bears the burden of providing a complete paper trail to show bona fide sales between middlemen and factories, as required by Treasury Decision 96-87.

COURT OF INTERNATIONAL TRADE

Summary of Decisions

[Slip Op. 26-01: Risen Energy Co. v. United States](#)

The Court sustained Commerce's second remand redetermination in the 2017– 2018 administrative review of the antidumping duty order covering crystalline silicon photovoltaic cells, whether or not assembled into modules, from China. On remand, Commerce revised its calculation of manufacturing overhead and provided a more comprehensive explanation of its treatment of energy and related expenses in constructing the surrogate financial ratios. Plaintiffs challenged Commerce's reliance on surrogate financial statements and its interpretation of the underlying cost data. However, the Court found that Commerce reasonably relied on the audited financial statements and accompanying notes to allocate costs and to address the issues previously identified on appeal. Accordingly, the Court entered judgment sustaining Commerce's remand results.

[Slip Op. 26-02: Catfish Farmers of America v. United States](#)

The Court sustained Commerce's remand redetermination in the antidumping duty new shipper review of certain frozen fish fillets from Vietnam. On remand, Commerce concluded that the sale by exporter Co May Import-Export Company Limited was not bona fide, addressing the calculation issues identified in the Court's prior remand. Both the domestic industry plaintiffs and the Government agreed that Commerce's redetermination complied with the Court's instructions. Accordingly, the Court upheld the remand results and entered judgment in favor of the Government.

[Slip Op. 26-03: Soc Trang Seafood Joint Stock Co. v. United States](#)

The Court sustained Commerce's final determination in the countervailing duty investigation of frozen warmwater shrimp from Vietnam. Soc Trang Seafood Joint Stock Company ("STAPIMEX") challenged Commerce's use of Thai land rental data as the benchmark for measuring the benefit of Vietnam's land exemption program, contending that Commerce should have relied on alternative data specific to raw land. The Court rejected STAPIMEX's arguments, finding that Commerce reasonably selected and adequately explained its benchmark from the limited record evidence, and that its determination was supported by substantial evidence despite the existence of alternative data. Because Commerce acted within its discretion and its analysis complied with the applicable legal standard, the Court denied STAPIMEX's motion and entered judgment sustaining Commerce's final determination.

[Slip Op. 26-04: Atlas Power LLC v. United States](#)

The Court granted in part and denied in part the parties' cross-motions for summary judgment in Atlas Power LLC's ("Atlas") challenge to CBP's classification and assessment of Section 301 duties on printed circuit assemblies imported from China. The Court determined that the merchandise was properly classified under HTSUS subheading 8504.40.95 as static converters, rejecting CBP's alternative classification under HTSUS subheading 8537.10.91 because the record established that the assemblies' principal function was power conversion rather than electrical control or distribution. However, the Court upheld the assessment of Section 301 duties, emphasizing that eligibility for an exclusion is governed by compliance with the precise terms of the exclusion notice, not solely by tariff classification. Although Atlas demonstrated that CBP misclassified the merchandise, it failed to show that the imported assemblies met the specific technical and descriptive criteria required by the applicable Section 301 exclusions. Accordingly, the Court corrected the tariff classification but sustained CBP's assessment of Section 301 duties.

[Slip Op. 26-05: Shelter Forest Int'l Acquisition, Inc. v. United States](#)

This opinion is confidential. The public version will be posted as soon as it is available.

[Slip Op. 26-06: Houston Shutters LLC v. United States](#)

The Court addressed two related actions brought by Houston Shutters LLC ("Houston Shutters") challenging Commerce's refusal to initiate a changed-circumstances review regarding the scope of the antidumping and countervailing duty orders on millwork products from China. In the first action (Slip Op. 26-06), Houston Shutters sought review under 28 U.S.C. § 1581(c). However, the Court held that it lacked subject-matter jurisdiction under § 1581(c) because Commerce's refusal to initiate a changed-circumstances review is not a final agency determination subject to review under that section. The Court noted that the correct jurisdictional basis for such a claim would be the Court's residual jurisdiction statute, 28 U.S.C. § 1581(i), which Houston Shutters conceded but did not invoke. As a result, the Court granted the Government's motion to dismiss for lack of subject-matter jurisdiction.

[Slip Op. 26-07: Houston Shutters LLC v. United States](#)

In a separate action (but related action to Slip Op. 26-06), Houston Shutters brought a similar challenge, this time invoking § 1581(i), and argued that new factual information warranted reconsideration of whether its wood shutter components should be excluded from the orders. The Government argued that the claim was an improper attempt to relitigate prior scope determinations and that the Court lacked jurisdiction. The Court rejected these arguments, finding that Houston Shutters plausibly alleged a challenge to Commerce's denial of a changed-circumstances review based on new information and that jurisdiction was properly invoked under § 1581(i). Accordingly, the Court denied the Government's motion to dismiss and allowed the case to proceed on the merits.

[Slip Op. 26-08: Neimenggu Fufeng Biotechnologies Co. v. United States](#)

The Court sustained in part and remanded in part Commerce's remand redetermination in the administrative review of the antidumping duty order on xanthan gum from China. The Court upheld Commerce's decision to value the respondent's coal input directly, finding this approach reasonable and supported by substantial evidence. However, the Court found that Commerce failed to adequately explain its selection of the specific tariff subheading used to value the coal input, leaving it unclear whether that classification accurately reflected the type of coal actually used in production. Because this lack of explanation precluded meaningful judicial review, the Court remanded the issue for reconsideration, while sustaining the remainder of Commerce's remand results.

COURT OF APPEALS FOR THE FEDERAL COURT

Summary of Decisions

[Appeal No. 224-1142: Midwest-CBK, LLC v. United States](#)

The Court of Appeals for the Federal Circuit affirmed the judgment of the Court of International Trade sustaining CBP's appraisement and liquidation of Midwest-CBK's LLC ("Midwest-CBK") entries. Midwest-CBK contended that its entries were deemed liquidated by operation of law under 19 U.S.C. § 1504 and that transaction value was improperly applied because the sales occurred through Canada rather than directly from abroad. The Federal Circuit rejected these arguments, holding that CBP properly exercised its discretion under 19 U.S.C. § 1504(b) to extend liquidation deadlines while auditing the entries, and thus no deemed liquidation occurred. The court further held that transaction value was appropriately applied under 19 U.S.C. § 1401a(b) because the merchandise was sold "for exportation to the United States." The court clarified that the statute does not require a foreign sale, and the undisputed facts demonstrated that U.S. customers ordered and received the goods in the United States, notwithstanding FOB terms referencing Buffalo, New York. Accordingly, the Federal Circuit affirmed the judgment.