

UNITED STATES COURT OF INTERNATIONAL TRADE

THE STATE OF OREGON, ET AL.,

Plaintiffs,

v.

UNITED STATES, ET AL.,

Defendants.

Before: Mark A. Barnett, Claire R. Kelly,
and Timothy C. Stanceu, Judges

Court No. 26-01472-3JP

BURLAP AND BARREL, INC., ET AL.,

Plaintiffs,

v.

UNITED STATES, ET AL.,

Defendants.

Before: Mark A. Barnett, Claire R. Kelly,
and Timothy C. Stanceu, Judges

Court No. 26-01606-3JP

JUDGMENT

This case having been duly submitted for decision, and the court, after due deliberation, having rendered an opinion; now, in conformity with that opinion it is hereby

ORDERED that Proclamation No. 11012 (Feb. 20, 2026), Imposing a Temporary Import Surcharge To Address Fundamental International Payments Problems, 91 Fed. Reg. 9,339 (Feb. 25, 2026), is declared to be invalid as contrary to law; it is further

ORDERED that Proclamation No. 11012 is permanently enjoined with respect to The State of Washington (and its Instrumentalities), Burlap and Barrel, Inc., and Basic Fun, Inc. (the Importer Plaintiffs as defined in the court's accompanying opinion); it is further

ORDERED that Defendants shall implement the above-described permanent injunction within 5 days; it is further

ORDERED that Section 122 duties paid by Importer Plaintiffs before this injunction is fully implemented shall be refunded with interest as provided by law; and it is further

ORDERED that each party shall bear its own costs.

/s/ Mark A. Barnett
Mark A. Barnett, Chief Judge

/s/ Claire R. Kelly
Claire R. Kelly, Judge

Dated: May 7, 2026
New York, New York