



**NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)
ORIGIN VERIFICATION QUESTIONNAIRE**

**GOODS WHOLLY OBTAINED OR PRODUCED ENTIRELY
IN THE TERRITORY OF ONE OR MORE OF THE PARTIES**

**DISPONIBLE EN FRANÇAIS
DISPONIBLE EN ESPAÑOL**

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PURPOSE

The purpose of this questionnaire is to request that you provide the Canada Border Services Agency (hereinafter referred to as "the CBSA") with the information that you used to determine your eligibility for the *North American Free Trade Agreement* (hereinafter referred to as "the NAFTA"). This information is required to conduct a verification of origin of specified goods imported into Canada, pursuant to Article 506(1) of the NAFTA, for which a claim for preferential tariff treatment was made on the basis that the goods originate in the NAFTA territory as a result of meeting a rule of origin under subsection 4(1) of the NAFTA Rules of Origin Regulations (hereinafter referred to as "the Regulations"), requiring that the goods were wholly obtained or produced entirely in the territory of one or more of the Parties. The purchase of a good in the territory of a Party does not necessarily render it "wholly obtained or produced". If a good contains materials at any level obtained from a non-NAFTA country, the good would not be wholly obtained or produced.

Note 1: This questionnaire must be completed and returned by the date specified in the covering letter accompanying the questionnaire. Where the CBSA does not receive the completed questionnaire within the specified time period, it may, subject to Paragraphs 16 through 18 of Article VI of the *Uniform Regulations for the Interpretation, Application, and Administration of Chapters Three (National Treatment and Market Access for Goods) and Five (Customs Procedures) of the NAFTA* (Uniform Regulations) deny preferential tariff treatment to the goods that are the subject of the verification of origin.

Note 2: This questionnaire will be used to verify the tariff treatment claimed by the importer as outlined in Annex 302.2 of the NAFTA, paragraphs 4, 5, and 6.

GENERAL

The CBSA may further verify the origin of the goods and/or determine the accuracy of any or all of the information provided in the completed questionnaire by sending a subsequent verification questionnaire or verification letter, and/or conducting a verification visit under article 506(1)(b) of the NAFTA.

Where materials used in the production of a good are obtained from suppliers in respect of which the exporter or producer claims that such materials are "wholly obtained or produced entirely in the territory of one or more of the Parties", it is incumbent upon that exporter or producer to substantiate the basis on which that claim was made. One way of substantiating the basis of the claim can be through written certifications from suppliers. As part of the overall verification process, the suppliers of those materials may be requested to complete a verification questionnaire and/or be the subject of a verification visit.

A failure to maintain records, relating to the origin of the goods that are the subject of the verification, for five years after the date on which the Certificate of Origin was signed, or a denial of access to such records may, pursuant to Article V(4) of the Uniform Regulations, result in a denial of preferential tariff treatment to the goods.

Additional Information

For additional information regarding the completion of this questionnaire, please refer to the NAFTA and the Regulations. Any further information and/or clarification may be obtained from CBSA officer identified in the covering letter.

Confidentiality

The Canada Border Services (CBSA), shall in accordance with Article 507 of the NAFTA and section 107 of the *Customs Act*, protect the confidentiality of all business information submitted and shall not, with the exception of the United States Bureau of Customs and Border Protection (CBP) of the United States, disclose such information to a third party without prior approval from your company. Pursuant to the *Memorandum of Understanding Regarding the Exchange of NAFTA Related Information*, the CBSA will share the results of this verification with the CBP.

DEFINITIONS

The following definitions apply for purposes of this questionnaire.

"goods wholly obtained or produced entirely in the territory of one or more of the Parties" means:

- (a) mineral goods extracted in the territory of one or more of the Parties;
- (b) vegetable goods, as such goods are defined in the Harmonized System, harvested in the territory of one or more of the Parties;
- (c) live animals born and raised in the territory of one or more of the Parties;
- (d) goods obtained from hunting, trapping or fishing in the territory of one or more of the Parties;
- (e) goods (fish, shellfish and other marine life) taken from the sea by vessels registered or recorded with a Party and flying its flag;
- (f) goods produced on board factory ships from the goods referred to in subparagraph (e), provided such factory ships are registered or recorded with that Party and fly its flag;
- (g) goods taken by a Party or a person of a Party from the seabed or beneath the seabed outside territorial waters, provided that a Party has rights to exploit such seabed;
- (h) goods taken from outer space, provided they are obtained by a Party or a person of a Party and not processed in a non-Party;
- (i) waste and scrap derived from
 - (i) production in the territory of one or more of the Parties, or
 - (ii) used goods collected in the territory of one or more of the Parties, provided such goods are fit only for the recovery of raw materials; and
- (j) goods produced in the territory of one or more of the Parties exclusively from goods referred to in subparagraphs (a) to (i), or from their derivatives, at any stage of production.

"Harmonized System (HS)" means, the Harmonized Commodity Description and Coding System, including its General Rules of Interpretation, Section Notes and Chapter Notes as adopted and implemented by Canada under the *Customs Tariff*.

"territory" means, with respect to

- (a) Canada, the territory to which its customs laws apply, including any areas beyond the territorial seas of Canada within which, in accordance with international law and its domestic law, Canada may exercise rights with respect to the seabed and subsoil and their natural resources,
- (b) Mexico,
 - (i) the states of the Federation and the Federal District,
 - (ii) the islands, including the reefs and keys, in adjacent seas,
 - (iii) the islands of Guadalupe and Revillagigedo situated in the Pacific Ocean,
 - (iv) the continental shelf and the submarine shelf of such islands, keys and reefs,
 - (v) the waters of the territorial seas, in accordance with international law, and its interior maritime waters,
 - (vi) the space located above the national territory, in accordance with international law, and
 - (vii) any areas beyond the territorial seas of Mexico within which, in accordance with international law, including the *United Nations Convention of the Law of the Sea*, and its domestic law, Mexico may exercise rights with respect to the seabed and subsoil and their natural resources, and
- (c) the United States,
 - (i) the customs territory of the United States, which includes the 50 states, the District of Columbia and Puerto Rico,
 - (ii) the foreign trade zones located in the United States and Puerto Rico, and
 - (iii) any areas beyond the territorial seas of the United States within which, in accordance with international law and its domestic law, the United States may exercise rights with respect to the seabed and subsoil and their natural resources.

INSTRUCTIONS ON THE COMPLETION OF THE QUESTIONNAIRE

Where there is insufficient space in this questionnaire to adequately respond to a request for information, attach additional pages appropriately numbered and cross-referenced.

Field 1: State the exporter's full legal name and address (including country).

Field 2: State the exporter's telephone number and facsimile number.

Field 3: Provide a detailed description of the goods being exported to Canada. Use a model or serial number where necessary to distinguish goods claimed as wholly obtained or produced entirely in the territory of one or more of the Parties from goods which are not so claimed. Please include product literature and promotional materials available for the good(s) under review.

Field 4: Provide the tariff classification of the goods. The tariff classification required is the CBSA Harmonized System classification to six digits.

Field 5: Provide the category of the goods exported. Refer to the definition of "goods wholly obtained or produced entirely in the territory of one or more of the Parties", which indicates the category of the goods exported (i.e. a,b,c,d,e,f,g,h,i or j).

Field 6: State the producer's full legal name and address, if different from the exporter.

Field 7: State the producer's telephone number and facsimile number, if different from the exporter.

Field 8: Where the goods identified in field 3 are produced in the territory of one or more of the Parties exclusively from materials referred to in subparagraphs (a) through (i) of the definition of "goods wholly obtained or produced entirely in the territory of one or more of the Parties", list all materials used in the production process and identify the name and address of each supplier thereof. List all suppliers when there is more than one supplier for a particular material.

Field 9: Describe the production processes performed by you, in the order performed, and indicate where each process occurred.

Field 10: This field must be completed, signed and dated by the exporter or producer of the goods or by the supplier of a material used in the production of the goods, as the case may be.



PRODUCT INFORMATION

PROTECTED (when completed) C

Please Print Clearly

Complete fields 6 to 9 for all goods listed in field 3. Use copies of this page if necessary.

1. Exporter (Name and Address):		2. Telephone Number ()	
		Fax Number ()	
3. Description of Goods:		4. Tariff Classification	5. Category (a, b, c, d, e, f, g, h, i or j)
6. Producer (Name and Address), if different from exporter:		7. Telephone Number ()	
		Fax Number ()	
8. Materials and Suppliers:			
Materials		Suppliers (Name and Address)	
9. Production Process:			
Process		Location	
10. Certification Use copies of this page if necessary			
I certify that the information provided in response to this questionnaire is true and accurate and I assume the responsibility of proving such representations. I agree to maintain, and present upon request, all records and documentation necessary to support the representations made in response to this questionnaire.			
Authorized Signature		Company (print or type)	
Name (print or type)		Title (print or type)	
Date (DD/MM/YYYY)	Telephone ()	Fax ()	