



## **Reciprocal Tariffs Modifications & U.S.-Japan Agreement Update (September 6, 2025)**

### **Reciprocal Tariff Modifications and Proposed Changes**

Late Friday September 5, the White House issued an [Executive Order](#) (EO) modifying products subject to exemptions for Reciprocal Tariffs imposed under the authority of the International Emergency Economic Powers Act (IEEPA) **effective for goods entered on or after 12:01 a.m. Eastern Time on Monday September 8** by:

1. [Adding](#) 39 new HTSUS tariff classification to the products exempted from Reciprocal Tariffs under Annex II, and
2. [Removing](#) 8 HTSUS tariff classification from the Annex II exemptions from Reciprocal Tariffs.

The newly-exempted products found in [Annex II](#) of the new EO include certain nickel, tin and molybdenum ores, chemicals and pharmaceutical products subject to pending Section 232 investigations, gold, precious metal articles, nickel articles, sintered neodymium-iron-boron magnets, and light-emitting diodes. Products removed from the Annex II exemption list include certain aluminum hydroxide, residual chemical products, resins and silicone products. A CBP [CSMS message](#) issued this Saturday afternoon instructs use of HTSUS subheading 9903.01.32 for consumption entries on or after September 8 of goods identified in the updated Annex II.

The EO also includes a list of “Potential Tariff Adjustments for Aligned Partners” in [Annex III](#) (PTAAP Annex) goods for which the President may only apply the Most-Favored Nation (MFN) tariff rate based on negotiation of future trade deals, according to the White House [Fact Sheet](#). The PTAAP Annex includes four categories of products: (a) aircraft and aircraft parts, (b) certain generic pharmaceuticals and pharma ingredients, (c) unavailable natural resources and related derivative products, and (d) certain agricultural products not grown or produced in sufficient quantity in the United States to meet domestic demand. The PTAAP Annex is essentially potential deal points subject to future negotiations with trading partners. The EO describes generally how the President will negotiate these potential reductions and monitor them once applied.

The EO provides no guidance on the treatment of Foreign-Trade Zone (FTZ) on hand inventory in Privileged Foreign (PF) zone status.

### **US-Japan Trade Agreement CSMS**

On September 6, U.S. Customs and Border Protection (CBP) issued interim [guidance](#) regarding an EO issued on September 4, regarding the U.S.-Japan Trade Agreement, which was discussed in our September 5 [What's New](#) update. The CSMS message instructs the trade community not to file PSCs or Protests seeking refunds of retroactive duty reductions, “until CBP issues instructions on how those requests for refunds should be submitted.”

This communication provides only a summary of the many issues and requirements included in and raised by this EO. Please contact [Marshall Miller](#), [Brian Murphy](#),

[Sean Murray](#), or [David Ostheimer](#) with questions.

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