

USA Tariff Update - Canada & Mexico

Key Points:

• Effective March 7, 2025: Goods qualifying under the United States-Mexico-Canada Agreement (USMCA) imported to the United States from Mexico and Canada are exempt from additional duties imposed on March 4, 2025.

• New HTSUS classifications:

Mexico: 9903.01.04Canada: 9903.01.14Duties on commodity potash:

- o USMCA-qualifying potash from Mexico and Canada is exempt.
 - New HTSUS codes:

Mexico: 9903.01.05Canada: 9903.01.15

- Non-qualifying potash is subject to a 10% duty (instead of 25%).
 - New HTSUS codes:

Mexico: 9903.01.01Canada: 9903.01.10

• The exemption is NOT retroactive: Goods imported between March 4–6, 2025 remain subject to tariffs.



DISCLAIMER: The subject matter of this announcement is provided for informational purposes only. Any and all data is obtained from internal and external sources believed to be true and accurate at the time of publication. Forward-looking statements derived from such data should not be taken as guarantees of future performance, nor should they be relied upon as fact. KWE is not responsible or liable for any inaccurate information contained herein, and under no obligation to update forward looking statements except as required by applicable security laws.

On March 6th, President Trump issued an Executive Order, "<u>Amendment to Duties to Address the Situation at the Southern Border</u>". Effective on or after 12:01 a.m. (EST) on March 7, 2025, goods entered for consumption or withdrawn from a warehouse for consumption that qualify for USMCA **are exempt** from the additional duty rates implemented on March 4, 2025, under Harmonized Tariff Schedule of the United States (HTSUS) 9903.01.01. No end date has been specified in the <u>Federal Register</u> notice. The new HTSUS classification for qualifying products from Mexico is 9903.01.04.

Likewise, the Executive Order "Amendment to Duties to Address the Flow of Illicit Drugs Across Our Northern Border" was also issued on March 6th. Effective on or after 12:01 a.m. (EST) on March 7, 2025, goods entered for consumption or withdrawn from a warehouse for consumption that qualify for USMCA are exempt from the additional duty rates implemented on March 4, 2025, under HTSUS 9903.01.01. No end date has been specified in the Federal Register notice. The new HTSUS classification for qualifying products from Canada is 9903.01.14.

As a result, goods entered for consumption or withdrawn from a warehouse for consumption that qualify for USMCA are exempt from the additional duty rates implemented on March 4, 2025, under HTSUS 9903.01.01. Any Mexican or Canadian-origin goods that qualify for duty-free entry under USMCA will NOT be subject to the additional 25% duties.

Potash-Specific Provisions

- Effective on or after 12:01 a.m. (EST) on March 7, 2025:
 - Potash from Mexico: If it qualifies for USMCA, it is exempt from the additional duty rates implemented on March 4, 2025. If it does not qualify for USMCA, it will be subject to a 10% duty (instead of the 25% under HTSUS 9903.01.01). The new HTSUS classification for non-qualifying potash is 9903.01.05.
 - Potash from Canada: If it qualifies for USMCA, it is exempt from the additional duty rates implemented on March 4, 2025. If it does not qualify for USMCA, it will be subject to a 10% duty (instead of the 25% under HTSUS 9903.01.10). The new HTSUS classification for non-qualifying potash is 9903.01.15.

Note: The exemption is NOT retroactive. Goods imported between March 4–6, 2025 remain subject to tariffs.

For consultation services or assistance with compliance, please contact: customs compliance group@am.kwe.com

