

# US-Zölle – was können und sollen Unternehmen tun?

Webinar der Zürcher Handelskammer und PwC

5. September 2025



# Heutige Referenten



## Simeon Probst

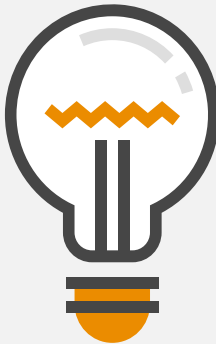
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**Stellen Sie Ihre Fragen  
gerne im Chat !**



## **Ab nach Liechtenstein, Einzelteile verschicken, Software löschen: Wie Schweizer Firmen Trumps Zollhammer ausweichen – und hohe Bussen riskieren**

Schweizer Firmen werden kreativ, um die amerikanischen Strafzölle zu umgehen. Doch die USA haben die Kontrollen verschärft. Zollberater sagen, was zulässig ist und wo Strafzahlungen drohen.

## **Stimmung bei Industriefirmen trotz US-Zollhammer stabil**

**Strafzölle treffen die Schweiz**

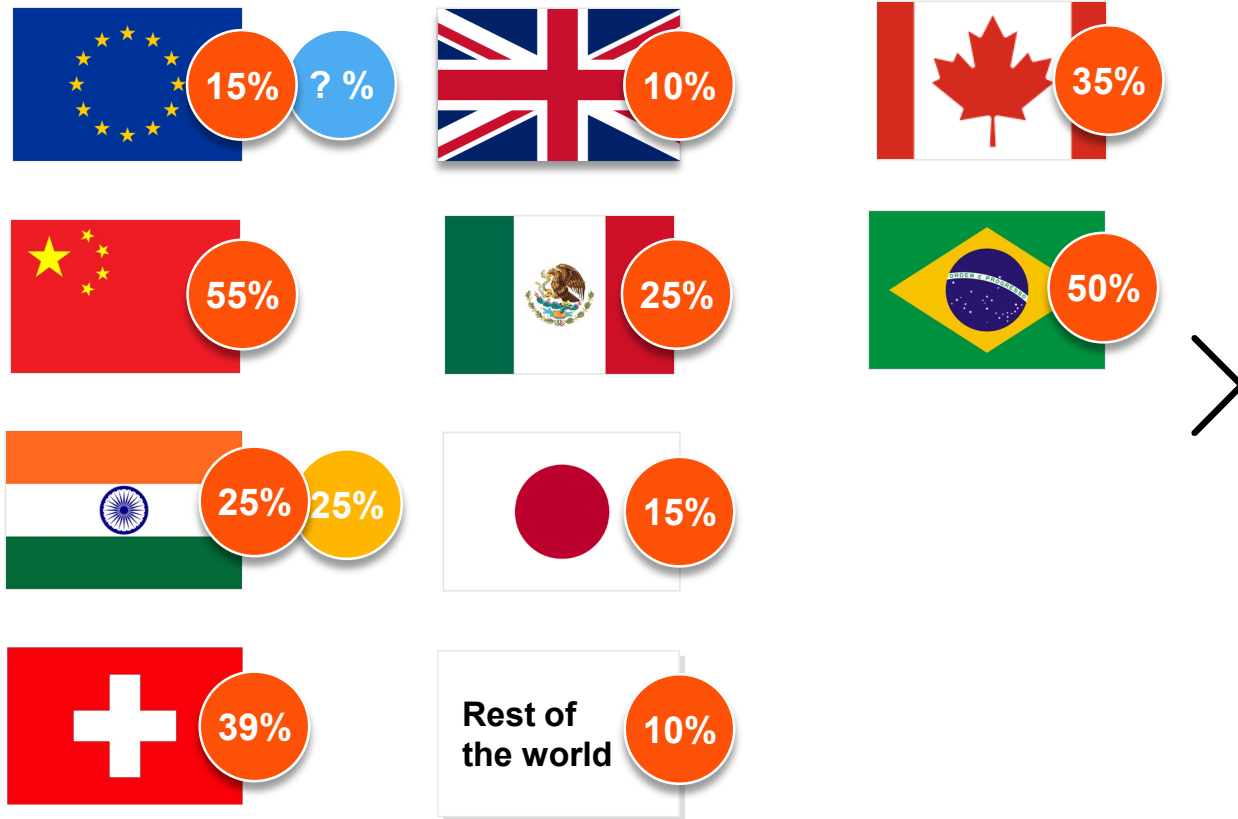
## **Konjunkturaussichten trüben sich mit US-Zollhammer massiv ein**

Die UBS-Analysten prognostizieren eine starke Verschlechterung der Konjunkturaussichten. Damit ist die Schweiz nicht alleine.

# U.S. administration recently announced updated tariffs attributable to intense negotiations between with countries and community of nations

## Country-specific reciprocal tariffs (IEEPA)

As of August 7, 2025 (EO July 31, 2025)



## Key highlights










- **Switzerland** is subject to additional **39%** reciprocal tariffs.
- **The EU's 15% tariff** creates a **ceiling**, acting as an all-inclusive tariff including cars, car parts, pharmaceuticals and semiconductors (but not steel, aluminum, copper)
- **Mexico's status quo** will remain in force for **90 days** as of July 31 in which USMCA compliant goods see a 0% rate
- For **Canada** USMCA compliant goods see a 0% tariff rate
- **US-China's** tariff truce is ended August 12, the negotiations concerning a new agreement are currently ongoing, new deadline November 2025
- **India** has been **hit with 50%** tariffs consisting of 25% IEEPA and additional 25% for purchasing Russian oil
- A "Reciprocal" **base tariff** of **10%** is **in force** on **all other countries**

«Nationalität» der Ware ist entscheidend!  
→ nicht-präferenzieller Ursprung










# Some sector specific tariffs have already been announced by the U.S. administration – Additional tariffs are currently under investigation

## Sector-specific tariffs (Section 232)

Announced		Automotive	25%
		Copper and derivatives <i>With exemptions for refined materials</i>	50%
		Steel & Aluminum and derivatives	50%
Under discussion Further possible tariffs		Pharmaceutical products	250%
		Semiconductors & Semiconductor manufacturing equipment	100%
		Trucks	TBD
		Processed critical minerals and derivative products	TBD
		Polysilicon and Its Derivatives	TBD
		Timber and lumber	TBD

## U.S. administration process for sector-specific tariffs

Not exhaustive

What	Who	When
 <b>Raising of investigation request</b>	<ul style="list-style-type: none"> <li>• Head of department/agency</li> <li>• Any "interested party"</li> <li>• Commerce Secretary (Self)</li> </ul>	
 <b>Investigation</b>	Secretary of Commerce	270 DAYS
 <b>Reporting of findings &amp; recommendations to the president</b>	Secretary of Commerce	
 <b>No further action</b> <i>No threat to U.S. national security</i>	N/A	90 DAYS
 <b>Decision whether to concur with findings &amp; whether to take action</b> <i>Threat to U.S. national security</i>	President of the U.S.	
 <b>Implementation of actions (if any)</b>	President of the U.S.	15 DAYS
 <b>Information of the decision to the Congress</b>	President of the U.S.	15 DAYS

# Calculating steel / aluminum / copper content

- Section 232 steel / alu tariffs increased from 25% to 50% as of 4 June 2025
- Additional 407 tariff codes as from 18 August 2025, including many products of chapters 84 and 85 (machines, apparatus)

## US TARIFFS ON STEEL AND ALUMINUM Important information for Swiss exporters

Aug 23, 2025 08:00 | ExportHelp, Switzerland Global Enterprise

### Import customs declaration US: declaration of steel content

The following information is required for the import customs declaration in the US.

- Import value of the article **minus** the value of the steel content
- Value of the steel content
- Weight of the steel component in kilograms
- Details of the melting and casting country

If this information is missing, the additional duty is levied on the **total value** of the article and not exclusively on the value of the steel component.



U.S. Customs and  
Border Protection

Cargo Systems Messaging Service

CSMS # 64384423 - UPDATED GUIDANCE: Import Duties on  
Imports of Steel and Steel Derivative Products

Non-Steel content, first line:

- Ch 1-97 HTS, this same HTS must be reported on both lines.
- Country of origin, same must be reported on both lines.
- Total entered value of the article less the value of steel content.
- Report the total quantity of the imported goods.
- Report all other applicable duties, such as IEEPA tariffs and antidumping and countervailing duties.

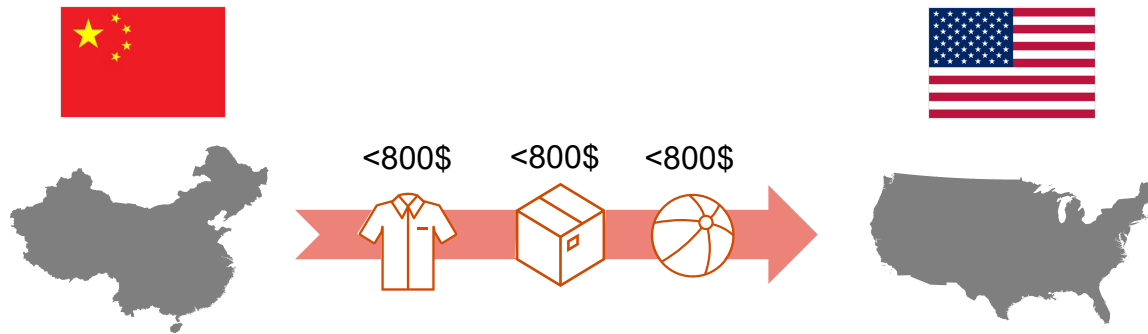
Steel content, second line:

- Same Ch. 1-97 HTS reported on the first line.
- Same country of origin reported on the first line.
- Report 0 for quantity for the Ch. 1- 97 HTS.
- Report the **value of steel content**.
- Report the Section 232 duties based on the value of steel content with HTS 9903.81.91.
- Report a second **quantity (of the steel content) in kilograms** with the HTS 9903.81.91.
- Report all other applicable duties, such as IEEPA tariffs and antidumping and countervailing duties.

# End of de minimis rule brings significant changes to retail, fashion and consumer goods and logistics

## De minimis import rules application and usage

- Allowed **low-value shipments** (below \$800) to **bypass** full **customs** duties procedures
- Streamlined entry and **reduced administrative burdens**
- Leveraged by the **retail, fashion, e-commerce** and other consumer goods sectors
- In 2024, de **minimis shipments** in the U.S. reached **1.36 billion parcels annually**, valued at over **\$64.6 billion**



## Key updates

Starting on **August 29, 2025**, importers must either use a **standard customs declaration** or, during the transition period, **adhere to specific duty rates** based on effective IEEPA tariff rates when using the **international postal service**

Effective IEEPA origin country tariff rates of...

- <16 %:** specific duty of \$80 per item
- between 16 and 25 % (inclusive):** specific duty of \$160 per item
- >25 percent:** specific duty of \$200 per item

**Exemptions** are **gift shipments** below a value off 100\$ and \$200 for **travel allowance**

# Customs considerations and available options

## Understand Your Tariff Exposure

Companies need to understand which of their products are affected by new US tariffs – and the exact rate. → **Impact Assessment**



Data Analysis

## Verify Product Origin

Even if goods are shipped from Switzerland, their **non-preferential origin** might depend on where raw materials come from or where processing happens.



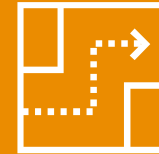
Origin

## Review Customs Valuation

Tariffs are based on the value of goods, but some costs might not need to be included in the **customs value**. There are also alternative valuation methods which can be considered.



Valuation



Optimisation

## Use Duty Deferral Options

If goods are stored bonded in the US before sale (e.g., in a bonded warehouse or foreign trade zone), duties might be postponed – improving cash flow. For reexported goods a Duty Refund might be possible.



Classification

## Review Customs classification

If the Harmonized Tariff Schedule (HTS) **classification of goods** can be technically reassigned to a different HTS code with a lower or zero tariff, this may eliminate or reduce duties. However, there are very limited possibilities.



US Content

## US content determination

A systematic **US content** determination assessing the information across the supply chain can result in compliant meaningful reduction without leakage. The same applies for steel/alu/copper content.



# To choose the best approach towards managing U.S. tariffs, three main questions have to be answered

<b>1</b> On which time horizon do we need to improve?	<b>Short-term measures</b> (Ad-hoc; Task force)
	<b>Mid-term measures</b> (Tactical)
	<b>Long-term measures</b> (Strategic)
<b>2</b> Have operations been already impacted?	<b>Reactive</b> (After disruption)
	<b>Predictive</b> (Before disruption)
<b>3</b> What is the scope of the measures to implement?	<b>Operational</b> (Implementation of measures)
	<b>Transformational</b> (Impacting resilience strategy & governance)



# Comprehensive approach to building an effective tariff taskforce, outlining key dimensions and activities required for success

## Dimensions of a tariff taskforce

## Key activities



# Having assessed the impacts of the US tariffs, companies ought to consider making short term tactical solutions, before quickly evaluating various strategic rebalancing scenarios



## Mitigation

*No Regrets / Non Structural / Short term*



Trade Policy Consulting  
and Customer Messaging



Alternative  
Valuation



First Sale/ Country of Origin/  
Free Trade Agreements



Tariff Classification/  
Exclusions or Exemptions  
Foreign Trade Zones (FTZ)



Duty Drawback  
(5-year retro opp)



## Absorb

*No Regrets / Non Structural / Short term*



Customer Pricing



Stockpile Inventory



Operational Improvement

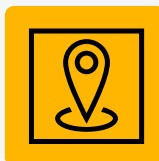


Supplier Negotiations  
Lock in costs

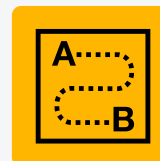


## Rebalance

*Strategic / Structural / Mid and Long term*



Site Location  
Assessment



Product Flows/  
Alternative materials



Supply Chain Footprint  
Change or Diversify

# Transfer Pricing / Option 1: Unbundling the price

## Background:

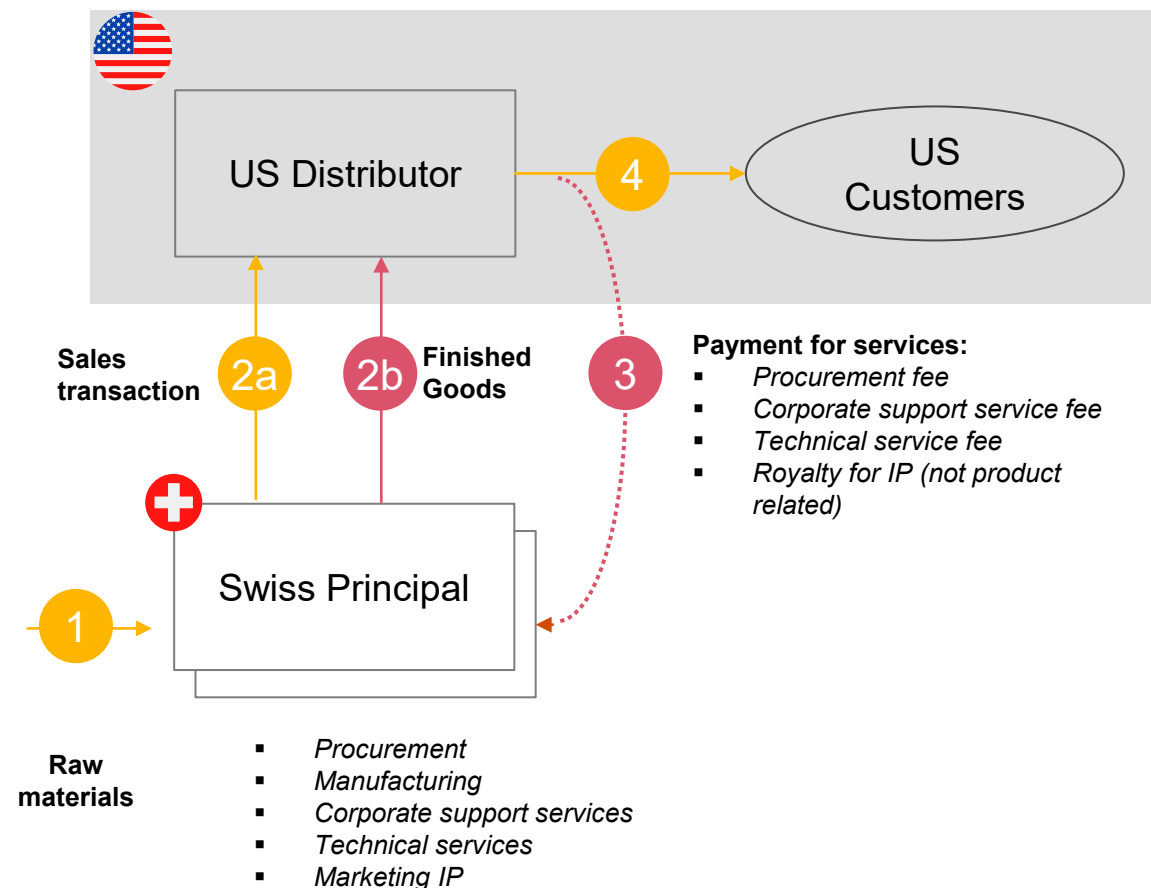
1. Swiss Principal purchases raw materials and manufactures products outside the US.
2. Swiss Principal then sells these products to its US distribution affiliate.
3. US Distributor compensates the Swiss Principal for various services such as technical assistance, procurement, and Royalty for marketing IP
4. US Distributor sells the finished products to customers within the United States

## Key considerations:

Bundling		Unbundling	
2a	Sales transaction	2b	Finished goods
		3	<ul style="list-style-type: none"><li>• Procurement fee</li><li>• Corporate support service fee</li><li>• Technical service fee</li><li>• Royalty for marketing IP</li></ul>

**Objective:** By unbundling the sales transaction price, companies can potentially exclude these additional payments from the dutiable value, reducing the overall customs duty.

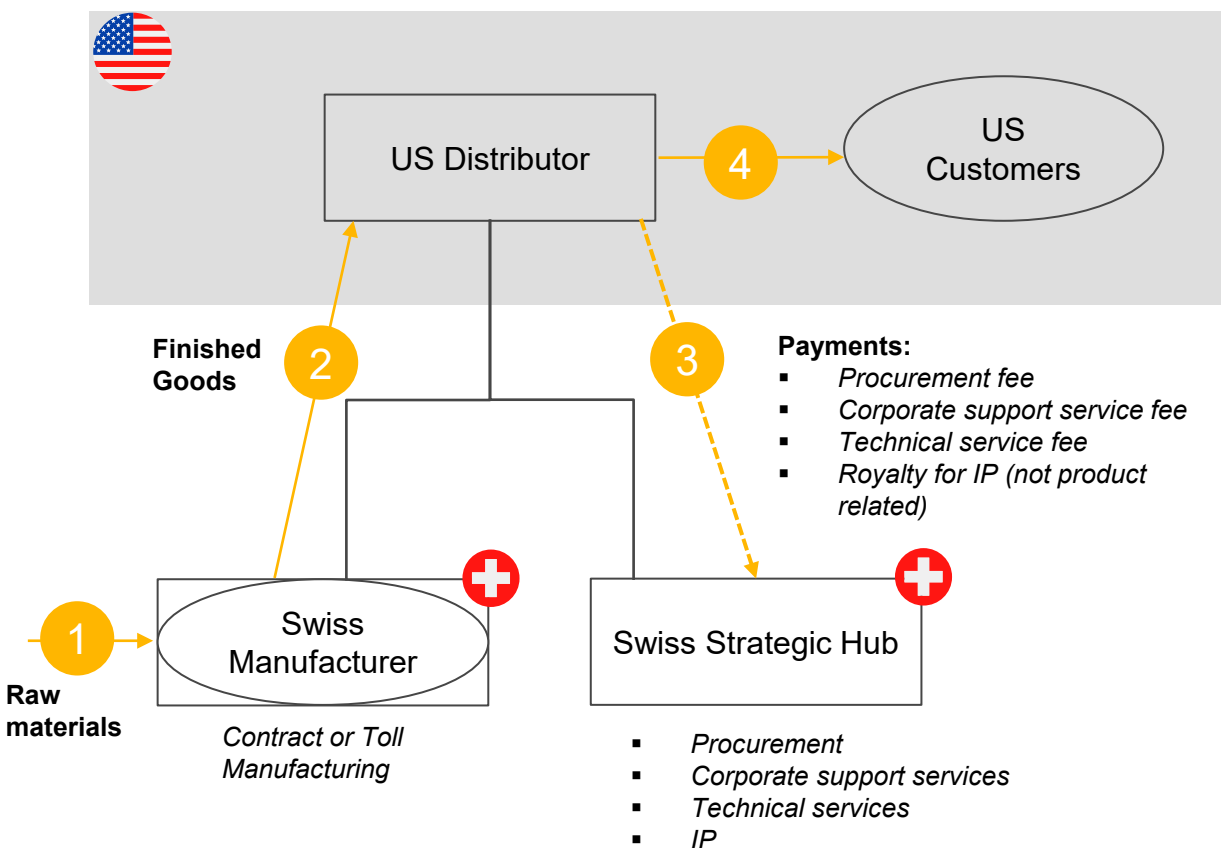
**Implementation:** This approach can be put in place relatively quickly if the facts fit, making it a short-term solution with immediate impact.



Changes in pricing structure and transaction values require a thorough and robust **customs valuation documentation**, considering the specific **customs valuation methodology** (different from TP logic) and customs aspects!



# Transfer Pricing Option 2: Unbundling & functional separation



## Background:

1. Swiss Manufacturer purchases raw materials and manufactures products outside the US
2. Swiss Manufacturer sells products to US Distributor
3. US Distributor compensates Swiss Strategic Hub for various services (procurement, corporate support, technical support) and, potentially, IP
4. US Distributor sells products to US customers

## Key considerations:

- Splitting the Swiss functions between manufacturing and other strategic activities can isolate the value of the products from other contributions of the Swiss Strategic Hub
- Functional segmentation in a separate legal entity provides stronger support to the unbundling of sales price for customs declaration purposes
- Arm's length pricing must be established for the sale of finished goods under customs ruleset
- **Objective:** By unbundling the transfer price, companies can potentially exclude these additional payments from the dutiable value, reducing the overall customs duty

**Implementation:** This is a more long-term solution and requires setting up a separate functional entity if not set up already in the value chain

Changes in pricing structure and transaction values require a thorough and robust **customs valuation documentation**, considering the specific **customs valuation methodology** (different from TP logic) and customs aspects!

# Transfer Pricing Option 3: Functional separation & First Sale

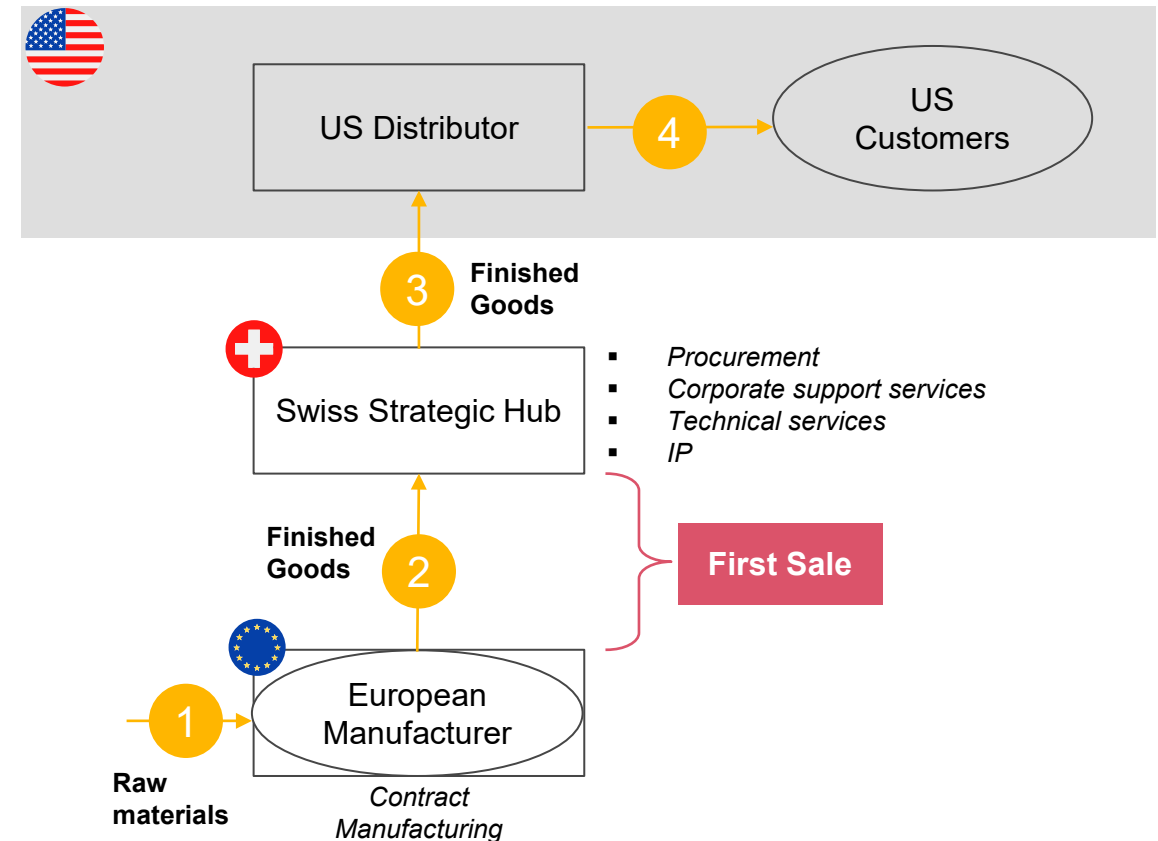
## Background:

1. European Manufacturer purchases raw materials and manufactures products outside the US
2. European Manufacturer sells finished goods to Swiss Strategic Hub
3. Swiss Strategic Hub sells products to US Distributor
4. US Distributor sells products to US customers

## Key considerations:

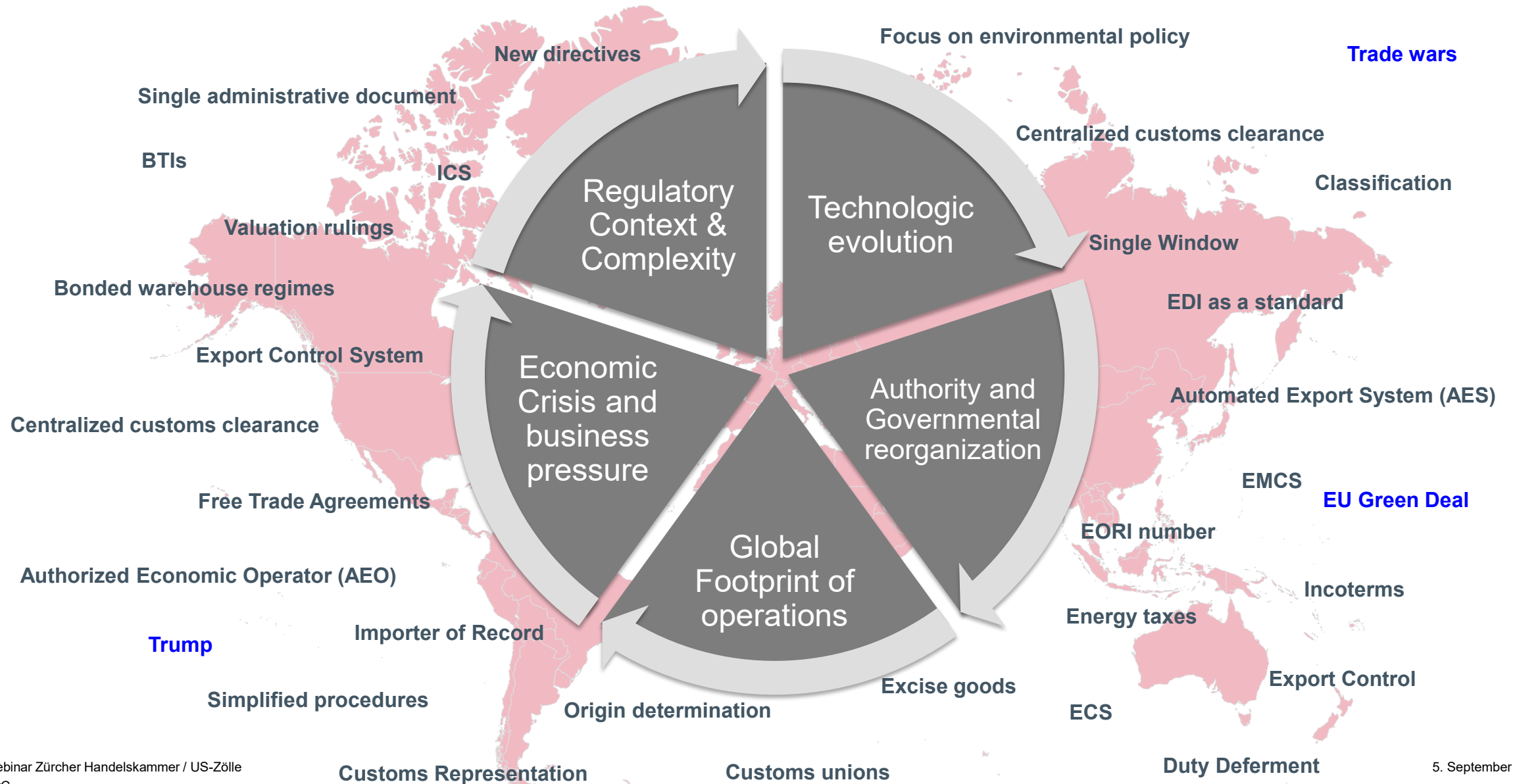
- The functional separation segments the value chain activities as follows:
  - European Manufacturer: Engages in the actual production of goods.
  - Swiss Strategic Hub: Owns the intellectual property and performs various services (procurement, corporate support, technical support)
- Customs Value: The customs value is based on the cost plus a few additions from the manufacturer to the IP owner, which is typically lower than the final sale price
- **Objective:** The first sale rule allows for a lower dutiable value by using the value of the transaction between European Manufacturer and Swiss Strategic Hub, rather than the final sale price to US Distributor

**Implementation:** This is a more long-term solution and requires **setting up a process to qualify for the first sale rule**, which can be complex but beneficial for reducing customs duties



Changes in pricing structure and especially using the first sale method require a thorough and robust **customs valuation documentation**, considering the specific aspects to fulfill the **Reasonable Care** requirements of CBP!

# Customs & Trade: A Changing Environment



# Key takeaways



## Compliance

- Are you applying the right tariff code?
- Are you compliant?

## Classification

## Customs value planning

- Is your customs base too broad?
- Should you unbundle?
- Should you consider a functional split?
- Is the first sale an option?

## Valuation

## Structural supply chain changes

- Should you relocate production?
- Should you diversify production footprint?
- Should you have a distribution hub?

## Origin

Tariff (%)



# Q&A





# Herzlichen Dank.

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