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Section 232 Update: New Probes on Medical Devices, Robotics; Tariffs on Pharma & More

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UPDATE: The White House has announced a pause on the pharmaceutical as of October 1, 2025 to negotiate agreements with pharmaceutical and to finalize the related implementing documents. We will provide updates as they are available.

On September 26, 2025, the U.S. Department of Commerce initiated two new Section 232 investigations: (1) on personal protective equipment (PPE) and medical consumables, equipment, and devices; and (2) on robotics and industrial machinery. Comments on these two new cases are due by October 17, 2025, and interested parties should use this opportunity to provide information to Commerce.

In addition to the new investigations, President Trump announced that new tariffs on pharmaceuticals (100 percent), furniture (30-50 percent), and heavy trucks (25 percent) will take effect on October 1, 2025. Companies should review the product coverage in implementing documents for exposure.

The New Investigations

The investigation into products used in health care settings covers a broad range of products. The Federal Register Notice provides that the following items are covered by the investigation:

- Personal protective equipment (PPE): "PPE used in health care settings. PPE includes, but is not limited to, surgical masks, N95 respirators, gloves, gowns, and related medical parts and components."

- Medical consumables: "single-use or short-term-use items used for patient diagnosis, treatment, and prevention of conditions. Medical consumables include but are not limited to: medical/surgical instruments (e.g., syringes, needles, infusion (IV) pumps, forceps, scalpels); medical/surgical supplies (e.g., intravenous (IV) bags, catheters, tracheostomy tubes, anesthesia equipment, gauze/bandages, sutures, diagnostic and laboratory reagents); and related medical parts and components."

- Medical equipment: "durable equipment, tools, and machines used in healthcare to support patient care. Examples include but are not limited to: carriages and wheelchairs; crutches; and hospital beds."

- Medical devices: "any instrument, apparatus, or machine used in the diagnosis, monitoring, or treatment of medical conditions. Examples include but are not limited to: pacemakers; insulin pumps; coronary stents; heart valves; hearing aids; robotic and non-robotic prosthetics; blood glucose monitors; orthopedic appliances; electromedical apparatus (e.g., computed tomography scanners, magnetic resonance imaging machines); electrosurgical apparatus; x-ray apparatus/other radiation equipment; respiratory machines (e.g., ventilators, respirators, oxygen apparatus); and MRI machines."

The investigation into robotics and industrial machinery is similarly broad. The Federal Register Notice defines "robotics and industrial machinery" as:

"among other things, robots and programmable, computer-controlled mechanical systems. This equipment spans CNC machining centers, turning and milling machines, grinding and deburring equipment, and industrial stamping and pressing machines. It also includes automatic tool changers, jigs and fixtures, and machine tools for cutting, welding, and handling work pieces. Application-specific specialty metalworking equipment used to treat, form, or cut metal, such as autoclaves and industrial ovens, metal finishing and treatment equipment, EDM machinery, and laser and water-cutting tools and machinery is also included."

Commerce is seeking information related to particular factors bearing on national security, such as U.S. demand, the ability to meet that demand, and the reliance on other countries to do so. Commerce also asks whether imports come from a small number of foreign and domestic fabrication facilities. Other factors relate to trade practices by other countries and whether they adversely affect the U.S. industry and national security.

Based on the comments received and other information collected during the investigation, Commerce will prepare a report containing recommendations for each of the investigations. These recommendations have historically included tariffs, quotas, stockpile expansion, domestic initiatives, requirements for congressional action, the establishment of a working group, and multilateral negotiations. Investigations must be completed within 270 days but are trending on a short timeline during the current administration. Additionally, there are no statutory or regulatory limits as to when the president must implement measures under the investigation.

Increased Tariffs on Existing Section 232 Investigations

On September 25, 2025, President Trump announced that tariffs will be imposed pursuant to the conclusion of other Section 232 investigations, effective October 1, 2025:

- 100 percent tariff on pharmaceutical products, unless the manufacturer has broken ground on construction of a U.S. manufacturing plant;
- 50 percent tariff on kitchen cabinets and bathroom vanities, pursuant to the Section 232 investigation on timber and lumber;
- 30 percent tariff on upholstered furniture, pursuant to the Section 232 investigation on timber and lumber; and
- 25 percent tariff on medium and heavy trucks.

Notably, these tariffs are not at issue in the Supreme Court action challenging the president's authority to impose tariffs under the International Emergency Economic Powers Act of 1977 (IEEPA). Section 232 gives the president separate legal authority to impose tariffs.

Our International Trade and National Security Team will continue to monitor developments and provide updates as warranted. If you have any questions or would like to discuss this in further detail, please contact P. Lee Smith, Matthew McGee, Georgia Berthelot, or any member of Baker Donelson's International Trade and National Security team.