

THE CARMICHAEL COMPASS

"WHEN THE TIDES OF TRADE SHIFT, WE'RE YOUR COMPASS."

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White House to Impose 15% Tariff on Polysilicon and Derivatives

In a [proclamation](#) dated August 6, President Trump has implemented a 15% Section 232 tariff against imports of polysilicon and its derivatives. The order, which becomes effective at 12:01 AM ET on December 4, also includes the establishment of minimum import prices.

[Annex I](#) to the order contains the minimum import prices for the subject products. [Annex II](#) to the order contains the updates to the HTSUS. Products of the UK face a lowered tariff rate of 10% under **9903.45.32**. Headings **9903.45.33-9903.45.36** give special duty rates for products that meet the following criteria:

- The product will not be resold in the U.S. and any downstream products made from the product will be sold at or above the specific rate of duty provided in headings **9903.45.33-9903.45.36** for the downstream product
- The product will be resold in the U.S. at a set price at or above the specific rate of duty provided in headings **9903.45.33-9903.45.36** for that product
- The product will be resold in the U.S. pursuant to fixed terms in a time-limited contract entered into prior to August 6, 2026.

To read the full proclamation, be sure to visit the link above.

APHIS to Transition to Electronic-Only Payments

On Friday, August 6, The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) notified stakeholders that they will be transitioning to electronic-only payment methods beginning in August 2026. The accepted forms of payment will be ACH, debit card, credit card, or PayPal via www.pay.gov, which is recommended for

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2-Factor Authentication Coming to ACE in September

According to the [August Notional Development and Deployment Schedule](#), ACE will implement two-factor authentication when logging in to the portal beginning in September. This two-factor authentication will occur through either email or SMS. This is not the first

fastest processing, and Bank ACH or FedWire. Those wishing to use Bank ACH or FedWire should contact APHIS for the required banking details. This move is in response to [Executive Order 14247, Modernizing Payments to and From America's Bank Account](#) which was issued on March 25, 2025.

[CTPAT Minimum Security Criteria](#)
[Customs Trade Partnership Against Terrorism](#)

time that CBP has hinted at this upcoming change, having mentioned the deployment of multi-factor authentications on a July webinar about fraud and the IEEPA CAPE refund process. Once an exact deployment date is announced, we will update you.



50% Additional Duty on Products of Canada Coming August 19

On July 20 President Trump signed three proclamations instituting 50% additional duties on products of Canada. These duties come as a response to various actions by Canada including a [prohibition on imports and sales of U.S. alcoholic beverages](#), [tariff rate quotas for dairy products](#), and a [25% duty on imports of U.S. motor vehicles that do not qualify for USMCA](#). No CSMS message has been issued by CBP with guidance on the implementation of these tariffs. Since the announcement of the proclamations, the U.S. and Canada have met multiple times in an attempt to come to an agreement. We are keeping a close eye on this developing situation and will advise as soon as we have guidance from CBP.

Protect Your Rights on IEEPA Entries with Timely Protest Filings

Many importers have submitted claims under CAPE Phases 1 and 2 to obtain refunds for IEEPA duties paid on their entries. Importers must take proactive measures to safeguard potential refund rights and mitigate procedural obstacles that may restrict future recovery options for entries not included in a CAPE declaration.

File Protests for Liquidated IEEPA Entries

For entries that have already liquidated, importers should strongly consider filing a protest with U.S. Customs and Border Protection (CBP) pursuant to 19 U.S.C. § 1514. Protests must be filed within 180 days following liquidation. Missing this deadline may result in the entry becoming final and conclusive, severely restricting avenues for recovery.

In addition to filing protests, seeking guidance from an experienced trade attorney can help determine if pursuing relief in the U.S. Court of International Trade (CIT) under 28 U.S.C. § 1581(i) is advisable.

The Importance of Acting Promptly

Importers should not take for granted that future courts or government actions will automatically uphold refund opportunities. Customs law requires strict procedural adherence, and failing to meet a filing deadline could result in a permanent loss of rights that might otherwise represent significant financial value.

Therefore, we suggest that importers:

- Identify all entries subject to IEEPA duties.
- Review liquidation dates promptly.
- File protests on entries within the protest window.
- Consult with a skilled trade attorney to explore the potential of taking §1581(i) action in the Court of International Trade.
- Keep thorough records of duties paid and all CBP submissions.

Carmichael can help identify missed opportunities to file a CAPE declaration and assist with filing protests to protect your right to IEEPA refunds. Reach out to your local Carmichael representative for support.



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