

A 1988 amendment to the Jones Act to include the coastal transportation of "valueless material" (sludge, weeds), the Transportation of Sewage Sludge Act, has barred Canadian manufacturers from selling to the United States small vessels designed for the collection and transportation of marine weeds.

A further amendment to the Jones Act in the same year, the Commercial Vessel Anti-Reflagging Act, restricts the activities of foreign-built vessels over five net tonnes in the fishing industry to the transportation of fish. The Act also prohibits vessels built or rebuilt outside the United States from engaging in coastal shipping and the fishing industry.

## **V. CUSTOMS AND ADMINISTRATIVE PROCEDURES**

### **Country of Origin Marking Requirements**

Section 1304 of the Tariff Act of 1930 requires virtually all imported goods of foreign origin to "be marked in a conspicuous place as legibly, indelibly and permanently as the nature of the article (or container) will permit in such manner as to indicate to the ultimate purchaser in the United States the English name of the country of origin of the article."

U.S. Customs often applies the country of origin marking rules in an inflexible, uneven and arbitrary way. Frequently, country of origin marking requirements and their administration impede access and result in additional costs. For certain products, there is also uncertainty as to the method and location of marking.

The regulations even extend to items not sold but given away. For example, flyers and brochures that are distributed free of charge to consumers must identify the country of origin.

### **Customs Administration**

Certain administrative procedures, including excessive invoicing and reporting requirements, slow down the entry of goods and services into the United States. This is due partly to limited resources for inspections, but perishable goods can spoil because of lengthy processing times. In addition, long laboratory testing procedures and limited ports of entry further slow the movement of Canadian products into the United States market.