



metrochamber

SACRAMENTO METROPOLITAN
CHAMBER OF COMMERCE

Certificate of Origin

2018 Certificate of Origin Policy & Procedure

Dear Exporter:

Some destinations require a Certificate of Origin (CO) for certain commodities because of established Treaty arrangements, varying duty rates, and preferential duty treatment dependent on the shipment's origin. The purpose of the CO is to authenticate the country of origin of the merchandise/goods being shipped were manufactured.

The commodity being exported and its destination determine if the CO is required. Some nations restrict imports from certain countries; many countries limit the quantity of goods that are allowed to be imported, or give preference to goods manufactured in the U.S.

The attached form requires the authorized signature of the local Chamber of Commerce Secretary and the seal of that organization.

For destinations to Canada and Mexico, please use the **NAFTA CO** (pages 8 and 9) if the goods qualify as North American Origin goods.

The descriptions and amounts on the CO must be consistent with those entered on the Invoice.

Definitions:

A textile is anything made of cloth or fabric, garments, apparel, finished textile products, products made wholly or partially of textile material as well as raw material, including auto car seats, suits, dresses, bolts of fabric, and so on.

Commercial is a business-to-business or business-to-person transaction involving the purchase or sale of a commodity.

Note: The rules for when a CO is needed change often. Please be sure to verify the current criteria requiring a CO before sending your shipment.

In general, you need a CO when the country of origin is U.S., and the destination countries and goods are the following countries on the attached table:



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Country	Comment
Albania:	The good is any commercial food, drug, medicine, or medical equipment. This includes all commercial food, drug or medicine samples.
Argentina:	The good is any textile, regardless of value (unusable textile samples do not require a CO).
Austria:	Required for all commercial textile shipments. Textile samples of "no commercial value" under 256.00 EUR/\$235.00. USD do NOT require a CO. A CO is also NOT required for purchases of limited quantities of textile for personal use only, less than 820.00 EUR/\$760.00 USD (Must not be in bulk quantities).
Belgium:	All shipments containing textile products that originate in non EU-countries. Exempt are textile sample shipments of no commercial or customs value and purchases under 250.00 EUR/\$230.00 USD per commodity.
Bolivia:	All non-documents valued over \$3,000 USD.
Canada:	Refer to the NAFTA CO (page 7) attached.
Canary Islands	The good is any non-document.
Denmark:	Textile shipments valued over 1000.00 DKR/\$110.00 USD and from a non-EU origin (A CO is not needed for
Finland:	For all non-EU countries: All commercial textiles and textile samples over 45.00 EUR/\$54.00 USD. For European non-EU countries: Not Required if proof of origin can be determined from EUR1 document or declaration on invoice. Note: A CO is NOT required for purchases of limited quantities of textiles for personal use (must not be in bulk or wholesale quantities).
France:	All shipments of textiles and clothing manufactured in non-EU countries if the CIF value of the shipment is greater than 1,000.00 EUR/\$980.00 USD. Photocopied or imaged certificates will not be accepted.
Germany:	All commercial shipments of textiles. Textile samples with no commercial value and a customs value exceeding 250.00 EUR/\$230.00 USD. Textile shipments to private individuals for personal use if the value exceeds 1,000.00 EUR/\$980.00 USD.
Greece:	All textile shipments from non-EU countries; All commercial shoe shipments from non-EU countries.; Samples
Ireland:	All textile shipments with a value exceeding 254.00 EUR/\$234.00 USD require a CO. The exception is textile
Israel:	Trading relations between the U.S. and Israel allow reduced or cancelled duties for U.S.-made goods that are shipped with a green Certificate of Origin for trade with Israel (CO). The shipper is responsible for the CO. This must be filled out in capital letters and in English only. UPS can prepare the Certificate of Origin for a US\$10.00 service fee (only by utilizing the UPS online system).
Italy:	Customs requires a CO for all textile shipments and for all online purchases of any value from private individuals.
Japan:	Silk items over 300 square meters require a CO. Silk items below 300 square meters can be noted on the commercial invoice.
Kuwait:	All non-document shipments over \$1500.00 USD must be accompanied by a CO with a stamped ("legalized") seal from the origin country Chamber of Commerce. Note: All goods destined for US Air Force installations are exempt from this requirement and will not need a Certificate of Origin.
Mexico:	See the NAFTA CO (page 7) attached.
Netherlands:	All textile shipments valued over 345.00 EUR/\$319.00 USD.



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Spain:	A CO is needed for all shipments that may be eligible for duty-free treatment due to existing trade agreements, such as EFTA, SPG (System of Generalized Preferences), and LOMA. All textile shipments (including personal) must have a CO. Textiles may also require an import permit.
United Kingdom	Textile shipments over 18.00 GBP (26.60 EUR/\$25.00 USD). Exempt are purchases of limited amounts of textile goods for personal use only (must not be in bulk or wholesale quantities). Also exempt are commercial samples of negligible value.



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The following represents the process by which the Sacramento Metropolitan Chamber of Commerce (Sacramento Metro Chamber) issues Certificates of Origin.

The cost of each Certificate of Origin is \$15.00 (if you are a Sacramento Metro Chamber Member) or \$50.00 (for non-members). The hours to process the Certificate of Origins is between 8:00 a.m. to 4:00 p.m. We are located at One Capitol Mall, Suite 700, Sacramento, CA. Once you complete the required forms in their entirety, please bring your original form with the invoice/packing slip to the Sacramento Metro Chamber with your payment.

The Sacramento Metro Chamber must rely on your statement that the goods you will be shipping constitute domestic exports of the United States. Therefore, we ask that you complete and sign the Affidavit of Origin (*page 5*). By signing the Affidavit of Origin, you state that the goods exported are domestic exports as defined by the U.S. Department of Commerce. This form must be completed and signed with each shipment. For multiple shipments, you may make copies of the Certificate of Origin form.

In the event a particular country, or your company, require a specific Certificate of Origin form be used, the separate Affidavit of Origin (*page 5*) must be signed and accompany each shipment. These forms may also be copied and retained for future use.

In addition, because the Sacramento Metro Chamber must rely on your statement, we request that you sign a copy of the Certificate of Origin Indemnification Agreement (*page 6*). By signing the Indemnification Statement, you agree to indemnify the Sacramento Metro Chamber of any liabilities incurred by the Sacramento Metro Chamber as a result of its issuance of the Certificate of Origin for your shipment. These must be filed with the Sacramento Metro Chamber annually before any certificate will be issued with an annual cost of \$5.00. This document is a legal agreement. If you have any questions regarding the validity, please consult with your legal counsel.



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Affidavit of Origin

(This Affidavit of Origin should be signed if any form other than the Sacramento Metro Chamber's Certificate of Origin form is used)

1. The undersigned exporter certifies to the Sacramento Metropolitan Chamber of Commerce (Sacramento Metro Chamber) that all goods for which a Certificate of Origin is requested (which goods are to be shipped by exporter to one or more customers in one or more shipments) constitute "domestic exports" of the United States of America, as determined in compliance with the definition of "D" (Domestic) exports promulgated by the U.S. Department of Commerce, Bureau of Census, for the purpose of the Shippers Export Declarations and in accordance with any other applicable federal, state or foreign law.
2. The Sacramento Metro Chamber states that, based solely on the affidavit of the exporter and without any independent verification by the Sacramento Metro Chamber, the Sacramento Metro Chamber believes that the goods described above are products of the United States of America. The goods, or their origin, affidavit, or any documents relating to the goods, and assumes no responsibility for the truth or accuracy of any statements contained in the affidavit or any documents relating to the goods.

Company Name: _____ Telephone: _____

Company Address: _____

By (print): _____

Signature: _____

Title: _____ Date: _____

Secretary: _____



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Parties: _____ ("Exporter")
(Export Company Name)

Sacramento Metropolitan Chamber of Commerce ("Chamber")

Dated: _____
Month, Day Year

RECITALS:

- A. Exporter has requested the Chamber to issue one or more certificates ("Certificates of Origin"), which provide that certain goods to be exported by Exporter originate in the United States of America.
- B. The Chamber is willing to issue such Certificate of Origin based on (i) the exporter's signed Affidavit of Origin and (ii) the signed agreement of the Exporter to indemnify the Chamber. Exporter is willing to indemnify the Chamber as set forth below.

AGREEMENT

1. **Liabilities Defined.** For purpose of the agreement, "Liabilities" means any claim, action, proceeding, demand, damage, fine, loss, liability, attorney's fees (either sought against or spent by the Chamber), Expert witness fees, investigation fees, cost or expense and amounts paid in settlement or compromise, of any type, kind, or nature, whether contingent or accrued, arising out of the issuance of Certificate of Origin, directly or indirectly.
2. **Indemnification.** Exporter agrees to indemnify, hold harmless and defend the Chamber, its Directors, officers, employees and agents from and against any and all Liabilities brought or sought against or incurred by the Chamber.
3. **Defense of Action.** Any defense, of any action, suit or proceeding relating to Liabilities shall be conducted, at the option of the Chamber, by Exporter, who shall retain legal counsel acceptable to the Chamber, in the absence of the Chamber's exercise of such option, by the Chamber. No settlement or compromise of any such suit or proceeding shall be entered into or agreed upon by exporter without the advanced written consent of the Chamber.
4. **Binding Effect.** This agreement shall be binding upon and inure to the benefit of the parties and their successors and assigns.
5. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of California.

EXPORTER

Company: _____

Signature: _____

Print Name: _____

Title: _____

Date: _____

Phone: _____ Email Address: _____

SACRAMENTO METRO CHAMBER

Sacramento Metropolitan Chamber of Commerce

Signature: _____

Print Name: _____

Title: _____

US CERTIFICATE OF ORIGIN

The undersigned _____
(Owner or Agent)

for _____
(Name and Address of Shipper)

declare that the following listed goods shipped on: _____ on (date): _____
(Name of carrier)

Consigned to: _____
(Recipient's Name)

(Recipient's Company and address)

are the product(s) of the United States of America.

MARKS AND NUMBERS	NO. OF PKGS BOXES OR CASES	WEIGHT IN KILOS	DESCRIPTION
		GROSS	
Bill of Lading/Air Waybill No.:			

State of California, County of Sacramento, Sworn to before me on this _____ day of _____, 2018

Signature of Owner or Agent

The Sacramento Metropolitan Chamber of Commerce is a recognized Chamber of Commerce under the laws of the State of California which has examined the manufacturer's invoice or shipper's affidavit concerning the origin of the merchandise and according to the best of its knowledge and belief, finds that the products names originated in the United States of America, (North America).

Secretary: _____

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

OMB No. 1651-0098
Exp. 08-31-2014

**NORTH AMERICAN FREE TRADE AGREEMENT
CERTIFICATE OF ORIGIN**

19 CFR 181.11, 181.22

1. EXPORTER NAME AND ADDRESS	2. BLANKET PERIOD				
	FROM				
	TO				
TAX IDENTIFICATION NUMBER: 3. PRODUCER NAME AND ADDRESS	4. IMPORTER NAME AND ADDRESS				
TAX IDENTIFICATION NUMBER:	TAX IDENTIFICATION NUMBER:				
5. DESCRIPTION OF GOOD(S)	6. HS TARIFF CLASSIFICATION NUMBER	7. PREFERENCE CRITERION	8. PRODUCER	9. NET COST	10. COUNTRY OF ORIGIN

I CERTIFY THAT:

- THE INFORMATION ON THIS DOCUMENT IS TRUE AND ACCURATE AND I ASSUME THE RESPONSIBILITY FOR PROVING SUCH REPRESENTATIONS. I UNDERSTAND THAT I AM LIABLE FOR ANY FALSE STATEMENTS OR MATERIAL OMISSIONS MADE ON OR IN CONNECTION WITH THIS DOCUMENT;
- I AGREE TO MAINTAIN AND PRESENT UPON REQUEST, DOCUMENTATION NECESSARY TO SUPPORT THIS CERTIFICATE, AND TO INFORM, IN WRITING, ALL PERSONS TO WHOM THE CERTIFICATE WAS GIVEN OF ANY CHANGES THAT COULD AFFECT THE ACCURACY OR VALIDITY OF THIS CERTIFICATE;
- THE GOODS ORIGINATED IN THE TERRITORY OF ONE OR MORE OF THE PARTIES, AND COMPLY WITH THE ORIGIN REQUIREMENTS SPECIFIED FOR THOSE GOODS IN THE NORTH AMERICAN FREE TRADE AGREEMENT AND UNLESS SPECIFICALLY EXEMPTED IN ARTICLE 411 OR ANNEX 401, THERE HAS BEEN NO FURTHER PRODUCTION OR ANY OTHER OPERATION OUTSIDE THE TERRITORIES OF THE PARTIES; AND
- THIS CERTIFICATE CONSISTS OF PAGES, INCLUDING ALL ATTACHMENTS.

11.	11a. AUTHORIZED SIGNATURE		11b. COMPANY	
	11c. NAME		11d. TITLE	
	11e. DATE	11f. TELEPHONE NUMBERS	(Voice)	(Facsimile)

CBP Form 434 (04/11)

PAPERWORK REDUCTION ACT STATEMENT: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0098. The estimated average time to complete this application is 15 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW., Washington DC 20229.

NORTH AMERICAN FREE TRADE AGREEMENT CERTIFICATE OF ORIGIN INSTRUCTIONS

For purposes of obtaining preferential tariff treatment, this document must be completed legibly and in full by the exporter and be in the possession of the importer at the time the declaration is made. This document may also be completed voluntarily by the producer for use by the exporter. Please print or type:

- FIELD 1: State the full legal name, address (including country) and legal tax identification number of the exporter. Legal taxation number is: in Canada, employer number or importer/exporter number assigned by Revenue Canada; in Mexico, federal taxpayer's registry number (RFC); and in the United States, employer's identification number or Social Security Number.
- FIELD 2: Complete field if the Certificate covers multiple shipments of identical goods as described in Field #5 that are imported into a NAFTA country for a specified period of up to one year (the blanket period). "FROM" is the date upon which Certificate becomes applicable to the good covered by the blanket Certificate (it may be prior to the date of signing this Certificate). "TO" is the date upon which the blanket period expires. The importation of a good for which preferential treatment is claimed based on this Certificate must occur between these dates.
- FIELD 3: State the full legal name, address (including country) and legal tax identification number, as defined in Field #1, of the producer. If more than one producer's good is included on the Certificate, attach a list of additional producers, including the legal name, address (including country) and legal tax identification number, cross-referenced to the good described in Field #5. If you wish this information to be confidential, it is acceptable to state "Available to CBP upon request". If the producer and the exporter are the same, complete field with "SAME". If the producer is unknown, it is acceptable to state "UNKNOWN".
- FIELD 4: State the full legal name, address (including country) and legal tax identification number, as defined in Field #1, of the importer. If the importer is not known, state "UNKNOWN"; if multiple importers, state "VARIOUS".
- FIELD 5: Provide a full description of each good. The description should be sufficient to relate it to the invoice description and to the Harmonized System (H.S.) description of the good. If the Certificate covers a single shipment of a good, include the invoice number as shown on the commercial invoice. If not known, indicate another unique reference number, such as the shipping order number.
- FIELD 6: For each good described in Field #5, identify the H.S. tariff classification to six digits. If the good is subject to a specific rule of origin in Annex 401 that requires eight digits, identify to eight digits, using the H.S. tariff classification of the country into whose territory the good is imported.
- FIELD 7: For each good described in Field #5, state which criterion (A through F) is applicable. The rules of origin are contained in Chapter Four and Annex 401. Additional rules are described in Annex 703.2 (certain agricultural goods), Annex 300-B, Appendix 6 (certain textile goods) and Annex 308.1 (certain automatic data processing goods and their parts). **NOTE: In order to be entitled to preferential tariff treatment, each good must meet at least one of the criteria below.**

Preference Criteria

- A The good is "wholly obtained or produced entirely" in the territory of one or more of the NAFTA countries as referenced in Article 415. **Note: The purchase of a good in the territory does not necessarily render it "wholly obtained or produced".** If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(a) and 415)
- B The good is produced entirely in the territory of one or more of the NAFTA countries and satisfies the specific rule of origin, set out in Annex 401, that applies to its tariff classification. The rule may include a tariff classification change, regional value-content requirement, or a combination thereof. The good must also satisfy all other applicable requirements of Chapter Four. If the good is an agricultural good, see also criterion F and Annex 703.2. (Reference: Article 401(b))
- C The good is produced entirely in the territory of one or more of the NAFTA countries exclusively from originating materials. Under this criterion, one or more of the materials may not fall within the definition of "wholly produced or obtained", as set out in article 415. All materials used in the production of the good must qualify as "originating" by meeting the rules of Article 401(a) through (d). If the good is an agricultural good, see also criterion F and Annex 703.2. Reference: Article 401(c).
- D Goods are produced in the territory of one or more of the NAFTA countries but do not meet the applicable rule of origin, set out in Annex 401, because certain non-originating materials do not undergo the required change in tariff classification. The goods do nonetheless meet the regional value-content requirement specified in Article 401(d). This criterion is limited to the following two circumstances:
1. The good was imported into the territory of a NAFTA country in an unassembled or disassembled form but was classified as an assembled good, pursuant to H.S. General Rule of Interpretation 2(a), or
 2. The good incorporated one or more non-originating materials, provided for as parts under the H.S., which could not undergo a change in tariff classification because the heading provided for both the good and its parts and was not further subdivided into subheadings, or the subheading provided for both the good and its parts and was not further subdivided.
- NOTE: This criterion does not apply to Chapters 61 through 63 of H.S. (Reference: Article 401(d))**
- E Certain automatic data processing goods and their parts, specified in Annex 308.1, that do not originate in the territory are considered originating upon importation into the territory of a NAFTA country from the territory of another NAFTA country when the most-favored-nation tariff rate of the good conforms to the rate established in Annex 308.1 and is common to all NAFTA countries. (Reference: Annex 308.1)
- F The good is an originating agricultural good under preference criterion A, B, or C above and is not subject to a quantitative restriction in the importing NAFTA country because it is a "qualifying good" as defined in Annex 703.2, Section A or B (please specify). A good listed in Appendix 703.2B.7 is also exempt from quantitative restrictions and is eligible for NAFTA preferential tariff treatment if it meets the definition of "qualifying good" in Section A of Annex 703.2. **NOTE 1: This criterion does not apply to goods that wholly originate in Canada or the United States and are imported into either country. NOTE 2: A tariff rate quota is not a quantitative restriction.**
- FIELD 8: For each good described in Field #5, state "YES" if you are the producer of the good. If you are not the producer of the good, state "NO" followed by (1), (2), or (3), depending on whether this certificate was based upon: (1) your knowledge of whether the good qualifies as an originating good; (2) your reliance on the producer's written representation (other than a Certificate of Origin) that the good qualifies as an originating good; or (3) a completed and signed Certificate for the good, voluntarily provided to the exporter by the producer.
- FIELD 9: For each good described in field #5, where the good is subject to a regional value content (RVC) requirement, indicate "NC" if the RVC is calculated according to the net cost method; otherwise, indicate "NO". If the RVC is calculated over a period of time, further identify the beginning and ending dates (MM/DD/YYYY) of that period. (Reference: Article 402.1, 402.5).
- FIELD 10: Identify the name of the country ("MX" or "US" for agricultural and textile goods exported to Canada; "US" or "CA" for all goods exported to Mexico; or "CA" or "MX" for all goods exported to the United States) to which the preferential rate of CBP duty applies, as set out in Annex 302.2, in accordance with the Marking Rules or in each party's schedule of tariff elimination.
- For all other originating goods exported to Canada, indicate appropriately "MX" or "US" if the goods originate in that NAFTA country, within the meaning of the NAFTA Rules of Origin Regulations, and any subsequent processing in the other NAFTA country does not increase the transaction value of the goods by more than seven percent; otherwise indicate "JNT" for joint production. (Reference: Annex 302.2)
- FIELD 11: This field must be completed, signed, and dated by the exporter. When the Certificate is completed by the producer for use by the exporter, it must be completed, signed, and dated by the producer. The date must be the date the Certificate was completed and signed.

CBP Form 434 (04/11)

