

POSSIBLE 25% TARIFFS ON GOODS FROM COUNTRIES IMPORTING VENEZUELAN OIL (March 27, 2025)

On March 24, 2025, President Trump issued an <u>Executive Order</u> (EO) that may lead to the imposition of a 25% additional tariff on goods imported into the United States from any country that imports Venezuelan oil, whether directly or indirectly through third parties. The EO authorizes the Secretary of State to impose on or after April 2, 2025, a 25% additional tariff on "all goods" from any country that imports Venezuelan oil. The EO cites the International Emergency Economic Powers Act (IEEPA), National Emergencies Act, and Section 301.

The EO provides the Secretary of State with the discretion to determine whether to impose the 25% additional tariff on imports from a country. The wording of the EO suggests that the Secretary is to consider whether the country imports Venezuelan oil on or after April 2, 2025, but the Secretary is also empowered to make a determination as soon as April 2, 2025. If imposed, the 25% additional tariff will expire 1 year after the last date on which the country imported Venezuelan oil, unless the Secretary eliminates the tariffs earlier.

The EO defines the term "Venezuelan oil" to mean crude oil or petroleum products extracted, refined, or exported from Venezuela, regardless of the nationality of the entity involved in the production or sale of such crude oil or petroleum products. The EO also defines "indirectly" as including purchases of Venezuelan oil through intermediaries or third countries. Although no countries have yet been designated by the Secretary of State, China and India are large buyers of Venezuelan oil.

Contact Marshall Miller, Brian Murphy, Sean Murray, or David Ostheimer with questions.

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