

provided that the component is classified in a tariff provision from which a change in tariff classification is not allowed under the specific rule or other requirements applicable to the good; and

(iii) If there is only one material that is classified in a tariff provision from which a change in tariff classification is not allowed under the §102.20 specific rule or other requirements applicable to the good, then that material will represent the single material that imparts the essential character to the good under §102.11.

(2) For purposes of determining which one of two or more materials described in paragraph (b)(1) of this section imparts the essential character to a good under §102.11, various factors may be examined depending upon the type of good involved. These factors include, but are not limited to, the following:

(i) The nature of each material, such as its bulk, quantity, weight or value; and

(ii) The role of each material in relation to the use of the good.

[T.D. 96-48, 61 FR 28957, June 6, 1996]

§ 102.19 NAFTA preference override.

(a) Except in the case of goods covered by paragraph (b) of this section, if a good which is originating within the meaning of §181.1(q) of this chapter is not determined under §102.11(a) or (b)

or §102.21 to be a good of a single NAFTA country, the country of origin of such good is the last NAFTA country in which that good underwent production other than minor processing, provided that a Certificate of Origin (see §181.11 of this chapter) has been completed and signed for the good.

(b) If, under any other provision of this part, the country of origin of a good which is originating within the meaning of §181.1(q) of this chapter is determined to be the United States and that good has been exported from, and returned to, the United States after having been advanced in value or improved in condition in another NAFTA country, the country of origin of such good for Customs duty purposes is the last NAFTA country in which that good was advanced in value or improved in condition before its return to the United States.

[T.D. 96-48, 61 FR 28957, June 6, 1996]

§ 102.20 Specific rules by tariff classification.

The following rules are the rules specified in §102.11(a)(3) and other sections of this part. Where a rule under this section permits a change to a subheading from another subheading of the same heading, the rule shall be satisfied only if the change is from a subheading of the same level specified in the rule.

HTSUS	Tariff shift and/or other requirements
(a) Section I: Chapters 1 through 5	
0101-0106	A change to heading 0101 through 0106 from any other chapter.
0201-0209	A change to heading 0201 through 0209 from any other chapter.
0210.11-0210.20	A change to subheading 0210.11 through 0210.20 from any other chapter.
0210.90	A change to subheading 0210.90 from any other chapter; or A change to edible meals and flours of subheading 0210.90 from any product other than edible meals and flours of Chapter 2.
0301-0303	A change to heading 0301 through 0303 from any other chapter.
0304	A change to heading 0304 from any other chapter; or A change to fillets of heading 0304 from any other heading.
0305.10	A change to subheading 0305.10 from any other subheading.
0305.20	A change to subheading 0305.20 from any other chapter.
0305.30	A change to subheading 0305.30 from any other subheading, except from fillets of heading 0304.
0305.41-0305.69	A change to subheading 0305.41 through 0305.69 from any other chapter.
0306	A change to heading 0306 from any other chapter.
0307	A change to heading 0307 from any other chapter; or A change to edible meals and flours from within Chapter 3.
0401	A change to heading 0401 from any other chapter.
0402.10-0402.29	A change to subheading 0402.10 through 0402.29 from any other chapter.
0402.91-0402.99	A change to subheading 0402.91 through 0402.99 from any other chapter.
0403.10	A change to subheading 0403.10 from any other subheading.
0403.90	A change to subheading 0403.90 from any other chapter; or A change to sour cream or kephir from any other product of Chapter 4.