

Committee on Rules of Origin

ENDORSEMENT OF PROPOSALS ON HARMONIZED RULES OF ORIGIN

The following proposals on harmonized rules of origin are forwarded for endorsement to the formal meeting of the Committee on Rules of Origin scheduled for 10 December 2001. Consensus, or consensus on the basis of ad referendum, was reached on these proposals at the informal meetings in September/October 2001.

-
- Chapters 1-24 – Issue No. 8: to endorse option B (split heading ex 03.01(a) should be deleted).
 - Chapters 1-24 – Issue No. 10(i)¹: to endorse option B (each primary rule of headings 03.02 and 03.03 should read "the country of origin of the goods of this split heading shall be the country in which they have been captured; or if farmed, the country in which the fish has been raised from egg or fry (including fingerling)"; the primary rule of split heading ex03.06(a) should read "the country of origin of the goods of this split heading shall be the country in which they have been captured; or if farmed, the country in which the live crustaceans have been raised from youth"; and the primary rule of split heading ex03.07(a) should read "the country of origin of the goods of this split heading shall be the country in which they have been captured; or if farmed, the country in which the animals have been raised from youth".
 - Chapters 1-24 – Issue No. 10(ii): to endorse option B (the primary rule of heading 07.10 should read "the country of origin of the goods of the heading shall be the country in which the vegetables grew"; the primary rule of heading 08.11 should read "the country of origin of the goods of this heading shall be the country in which the fruit or nuts grew"; and the primary rule of heading 08.14 was already endorsed by the CRO (G/RO/M/37, paragraph 2.1).
 - Chapters 1-24 – Issue No. 21: to endorse option A (each primary rule of split heading ex04.03(b) and heading 04.04 should read "CTH").
 - Chapters 1-24 – Issue No. 23²: to endorse option B (the primary rule of subheading 0408.99 should read "the country of origin of the goods of this subheading shall be the country in which the eggs are obtained from the animals").
 - Chapters 1-24 – Issue Nos. 24-25³: to endorse option C (the primary rule of subheading 0408.19 should read "the country of origin of the goods of this subheading shall be the country in which the eggs are obtained from the animals").

¹ Subject to Ecuador.

² Subject to Australia, Canada, Guatemala and the United States.

³ Subject to Australia, Canada and the United States.

- Chapters 1-24 – Issue No. 27⁴: to endorse option A (each primary rule of split headings ex06.03(a) and ex06.04(a) should read "CTHS").
- Chapters 1-24 – Issue No. 28: to endorse option B (the primary rule of split heading ex06.03(b) should read "the country of origin of the goods of this split heading shall be the country in which the plants grew").
- Chapters 1-24 – Issue No. 29⁵: to endorse option B (the primary rule of split heading ex07.12(a) should read "CTH").
- Chapters 1-24 – Issue No. 33⁶: to delete this issue.
- Chapters 1-24 – Issue No. 69⁷: to endorse option A (the primary rule of heading 20.01 should read "CC/CTH"⁸).
- Chapters 1-24 – Issue No. 70⁹: to endorse option A (each primary rule of subheading 2002.10, split subheading ex2002.90(c), heading 20.03, subheadings 2008.20 through 2008.91, and subheading 2008.99 should read "CTH").
- Chapters 1-24 – Issue No. 71¹⁰: to endorse option B (the primary rule of split subheading ex2002.90(a) should read "CTH"; the following proposals should be deleted: "CTSH or CTSHS for the powders of subheadings 2009.19 to 2009.30 or 2009.70 to 2009.80" for subheading 2009.11 and "CTSH or CTSHS for powders of subheading 2009.90" for subheading 2009.90 should be deleted.
- Chapters 1-24 – Issue No. 72¹¹: to endorse option B (the primary rule of split subheading ex2002.90(b) should read "CTH").
- Chapters 1-24 – Issue No. 73¹²: to endorse option A (the primary rule of heading 20.07 should read "CTH").
- Chapters 1-24 – Issue No. 74¹³: to endorse option B (the primary rule of split subheading ex2008.11(a) should read "CTH/CC"¹⁴).
- Chapters 1-24 – Issue No. 105¹⁵: to endorse option B (the primary rule of subheading 2207.20 should read "CTH, except from heading 22.08").
- Chapters 1-24 – Issue Nos. 109¹⁶: to endorse option A (the primary rule of heading 23.08 should read "CTH").

⁴ Subject to Chile, Guatemala and Honduras.

⁵ Subject to the Dominican Republic, Guatemala, Switzerland and the United States.

⁶ Subject to Australia and Canada.

⁷ Subject to Argentina, the Philippines, Sri Lanka and Thailand.

⁸ Terminology to be determined during the overall coherence exercise.

⁹ Subject to Argentina, the Philippines, Sri Lanka and Thailand.

¹⁰ Subject to Australia, Guatemala, New Zealand, Switzerland and Thailand.

¹¹ Subject to the Dominican Republic and Guatemala.

¹² Subject to the Dominican Republic, Guatemala and Venezuela.

¹³ Subject to the Dominican Republic and Korea.

¹⁴ Terminology to be determined during the overall coherence exercise.

¹⁵ Subject to Malaysia.

¹⁶ Subject to the European Communities, Egypt and India.

- Chapters 1-24 – Issue Nos. 112-114¹⁷: to endorse option A (the current split headings ex13.02(c) and ex13.02(d) should be renumbered as ex13.02(a) and ex13.02(b) respectively, and the primary rule thereof should read "CTHS"; the current split headings ex13.02(a), ex13.02(b) and ex13.02(e) should be renumbered as ex13.02(c) (other), and the primary rule thereof should read "CC").
- Chapters 1-24 – Issue Nos. 119-120: to endorse option A (the primary rule of heading 15.22 should read "CTH").
- Chapters 25-27 – Issue No. 9: to endorse option A (Note 4 of chapter 27 should read as follows:
"List of simple processes which do not confer origin:
 - cleaning
 - decantation
 - desalination
 - water separation
 - filtering
 - colouring
 - marking
 - any combination of these operations."
- Chapters 28-40 – Issue No. 6¹⁸: to endorse Note 1 to Chapter 33 as follows:
"1. Mixtures and blends:
For the purposes of headings 33.02, 33.04, 33.05, 33.06 and 33.07, the deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring. However, the mere addition of the goods of headings 33.01 or 33.02 to the goods of other headings of this Chapter should not be considered as producing a good having physical or chemical characteristics which are relevant to the purposes or uses of the good under this Chapter."
- Chapters 28-40 – Issue Nos. 10: to endorse the following primary rules: "CTSH" for headings 33.04, 33.05 and 33.07 as well as for subheadings 3306.10 and 3306.90.
- Chapters 28-40 – Issue No. 13¹⁹: to endorse option A (the primary rule of split headings ex34.01(a) and ex34.05(b) should read "CTHS"; the primary rule of split heading ex34.05(a) should read "CTH").
- Chapters 28-40 -- Issue No. 14: to endorse option A ("CTH" with the Chapter Note on mixtures for subheadings 3402.20 and 3402.90).
- Chapters 28-40 – Issue Nos. 26-27: to endorse the primary rule "CTH" for headings 39.01 through 39.14.

¹⁷ Subject to Egypt, India, Korea and the Philippines.

¹⁸ Subject to the Philippines.

¹⁹ Subject to Chile, Egypt and New Zealand.

- Chapters 28-40 – Issue No. 28²⁰: to endorse option C (the primary rule of headings 39.16, 39.17, **39.19**, 39.20 and 39.21 should read "CTH, or change within this heading to reinforced, laminated or supported material").
- Chapters 44-49 – Issue Nos. 3-4: to endorse the following primary rules: "CTHS" for split headings ex44.10(a), ex44.11(a) and ex44.12(a); "CTH" for split headings ex44.10(b), ex44.11(b) and ex44.12(b).
- Chapters 44-49 – Issue No. 5²¹: to endorse option A (the primary rule of heading 48.10 should read "CTH").
- Chapters 44-49 – Issue No. 7: to endorse the following primary rules: "CTHS, except from finished staves" for split heading ex44.16(a); "CTH" for split heading ex44.16(b).
- Chapters 50-63 – Issue No. 10²²: to endorse option B (the primary rule of heading 57.04 should read "CTH, except from heading 56.02").
- Chapters 50-63 – Issue Nos. 26²³-27: to endorse option B (the primary rule of split heading ex56.08(c) should read "CTH, except from 58.04").
- Chapters 50-63 – Issue No. 38: to endorse option A (the primary rule of heading 59.04 should read "CTH").
- Chapters 50-63 – Issue No. 39²⁴: to endorse option B (the primary rule of split heading ex59.05(b) should read "CTH, provided the starting material is unbleached fabric, felt or non-woven fabric").
- Chapters 50-63 – Issue No. 40²⁵: to endorse option A (the primary rule of split heading ex59.07(a) should read "CTHS").
- Chapters 50-63 – Issue Nos. 51²⁶ and 53²⁶: to endorse the consensus that the processes under these issues are non origin-conferring (the proper rule will be further considered).
- Chapters 50-63 – Issue No. 83: to delete this issue.
- Textile-related chapters – Issue No. 84: to endorse option A (the primary rule of subheading 9612.10 should read "CTH").
- Chapters 64-67 – Issue No. 1: to endorse option A (the primary rule of heading 65.03 should read "CTH").
- Chapters 64-67 – Issue no. 7²⁷: to endorse the following primary rules: "CTH" for split headings ex67.02(a) and ex67.02(b); "CTHS" for split heading ex67.02(c).

²⁰ Subject to New Zealand.

²¹ Subject to Malaysia and Thailand.

²² Subject to Guatemala, Pakistan and Venezuela.

²³ Subject to Morocco.

²⁴ Subject to Pakistan.

²⁵ Subject to Pakistan and Turkey.

²⁶ Subject to Malaysia.

²⁷ Subject to Colombia, Malaysia and Venezuela.

- Chapters 68-70 – Issue No. 1²⁸: to endorse option B (the primary rule of heading 69.08 should read "CTH, except from heading 69.07").
- Chapters 68-70 – Issue No. 7²⁹: to endorse option B (the primary rule of heading 68.13 should read "CTH").
- Chapter 71 – Issue No. 2(d)³⁰: to endorse option A (the primary rule of subheading 7104.90 should read "CTSH, provided the goods are cut or ground or otherwise worked to final shape, whether or not polished").
- Chapter 71 – Issue No.3: to endorse option A (the primary rule of split headings ex71.13(a) and ex71.14(a) should read "CTHS"; the primary rule of heading 71.15 should read "CTH").
- Chapter 71 – Issue No. 4³¹: to endorse option A (the primary rule of heading 71.16 should read "CTH").
- Chapters 72-73 - Issue Nos. 1-2: to endorse the following primary rules: "CTH, except from headings 72.08 through 72.12, and except from headings 72.13 through 72.15 when this change results from cutting or bending" for split heading ex72.16(a)³²; "CTH, except from heading 72.09 or split heading ex72.11(b), and except from heading 72.15 when this change results from cutting or bending" for split heading ex72.16(b)³³; "CTH, except from heading 72.19 or 72.20, and except from heading 72.21 or split heading ex72.22(a) when this change results from cutting or bending" for split heading ex72.22(b)³²; "CTH, except from heading 72.25 or 72.26, and except from heading 72.27 or split heading ex72.28(a) when this change results from cutting or bending for split heading ex72.28(b); "CTH, except from split heading ex72.19(b) or ex72.20(b); or CTSH from split heading ex72.22(a)" for split heading ex72.22(c); "CTH, except from split heading ex72.25(b) or ex72.26(b); or CTSH from split heading ex72.28(a)" for split heading ex72.28(c).
- Chapters 72-73 – Issue No. 9³⁴: to endorse option B (the primary rule of split heading ex73.08(c) should read "CTH, except from heading 72.08 through 72.16, 73.01, 73.04, 73.05 or 73.06").
- Chapters 74-81 – Issue No. 20: to endorse option B (the primary rule of split heading ex76.10(c) should read "CTH, except from heading 76.04, 76.05, 76.06, 76.08 or 76.09").
- Chapters 74-81 – Issue No. 24: to endorse option A (the primary rules should read as follows:

²⁸ Subject to the Dominican Republic.

²⁹ Subject to Chile, Egypt and the Philippines.

³⁰ Subject to Sri Lanka.

³¹ Subject to Australia and Mauritius.

³² Subject to Venezuela.

³³ Subject to the Philippines and Venezuela.

³⁴ Subject to the Dominican Republic, Egypt and the Philippines.

ex81.01(e), ex81.03(e), ex81.05(e), ex81.07(e), ex81.09(e), ex81.11(e)	ex81.02(e), ex81.04(e), ex81.06(e), ex81.08(e), ex81.10(e),	CTHS; or cold-rolling from articles of the same split heading
ex81.01(g), ex81.03(g), ex81.05(g), ex81.07(g), ex81.09(g), ex81.11(g), ex81.13(h)	ex81.02(g), ex81.04(g), ex81.06(g), ex81.08(g), ex81.10(g),	CTHS; or cold-rolling from articles of the same split heading
ex8112.19(b), ex8112.30(e), ex8112.99(b)	ex8112.20(e), ex8112.40(e),	CTSHS; or cold-rolling from articles of the same split subheading
ex8112.19(d), ex8112.30(g), ex8112.99(d)	ex8112.20(g), ex8112.40(g),	CTSHS; or cold-rolling from articles of the same split subheading

- Chapters 82-83 – Issue No. 3³⁵: to endorse option A (the primary rule of subheading 8203.31 should read "CTSH"; the primary rule of split subheadings ex8202.39(b) and ex8202.40(b) should read "CTSHS").
- Chapters 82-83 – Issue No. 5: to endorse option A (the primary rule of subheading 8207.13 should read "CTSH"; the primary rule of split subheading ex8207.19(b) should read "CTSHS").
- Chapters 82-83 – Issue No. 10: to endorse option A (the primary rule of split subheadings ex8301.10(b), ex8301.20(b), ex8301.30(b) and ex8301.40b) should read "CTH, or change from heading 8301.60").
- Chapters 82-83 – Issue No. 13: to endorse option B (the primary rule of heading 83.05 should read "CTH").
- Chapters 84, 85 and 90 – Issue No. 2³⁶: to endorse the following chapter Note:
"X. Parts and accessories produced from blanks"³⁷: The country of origin of goods that are produced from blanks which by application of the Harmonized System General Interpretative Rule 2(a), in the same heading or subheading as the complete or finished goods, shall be the country in which the blank was finished provided finishing included configuring to final shape by the removal of material (other than merely by honing or polishing or both), or by forming processes such as bending, hammering, pressing or stamping."
- Chapters 84, 85 and 90 – Issue No. 6: To delete this issue.

³⁵ Subject to Malaysia and Venezuela.

³⁶ Subject to the European Communities and India.

³⁷ It is intended that this rule be considered also for Chapters 85 and 90. For Chapter 90, the rule would apply to parts and accessories and goods classifiable in headings 90.17, 90.18, 90.21 and 90.23.

- Chapters 84, 85 and 90 – Issue Nos. 11 and 12: to endorse the following chapter Note: "A change of classification which results from the disassembly of goods shall not be considered as the change required by the rule set forth in the matrix. The country of origin of the parts recovered from the goods shall be the country where the parts are recovered, unless the importer, exporter or any person with a justifiable cause to determine the origin of parts demonstrates another country of origin on the basis of verifiable evidence such as origin marks on the part itself or documents."
- Chapters 84, 85 and 90 – Issue Nos. 15³⁸, 16, 17, 18³⁹, 19⁴⁰, 34, 40, 41⁴¹, 42, 43⁴², 46, 47, 48⁴³, 49, 53⁴⁴, 64⁴⁵, 66⁴⁵, 67⁴⁶, 78, 79, 81, 82, 83, 84 and 86: to delete these issues⁴⁷.
- Chapters 84, 85 and 90 – Issue No. 28: To delete this issue.
- Chapters 84, 85 and 90 – Issue No. 35⁴⁸: to endorse the primary rule "CTH, or change to this subheading by assembly of parts, preceded by heat treatment and grinding (if necessary), of the inner or outer ring of split subheading 8482.99(b)" for subheadings 8482.10 through 8482.80.
- Chapters 84, 85 and 90 – Issue No. 36⁴⁷: to endorse the following primary rules: "CTH, or change from split subheading 8482.99(b)" for split subheading 8482.99(a); "CTH" for split subheadings 8482.99(b) and 8482.99(c).
- Chapters 84, 85 and 90 – Issue No. 37⁴⁷: to endorse the primary rule "CTH, except from heading 8482, or change to this subheading by assembly of parts, preceded by heat treatment and grinding (if necessary) of the inner or outer ring of split subheading 8482.99(b)" for subheading 8483.20.
- Chapters 84, 85 and 90 – Issue No. 38⁴⁹: to endorse option D (the primary rule of subheading 8484.20 should read "CTH").
- Chapters 84, 85 and 90 – Issue No. 39⁴⁷: to endorse the following primary rule of subheading 8484.90: "CTSH, except when the change results only from putting up in pouches, envelopes or similar packings".
- Chapters 84, 85 and 90 – Issue No. 45: to delete this issue and split subheadings ex8516.90(a) and ex8516.90(b).
- Chapters 84, 85 and 90 – Issue No. 52: to delete this issue and split subheadings ex8524.91(a) and ex8524.91(b).
- Chapters 84, 85 and 90 – Issue No. 58: to delete this issue.

³⁸ Subject to Morocco.

³⁹ Subject to Venezuela.

⁴⁰ Subject to Thailand.

⁴¹ Subject to Malaysia and Singapore.

⁴² Subject to Malaysia.

⁴³ Subject to Malaysia and the Philippines.

⁴⁴ Subject to Singapore.

⁴⁵ Subject to Brazil, Korea and Venezuela.

⁴⁶ Subject to the Philippines, Singapore and Venezuela.

⁴⁷ Two options are to be kept in the relevant documents.

⁴⁸ Subject to Venezuela.

⁴⁹ Subject to Colombia, New Zealand and Venezuela.

- Chapters 84, 85 and 90 – Issue No. 65: to delete this issue and split heading ex85.41(h).
- Chapters 86-89 – Issue No. 70: to delete this issue⁵⁰.
- Chapter 91 – Issue No. 2: to endorse option A.
- Chapter 91 – Issue No. 4⁵¹: to endorse option C (the primary rule headings 91.11 and 91.12 should read "CTH or change from blanks").
- Chapters 93-97 – Issue No. 1⁵²: to endorse the following primary rules: "CTH, with the exclusion of locks, breeches, breech boxes, frames or barrels of heading 93.05; or assembly if accompanied by the production of at least one of the essential parts of the mechanism (lock, breech, breech box, frame) or of the complete barrel" for split headings ex93.01(a) and ex93.04(a), headings 93.02 and 93.03; "CTH" for split headings ex93.01(b) and ex93.04(b).
- Chapters 93-97 – Issue No. 10: to endorse the following primary rule: "Changes which result from change of use" for Note 1(c) of chapter 94; "CTH" for subheadings 9401.90 and 9403.90.
- Chapters 93-97 – Issue Nos. 13-20⁵³: to endorse the following primary rule: "CTH" for split headings ex95.01(a), ex95.01(b), ex95.03(b) ex95.04(b), ex95.05(b) and ex95.06(b); "CTHS, except from split heading ex95.01(a)" for split heading ex95.01(c); "CTHS" for split headings ex95.03(c), ex95.03(d), ex95.03(e), ex95.04(a) and ex95.05(a); "CTH, or change from blanks of heads that are not further worked than roughly shaped" for split heading ex95.06(a).
- Chapters 93-97 – Issue No. 27: to endorse the following primary rule of subheading 9609.10: "CTSH, except from wood or plastic form prepared for assembly."

⁵⁰ Two options are to be kept in the relevant documents.

⁵¹ Subject to Canada, the European Communities, Egypt and India.

⁵² Subject to Canada, Chile, India and the Philippines.

⁵³ Subject to the Philippines and Thailand.