

New NAFTA checklist

Unlike NAFTA, the agreement entering into force on July 1, 2020 does not have a prescribed format. Instead, it includes minimum data elements that can be presented in any applicable format. Below is a checklist that will allow our clients to evaluate the compliance of their certifications.



1. Importer, exporter or producer: Certification of origin

The certification of origin must indicate if the party certifying is the importer, exporter or producer of the goods. Regardless of who the certifying party is, it must keep documents or other information to support the certification claims.

2. Certifier

Provide the certifier's name, title, address (including country), telephone number, and e-mail address. This person should be familiar with the company's internal certification process, and be able to answer any inquiries from the relevant customs authorities.

3. Exporter

Provide the Exporter's name, address (including country), e-mail address, and telephone number if different from the certifier. This information is not required if the producer is completing the certification of origin and does not know the identity of the exporter. The address of the exporter shall be the place of export of the good in a Party's territory.

4. Producer

Provide the producer's name, address (including country), e-mail address, and telephone number, if different from the certifier or exporter. If there are multiple producers, state "various" or provide a list of the producers. A person that wishes for this information to remain confidential may state "Available upon request by the importing authorities." The address of a producer shall be the place of production of the good in a party's territory.

5. Importer

Provide, if known, the importer's name, address, e-mail address, and telephone number. The address of the importer shall be in Mexico, USA or Canada. If the applicable address located within one of the three countries is unknown, it is acceptable to state "unknown".

6. Description and HS tariff classification of the good (6-digit level)

The description of the good should be sufficient to relate it to the good covered by the certification. If the certification of origin covers a single shipment of a good, indicate, if known, the invoice number related to the exportation.

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7. Origin criteria

The certifier must indicate which origin criteria the goods comply with.

- (A) Wholly obtained or produced entirely in Canada, Mexico or USA
- (B) Produced entirely in Canada, Mexico or USA using non-originating materials provided the good satisfies all applicable requirements
- (C) Produced entirely in the Canada, Mexico or USA exclusively from originating materials
- (D) Except for a good provided for in Chapter 61 to 63 of the Harmonized System:
 - (i) produced entirely in Canada, Mexico or USA;
 - (ii) one or more of the non-originating materials provided for as parts under the Harmonized System used in the production

of the good cannot satisfy the requirements because both the good and its materials are classified in the same subheading or same heading that is not further subdivided into subheadings or, the good was imported into the territory in an unassembled or a disassembled form but was classified as an assembled good pursuant to rule 2(a) of the General Rules of Interpretation of the Harmonized System;

(iii) the regional value content of the good, determined in accordance with Article 4.5 (Regional Value Content), is not less than 60 percent if the transaction value method is used, or not less than 50 percent if the net cost method is used; and the good satisfies all other applicable requirements of this Chapter.

8. Blanket period

Include the period if the certification covers multiple shipments of identical goods for a specified period of up to 12 months. The 12 months do not need to be contained within a single calendar year.

9. Authorized signature of certifier, date and certifying statement

Provide the signature (can be digital or electronic) of certifier, date and the exact statement as shown below:

I, (Name of Certifier), certify that the goods described in this document qualify as originating and the information contained in this document is true and accurate. I assume responsibility for proving such representations and agree to maintain and present upon request or to make available during a verification visit, documentation necessary to support this certification.



If you have further questions, please reach out to the below contacts in your respective countries.

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