

# Publications

July 31, 2025 • Updates

## New 40% Tariffs on Imports from Brazil into the U.S.

### Key Takeaways

- **New 40% Tariff on Brazilian Imports:** Starting August 6, 2025, the U.S. will impose a 40% tariff on certain products from Brazil, in addition to existing duties.
- **Justification Cites National Security:** President Trump cited Brazilian government actions, including censorship demands on U.S. platforms and persecution of political figures, as threats to U.S. interests.
- **Exemptions and Potential Retaliation:** Specific goods are exempt, and shipments already in transit may qualify for relief. Brazil is expected to respond with retaliatory tariffs.

On July 30, 2025, President Trump signed an Executive Order directing an additional *ad valorem* 40% duty on certain products imported from Brazil, effective August 6, 2025 (seven days after the date of the Order). These new duties are in addition to any other duties owed, such as reciprocal tariffs.

In the Order, President Trump stated that the Government of Brazil's recent policies, practices and actions threaten the U.S. national security, foreign policy and economy. According to the Order, certain Brazilian officials have issued orders to compel U.S. online platforms to censor U.S. persons' accounts and content, change the platforms' policies or algorithms in a way that may result in the censorship and provide the user data of U.S. persons' accounts. The Order further notes that a Brazilian Supreme Court Justice has abused his judicial authority by opening unprecedented criminal investigations, censoring posts of political critics including U.S. persons, and imposing substantial fines on U.S. and U.S.-headquartered companies that have refused to comply with the censorship demands. President Trump also noted the Brazilian government's persecution of former President of Brazil Jair Bolsonaro.

Based on these statements, President Trump ordered an additional 40% duty on certain products imported from Brazil that takes effect for U.S. entries made on or after August 6, 2025. There are two exceptions to this new duty: (1) The products listed in Annex I attached to the Order, which identifies certain silicon metal, pig iron, civil aircraft and parts and components thereof, metallurgical grade alumina, tin ore, wood pulp, precious metals, energy and energy products and fertilizers as exempt from the new duties; and (2) goods

### Related People

- Lydia C. Pardini
- Deanna Okun
- Dominic L. Bianchi
- Jane C. Dempsey

### Related Capabilities

- Trade Law Remedies
- International Trade
- Customs
- International
- Export Controls, Economic Sanctions & Compliance
- Executive Orders

that are both (i) loaded onto a vessel and in transit on the final mode of transit prior to entry into the U.S. before August 6, 2025 and (ii) entered for consumption or withdrawn from warehouse for consumption before October 5, 2025.

This new duty will be imposed in addition to other duties including reciprocal tariffs (which may also be subject to an increase on August 1, 2025). However, the products that are already subject to existing or future actions under Section 232 of the Trade Expansion Act of 1962, such as steel, aluminum and now copper, will not be subject to this new duty.

The Order provides that the President may modify the Order as necessary to the extent that the Government of Brazil takes significant steps to address the national emergency declared in this Order or retaliates against the U.S. President Trump underscored that should the Brazilian Government retaliate by increasing tariffs on the U.S. goods imported into Brazil, the President would modify the Order by increasing the duty by a corresponding amount. The Secretary of State is also directed to recommend additional action if this new duty is not sufficient. Brazilian President Luiz Inácio Lula da Silva has previously vowed to impose retaliatory tariffs on U.S. imports under Brazil's new reciprocity law should the U.S. impose substantial new tariffs on the country.

If your business needs strategic legal guidance or anticipates potential impacts resulting from these announcements, contact Deanna Okun, Lydia Pardini, Polsinelli's Executive Action Working Group or your Polsinelli contact.