§ 134.34

Articles	References
Natural products, such as vegeta- bles, fruits, nuts, berries, and live or dead animals, fish and birds; all the foregoing which	
are in their natural state or not	
advanced in any manner further	
than is necessary for their safe	
transportation.	
Nets, bottle, wire.	
Paper, newsprint. Paper, stencil.	
Paper, stock.	
Parchment and vellum.	
Parts for machines imported from	
same country as parts.	
Pickets (wood).	
Pins, tuning.	
Plants, shrubs and other nursery stock.	
Plugs, tie.	
Poles, bamboo.	
Posts (wood), fence.	
Pulpwood.	
Rags (including wiping rags)	
Rails, joint bars, and tie plates	
covered by subheadings	
7302.10.10 through 7302.90.00, Harmonized Tariff Schedule of	
the United States.	
Ribbon.	
Rivets.	
Rope, including wire rope; cord-	
age; cords; twines, threads, and	
yarns. Scrap and waste.	
Screws.	
Shims, track.	
Shingles (wood), bundles of (except bundles of red-cedar shingles).	T.D. 49750.
Skins, fur, dressed or dyed.	
Skins, raw fur.	
Sponges.	
Springs, watch.	T.D. 00 450
Stamps, postage and revenue, and other articles covered in	T.D. 66–153.
subheadings 9704.00.00 and	
4807.00.00, Harmonized Tariff	
Schedule of the United States.	
Staves (wood), barrel.	
Steel, hoop.	
Sugar, maple.	
Ties (wood), railroad. Tides, not over 1 inch in greatest	
dimension.	
Timbers, sawed.	
Tips, penholder.	
Trees, Christmas.	
Weights, analytical and precision in sets	T.D.s 49750; 51802.
Wicking, candle. Wire, except barbed.	
·····o, oxoopt baibou.	1

[T.D. 72–262, 35 FR 20318, Sept. 29, 1972, as amended by T.D. 85–123, 50 FR 29954, July 23, 1985; T.D. 89–1, 53 FR 51256, Dec. 21, 1988; T.D. 95–79, 60 FR, 49752, Sept. 27, 1995]

§134.34 Certain repacked articles.

(a) Exception for repacked articles. An exception under §134.32(d) may be au-

thorized in the discretion of the port director for imported articles which are to be repacked after release from Customs custody under the following conditions:

- (1) The containers in which the articles are repacked will indicate the origin of the articles to an ultimate purchaser in the United States.
- (2) The importer arranges for supervision of the marking of the containers by Customs officers at the importer's expense or secures such verification, as may be necessary, by certification and the submission of a sample or otherwise, of the marking prior to the liquidation of the entry.
- (b) Liquidation of entries. The liquidation of such entries may be deferred for a period of not more than 60 days from the date that a request for repacking is granted. Extensions of the 60-day deferral period may be granted by the port director in his discretion upon written application by the importer.

[T.D. 84-127, 49 FR 22795, June 1, 1984]

§ 134.35 Articles substantially changed by manufacture.

(a) Articles other than goods of a NAFTA country. An article used in the United States in manufacture which results in an article having a name, character, or use differing from that of the imported article, will be within the principle of the decision in the case of United States v. Gibson-Thomsen Co., Inc., 27 C.C.P.A. 267 (C.A.D. 98). Under this principle, the manufacturer or processor in the United States who converts or combines the imported article into the different article will be considered the "ultimate purchaser" of the imported article within the contemplation of section 304(a), Tariff Act of 1930, as amended (19 U.S.C. 1304(a)), and the article shall be excepted from marking. The outermost containers of the imported articles shall be marked in accord with this part.

(b) Goods of a NAFTA country. A good of a NAFTA country which is to be processed in the United States in a manner that would result in the good becoming a good of the United States under the NAFTA Marking Rules is excepted from marking. Unless the good is processed by the importer or on its behalf, the outermost container of the