

THE REAL SQUEEZE INSIDE TRUMP'S BRAZIL TARIFFS

As I described in this post, just hours before a Circuit Court hearing in which Trump will try to defend his use of IEEPA to arbitrarily impose tariffs, he declared the possibility that Jair Bolsonaro will be held accountable for his coup a threat to American democracy.

I should have looked closer at the products that Trump is excluding from the tariffs. They include orange juice.

2008.30.35		Orange pulp
2009.11.00		Orange juice, frozen
2009.12.25		Orange juice, not frozen, Brix value <20, not concentrated
2009.12.45		Orange juice, not frozen, Brix value <20, other

That's interesting because less than two weeks ago, Johanna Beverage Company sued Trump for his tariff threat against Brazil.

4. Operating since 1995 and 2007, respectively, Johanna Foods and Johanna Beverage are the leading private label and co-pack juice supplier and producer, supplying juice products for numerous retailers and brands, including Aldi, Walmart, Sam's Club, Wegman's, Safeway and Albertsons.

5. Plaintiffs supply nearly 75% of all private label not from concentrate orange juice customers in the United States, as well as two of the largest branded orange juice producers, making our operations a cornerstone of the national orange juice supply chain. Ex. 1, at ¶12.

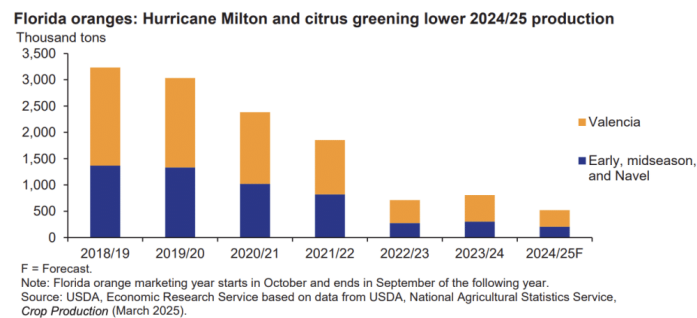
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31. The President's imposition of a 50% (or more) tariff on Brazilian orange juice will cause significant and direct financial harm to Plaintiffs and to American consumers.

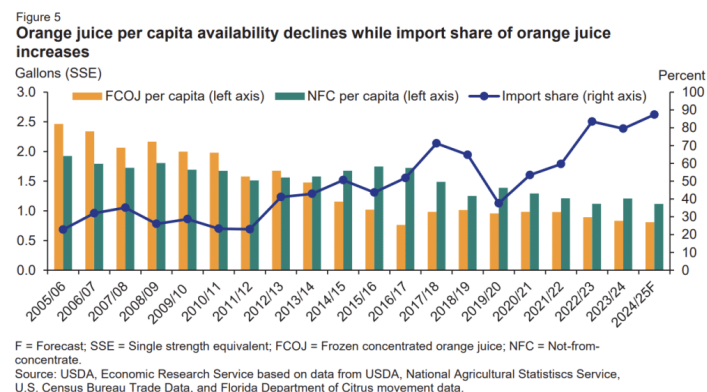
32. Brazil is the world's leading producer of orange juice and is the second largest supplier of orange juice to the United States.

33. Currently, more than half of the orange juice sold in the United States comes from Brazil, with eighty percent of NFCOJ imported from Brazil.

The entire complaint is an interesting lesson in the orange juice market, including how extreme weather has devastated much of the American orange crop in Florida.

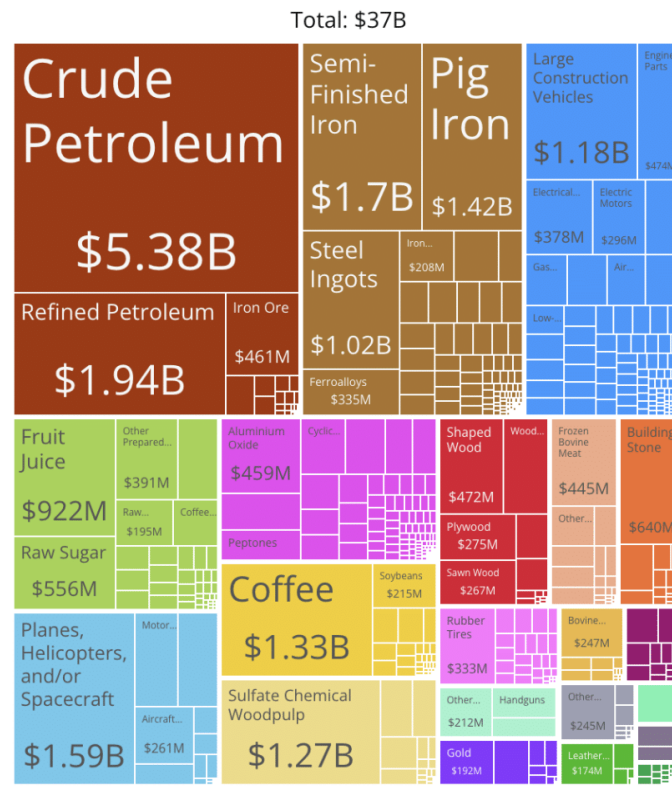


As a result, America has become dependent on imports for the orange juice they drink.



Trump excluded orange juice from yesterday's tariffs, but not coffee, a bigger export and probably an even more crucial breakfast ingredient.

Exports from Brazil to United States in 2023



Which is a bit of a tell.

The orange juice exclusion wasn't about preventing immediate pain among American consumers.

It was about mooting this lawsuit.

I've already complained that the press simply refuses to explain that these tariffs have *already* been ruled illegal, and significant swaths of the right wing legal establishment are pushing to sustain that decision through the appeals process. (Then again, journalists refuse to describe tariffs as unlawful taxes on American consumers, either.)

But tracking the legal challenges to Trump's unlawful power grab is actually a critical step in understanding how Trump hopes to sustain them even though they are illegal.