



## **COUNTRY OF ORIGIN MARKING – ASSEMBLED**

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The Marking Statute provides that unless excepted, every article of foreign origin imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or its container) will permit. In such a manner as to indicate to the ultimate purchaser in the United States the English name of the country of origin of the article. In that regard, section 134.43(e), Customs Regulations (19 CFR 134.43(e)), provides that:

Where an article is produced as a result of an assembly operation and the country of origin of such article is determined under this chapter to be the country in which the article was finally assembled, such article may be marked, as appropriate, in a manner such as the following:

- a. Assembled in (country of final assembly)
- b. Assembled in (country of final assembly) from components of (name of country or countries of origin of all components)
- c. Made in, or product of, (country of final assembly)

Thus, from the language of 19 CFR 134.43(e), where appropriate, the terms "Made in," "Product of," and "Assembled in" are words of similar meaning. See Treasury Decision ("T.D.") 96-48, dated June 6, 1996.

The country of origin, of a foreign good entering the U.S., is determined by the country of manufacture, production, or growth of the good. Further work, or material added, to an article in another country must affect a "substantial transformation" of the good in order to qualify as a product of a different country.

The evident purpose is to mark the goods so that at the time of purchase the ultimate purchaser may, by knowing where the goods were produced, be able to buy or refuse to buy them, if such marking should influence his will.



The "ultimate purchaser" is defined as the last person in the U.S. who will receive the article in the form in which it was imported. If an imported article will be used in domestic manufacture, the manufacturer may be the "ultimate purchaser" if [s]he subjects the imported article to a process which results in a substantial transformation of the article. However, if the manufacturing process is a minor one which leaves the identity of the imported article intact, the consumer or user of the article, who obtains the article after the processing, will be regarded as the "ultimate purchaser."

The Marking Rules used for determining whether a good is a good of a USMCA country are contained in Part 102, Customs Regulations. The marking requirements of these goods are set forth in Part 134, Customs Regulations.

These marking requirements address country of origin marking only. Nothing in these regulations should be construed as accepting any article (or its container) from the particular requirements of marking under any other provision of any law, such as those of the Federal Trade Commission, Food and Drug Administration, and other agencies.