

# Defective NAFTA Certificates Are No Joke

by Michelle Kelley - Thursday, November 20, 2014



There are many reasons a NAFTA certificate of origin can be deemed defective or invalid according to U.S. Customs & Border Protection (CBP). Is your company guilty of any of these?

## Preference Criterion (7) is blank or incorrect.

This field shouldn't be blank nor should it be completed by someone guessing at the correct answer. Once you receive the certificate, you should confirm that this field is completed with the correct criterion. If you aren't sure what that is, hold off on claiming NAFTA until you have confirmed with the exporter that they qualified the originating goods under the correct criterion and have the substantive

<p>6. HS TARIFF CLASSIFICATION NUMBER</p>	<p>7. PREFERENCE CRITERION</p>
<p>8414.59</p>	<p><b>BLANK = BAD</b></p>

documentation to back it up.

**Authorized Signature (11a) is typed or stamped, rather than handwritten.**

This field must contain the handwritten signature of an authorized party from the exporting company. If it isn't signed, your certificate is defective. Do not submit a NAFTA claim unless this block has the proper person's handwritten signature.

<b>11a. AUTHORIZED SIGNATURE</b> <b>Robert Cranston</b> ← <i>Not a signature</i>
<b>11c. NAME</b> <b>Robert Cranston</b>

**Date in Authorized Signature block (11c) occurs after, rather than before, the date of the NAFTA claim.**

The U.S. importer must be in possession of the NAFTA certificate of origin at the time NAFTA is claimed. If your certificate shows a date after the date of your claim, then you have a defective certificate. The individual or blanket certificate should always be requested from the exporter and retained with your

<b>11e. DATE</b> <b>11/17/14</b>	← <i>Is it prior to the claim date? It should be.</i>
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entry records.

These are just some of the reasons cited by CBP in a recent reminder notice to the industry. [Read the rest of them here.](#) To avoid paying back duties and possible penalties and fines, U.S. importers will want to step up their due diligence in confirming these details on NAFTA certificates of origin.



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