

TARIFF RESOURCE GUIDE

for small business owners

Tariff policy has changed significantly over the past year, and additional changes are still underway. This guide is intended to help small business owners understand the current tariff landscape, determine whether new tariffs may affect their imports, identify whether they may be entitled to refunds from the invalidated IEEPA tariffs, and find reliable resources for next steps.

WHAT'S THE LATEST ON TARIFFS?

In February 2020, the Supreme Court ruled that the International Emergency Economic Powers Act (IEEPA) does not authorize the president to impose tariffs. However, the tariff picture continues to shift with new tariffs added under other legal authorities.

NEW TARIFFS

- On **July 24, 2026**, the administration added new tariffs of **10-12.5%** on roughly **60 trading partners**.
- On **August 19, 2026**, a **50%** tariff took effect on **select Canadian exports**, including certain motor vehicles, dairy products, and alcoholic beverages.

IEEPA REFUNDS ARE UNDERWAY

U.S. Customs and Border Protection (CBP) has begun processing refunds from the invalidated IEEPA tariffs. Approximately \$165 billion in duties were subject to the refund order, and recent reporting indicates that roughly \$100 billion has already been refunded. Major companies have disclosed substantial refunds or expected refunds, which has also raised questions about whether businesses that passed tariff costs on to customers will return any of those savings to consumers.

REFUND LITIGATION CONTINUES

An important unresolved issue involves importers whose entries became final before they received refunds. Litigation continues over whether refunds must be made available or whether some importers must bring individual cases at the Court of International Trade.

This is important for small businesses because the legal costs associated with pursuing smaller refunds may outweigh the amount they could recover.

COULD THE NEW TARIFFS AFFECT MY BUSINESS?

Small business importers should start by answering four questions:

1. **What is the country of origin for the products you import?**
2. **What is the product's Harmonized Tariff Schedule (HTSUS) classification?**
 - a. Tariff applicability is determined using the product's classification and its country of origin.
3. **Which additional tariffs apply?**
4. **Do multiple tariffs apply?**

UPCOMING CHANGES TO WATCH

- **August 19, 2026:** 50% additional Section 338 tariffs take effect on specified Canadian products.
- **December 4, 2026:** A 15% Section 232 tariff and minimum import prices are scheduled to take effect on specified polysilicon and solar products.

WHAT SHOULD I DO NOW?



Small businesses that import goods should:

- Confirm the country of origin of major imported products.
- Confirm the Harmonized Tariff Schedule classification for those products.
- Ask their customs broker for entry reports showing the additional tariff codes and duties currently being paid.
- Identify products exposed to upcoming tariff changes.
- Calculate total landed costs rather than relying only on the announced tariff rate.
- Determine whether multiple additional duties apply to the same product.
- Review supplier contracts and Incoterms to understand responsibility for import duties.
- Build potential tariff increases into pricing, budgeting, and cash flow scenarios.
- Keep entry summaries, customs broker reports, and records showing tariff payments.
- Discuss uncertain or high value classifications with a customs broker or qualified trade attorney.

If considering accelerating shipments before a tariff change, confirm whether the goods can legally qualify under any applicable effective date or in transit provisions. Simply shipping merchandise before a tariff's effective date does not necessarily mean the goods will avoid the new duty.

AM I OWED AN IEEPA TARIFF REFUND?

Businesses that paid duties imposed under IEEPA may be eligible for refunds.

Potentially refundable duties include certain IEEPA tariffs imposed on:

- China beginning February 4, 2025
- Canada and Mexico beginning generally March 4, 2025
- Imports covered by the 2025 reciprocal tariff program
- Other tariffs imposed specifically under IEEPA that were invalidated by the Supreme Court decision

Refund eligibility depends on the specific IEEPA tariff paid, entry information, liquidation status, and current CBP and court procedures. Paying tariffs during this period does not necessarily mean every duty paid on an entry is refundable.

HOW DO I PURSUE MY REFUND?

CBP is using the Consolidated Administration and Processing of Entries, or CAPE, system to administer IEEPA tariff refunds.

Businesses seeking potential refunds should consider the following steps:

1. Confirm that you were the importer of record or otherwise determine who holds the refund right.
2. Register for an ACE Portal account or verify your existing account.
3. Make sure CBP has the correct information for electronic refunds.
4. Pull entry data and identify IEEPA duties paid.
5. Determine which entries are eligible through CAPE.
6. Prepare and submit any required CAPE declaration.
7. Monitor your refund status.
8. Identify entries that may require additional administrative or legal action.
9. Be aware of applicable protest or court deadlines.

Businesses should consult current CBP guidance for the latest CAPE procedures and requirements.

KEY DATES

- **July 24, 2026:** Section 301 tariffs of 10-12.5% took effect for 60 trading partners.
- **August 19, 2026:** 50% Section 338 tariffs take effect on specified Canadian products.
- **December 4, 2026:** 15% Section 232 tariff and minimum import prices take effect on specified polysilicon and solar products.
- **Ongoing:** IEEPA refunds and litigation concerning remaining refund claims.

Government Resources

- [CBP tariff and IEEPA Refund Guidance](#)
- [ACE Portal](#)
- [US Trade Representative Tariff Actions and Notices](#)
- [US International Trade Commission HTS Search](#)
- [Federal Register Notices](#)

Tariff Trackers and Practical Guides

- [Baker Botts Trump Tariff Tracker](#)
- [CargoTrans Tariff Tracker](#)

SBAF Resources

- Watch Tariff Tea [1.0](#) and Tariff Tea [2.0](#), the first two installments of our virtual webinar series, where customs and legal experts break down all things tariffs.
- Register for [Tariff Tea 3.0](#), happening September 9, 2026 at 4:00 PM ET.
- [Share your tariff story](#) with us and we will help make your voice heard.

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