

Special Documents Used in Exporting

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## **Special Documents**

Documents not falling under the category of "commonly-used" (e.g., commercial invoice, bill of lading, packing list) are covered here. The country of import may require special documents for a variety of reasons. Certain products may require certificates to show cleanliness, compliance with standards, safety, and health. Other products may require pre-shipment inspections before departing the country of export or be qualified for a free trade agreements tariff rate. Asking the foreign buyer at the beginning of the transaction which documents will be needed for goods to clear customs in the country of import is a best practice.

## **Certificates of Origin**

Certificates of origin (COO) may be required to comply with the requirements of foreign customs (i.e., country of importation), for letters of credit, or simply at the request of the buyer. There are two types of COOs: One type is known as "generic" or "non-preferential," which means that the country of origin of the goods stated on the document does not qualify the goods for any preferential treatment with the country on the receiving end. A second type of certificate may be required to obtain a free trade agreement (FTA) preferential tariff rate.

## **Generic Certificates of Origin**

A generic COO is one of the most commonly requested documents. Here is what you need to know when to use, how to certify, and where to obtain such a COO to help make for a smooth export transaction:

- A generic COO needs to be certified by an outside entity such as a local Chamber of Commerce. This does not apply to FTA certification (the documents need to be self-Certified).
- The COO may be required by some countries for all or only certain products. In many cases, a statement of origin printed on company letterhead will suffice. The exporter should verify whether a COO is required with the buyer and/or an experienced shipper/customs broker/freight forwarder.
- For textile products, an importing country may require a certificate of origin issued by the manufacturer.
- The number of required copies and language may vary from country to country.

Note: Some countries may require that a COO be notarized, certified by a chamber of commerce, and legalized by the commercial section of the consulate of the destination country. For Middle Eastern countries, the <u>National U.S.-Arab Chamber of Commerce</u> provides notarization and certification services.

#### Where to Obtain a Generic Certificate of Origin

- Generic COOs (for goods that don't qualify for free trade agreements) may be obtained a commercial vendor, broker or freight forwarder.
- An electronic version of a generic COO may be obtained from the a customs broker or a freight forwarders or eCertify) for U.S. origin or non-U.S. origin products. For the latter, an additional proof of

- origin may be required.?
- The eCOOs can save time and money, bypassing the delay and expense of employing messengers to obtain certification. USICB certificates can be printed from any computer.

## **FTA Certification of Origin**

Other COOs may be required to obtain FTA preferential tariff rates. These certify that goods listed on the document are eligible for either duty-free or reduced tariffs because the country of importation extends these privileges to the country of origin. FTA certificates or declarations should only be issued if a good qualifies for the FTA. Not all FTA agreements require specific forms. Most FTA partners can accept declarative statements that contain specific data elements including information stating how the product qualifies for an FTA. However, importers may still ask exporters to use a specific format. While the form/format is optional, the information is required for the importer to make a claim of preferential customs treatment. Always communicate with your buyer and shipper/freight forwarder on the needed documentation. Detailed FTA certification requirements for claims of preferential tariff treatment under the FTA are usually found in its rules of origin (ROO) chapter. There are three ways to locate the specific ROO chapter for a particular FTA partner, read the section on Where to Find Your Rules of Origin in the FTA Rules of Origin article.

A sample Certificate of Origin template may be accessed via the CBP website. Note, you will need to download the file to your computer and then open the file using "Adobe Acrobat."

Any party to the export transaction may ask for FTA certification/declaration of origin. For example, a U.S. producer may be asked for a certificate by an exporter (if the exporter is not the producer), a distributor, an importer, or Customs authorities. For more information on certification, read an article on <a href="FTA certificates of origin">FTA certificates of origin</a>.

## Certification for USMCA (US-Mexico-Canada Agreement) shipments

The importer may make a claim for preferential tariff treatment based on a certification of origin completed by the importer, exporter, or producer for the purpose of certifying that a good qualifies as an originating good. Certification of origin can be completed and submitted electronically with an electronic or digital signature and may cover a single importation or multiple importations of identical goods within a maximum 12-month period. The importer is responsible for exercising reasonable care concerning the accuracy of all documentation submitted to CBP.

The nine elements required at a minimum to claim origin under USMCA are:

- Importer, Exporter or Producer (indicate which is the certifier)
- Name and Address of Certifier
- Name and Address of Exporter
- Name and Address of Producer
- Name and Address of Importer (if known)
- Description and Harmonized System Tariff Classification of the good to the 6-digit level (For more information on this subject, visit our Understanding HS Codes page)
- Specific Criteria under which the good meets USMCA originating requirements
- Blanket Period (certification is valid up to 12 months in the case of multiple shipments of identical goods)
- Authorized Signature and Date

## **Note: Proof of Origin Requirements Waiver**

For shipments to Canada not exceeding \$3,300, the requirement for proof of origin is waived. The requirement on the importer to maintain records (for example, commercial invoice and B3 applies even if the CBSA does not require a certification of origin or if a requirement for a certification of origin has been waived. For more information, refer to Customs Notice 20-15: Increase to the Low-Value Shipment (LVS) Threshold and Simplification to the Proof of Origin Requirements for Goods Imported into Canada.

## **B3** - Canada Customs Coding Form

Also known as the B3-3 or Canada Customs Coding Form, this standard accounting form is used by the Canada Border Services Agency (CBSA) to process commercial goods being imported into Canada. The B3 contains information that helps the CBSA release the shipment, such as the HS code, duties and taxes, and the country of origin of the goods. The B3 is a PDF form with 51 fields, many of which require special codes. Other documentation that may accompany the B3 includes a manifest, certificate of origin, and permits.

## **Canada Customs Invoice**

A <u>Canada Customs Invoice</u> (CCI) is required for commercial shipments to Canada valued at more than \$2,500 CAD that are subject to duties and sales taxes and are not classified under HTUSA Chapter 9810. The CCI is a special invoice that includes more information than a standard commercial invoice and can be prepared by the exporter, importer, or agent. The CCI must be in English or French and can be handwritten, typed, or computer-prepared. Two copies of the CCI are needed, with one attached to the shipment at customs and the other used by the exporter to collect payment from the buyer.

## Mexico Customs Declaration Form for customs clearance - Pedimento de Importación.

Mexico requires import and export documentation including a completed pedimento for all commercial crossings. This document must be accompanied by a commercial invoice (in Spanish), a bill of lading, documents demonstrating guarantee of payment of additional duties for undervalued goods, if applicable, and, if applicable, documents demonstrating compliance with Mexican product safety and performance regulations (see the Standards for Trade section of this guide).

## The Single Administrative Document (SAD) - European Union

Single Administrative Document (SAD) is the official model for written declarations to customs. The SAD describes goods and their movement around the world and is essential for trade outside the EU, or of non-EU goods. Goods brought into the EU customs territory are, from the time of their entry, subject to customs supervision until customs formalities are completed. Goods are covered by a Summary Declaration, which is filed once the items have been presented to customs officials. The customs authorities may, however, allow a period for filing the Declaration which cannot be extended beyond the first working day following the day on which the goods are presented to customs.

Find more information on the **SAD**.

# **Economic Operator Registration and Identification (EORI) - European Union**

Economic Operators Registration and Identification Number (EORI number) is an identification number, unique in the customs territory of the European Union, assigned by a customs authority to an economic operator or to another person to register him for customs purposes.

All companies established outside of the EU are required to have an EORI number if they wish to lodge a customs declaration on the customs territory of the EU or an Entry/Exit Summary declaration. All U.S. companies should use this number in relation to EU customs. Along with the application for an EORI number, the following documents must also be submitted:

- 1. the registration document issued by the competent authority of the third country in photocopy
- 2. the VAT registration certificate(s) issued by the Competent Authority in the Member States of the European Union, where applicable
- 3. documents showing the address of the registered office or the current fiscal domicile, where applicable, if it does not correspond to the one entered in the documents mentioned above issued by the responsible authorities within the Trade registry or by the Chambers of Commerce from the European Union or from the third country, in original form or a legalized copy, no later than 6 months before the date of submission of the application
- 4. a photocopy of the valid passport or other travel document in the case of natural persons.

In specific cases, economic operators and other persons who are not established in the customs territory of the European Union shall register with the customs authorities responsible for the place where they first lodge a declaration or apply for a decision.

Once a company has received an EORI number, it can use it to contact EU customs authorities in any of the 28 EU member states. There is no single format for the EORI number. Once an operator holds an EORI number, he can request the Authorized Economic Operator (AEO) status, which can give quicker access to certain simplified customs procedures.

## **Export Documentation for Shipments of Specific Goods**

Additional certificates for import clearance in foreign countries are based on the products and various reasons for certification or compliance. Again, ask your importer and verify with another dependable source, such as your freight forwarder or customs broker. Keep in mind that the categories and products in the below listings overlap, and your product may require documentation from more than one category.

## Certificates for Food, Drugs, Cosmetics, and Medical Devices

U.S. Food & Drug Administration (FDA) can issue special certificates depending on the product to be exported:

- Certificate of Free Sale for food, including dietary supplements, and cosmetic products that may be legally marketed in the United States.
- Certificate to Foreign Government for export of human drugs and biologics, animal drugs, and devices that can be legally marketed in the United States.
- Certificate of Exportability for conventional foods, food additives, food contact substances, and infant formula products that cannot be legally marketed in the United States but meet certain FDA standards and may be legally exported.
- Certificate for Cosmetics for products that meet the definition of a cosmetic.
- **Health certificate for collagen and gelatin products** intended for export to the European Union (EU) and specified risk materials certificates for collagen and gelatin products intended for export to non-EU

countries.

• Exporting of Medical Devices - may require submission of an export certificate often required by the foreign government or buyer for products regulated by the FDA. This states that the exported device - including radiation emitting electronic products that are medical devices — meets certain specified U.S. requirements. These requirements depend on the marketing status of the device: legally marketed in the U.S. or cannot be legally marketed in the U.S (unapproved for U.S. market). The FDA's <a href="Center for Devices and Radiological Health (CDRH)">Center for Devices and Radiological Health (CDRH)</a> issues export certificates for medical devices. To obtain an export certificate, submit your request to CDRH which will approve of deny the request.

More detailed list of export documents issued by FDA, contacts, how to apply, and FAQs, can be found on FDA's website.

## Other Food-Related (including Chemicals and Pharmaceuticals)

- Ingredients Certificate may be requested for food products with labels that are inadequate or incomplete. The certificate may be issued by the manufacturer. It must give a description of the product, including contents and percentage of each ingredient; chemical data; microbiological standards; storage instructions; shelf life; and date of manufacture. If animal fats are used, the certificate must state the type of fat used, and that the product contains no pork, artificial pork flavor, or pork fat. All foodstuffs are subject to analysis by foreign Ministry of Health laboratories to establish fitness for use.
- Certificate of Analysis attests that goods have undergone a particular type of testing with specified results. A certificate of analysis may be needed by the parties in the transaction or required by the country of importation. This document is usually required for food products, wines and spirits, chemicals and pharmaceuticals. This certificate can be issued by a certification authority or by the exporter if the buyer agrees. Certificates of analysis may be obtained from an accredited laboratory.
- Halal Certificate guarantees products and services aimed for the Muslim population meet requirements of Islamic law, and therefore suitable for consumption in Muslim-majority countries. This certificate states that the fresh or frozen meat or poultry products were slaughtered in accordance with Islamic law, and certification by an appropriate chamber, and legalization by the consulate of the destination country are usually required. Information on the certification process and forms can be found on American Halal Foundation's website.

#### **Dangerous and Hazardous Goods**

- Dangerous Goods Certificate exports classified as dangerous goods submitted for handling by air carriers and air-freight forwarders, need to be accompanied by a Shipper's Declaration for Dangerous Goods; a requirement of the International Air Transport Association (IATA). The exporter is responsible for the form's accuracy, and ensuring that IATA requirements related to packaging, marking, and other information have been met. Note: For shipments of dangerous goods, it is critical to identify goods by proper name and comply with packaging and labeling requirements, which vary depending upon type of product shipped and country of destination. For more information, visit the International Air Transportation Association or Department of Transportation HAZMAT websites. For ocean exports, hazardous material regulations are contained in the International Maritime Dangerous Goods regulations.
- Safety Data Sheet (formerly called MSDS) documents health and safety information about products, substances or chemicals classified as hazardous substances or dangerous goods. SDS is required to follow various country/region regulations, including European Union REACH (Regulation on Registration, Evaluation, Authorization and Restriction of Chemicals Regulation 2006/1907/EC), and CLP (Classification, Labeling and Packing Regulation 2008/1272/EC). SDS also follows the Globally Harmonized System, and Occupational Safety and Health Administration standards. Both SDS and a

Shippers Letter of Instructions are required by the broker or freight forwarder responsible for arranging shipment of the goods. This helps ensure proper safety measures are taken in the handling of goods, and that vessel safety limits are not breached. SDS information also helps determine additional shipping costs associated with sending hazardous materials. Companies such as Intertek, SGS or Veritas can help manufacturers and exporters prepare or update Safety Data Sheets. Manufacturers, importers, distributors, and downstream users are responsible for keeping SDS current, and in compliance with relevant regulations.

- Radiation Certificate may be required in some countries, including Saudi Arabia, for some plant and animal imports. The certificate states that the products are not contaminated by radioactivity.
- Chemicals for shipments of chemical substances or mixtures subject to section 12(b) of the Toxic Substances Control Act (TSCA), exporters need to notify the U.S. Environmental Protection Agency (EPA). EPA, in turn, will provide information about the exported chemical and its related regulatory actions to the importing government. Learn about TSCA exporting requirements.

Note: Exporters of manifested hazardous wastes, spent/used lead-acid batteries, universal wastes and cathode ray tubes for recycling should now be transitioning to an electronic border process using the <u>Automated Export</u> System (AESDirect)..

## **Health and Phytosanitary (Animals and Plants)**

- Export Health Certificates cover shipment of live animals, plants, and animal products such as veterinary biologics as required from the U.S. Department of Agriculture's <a href="Animal and Plant Health">Animal Inspection Service (APHIS)</a>. Each country establishes its own rules for entry of animals from the United States, and some countries require a specific health certificate they have developed. Many requirements may be found on APHIS' International Animal Product Export Regulations website. APHIS works with other federal agencies, including Centers for Disease Control and Prevention, <a href="Customs and Border Protection">Customs and Border Protection</a>, <a href="Fish and Wildlife Service">Fish and Wildlife Service</a>, FDA, and U.S. Department of Agriculture's <a href="Food Safety and Inspection Service">Food Safety and Inspection Service</a> to facilitate the health certification verification process.
- **Phytosanitary certificates** attests to the condition of plants or plant products, and verifies product is free from specified epidemics and/or agricultural diseases. They assist exporters in meeting the plant quarantine requirements of the importing country. Phytosanitary certificates are issued by an authorized certification official (federal, state, or county California county only). <u>APHIS plant protection</u> and quarantine, provides phytosanitary certification of both U.S. and foreign-origin agricultural commodities. Additional information and forms are available from APHIS.
- Protected Plant and Animal Permit <u>USDA</u> regulation 7 CFR 355 requires you possess a valid <u>USDA</u> Protected Plant Permit (PPQ 621 when importing, exporting, or re-exporting terrestrial plants. Check if you need permits for exporting protected animals by visiting the U.S. Fish and Wildlife Service website. The agency also issues permits for the import and export of species protected by the <u>Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES)</u>, and Endangered Species Act.

## **Fishery Products**

• Export Certification of Fishery Products - The National Oceanic & Atmospheric Administration (NOAA) has regulatory and stewardship authority for fisheries, marine sanctuaries, marine mammals, threatened and endangered species, and habitat conservation. Export certification of fishery products is done by several agencies such as U.S. Department of Agriculture's <a href="Animal and Plant Health Inspection Service (APHIS)">Animal and Plant Health Inspection Service (APHIS)</a> or U.S. Food and Drug Administration, depending on the product, by-product and uses. See decision-making chart for guidance on <a href="NOAA's website">NOAA's website</a>.

## **Wood Packaging and Fumigation**

- ISPM 15 (Wood Packaging) Marking.- are International Standards for Phytosanitary Measures Guidelines for Regulating Wood Packaging Material in International Trade. ISPM 15 apply to coniferous and non-coniferous hardwood used as raw wood packaging material. It exempts wood packaging made of manufactured wood-based products such as plywood and veneer, reconstituted wood products; products created using glue, heat and pressure or combination of both. Under ISPM 15, no specific certification is required indicating that wooden packaging has been heat or chemical treated. Instead of certification, a special stamp is applied to the packaging signifying an appropriate treatment occurred. For ISPM 15 requirements and compliance information, visit the American Lumber Standard Committee (http://www.alsc.org/contacts\_WPMlist\_mod.htm), and National Wooden Pallet and Container Association websites.
- Fumigation Certificate certifies that any wooden-packing materials (e.g., pallets, crates) OR an entire cargo has been fumigated. If it applies to cargo (e.g. used textiles), then the certificate serves as proof that the cargo shipping out of the U.S. has been fumigated or sterilized. It contains details of applied type of treatment. A certified fumigator needs to complete the fumigation certification of cargo exported from the USA prior cargo delivery to an ocean freight carrier's terminal (Container Freight Station). The certificate may also be required for quarantine clearance of any goods of plant or animal origin. Information on treatment of wood, requirements for plant exports, animal exports, certifications and fees can be found on U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS).

## Pre-Shipment Inspections, Insurance and Weight

- **Pre-Shipment Inspections** are undertaken by governments in a number of countries, which have have contracted with international inspection companies to verify the quantity, quality, and price of shipments imported into their countries. They want to ensure that the price charged by the exporter reflects the true value of the goods, to prevent substandard goods from entering the country, and to deflect attempts to avoid payment of customs duties. Requirements for pre-shipment inspection are normally spelled out in letter-of-credit or other documentary requirements. Inspection companies include <u>Bureau Veritas</u>, <u>SGS</u> and <u>Intertek</u>. Although the importer is generally responsible for arranging pre-shipment inspection, the exporter must make the good available for inspection in the country of origin. Requirements for pre-shipment inspections are sometimes spelled out in letters of credit or other documents.
- Insurance Certificate assures the consignee that insurance will cover loss and/or damage to the cargo during transit. These can be obtained from your freight forwarder or insurance carrier. Note: an airway bill can serve as an insurance certificate for a shipment by air. Some countries may require certification or notification. Also, If presenting documents under a letter of credit, you can present an insurance policy instead of an insurance certificate. But you cannot present an insurance certificate instead of an insurance policy under a letter of credit.
- Weight Certificate or a <u>certificate of weight</u>, is issued by U.S. Customs and certifies gross weight of the exported goods, .
- Other (Product-Specific) Certificates applies to shaving brushes and articles made of raw hair must be
  accompanied by a recognized official certificate showing the consignment to be free from anthrax germs.
  Used clothing requires a disinfection certificate. Grain requires a fumigation certificate, and grain and
  seeds require a certificate of weight. Many Middle Eastern countries require special certificates for
  imports of animal fodder additives, livestock, pets and horses.

## **Other Export-Related Documents**

- Consular Invoice are required in some countries. A consular invoice describes the shipment of goods, and shows information such as the consignor, consignee, and value of the shipment. If required, copies are available from the <u>destination country's embassy or consulate in the United States</u>. The cost for this documentation can be significant, and should be discussed with the buyer.
- Canada Customs Invoice is not required by regulation, but this customs invoice is a preferred document by Canadian Customs and customs brokers. It is issued for dutiable and taxable exports exceeding 2,500 Canadian dollars. Commercial invoices or other documents validating information provided on the invoices can be used to support the declared value of commercial goods entering Canada if 1) the value for duty does not exceed CAD\$2,500; 2) the value of Canadian goods being returned has been increased, but does not exceed CAD\$2,500; and 3) the goods qualify for unconditional duty-free entry (not including cases where entry is contingent on end use), regardless of the selling price. Details and the form can be found here.
- **Dock and Warehouse Receipts** is used to transfer accountability when the export item is moved by the domestic carrier to the port of embarkation, and delivered to the ship line for export.
- **Import Licenses** are the importer's responsibility, and can vary depending upon destination and product. However, including a copy of an import license with the rest of your documentation may in some cases, help avoid problems with customs in the destination country.
- **Shipper's Letter of Instruction** is issued by the exporter to the freight forwarder, and includes shipping instructions for air or ocean shipment.

## **Temporary Shipment Documents**

- ATA Carnet/Temporary Shipment Certificate otherwise known as a "merchandise passport," an <a href="ATA"><u>ATA</u></a>
  <a href="Carnet">Carnet</a> is a document that facilitates temporary importation of products into foreign countries. It eliminates tariffs and value-added taxes (VAT) or the posting of a security deposit normally required at the time of importation. <a href="Apply for an ATA Carnet">Apply for an ATA Carnet</a>.
- Customs Certificate of Registration may be used (often in conjunction with a temporary import bond or ATA Carnet for goods that are leaving the United States on a temporary basis for alteration, repair, replacement and processing). Form 4455
- Transporting Goods by Truck to Canada an application to transact bonded carrier and forwarding operation, Form E370, is required to bring goods over the border to Canada when not already cleared through Customs at the border.

Additional information on shipping documentation for a particular trading partner is included in the **Country Commercial Guides** prepared by our in-country trade exports at U.S. embassies abroad. Each guide includes chapters on how to do business with a particular country. Among the chapters are "Selling U.S. Goods and Services" and the "Customs Regulations and Standards" section, which highlights the requirements and documentation for a particular country of interest. For example, note the information on special export documents in the Mexico Country Commercial Guide.