

Chart of changes to the *Introduction to Customs Administration and Procedures*, Second Edition text

Chapter page identification	Change to
Chapter 1, page 2, CBSA	Agency is now comprised of 9 branches not 7
Chapter 1, page 3 Org Chart	Related to change on Page 2, visual org
Chapter 2, page 33 Highway ACI	CBSA has removed maximum submission time of 90 days from website.
Chapter 2, page 37 Courier shpt	Value has increased to \$3300
Chapter 2, page 39 CIRO –one sentence to be updated.	CIRO has special US/ MX limit
Chapter 5, page 81 Table	MT is now MXT
Chapter 5, page 84 & 85 Example	Cites NAFTA Tariff Specific Rule. Small change to 3 rd and name.
Chapter 5, page 86 De Minimis	Name change NAFTA to CUSMA
Chapter 5, page 89 US Tariff	Replaced agreement.
Chapter 5, page 90	Name change NAFTA to CUSMA
Chapter 5, page 90 Criterion E&F	No longer exists under CUSMA. Proof of Origin changed
Chapter 5, page 96 & 97 Fig 5.4	NAFTA cert no longer valid. CUSMA is not a 2 page certification.

Chapter 5, page 98 & 99 Short answer	Name change, redo criterion exercise
Chapter 6, page 103 Did you know	Order repealed in 2020
Chapter 6, page 105, NAFTA Cert	No longer valid
Chapter 6, page 106, Fig 6.2	No longer valid relates above item
Chapter 6, page 109, GAC	CUSMA is now enforce (sentence refers to replacing NAFTA)
Chapter 6, page 114 & 115, NAFTA Cert	NAFTA cert no longer valid. Problem – CUSMA is not a 2 page certification.
Chapter 6, Page 116 & 117 short answer	Questions 4, 7 & 8 are invalid now.
Chapter 7, page 123 Under release options	Not required in Intro level book. No change needed.
Chapter 7. page 131 Field 7, 8	Values increased
Chapter 7, page 133 Field 15	Values increased
Chapter 7, page 134 Field 19	Values increased
Chapter 7, page 135 Field 23	Values increased
Chapter 8, page 158 Form E29B	Name change to CUSMA
Chapter 8, page 165 Prohibited goods	CUSMA added prison labour

Chapter 9, page 183 Table 9.1	Cusma extends time limits for filing B2s.
Chapter 9, page 185, 186, 187	Case study refund for NAFTA.
Chapter 9, page 188 & 189	Questions 6 & 11 involving NAFTA and refunds.
Chapter 10, page 193 CAED and B13A	No longer valid
Chapter 10, page 201	Change of name
Chapter 10, page 202, 203, 204 Fig 10.1	Form no longer exists.
Chapter 10, page 206	Several questions need updates

The following pages show in detail the changes listed in the chart above:

Chapter 1, page 2 and 3

CBSA has nine branches and each is led by a vice-president who reports directly to the president and executive vice-president (see Figure 1.1).

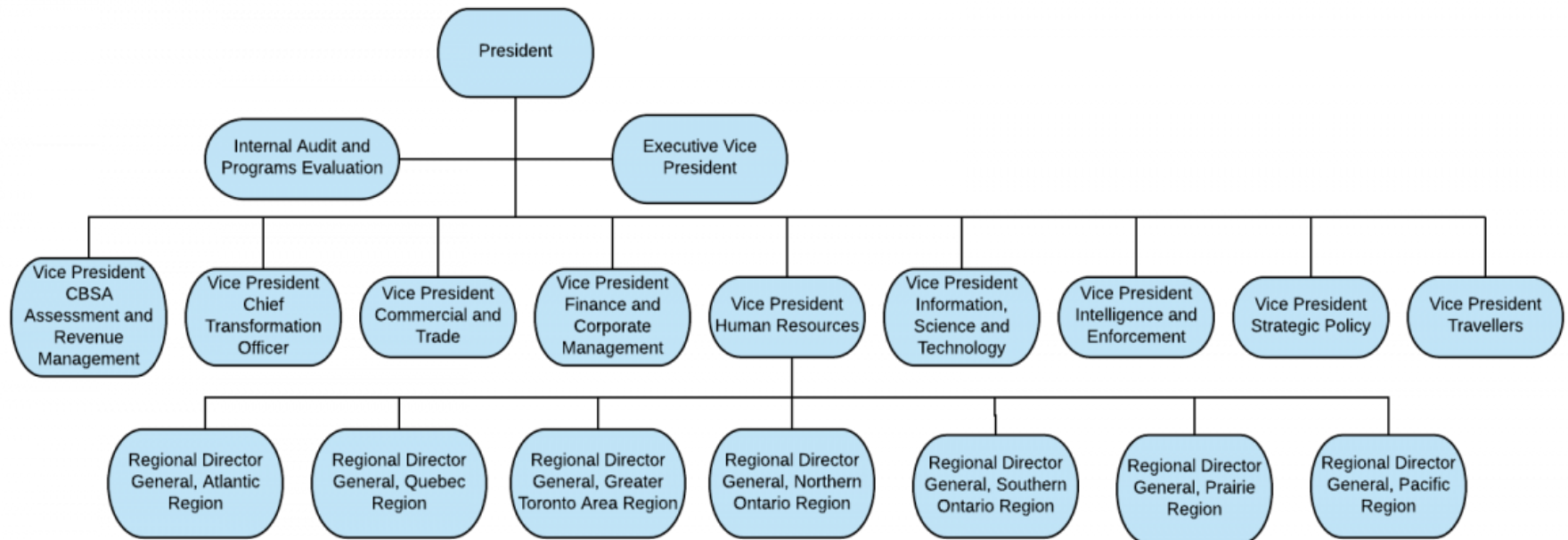


Figure 1.1 CBSA Organizational Structure

Chapter 2, page 33, re. Highway ACI

Data for both the cargo and conveyance must be transmitted and received by CBSA no later than one hour before arrival at the First Point of Arrival (FPOA).

Chapter 2, page 37, re. Courier Shipments

This program is used for goods that have a value for duty of less than Cdn \$3300.00 and are not prohibited, controlled, or regulated.

Page 37 Side definition: Courier Low Value Shipment (CLVS) program:

A program that streamlines the process to import goods valued at less than Cdn \$3300.00 and allows courier participants an expedited release process.

Chapter 2, page 39, re. Courier Import Remission Order

In order to qualify under this remission order, goods that are shipped from the US or Mexico must not exceed the current valuation limit of Cdn \$40.00. Goods that are shipped from anywhere else in the world must not exceed the current valuation limit of Cdn \$20.00.

Tariff Treatment/Agreement.

Abbreviation

**Chapter 5, page 81, Table
5.1**

	Tariff Treatment Code
Most Favoured Nation (MFN)	2
Australia (AUT)	4
New Zealand (NZT)	5
Commonwealth Caribbean Countries (CCCT)	7
Least Developed Country (LDCT)	8
General Preferential (GPT)	9
United States (UST)	10
Mexico (MXT)	11
Canada-Israel (CIAT)	13

Canada-Chile (CT)	14
Canada-Costa Rica (CRT)	21
Iceland (IT)	22
Norway (NT)	23
Switzerland-Liechtenstein (SLT)	24
Canada-Peru (PT)	25
Canada Colombia (COLT)	26
Canada-Jordan (CJ)	27
Canada-Panama (PAT)	28
Canada-Honduras (HNT)	29
Canada-Korea (KRT)	30
Canada-European Union (CEUT)	31
Canada-Ukraine (CUFTA)	32
Comprehensive and Progressive Trans-Pacific Partnership (CPTPP)	33

Chapter 5, page 84 Example

Let's say you are trying to determine if a shipment of pig iron in blocks is an originating good under CUSMA.

Chapter 5, page 85 Example continued, under Figure 5.3 line 3 should say:

7202.70 A change to subheading 7202.70 from any other chapter, except from subheading 2613.10.

The first sentence has a footnote to NAFTA Rules of Origin Regulations. This should be replaced by the new regulation: CUSMA Rules of Origin Regulations, SOR/2020-155

Under that figure, middle of the dialogue is a reference to NAFTA and should be replaced with:and the good will be considered as originating under CUSMA.

Chapter 5, page 86 De Minimis Rule

In most cases under CUSMA, the *de minimis* allowed is 10 percent which means that in order to originate, the value of the ferro-nickel would have to be Cdn \$1000.00 or less.

Chapter 5, page 89 US Tariff Treatment, Mexico Tariff Treatment and Mexico –US Free Tariff Treatment

1. Change title to: US Tariff Treatment and Mexico Tariff Treatment.
2. CUSMA is an agreement among Canada, the US, and Mexico that replaced the North American Free Trade Agreement (NAFTA) on July 1st, 2020. Although Mexico is included in CUSMA, the US is Canada's largest trading partner, and this trade agreement affects the duty rate of many goods traded between the three countries.

Chapter 5. page 90 Criterion A, Criterion C, Criterion D

Criterion A has two sentences that should say:

Criterion A indicates that the good is “wholly obtained or produced entirely” in the territory of one or more of the CUSMA countries.

Simply purchasing the good in one the of the CUSMA countries does not satisfy criterion A or any other criterion.

Criterion C has one sentence that should say:

In order to qualify under criterion C, the goods must be produced entirely in the territory of one or more of the CUSMA countries using only originating materials.

Criterion D has one sentence that should say:

Criterion D is reserved for goods that have been produced in one or more of the CUSMA countries,

Chapter 5, page 91

1. Criterion E and F no longer exist and should be stricken from the text.
2. Proof of Origin – the paragraph needs to be replaced with the following text:

Under CUSMA, proof of origin is not a prescribed format; there is no actual certificate to complete. Instead, CUSMA requires a “certification of origin” which is a set of minimum data requirements. The data set requirements are outlined in Annex 5-A in the Origin Procedures Chapter (Chapter 5) of the CUSMA text. (see Figure 5.4).

The certification of origin may be placed on any document, and be completed by the producer, exporter, or importer. It may be completed in English, French or Spanish. If presented to CBSA in Spanish they may request translation.

Chapter 5, Figure 5.4 page 96, 97 New Annex 5-A Minimum Data Sets – CUSMA Certification of Origin

ANNEX 5-A MINIMUM DATA ELEMENTS - CUSMA Certification of Origin

A certification of origin that is the basis for a claim for preferential tariff treatment under this Agreement shall include the following elements:

1. Importer, Exporter, or Producer Certification of Origin

Indicate whether the certifier is the exporter, producer, or importer in accordance with Article 5.2 (Claims for Preferential Tariff Treatment).

2. Certifier

Provide the certifier’s name, title, address (including country), telephone number, and e- mail address.

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 or, if there are multiple producers, state "Various" or provide a list of 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 a Party's territory.

6. Description and HS Tariff Classification of the Good

(a) Provide a description of the good and the HS tariff classification of the good to the 6-digit level. The description should be sufficient to relate it to the good covered by the certification; and

(b) If the certification of origin covers a single shipment of a good, indicate, if known, the invoice number related to the exportation.

7. Origin Criteria

Specify the origin criteria under which the good qualifies, as set out in Article 4.2 (Originating Goods).

8. Blanket Period

Include the period if the certification covers multiple shipments of identical goods for a specified period of up to 12 months as set out in Article 5.2 (Claims for Preferential Tariff Treatment).

9. Authorized Signature and Date

The certification must be signed and dated by the certifier and accompanied by the following statement:

I 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 upon request or to make available during a visit, documentation necessary to support this certification.

Figure 5.4 Annex 5-A Minimum Data Set – CUSMA Certification of Origin. Accessed on December 16th, 2020
<https://www.international.gc.ca/trade-commerce/assets/pdfs/agreements-accords/cusma-aceum/r-cusma-05.pdf>

Chapter 5, Page 98 Short Answers

Question 2. Which three countries benefit from CUSMA? (replace NAFTA with CUSMA)

Question 12 should be removed entirely.

Question 14 should be corrected as follows:

14. Goods must qualify under one of four origin criteria in order to qualify for a CUSMA rate of duty. Match each origin criterion in the table below with its description.

Strike out Criterion E and Criterion F

Description table Requires renumbering after changes:

Description 1 - Goods must be produced entirely in the territory of one or more of the CUSMA countries....

Strike out description 2 and description 3

Description 4- Indicates that the good is “wholly obtained or produced entirely” in the territory of one or more of the CUSMA countries.

Description 5- Reserved for goods that have been produced in one or more of the CUSMA countries..

Chapter 6, page 103 -Did you know?

Sugar-containing products being exported to the United States are a quota item. That means only a certain amount of product may be exported within a calendar year!

Chapter 6, page 105 - North American Free Trade Agreement Certificate of Origin

Replace with: Canada United States Mexico Agreement (CUSMA)

In order for an importer to take advantage of the lower duty rates under CUSMA, a Certification of Origin is required. The Certification of Origin is required for goods valued at Cdn \$3,300.00 and over. Goods valued below this amount must still originate under the terms of the agreement, but there is no requirement for a written statement of certification to be provided.

The CUSMA rate of duty apply to eligible goods from Canada, Mexico and the United States (US). For goods entering Canada, the applicable tariff treatments are:

- UST-US tariff treatment, used for goods originating in the United States; and
- MXT- Mexico tariff treatment, used for goods originating in Mexico.

If a CUSMA Certification of Origin is not available, another tariff treatment must be used, usually Most Favoured Nation. The certification does not have to be presented when goods are released; however, it must be made available to the CBSA upon request and must be in the possession of the importer at the time the goods are released.

A CUSMA Certification of Origin may apply to one particular shipment or it may be valid for a period of one year. A one-year certification of origin or “blanket” certification must ensure that the goods are described in sufficient detail, that it is readily apparent that goods covered by the blanket are the same as goods being shipped through out the year.

The producer, exporter or importer of the goods may produce a CUSMA Certification of Origin.

Chapter 6 Global Affairs Canada

Second paragraph of page 109 should say:

GAC is responsible for negotiating Canada’s trade agreement – for example, CUSMA, the Canada- Israel Free Trade Agreement, and the Chile Free Trade Agreement.

Chapter 6 Figure 6.4

Page 114 & 115 should be removed

Chapter 6 page 116 Review Questions

Question 4 should read :

3. A Canada US Mexico (CUSMA) Certification of Origin must be provided to CBSA at the time a release request is made. True or False?

Question 7 response (d) should read

d. CUSMA Verification of Origin Questionnaire

Question 8 is a new question.

A CUSMA Certification of Origin is required for goods valued at _____.

- a. \$1,200.00
- b. \$1,600.00
- c. \$2,500.00
- d. \$3,300.00
- e. \$5,000.00

Chapter 7 page 131

Field 7: Mode of Transport should read:

This field is only completed when the value of the shipment is greater than Cdn \$3300.00 and exported from the US.

Field 8: Port of Unlading should read:

This field must be completed for all marine shipments when the value of the shipment is greater than Cdn \$3,300.00 and the

Chapter 7 page 133

Field 15 should read:

Field 15: US Port of Exit

A four-digit codes is used if the shipment has a value greater than Cdn \$3,300.00 and is

Chapter 7 page 134

Field 19 should read:

Field 19: Freight

If the goods are valued at more than \$3,300.00 and they have been ...

Chapter 7 page 135

Field 23 should read:

Field 23: Weight in Kilograms

Rounded to the nearest kilogram, this field must be completed for shipments exported from the US by air or water and with a value greater than Cdn \$3,300.00.

Chapter 8 page 158

Form E29B, paragraph 3 should read:

Security is also not required to be posted for goods that qualify under CUSMA, CCFTA or CCRTA.

Chapter 8 page 165,

Prohibited Goods should read:

Prohibited goods are listed in tariff items 9897.00.00, 9898.00.00, and 9899.00.00, and include members of an engendered species; goods that are mined, manufactured or produced wholly or in part by forced labour; used mattresses;

Chapter 9 page 183 Table 9.1

The table has two updates.

Reason for B2	Legislative Authority	Time Frame
To correct the declaration of origin when a preferential tariff treatment under a free trade agreement was incorrectly applied and the result is either "revenue neutral" or an amount owing.	Section 32.2(1) of the <i>Customs Act</i>	In order to avoid a penalty, a correction must be made within 90 days of having reason to believe that the declaration or origin on the accounting document is incorrect. However, under 32.2(4), an obligation to correct remains until four years from the accounting date.
To correct the declaration of origin (except in the situation named above), the value, the tariff classification of goods and the result is either "revenue neutral" or an amount owing.	Section 32.2(2) of the <i>Customs Act</i>	In order to avoid a penalty, a correction must be made within 90 days of having reason to believe that the declaration of origin on the accounting document is incorrect. However, under 32.2(4), an obligation to correct remains until four years from the accounting date.
To request a refund of duty paid on goods that have suffered damage, deterioration, or destruction at any time from the time of shipment to Canada to the time of their release.	Section 74(1)(a) of the <i>Customs Act</i>	Four years after the date of accounting.

To request a refund of duty paid on goods when it is found that the quantity of goods released is less than the quantity on which duty was paid.	Section 74(1)(b) of the <i>Customs Act</i>	Four years after the date of accounting.
To request a refund of duty paid on goods that are of an inferior quality to those upon which duties were paid.	Section 74(1)(c) of the <i>Customs Act</i>	Four years after the date of accounting.
To request a refund of duty paid on goods that originate CCFTA but the CCFTA tariff treatment was not used at time of accounting.	Section 74(1)(c.1) of the <i>Customs Act</i>	Four years after the date of accounting.
To request a refund of duty paid on originating goods included in a free trade agreement other than CCFTA and a preferential tariff treatment was not used at the time of accounting.	Section 74(1)(c.11) of the <i>Customs Act</i>	Four years after the date of accounting.
To request a refund of duty paid on goods when the calculation of duties owing was based on a clerical, typographical, or similar error.	Section 74(1)(d) of the <i>Customs Act</i>	Four years after the date of accounting.
To request a refund of duty paid or overpaid as a result of an error in the (deemed) determination under subsection 58(2) of origin [other than in the circumstances described in paragraph (c.1) or (c.11)], tariff classification, or value for duty in respect of the goods and the determination has not been the subject of a decision under any of Sections 59 to 61.	Section 74(1)(e) of the <i>Customs Act</i>	Four years after the date of accounting.
To request a refund of duty paid on goods, or other goods into which they have been incorporated, or are sold or otherwise disposed of to a person, or used in compliance with a condition imposed under a tariff item in the List of Tariff Provisions set out in the schedule to the <i>Customs Tariff</i> , or under any regulations made under that Act in respect of a tariff item in that list, before any other use is made of the goods in Canada. This means that the goods were eligible for entry under of the tariff codes in	Section 74(1)(f) of the <i>Customs Act</i>	Four years after the date of accounting.

Chapter 99 of the <i>Customs Tariff</i> or sold to an eligible end-user.		
To request a refund of duty overpaid on goods or paid in error for any reason that may be prescribed by the Minister. This includes retroactive orders or duty removal under the <i>Customs Tariff</i> .	Section 74(1)(g) of the <i>Customs Act</i>	Four years after the date of accounting.
To request a refund of duty paid or overpaid on goods found to be defective, inferior in quality or not the goods ordered AND the goods have been disposed of or exported from Canada. The fact that the goods must be exported or destroyed is what makes Paragraph 76(1) different from refund claims filed under Paragraph 74.	Section 76(1) of the <i>Customs Act</i>	Four years after the date of accounting.

Table 9.1 Using Form B2

Chapter 9 page 185

The last paragraph should read:

It is based on the Canada Customs Invoice from Chapter 2, the corresponding Form B3 entry from Chapter 7, and assumes that the importer is now in possession of a CUSMA Certification of Origin.

There is no reference to Figure 9.2 but should have one I think?

Chapter 9 page 186, You decide

The last sentence before the form should say:

The ski jackets do not originate under CUSMA.

Chapter 9 page 187

Figure 9.2 Form B2 Canada customs Adjustment Request sent as PDF attachment.

Note: Page 186 and page 187 should be flipped, You Decide is an exercise to test knowledge, page 187 is an example – should show example before testing.

Chapter 9 Page 188

Review Question 6 should say:

6. If goods are entitled to a Canada Chile (CCFT) tariff treatment and this tariff.....

Chapter 9 page 189

Review Question 11 should say:

11. If a CUSMA tariff treatment is used

Chapter 10 page 192

Exporting Goods last paragraph should say:

They are three ways an exporter or their agent can submit and report an export declaration to CBSA:

1. Canadian Export Reporting System;
2. G7 Electronic Data Interchange (EDI);
3. Summary Reporting.

Chapter 10 page 193

The Canadian Automated Export Declaration should say:

Canadian Export Reporting System

Canadian Export Reporting System (CERS) is a web-based solution that allows exporters or their agents to report exports electronically from any location that has internet access. CERS does require registration before declarations are made; this allows CERS to provide an enhanced verification of key data such as the Business Number and for identification of a businesses customs service provider (if used). When using CERS, goods must be classified according to the 8-digit HS Export Classification code. The Canadian Export Classification is based on the Harmonized Commodity Description and Coding System; however, it is not an exact match in all cases. Export classification codes can be found within the CERS look up tool. The 8-digit HS export code is based on six international digits, with two additional digits that have been added to collect export statistical information for domestic purposes.

CERS is the responsibility of CBSA; however, statistical information is shared with Statistics Canada.

Page 193 Form B13A

The Export Declaration is to be deleted.

Note: The definition of export reporting office should be relocated to Page 192 or Page 194 under Where to Report Exports.

Page 201

Under Export Documentation (which starts on page 199):

The last sentence (before the new heading of US Customs Procedures) should say:

A CUSMA Certification of origin is required for qualifying goods.

Page 202 & 203

Figure 10.1 Form 13A Export Declaration – Delete. The paper forms are no longer valid or allowed for use. There is no replacement.

Page 206 Review Questions

Multiple Choice question 3 must be replaced as there are no longer sufficient options for a multiple choice question.

Suggestion: Replace with a True/False question

The Canada Export Report System (CERS) can accept G7 EDI reports. True or false?

Page 206 Short Answer Questions

Question 1 should read:

1. List the three ways in which an export report can be filled.

Page 211

Two definitions require edits:

Courier Imports Remission Order should say:

...goods must not exceed Cdn \$40.00 in value when shipped from the US or Mexico, or Cdn \$20.00 in value when shipped from the rest of the world.

Courier Low Value Shipment should say:

...Cdn \$3,300.00 and allows a courier...