



Overview

A remanufactured good is a good classified in the Harmonized Tariff Schedule of the United States (HTSUS) Chapters 84 through 90, or under heading 94.02, except goods classified under the HTSUS headings: 84.18, 85.09, 85.10, and 85.16, 87.03, or subheadings: 8414.51, 8450.11, 8450.12, 8508.11, and 8517.11. In addition, a remanufactured good is entirely or partially composed of recovered materials; and: (a) has a similar life expectancy and performs the same as or similar to such a good when new and (b) has a factory warranty similar to that applicable to such a good. This fact sheet highlights key changes from the North American Free Trade Agreement (NAFTA).

References

- **USMCA**
 - *Final Text*: Chapter 2, Article 2.11 and 2.12; Chapter 4, 4.4.2(a)
 - *HR 5430 Citation*: Title II, Section 202(a)(19) and (c)(2)
- **NAFTA**
 - Not Specified

Significant Changes in USMCA

Provision	USMCA	NAFTA
Differences/Changes	New to USMCA <ul style="list-style-type: none"> • Import and export restriction rules apply to remanufactured goods. • A party or parties may require that remanufactured goods are labeled as remanufactured goods. • Any prohibition on used goods shall not apply to remanufactured goods. • If a remanufactured good meets the rules of origin under Chapter 4, it will be treated as originating. 	No provision.

Detailed USMCA/NAFTA Side-by-Side

Provision	USMCA	NAFTA
Remanufactured Goods	Article 2.12: Remanufactured Goods <ol style="list-style-type: none"> 1. For greater certainty, Article 2.11.1 (Import and Export Restrictions) applies to prohibitions and restrictions on a remanufactured good. 2. Subject to its obligations under this Agreement and the WTO Agreement, a Party may require that a remanufactured good: <ol style="list-style-type: none"> a) be identified as such, including through labelling, for distribution or sale in its territory, and b) meet all applicable technical requirements that apply to an equivalent good in new condition. 3. If a Party adopts or maintains a prohibition or a restriction on a used good not apply the measure to a remanufactured good. Article 4.4: Treatment of Recovered Materials Used in the Production of a Remanufactured Good	No provision.

Provision	USMCA	NAFTA
	<p>1. Each Party shall provide that a recovered material derived in the territory of one or more of the Parties is treated as originating when used in the production of and incorporated into a remanufactured good.</p> <p>2. For greater certainty:</p> <ol style="list-style-type: none"> a) a remanufactured good is originating only if it satisfies the applicable requirements of Article 4.2 (Originating Goods); and b) a recovered material that is not used or incorporated in the production of a remanufactured good is originating only if it satisfies the applicable requirements of Article 4.2 (Originating Goods). <p>Article 2.11: Import and Export Restrictions</p> <p>1. Except as otherwise provided in this Agreement, no Party shall adopt or maintain any prohibition or restriction on the importation of any good of another Party or on the exportation or sale for export of any good destined for the territory of another Party, except in accordance with Article XI of the GATT 1994, including its interpretative notes, and to this end Article XI of the GATT 1994 and its interpretative notes are incorporated into and made a part of this Agreement, <i>mutatis mutandis</i>.</p> <p>Article 4.2: Originating Goods</p> <ul style="list-style-type: none"> • Except as otherwise provided in this Chapter, each Party shall provide that a good is originating if it is: <ol style="list-style-type: none"> a) wholly obtained or produced entirely in the territory of one or more of the Parties, as defined in Article 4.3 (Wholly Obtained or Produced Goods); b) produced entirely in the territory of one or more of the Parties using non-originating materials provided the good satisfies all applicable requirements of Annex 4-B (Product-Specific Rules of Origin); c) produced entirely in the territory of one or more of the Parties exclusively from originating materials; or d) except for a good provided for in Chapter 61 to 63 of the Harmonized System: <ol style="list-style-type: none"> i. produced entirely in the territory of one or more of the Parties; ii. one or more of the non-originating materials provided for as parts under the Harmonized System used in the production of the good cannot satisfy the requirements set out in Annex 4-B (Product-Specific Rules of Origin) because both the good and its materials are classified in the same subheading or same heading that is not further subdivided into subheadings or, the good was imported into the territory of a Party in an unassembled or a disassembled form but was classified as an assembled good pursuant to rule 2(a) of the General Rules of Interpretation of the Harmonized System; and iii. the regional value content of the good, determined in accordance with Article 4.5 (Regional Value Content), is not less than 60 percent if the transaction value method is used, or not less than 50 percent if the net cost method is used; and the good satisfies all other applicable requirements of this Chapter. <p>HR 5430, Sec 202 (a) (19): Remanufactured Good</p>	

Provision	USMCA	NAFTA
	<ul style="list-style-type: none">• The term “remanufactured good” means a good classified in the HTS under any of chapters 84 through 90 or under heading 9402, other than a good classified under heading 8418, 8509, 8510, 8516, or 8703 or subheading 8414.51, 8450.11, 8450.12, 8508.11, or 2 8517.11, that<ol style="list-style-type: none">a) is entirely or partially composed of recovered materials;b) has a life expectancy similar to, and performs in a manner that is the same as or similar to, such a good when new; andc) has a factory warranty similar to that applicable to such a good when new.	