

May 26, 2016

U.S. Customs and Border Protection
Tracey Denning
Regulations and Rulings, Office of Trade
90 K Street NE., 10th Floor
Washington, DC 20229-1177

RE: Comment CF434 *Title*: NAFTA Regulations and Certificate of Origin

(c) ways to enhance the quality, utility, and clarity of the information to be collected;

Over the years I have been in many discussions with users in the Trade, especially new users, regarding the issuance of the CF434 by the Producer.

The instruction for field one clearly states that this is to be the exporters name, address and tax ID; however, it can be misunderstood in field 11a that a Producer may then sign on behalf of the exporter *so the exporter may use that producer signed document for his(the exporters) export shipment*. Instruction for field 11a states “when the certificate is completed by the producer for use by the exporter”, which I have seen to be misinterpreted many times.

When this form is being completed by the Producer for “backup” use by the exporter the form needs to be clearer that field one then represents the “buyer” and field 3 the “seller” in the transaction.

There needs to be an instruction that makes it clear when this document is completed by the producer for use by the exporter it means that this represents a transaction and not an export: that the form is then backup for the exporter’s subsequent certification of his own CF434 for the actual export shipment.

Perhaps the field 11 instruction could state:

“This field.....If the Certificate is completed by the producer for use by the exporter as evidence that the goods qualify for NAFTA, it must be completed, signed, and dated by the producer and used by the exporter for record keeping purposes only. The date...”

Field 1 and Field 4 Instructions should also state that when the form is completed is completed by the Producer these field represent the “buyer (field 1)” and the “seller (field 3)”.



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