
MOVING YOUR PRODUCT OVER THE BORDER

The NAFTA eliminates tariffs on most goods originating in Canada, Mexico and the United States over a 15-year period. The elimination of tariffs established in the Canada-United States Free Trade Agreement (FTA) continues as scheduled, ensuring that all trade between Canada and the United States is duty-free in 1998. In order to benefit from the preferential duty rate under the NAFTA, a Certificate of Origin must be issued for each product. The certificate is a statement in which the exporter confirms that the goods originate in Canada, Mexico or the U.S.

U.S. border crossings are equipped with computer databases that give customs officers access to information on the rules of origin applicable to each category of goods. The databases also contain information on importers, exporters and transportation carriers. If there is any doubt about the information provided on the certificate, the customs officers can request verification, which may include a visit to the exporter's manufacturing plant.

Both Canada and the United States are now using the Harmonized System of tariff classification for customs purposes.

Transporting Your Product to the United States

How you ship your product to the United States is simply a matter of personal preference. Canadian companies often choose to use the services of a professional freight carrier. These firms should have a Certificate of Operating Authority issued by U.S. Interstate Commerce Commission, which allows the movement of goods among the various states within the U.S.

Intellectual Property

If your product or manufacturing process is one for which you have or are seeking Canadian patent or copyright protection, you should consider similar protection under U.S. law. Similar care should be taken with brand names and registered trademarks.

In general, patent and other intellectual property law is complex. If you believe that you may need some protection, or to confirm that your product complies with U.S. law, you should seek legal advice.

Industry Canada can provide the following general info: Patents: call (613) 997-1936; Trademarks: call (613) 997-2430; Copyrights and Industrial Design: call (613) 997-1725.