



MERCOSUR



MERCOSUL



# **PREFERENTIAL TRADE AGREEMENT**

**BETWEEN**

**THE COMMON MARKET OF THE  
SOUTH (MERCOSUR)**

**AND**

**THE SOUTHERN AFRICAN CUSTOMS  
UNION (SACU)**

The Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay and the Oriental Republic of Uruguay, State Parties to the MERCOSUR,

and

the Republic of Botswana, the Kingdom of Lesotho, the Republic of Namibia, the Republic of South Africa and the Kingdom of Swaziland, Member States of SACU:

**WHEREAS** the Framework Agreement for the Creation of a Free Trade Area between MERCOSUR and the Republic of South Africa provides for a first stage of actions aimed at increasing trade, including the mutual granting of tariff preferences;

**WHEREAS** the SACU Agreement of 2002 makes provision for the establishment of a Common Negotiating Mechanism for Botswana, Lesotho, Namibia, South Africa and Swaziland in regard to trade relations with third Parties;

**WHEREAS** Article 27 of the Treaty of Montevideo 1980, of which the MERCOSUR State Parties are Signatory Parties, authorizes the conclusion of Partial Scope Agreements with other developing countries and economic integration areas outside Latin America;

**WHEREAS** implementation of an instrument providing for the granting of fixed preferences during said stage will facilitate subsequent negotiations for the creation of a Free Trade Area;

**WHEREAS** the negotiations needed to implement the granting of preferences and to establish trade disciplines between the Parties have been conducted;

**WHEREAS** these negotiations have taken into account the principle of special and differential treatment for the smaller and the lesser developed economies in MERCOSUR and SACU;

**WHEREAS** the Parties recall the Understanding between SACU and MERCOSUR on Conclusion of their Preferential Trade Agreement signed in Belo Horizonte on the 16th of December 2004;

**WHEREAS** regional integration and South-South trade, including through the creation of free trade areas, are compatible with the multilateral trading system, and contribute to the expansion of world trade, to the integration of their economies into the global economy, and to the social and economic development of their peoples;

**WHEREAS** the process of integrating their economies includes the gradual and reciprocal liberalization of trade and the strengthening of economic co-operation ties among themselves;

**WHEREAS** the Contracting Parties reiterate their will to promote the South Atlantic as a zone of peace and cooperation;

HEREBY AGREE AS FOLLOWS:

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## **Chapter I Purpose of the Agreement**

### **Article 1**

For the purposes of this Agreement, the 'Contracting Parties' (hereinafter referred to as 'Parties') are MERCOSUR and the SACU States acting jointly as SACU. The 'Signatory Parties' are the Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay, the Oriental Republic of Uruguay, the Republic of Botswana, the Kingdom of Lesotho, the Republic of Namibia, the Republic of South Africa and the Kingdom of Swaziland.

### **Article 2**

The Parties hereby agree to establish fixed preference margins as a first step towards the creation of a Free Trade Area between MERCOSUR and SACU.

## **Chapter II Trade Liberalisation**

### **Article 3**

Annexes I and II to this Agreement contain the tariff preferences and other conditions agreed for the importation of negotiated products from the respective territories of the Signatory Parties.

- a) Annex I sets forth the preferences granted by MERCOSUR to SACU;
- b) Annex II sets forth the preferences granted by SACU to MERCOSUR.

### **Article 4**

The products included in Annex I and II are classified in accordance with the Harmonised System (HS) 2007.

### **Article 5**

Tariff preferences shall be applied to customs duties in force in each Signatory Party at the time of importing the relevant product.

### **Article 6**

A customs duty includes duties and charges of any kind imposed in connection with the importation of a good, but does not include:

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- a) internal taxes or other internal charges imposed consistently with Article III of the General Agreement on Tariffs and Trade 1994 (GATT 1994);
- b) antidumping or countervailing duties in accordance with Article VI and XVI of GATT 1994, the World Trade Organisation (WTO) Agreement on Implementation of Article VI of the GATT 1994 and the WTO Agreement on Subsidies and Countervailing Measures;
- c) safeguard duty or levy imposed in accordance with Article XIX of GATT 1994, the WTO Agreement on Safeguards and Article 1 of Annex IV (Safeguards) of this Agreement;
- d) other duties or charges imposed in a manner that is not inconsistent with:
  - i.- Article VIII of GATT 1994; or
  - ii.- the Understanding on the Interpretation of Article II:1 (b) of the GATT 1994;
- e) duties imposed by the Governments of the Republic of Botswana, the Kingdom of Lesotho, the Republic of Namibia and the Kingdom of Swaziland for the development of infant industries pursuant to Article 26 of the SACU Agreement 2002. In such cases, the SACU Signatory Party intending to apply any such duties shall promptly notify the Joint Administration Committee and shall enter into consultations where these duties adversely affect the preferential exports of the Republic of Paraguay and/or the Oriental Republic of Uruguay, aiming at a mutually satisfactory solution to the matter, which shall be notified to the Joint Administration Committee.

#### **Article 7**

1. Except as otherwise provided for in this Agreement or in GATT 1994, the Signatory Parties shall not apply non-tariff restrictions to the exchange of products included in the Annexes to this Agreement.
2. Non-tariff restrictions shall refer to any administrative, financial, exchange-related or other measure whereby a Signatory Party prevents or hinders mutual trade by virtue of a unilateral decision.

#### **Article 8**

For the purposes of this Agreement, used products shall be subject to the domestic regulations of the Signatory Parties.

#### **Article 9**

In order to facilitate the attainment of the objectives set out in Article 2, the Signatory Parties undertake to develop customs cooperation, as specified in the Annex VII of this Agreement.

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### **Chapter III Rules of Origin**

#### **Article 10**

The products included in Annexes I and II of this Agreement shall meet the rules of origin specified in Annex III in order to qualify for tariff preferences.

### **Chapter IV National Treatment**

#### **Article 11**

In matters relating to taxes, fees or any other domestic duties, the products originating from the territory of any of the Signatory Parties shall receive in the territory of the other Signatory Parties the same treatment applied to the national product in accordance with Article III of GATT 1994.

### **Chapter V Customs Valuation**

#### **Article 12**

On matters related to customs valuation, the Signatory Parties shall refer to Article VII of GATT 1994 and the WTO Agreement on the Implementation of Article VII of GATT 1994.

### **Chapter VI Exceptions**

#### **Article 13**

Nothing in this Agreement shall be construed to prevent a Party or Signatory Party from adopting or enforcing measures consistent with Articles XX and XXI of the General Agreement on Tariffs and Trade of 1994.

### **Chapter VII Safeguard Measures**

#### **Article 14**

The implementation of safeguard measures concerning the imported products that are the object of the tariff preferences established in Annexes I and II shall be carried out according to the rules agreed upon in Annex IV of this Agreement.

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**Chapter VIII**  
**Antidumping and Countervailing Measures**

**Article 15**

In applying antidumping and countervailing measures, the Signatory Parties shall be governed by their respective legislation, which shall be consistent with Articles VI and XVI of the GATT 1994, the Agreement on Implementation of Article VI of GATT 1994 and the WTO Agreement on Subsidies and Countervailing Measures.

**Article 16**

The Signatory Parties undertake to give notice, within thirty (30) days and through their competent bodies, of the initiation of investigations in connection with dumping practices or subsidies affecting mutual trade, as well as the preliminary and final conclusions thereof.

**Chapter IX**  
**Technical Barriers to Trade**

**Article 17**

1. The provisions of this Chapter are intended to prevent technical regulations and standards, conformity assessment procedures and metrology of the Signatory Parties from becoming unnecessary technical barriers to mutual trade.
2. This Chapter applies to all standards, technical regulations and conformity assessment procedures as defined in the WTO Agreement on Technical Barriers to Trade (TBT Agreement).
3. This Chapter does not apply to sanitary and phytosanitary measures as defined in Annex A of the WTO Agreement on Sanitary and Phytosanitary Measures (SPS Agreement).

**Article 18**

For the purposes of this chapter, definitions as per Annex 1 of the WTO TBT Agreement and the decisions of the WTO TBT Committee established pursuant to Article 13 of the WTO TBT Agreement shall apply.

**Article 19**

The Parties or Signatory Parties affirm their existing rights and obligations in respect of technical regulations, standards and conformity assessment procedures with respect to each other under the WTO TBT Agreement.



### Article 20

The Parties or Signatory Parties shall intensify their joint work in the field of standards, technical regulations, and conformity assessment procedures with a view to facilitating market access. In this process, the Parties or Signatory Parties shall seek to identify initiatives that are appropriate for particular issues or sectors.

### Article 21

1. The Parties or Signatory Parties shall strengthen their mutual cooperation in the field of technical regulations and standards, conformity assessment and metrology in order to enhance mutual understanding of their respective systems with the aim of facilitating access to their respective markets.

2. For such purpose, the Parties or Signatory Parties undertake the following cooperation:

- a) to promote the application of the WTO TBT Agreement;
- b) to strengthen their respective bodies dealing with standardisation, technical regulation, conformity assessment and metrology, as well as their information and notification systems;
- c) to strengthen the technical reliability of standardisation, technical regulation, conformity assessment and metrology bodies;
- d) to increase participation and seek coordination of common positions at international organisations on issues related to this Chapter;
- e) to support the development and application of international standards;
- f) to exchange information on the variety of mechanisms to facilitate the acceptance of conformity assessment results;
- g) to strengthen mutual technical confidence between the competent bodies, aiming at negotiations of mutual recognition on technical regulations and standards, conformity assessment and metrology in accordance with the criteria set by relevant international organisations or the WTO TBT Agreement.

## Chapter X Sanitary and Phytosanitary Measures

### Article 22

This Chapter applies to all sanitary and phytosanitary measures of a Party or Signatory Party that may, directly or indirectly, affect trade between the Parties. For the purposes of this Chapter, sanitary or phytosanitary measure means any measure referred to in Annex A, paragraph 1, of the WTO SPS Agreement.

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**Article 23**

The Parties or Signatory Parties reaffirm their rights and obligations set out in the WTO Agreement on the Application of Sanitary and Phytosanitary Measures.

**Article 24**

Sanitary and Phytosanitary Measures shall be subject to the conditions established in Annex VI of this Agreement.

**Chapter XI  
Administration of the Agreement****Article 25**

The Parties agree to create a Joint Administration Committee (hereinafter referred to as "the Committee") comprised of the Common Market Group, or its representatives, on the side of MERCOSUR, and representatives of SACU or the Common Negotiating Mechanism on the side of SACU.

**Article 26**

The Committee shall hold its first meeting within sixty (60) days of the entry into force of this Agreement to establish its working procedures.

**Article 27**

The Committee shall meet ordinarily at least once every year, at such venues as shall be agreed by the Parties, and extraordinarily at any time, at the request of a Party.

**Article 28**

The Committee shall adopt its decisions by consensus and shall have the following functions, *inter alia*:

- a) to ensure the proper functioning and implementation of this Agreement, its Annexes and Additional Protocols and the dialogue between the Parties;
- b) to consider and submit to the Parties any modifications and amendments to this Agreement;
- c) to evaluate the process of trade liberalisation established under this Agreement, study the development of trade between the Parties and recommend further steps to create a free trade area in accordance with Article 2;

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- d) to perform other functions that may arise from the provisions of this Agreement, its Annexes and any Additional Protocols;
- e) to establish mechanisms to encourage the active participation of the private sectors in trade between the Parties;
- f) to exchange opinions and make suggestions on any issue of mutual interest relating to trade, including future action;
- g) to address non-tariff measures that unnecessarily restrict trade between the Parties.

## **Chapter XII Further Market Access**

### **Article 29**

The Parties undertake to continue to explore the possibilities for enhancing market access among themselves.

### **Article 30**

1. The Parties recognize the particular importance of enhancing market access for smaller economies in MERCOSUR and SACU.
2. In this regard, the Parties instruct the Committee to accord priority to this objective.

## **Chapter XIII Settlement of Disputes**

### **Article 31**

Any disputes arising in connection with the application of, interpretation of, or non-compliance with this Agreement shall be settled in accordance with the rules established in the Annex V of this Agreement.

## **Chapter XIV Amendments and Modifications**

### **Article 32**

Any Party may initiate a proposal to amend or modify the provisions of this Agreement by submitting such proposal to the Committee. The decision to amend shall be taken by mutual consent of the Parties.

**Article 33**

The amendments or modifications to this Agreement shall be adopted by means of Additional Protocols thereto.

**Chapter XV  
Incorporation of New Members****Article 34**

If one of the Parties incorporates one or more new Member States, it shall notify the other Party and afford adequate opportunity for negotiations.

**Article 35**

The incorporation into this Agreement of new members to MERCOSUR or to SACU, as Signatory Parties, shall be formalised through an Accession Protocol reflecting the results of the negotiations held pursuant to Article 34.

**Chapter XVI  
Entry into Force, Notification and Termination****Article 36**

This Agreement shall be subject to the signature of all the Signatory Parties and shall enter into force thirty (30) days after all Signatory Parties have formally notified, through diplomatic channels, the completion of their respective internal procedures to that effect. For MERCOSUR the notification shall be done by the MERCOSUR Pro Tempore Presidency and for SACU the notification shall be done by the SACU Secretariat.

**Article 37**

This Agreement shall remain in force until the date of entry into force of the agreement for the creation of a Free Trade Area between MERCOSUR and SACU, unless terminated by either Party, giving to the other Party twelve (12) months written notice of its intention to terminate this Agreement.



## **Chapter XVII Withdrawal**

### **Article 38**

Any Signatory Party which withdraws from the SACU Agreement or the MERCOSUR Agreement shall, *ipso facto*, on the same day as the withdrawal takes effect, cease to be a Signatory Party to this Agreement. In that case, the notice of withdrawal from the SACU Agreement or the MERCOSUR Agreement shall be notified to all Signatory Parties within sixty (60) days and shall be deemed to be a notice of withdrawal from this Agreement.

### **Article 39**

Once withdrawn, the rights and obligations assumed by the withdrawing Signatory Party shall cease to apply, but it shall be bound to comply with the obligations and continue to enjoy the rights in connection with the tariff preferences established in Annexes I and II of this Agreement for a term of one year, unless otherwise agreed upon. The Committee shall evaluate the impact of the withdrawal on the balance of rights and obligations of this Agreement and, as appropriate, recommend adjustments to the Parties.

## **Chapter XVIII Depositary**

### **Article 40**

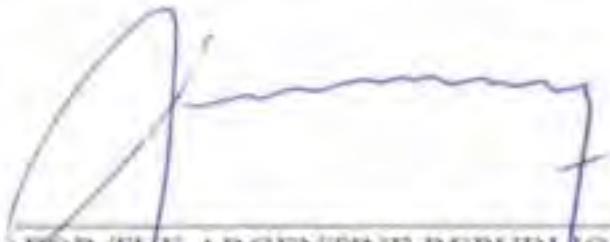
The Government of the Republic of Paraguay shall be the Depositary of this Agreement for MERCOSUR. The SACU Secretariat shall be the Depositary of this Agreement for SACU.

### **Article 41**

In fulfilment of their depositary functions, the Government of the Republic of Paraguay and the SACU Secretariat shall notify the State Parties of MERCOSUR and Member States of SACU respectively, of the date on which this Agreement shall enter into force.

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Done in the city of Salvador, Brazil, on the 15<sup>th</sup> day of December 2008 and in the city of *Maseru*, *Lesotho*, on the *3rd* day of *APRIL* 2009, in two copies in the Spanish, Portuguese and English languages, all texts being equally authentic. In case of doubt or divergence of interpretation, however, the English text shall prevail.



FOR THE ARGENTINE REPUBLIC



FOR THE REPUBLIC OF BOTSWANA



FOR THE FEDERATIVE REPUBLIC  
OF BRAZIL



FOR THE KINGDOM OF LESOTHO



FOR THE REPUBLIC OF PARAGUAY



FOR THE REPUBLIC OF NAMIBIA



FOR THE ORIENTAL REPUBLIC OF  
URUGUAY



FOR THE REPUBLIC OF SOUTH AFRICA



FOR THE KINGDOM OF SWAZILAND



## ANNEX I

## OFFER OF MERCOSUR TO SACU IN HS 2007

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
01011010	Horses	100	
01011090	Others	50	
01031000	Pure-bred breeding animals	100	
01041011	Pregnant or lactating	100	
01041019	Others	100	
01041090	Others	100	
01042010	Pure-bred breeding animals	100	
01042090	Others	100	
01051110	Pure-bred or cross-bred, for breeding	100	
01051190	Others	100	
01051200	Turkeys	100	
01059400	Fowls of the species <i>Gallus domesticus</i>	50	Only for Fowls of the species <i>Gallus domesticus</i> , weighing not more than 2.000 g
01059900	Others	50	
01061900	Others	50	
01062000	Reptiles (including snakes and turtles)	50	
01063910	Ostriches ( <i>Struthio camelus</i> ), for breeding	100	
01063990	Others	50	
01069000	Others	50	
02011000	Carcasses and half-carcasses	25	
02031100	Carcasses and half-carcasses	25	
02031200	Hams, shoulders and cuts thereof, with bone in	25	
02032100	Carcasses and half-carcasses	25	
02032200	Hams, shoulders and cuts thereof, with bone in	25	
02044300	Boneless	25	
02050000	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen	25	
02062100	Tongues	25	
02062200	Livers	25	
02069000	Other, frozen	25	
02081000	Of rabbit or hare	25	
02101100	Hams, shoulders and cuts thereof, with bone in	25	
03022300	Sole ( <i>Solea</i> spp.)	10	
03022900	Others	10	
03026400	Mackerel ( <i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i> )	25 (Br & Py)	
03026947	Piranucu ( <i>Arapaimas gigas</i> )	100	
03026951	Brachyplatistoma vaillanti	100	
03026952	Gilded catfish ( <i>Brachyplatistoma flavicans</i> )	100	
03026954	Black pacu ( <i>Colossoma macropomum</i> )	100	
03026955	Tambaquí ( <i>Tambaquí</i> and <i>pacu</i> hybrids)	100	
03033900	Others	25	
03037100	Sardines ( <i>Sardina pilchardus</i> , <i>Sardinops</i> spp.), sardinella ( <i>Sardinella</i> spp.), brisling or sprats ( <i>Sprattus sprattus</i> )	100 (Ar, Br y Uy)/25 Py	
03037400	Mackerel ( <i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i> )	25	
03037910	Croakers ( <i>Micropogonias furnieri</i> )	25	
03037920	Weakfish <i>Cynoscion</i> spp.	25	
03037934	Blackfin goosefish ( <i>Lophius gastrophysus</i> )	100	
03037948	Channel catfish ( <i>Ictalurus punctatus</i> )	100	
03037956	Piranucu ( <i>Arapaimas gigas</i> )	100	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
03037961	Brachyplatistoma vaillanti	100	
03037962	Gilded catfish (Brachyplatistoma flavicans)	100	
03037964	Black pacu (Colossoma macropomum)	100	
03037965	Tambacues (tambaqui and pacu hybrids)	100	
03042910	Hake (Merluccius spp.), frozen	25 (Br & Py)	
03042960	Catfish (Ictalurus punctatus), frozen filets	100	
03061110	Whole	50	
03061190	Others	50	
03062100	Rock lobster and other sea crawfish (Palinurus spp., Panulirus spp., Jasus spp.)	50	
03071000	Oysters	25	
04070011	Hens' eggs	100	
04070019	Others	100	
05010000	Human hair, unworked, whether or not washed or scoured; waste of human hair	25	
05021011	Washed, bleached or degreased, whether or not dyed	25	
05021019	Others	25	
05021090	Others	25	
05029010	Brush making hair	25	
05029020	Waste	25	
05040012	Of sheep or lamb	25	
05040019	Others	25	
05051000	Feathers of a kind used for stuffing, down	25	
05069000	Others	25	
06012000	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, in growth or in flower; chicory plants and roots	100	
06021000	Unrooted cuttings and slips	100	
06024000	Roses, grafted or not	100	
07011000	Seed	100	
07019000	Others	100	
07031011	Seed	100	
07031021	Seed	100	
07032010	Seed	100	
07039010	Seed	100	
07051100	Cabbage lettuce (head lettuce)	100	
07051900	Others	100	
07061000	Carrots and turnips	100	
07099011	Seed	100	
07131010	Seed	100	
07132010	Seed	100	
07133110	Seed	100	
07135010	Seed	100	
08030000	Bananas, including plantains, fresh or dried	50	
08044000	Avocados	50	
08045020	Mangoes	25	
08062000	Dried	10	
08102000	Raspberries, blackberries, mulberries and loganberries	25	
08104000	Cranberries, bilberries and other fruits of the genus Vaccinium	25	
09021000	Green tea (not fermented) in immediate packings of a content not exceeding 3 kg	50	
09022000	Other green tea (not fermented)	50	
09030010	Not further prepared than roasted	50	
09030090	Others	50	
09042000	Fruits of the genus Capsicum or of the genus Pimenta, dried or crushed or ground	25	
09082000	Mace	25	
09092000	Seeds of coriander	50	
09101000	Ginger	25	
09103000	Turmeric (curcuma)	25	

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NCM/HS code 2007	Description	Margin of preference	Explanatory notes
09109100	Mixtures referred to in Note 1 b) to this Chapter	25	
09109900	Others	25	Only for Thyme, bay leaves and Curry
10011010	Seed	100	
10051000	Seed	100	
10081010	Seed	100	
10081090	Others	25	
10083010	Seed	100	
10089010	Seed	100	
10089090	Others	50	
11029000	Others	50	Except for Rice flour
12021000	In shell	25	
12022010	Seed	100	
12040010	Seed	100	
12051010	Seed	100	
12051090	Others	50	
12059010	Seed	100	
12059090	Others	50	
12072010	Seed	100	
12072090	Others	25	
12079110	Seed	100	
12079911	castor seed	100	
12079919	Others	100	
12079992	castor seed	25	
12079999	Others	25	Only for Safflower seeds, except for planting
12091000	Sugar beet seed	100	
12092900	Others	100	
12099100	Vegetable seeds	100	
12119090	Others	50	Only for Licorice roots 25%
12130000	Cereal straw and husks, unprepared, whether or not chopped, ground, pressed or in the form of pellets	50	
12149000	Others	50	
13019090	Others	50	
13021110	Poppy straw concentrate	25	
13021190	Others	25	
13021930	Of Ginkgo biloba, dried	100	
13021940	Of valepotriates (valerian extracts)	100	
13021950	Of ginseng	100	
13021960	Silymarin	10	
13023910	Carrageenan	50	
13023990	Others	50	
14042010	Raw	25	
14042090	Others	25	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
14049090	Others	25	Only for: 1) Vegetable materials of a kind used primarily as stuffing or as padding (for example: kapok, vegetable hair and eel-grass), whether or not put up as a layer with or without supporting material and 2) Raw vegetable materials of a kind used primarily in dyeing or tanning
15030000	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	50	
15111000	Crude oil	25	
15132120	Babassu	50	
15159090	Others	25	Except for Tung oil in another state that is neither crude nor refining
16041390	Others	75 (Br) & 25 (Py)	Only for "canned pilchard" ( <i>Sardinops ocellata/sagar</i> )
17029000	Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50% by weight of fructose	50	
19030000	Tapioca and substitutes thereof prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms	50	
20049000	Other vegetables: mixtures of vegetables	100	
20082010	Preserved in water, containing added sweetening matter, including syrup	10	
20084010	Preserved in water, containing added sweetening matter, including syrup	100 (Br); 50 (Py); 10 (Ar & Uy MP granted only for BLNS)	
20087010	Preserved in water, containing added sweetening matter, including syrup	25 (Br & Py); 10 (Ar & Uy MP granted only for BLNS)	
20089210	Preserved in water, containing added sweetening matter, including syrup	50 (Br & Py); 10 (Ar & Uy MP granted only for BLNS)	
20099000	Mixtures of juices	25 (Br); 10 (Ar)	
23012010	Of fish	25 (Br & Py)	
23012090	Others	25	
23023010	Sharps	25	
23023090	Others	25	
23033000	Brewing or distilling dregs and waste	25	
23069090	Others	25	
23080000	Vegetable materials and vegetable waste, vegetable residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included	25	
23099040	Preparations containing diclazuril	100	
24012090	Others	10	
25010011	Sea salt	100	
25010019	Others	100	
25010020	Table salt	50	
27011100	Anthracite	100	
27011200	Bituminous coal	100	
27011900	Other coal	100	
27012000	Briquettes, ovoids and similar solid fuels manufactured from coal	100	
27071000	Benzol (benzene)	100	
27072000	Toluol (toluene)	100	
27073000	Xylol (xylenes)	100	

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NCM/HS code 2007	Description	Margin of preference	Explanatory notes
27074000	Naphthalene	100	
27075000	Other aromatic hydrocarbon mixtures of which 65% or more by volume (including losses) distils at 250 °C by the ASTM D 86 method	100	
27079100	Creosote oils	100	
27079910	Cresols	100	
27079990	Other	100	
28091000	Diphosphorus pentoxide	100	
28092020	Metaphosphoric acid	100	
28092030	Pyrophosphoric acid	100	
28092090	Others	100	
28191000	Chromium trioxide	25	
28220010	Tricobalt tetraoxide (cobalt saline oxide)	25	
28341010	Of sodium	100	
28341090	Others	100	
28342110	Containing not more than 98% by weight of KNO <sub>3</sub>	100	
28342930	Of aluminium	100	
28342940	Of lithium	100	
28352990	Others	25	
28415015	Zinc chromate	50	
28415016	Lead chromate	50	
28520019	Others	100	
28520029	Others	100	
29011000	Saturated	100	
29012100	Ethylene	100	
29012200	Propene (propylene)	100	
29012300	Butene (butylene) and isomers thereof	100	
29012410	Buta-1,3-diene	100	
29012420	Isoprene	100	
29012900	Others	100	
29051210	Propan-1-ol (propyl alcohol)	100	
29051430	tert-Butyl alcohol (2-methyl-2-propanol)	100	
29051710	Lauryl alcohol	100	
29051720	Hexadecan-1-ol (cetyl alcohol)	100	
29051730	Stearyl alcohol	100	
29051911	n-Decanol	100	
29051919	Others	100	
29051921	Magnesium ethylate	100	
29051922	Sodium methylate	100	
29051929	Others	100	
29051994	Tetrahydrolinalol (3,7-dimethyloctan-3-ol)	100	
29051995	3,3-Dimethylbutan-2-ol (pinacol alcohol)	100	
29051999	Others	100	
29052210	Linalol	100	
29052230	Dihydromyrcenol (2,6-dimethyl-7-octen-2-ol)	100	
29052910	Allyl alcohol	100	
29052990	Others	100	
29053990	Others	100	
29054100	2-Ethyl-2-(hydroxymethyl)propane-1,3-diol (trimethylolpropane)	100	
29054900	Others	100	
29055100	Ethchlorvynol (INN)	100	
29055910	Chloral hydrate	100	
29055990	Others	100	
29071200	Cresols and their salts	100	
29071510	Beta-naphthol and its salts	100	
29071590	Others	100	
29071910	2,6-Di-tert-Butyl-p-cresol and its salts	100	
29071920	o-Phenylphenol and its salts	100	
29071930	p-tert-Butylphenol and its salts	100	
29071940	Xylenol and their salts	100	

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NCM/HS code 2007	Description	Margin of preference	Explanatory notes
29071990	Others	100	
29072100	Resorcinol and its salts	100	
29072200	Hydroquinone (quinol) and its salts	100	
29072900	Others	100	
29141910	Phorone	100	
29141921	Acetylacetone	100	
29141922	Acetonylacetone	100	
29141930	Methyl hexyl ketone	100	
29141940	Pseudoionones	100	
29142100	Camphor	100	
29142210	Cyclohexanone	100	
29142220	Methylcyclohexanones	100	
29142310	Ionones	100	
29142320	Methylionones	100	
29142910	Carvone	10	
29142920	l-Menthone	100	
29142990	Others	100	
29143100	Phenylacetone (phenylpropan-2-one)	100	
29143990	Others	100	
29144091	Benzoin	100	
29144099	Others	100	
29145010	Nabumetone	100	
29145020	1,8-Dihydroxy-3-methyl-9-anthrone and its enol form (chrysarobin)	10	
29145090	Others	100	
29146100	Anthraquinone	100	
29146910	Lapachol	100	
29146920	Menadione	100	
29147011	1-Chloro-5-hexanone	100	
29147019	Others	100	
29147021	Menadione sodium bisulphite	100	
29147022	Sulisobenzone (5-benzoyl-4-hydroxy-2-methoxybenzenesulphonic acid)	10	
29147029	Others	100	
29147090	Others	100	
29151290	Others	100	
29151310	Geranyl	10	
29151390	Others	100	
29153910	Linalyl acetate	100	
29153931	n-Propyl	100	
29153941	Decyl	100	
29153942	Hexyl	100	
29153951	Of benzoestrol	100	
29153952	Of dienoestrol	100	
29153953	Of hexoestrol	100	
29153954	Of mestilbol	100	
29153955	Of stilboestrol	100	
29153961	Trichloro- $\alpha$ -phenylethyl acetate	100	
29153962	Of trichloromethylphenylcarbinol	100	
29153963	Ethylene glycol diacetate (ethylene diacetate)	100	
29153991	2-tert-Butylcyclohexyl	100	
29153992	Of bornyl	100	
29153993	Dimethylbenzylcarbonyl	100	
29153994	Bis(p-acetoxyphenyl)cyclohexylidene methane (cyclophenyl)	100	
29154090	Others	100	
29155010	Propionic acid	100	
29155020	Salts	10	
29155030	Esters	100	
29156011	Butanoic acid and its salts	100	
29156012	Ethyl butanoate	100	
29156019	Others	100	

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NCM/HS code 2007	Description	Margin of preference	Explanatory notes
29156021	Pivalic acid	100	
29156029	Others	100	
29159010	Chloroacetyl chloride	100	
29159031	Myristic acid	100	
29159032	Caprylic acid	100	
29159039	Others	100	
29159041	Lauric acid	100	
29159090	Others	100	
29171930	Fumaric acid, its salts and esters	25	
29181320	Esters	100	
29181800	Chlorobenzilate (ISO)	100	
29181910	Bromopropylate	100	
29181921	Ursodiol (ursodeoxycholic acid)	100	
29181922	Chenodeoxycholic acid	100	
29181930	12-Hydroxystearic acid	10	
29181941	Benzyllic acid	100	
29181942	Salts	100	
29181943	Esters	100	
29181990	Others	100	
29182219	Others	100	
29182220	Esters	100	
29182910	Hydroxynaphthoic acids	100	
29182921	p-Hydroxybenzoic acid	100	
29182929	Others	100	
29182930	Galic acid, its salts and esters	100	
29182990	Others	100	
29183010	Ketoprofen	100	
29183020	Methylbutyl acetate	100	
29183039	Others	100	
29183040	2-Nitromethylbenzylidene acetyl acetate	100	
29183090	Others	100	
29189100	2,4,5-T (ISO) (2,4,5-trichlorophenoxyacetic acid), its salts and esters	100	
29189919	Others	100	
29189929	Others	100	
29189930	Sodium Acifluorfen	100	
29189940	Naproxen	100	
29189950	3-(2-chloro-alfa,alfa,alfa-trifluoro-p-tolyloxy)benzoyl acid	100	
29189960	Diclofop-methyl	100	
29189999	Others	100	
29211112	Salts	100	
29211129	Others	100	
29211139	Others	100	
29211913	Bis(2-chloroethyl)jetty(amine)	100	
29211914	Trichlormethine (INN) (tris(beta-chloroethyl)amine)	100	
29211919	Others	100	
29211929	Others	100	
29211939	Others	100	
29211991	Chlormethine (INN) (di(chloroethyl)methylamine)	100	
29211992	N,N-Dialkyl(C1 to C3)-2-chloroethylamines, their protonated salts and esters	100	
29211999	Others	100	
29212100	Ethylenediamine and its salts	100	
29212910	Diethylenetriamine and its salts	100	
29212920	Triethyltetramine and its salts	100	
29212990	Others	100	
29213019	Others	100	
29213020	Propylhexedrine	100	
29213090	Others	100	
29214211	Sulphanilic acid and its salts	100	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
29214219	Others	100	
29214229	Others	100	
29214231	4-Nitroaniline	100	
29214239	Others	100	
29214241	5-Chloro-2-nitroaniline	100	
29214249	Others	100	
29214290	Others	100	
29214319	Others	100	
29214321	3-Nitro-4-toluidine and its salts	100	
29214323	4-Chloro-2-toluidine	100	
29214329	Others	100	
29214410	Diphenylamine and its salts	100	
29214429	Others	100	
29214500	1-Naphthylamine (alpha-naphthylamine), 2-naphthylamine (beta-naphthylamine) and their derivatives: salts thereof	100	
29214610	Amfetamian and its salts	100	
29214620	Benzphetamine and its salts	100	
29214630	Dexamfetamine and its salts	100	
29214640	Etilamfetamine and its salts	100	
29214650	Fencamfetamine and its salts	100	
29214660	Phentermine and its salts	100	
29214670	Lefetamine and its salts	100	
29214680	Levamfetamine and its salts	100	
29214690	Mefenorex and its salts	100	
29214910	Fenfluramine hydrochloride	100	
29214921	2,4-Xylidine and its salts	100	
29214922	Pendimethalin	100	
29214929	Others	100	
29214931	Tranylcypromine sulphate	10	
29214939	Others	100	
29214990	Others	100	
29215111	m-Phenylenediamine and its salts	100	
29215119	Others	100	
29215120	Sulphonated derivatives of phenylenediamines and their derivatives: salts thereof	100	
29215135	N-Phenyl-p-phenylenediamine (4-aminodiphenylamine) and its salts	100	
29215139	Others	100	
29215190	Others	100	
29215911	3,3'-Dichlorobenzidine	100	
29215919	Others	100	
29215929	Others	100	
29215932	4,4'-Diaminodiphenylamino-2-sulphonic acid and its salts	100	
29215939	Others	100	
29215990	Others	100	
29241100	Meprobamate (INN)	100	
29241210	Fluoroacetamide	100	
29241220	Phosphamidon	100	
29241911	2-Chloro-N-methylacetacetamide	100	
29241919	Others	100	
29241929	Others	100	
29241931	Acrylamide	100	
29241932	Methacrylamides	100	
29241939	Others	100	
29241949	Others	100	
29241991	N,N'-Dimethylurea	100	
29241992	Cansoprodol	100	
29241999	Others	100	
29242111	Hexanitrocarbanilides	100	
29242119	Others	100	
29242190	Others	100	



NCMHS code 2007	Description	Margin of preference	Explanatory notes
29242300	2-Acetamidobenzoic acid (N-acetylanthranilic acid) and its salts	100	
29242400	Ethinamate (INN)	100	
29242912	4-Aminoacetanilide	100	
29242915	2,5-Dimethoxyacetanilide	10	
29242919	Others	100	
29242920	Anilides of hydroxynaphthoic acids and their derivatives, salts thereof	100	
29242931	Carbaryl	100	
29242932	Propoxur	100	
29242939	Others	100	
29242941	Teclozan	100	
29242943	Athenolol; metolachlor	100	
29242944	Ioxaglic acid	100	
29242945	Iodamide	100	
29242946	p-Acetamidobenzenesulphonic acid chloride	10	
29242949	Others	100	
29242959	Others	100	
29242969	Others	100	
29242991	Aspartam	100	
29242992	Diflubenzuron	100	
29242993	Metaxyl	100	
29242994	Triflumuron	100	
29242999	Others	100	
29310021	Bis(trimethylsilyl)urea	100	
29310029	Others	100	
29310031	Ethephon; (4,4'-bis[(dimethoxyphosphonyl)methyl]diphenyl)diphenylphosphonate	100	
29310035	Glufosinate ammonium	100	
29310036	Bis(2-Ethylhexyl) hydrogenphosphonate	100	
29310041	Triphenyltin acetate	100	
29310042	Tetraoctyltin	100	
29310043	Cyhexatin	10	
29310044	Triphenyltin hydroxide	100	
29310049	Others	100	
29310051	Methylarsinic acid and its salts	100	
29310052	2-Chlorovinylchloroarsine	100	
29310053	Bis(2-chlorovinyl)chloroarsine	100	
29310054	Tris(2-chlorovinyl)arsine	100	
29310059	Others	100	
29310069	Others	100	
29310090	Others	100	
29331111	Dipyron	100	
29331112	Magnopyrol	100	
29331119	Others	100	
29331120	Methylenebis(4-methylamino-1-phenyl-2,3-dimethylpyrazolone)	100	
29331190	Others	100	
29331911	Phenylbutazone calcium	100	
29331919	Others	100	
29331990	Others	100	
29332110	Iprodione	100	
29332129	Others	100	
29332190	Others	100	
29332911	2-Methyl-5-nitroimidazole	100	
29332919	Others	100	
29332923	Clonidine hydrochloride	100	
29332924	Isoconazole nitrate	100	
29332925	Clotrimazole	100	
29332929	Others	100	
29332940	4-Methyl-5-Hydroxymethylimidazole and its salts	10	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
29332991	Imidazole	100	
29332992	Histidine and its salts	100	
29332993	Ondansetron and its salts	100	
29332994	1-Hydroxyethyl-2-undecanoylimidazoline	10	
29332995	1-Hydroxyethyl-2-(6-heptadecanoyl)imidazoline	10	
29332999	Others	100	
29333110	Pyridine	100	
29333120	Salts	100	
29333200	Piperidine and its salts	100	
29333311	Alfentanil	100	
29333312	Anilidine	100	
29333319	Others	100	
29333321	Bezitramide	100	
29333329	Others	100	
29333330	Ketobemidone and its salts	100	
29333341	Diphenoxylate	100	
29333342	Diphenoxylate hydrochloride	10	
29333349	Others	100	
29333351	Difenoxin	100	
29333352	Dipipanone	100	
29333359	Others	100	
29333361	Phencyclidine	100	
29333362	Pbenoperidine	100	
29333363	Fentanyl	100	
29333369	Others	100	
29333371	Methyphenidate	100	
29333372	Pentazocine	100	
29333379	Others	100	
29333381	Pethidine	100	
29333382	Pethidine intermediate A	100	
29333383	Pipradrol	100	
29333384	Pethidine hydrochloride	10	
29333389	Others	100	
29333391	Pirtramide	100	
29333392	Propiram	100	
29333393	Trimeperidine	100	
29333398	Others	100	
29333912	Droperidol	10	
29333913	Niflumic acid	100	
29333914	Haloxifop (RS)-2-[4-(3-chloro-5-trifluoromethyl-2-pyridoxy)phenoxy]propionic acid	100	
29333915	Haloperidol	100	
29333919	Others	100	
29333921	Picloram	100	
29333922	Chlorpyrifos	100	
29333923	Clebopride malate	10	
29333929	Others	100	
29333932	Biperiden and its salts	100	
29333933	Isonicotinic acid	100	
29333934	5-Ethyl-2,3-dicarboxypyridine (5-EPDC)	100	
29333936	Quinuclidine-3-ol	100	
29333939	Others	100	
29333945	Piritamine maleate	10	
29333946	Omeprazole	100	
29333947	3-Quinuclidinyl benzylate	100	
29333949	Others	100	
29333989	Others	100	
29333991	Phenazopyridine hydrochloride	100	
29333992	Isoniazid	100	
29333993	3-Cyanopyridine	100	
29333994	4,4'-Bipridine	100	
29333999	Others	100	



NCM/HS code 2007	Description	Margin of preference	Explanatory notes
29334110	Levorphanol	100	
29334120	Salts	100	
29334911	2,3-Quinolinedicarboxylic acid	100	
29334912	Rosoxacin	100	
29334919	Others	100	
29334920	Oxamniquine	100	
29334930	Broxyquinoline	100	
29334940	Esters of levorphanol	100	
29334990	Others	100	
29335200	Malonylurea (barbituric acid) and its salts	100	
29335311	Allobarbital and its salts	100	
29335312	Amobarbital and its salts	100	
29335321	Barbital and its salts	100	
29335322	Butalbital and its salts	100	
29335323	Butobarbital and its salts	100	
29335330	Cyclobarbital and its salts	100	
29335340	Phenobarbital and its salts	100	
29335350	Methylphenobarbital and its salts	100	
29335360	Pentobarbital and its salts	100	
29335371	Secbutabarbital and its salts	100	
29335372	Secobarbital and its salts	100	
29335380	Vinylital and its salts	100	
29335400	Other derivatives of malonylurea (barbituric acid), salts thereof	100	
29335510	Loprazolam and its salts	100	
29335520	Mecloqualone	100	
29335530	Methaqualone and its salts	100	
29335540	Zipeprol and its salts	100	
29335911	Oxatomide	100	
29335912	Praziquantel	10	
29335913	Norfloxacin and norfloxacin nicotinate	100	
29335919	Others	100	
29335922	Terbaciol	100	
29335923	Fluorouracil	100	
29335929	Others	100	
29335931	Propylthiouracil	10	
29335932	Diazinon	100	
29335933	Pyrazophos	100	
29335934	Azathioprine	10	
29335939	Others	100	
29335942	Acyclovir	100	
29335943	Dipindamol tosylates	100	
29335944	Nicarbazine	10	
29335949	Others	100	
29335999	Others	100	
29336100	Melamine	100	
29336911	2,4,6-Trichlorotriazine (cyanuric chloride)	100	
29336912	Mercaptodichlorotriazine	100	
29336915	Cyanazine	100	
29336916	Anilazine	100	
29336919	Others	100	
29336922	Hexazinon	100	
29336923	Metribuzin	100	
29336929	Others	100	
29336999	Others	100	
29337210	Clobazam	100	
29337220	Methypylon	100	
29337910	Piracetam	100	
29337990	Others	100	
29339112	Camazepam	100	
29339113	Clonazepam	100	
29339114	Clorazepate	100	
29339115	Chlordiazapoxide	10	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
29339119	Others	100	
29339121	Delorazepam	100	
29339123	Estazolam	100	
29339129	Others	100	
29339131	Fludiazepam	100	
29339132	Flunitrazepam	100	
29339133	Flurazepam	100	
29339134	Halazepam	100	
29339139	Others	100	
29339141	Ethyl loflazepam	100	
29339142	Lorazepam	100	
29339143	Lormetazepam	100	
29339149	Others	100	
29339152	Medazepam	100	
29339159	Others	100	
29339161	Nimetazepam	100	
29339162	Nitrazepam	100	
29339163	Nordazepam	100	
29339164	Oxazepam	10	
29339169	Others	100	
29339171	Pinazepam	100	
29339172	Pyrovalerone	100	
29339173	Prazepam	100	
29339179	Others	100	
29339181	Temazepam	100	
29339182	Tetrazepam	100	
29339183	Triazolam	10	
29339189	Others	100	
29339911	Pyrazinamide	10	
29339912	Amiloride hydrochloride	100	
29339913	Pindolol	100	
29339919	Others	100	
29339920	Compounds containing a diazepine ring (whether or not hydrogenated) in the structure	100	
29339931	Iminostilbene	100	
29339933	Clomipramine hydrochloride	100	
29339934	Molinate (S-ethyl hexahydroazepin-1-carbothioate)	100	
29339935	Hexamethylenimine	100	
29339939	Others	100	
29339941	Clemastine and its derivatives; salts thereof	100	
29339945	Buflomedil and its derivatives; salts thereof	100	
29339947	Ketorolac tromethamine	100	
29339949	Others	100	
29339951	Benomyl	100	
29339959	Others	100	
29339961	Tradimenol	100	
29339962	Triadimefon	100	
29339963	Triazofos (O,O-diethyl O-(1-phenyl-1H-1,2,4-triazol-3-yl)phosphorothioate)	100	
29339969	Others	100	
29339991	Azinfos-ethyl	100	
29339992	Nalidixic acid	100	
29339999	Others	100	
29341010	Fentazac	100	
29341030	Thiabendazole	100	
29341090	Others	100	
29342090	Others	100	
29343010	Methotrimeprazine maleate (levomepromazine maleate)	100	
29343030	Promethazine	100	
29343090	Others	100	
29349111	Aminorex and its salts	100	



NCM/HS code 2007	Description	Margin of preference	Explanatory notes
29349112	Benzphetamine and its salts	100	
29349121	Clotiazepam	100	
29349122	Clozazolam	10	
29349123	Dextromoramide	100	
29349129	Others	100	
29349131	Phendimetrazine and its salts	100	
29349132	Phenmetrazine and its salts	100	
29349133	Haloxazolam and its salts	100	
29349142	Mesocarb	100	
29349149	Others	100	
29349150	Oxazolam and its salts	100	
29349160	Pemoline and its salts	100	
29349170	Sufentanil and its salts	100	
29349911	Morpholine and its salts	100	
29349912	Pirenoxine sodium salt (catalin sodium salt)	100	
29349913	Nemorazol	100	
29349914	Isaloic anhydride (2H-3,1-benzoxazine-2,4-(1H)-dione)	100	
29349919	Others	100	
29349922	Zidovudine (AZT)	10	
29349923	Thymidine	100	
29349925	Cytarabine	100	
29349926	Oxadiazon	100	
29349927	Stavudine	10	
29349929	Others	100	
29349932	Prazosin hydrochloride	100	
29349934	Nucleic acids and their salts	10	
29349939	Others	100	
29349941	Thiophene	100	
29349942	6-Aminopenicillanic acid	50	
29349943	7-Aminocephalosporanic acid	100	
29349944	7-Aminodesacetoxycephalosporanic acid	100	
29349945	Chlomezanone	10	
29349946	9-(N-Methyl-4-piperidinydene)thioxanthene	10	
29349949	Others	100	
29349951	Tebuthiuron	100	
29349954	Tioconazole	100	
29349959	Others	100	
29349969	Others	100	
29349991	Timolol	100	
29349999	Others	100	
30032062	Daunorubicin	100	
30032063	Pirarubicin, idarubicin	100	
30032072	Actinomycins	100	
30032091	Mitomycins	100	
30032093	Bleomycins or their salts	100	
30032094	Imipenem	100	
30033911	Somatotropin	100	
30033916	Somatostatin or its salts	100	
30033917	Buserelin or its acetate	100	
30033918	Triptorelin or its salts	100	
30033919	Leuprolide and leuprolide acetate	100	
30033921	LH-RH (gonadorelin)	100	
30033924	Timosins	100	
30033925	Octreolide	100	
30033926	Goserelin and goserelin acetate	100	
30033936	Megestrol acetate, formestane, fulvestrant	100	
30033991	2,11,15-Trihydroxy-16-(3-Chlorophenoxy)prosta-5,13-dien-1-oic acid (prostaglandin F2 $\alpha$ ) sodium salt or methyl ester	100	
30034010	Vinblastine, vincristine; derivatives thereof; topotecan or its hydrochloride	100	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
30039017	Retinoic acid (tretinoin)	100	
30039021	Streptokinase	100	
30039022	L-Asparaginase	100	
30039023	Deoxyribonuclease	100	
30039038	Etretinate; fosfestrol or its di- or tetrasodium salts; miltefosine	100	
30039048	Chlorambucil; chlormethine (INN) or its hydrochloride; meflalan; toremifene or its citrate	100	
30039058	Aminogluthetimide; carmustine; deferoxamine (desferrioxamine B) or its salts, derivatives thereof; lomustine; procarbazine or its hydrochloride	100	
30039069	Others	100	For Ethopozid
30039078	Albretamine; bortezomib; dacarbazine; tenofovir disoproxil fumarate; enfuvirtide; fluspiniene; letrozole; lopinavir; imatinib mesylate; neftinavir or its mesylate; nevirapine; pemetrexed; saquinavir; abacavir sulphate; atazanavir sulphate; indinavir sulph	100	
30039088	Amprenavir; aprepitant; delavirdine or its mesylate; efavirenz; emtricitabine; etoposide; fludarabine phosphate; fosamprenavir calcium; gencitabine or its hydrochloride; raltegravir; ritonavir; teniposide	100	
30039095	Busulfan; dexornaplatin; diethylstilbestrol or its dipropionate; enloplatin; filgrastim; iproplatin; lobaplatin; miboplatin; mitofane; ornaplatin; procarbazine or its hydrochloride; propofol; sebriplatin; zeniplatin	100	
30042062	Daunorubicin	100	
30042063	Pirarubicin; idarubicin	100	
30042072	Actinomycins	100	
30042091	Mitomycins	100	
30042093	Bleomycins or their salts	100	
30042094	Imipenem	100	
30043911	Somatotropin	100	
30043916	Somatostatin or its salts	100	
30043917	Buserelin or its acetate	100	
30043918	Triptorelin or its salts	100	
30043919	Leuprolide and leuprolide acetate	100	
30043921	LH-RH (gonadorelin)	100	
30043924	Timosins	100	
30043926	Octreotide	100	
30043927	Goserelin and goserelin acetate	100	
30043936	Megestrol acetate; formestane; fulvestrant	100	
30043991	2,11,15-Trihydroxy-16-(3-Chlorophenoxy)prosta-5,13-dien-1-oic acid (prostaglandin F2 $\alpha$ ) sodium salt or methyl ester	100	
30044010	Vinblastine; vincristine; derivatives thereof; topotecan or its hydrochloride	100	
30045060	Retinoic acid (tretinoin)	100	
30049011	Streptokinase	100	
30049012	L-Asparaginase	100	
30049013	Deoxyribonuclease	100	
30049027	Nitroglycerin, for transdermal administration	100	
30049028	Etretinate; fosfestrol or its di- or tetrasodium salts; miltefosine	100	
30049038	Chlorambucil; chlormethine (INN) or its hydrochloride; meflalan; toremifene or its citrate	100	



NCM/HS code 2007	Description	Margin of preference	Explanatory notes
30049048	Aminoglutethimide, carmustine; deferoxamine (desferrioxamine B) or its salts, derivatives thereof, lomustine; procarbazine or its hydrochloride	100	
30049058	Clodronic acid or its disodium salt; streptozocin; fotemustine	100	
30049068	Albretamine; bortezomib; dacarbazine; tenofovir disoproxil fumarate; enfuvirtide; fusipirone; letrozole; lopinavir; imatinib mesylate; nelfinavir or its mesylate; nevirapine; pemetrexed; saquinavir; abacavir sulphate; atazanavir sulphate; indinavir sulphate	100	
30049078	Amprenavir; aprepitant; delavirdine or its mesylate; efavirenz; emtricitabine; etoposide; fludarabine phosphate; fosamprenavir calcium; gencitabine or its hydrochloride; raltegravir; ritonavir; teniposide	100	
30049095	Busulfan; dexornaplatin; diethylstilbestrol or its dipropionate; enloplatin; filgrastim; iproplatin; lobaplatin; miboplatin; mitotane; ormaplatin; procarbazine or its hydrochloride; propofol; sebraplatin; zeniplatin	100	
32019011	Of gambier	100	
32062000	Pigments and preparations based on chromium compounds	25	
33011290	Others	10	
33011990	Others	10	Only for Essential oil of bergamot
33012520	Of spearmint ( <i>Mentha viridis</i> L.)	100	
33012590	Others	100	
33012911	Of citronella	25	
33012912	Of cedar	100	
33012913	Of guaiacum ( <i>Bulnesia sarmientoi</i> )	10	
33012915	Of rosewood	25	
33012916	Of palmarosa	25	
33012917	Of coriander	25	
33012918	Of cabreuva	10	
33012919	Of eucalyptus	25	
33012990	Others	100	
33019040	Extracted oleoresins	50	
33061000	Dentifrices	100 (Br&Ar)	
34021110	Sodium dibutyl-naphthalenesulphonate	100 (Br&Ar)	
34021120	Sodium N-methyl-N-oleoyltaurate	100 (Br&Ar)	
34022000	Preparations put up for retail sale	100 (Br)	
34029011	Containing non-ionic products only	100 (Br)	
34029019	Others	100 (Br)	
34029021	Hydro-alcoholic solutions or emulsions of (1-perfluoroalkyl-2-acetoxy)propyl betaine	100 (Br)	
34029022	Based on sodium nonanoyloxybenzenesulphonate	100 (Br)	
34029023	Hydro-alcoholic solutions or emulsions of perfluoroalkyltrimethylammonium sulphonates and perfluoroalkylacrylamide	100 (Br)	
34029029	Others	100 (Br)	
34029031	Based on ethoxylated nonylphenol	100 (Br)	
34029039	Others	100 (Br)	
34029090	Others	100 (Br)	
35030011	Derived from ossein, of a purity of 99.98% or more by weight	100	
38029030	Atapulgit	100	
38029080	Bauxite	100	
38151220	Of a particle size less than 500 microns	10	
38247110	Containing trichlorotrifluoroethanes	100	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
38247410	Containing chlorodifluoromethane and pentafluoroethane	100	
38247420	Containing chlorodifluoromethane and chlorotetrafluoroethane	100	
38247810	Containing tetrafluoromethane and pentafluoroethane	100	
38249012	Containing not more than 55% by weight of cyanocobalamin	100	
38249013	From the manufacture of primycin ammonium salt	100	
38249014	Senduramycin sodium, from the manufacture of senduramycin	100	
38249015	Maduramycin ammonium salt, in solution in alcohol, from the manufacture of maduramycin	100	
38249021	Dimerized fatty acids; preparations containing dimerized fatty acids	100	
38249022	Preparations containing stearylbenzoylmethane and palmitoylbenzoylmethane; preparations containing caprylate and propylene glycol caprylate	100	
38249024	Esters fatty alcohols of C12 the C20 of the methacrylic acid and its mixtures, esters of monocarboxylic acid ramified monocarboxylic of C10 ramified with glycerol	100	
38249025	Mixtures of adipic acid dimethyl ester, glutaric acid dimethyl ester, succinic acid dimethyl ester, mixtures of C11, C12 dibasic acid; naphthenic acid, its water-insoluble salts and its esters	100	
38249033	Containing polyethylene amines and diethylenetriamines, for coagulating latex	100	
38249036	Cross linking for silicone	100	
38249043	Based on trimethyl-3,9-diethydecane	100	
38249051	Foam inhibitors containing tributyl phosphate in solution in isopropyl alcohol	100	
38249054	Flame-retardants containing mixed isopropylated triphenyl phosphates	100	
38249073	Preparations based on lungsten carbide with nickel agglomerates; hydrogen bromide, in solution	100	
38249074	Preparations based on nickel or cadmium, cadmium oxide or ferrous ferric oxide, for the manufacture of alkaline accumulators	100	
38249075	Preparations used in the preparation of culture media; ion-exchangers for treating water; preparations based on artificial zeolites	100	
38249076	Absorbent compound on metal base to perfect the vacuum in the pipes or electric valves	100	
38249077	Leaf feeds containing zinc and manganese	100	
38249078	Preparations based on aluminium oxide and zirconium oxide, containing 20% or more by weight of zirconium oxide	100	
38249082	Malquindol, tetrachlorohydroxyglycine of aluminum and zirconium	100	
38249083	Phenyl thiophosphate trisocyanate or triphenylmethane thiophosphate trisocyanate in solution in methylene chloride or ethyl acetate; preparations based on tetracetylenediamine in powder form	100	
39071031	Polydextrose	100	



NCM/HS code 2007	Description	Margin of preference	Explanatory notes
39071041	Polydextrose	100	
39071042	Other, in powder form of which more than 80% by weight passes through a sieve with an aperture of 0.85 mm	100	
39071049	Others	100	
39072012	Not containing fillers	100	
39072020	Poly(tetramethylene ether glycol)	100	
39079912	Others, as specified in note 6 a) to this Chapter	100	
39079919	Others	100	
40141000	Sheath contraceptives	10	
41012010	Not split	100	
41012020	Grain splits	100	
41012030	Splits (other than grain splits)	100	
41022100	Pickled	100	
41022900	Others	100	
41032000	Of reptiles	100	
41039000	Others	25	
43018000	Other furskins, whole, with or without head, tail or paws	25	For Of seal, whole, with or without head, tail or paws
43019000	Heads, tails, paws and other pieces or cuttings, suitable for furriers' use	25	
44201000	Statuettes and other ornaments, of wood	50	
44209000	Others	50	
47031100	Coniferous	50	
47031900	Non-coniferous	50	
47032100	Coniferous	50	
48025491	Made mainly of bleached chemical pulp or pulp gotten for a mechanical process, of inferior weight 19g/m <sup>2</sup>	100	
48026191	Weighing not more than 57 g/m <sup>2</sup> , of a mechanical fibre content of 65% or more by weight of the total fibre content	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48026192	Kraft paper and paperboard	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48026199	Others	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48026291	Weighing not more than 57 g/m <sup>2</sup> , of a mechanical fibre content of 65% or more by weight of the total fibre content	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48026292	Kraft paper and paperboard	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48026299	Others	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>

NCMHS code 2007	Description	Margin of preference	Explanatory notes
48026991	Weighing not more than 57 g/m <sup>2</sup> , of a mechanical fibre content of 65% or more by weight of the total fibre content	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48026992	Kraft paper and paperboard	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48026999	Others	100	Only for Carbonising base paper made mainly from bleached pulp or from pulp obtained by a mechanical process, weighing less than 19 g/m <sup>2</sup>
48043110	Of a dielectric strength of 600 V or more (ASTM D 202 or equivalent standard)	100	
48043910	Of a dielectric strength of 600 V or more (ASTM D 202 or equivalent standard)	100	
48054010	Weighing more than 15 g/m <sup>2</sup> but less than 25 g/m <sup>2</sup> containing of a vinyl acetate-vinyl chloride copolymer fibre content of 20% or more by weight of the total fibre content	100	
48101382	Baryta paper (paper coated with barium oxide or with barium sulphate)	100	
48101482	Baryta paper (paper coated with barium oxide or with barium sulphate)	100	
48101982	Baryta paper (paper coated with barium oxide or with barium sulphate)	100	
48109910	In strips or rolls of a width not exceeding 15 cm or in sheets of which no side exceeds 360 mm in the unfolded state	10	
48109990	Others	10	
49021000	Appearing at least four times a week	100	
49029000	Others	100	
50030090	Others	50	
50079000	Other fabrics	25	
51011110	Of a fineness of 22.05 microns or more but not more than 32.6 microns	50	
51011190	Others	50	
51011900	Others	25	
51012100	Shorn wool	25	
51012900	Others	25	
51013000	Carbonized	50	
51021900	Others	25	
51022000	Coarse animal hair	25	
51031000	Noils of wool or of fine animal hair	50	
51032000	Other waste of wool or of fine animal hair	25	
51033000	Waste of coarse animal hair	25	
52010010	Not ginned	25	
52029100	Garnetted stock	25	
52062200	Measuring less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number)	10	
52064200	Measuring per single yarn less than 714.29 decitex but not less than 232.56 decitex (exceeding 14 metric number but not exceeding 43 metric number per single yarn)	10	
52094210	Of yarns dyed indigo blue (Colour Index 73000)	10	
52094290	Others	10	
54021100	Of aramids	100	



NCM/HS code 2007	Description	Margin of preference	Explanatory notes
54021910	Of nylon	25 (Br&Py); 10 (Ar&Uy)	
54021990	Others	25 (Br &Py); 10 (Ar & Uy)	
54022000	High tenacity yarn of polyesters	25 (Br &Py); 10 (Ar & Uy)	
54023111	Dyed	25 (Br &Py); 10 (Ar & Uy)	
54023119	Others	25 (Br &Py); 10 (Ar & Uy)	
54023190	Others	25 (Br &Py); 10 (Ar & Uy)	
54023211	Permanent anti-static multifilament measuring more than 110 tex	25 (Br &Py); 10 (Ar & Uy)	
54023219	Others	25 (Br &Py); 10 (Ar & Uy)	
54023290	Others	25 (Br &Py); 10 (Ar & Uy)	
54023300	Of polyesters	25 (Br &Py); 10 (Ar & Uy)	
54023400	Of polypropylene	25 (Br &Py); 10 (Ar & Uy)	
54023900	Others	25 (Br &Py); 10 (Ar & Uy)	
54024400	Elastomeric	25 (Br &Py); 10 (Ar & Uy)	For Of aramids 100%
54024510	Of aramid	100	
54024520	Of nylon	25 (Br &Py); 10 (Ar & Uy)	
54024590	Others	25 (Br &Py); 10 (Ar & Uy)	
54024600	Other, of polyesters, partially oriented	25 (Br &Py); 10 (Ar & Uy)	
54024700	Other, of polyesters	25 (Br &Py); 10 (Ar & Uy)	
54024800	Other, of polypropylene	25 (Br &Py); 10 (Ar & Uy)	
54024990	Others	25 (Br &Py); 10 (Ar & Uy)	
54025110	Of aramids	100	
54025190	Others	25 (Br &Py); 10 (Ar & Uy)	
54025200	Of polyesters	25 (Br &Py); 10 (Ar & Uy)	
54025900	Others	25 (Br&Py); 10 (Ar&Uy)	
54026110	Of aramids	100	
54026190	Others	25 (Br &Py); 10 (Ar & Uy)	
54026200	Of polyesters	25 (Br &Py); 10 (Ar & Uy)	
54026900	Others	25 (Br &Py); 10 (Ar & Uy)	
56031210	Of high density polyethylene	10	
56031290	Others	10	
56031310	Of high density polyethylene	10	
56031390	Others	10	
59021010	Impregnated, coated or covered with rubber	25 (Br &Py); 10 (Ar & Uy)	
59021090	Others	25 (Br &Py); 10 (Ar & Uy)	
59022000	Of polyesters	25 (Br &Py); 10 (Ar & Uy)	
59029000	Others	25 (Br &Py); 10 (Ar & Uy)	
59100000	Transmission or conveyor belts or belting, of textile material, whether or not impregnated, coated, covered or laminated with plastics, or reinforced with metal or other material	25 (Br &Py); 10 (Ar & Uy)	
61034200	Of cotton	25 (Br); 10 (Ar & Py)	
61045200	Of cotton	25 (Br); 10 (Ar & Py)	
61046200	Of cotton	25 (Br); 10 (Ar & Py)	
61091000	Of cotton	25 (Br); 10 (Ar & Py)	
61099000	Of other textile materials	25 (Br); 10 (Ar & Py)	
61142000	Of cotton	25 (Br); 10 (Ar & Py)	
62034200	Of cotton	25 (Br); 10 (Ar, Py & Uy)	
62046200	Of cotton	25 (Br); 10 (Ar, Py & Uy)	
68029100	Marble, travertine and alabaster	100	
68029310	Balls for grinding mills	100	
68029390	Others	100	
68030000	Worked slate and articles of slate or of agglomerated slate	100	
68042211	Agglomerated with resin	50	
68042219	Others	50	
68059090	Others	50	
68114000	Containing asbestos	50	For Corrugated sheets, Other sheets, panels, tiles and similar articles and Tubes, pipes and tube or pipe fittings
68118100	Corrugated sheets	50	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
68118200	Other sheets, panels, tiles and similar articles	50	
68118300	Tubes, pipes and tube or pipe fittings	50	
69021011	Bricks or plates containing by weight more than 90% of dichromium dioxide	25	
69091220	Pin guides for printing heads	100	
69091920	Pin guides for printing heads	100	
69091930	Ceramic tubes and pipes with a basis of alumina (Al <sub>2</sub> O <sub>3</sub> ), silica (SiO <sub>2</sub> ) and magnesium oxide (MgO) for purifiers for catalytic conversion of vehicle exhaust gases	100	
72202010	Of a width not exceeding 23 mm and a thickness not exceeding 0.1 mm	100	
72224010	Of a height of 80 mm or more	100	
73021010	Of a weight per metre of 44.5 kg or more	100	
82029910	Straight, without teeth, for sawing stone	10	
82122020	Razor blade blanks in strips	10	
84129010	Of reaction engines	10	
84195022	Of graphite	10	
84195029	Others	10	
84283100	Specially designed for underground use	10	
84283930	With side grips, of a kind used for newspapers	100	
84286000	Teleferics, chair-lifts, ski-draglines, traction mechanisms for funiculars	10	
84289010	Of a kind used for lowering lifeboats, motorized or fitted with tilting devices	10	
84289020	Automatic transporter-elevators, with horizontal movement on guides	100	
84289030	Machines for piling periodicals top-to-tail, of an output of 80 000 units/h	100	
84302000	Snow-ploughs and snow-blowers	100	
84303110	Coal or rock cutters	100	
84303190	Others	10	
84303910	Coal or rock cutters	100	
84303990	Others	10	
84304130	Rotary boring machinery	100	
84304920	Rotary boring machinery	100	
84306911	Of a loading capacity exceeding 4 m <sup>3</sup>	100	
84314310	Of rotary boring machinery	100	
84314921	Cabin	100	
84314929	Others	100	
84433299	Others	25	only for Automatic transmission and reception apparatus (Islex)
84439912	Printing mechanisms by means of thermal system or "laser", for fac-simile machine	100	
84688010	Friction welding machines	100	
84689020	Of friction welding machines	100	
84714900	Others, entered in the form of systems	10	
84795000	Industrial robots, not elsewhere specified or included	10	
84798110	Sheet feed and output tension differentiators for galvanization plant	100	
84798992	Steering apparatus	10	
85015320	Of an output exceeding 7 500 kW but not exceeding 30 000 kW	10	
85043191	Fly-back transformers, with an output voltage exceeding 18 kV and a horizontal sweep frequency of 32 kHz or greater	100	
85043192	FI transformers, for detection, relays, smoothing and focusing	10	
85171222	Fixed, without proper source of energy	100	
85171232	Fixed, without proper source of energy	100	

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NCM/HS code 2007	Description	Margin of preference	Explanatory notes
85171241	Digital, operating in band C, Ku, L or S	100	
85176111	Base stations, of a transmission rate not exceeding 112kbits/s	100	
85176120	Trunking	100	
85176130	Of cellular telephony	100	
85176141	Ground master fixed station, without antenna-reflector set	100	
85176142	VSAT ("Very Small Terminal Aperture"), without set antenna-reflector	100	
85176143	Digital, operating in band C, Ku, L or S	100	
85176192	Digital, of frequency exceeding 23GHz	100	
85176214	Subscriber line concentrator (central office terminal or remote terminal)	10	
85176219	Others	100	For Digital (DCME, digital circuits multiplication equipment)
85176229	Others	25	only for Public, electromagnetic including transit exchange
85176231	Automatic switch central offices, system of package transmission, with a trunk speed exceeding 72kbits/s and switch exceeding 3.600 packages per second, without deterministic multiplexation	100	
85176233	Automatic central offices of a trunking system kind	100	
85176239	Others	25	only for Automatic telex exchange
85176248	Others, of a speed serial interface exceeding 4 Mbits/s, of a kind used for local interconnection network with distinct protocols	100	
85176249	Others	100	only for Cross connect type with a granularity of 2 Mbits/s or more
85176252	Terminals of optical fiber lines, with a speed transmission exceeding 2.5Gbits/s	100	
85176253	Text terminals of a kind that operates with Baudot transmission code, provided with alphanumeric keyboard and a display, whether or not incorporating a telephone	100	
85176259	Others	25	only for Automatic transmission and reception apparatus (telex)
85176271	Portable bidirectional system terminals of radiomessage, of a rate not exceeding 112kbits/s	100	
85176277	Others, of a frequency not exceeding 15GHz	100	For Radio modem
85176278	Of a frequency exceeding 15GHz, but not exceeding 23 GHz and a transmission rate not exceeding 8 Mbits/s	100	For Radio modem
85176279	Others	100	
85176299	Others	25	only for Automatic transmission and reception apparatus (telex)
85177021	Antennas, of a kind used for portable cellular telephones, other than the telescopic	100	
85181010	Piezoelectric of a kind used for telephonic devices	100	
85182910	Piezoelectric of a kind used for telephonic devices	100	
85255011	In AM, with pulse-code or pulse-width modulation, totally from semiconductor and power exceeding 10 kw	100	
85255012	In FM, with a stage of valvular exit and power exceeding 30kW	100	
85255021	Of a frequency exceeding 7GHz	100	

NCM/HS code 2007	Description	Margin of preference	Explanatory notes
85255022	In UHF band, operating on frequencies from 2,0GHz to 2,7GHz, with power exceeding 10W but not exceeding 100W	100	
85255023	In UHF band, with power exceeding 10kW	100	
85255024	In VHF band, with power exceeding 20kW	100	
85256020	Of television, of a frequency exceeding 7GHz	100	
85258011	Incorporating three image receivers or more	100	
85258012	Incorporating a CCD image sensor (semiconductor type), exceeding 490 x 580 active pixels, sensitive to illumination intensity less than 0,20lux	100	
85258013	Of a kind used to capture images exclusively in infrared spectrum, of a wavelength exceeding 2 micrometers but not exceeding 14 micrometers	100	
85258021	With three image receivers or more	100	
85258022	Others, of a kind used to capture images exclusively in infrared spectrum, of a wavelength exceeding 2 micrometers but not exceeding 14 micrometers	100	
85261000	Radar apparatus	100	
85269100	Radio navigational aid apparatus	100	
85299030	Of apparatus of subheading 8526.10	100	
85299040	Of apparatus of subheading 8526.91	100	
85365030	Digital encoder-switches, for mounting in printed circuit	100	
85369030	Bases for electronic microstructures	10	
85371011	With processor and bus of 32 bits or more, incorporating graphics macro-command capabilities, having a resolution not exceeding 1 micron and a digital connection capacity for servo-drives with colour monitors	100	
85389020	For automatic circuit breakers, for a voltage of 72,5 kV or more	100	
85411011	Zener diode	100	
85411012	Other, for currents not exceeding 3	100	
85411021	Zener diode	100	
85411022	Other, for currents not exceeding 3	25	
85411091	Zener diode	100	
85411092	Other, for currents not exceeding 3	25	
85412110	Unmounted	100	
85412191	Field effect with heterojunction (HJFET or HEMT)	100	
85412910	Unmounted	100	
85412920	Mounted	100	
85413011	For currents not exceeding 3	100	
85413021	For currents not exceeding 3	25	
85414011	Light-emitting diodes (LED) other than laser diode	100	
85414013	Photo-diode	100	
85414014	Photo-transistor	100	
85414015	Photo-thyristor	100	
85414021	Surface mounted light-emitting diodes (LED) other than laser diode	100	
85414022	Other light-emitting diodes (LED) other than laser diode	25	
85414023	Laser diodes with a wavelength of 1 300 nm to 1 500 nm	100	
85414025	Photo-diodes, photo-transistors and photo-thyristor	100	
85414026	Photo-resistor	25	
85414027	Surface mounted optical coupler	100	
85415010	Unmounted	25	



NCM/HS code 2007	Description	Margin of preference	Explanatory notes
85419010	Lead frame	100	
85419020	Capsule	100	
85419090	Other	100	
86021000	Diesel-electric locomotives	10	
86071110	Bogies	10	
86071120	Bissel-bogies	10	
86071919	Others	10	
86079100	Of locomotives	10	
89039100	Sailboats, with or without auxiliary motor	10	
90183111	Of a capacity not exceeding 2 cm <sup>3</sup>	10	
90183119	Others	10	
90183190	Others	10	
90183211	Gum needles	10	
90183219	Others	10	
90229011	Voltage generators	10	
90283021	Digital	10	
90304020	Selective level analysers	10	
90318030	Standard metres	10	

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## ANNEX II

## OFFER OF SACU TO MERCOSUR

HS code 2007	Description	Margin of preference	Explanatory notes
02023000	Boneless	25	Margin of preference is applicable to Paraguay and Uruguay only, within the confines of Tariff Rate Quotas (TRQ) of 250 tons per annum to Paraguay and 250 tons per annum to Uruguay
02031910	Rib	25	
02032910	Rib	25	
02050000	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen	100	
02062100	Tongues	25	
02069000	Other, frozen	25	
02081000	Of rabbits or hares	50	
02089000	Other	50	
02090000	Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked	100	
03019100	Trout (SALMO TRUTTA, ONCORHYNCHUS MYKISS, ONCORHYNCHUS CLARKI, ONCORHYNCHUS AQUABONITA, ONCORHYNCHUS GILAE, ONCORHYNCHUS APACHE and ONCORHYNCHUS CHRYSOGASTER)	100	
03026700	Swordfish (Xiphias Gladius)	100	
03026800	Toothfish (Dissostichus spp.)	100	
03026900	Other	100	
03034100	Albacore or longfinned tunas (THUNNUS ALALUNGA)	100	
03034200	Yellowfin tunas (THUNNUS ALBACARES)	100	
03034300	Skipjack or stripe-bellied bonito	100	
03036100	Swordfish (Xiphias Gladius)	100	
03036200	Toothfish (Dissostichus spp.)	100	
03037400	Mackerel (SCOMBER SCOMBRUS, SCOMBER AUSTRALASICUS, SCOMBER JAPONICUS)	100	
03037500	Dogfish and other sharks	100	
03037800	Hake (MERLUCCIUS SPP., UROPHYCIS SPP.)	100	
03037900	Other	100	
03038000	Livers and roes	100	



HS code 2007	Description	Margin of preference	Explanatory notes
03041910	Anchovies (ENGRAULIS SPP.) herrings (CLUPEA HARENGUS, CLUPEA PALLASII)	100	
03042110	Blocks, rectangular, of a mass of 7 kg or more but not exceeding 8, kg, free of interleaving plastics (excluding blocks containing bones)	100	
03042190	Other	10	
03042210	Blocks, rectangular, of a mass of 7 kg or more but not exceeding 8 kg, free of interleaving plastics (excluding blocks containing bones)	100	
03042290	Other	10	
03042910	Anchovies (ENGRAULIS SPP.); herrings (CLUPEA HARENGUS, CLUPEA PALLASII); blocks, rectangular, of a mass of 7 kg or more but not exceeding 8 kg, free of interleaving plastics (excluding blocks containing bones)	100	
03042990	Other	10	
03049110	Blocks, rectangular, of a mass of 7 kg or more but not exceeding 8 kg, free of interleaving plastics (excluding blocks containing bones)	100	
03049210	Blocks, rectangular, of a mass of 7 kg or more but not exceeding 8 kg, free of interleaving plastics (excluding blocks containing bones)	100	
03049910	Anchovies (ENGRAULIS SPP.); herrings (CLUPEA HARENGUS, CLUPEA PALLASII); blocks, rectangular, of a mass of 7 kg or more but not exceeding 8 kg, free of interleaving plastics (excluding blocks containing bones)	100	
03051000	Flours, meals and pellets of fish, fit for human consumption	100	
03053010	Anchovies (ENGRAULIS SPP.)	100	
03054910	Anchovies (ENGRAULIS SPP.)	100	
03055915	Anchovies (ENGRAULIS SPP.) Shark fins	100	
03056300	Anchovies (ENGRAULIS SPP.)	100	
03061100	Frozen rock lobster and other sea crawfish (PALINURUS SPP., PANULIRUS SPP., JASUS SPP.)	100	
03061300	Shrimps and prawns, frozen	100	
03061400	Crabs, frozen	100	

HS code 2007	Description	Margin of preference	Explanatory notes
03062100	Rock lobster and other sea crawfish (PALINURUS SPP., PANULIRUS SPP., JASUS SPP.), not frozen.	100	
03072900	Other	100	
03074900	Other	100	
03079900	Other	100	
04070010	Of a value for duty purposes of less than 150c each	50	
04070020	Of a value for duty purposes of 150c or more each	100	
04089100	Dried	10	
04090000	Natural honey	10	
06011000	Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant	100	
07019000	Other	100	
07051100	Cabbage lettuce (head lettuce)	100	
07051900	Other	100	
07061000	Carrots and turnips	100	
07102100	Peas (PISUM SATIVUM)	25	
07108010	Truffles	100	
07108090	Other	25	
07109000	Mixtures of vegetables	25	
07129015	Culinary herbs	100	
07131090	Other	100	
07132000	Chickpeas (garbanzos)	100	
07134000	Lentils	100	
07142010	Frozen	100	
07142090	Other	100	
08013200	Shelled	100	
08030000	Bananas, including plantains, fresh or dried	100	
08044000	Avocados	100	
09021000	Green tea (not fermented) in immediate packings of a content not exceeding 3 kg	100	
09022000	Other green tea (not fermented)	100	
09030000	Matu	100	
09092000	Seeds of coriander	100	
10011000	Durum wheat	50	Preference to Paraguay only, without quantitative restriction.
10089000	Other cereals	100	
11029090	Other	100	
11052010	Pellets made from pieces of potatoes	25	
11062000	Of sago or of roots or tubers of heading 07.14	100	
11071090	Other	100	
12010000	Soya beans, whether or not broken	25	Margin of preference applicable to Paraguay and Uruguay only, within the confines of TRQ's of 10 000 tons to Paraguay and 6 000 tons to Uruguay.
12051000	Low erucic acid rape or colza seeds	25	



HS code 2007	Description	Margin of preference	Explanatory notes
12059000	Other	25	
12092100	Lucerne (alfalfa) seed	100	
12119080	Other of a kind used primarily in pharmacy	25	
12129910	Chicory roots	100	
12130000	Cereal straw and husks, unprepared, whether or not chopped, ground, pressed or in the form of pellets	100	
12149000	Other	100	
13019000	Other	100	
13021905	Vanilla oleoresin (vanilla extract)	100	
13023920	Modified	25	
15020000	Fats of bovine animals, sheep or goats (excluding those of heading No. 15.03)	100	
15030000	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	25	
15071000	Soy bean oil	25	Margin of preference to Paraguay only, within the confines of a TRQ of 5000 tons.
15111000	Crude oil	25	
15119000	Other	25	
15121100	Sunflower oil	25	Margin of preference to Paraguay only, within the confines of a TRQ of 4000 tons.
15131100	Crude oil	25	
15132100	Crude oil	50	
15132900	Other	50	
15141910	In containers holding 250 li or less	25	
15141990	Other	25	
15149910	In containers holding 250 li or less	25	
15149990	Other	25	
15151100	Crude oil	25	
15151900	Other	25	
15152100	Crude oil	25	
15152920	In containers holding 205 li or less	25	
15152990	Other	25	
15155000	Sesame oil and its fractions	25	
15159000	Other	25	
15162090	Other	25	
15171010	Containing more than 10 per cent but not more than 15 per cent by mass of milk fats	25	
15171090	Other	25	
15179010	Containing more than 10 per cent but not more than 15 per cent by mass of milk fats	25	
15179020	Edible mixtures or preparations of a kind used as mould release preparations	25	
15179090	Other	25	
15180010	Linoxyn	25	
15180090	Other	25	



HS code 2007	Description	Margin of preference	Explanatory notes
15211090	Other	25	
15219000	Other	25	
16010010	Paté de foie gras and foie gras (goose liver paste)	100	
16022010	Paté de foie gras and foie gras (goose liver paste)	50	
16023100	Of turkeys	50	
16024930	Cooked rib, frozen, not marinated, in immediate packings of a content of 10 kg or more	25	
17026000	Other fructose and fructose syrup, containing in the dry state more than 50 per cent by mass of fructose (excluding invert sugar)	50	
17029000	Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 per cent by mass of fructose	50	
19030000	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms	100	
20011000	Cucumbers and gherkins	10	
20041010	In the form of flours, meals or flakes	10	
20041090	Other	10	
20049010	Cabbages, cucumbers and gherkins	100	
20049020	Peas (PISUM SATIVUM), beans (VIGNA SPP., PHASEOLUS SPP.) and lentils	50	
20059922	Lentils, cucumbers and gherkins: Other	100	
20059932	Sauerkraut: Other	50	
20082000	Pineapples	10	
20086000	Cherries	50	
20088000	Strawberries	100	
20089200	Mixtures	100	
20089940	Tamarinds	100	
20089950	Ginger preserved in syrup, in immediate packings of a content of 45 kg or more	100	
20089990	Other	100	
21012000	Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté	100	
21013010	Roasted chicory and other roasted coffee substitutes	100	
21033012	Mustard flour and meal: Other	100	
21041090	Other	100	
21042000	Homogenised composite food preparations	100	
21069017	Disaccharide free infants' food, in powder form	100	
21069025	Syrups (excluding syrups with a basis of fruit juice)	100	



HS code 2007	Description	Margin of preference	Explanatory notes
21069035	Sweetening substances (excluding sweetening substances with a basis of saccharine)	100	
21069050	Mixtures of chemicals and foodstuffs of a kind used in the preparation of human foodstuffs	25	
21069067	Compound alcoholic preparations of a kind used for the manufacture of beverages (excluding those based on odoniferous substances)	25	
22011000	Mineral water and aerated waters	50	
22021010	In sealed containers holding 2.5 li or less (excluding those in collapsible plastic tubes)	50	
22021090	Other	50	
22083010	In containers holding 2 li or less	25	
22084010	In containers holding 2 li or less	25	
22087020	In containers holding 2 li or less	25	
22090000	Vinegar and substitutes for vinegar obtained from acetic acid	100	
23011090	Flours, meals and pellets, of meat or meat offal, greaves: Other	50	
23021000	Of maize (corn)	25	
23023000	Of wheat	25	
23025000	Of leguminous plants	25	
23031000	Residues of starch manufacture and similar residues	25	
23040000	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil	25	
23050000	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut-oil	25	
23061000	Of cotton seeds	25	
23063000	Of sunflower seeds	25	
23066000	Of palm nuts or kernels	50	
23091090	Dog or cat food, put up for retail sale: Other	25	
23099010	Sweetened forage	100	
23099015	Preparations put up as crustacean food	100	
23099020	Feed supplements (excluding milk substitutes) containing added antibiotics	100	
23099030	Feed supplements containing added melengestrol acetate	100	
23099035	Feed supplements, containing, by mass, 50 per cent or more of choline chloride	100	
23099040	Protein concentrates obtained from alfalfa juice (lucerne juice)	100	



HS code 2007	Description	Margin of preference	Explanatory notes
23099070	Single vitamins and their derivatives, stabilised with antioxidants or anti-caking agents	100	
25010000	Salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution or containing added anti-caking or free-flowing agents, sea water	50	
27079910	Phenols	10	
27132000	Petroleum bitumen	25	
27149010	Bitumen and asphalt, containing less than 60 per cent by mass of mineral matter	25	
27149020	Bitumen and asphalt, containing 60 per cent or more by mass of mineral matter	25	
27149090	Other	25	
28012000	Iodine	25	
28030000	Carbon (carbon blacks and other forms of carbon not elsewhere specified or included)	25	
28170000	Zinc oxide; zinc peroxide	25	
28332900	Of chromium	100	
29011000	Saturated	100	
29034100	Trichlorofluoromethane	100	
29034200	Dichlorodifluoromethane	100	
29034901	Chlorodifluoromethane	100	
29041090	Other	25	
29051910	3,3-Dimethylbutan-2-ol (pinacolyl alcohol)	100	
29051990	Other	100	
29053200	Propylene glycol (propane-1,2-diol)	100	
29152400	Acetic anhydride	100	
29157000	Palmitic acid, stearic acid, their salts and esters	100	
29161500	Oleic, linoleic or linolenic acids, their salts and esters	100	
29161900	Other	100	
29181300	Salts and esters of tartaric acid	100	
29181910	Malic acid	100	
29182100	Salicylic acid and its salts	100	
29182200	O-Acetylsalicylic acid, its salts and esters	100	
29189100	2,4,5-T (ISO) (2,4,5-trichlorophenoxyacetic acid), its salts and esters	100	
29189900	Other	100	
29241200	Fluoroacetamide (ISO), monocrotophus (ISO) and phosphamidon (ISO)	100	
29241900	Other	100	
29335990	Other	25	
30031000	Containing penicillins or derivatives thereof, with a penicillanic acid structure, or streptomycins or their derivatives	100	



HS code 2007	Description	Margin of preference	Explanatory notes
30041000	Containing penicillins or derivatives thereof, with a penicillanic acid structure, or streptomycins or their derivatives	100	
30045000	Other medicaments containing vitamins or other products of heading No. 29.36	100	
30049000	Other	100	
30051000	Adhesive dressings and other articles having an adhesive layer	100	
31021000	Urea, whether or not in aqueous solution	100	
31022900	Other	100	
32089030	Solutions as defined in Note 4 to this Chapter, of silicones	50	
32100000	Other paints and varnishes (including enamels, lacquers and distempers), prepared water pigments of a kind used for finishing leather	25	
32129090	Other	100	
32141000	Glaziers putty, grafting putty, resin cements, caulking compounds and other mastics, painters fillings	100	
32151100	Black	100	
32151900	Other	100	
32159000	Other	100	
33011200	Of orange	25	
33019050	Extracted oleoresins obtained from extraction of pyrethrum or of the roots of plants containing rotenone	25	
33030000	Perfumes and toilet waters	10	
33041000	Lip make-up preparations	10	
33049900	Other	10	
33051000	Shampoos	10	
33059000	Other	10	
33061000	Dentifrices	100	Margin of preference is applicable to Argentina and Brazil only
33062010	Of high tenacity aramid yarn	100	
33071090	Other	10	
33072000	Personal deodorants and anti-perspirants	10	
33074900	Other	25	
33079010	Contact lens or artificial eye solutions, including soluble tablets	100	
33079090	Other	10	
34021110	Anionic, in immediate packings of a content not exceeding 10 kg	100	Margin of preference is applicable to Argentina and Brazil only
34021120	Anionic, in immediate packings of a content exceeding 10 kg	100	Margin of preference is applicable to Argentina and Brazil only
34022000	Preparations put up for retail sale	100	Margin of preference is applicable to Brazil only
34029000	Other	100	Margin of preference is applicable to Brazil only
34049010	Of oxidised polyethylenes	100	



HS code 2007	Description	Margin of preference	Explanatory notes
35019000	Other	100	
35021100	Dried	100	
35022000	Milk albumin, including concentrates of two or more whey proteins	100	
35029000	Other	100	
35030015	Gelatin, in immediate packings of a content exceeding 10 kg	100	
35030030	Gelatin derivatives	100	
35061000	Products suitable for use as glues or adhesives, put up for retail sale as glues or	100	
35069100	Adhesives based on polymers of headigs 39.01 to 39.13 or on rubber	100	
35069900	Other	100	
37011010	Fluorographic plates and film in the flat	100	
37013090	Other	100	
37024210	Instant print film	10	
37024290	Other	10	
37024390	Other	100	
37024490	Other	100	
37032000	Other, for colour photography (polychrome)	25	
37061000	Of a width of 35 mm or more	100	
37079000	Other	100	
38085003	Fungicides, suitable for the treatment of wood, plants, trees or seed (excluding those containing compounds of copper, chromium and arsenic or metallic compounds of dithiocarbamates or bis-dithiocarbamates as active ingredient)	100	
38085005	Fungicides: Other	25	
38085006	Herbicides, anti-sprouting products and plant growth regulators with one of the following active ingredients: atrazin, alachlor, 2-methyl-4-chlorophenoxyacetic acid or its derivatives, 2,4-dichlorophenoxyacetic acid or its derivatives, trifluralin	25	In the case of "With 2,4-dichlorophenoxyacetic acid or its derivatives as active ingredient" the margin of preference will be 100.
38085008	Other plant-growth regulators and anti-sprouting products	25	
38085090	Other (Herbicides)	100	
38089220	Fungicides: Suitable for the treatment of wood, plants, trees or seed (excluding those containing compounds of copper, chromium and arsenic or metallic compounds of dithiocarbamates or bis-dithiocarbamates as active ingredient)	100	
38089230	Fungicides: other, containing bomomethane (methyl bromide) or bromochloromethane	25	
38089290	Fungicides: Other	25	



HS code 2007	Description	Margin of preference	Explanatory notes
38089310	With alachlor as active ingredient	25	
38089330	With 2-methyl-4-chlorophenoxyacetic acid or its derivatives as active ingredient	25	
38089335	With 2,4-dichlorophenoxyacetic acid or its derivatives as active ingredient	100	
38089340	With trifluralin as active ingredient	25	
38089380	Other plant-growth regulators and anti-sprouting products	25	
38089390	Other (Herbicides)	100	
38089910	Other	100	
38089990	Other	100	
38123090	Other	25	
38190020	Prepared liquids for hydraulic transmission, containing 44 percent or more by mass of diethyl glycol and 38 per cent or more of ethylene or propylene copolymers	100	
38190090	Other	25	
38200000	Anti-freezing preparations and prepared de-icing fluids	25	
38220000	Diagnostic or laboratory reagents on a backing, prepared diagnostic or laboratory reagents whether or not on a backing (excluding those of heading No. 30.02 or 30.06); certified reference materials	100	
38231100	Stearic acid	100	
38244000	Prepared additives for cements, mortars or concretes	100	
39019010	Copolymers of ethylene and acrylic or methacrylic acid in which the carboxyl groups are partially linked or partially neutralised by metal ions	100	
39019020	Other ethylene methacrylate	100	
39019030	Chlorinated	100	
39022000	Polyisobutylene	100	
39031100	Expansible	100	
39031900	Other	100	
39033000	Acrylonitrile-butadiene-styrene (ABS) copolymers	100	
39039000	Other	100	
39072090	Other	100	
39073000	Epoxide resins	100	
39074000	Polycarbonates	100	
39075000	Alkyd resins	10	
39076010	Liquids and pastes	100	
39077000	Poly(lactic acid)	100	
39079900	Other	100	
39091000	Urea resins; thio-urea resins	100	
39139000	Other	100	
39159090	Other	100	
39162020	Plaiting material with a rattan core	100	



HS code 2007	Description	Margin of preference	Explanatory notes
39169010	Of phenolic resins compounded with fibre, fabric or paper	100	
39169020	Of silicones	100	
39169060	Of cellulose nitrates	100	
39169070	Of artificial resins	100	
39171030	Unprinted	100	
39171090	Other	25	
39172110	Seamless, with an outside cross-sectional dimension of 305 mm or more but not	100	
39172910	Seamless, of phenoplasts compounded with fibre, fabric or paper, without fittings	100	
39172920	Of silicones, seamless, without fittings	100	
39172970	Of cellulose nitrate, seamless, without fittings	100	
39172980	Of other artificial resins, seamless, without fittings	100	
39172985	Other, seamless, without fittings	25	
39173105	Composite tubes consisting of a core tube of polyesters and an outer tube of polyurethane with a braided textile reinforcing material between the core tube and outer tube, seamless, without fittings	100	
39173110	Of silicones, seamless, without fittings	100	
39173170	Of cellulose nitrate, seamless, without fittings	100	
39173185	Other, seamless, without fittings	25	
39173203	Artificial guts (sausage casings), seamed or with closed ends, unprinted	100	
39173205	Artificial guts (sausage casings) seamed or with closed ends, printed	25	
39173210	Of silicones, seamless	100	
39173270	Of cellulose nitrates, seamless	100	
39173285	Other, seamless	25	
39173910	Of silicones, seamless, without fittings	100	
39173915	Of phenoplasts compounded with fibre, fabric or paper, seamless, without fittings	100	
39173935	Plaiting material, seamless, of polymers of vinyl chloride with a rattan core, without fittings	100	
39173950	Of cellulose nitrate, seamless, without fittings	100	
39173965	Other, seamless, without fittings	25	
39189020	Of polyethylene terephthalates, not self-adhesive	100	
39189030	Of silicones	100	
39189090	Other	25	
39191001	Of alkyds, coated with glass microspheres or microprisms	100	
39191005	Of silicones	100	



HS code 2007	Description	Margin of preference	Explanatory notes
39191035	Of polymers of vinylidene chloride, of a thickness not exceeding 0,05 mm, unprinted	100	
39191039	Of acrylic polymers, coated with microspheres or microprisms	100	
39191041	Of biaxially oriented polymers of propylene (excluding that which is self-adhesive on both sides), of a width not exceeding 25 mm and of a value for duty purposes exceeding 1 300c/m <sup>2</sup>	100	
39191047	Other, of biaxially oriented polymers of propylene	100	
39191057	Of cellulose nitrates	100	
39191063	Of rubber hydrochlorides, of a thickness not exceeding 0,05 mm	100	
39191067	Of other artificial resins	100	
39191090	Other	25	
39199001	Of alkyds or polyurethane, coated with glass microspheres	100	
39199005	Of silicones	100	
39199021	Of polymers of vinyl chloride, of a thickness not exceeding 0,25 mm, coated with glass microspheres	100	
39199033	Of polymers of vinylidene chloride, of a thickness not exceeding 0,05 mm, unprinted	100	
39199036	Of acrylic polymers, coated with glass microspheres	100	
39199043	Other, of biaxially oriented polymers of propylene	100	
39199053	Of cellulose nitrate	100	
39199059	Of rubber hydrochlorides, of a thickness exceeding 0,05 mm	100	
39199063	Of other artificial resins	100	
39199090	Other	25	
39202020	Biaxially oriented (excluding that of a thickness exceeding 0,012 mm but not exceeding 0,06 mm, not heat shrinkable)	100	
39206210	Of a thickness exceeding 0,18 mm but not exceeding 6 mm	100	
39206290	Other	100	
39207100	Of regenerated cellulose	100	
39207300	Of cellulose acetate	25	
39207990	Other	25	
39209990	Other	25	
39211400	Of regenerated cellulose	25	
39211910	Of polyethylene terephthalates	100	
39211965	Of cellulose nitrate	100	
39211975	Of rubber hydrochlorides, of a thickness not exceeding 0,05 mm	100	



HS code 2007	Description	Margin of preference	Explanatory notes
39211985	Of other artificial resins	100	
39211990	Other	25	
39219005	Laminates of phenolic resins with a basis of paper or textile fibre, thermosetting	25	
39219012	Other laminates of phenolic resin, thermosetting	10	
39219020	Of silicones	100	
39219090	Other	25	
39234010	For use with textile machinery	100	
39235010	Cylindrical closures of a length not exceeding 75 mm and of diameter of 15 mm or more but not exceeding 24mm	100	
39239010	Textile spinning cans	100	
39239020	Capsules and tubular neckbands, for bottles and similar containers	50	
39262020	Protective jackets and one-piece protective suits, incorporating fittings for connection to breathing apparatus	100	
39269020	Transmission belts	50	
39269025	Power transmission line equipment	50	
39269027	Washers	100	
39269030	Anti-noise ear protectors	100	
39269043	Face shields	100	
40021920	Styrene-butadiene-styrene	100	
40025900	Other	100	
40059130	Strip (excluding that of balata, gutta-percha or factice), self-adhesive, coated with glass microspheres	100	
40059990	Other	100	
40081130	Strip, self-adhesive, coated with glass microspheres	100	
40081900	Other	100	
40082140	Strip, self-adhesive, coated with glass microspheres	100	
40082180	Other, containing 90 per cent or more by mass of natural rubber	100	
40141000	Sheath contraceptives	100	
40161010	Identifiable as integral parts of industrial machinery	100	
40169310	Identifiable as integral parts of industrial machinery	100	
40169910	Parts of railway and tramway locomotive and rolling-stock; parts of railway and tramway track fixtures and fittings; mechanical equipment, not electrically powered, for signalling to or controlling road, rail or other vehicles, ships or aircraft	100	



HS code 2007	Description	Margin of preference	Explanatory notes
40169915	Parts of air brakes, vacuum brakes, hydraulic-air brakes or hydraulic-vacuum brakes, suitable for use with heavy motor vehicles	100	
40169930	Parts of aircraft, parachutes, rotochutes, aircraft launching gear, deck-arrester or similar gear and ground flying trainers	100	
40169960	Cable for launching gliders	100	
40169970	Collapsible containers, of a capacity of 2 m <sup>3</sup> or more	100	
40169985	Other, identifiable as integral parts of industrial machinery	100	
40169987	Profile shapes, reinforced with steel, of a length exceeding 175 cm but not exceeding 225 cm, with two or more but not exceeding six longitudinal grooves	100	
41012010	Flesh splits which have undergone a tanning process (including a pretanning process) which is reversible, of a unit surface area exceeding 2,6 m <sup>2</sup>	25	
41012090	Other	100	
41015010	Which have undergone a tanning process (including a pretanning process) which is reversible	25	
41015090	Other	100	
41019010	Which have undergone a tanning process (including a pretanning process) which is reversible	25	
41019090	Other	100	
41022110	Which have undergone a tanning process (including a pretanning process) which is reversible	25	
41022910	Which have undergone a tanning process (including a pretanning process) which is reversible	25	
41039000	Other	100	
50030000	Not carded or combed	50	
50079000	Other fabrics	100	
51011100	Shorn wool	25	
51011900	Other	25	
51012100	Shorn wool	25	
51012900	Other	25	
51013010	Not bleached, dyed or otherwise processed	25	
51013020	Bleached, dyed or otherwise processed	25	
51021910	Not further processed than bleached or dyed	25	
51021990	Other	25	
51022010	Not further processed than bleached or dyed	25	

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HS code 2007	Description	Margin of preference	Explanatory notes
51022090	Other	25	
51031000	Noils of wool or of fine animal hair	25	
51032000	Other waste of wool or of fine animal hair	25	
51033000	Waste of coarse animal hair	25	
51062000	Containing less than 85 per cent by mass of wool	100	
54021100	Of aramids	100	
54021900	Other	25	
54022000	High tenacity yarn of polyesters	25	
54023100	Of nylon or other polyamides, measuring per single yarn not more than 500 dtex	25	
54023200	Of nylon or other polyamides, measuring per single yarn more than 500 dtex	25	
54023300	Of polyesters	25	
54023400	Of polypropylene	25	
54024410	Of polyurethane elastomers	25	
54024490	Other	25	
54024500	Of nylon or other polyamides	25	
54024600	Of polyesters, partially oriented	25	
54024700	Other, of polyesters	25	
54024800	Other, of polypropylene	25	
54024900	Other	25	
54025100	Of nylon or other polyamides	25	
54025200	Of polyesters	25	
54025900	Other	25	
54026100	Of nylon or other polyamides	25	
54026200	Of polyesters	25	
54026900	Other	25	
56031210	Impregnated, coated, covered or laminated with plastics	10	
56031290	Other	10	
56031310	Impregnated, coated, covered or laminated with plastics	10	
56031390	Other	10	
59021000	Of nylon or other polyamides	25	
59022000	Of polyesters	25	
59029000	Other	25	
59100010	Transmission belts or belting	25	
59100040	Conveyor belts or belting	25	
61032200	Men's or boy's ensembles, of cotton	10	Margin of preference to Paraguay and Uruguay only, to enter into force on 1 January 2011.
61034200	Men's or boys trousers and shorts of cotton	10	Margin of preference to Paraguay and Uruguay only, to enter into force on 1 January 2011.
61044200	Woman's or girl's dresses, of cotton	10	Margin of preference to Paraguay and Uruguay only, to enter into force on 1 January 2011.



HS code 2007	Description	Margin of preference	Explanatory notes
61051000	Men's or boy's shirts, knitted or crocheted, of cotton	10	Margin of preference to Paraguay and Uruguay only, to enter into force on 1 January 2011.
68029100	Marble, travertine and alabaster	100	
68029300	Granite	100	
68030000	Worked slate and articles of slate or of agglomerated slate	100	
68042210	Millstones, of a diameter exceeding 150 cm (excluding those of emery or corundum)	100	
68042290	Other	10	
68051000	On a base of woven textile fabrics only	10	
68052000	On a base of paper or paperboard only	10	
68053000	On a base of other materials	10	
68069030	Articles of slag wool, rock wool or similar wools	10	
68069090	Other	100	
68071000	In rolls	10	
68079000	Other	10	
68099000	Other articles	10	
68114000	Containing asbestos: Corrugated sheets; other sheets, panels, tiles and similar articles	100	
68118100	Corrugated sheet	100	
68118200	Other sheets, panels, tiles and similar articles	100	
68118300	Tubes, pipes and tube or pipe fittings	100	
68118900	Other	100	
68128010	Of crocidolite: Clothing, clothing accessories, footwear and headgear, mill board, of a thickness of 1 mm or more, not reinforced and not containing added rubber; filter plates, of a thickness exceeding 2,5 mm; compressed asbestos fibre jointing, in sheets or rolls (excluding those combined with metal sheeting); Compressed asbestos fibre jointing, in sheets or rolls, other	10	
68128020	Of crocidolite: Cords and string, not braided or plaited	10	
68128030	Of crocidolite: Woven fabrics (excluding fabrics coated, covered or laminated with rubber or aluminium)	10	
68129390	Not of crocidolite: Compressed asbestos fibre jointing, in sheets or rolls, other (excluding those combined with metal sheeting)	10	
68129910	Not of crocidolite: Cords and string, not braided or plaited	10	

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HS code 2007	Description	Margin of preference	Explanatory notes
68129920	Not of crocidolite: Woven fabrics (excluding fabrics coated, covered or laminated with rubber or aluminium)	10	
68132010	Containing asbestos: Brake linings of pressure or similar moulded material	10	
68132090	Containing asbestos: Other	100	
68138110	Not containing asbestos: Brake linings of pressure or similar moulded material	10	
68138190	Not containing asbestos: Other	100	
68141000	Plates, sheets and strips of agglomerated or reconstituted mica, whether or not on a support	10	
68159900	Other	100	
69051000	Roofing tiles	100	
69071000	Tiles, cubes and similar articles, whether or not rectangular, the largest surface area of which is capable of being enclosed in a square the side of which is less than 7 cm	10	
69079000	Other	10	
69081000	Tiles, cubes and similar articles, whether or not rectangular, the largest surface area of which is capable of being enclosed in a square the side of which is less than 7 cm	10	
69089000	Other	10	
69101000	Of porcelain or china	10	
69109000	Other	10	
69111000	Tableware and kitchenware	10	
69119000	Other	10	
69120000	Ceramic tableware, kitchenware, other household articles and toilet articles (excluding those of porcelain or china)	10	
69149000	Other	10	
71159030	Crucibles of platinum; wire cloth of platinum; laboratory equipment of platinum	50	
73071910	For use with down pipes and gutter pipes	50	
73071980	Other, of cast iron	50	
73071990	Other	50	
73072110	For use with down pipes and gutter pipes	50	
73072190	Other	100	
73072210	For use with down pipes and gutter pipes	50	
73072290	Other	100	
73072310	For use with down pipes and gutter pipes	50	
73072390	Other	100	
73072910	For use with down pipes and gutter pipes	50	
73072990	Other	100	
73079210	For use with down pipes and gutter pipes	50	
73079220	For use with electrical wiring conduit	50	



HS code 2007	Description	Margin of preference	Explanatory notes
73079230	Branch pipe pieces and Y-pieces, for use with pipes of an inside diameter not exceeding 30 mm (excluding those for use with electrical wiring conduit, down pipes and gutter pipes)	50	
73079290	Other	100	
73079310	For use with down pipes and gutter pipes	50	
73079320	For use with electrical wiring conduit	50	
73079330	Branch pipe pieces and Y-pieces, for use with pipes of an inside diameter not exceeding 30 mm (excluding those for use with electrical wiring conduit, down pipes and gutter pipes)	50	
73079390	Other	100	
73079910	For use with down pipes and gutter pipes	50	
73079920	For use with electrical wiring conduit	50	
73079930	Branch pipe pieces and Y-pieces, for use with pipes of an inside diameter not exceeding 30 mm (excluding those for use with electrical wiring conduit, down pipes and gutter pipes)	50	
73079990	Other	100	
73082010	Lattice masts for telegraph lines or electric power lines	100	
73082090	Other	10	
73083010	Doors or gates for lifts	100	
73083090	Other	10	
73084010	Mining appliances	100	
73084090	Other	10	
73089030	Spiral chutes; smoke stacks	100	
73089090	Other	10	
73090000	Reservoirs, tanks, vats and similar containers for any material (excluding compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	100	
73102100	Cans which are to be closed by soldering or crimping	100	
73102900	Other	100	
73110010	Of a welded construction, indelibly stamped that it has a water capacity of 1.5 litres or more but not exceeding 150 litres, identifiable for use with liquefied petroleum gas	25	
73110090	Other	25	
73211100	For gas fuel or for both gas and other fuels	10	
73218100	For gas fuel or for both gas and other fuels	10	
73218200	For liquid fuel	10	

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HS code 2007	Description	Margin of preference	Explanatory notes
73218900	Other, including appliances for solid fuel	10	
73219000	Parts	10	
73231000	Iron or steel wool, pot scourers and scouring or polishing pads, gloves and the like	10	
73251000	Of non-malleable cast iron	100	
73259100	Grinding balls and similar articles for mills	100	
73259900	Other	100	
73261900	Other	100	
73262010	Gabions of wire netting	100	
73262030	Calyx supports, commonly used by florists with carnations	100	
73262040	Tobacco leaf harvesting and curing appliances with spiral clips	100	
73269090	Other	100	
74071000	Of refined copper	50	
74072100	Of copper-zinc base alloys (brass)	50	
74072910	Of copper-nickel base alloys (cupro nickel) or copper-nickel-zinc base alloys (nikel silver) (excluding hollow profiles)	100	
74072990	Other	50	
74091100	In coils	50	
74091900	Other	50	
74092100	In coils	50	
74092900	Other	50	
74093100	In coils	50	
74093900	Other	50	
74094000	Of copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base alloys (nickel silver)	50	
74099000	Of other copper alloys	50	
74101100	Of refined copper	50	
74101200	Of copper alloys	50	
74102100	Of refined copper	100	
74111010	With an outside cross-sectional dimension not exceeding 115 mm	50	
74111040	With an outside cross-sectional dimension exceeding 115 mm	100	
74112115	With an outside cross-sectional dimension not exceeding 115 mm (excluding those with an outside cross-sectional dimension not exceeding 10 mm and a wall thickness not exceeding 0,3 mm)	50	
74112190	Other	100	
74112210	With an outside cross-sectional dimension not exceeding 115 mm	50	
74112240	With an outside cross-sectional dimension exceeding 115 mm	100	



HS code 2007	Description	Margin of preference	Explanatory notes
74112910	With an outside cross-sectional dimension not exceeding 115 mm	50	
74112940	With an outside cross-sectional dimension exceeding 115 mm	100	
74121010	Branch pipe pieces, Y-pieces and couplings, for use with piping of an inside diameter not exceeding 25,4 mm	50	
74121080	Other, for use with piping of an inside diameter of less than 12,7 mm	50	
74121090	Other	100	
74130090	Other	100	
74199990	Other	50	
76042915	Bars and rods, of a maximum cross-sectional dimension exceeding 7,5 mm but not exceeding 160 mm	50	
76042990	Other	100	
76051190	Other	100	
76052100	Of which the maximum cross-sectional dimension exceeds 7mm	100	
76052900	Other	100	
76061290	Other	100	
76071910	Etched, of a width not exceeding 105 mm	100	
76071925	Other, self-adhesive, coated with glass microspheres	100	
76072020	Unprinted, of a thickness of 0,1 mm or more but not exceeding 0,15 mm and a width not exceeding 40 mm, lacquered on one side only (excluding that laminated to paper or plastics and reinforced with glass or sisal fibre)	100	
76072025	Other, self-adhesive, coated with glass microspheres	100	
76090010	Of an inside diameter of less than 12,7 mm	50	
76121000	Collapsible tubular containers	50	
76129040	Cans of a capacity not exceeding 500 ml	50	
76129090	Other	100	
76161000	Nails, tacks, staples (excluding those of heading No. 83.05), screws, bolts, nuts, screw hooks, rivets, cotfers, cotter-pins, washers and similar articles	100	
76169910	Venetian blinds	50	
76169920	Steps and ladders	10	
76169930	Slugs for impact extrusion	50	
76169990	Other	100	
82011010	Of a maximum blade width of more than 200 mm but not exceeding 320 mm	10	
82011090	Other	100	
82012010	Forks with 8 or more prongs	10	

HS code 2007	Description	Margin of preference	Explanatory notes
82012030	Other, with a prong length exceeding 150 mm	10	
82013003	Mattocks, picks	10	
82013020	Hoes with a working edge of a width not exceeding 320 mm	10	
82013040	Rakes with not more than 8 prongs	10	
82014010	Hatchets with steel handles	10	
82016000	Hedge shears, two-handed pruning shears and similar two-handed shears	100	
82022020	Of a width of 13 mm or more but not exceeding 40 mm, of high speed bimetal	50	
82022030	Other, of a width of 4.5 mm or more but not exceeding 32 mm	10	
82032010	Waterpump pliers	10	
82032020	Pliers of a length exceeding 110 mm but not exceeding 300 mm, the following: Side-cutting pliers with serrated jaws (with or without pipe grips), snipe-nose pliers with side cutters and serrated jaws, gas pliers and slip-joint pipe-grip pliers (including	10	
82032030	Fencing pliers of a length exceeding 110 mm but not exceeding 320 mm; diagonal cutting pliers (not lever assisted) of a length exceeding 110 mm but not exceeding 250 mm; circlip pliers (cotter pliers) of a length exceeding 150 mm but not exceeding 250 mm	10	
82032040	Adjustable self-locking pliers and grips	10	
82032090	Other	100	
82033000	Metal cutting shears and similar tools	100	
82034000	Pipe-cutters, bolt croppers, perforating punches and similar tools	100	
82041115	Double open end spanners of all sizes up to 36 mm; ring spanners of all sizes up to 36 mm; combination ring and open end spanners of all sizes up to 36 mm	10	
82041140	Socket accessories (for example, extensions, ratchet handles, speed braces, sliding T-handles, universal joints and swivel handles) with a drive of 9 mm or more but not exceeding 21 mm (excluding torque wrenches)	10	
82041190	Other	100	
82041210	Pipe wrenches (excluding chain pipe wrenches)	10	
82041220	Wrenches with a length of 140 mm or more but not exceeding 310 mm (including parts, whether or not worked)	10	
82041290	Other	100	



HS code 2007	Description	Margin of preference	Explanatory notes
82042040	With a drive of 9 mm or more but not exceeding 21 mm	10	
82042090	Other	100	
82051000	Drilling, threading or tapping tools	100	
82052010	Steel headed hammers	10	
82054010	Star-point screwdrivers (excluding ratchet screwdrivers and screwdrivers with screwholding clamps)	10	
82054020	Flat-point screwdrivers with a width at the point of 3 mm or more but not exceeding 9,5 mm (excluding ratchet screwdrivers and screwdrivers with screwholding clamps)	10	
82054040	Sets with a variety of screwdrivers which contain at least one star-point screwdriver or one flat-point screwdriver with a width at the point of 3 mm or more but not exceeding 9,5 mm	10	
82054090	Other	100	
82055905	Riveting tools for blind riveting; brick bolsters; cold chisels; punches; hacking knives; soldering irons	10	
82055990	Other	100	
82057010	Bench and carpenters vices (excluding table, leg, pipe and swivel vices, not being bench vices with detachable swivel bases)	10	
82057020	Wood working clamps and cramps	10	
82057030	Self-locking welding clamps, self-locking "C" clamps	10	
82071325	Bits (excluding those of a diameter exceeding 100 mm but not exceeding 385 mm incorporating hemispherical shaped inserts of	10	
82071390	Other	100	
82071910	Parts of bits (excluding parts used for raise boring and other parts not incorporating cermets)	10	
82073000	Tools for pressing, stamping or punching	100	
82074010	Screwing taps, of alloy steel or high speed steel	10	
82075000	Tools for drilling (excluding rock drilling)	10	
82076015	Reamers, tipped with tungsten carbide or of high speed steel	10	
82077015	Milling cutters, tipped with tungsten carbide or of high speed steel	10	
82079000	Other interchangeable tools	100	
82089000	Other	100	
82090010	Tungsten carbide tips for cutting tools for use with machine tools for working metal or metal carbides	10	
82090020	Other tungsten carbide tips	10	



HS code 2007	Description	Margin of preference	Explanatory notes
82090090	Other	100	
82119490	Other	10	
82129000	Other parts	100	
82142000	Manicure or pedicure sets and instruments (including nail files)	10	
83011000	Padlocks	10	
83012000	Locks of a kind used for motor vehicles	10	
83013000	Locks of a kind used for furniture	10	
83014000	Other locks	10	
83015000	Clasps and frames with clasps, incorporating locks	10	
83016000	Parts	10	
83017000	Keys presented separately	10	
83022000	Castors	10	
83023030	Fittings of iron, steel or copper, commonly used in the manufacture of windows, doors and door frames (excluding window opening mechanisms), of base metal	50	
83023090	Other	10	
83024110	Fittings of iron, steel or copper, commonly used in the manufacture of windows, doors and door frames	50	
83024190	Other	10	
83024210	Fittings of iron, steel or copper, commonly used in the manufacture of doors and door frames	50	
83024290	Other	10	
83024900	Other	10	
83025000	Hat-racks, hat-pegs, brackets and similar fixtures	10	
83026000	Automatic door closers	10	
83030010	Cash or deed boxes and the like	10	
83030090	Other	10	
83052000	Staples in strips	10	
83081000	Hooks, eyes and eyelets	10	
83082010	Blind rivets	10	
83089090	Other	10	
83091000	Crown corks	50	
83100000	Sign-plates, name-plates, address-plates and similar plates; numbers, letters and other symbols, of base metal, excluding those of heading No. 94.05	10	
84089065	Stationary engines, four-stroke, normally aspirated, of a cylinder capacity of 300 cm <sup>3</sup> or more but less than 4 000 cm <sup>3</sup>	10	
84089090	Other	100	
84091000	For aircraft engines	100	
84122900	Other	100	
84123100	Linear acting (cylinders)	100	
84123900	Other	100	



HS code 2007	Description	Margin of preference	Explanatory notes
84128000	Other	100	
84129000	Parts	100	
84131100	Pumps for dispensing fuel or lubricants, of the type used in filling-stations or in garages	100	
84132000	Hand pumps (excluding those of subheading No. 8413.11 or 8413.19)	100	
84133000	Fuel, lubricating or cooling medium pumps for internal combustion piston engines	100	
84135000	Other reciprocating positive displacement pumps	100	
84136000	Other rotary positive displacement pumps	100	
84137025	Submersible pumps	100	
84137090	Other	100	
84138100	Pumps	100	
84139100	Of pumps	100	
84141000	Vacuum pumps	100	
84146020	Domestic type	10	
84146090	Other	100	
84148000	Other	100	
84149070	For ventilating fans (excluding that for fans identifiable for use with motor vehicle engines)	50	
84149090	Other	100	
84151040	Compressor operated, having a rated cooling capacity not exceeding 8.8 kW	10	
84159010	Identifiable for use solely or principally with the machines of subheading No. 8415.10.40	10	
84185000	Other refrigerating or freezing chests, cabinets, display counters, show-cases and similar refrigerating or freezing furniture	10	
84186190	Other	100	
84186990	Other	100	
84189110	For household refrigerators or freezers	10	
84189120	For display counters, cabinets, show-cases or the like	10	
84189190	Other	100	
84189910	Panels of bonded aluminium sheet, incorporating evaporation channels, not punched or sheared, without copper or aluminium pipes	100	
84189920	Other, for household refrigerators or freezers	50	
84189930	Other, for display counters, cabinets, show-cases or the like	50	
84189990	Other	100	
84191110	Domestic type	10	
84191120	Non-domestic type	100	



HS code 2007	Description	Margin of preference	Explanatory notes
84191910	Domestic type	10	
84196000	Machinery for liquefying air or other gasses	100	
84198100	For making hot drinks or for cooking or heating food	100	
84198900	Other	100	
84199010	For domestic instantaneous or storage water heaters	10	
84199090	Other	100	
84211900	Other	100	
84212100	For filtering or purifying water	100	
84212390	Other	100	
84212900	Other	100	
84213110	Air filters with 6 or more filter tubes	100	
84213120	Air filters of the heavy duty dry type, without elements, of a kind fitted with a pre-cleaner	100	
84213150	Other, suitable for use with motor vehicle engines (including motorcycle engines)	10	
84213990	Other	100	
84219120	For clothes dryers of a dry mass loading capacity not exceeding 7 kg	10	
84219190	Other	100	
84219966	For filters suitable for use with motor vehicle (including motorcycle engines)	10	
84229000	Parts	100	
84251100	Powered by electric motor	50	
84251900	Other	100	
84253110	Whaling or trawling winches	50	
84253910	Whaling or trawling winches	50	
84254915	Lifting jacks, mechanical, hand-type, of a lifting height of 800 mm or more when fully extended (excluding trolley mounted garage jacks)	50	
84254925	Other mechanical lifting jacks, hand-type, of a lifting capacity not exceeding 90,7t	50	
84254990	Other	50	
84261200	Mobile lifting frames on tyres and straddle carriers	100	
84261900	Other	100	
84263000	Portal or pedestal jib cranes	100	
84264110	Works trucks fitted with a crane and	10	
84269100	Designed for mounting on road vehicles	100	
84269900	Other	100	
84279020	Manually operated pallet trucks	10	
84282000	Pneumatic elevators and conveyors	100	
84283200	Other, bucket type	100	
84283300	Other, belt type	100	
84283900	Other	100	
84289000	Other machinery	100	



HS code 2007	Description	Margin of preference	Explanatory notes
84295120	Not tracked, driven by internal combustion piston engines, of a mass of 3 000 kg or more but not exceeding 30 000 kg (excluding those specially designed for use in mines)	50	
84311005	Of triple spur gear chain hoists	50	
84311010	Of hydraulic trolley mounted garage jacks, of a lifting capacity not exceeding 11 t	50	
84311025	Of other hydraulic lifting jacks, hand-type, of a lifting capacity not exceeding 90,7 t (excluding trolley mounted garage jacks)	50	
84311030	Of other mechanical lifting jacks, hand-type, of a lifting capacity not exceeding 90,7 t (excluding trolley mounted garage jacks)	50	
84312010	Radiators	50	
84314960	Radiators	50	
84314990	Other	100	
84331110	Having a cutting width not exceeding 470 mm	10	
84331190	Other	50	
84331910	Having a cutting width not exceeding 460 mm	50	
84331990	Other	50	
84339000	Parts	100	
84385000	Machinery for the preparation of meat or poultry	100	
84389000	Parts	100	
84433100	Machines which perform two or more of the functions of printing, copying or facsimile transmission, capable of connecting to an automatic data processing machine or to a network	50	
84433210	Teleprinters	50	
84433290	Facsimile machines	50	
84439900	Other	100	
84501100	Fully automatic machines	10	
84501900	Other	100	
84609020	Double wheel horizontal grinding machines, (excluding those in which the positioning in any one axis can be set up to an accuracy of at least 0,01 mm) incorporating an electric motor of an output not exceeding 600 W	10	
84609090	Other	100	
84621030	Presses, hydraulic (excluding those with 3 or more axes, numerically controlled)	10	
84621090	Other	100	
84622110	Press brakes, hydraulic, of a capacity of less than 8 900 kN (excluding those with 3 or more axes)	10	



HS code 2007	Description	Margin of preference	Explanatory notes
84622180	Presses, hydraulic (excluding press brakes and those with 3 or more axes)	10	
84622190	Other	100	
84622910	Plate rolling machines with 3 rollers	10	
84622920	Pressbrakes, hydraulic, of a capacity of less than 8 900 kN	10	
84622970	Presses (excluding pressbrakes), hydraulic	10	
84622990	Other	100	
84623110	Of the guillotine type, with a cutting length exceeding 1 000 mm but not exceeding 4 150 mm (excluding those with 3 or more axes)	10	
84623190	Other	100	
84623910	Of the guillotine type, with a cutting length exceeding 1 000 mm but not exceeding 4 150 mm	10	
84623990	Other	100	
84629100	Hydraulic presses	100	
84629900	Other	100	
84649000	Other	100	
84671100	Rotary type (including combined rotary-percussion)	100	
84678960	Brush cutters and trimmers, petrol driven	100	
84678990	Other	100	
84679910	For the tools of subheading 8467.29.10	10	
84762100	Incorporating heating or refrigerating devices	100	
84798933	Floor polishers and scrubbers, electrical, non-domestic	50	
84821000	Ball bearings	100	
84822002	Journal roller bearings of the rotating end-cover type, commonly used on the axles of railway rolling stock or locomotives, of an outside diameter of 170 mm or more but not exceeding 210 mm	10	
84822045	Cone assemblies (excluding single row), of an inside diameter of 119 mm or more but not exceeding 120 mm, or 131 mm or more but not exceeding 132 mm	10	
84822090	Other	100	
84825000	Other cylindrical roller bearings	100	
84829100	Balls, needles and rollers	100	
84829911	Outer rings of radial deep groove ball bearings with grooved ball track in bore, finished (excluding those of an outside diameter of less than 31 mm or exceeding 130 mm)	10	



HS code 2007	Description	Margin of preference	Explanatory notes
84829917	Outer rings of journal roller bearings, finished, of an outside diameter of 195 mm or more but not exceeding 196 mm, or of 207 mm or more but not exceeding 209 mm	10	
84829929	Inner rings of radial deep groove ball bearings with grooved ball track on outer diameter, finished (excluding those of an outside diameter of less than 20 mm or exceeding 95 mm)	10	
84829990	Other	100	
85013100	Of an output not exceeding 750 W	100	
85013200	Of an output exceeding 750 W but not exceeding 75 kW	100	
85014000	Other AC motors, single-phase	10	
85015190	Other	10	
85015290	Other	10	
85015390	Other	10	
85016110	Of an output not exceeding 25 kVA	50	
85016190	Other	50	
85016200	Of an output exceeding 75 kVA but not exceeding 375 kVA	50	
85016300	Of an output exceeding 375 kVA but not exceeding 750 kVA	100	
85016400	Of an output exceeding 750 kVA	100	
85021100	Of an output not exceeding 75 kVA	10	
85021200	Of an output exceeding 75 kVA but not exceeding 375 kVA	10	
85021300	Of an output exceeding 375 kVA	10	
85024000	Electric rotary converters	10	
85030010	Rotors or armatures, with an outside cross-sectional dimension exceeding 57 mm but not exceeding 200 mm	10	
85030020	Stators or stator packs, whether or not wound, with an inside cross-sectional dimension exceeding 57 mm but not exceeding 200 mm	10	
85030030	Radiators	50	
85030090	Other	50	
85041000	Ballasts for discharge lamps or tubes	50	
85042100	Having a power handling capacity not exceeding 650 kVA	50	
85042200	Having a power handling capacity exceeding 650 kVA but not exceeding 10 000 kVA	50	
85042300	Having a power handling capacity exceeding 10 000 kVA	50	
85043100	Having a power handling capacity not exceeding 1 kVA	50	

HS code 2007	Description	Margin of preference	Explanatory notes
85043300	Having a power handling capacity exceeding 16 kVA but not exceeding 500 kVA	50	
85043400	Having a power handling capacity exceeding 500 kVA	50	
85045000	Other inductors	50	
85049000	Parts	50	
85059000	Other, including parts	100	
85061005	Cylindrical, of an external volume exceeding 300 cm <sup>3</sup>	50	
85061010	Other, of a height not exceeding 7 mm	100	
85061025	Other, cylindrical (excluding those of a height not exceeding 7 mm), of a diameter exceeding 19 mm	50	
85061090	Other	10	
85063005	Cylindrical, of an external volume exceeding 300 cm <sup>3</sup>	50	
85063025	Other, cylindrical (excluding those of a height not exceeding 7 mm), of a diameter exceeding 19 mm	50	
85063090	Other	10	
85064005	Cylindrical, of an external volume exceeding 300 cm <sup>3</sup>	50	
85064025	Other, cylindrical (excluding those of a height not exceeding 7 mm), of a diameter exceeding 19 mm	50	
85064090	Other	10	
85065005	Cylindrical, of an external volume exceeding 300 cm <sup>3</sup>	50	
85065025	Other, cylindrical (excluding those of a height not exceeding 7 mm), of a diameter exceeding 19 mm	50	
85065090	Other	10	
85066005	Cylindrical, of an external volume exceeding 300 cm <sup>3</sup>	50	
85066025	Other, cylindrical (excluding those of a height not exceeding 7 mm), of a diameter exceeding 19 mm	50	
85066090	Other	10	
85068005	Cylindrical, of an external volume exceeding 300 cm <sup>3</sup>	50	
85068025	Other, cylindrical (excluding those of a height not exceeding 7 mm), of a diameter exceeding 19 mm	50	
85068090	Other	10	
85072000	Other lead-acid accumulators	100	
85078000	Other accumulators	100	
85081110	Of a value for duty purposes not exceeding R650	10	
85081190	Other	50	



HS code 2007	Description	Margin of preference	Explanatory notes
85081910	Of a value for duty purposes not exceeding R650, non-domestic	50	
85081920	Of a value for duty purposes not exceeding R650	10	
85081990	Other vacuum cleaners, electrical	50	
85086010	Of a value for duty purposes exceeding R650, non-domestic	50	
85086090	Other, of a value for duty purposes exceeding R650, non domestic	50	
85087090	Other	10	
85098010	Floor polishers	10	
85099000	Parts	10	
85161010	Immersion heaters identifiable for use solely or principally for heating industrial liquids	100	
85161090	Other	10	
85162100	Storage heating radiators	10	
85162910	Electric radiators	10	
85162990	Other	10	
85163200	Other hair-dressing apparatus	10	
85168010	Identifiable for use solely or principally with domestic stoves, hot-plates and ovens	10	
85168020	Identifiable for use solely or principally with industrial ovens and furnaces	100	
85168090	Other	10	
85169020	For hand-type hair dryers	50	
85169025	For electric smoothing irons	10	
85169030	For other electro-thermic appliances of a kind	10	
85169090	Other	10	
85171100	Line telephone sets with cordless handsets	50	
85171200	Telephones for cellular networks or for other wireless networks	100	
85171810	Card or coin operated telephone sets	50	
85171890	Other	50	
85176100	Base stations	50	
85176210	Videophones	50	
85176290	Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus: Other	50	
85176900	Other	50	
85177010	For telephone sets	50	
85177090	Other	100	
85211000	Magnetic tape-type	100	
85234000	For reproducing sound only	100	
85235290	Other	100	
85255010	For radio-telephony or radio-telegraphy	10	
85255090	Other	100	



HS code 2007	Description	Margin of preference	Explanatory notes
85256000	Transmission apparatus incorporating reception apparatus	100	
85287100	Not designed to incorporate a video display or screen	100	
85287290	Other colour, other	100	
85291010	Parabolic aerial reflector dishes of a diameter not exceeding 120 cm	50	
85291090	Other	100	
85299020	Cabinets for reception apparatus for	100	
85299050	Filters or separators, for reception apparatus for television	100	
85299060	Tuners (very high frequency or ultra-high frequency) and tuner control devices, for reception apparatus for television	100	
85299070	Parts of moulded plastics or base metal, not incorporating electronic components, for	100	
85299090	Other	100	
85309090	Other	50	
85318000	Other apparatus	100	
85351000	Fuses	50	
85352105	With moulded casings of plastics, with a current rating not exceeding 1 250 A, for a voltage not exceeding 1,1 kV (AC) or 125 V per pole (DC) and a breaking capacity rating not exceeding 100 000 A	10	
85352110	With a current rating not exceeding 2 000 A, for a voltage exceeding 2 kV (AC) but not exceeding 12 kV (AC) and a breaking capacity rating exceeding 10 000 A but not exceeding 31 500 A (excluding those with moulded casings of plastics)	10	
85352120	With a current rating not exceeding 1 200 A, for a voltage exceeding 12 kV (AC) but not exceeding 24 kV (AC) and a breaking capacity rating exceeding 10 000 A but not exceeding 25 000 A (excluding those with moulded casings of plastics)	10	
85352130	With a current rating not exceeding 1 600 A, for a voltage exceeding 24 kV (AC) but not exceeding 36 kV (AC) and a breaking capacity rating exceeding 10 000 A but not exceeding 31 500 A (excluding those with moulded casings of plastics)	25	
85352140	With a current rating not exceeding 1 600 A, for a voltage exceeding 36 kV (AC) but not exceeding 72,5 kV (AC) and a breaking capacity rating exceeding 10 000 A but not exceeding 21 900 A (excluding those with moulded casings of plastics)	10	



HS code 2007	Description	Margin of preference	Explanatory notes
85353005	Isolating switches, with moulded casings of plastics, with a current rating not exceeding 1 250 A, for a voltage not exceeding 1 100 V (AC) or 125 V per pole (DC) and a breaking capacity rating not exceeding 100 000 A	10	
85359010	Switch cover plates, apparatus connectors	10	
85359090	Other	50	
85361000	Fuses	100	
85362015	With casings of plastics or other insulating material, with a current rating not exceeding 800 A	10	
85362090	Other	100	
85363010	Identifiable for use solely or principally with radio, radar, television, radio-telegraphic or radio-telephonic apparatus	50	
85363030	Switch fuses, for a voltage of less than 500 V	50	
85363090	Other	50	
85364910	Earth leakage relays, for a voltage not exceeding 660 V with a sensitivity not exceeding 1 000 mA	50	
85364920	Electro-magnetic and permanent magnet relays	50	
85364930	Thermo-electric relays incorporating bimetal elements	50	
85364980	Other, of a value for duty purposes of R250 or more	50	
85364990	Other	50	
85365010	Identifiable for use solely or principally with radio, radar, television, radio-telegraphic or radio-telephonic apparatus	100	
85365040	Identifiable for use solely or principally with rail locomotives and railway rolling-stock	100	
85365050	Other, with moulded casings of plastics or other insulating material, with a current rating not exceeding 800 A	10	
85365090	Other	50	
85366130	Other, for fluorescent lamps	50	
85366140	Other, for a voltage of less than 500 V	50	
85366190	Other	50	
85366910	Identifiable for use solely or principally with radio, radar, television, radio-telegraphic or radio-telephonic apparatus	50	
85366960	Other sockets, for a voltage of less than 500 V	10	
85366965	Other, for a voltage of less than 500 V	50	
85366990	Other	50	

HS code 2007	Description	Margin of preference	Explanatory notes
85367000	Connectors for optical fibres, optical fibre bundles or cables	50	
85369010	Identifiable for use solely or principally with radio, radar, television, radio-telegraphic or radio-telephonic apparatus	100	
85369030	Apparatus connectors; switch cover plates	50	
85369040	Terminals, terminal strips and other metal parts for the reception of conductors or cables, identifiable for use solely or principally with domestic stoves and hot-plates	50	
85369090	Other	50	
85371030	Equipped with apparatus of subheading No 8536.20.15 or 8536.50.50	10	
85371090	Other	50	
85372010	Not flameproof, with a current rating not exceeding 2 000 A, for a voltage exceeding 2 kV (AC) but not exceeding 12 kV (AC) and a breaking capacity rating exceeding 10 000 A but not exceeding 31 500 A (excluding gas insulated metal clad switchgear)	10	
85372020	Not flameproof, with a current rating not exceeding 1 250 A, for a voltage exceeding 12 kV (AC) but not exceeding 24 kV (AC) and a breaking capacity rating exceeding 10 000 A but not exceeding 25 000 A (excluding gas insulated metal clad switchgear)	10	
85372040	Not flameproof, with a current rating not exceeding 1 600 A, for a voltage exceeding 36 kV (AC) but not exceeding 72.5 kV (AC) and a breaking capacity rating exceeding 21 900 A (excluding gas insulated metal clad switchgear)	10	
85372090	Other	50	
85389045	For circuit breakers and isolating switches, with moulded casings of plastics, with a current rating not exceeding 1 250 A, for a voltage not exceeding 1 100 V (AC) or 125 V per pole (DC) and a breaking capacity rating not exceeding 100 000 A	10	
85389048	For other automatic circuit breakers for a voltage exceeding 1 kV	10	
85392220	Projector lamps	100	
85392245	Other, of a power of 15 W or more and for a voltage not exceeding 260 V	10	
85392290	Other	10	
85392910	Carbon filament lamps	100	



HS code 2007	Description	Margin of preference	Explanatory notes
85392915	Projector lamps	100	
85392925	Torch lamps	100	
85392950	Other, vacuum type, of less than 15 W	10	
85392957	Other, of a power exceeding 200 W but not exceeding 1 000 W and for a voltage exceeding 100 V but not exceeding 260 V	10	
85392960	Other, not exceeding 100 W, identifiable for use solely or principally in headlamps for miners	100	
85392990	Other	10	
85393145	Linear (excluding mercury vapour lamps) of a length of 600 mm or more but not exceeding 2 500 mm, of a diameter of 25 mm or more	10	
85394910	Ultra-violet lamps	10	
85394920	Infra-red lamps	10	
85401100	Colour	10	
85401200	Black and white or other monochrome	10	
85409100	Of cathode-ray tubes	50	
85409900	Other	50	
85432000	Signal generators	100	
85437000	Other machines and apparatus: Electric fence energizers	100	
85439000	Parts	100	
85441100	Of copper	10	
85441900	Other	10	
85442015	Cable, single-core, with a centre conductor of copper plated with silver or gold, of a length exceeding 400 m and a cross-sectional dimension not exceeding 4,5 mm, not sheathed in aluminium	100	
85442090	Other	10	
86072990	Other	50	
87120010	Bicycles	25	
89031000	Inflatable	50	
89039200	Motorboats (excluding outboard motorboats)	50	
90041000	Sunglasses	50	
90183140	Disposable hypodermic syringes of plastics	10	
90183190	Other	100	
90183220	Hypodermic needles, including dental injection needles, with hubs	10	
90183900	Other	100	
90189000	Other instruments and appliances	100	
90215000	Pacemakers for stimulating heart muscles (excluding parts and accessories)	100	
90219000	Other	100	
90259000	Parts and accessories	100	
90261000	For measuring or checking the flow or level of liquids	100	
90262000	For measuring or checking pressure	100	



HS code 2007	Description	Margin of preference	Explanatory notes
90321010	Identifiable for use solely or principally with electro-thermic domestic appliances (excluding those of which the operation depends on an electrical phenomenon which varies according to the factor to be ascertained or automatically controlled)	50	
90328900	Other	100	
90329000	Parts and accessories	100	
93020010	Revolvers	10	
93020021	Semi-automatic	10	
93020022	Other	10	
93020030	Pistols, multiple barrel	10	
93032011	Pump-action	10	
93032012	Semi-automatic	10	
93032013	Other	10	
93032020	Shotguns, multiple barrel, including combination guns	10	
93033010	Single-shot	10	
93033020	Semi-automatic	10	
93033090	Other	10	
93052100	Shotgun barrels	10	
93052910	Firing mechanisms	10	
93052920	Frames and receivers	10	
93052930	Rifle barrels	10	
93052940	Pistons, locking lugs and gas buffers	10	
93052950	Magazines and parts thereof	10	
93052960	Silencers (sound moderators) and parts thereof	10	
93052970	Flash eliminators and parts thereof	10	
93052980	Breeches, bolts (gunlocks) and bolt carriers	10	
93052990	Other	10	
93062100	Cartridges	10	
93062900	Other	10	
93063010	For riveting tools with a calibre not exceeding 6,35 mm, rimfire type	10	
93063020	For captive-bolt humane killers or stunners	10	
93063090	Other	10	
94013000	Swivel seats with variable height adjustment	10	
94014000	Seats (excluding garden seats or camping equipment), convertible into beds	10	
94016100	Upholstered	10	
94016900	Other	10	
94017100	Upholstered	10	
94017900	Other	10	
94018000	Other seats	10	
94019010	Identifiable for use with aircraft seats of subheading 9401.10	100	
94019090	Other	10	
94029000	Other	100	



HS code 2007	Description	Margin of preference	Explanatory notes
94031000	Metal furniture of a kind used in offices	10	
94032000	Other metal furniture	10	
94033000	Wooden furniture of a kind used in offices	10	
94034000	Wooden furniture of a kind used in the	10	
94035000	Wooden furniture of a kind used in the bedroom	10	
94036000	Other wooden furniture	10	
94038100	Of bamboo or rattan	10	
94038900	Other	10	
94039000	Parts	10	
94042100	Of cellular rubber or plastics, whether or not covered	10	
94049000	Other	10	
94051037	Shadowless, commonly used in operating theatres or by dental surgeons	100	
94054017	Ships navigation lamps	100	
94054047	Shadowless, commonly used in operating theatres or by dental surgeons	100	
94054055	Other, with base and diffusers of base metal	100	
94054090	Other	10	
94056000	Illuminated signs, illuminated nameplates and the like	10	
94059290	Other	10	
94059927	For shadowless lamps and ships navigation lamps	100	
94059990	Other	10	
94060000	Prefabricated buildings	100	
95030010	Tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages	10	
95030090	Other	100	
95043000	Other games, operated by coins, banknotes (paper currency), discs or other similar articles (excluding bowling alley equipment)	100	
95049000	Other	100	
95051000	Articles for Christmas festivities	10	
95059000	Other	10	
95064000	Articles and equipment for table-tennis	100	
95065900	Other	100	
95069100	Articles and equipment for general physical exercise, gymnastics or athletics	100	
95069900	Other	100	
95073000	Fishing reels	100	
96033090	Other	10	
96034000	Paint, distemper, varnish or similar brushes (excluding brushes of subheading No. 9603.30); paint pads and rollers	10	
96035010	Machine bottle brushes	10	
96035090	Other	10	
96039000	Other	10	

HS code 2007	Description	Margin of preference	Explanatory notes
96072090	Other	10	
96081000	Ball point pens	10	
96082000	Felt tipped and other porous-tipped pens and markers	10	
96092000	Pencil leads, black or coloured	10	
96099000	Other	10	
96151100	Of hard rubber or plastics	10	
96151900	Other	10	
96161000	Scent sprays and similar toilet sprays, and mounts and heads therefor	100	
96170000	Vacuum flasks and other vacuum vessels, complete with cases, parts thereof (excluding glass inners)	10	

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## ANNEX III

CONCERNING THE DEFINITION OF THE CONCEPT OF  
"ORIGINATING PRODUCTS" AND  
METHODS OF ADMINISTRATIVE COOPERATION

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## **Title I General Provisions**

### **Article I Definitions**

For the purposes of this Annex:

- a) "manufacture" means any kind of working or processing including assembly or specific operations;
- b) "material" means any ingredient, raw material, component or part, etc., used in the manufacture of the product;
- c) "product" means the product being manufactured, even if it is intended for later use in another manufacturing operation;
- d) "goods" means both materials and products;
- e) "customs value" means the value as determined in accordance with the 1994 Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade (WTO Agreement on Customs Valuation);
- f) "ex-works price" means the price paid for the product ex works to the manufacturer in SACU in whose undertaking the last working or processing is carried out, provided the price includes the value of all the materials used, minus any internal taxes which are, or may be, repaid when the product obtained is exported;
- g) "CIF price" means the price paid to the exporter by an importer in MERCOSUR for the product when the goods pass the ships rail at the named port of shipment. The exporter must pay the costs and freight necessary to bring the goods to the named port of destination. For landlocked countries, the port of destination means the first sea port or inland waterway port located in any of the Signatory Parties, through which those products have been imported;
- h) "Free on Board price" means the price paid to the exporter for the product when the goods pass the ships rail at the named port of shipment, thereafter, the importer will assume all the costs including the necessary expenses for the shipment;
- i) "value of materials": for SACU means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in SACU; for MERCOSUR means the CIF price of non-originating materials used as defined in (g);
- j) "value of originating materials" means the value of such materials as defined in (i);
- k) "price of the product": for SACU means ex-works price, as defined in (f); for MERCOSUR means the Free on Board price, as defined in (h);

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- l) "chapters", "headings" and "subheadings" mean the chapters, the headings (four-digit codes) and subheading (six-digit codes) used in the nomenclature which makes up the Harmonized Commodity Description and Coding System, referred to in this Annex as "the Harmonized System" or "HS";
- m) "classified" refers to the classification of a product or material under a particular heading or subheading;
- n) "consignment" means products which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a document, by a single invoice;
- o) "territory" includes the "territorial sea", the "exclusive economic zone" and the "continental shelf" as defined in the United Nations Convention on the Law of the Sea;
- p) "high seas" have the same meaning as in the United Nations Convention on the Law of the Sea;
- q) "MERCOSUR" means Mercado Común del Sur;
- r) "a MERCOSUR state" means any of the following states: Argentina, Brazil, Paraguay or Uruguay, as the case may be;
- s) "SACU" means the Southern African Customs Union;
- t) "a SACU state" means any of the following states: Botswana, Lesotho, Namibia, South Africa or Swaziland, as the case may be;
- u) "customs or competent authority" refer to a customs authority in SACU and, in MERCOSUR<sup>1</sup>, to the:
- "Ministerio de Economía y Producción - Secretaria de Industria, Comercio y de la Pequeña y Mediana Empresa" of Argentina;
  - "Ministério do Desenvolvimento, Indústria e Comércio Exterior - Secretaria de Comércio Exterior, e Ministério da Fazenda - Secretaria da Receita Federal do Brasil" of Brazil;
  - "Ministerio de Industria y Comercio" of Paraguay; and
  - "Ministerio de Economía y Finanzas - Asesoría de Política Comercial" of Uruguay.

<sup>1</sup> The competence of issuing certificates of origin is delegated by the competent authorities of MERCOSUR to authorised public agencies or trade organisations in Argentina, Brazil, Paraguay and Uruguay.



**Title II**  
**Definition of the Concept of "Originating Product"**

**Article 2**  
**General requirements**

1. For the purpose of implementing this Agreement, the following products shall be considered as originating in MERCOSUR or SACU:

- (a) products wholly obtained in MERCOSUR or SACU within the meaning of Article 4;
- (b) products obtained in a Signatory Party incorporating non-originating materials, provided that such materials have undergone sufficient working or processing in the Signatory Party within the meaning of Article 5.

2. For the purpose of this Agreement, products originating in MERCOSUR shall be considered as originating in Argentina, Brazil, Paraguay or Uruguay, and products originating in SACU shall be considered as originating in Botswana, Lesotho, Namibia, South Africa or Swaziland.

**Article 3**  
**Bilateral cumulation of origin**

1. Notwithstanding Article 2, materials and products originating in MERCOSUR within the meaning of this Annex shall be considered as originating in SACU, provided that they have undergone working or processing in SACU going beyond that referred to in Article 6.

2. Notwithstanding Article 2, materials and products originating in SACU within the meaning of this Annex shall be considered as originating in MERCOSUR, provided that they have undergone working or processing in MERCOSUR going beyond that referred to in Article 6.

3. Notwithstanding Article 2, products listed in Annexes I and II that are subject to a tariff rate quota or preferences offered to a particular Signatory Party only are excluded from the cumulation provisions.

**Article 4**  
**Wholly obtained products**

1. The following shall be considered as wholly obtained in MERCOSUR or in SACU:
- (a) mineral products extracted from the soil or subsoil and from the seabed and marine subsoil of the territory of the Signatory Parties;
  - (b) vegetable products harvested there;
  - (c) live animals born, captured and raised there;

- (d) products from live animals raised there;
- (e) products obtained by collecting, hunting, fishing or aquaculture conducted there;
- (f) products of sea fishing and other products taken from the territorial sea and exclusive economic zone of MERCOSUR or of SACU;
- (g) products of sea fishing and other products taken from the waters in the high seas only by flagged and registered vessels of the respective Signatory Party, as well as products of sea-fishing obtained under a specific quota allocated to a Signatory Party by an international management organisation or regime;
- (h) products taken from the seabed or subsoil of their respective continental shelves;
- (i) products extracted from the seabed or subsoil outside their respective continental shelves provided that the concerned Signatory Party has rights or is sponsoring an entity that has rights to exploit the resources of that seabed or subsoil, in accordance with international law;
- (j) used articles collected there fit only for the recovery of raw materials;
- (k) waste and scrap resulting from manufacturing operations conducted there;
- (l) goods produced there exclusively from the products specified in sub-paragraphs (a) to (k).

#### **Article 5** **Sufficiently worked or processed products**

1. For the purposes of Article 2, products covered by this Agreement as listed in Annexes I and II, which are not wholly obtained are considered to be sufficiently worked or processed when the conditions set out in the list in Appendix II are fulfilled.<sup>2</sup>

2. Goods which are not covered by this Agreement as listed in Annexes I and II, but which are incorporated into a good that is covered by this Agreement, are considered to be sufficiently worked or processed if:

- (a) these goods are manufactured from materials or products of any heading, except that of the good, or
- (b) the value of all non-originating materials or products used does not exceed 40% of the price of the good.

<sup>2</sup> The conditions referred to in paragraph 1 indicate, for all products covered by the Agreement, the working or processing which must be carried out on non-originating materials used in manufacturing and apply only in relation to such materials. It follows that if a product which has acquired originating status by fulfilling the conditions set out in the list is used in the manufacture of another product, the conditions applicable to the product in which it is incorporated do not apply to it, and no account shall be taken of the non-originating materials which may have been used in its manufacture.

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3. Notwithstanding paragraphs 1 and 2, non-originating materials which, according to the conditions set out in the list, should not be used in the manufacture of a product may nevertheless be used, provided that:

- (a) their total value does not exceed 10 per cent of the price of the product; and
- (b) any of the percentages given in paragraph 2 and in the list of Appendix II for the maximum value of non-originating materials are not exceeded through the application of this paragraph.

This paragraph shall not apply to products falling within Chapters 50 to 63 of the Harmonized System.

4. Paragraphs 1 to 3 shall apply subject to the provisions of Article 6.

#### **Article 6** **Insufficient working or processing**

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 5 are satisfied:

- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
- (b) breaking-up and assembly of packages;
- (c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;
- (d) ironing or pressing of textiles;
- (e) simple<sup>3</sup> painting and polishing operations;
- (f) husking, partial or total bleaching, polishing, and glazing of cereals and rice;
- (g) operations to colour sugar or form sugar lumps;
- (h) peeling, stoning and shelling, of fruits, nuts and vegetables;
- (i) sharpening, simple<sup>4</sup> grinding or simple<sup>5</sup> cutting;
- (j) sifting, screening, sorting, classifying, grading, matching (including the making-up of sets of articles);

<sup>3</sup> "Simple" generally describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed for carrying out the activity.

<sup>4</sup> "Simple" generally describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed for carrying out the activity.

<sup>5</sup> "Simple" generally describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed for carrying out the activity.

- (k) simple<sup>6</sup> placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (m) simple mixing<sup>7</sup> of products, whether or not of different kinds;
- (n) simple<sup>8</sup> assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (o) a combination of two or more operations specified in (a) to (n); and
- (p) slaughter of animals.

2. All operations carried out either in MERCOSUR or in SACU on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.

#### **Article 7** **Unit of qualification**

1. The unit of qualification for the application of the provisions of this Annex shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonized System. It follows that:

- (a) when a product composed of a group or assembly of articles is classified in accordance with the Harmonized System in a single heading, the whole constitutes the unit of qualification; and
- (b) when a consignment consists of a number of identical products classified under the same heading of the Harmonized System, each product must be taken individually when applying the provisions of this Annex.

2. The packages and packing materials for retail sale, when classified together with the packaged product, in accordance with General Rule 5 b) of the Harmonized System shall not be taken into account for considering whether all non-originating materials used in the manufacture of a product fulfil the criterion corresponding to a change of tariff classification of the said product.

<sup>6</sup> "Simple" generally describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed for carrying out the activity.

<sup>7</sup> "Simple mixing" generally describes activities, including dilution in water or any other substance which does not substantially alter the product characteristics, which need neither special skills nor machines, apparatus or equipment specially produced or installed for carrying out the activity. However, simple mixing does not include chemical reaction. Chemical reaction means a process (including a biochemical process) which results in a molecule with a new structure by breaking intramolecular bonds and by forming new intramolecular bonds, or by altering the spatial arrangement of atoms in a molecule.

<sup>8</sup> "Simple" generally describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed for carrying out the activity.

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3. If the product is subject to an ad valorem percentage criterion, the value of the packages and packing material for retail sale shall be taken into account in its origin assessment.

**Article 8**  
**Accessories, spare parts and tools**

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

**Article 9**  
**Sets**

Sets, as defined in General Rule 3 of the Harmonized System, shall be regarded as originating when all component products are originating. Nevertheless, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed 15 per cent of the price of the set (price of the product).

**Article 10**  
**Containers and packing materials for transport**

The containers and packing materials exclusively used for the transport of a product shall not be taken into account for determining the origin of any good or product, in accordance with General Rule 5 b) of the Harmonized System.

**Article 11**  
**Neutral elements**

1. In order to determine whether a product originates, it shall not be necessary to determine the origin of the following which might be used in its manufacture:

- (a) energy and fuel;
- (b) plant and equipment;
- (c) machines and tools; and
- (d) goods which do not enter into the final composition of the product.

### **Title III Territorial Requirements**

#### **Article 12 Principle of territoriality**

1. The conditions for acquiring originating status set out in Title II must be fulfilled without interruption in MERCOSUR or in SACU.
2. Where originating goods exported from MERCOSUR or from SACU to another country are returned, they must be considered as non-originating when re-exported to MERCOSUR or SACU, unless it can be demonstrated to the satisfaction of the customs authorities that:
  - (a) the returning goods are the same as those exported; and
  - (b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

#### **Article 13 Direct transport**

1. The preferential treatment provided for under the Agreement applies only to products satisfying the requirements of this Annex, which are transported directly between MERCOSUR and SACU. However, products constituting one single consignment may be transported through other territories with, should the occasion arise, transshipment or temporary warehousing in such territories, provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition. Originating products may be transported by pipeline across territory other than that of the Signatory Parties.
2. Evidence that the conditions set out in paragraph 1 have been fulfilled shall be supplied to the customs authorities of the importing country by the production of:
  - (a) a single transport document covering the passage from the exporting country through the country of transit; or
  - (b) a certificate issued by the customs or competent authority of the country of transit:
    - (i) giving an exact description of the products;
    - (ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used; and
    - (iii) certifying the conditions under which the products remained in the transit country; or
  - (c) failing these, any substantiating documents.



#### **Article 14 Exhibitions**

1. Originating products, sent for exhibition in a country outside the Signatory Parties and sold after the exhibition for importation into MERCOSUR or into SACU shall benefit on importation from the provisions of the Agreement provided it is shown to the satisfaction of the customs or competent authority that:
  - (a) an exporter has consigned these products from MERCOSUR or from SACU to the country in which the exhibition is held and has exhibited them there;
  - (b) the products have been sold or otherwise disposed of by that exporter to a person in MERCOSUR or in SACU;
  - (c) the products have been consigned during the exhibition or immediately thereafter in the state in which they were sent for exhibition; and
  - (d) the products have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.
2. A certificate of origin must be issued or made out in accordance with the provisions of Title IV and submitted to the customs authorities of the importing country in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the conditions under which they have been exhibited may be required.
3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

#### **Title IV Certificate of Origin**

#### **Article 15 General requirements**

1. Products originating in a Signatory Party shall, on importation into MERCOSUR or SACU, benefit from the Agreement upon submission of a certificate of origin, a specimen of which appears in Appendix III.
2. Notwithstanding paragraph 1, originating products within the meaning of this Annex shall, in the cases specified in Article 23, benefit from the Agreement without it being necessary to submit the certificate of origin.



**Article 16<sup>9</sup>****Procedure for the issue of a certificate of origin**

1. A certificate of origin shall be issued by the customs or competent authority of the exporting country on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative.
2. For this purpose, the exporter or his authorised representative shall complete both the certificate of origin and the application form, specimens of which appear in Appendix III. These forms shall be completed in English, in accordance with the provisions of the domestic law of the exporting country. If they are handwritten, they shall be completed in ink in block letters. The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.
3. The exporter applying for the issue of a certificate of origin shall be prepared to submit at any time, at the request of the customs authorities or competent authority of the exporting country where the certificate of origin is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Annex.
4. A certificate of origin shall be issued by the customs or competent authority of MERCOSUR or of SACU if the products concerned can be considered as products originating in MERCOSUR or in SACU and fulfil the other requirements of this Annex.
5. The customs or competent authority issuing certificates of origin shall take any step necessary to verify the originating status of the products and the fulfilment of the other requirements of this Annex. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate. They shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.
6. The date of issue of the certificate of origin shall be indicated in Box 11 of the certificate.
7. A certificate of origin shall be issued by the customs or competent authority and made available to the exporter as soon as actual exportation has been effected or ensured.

**Article 17****Certificate of origin issued retrospectively**

1. Notwithstanding Article 16(7), a certificate of origin may exceptionally be issued after exportation of the products to which it relates if:

<sup>9</sup> The term "the other requirements", mentioned in paragraphs 4 and 5 of this Article, does not include the requirements of direct transport and exhibition, since those requirements shall be checked by the customs authority of the importing country.



- (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
  - (b) it is demonstrated to the satisfaction of the customs or competent authority that a certificate of origin was issued but was not accepted at importation for technical reasons.
2. For the implementation of paragraph 1, the exporter must indicate in his application the place and date of exportation of the products to which the certificate of origin relates, and state the reasons for his request.
  3. The customs or competent authority may issue a certificate of origin retrospectively, if requested by the exporter within six months from the date of the exportation, and only after verifying that the information supplied in the exporter's application corresponds with that in the records of the issuing office or the authenticity thereof have been verified.
  4. Certificates of origin issued retrospectively must be endorsed with the words "*ISSUED RETROSPECTIVELY*".
  5. The endorsement referred to in paragraph 4 shall be inserted in the "Remarks" box of the certificate of origin.

#### **Article 18**

##### **Issue of a duplicate certificate of origin**

1. In the event of theft, loss or destruction of a certificate of origin, the exporter may apply to the customs or competent authority which issued it for a duplicate made out on the basis of the export documents in their possession or of which the authenticity thereof have been verified.
2. The duplicate issued in this way must be endorsed with the word "*DUPLICATE*".
3. The endorsement referred to in paragraph 2 shall be inserted in the "Remarks" box of the duplicate certificate of origin.
4. The duplicate, which shall indicate the date of issuance and the number of the original certificate in the "Remarks" box, shall take effect as from that date.

#### **Article 19**

##### **Issuing of a certificate of origin on the basis of a proof of origin issued or made out previously**

1. When originating goods are placed under the control of a customs office in a Member State of SACU or MERCOSUR, it shall be possible to replace the original proof of origin by one or more certificate/s of origin for the purpose of sending all or some of these goods elsewhere within the Member States of SACU or MERCOSUR. The replacement certificate of origin shall be issued by the competent governmental authority under whose control the products are placed.



2. In the case of MERCOSUR, this article shall apply only to the Signatory Parties that have decided on its implementation and that have duly notified the Joint Committee thereof.

#### **Article 20**

##### **Validity of certificate of origin**

1. The certificate of origin shall be valid for six months from the date of issue in the exporting country, and must be submitted within the said period to the customs authorities of the importing country.

2. Certificates of origin which are submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing country may accept the certificates of origin where the products have been submitted before the said final date.

#### **Article 21**

##### **Submission of certificates of origin**

Certificates of origin shall be submitted to the customs authority of the importing country in accordance with the procedures applicable in that country. The said authorities may require a translation of a certificate of origin and may also require the import declaration to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the implementation of the Agreement.

#### **Article 22**

##### **Importation by instalments**

Where, at the request of the importer and on the conditions laid down by the customs authority of the importing country, dismantled or non-assembled products within the meaning of General Rule 2(a) of the Harmonized System falling within Sections XVI and XVII, Chapter 90 or headings 7308 and 9406 of the Harmonized System are imported by instalments, a single certificate of origin for such products shall be submitted to the customs authority upon importation of the first instalment.

#### **Article 23**

##### **Exemptions from certificate of origin**

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a certificate of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Annex and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, this declaration can be made on the customs declaration CN22 / CN23 or on a sheet of paper annexed to that document.



2. For the purposes of paragraph 1:
- (a) imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade if it is evident from the nature and quantity of the products that no commercial purpose is intended; and
  - (b) in case of small packages or products forming part of travellers' personal luggage, the total value of these products shall not exceed the value stipulated in the national legislation of the Signatory Party concerned.

**Article 24<sup>10</sup>**  
**Supporting documents**

1. The documents referred to in Article 16(3) used for the purpose of proving that products covered by a certificate of origin can be considered as products originating in MERCOSUR or in SACU and fulfil the other requirements of this Annex may consist *inter alia* of the following:

- (a) direct evidence of the processes carried out by the exporter or supplier to obtain the goods concerned, contained for example in his accounts or internal book-keeping;
- (b) documents proving the originating status of materials used, issued or made out in MERCOSUR or in SACU where these documents are used in accordance with domestic law;
- (c) documents proving the working or processing of materials in MERCOSUR or in SACU, issued or made out in a MERCOSUR or in SACU, where these documents are used in accordance with domestic law; or
- (d) certificates of origin proving the originating status of materials used, issued or made out in MERCOSUR or in SACU in accordance with this Annex.

**Article 25**  
**Preservation of certificate of origin and supporting documents**

1. The exporter applying for the issue of a certificate of origin shall keep for at least three years the documents referred to in Article 16(3).
2. The competent authority of the exporting country responsible for issuing certificates of origin shall keep for at least three years the application form referred to in Article 16(2).
3. The customs authority of the importing country shall ensure the availability, for at least three years, of the certificates of origin submitted for preferential treatment.

<sup>10</sup> The term "the other requirements", mentioned in this Article, does not include the requirements of direct transport and exhibition, since those requirements shall be checked by the customs authorities of the importing country.

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**Article 26**  
**Discrepancies and formal errors**

1. The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not, ipso facto, render the certificate of origin null and void if it is duly established that this document does correspond to the products submitted.
2. Obvious formal errors on a certificate of origin should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.<sup>11</sup>

**Title V**  
**Arrangements for Administrative Co-operation**

**Article 27**  
**Notifications**

The customs or competent authorities of SACU and MERCOSUR shall provide each other, through the SACU and the MERCOSUR Secretariats respectively, with specimen impressions of official stamps and signatures (used in their offices) for the issue of certificates of origin and with the addresses of the customs or competent authorities responsible for verifying the authenticity of the certificates of origin and the correctness of the information given therein.

**Article 28**  
**Verification of certificate of origin<sup>12</sup>**

1. In order to ensure the proper application of this Annex, MERCOSUR and SACU shall assist each other, through the customs or competent authorities, in checking the authenticity of the certificates of origin and the correctness of the information given in these documents.
2. Subsequent verifications of certificates of origin shall be carried out at random or whenever the customs or competent authority of the importing country have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Annex.
3. For the purposes of implementing the provisions of paragraph 1, the customs or competent authority of the importing country shall return the certificate of origin, if it has been submitted, or a copy of these documents, to the customs or competent authority of the exporting country giving, where appropriate, the reasons for the enquiry. Any documents and information obtained suggesting that the information given on the certificate of origin is incorrect shall be forwarded in support of the request for verification.

<sup>11</sup> Obvious formal errors include, but are not limited to, typing errors, and exclude deliberate errors.

<sup>12</sup> The term "the other requirements", mentioned in paragraphs 2 and 6 of this Article, does not include the requirements of direct transport and exhibition, since those requirements shall be checked by the customs authorities of the importing country.



4. The verification shall be carried out by the customs or competent authority of the exporting country. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.
5. If the customs authority of the importing country decide to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.
6. The customs or competent authority requesting the verification shall be informed of the results of this verification as soon as possible. These results must indicate clearly whether the documents are authentic and whether the products concerned can be considered as products originating in MERCOSUR or in SACU and fulfil the other requirements of this Annex.
7. If in cases of reasonable doubt there is no reply within ten months of the date of the verification request or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting customs authority shall, except in exceptional circumstances, refuse entitlement to the preferences.
8. The requesting customs or competent authority shall inform the customs or competent authority of the exporting country of its decision on the basis of the verification in question.

#### **Article 29** **Dispute settlement**

1. Where disputes arise in relation to the verification procedures of Article 27 which cannot be settled between the customs or competent authority requesting a verification and the customs or competent authority responsible for carrying out this verification or where they raise a question as to the interpretation of this Annex, they shall be submitted to the Joint Administration Committee, without prejudice to the Parties' or the Signatory Parties' rights to have recourse to the Dispute Settlement mechanism of this Agreement.
2. In all cases the settlement of disputes between the importer and the customs or competent authority of the importing country shall be under the legislation of the said country.

#### **Article 30** **Penalties**

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect information for the purpose of obtaining a preferential treatment for products.

**Article 31**  
**Free Zones**

1. The treatment to be afforded to goods from Free Zones will be subject to a decision to be reached as foreseen in the Understanding on Free Zones attached to this Annex as Appendix IV.
2. In the interim, MERCOSUR and SACU shall take all necessary steps to ensure that products traded under cover of a proof of origin, which in the course of transport use a free zone situated in their territory, are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.

**Title VI**  
**Final Provisions**

**Article 32**  
**Review**

The Joint Administration Committee shall review this Annex no later than three years after the entry into force of the Agreement, or in the event of a new round of negotiations intended to deepen or broaden the scope of the Preferential Trade Agreement and, as appropriate, propose to the Parties amendments to the criteria for the determination, application and administration of origin.

**Article 33**  
**Transitional provisions for goods in transit or storage**

The provisions of the Agreement may be applied to goods which comply with the provisions of this Annex and which on the date of entry into force of the Agreement are either in transit or are in MERCOSUR or in SACU in temporary storage in customs warehouses or in free zones, subject to the submission to the customs or competent authority of the importing country, within six months of the said date, of a certificate of origin issued retrospectively by the customs or competent authority of the exporting country together with the documents showing that the goods have been transported directly in accordance with the provisions of Article 11.

**Appendix**

Appendix I, II, III and IV are part of this Annex.

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## ANNEX III

## APPENDIX I

## Introductory notes to the list in Appendix II

**Note 1:**

The list sets out the conditions required for all products to be considered as sufficiently worked or processed within the meaning of Article 5 of Annex III.

**Note 2:**

- 2.1 The first two columns in the list describe the product obtained. The first column gives the chapter number, heading number or sub-heading used in the Harmonized System and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns, a rule is specified in column 3 or 4. Where, in some cases, the entry in the first column is preceded by an 'ex', this signifies that the rules in column 3 or 4 apply only to the part of that heading as described in column 2.
- 2.2 Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of products in column 2 is therefore given in general terms, the adjacent rules in column 3 or 4 apply to all products which, under the Harmonized System, are classified in headings of the chapter or in any of the headings grouped together in column 1.
- 2.3 Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rules in column 3 or 4.
- 2.4 Where, for an entry in the first two columns, a rule is specified in both columns 3 and 4, the exporter may opt, as an alternative, to apply either the rule set out in column 3 or that set out in column 4. If no origin rule is given in column 4, the rule set out in column 3 is to be applied.

**Note 3:**

- 3.1 The provisions of Article 5 of Annex III, concerning products having acquired originating status which are used in the manufacture of other products, shall apply, regardless of whether this status has been acquired inside the factory where these products are used or in another factory in the territory of a Signatory Party.

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- 3.2 The rule in the list represents the minimum amount of working or processing required, and the carrying-out of more working or processing also confers originating status; conversely, the carrying-out of less working or processing cannot confer originating status. Thus, if a rule provides that non-originating material, at a certain level of manufacture, may be used, the use of such material at an earlier stage of manufacture is allowed, and the use of such material at a later stage is not.
- 3.3 Without prejudice to Note 3.2, where a rule uses the expression "Manufacture from materials of any heading", then materials of any heading(s) (even materials of the same description and heading as the product) may be used, subject, however, to any specific limitations which may also be contained in the rule.
- 3.4 Where, in a rule in the list, two percentages are given for the maximum value of non-originating materials that can be used, then these percentages may not be added together. In other words, the maximum value of all the non-originating materials used may never exceed the higher of the percentages given. Furthermore, the individual percentages must not be exceeded, in relation to the particular materials to which they apply.

**Note 4:**

- 4.1 For the purposes of headings ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, the "specific processes" are the following:
- (a) vacuum-distillation;
  - (b) redistillation by a very thorough fractionation-process;
  - (c) cracking;
  - (d) reforming;
  - (e) extraction by means of selective solvents;
  - (f) the process comprising all of the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolourisation and purification with naturally active earth, activated earth, activated charcoal or bauxite;
  - (g) polymerisation;
  - (h) alkylation; and / or
  - (i) isomerisation.
- 4.2 For the purposes of headings 2710, 2711 and 2712, the "specific processes" are the following:



- (a) vacuum-distillation;
- (b) redistillation by a very thorough fractionation-process;
- (c) cracking;
- (d) reforming;
- (e) extraction by means of selective solvents;
- (f) the process comprising all of the following operations: processing with concentrated sulphuric acid, oleum or sulphuric anhydride; neutralisation with alkaline agents; decolourisation and purification with naturally-active earth, activated earth, activated charcoal or bauxite;
- (g) polymerisation;
- (h) alkylation;
- (i) isomerisation;
- (j) in respect of heavy oils of heading ex 2710 only, desulphurisation with hydrogen, resulting in a reduction of at least 85 per cent of the sulphur-content of the products processed (ASTM D 1266-59 T method);
- (k) in respect of products of heading 2710 only, deparaffining by a process other than filtering;
- (l) in respect of heavy oils of heading ex 2710 only, treatment with hydrogen, at a pressure of more than 20 bar and a temperature of more than 250 degrees C, with the use of a catalyst, other than to effect desulphurisation, when the hydrogen constitutes an active element in a chemical reaction. The further treatment, with hydrogen, of lubricating oils of heading ex 2710 (e.g. hydrofinishing or decolourisation), in order, more especially, to improve colour or stability shall not, however, be deemed to be a specific process;
- (m) in respect of fuel oils of heading ex 2710 only, atmospheric distillation, on condition that less than 30 per cent of these products distils, by volume, including losses, at 300 degrees C by the ASTM D 86 method;
- (n) in respect of heavy oils other than gas oils and fuel oils of heading ex 2710 only, treatment by means of a high-frequency electrical brush-discharge; and / or
- (o) in respect of crude products (other than petroleum jelly, ozokerite, lignite wax or peat wax, paraffin wax containing by weight less than 0.75 per cent of oil) of heading ex 2712 only, de-oiling by fractional crystallisation.

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4.3 For the purposes of headings ex 2707, 2713 to 2715, ex 2901, ex 2902 and ex 3403, simple operations, such as cleaning, decanting, desalting, water-separation, filtering, colouring, marking, obtaining a sulphur-content as a result of mixing products with different sulphur contents, any combination of these operations or like operations, do not confer origin.

4.4 Chemical processing rules to confer originating status

Section VI of the HS tariff classification: Products of the Chemical or Allied Industries (Chapter 28-38)

#### Rule 1: Chemical Reaction Origin

A good of Chapters 28 through 38, which is subject to a chemical reaction, shall be treated as an originating good if the chemical reaction occurred in the territory of one or more of the Signatory Parties.

Note: For purposes of this section, a "chemical reaction" is a process (including a biochemical process) that results in a molecule with a new structure by breaking intramolecular bonds and by forming new intramolecular bonds, or by altering the spatial arrangement of atoms in a molecule.

The following are not considered to be chemical reactions for the purposes of determining whether a product is an originating good:

- (a) dissolution in water or in other solvents;
- (b) the elimination of solvents including solvent water; or
- (c) the addition or elimination of water of crystallization.

#### Rule 2: Purification Origin

A good of chapters 28 through 38, that is subject to purification, shall be treated as originating provided that one of the following occurs in the territory of one or more of the Signatory Parties:

- (a) purification of a good resulting in the elimination of 80 percent of the content of existing impurities; or
- (b) the reduction or elimination of impurities resulting in a good suitable for one or more of the following applications:
  - (i) pharmaceutical, medicinal, cosmetic, veterinary, or food grade substances;
  - (ii) chemical products and reagents for analytical, diagnostic or laboratory uses;
  - (iii) elements and components for use in micro-elements;

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- (iv) specialized optical uses;
- (v) non toxic uses for health and safety;
- (vi) biotechnical use;
- (vii) carriers used in a separation process; or
- (viii) nuclear grade uses.

## ANNEX III

## APPENDIX II

**List of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status**

Note: The products mentioned in the list may not all be covered by this Agreement. It is therefore necessary to consult the other parts of this Agreement. The working or processing mentioned hereunder will only be applicable to products specified in Annex I and Annex II of this Agreement.

HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
(1)	(2)	(3)	(4)
Chapter 1	Live animals	All the animals of Chapter 1 shall be wholly obtained	
Chapter 2	Meat and edible meat offal	Manufacture in which all the materials of Chapters 1 and 2 used are wholly obtained	
Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates	Manufacture in which all the materials of Chapter 3 used are wholly obtained (1)	
Chapter 4	Dairy produce, birds' eggs, natural honey, edible products of animal origin, not elsewhere specified or included	Manufacture in which all the materials of Chapter 4 used are wholly obtained	
ex Chapter 5	Products of animal origin, not elsewhere specified or included, except for	Manufacture in which all the materials of Chapter 5 used are wholly obtained	
ex 0502.10	Prepared pigs', hogs' or boars' bristles and hair	Cleaning, disinfecting, sorting and straightening of bristles and hair	
Chapter 6	Live trees and other plants; bulbs, roots and the like, cut flowers and ornamental foliage	Manufacture in which all the materials of Chapter 6 used are wholly obtained, and the value of all materials used does not exceed 50% of the price of the product	
Chapter 7	Edible vegetables and certain roots and tubers	Manufacture in which all the materials of Chapter 7 used are wholly obtained	
Chapter 8	Edible fruit and nuts; peel of citrus fruits or melons	Manufacture in which all the materials of Chapter 8 used are wholly obtained	
ex Chapter 9	Coffee, tea, maté and spices, except for	Manufacture in which all the materials of Chapter 9 used are wholly obtained	
0904.20	Fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> , dried or crushed or ground	Manufacture from materials of any heading	
ex 0910	Curry and mixtures of spices	Manufacture from materials of any heading	
Chapter 10	Cereals	Manufacture in which all the materials of Chapter 10 used are wholly obtained	
1102.90	Other cereal flours	Manufacture in which all the materials of Chapter 10 used are wholly obtained	
1105.20	Flakes, granules and pellets of potatoes	Manufacture in which all the materials of chapter 7 used are wholly obtained	
1106.20	Flour, meal and powder of sago or of roots or tubers of heading 0714	Manufacture in which all the materials of chapter 7 used are wholly obtained	
1107.10	Malt, not roasted	Manufacture in which all the materials of Chapter 10 used are wholly obtained	
Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder	Manufacture in which all the materials of Chapter 12 used are wholly obtained	
1301	Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams)	Manufacture in which the value of all the materials of heading 1301 used does not exceed 50% of the price of the product	
1302	Vegetable saps and extracts; pectic substances, pectinates and pectates, agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable product	Manufacture from materials of any heading, except that of the product	

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HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status
Chapter 14	Vegetable plating materials; vegetable products not elsewhere specified or included	Manufacture in which all the materials of Chapter 14 used are wholly obtained
1502	Fats of bovine animals, sheep or goats (excluding those of heading 1503)	Manufacture from materials of any heading, except that of the product
1503	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared	Manufacture from materials of any heading, except that of the product
1507.10	Soya-bean oil and its fractions, whether or not refined, but not chemically modified - Crude oil whether or not degummed	Manufacture in which all the materials of Chapters 12 and 15 used are wholly obtained
1511	Palm oil and its fractions, whether or not refined, but not chemically modified	Manufacture in which all the materials of Chapters 12 and 15 used are wholly obtained
1512.11	Sunflower-seed oil and fractions thereof, whether or not refined, but not chemically modified - Crude oil	Manufacture in which all the materials of Chapters 12 and 15 used are wholly obtained
ex 1513	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified, except for	Manufacture in which all the materials of Chapters 12 and 15 used are wholly obtained
1513.21	Palm kernel or babassu oil and their fractions thereof, crude oil	Manufacture in which all the materials of Chapter 12 used are wholly obtained
1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified	Manufacture in which all the materials of Chapters 7, 12 and 15 used are wholly obtained
1515.11 and 1515.19	Linseed oil and its fractions, Crude oil and Other	Manufacture in which all the materials of Chapters 12 and 15 used are wholly obtained
1515.21 and 1515.29	Maize (corn) oil and its fractions; Crude oil and Other	Manufacture in which all the materials of Chapters 10 and 15 used are wholly obtained
1515.50	Sesame oil and its fractions	Manufacture in which all the materials of Chapter 15 used are wholly obtained, and all the materials of sub-heading 1207.40 used are wholly obtained
1515.90	Other fixed vegetable fats and oils	Manufacture in which all the materials of Chapters 12 and 15 used are wholly obtained
1516.20	Vegetable fats and oils and their fractions	Manufacture in which all the vegetable materials used are wholly obtained
1517.10	Margarine	Manufacture in which all the vegetable materials used are wholly obtained
1517.90	Edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter (excluding edible fats or oils or their fractions of heading 15.16); Other	Manufacture in which all the materials of Chapters 2 and 4 used are wholly obtained and all the vegetable materials used are wholly obtained
1518	Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified (excluding those of heading 1516); inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, not elsewhere specified or included	Manufacture in which all the materials of Chapters 2, 12 and 15 used are wholly obtained
1521	Vegetable waxes (excluding triglycerides), beeswax, other insect waxes and spermaceti, whether or not refined or coloured	Manufacture from materials of any chapter, except that of the product
1601	Sausages and similar products, of meat, meat offal or blood, food preparations based on these products	Manufacture in which all the materials of Chapter 2 used are wholly obtained
1602	Other prepared or preserved meat, meat offal or blood	Manufacture in which all the materials of Chapter 2 used are wholly obtained
1604.13	Sardines, sardinella and brisling or sprats	Manufacture in which all the materials of Chapter 3 used are wholly obtained (1)

HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel	Manufacture in which all the materials of Chapter 17 used are wholly obtained
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	Manufacture from materials of any heading, except that of the product
2001 10	Cucumbers and gherkins	Manufacture in which all the materials of Chapters 7 and 8 used are wholly obtained
2004 10	Potatoes	Manufacture in which all the materials of Chapters 7 and 8 used are wholly obtained
2004 90	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen (excluding products of heading 20 06); Other vegetables and mixtures of vegetables	Manufacture in which all the materials of Chapters 7 and 8 used are wholly obtained
2005 99	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen (excluding products of heading 20 06); Other vegetables and mixtures of vegetables	Manufacture in which all the materials of Chapters 7 and 8 used are wholly obtained
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included	Manufacture in which all the materials of Chapters 7 and 8 used are wholly obtained and the value of all the materials of Chapter 17 used does not exceed 30% of the price of the product
2009 90	Mixtures of juices	Manufacture from materials of any heading, except that of the product
2101 20	Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté	Manufacture from materials of any heading, except that of the product
2101 30	Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof	Manufacture from materials of any heading, except that of the product, and in which all the chicory used is wholly obtained
2103 30	Mustard flour and meal and prepared mustard	Manufacture from materials of any heading
2104 10	Soups and broths and preparations therefor	Manufacture from materials of any heading, except prepared or preserved vegetables of headings 2002, 2003, 2004 and 2005
2104 20	Homogenised composite food preparations	Manufacture from materials of any heading, except that of the product
2106 90	Food preparations not elsewhere specified or included; Other	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapter 4 used are wholly obtained and the value of all the materials of Chapter 17 used does not exceed 30% of the price of the product
2201 10	Mineral water and aerated waters	Manufacture from materials of any heading, except that of the product
2202 10	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured	Manufacture from materials of any heading, except that of the product, and in which all the fruit juice used is originating and the value of all the materials of Chapter 17 used does not exceed 30% of the price of the product
2206 30	Whiskies	Manufacture from materials of any heading, except headings 2207 or 2208
ex 2208 40	Rum and other spirits obtained by distilling fermented sugarcane products; Rum and tafie	Manufacture from materials of any heading, except headings 2207 or 2208



HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status
2208.70	Liqueurs and cordials	Manufacture from materials of any heading, except that of headings 2207 or 2208, and in which all the grapes or materials derived from grapes used are wholly obtained or, if all the other materials used are already originating, arrack may be used up to a limit of 5% by volume
2208	Vinegar and substitutes for vinegar obtained from acetic acid	Manufacture from materials of any heading, except that of the product, and in which all the grapes or materials derived from grapes used are wholly obtained
2301	Flours, meals and pellets, of meat or meat offal, of fish or of crustaceans, molluscs or other aquatic invertebrates, unfit for human consumption, greaves	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 2 and 3 used are wholly obtained.
2302	Bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals or of leguminous plants	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 7 and 10 used are wholly obtained.
2303.10	Residues of starch manufacture and similar residues	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 7, 10 and 11 used are wholly obtained.
2303.30	Brewing or distilling dregs and waste	Manufacture from materials of any heading, except that of the product.
2304	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 12 and 15 used are wholly obtained.
2305	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 12 and 15 used are wholly obtained.
ex.2308	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils, excluding those of heading 2304 or 2305 of cotton seeds, sunflower seeds or palm nuts or kernels, except for	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 12 used are wholly obtained.
2306.90	Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils (excluding those of heading 23.04 or 23.05): Other	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 7, 10 and 12 used are wholly obtained.
2308	Vegetable materials and vegetable waste, vegetable residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included	Manufacture from materials of any heading, except that of the product
2309.10	Preparations of a kind used in animal feeding; Dog or cat food put up for retail sale	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 2, 3, 7, 10, 12 and 15 used are wholly obtained; and in which the value of all the materials of Chapter 17 used does not exceed 30% of the price of the product
2309.90	Preparations of a kind used in animal feeding; Other	Manufacture from materials of any heading, except that of the product, and in which all the materials of Chapters 2, 3, 4, 7, 10, 12, and 15 used are wholly obtained, and in which the value of all the materials of Chapter 17 used does not exceed 30% of the price of the product

HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
2401 20	Tobacco, partly or wholly stemmed or stripped	Manufacture in which all the materials of Chapter 24 used are wholly obtained	
2501	Salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution or containing added anti-caking or free-flowing agents; sea water	Manufacture from materials of any heading, except that of the product	
2701	Coal, briquettes, ovoids and similar solid fuels manufactured from coal	Manufacture from materials of any heading, except that of the product	
2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65% by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	Operations of refining and/or one or more specific process(es) (2) or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50% of the price of the product	
	- Other	Manufacture from materials of any heading except that of the product	
2713 20	Petroleum bitumen	Operations of refining and/or one or more specific process(es) (2) or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50% of the price of the product	
2714 90	Other bitumen and asphalt, natural, bituminous or oil shale and tar sands; asphaltites and asphaltic rocks	Operations of refining and/or one or more specific process(es) (2) or Other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50% of the price of the product	
ex Chapter 28	Inorganic chemicals, organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes, except for	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2806 20	Phosphoric acid and polyphosphoric acids	Chemical reaction Rule 1 or Purification Rule 2	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2901	Acyclic hydrocarbons for use as power or heating fuels; except for	Operations of refining and/or one or more specific process(es) (2) or other operations in which all the materials used are classified within a heading other than that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50% of the price of the product	
2901 29	Acyclic hydrocarbons; Other	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2903	Halogenated derivatives of hydrocarbons	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product



HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
2904.10	Sulphonated, nitrated or nitrosated derivatives of hydrocarbons, whether or not halogenated; Derivatives containing only sulpho groups, their salts and ethyl esters	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2905	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives, except for:	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2905.19	Saturated monohydric alcohols; Other	Manufacture from materials of any subheading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2905.29	Unsaturated monohydric alcohols; Other	Manufacture from materials of any subheading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2907	Phenols; phenol alcohols	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2914	Ketones and quinones, whether or not with other oxygen function, and their halogenated, sulphonated, nitrated or nitrosated derivatives, except for:	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2914.50	Ketone: phenols and ketones with other oxygen function	Manufacture from materials of any subheading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2914.60	Quinones; Other	Manufacture from materials of any subheading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids, their halogenated, sulphonated, nitrated or nitrosated derivatives, except for:	Manufacture from materials of any heading. However, the value of all materials of headings 2915 and 2916 used shall not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2915.24	Acetic anhydride	Manufacture from materials of any heading, except that of the product	
2915.39	Triacetine, 2-Ethylhexyl acetate; Isopropyl acetate - Other	Manufacture from materials of any heading, except that of the product Manufacture from materials of any subheading, except that of the product	
2915.40	Mono-, di- or trichloroacetic acids, their salts and esters	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2916.15	Oleic, linoleic or linolenic acids, their salts and esters	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2916.19	Unsaturated acyclic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives; Other	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2917.19	Fumaric acid	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product

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HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
ex 2916	Carboxylic acids with additional oxygen function and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives; except for	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2916.13	Salts and esters of tartaric acid	Manufacture from materials of any subheading, except that of the product	
2916.22	O-Acetylsalicylic acid, its salts and esters; Other	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2916.29	Carboxylic acids with phenol function but without other oxygen function, their anhydrides, halides, peroxides, peroxyacids and their derivatives; Other	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2916.91 and 2916.99	Phenoxyacetic acid, its salts and esters; 2,4-Dichlorophenoxyacetic acid (2,4'D), its salts and esters; Dichlorophenoxybutanoic acids, their salts and esters; Methylchlorophenoxyacetic acid, its salts and esters - Other	Manufacture from materials of any heading except that of the product  Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2921	Amine-function compounds, except for	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2921.11	Dimethylamine 2,4-dichlorophenoxyacetate and Dimethylamine methylchlorophenoxyacetate	Manufacture from materials of any heading, except that of the product	
2921.19	Acyclic monoamines and their derivatives; salts thereof; Other	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2921.43	Toluidines and their derivatives; salts thereof; Trifluoramine	Manufacture from materials of any subheading, except that of the product	
2921.49	Aromatic monoamines and their derivatives; salts thereof; Other	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2924	Carboxamide-function compounds, amide-function compounds of carbonic acid, except for	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2924.29	Other Cyclic amides (including cyclic carbamates) and their derivatives; salts thereof	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2931	Glyphosate and its monoisopropylamine salt and Phosphonomethylimino diacetic acid; Trimethylphosphonic acid - Other organo-inorganic compounds	Manufacture from materials of any heading, except that of the product  Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2932	Heterocyclic compounds with nitrogen-heteroatom(s) only, except for:	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2932.61	Melamine	Manufacture from materials of any heading. However, the value of all the materials of headings 2932 and 2933 used shall not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product





HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
2933 72	Clobazam (INN) and methypylon (INN)	Manufacture from materials of any heading. However, the value of all the materials of headings 2932 and 2933 used shall not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 2934	Nucleic acids and their salts, whether or not chemically defined, other heterocyclic compounds, except for:	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
2934 20	Compounds containing in the structure a benzothiazole ring-system (whether or not hydrogenated), not further fused	Manufacture from materials of any subheading, except that of the product	
2934 30	Compounds containing in the structure a phenothiazine ring-system (whether or not hydrogenated), not further fused	Manufacture from materials of any subheading, except that of the product	
3003 and 3004	Medicaments (excluding goods of heading 3002, 3005 or 3006) - Obtained from amikacin of heading 2941  - Other	Manufacture from materials of any heading, except that of the product. However, materials of headings 3003 and 3004 may be used, provided that their total value does not exceed 20% of the price of the product  Manufacture from materials of any heading, except that of the product. However, materials of headings 3003 and 3004 may be used, provided that their total value does not exceed 20% of the price of the product, and the value of all the materials used does not exceed 50% of the price of the product	
3005 10	Adhesive dressings and other articles having an adhesive layer	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3102 10	Urea, whether or not in aqueous solution	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
3102 29	Double salts and mixtures of ammonium sulphate and ammonium nitrate	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3201 90	Tannins and their salts, ethers, esters and other derivatives  - Other	Manufacture from tanning extracts of vegetable origin  Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product  Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3206	Other colouring matter, preparations as specified in Note 3 to this Chapter (excluding those of heading 32 03, 32 04 or 32 05); inorganic products of a kind used as luminophores, whether or not chemically defined	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3208	Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium, solutions as defined in Note 4 to this Chapter	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3210	Other paints and varnishes (including enamels, lacquers and distempers): prepared water pigments of a kind used for finishing leather	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product

HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
3212	Pigments (including metallic powders and flakes) dispersed in non-aqueous media, in liquid or paste form, of a kind used in the manufacture of paints (including enamels), stamping foils, dyes and other colouring matter put up in forms or packings for retail sale	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3214	Glaziers' putty, grafting putty, resin cements, caulking compounds and other mastics; painters' fillings; non-refractory surfacing preparations for facades, indoor walls, floors, ceilings or the like	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3215	Printing ink, writing or drawing ink and other inks, whether or not concentrated or solid	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations, except for	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids, extracted oleoresins, concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the deterpenation of essential oils; aqueous distillates and aqueous solutions of essential oils	Manufacture from materials of any subheading, except that of the product	
3402	Organic surface-active agents (excluding soap); surface-active preparations; washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading 3401	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3404	Artificial waxes and prepared waxes - With a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 50% of the price of the product	
	- Other	Manufacture from materials of any heading, except hydrogenated oils having the character of waxes of heading 1516, fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading 3823, and materials of heading 3404. However, these materials may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
Chapter 35	Albuminoidal substances; modified starches; glues; enzymes	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3701 10 and 3701 30	Photographic or cinematographic goods - For X-ray and - Other plates and film, with any side exceeding 255 mm	Manufacture from materials of any heading, except those of headings 3701 and 3702. However, materials of headings 3701 and 3702 may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product



HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
3702	Photographic film in rolls, sensitised, unexposed, of any material (excluding paper, paperboard or textiles); instant print film in rolls, sensitised, unexposed. Other film, without perforations, of a width exceeding 105 mm	Manufacture from materials of any heading, except those of headings 3701 and 3702	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3703.20	Photographic paper, paperboard and textiles, sensitised, unexposed. Other photographic paper, paperboard and textiles, sensitised, unexposed for colour photography (polychrome)	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3706.10	Cinematographic film, exposed and developed, whether or not incorporating sound track or consisting only of sound track. Of a width of 35 mm or more	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3707.90	Chemical preparations for photographic uses (other than varnishes, glues, adhesives and similar preparations); unmixed products for photographic uses, put up in measured portions or put up for retail sale in a form ready for use. Other	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3802.90	Activated carbon, activated natural mineral products; animal black, including spent animal black. Other	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3806	Insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant-growth regulators, disinfectants and similar products, put up in forms or packings for retail sale or as preparations or articles (for example, sulphur-treated bands, wicks and candles, and fly-papers)	Manufacture in which the value of all the materials used does not exceed 50% of the price of the products	
3812.30	Anti-oxidising preparations and other compound stabilisers for rubber or plastics	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3815.12	Reaction initiators, reaction accelerators and catalytic preparations, not elsewhere specified or included. With precious metal or precious metal compounds as the active substance	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3819	Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70 % by mass of petroleum oils or oils obtained from bituminous minerals	Manufacture from materials of any heading, except that of the product. However, materials of the same heading as the product may be used, provided that their total value does not exceed 20% of the price of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
3820	Anti-freezing preparations and prepared de-icing fluids	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
3822	Diagnostic or laboratory reagents on a backing, prepared diagnostic or laboratory reagents, whether or not on a backing, (excluding those of heading 3002 or 3006), certified reference materials	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
3823.11	Stearic acid	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 3824	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included, except for:	Manufacture from materials of any subheading, except that of the product	



HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
ex 3824 90	Naphthemic acids, their water-insoluble salts and their esters	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 3901 to 3913	Plastics in primary forms, except for:	Manufacture from materials of any heading, except that of the product and those of heading 3915, and in which the value of all materials used does not exceed 50% of the price of the product.	
3907 40 and 3907 50	Polycarbonates and Alkyd resins	Manufacture from materials of any heading, except that of the product and those of heading 3915	
3907 60	Poly(ethylene terephthalate)	Manufacture from materials of any chapter, except that of the product and those of heading 3915	
3907 70	Poly(lactic acid)	Manufacture from materials of any heading, except that of the product and those of heading 3915	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product. However, materials of heading 3915 may not be used
3907 99	Other polyesters: - Poly(butylene terephthalate) with glass fiber  - Other	Manufacture from materials of any heading, except that of the product and those of heading 3915  Manufacture from materials of any heading except that of the product and those of heading 3915	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product. However, materials of heading 3915 may not be used
3909 10	Urea resins, thiourea resins	Manufacture from materials of any chapter, except that of the product and those of heading 3915	
3913 00	Natural polymers (for example, alginate acid) and modified natural polymers (for example, hardened proteins, chemical derivatives of natural rubber), not elsewhere specified or included, in primary forms. Other	Chemical reaction Rule 1	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product. However, materials of heading 3915 may not be used
3915	Waste, parings and scrap, of plastics	Manufacture in which all the materials used must be wholly obtained	
3916 to 3926	Semi-manufactures and articles of plastics	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product.
4002	Synthetic rubber and factice derived from oils, in primary forms or in plates, sheets or strip, mixtures of any product of heading 4001 with any product of this heading, in primary forms or in plates, sheets or strip	Manufacture from materials of any heading, except that of the product	
4005	Compounded rubber, unvulcanised, in primary forms or in plates, sheets or strip	Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50% of the price of the product	
4008	Plates, sheets, strip, rods and profile shapes, of vulcanised rubber other than hard rubber	Manufacture from materials of any heading, except that of the product	
4014 10	Sheath contraceptives	Manufacture from materials of any heading, except that of the product	
4016	Other articles of vulcanised rubber other than hard rubber	Manufacture from materials of any heading, except that of the product	
4101, 4102 and 4103	Raw hides and skins (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared)	Manufacture from materials of any heading, except that of the product	
4301	Raw furskins (including heads, tails, paws and other pieces or cuttings, suitable for furriers use), other than raw hides and skins of heading 4101, 4102 or 4103	Manufacture from materials of any heading, except that of the product	
4420	Wood marquetry and inlaid wood, caskets and cases for jewellery or cutlery, and similar articles, of wood; statuettes and other ornaments, of wood; wooden articles of furniture not falling in Chapter 94	Manufacture from materials of any heading, except that of the product	



HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
4703	Chemical wood pulp, soda or sulphate, other than dissolving grades	Manufacture from materials of any heading, except that of the product	
4802	Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes, and non perforated punch-cards and punch tape paper, in rolls or rectangular (including square) sheets, of any size (excluding paper of heading 48 01 or 48 03); hand-made paper and paperboard	Manufacture from materials of any chapter, except that of the product	
4804 31	Uncoated kraft paper and paperboard, in rolls or sheets (excluding that of heading 48 02 or 48 03); Unbleached	Manufacture from materials of any chapter, except that of the product	
4804 39	Uncoated kraft paper and paperboard, in rolls or sheets (excluding that of heading 48 02 or 48 03); Other	Manufacture from materials of any chapter, except that of the product	
4805 40	Other uncoated paper and paperboard, in rolls or sheets, not further worked or processed than as specified in Note 3 to this Chapter: Filter paper and paperboard	Manufacture from materials of any chapter, except that of the product	
4810	Paper and paperboard, coated on one or both sides with kaolin (China clay) or other inorganic substances, with or without a binder, and with no other coating, whether or not surface-coloured, surface-decorated or printed, in rolls or rectangular (including square) sheets, of any size	Manufacture from paper making materials of chapter 47	
4902	Newspapers, journals and periodicals, whether or not illustrated or containing advertising material	Manufacture from materials of any chapter, except that of the product	
5003	Other silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)	Manufacture from materials of any heading, except that of the product	
5007 90	Other woven fabrics of silk or of silk waste	Manufacture from materials of any heading, except that of the product	
5101	Wool, not carded or combed	Manufacture from materials of any heading, except that of the product	
5102	Fine or coarse animal hair, not carded or combed	Manufacture from materials of any heading, except that of the product	
5103	Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock	Manufacture from materials of any heading, except that of the product	
5106 20	Yarn of carded wool, not put up for retail sale; Containing less than 85 per cent by mass of wool	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product
5201	Cotton, not carded or combed	Manufacture from materials of any heading, except that of the product and in which the value of all the materials used does not exceed 40% of the price of the product	
5202 91	Cotton waste (including yarn waste and garnetted stock) - Garnetted stock	Manufacture from materials of any heading, except that of the product and in which the value of all the materials used does not exceed 40% of the price of the product	
5206	Cotton yarn (excluding sewing thread), containing less than 85 per cent by mass of cotton, not put up for retail sale	Manufacture from materials of any heading, except that of the product	
5209	Woven fabrics of cotton, containing 85 per cent or more by mass of cotton, of a mass exceeding 200 g/m <sup>2</sup>	Manufacture from materials of any heading, except that of the product	
5402	Synthetic filament yarn (excluding sewing thread), not put up for retail sale, including synthetic monofilament of less than 67 decitex	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product
5603	Nonwovens, whether or not impregnated, coated, covered or laminated	Manufacture from materials of any heading, except that of the product	

HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
5902	Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon	Manufacture from materials of any heading, except that of the product and provided that manufacture entails the processes of the cabling of the yarn, the weaving of the fabric and dipping of the final product	
5910	Transmission or conveyor belts or belting, of textile material, whether or not impregnated, coated, covered or laminated with plastics or reinforced with metal or other material	Manufacture from materials of any heading, except that of the product and provided that manufacture entails the processes of the cabling of the yarn, the weaving of the fabric and dipping of the final product	
Chapter 61	Articles of apparel and clothing accessories, knitted or crocheted	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product
6203	Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (excluding swimwear)	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product
6204	Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (excluding swimwear)	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product
Chapter 68	Articles of stone, plaster, cement, asbestos, mica or similar materials	Manufacture from materials of any heading, except that of the product	
Chapter 69	Ceramic products	Manufacture from materials of any heading, except that of the product	
7115.90	Articles of precious metal or of metal clad with precious metal: Other	Manufacture from materials of any heading, except that of the product	
7220.20	Flat-rolled products of stainless steel, of a width of less than 600 mm. Not further worked than cold-rolled (cold-reduced)	Manufacture from ingots or other primary forms of heading 7218	
7222.40	Angles, shapes and sections of stainless steel	Manufacture from ingots or other primary forms of heading 7218	
7302.10	Railway or tramway rails	Manufacture from materials of heading 7206	
7307	Tube or pipe fittings of stainless steel (ISO No X5CrNiMo 1712) consisting of several parts	Turning, drilling, reaming, threading, deburring and sandblasting of forged blanks, provided that the total value of the forged blanks used does not exceed 35% of the price of the product	
	- Other	Manufacture from materials of any heading except that of the product	
7307.19	Cast fittings: Other	Manufacture from materials of any heading, except that of the product and those of headings 7201, 7206, 7218 and 7224	
7307.93	Other: Butt welding fittings	Manufacture from materials of any heading, except that of the product and those of headings 7201, 7206, 7218 and 7224	
ex 7308	Structures (excluding prefabricated buildings of heading 94.06) and parts of structures (for example, bridges and bridge sections, lock gates, towers, lattice masts, roofs, roofing frame works, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel, except for:	Manufacture from materials of any heading, except that of the product. However, welded angles, shapes and sections of heading 7301 may not be used.	
7308.20	- Towers and lattice masts	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 40% of the price of the product	



HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
7309	Reservoirs, tanks, vats and similar containers for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 l, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 40% of the price of the product	
7310.21 and 7310.29	Tanks, casks, drums, cans, boxes and similar containers, for any material (excluding compressed or liquefied gas), of iron or steel, of a capacity not exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment. Of a capacity of less than 50 l	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 40% of the price of the product	
7311	Containers for compressed or liquefied gas, of iron or steel	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 40% of the price of the product	
7321	Stoves, ranges, grates, cookers (including those with subsidiary boilers for central heating), barbecues, braziers, gas-rings, plate warmers and similar non-electric domestic appliances, and parts thereof, of iron or steel	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 50% of the price of the product	
7323.10	Iron or steel wool, pot scourers and scouring or polishing pads, gloves and the like	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
7325	Other cast articles of iron or steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
7326	Other articles of iron or steel	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
7407 to 7419	Articles of copper	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
7604.29	Aluminium bars, rods and profiles: Hollow profiles: Other	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
7605	Aluminium wire	Manufacture from materials of any heading, except that of the product and those of heading 7604	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
7606.12	Aluminium plates, sheets and strip, of a thickness exceeding 0.2 mm: Rectangular (including square): Of aluminium alloys	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 50% of the price of the product	
7607.19 and 7607.20	Aluminium foil (whether or not printed or backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0.2 mm: Not backed: Other, and Backed	Manufacture from materials of any heading, except that of the product, and in which the value of all the materials used does not exceed 50% of the price of the product	
7608	Aluminium tube or pipe fittings (for example, couplings, elbows, sleeves)	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
7612	Aluminium casks, drums, cans, boxes and similar containers (including rigid or collapsible tubular containers), for any material (excluding compressed or liquefied gas), of a capacity not exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment	Manufacture from materials of any heading, except that of the product	
7616	Other articles of aluminium	Manufacture from materials of any heading, except that of the product	
Chapter 82	Tools, implements, cutlery, spoons and forks, of base metal: parts thereof of base metal	Manufacture from materials of any heading, except that of the product	

HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
8301	Padlocks and locks (key, combination or electrically operated), of base metal, clasps and frames with clasps, incorporating locks, of base metal, keys for any of the foregoing articles, of base metal	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
ex 8302	Base metal mountings, fittings and similar articles suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, chests, caskets or the like; base metal hat-racks, hat-pegs, brackets and similar fixtures; castors with mountings of base metal; automatic door closers of base metal; except for:	Manufacture from materials of any heading, except that of the product	
8302.41	Other mountings, fittings and similar articles: Suitable for buildings	Manufacture from materials of any heading, except that of the product. However, other materials of heading 8302 may be used, provided that their total value does not exceed 20% of the price of the product	
8302.60	Automatic door closers	Manufacture from materials of any heading, except that of the product. However, other materials of heading 8302 may be used, provided that their total value does not exceed 20% of the price of the product	
8303	Armoured or reinforced safes, strong-boxes and doors and safe deposit lockers for strong-rooms, cash or deed boxes and the like, of base metal	Manufacture from materials of any heading, except that of the product	
8305.20	Fittings for loose-leaf binders or files, letter clips, letter corners, paper clips, indexing tags and similar office articles, of base metal; staples in strips (for example, for offices, upholstery, packaging), of base metal; Staples in strips	Manufacture from materials of any heading, except that of the product	
8308	Clasps, frames with clasps, buckles, buckle-clasps, hooks, eyes, eyelets and the like, of base metal, of a kind used for clothing, footwear, awnings, handbags, travel goods or other made up articles; tubular or bifurcated rivets, of base metal; beads and spangles, of base metal	Manufacture from materials of any heading, except that of the product	
8309.10	Stoppers, caps and lids (including crown corks, screw caps and pouring stoppers), capsules for bottles, threaded bungs, bung covers, seals and other packing accessories, of base metal; Crown corks	Manufacture from materials of any heading, except that of the product	
8310	Sign-plates, name-plates, address-plates and similar plates, numbers, letters and other symbols, of base metal, excluding those of heading 9405	Manufacture from materials of any heading, except that of the product	
Chapter 84	Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
Chapter 85	Electrical machinery and equipment and parts thereof, sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
8602.10	Diesel-electric locomotives	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
8607	Parts of railway or tramway locomotives or rolling-stock	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
8712	Bicycles and other cycles (including delivery tri-cycles); not motorised	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product	



HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
8903	Yachts and other vessels for pleasure or sports, rowing boats and canoes	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus, parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
9302	Revolvers and pistols (excluding those of heading 9303 or 9304)	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
9303.20	Other firearms and similar devices which operate by the firing of an explosive charge (for example, sporting shotguns and rifles, muzzle-loading firearms, very pistols and other devices designed to project only signal flares, pistols and revolvers for firing blank ammunition, captive-bolt humane killers, line-throwing guns). Other sporting, hunting or target-shooting shotguns, including combination shotgun-rifles.	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
9303.30	Other firearms and similar devices which operate by the firing of an explosive charge (for example, sporting shotguns and rifles, muzzle-loading firearms, very pistols and other devices designed to project only signal flares, pistols and revolvers for firing blank ammunition, captive-bolt humane killers, line-throwing guns). Other sporting, hunting or target-shooting rifles.	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
9305.21 and 9305.29	Parts and accessories of shotguns or rifles of heading 9303	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
9306.21	Shotgun cartridges and parts thereof. Cartridges	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
9306.29	Shotgun cartridges and parts thereof, Other	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
9306.30	Other cartridges and parts thereof	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	
ex Chapter 94	Furniture, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, lamps and lighting fittings, not elsewhere specified or included, illuminated signs, illuminated name-plates and the like, prefabricated buildings, except for:	Manufacture from materials of any heading, except that of the product.	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product
ex 9401 and ex 9403	Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m <sup>2</sup> or less	Manufacture from materials of any heading, except that of the product or manufacture from cotton cloth already made up in a form ready for use with materials of headings 9401 or 9403, provided that the value of the cloth does not exceed 25 % of the price of the product, and all the other materials used are originating and are classified in a heading other than headings 9401 or 9403	Manufacture in which the value of all the materials used does not exceed 40% of the price of the product
9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included, illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included	Manufacture from materials of any heading, except that of the product.	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product	

HS Chapter, Heading or sub-heading	Description of the product	Working or processing carried out on non-originating materials that confers originating status	
9503	Tricycles, scooters, pedal cars and similar wheeled toys, dolls, other toys, reduced-size ("scale") models and similar recreational models, working or not, puzzles of all kinds	Manufacture from materials of any heading, except that of the product	Manufacture in which the value of all the materials used does not exceed 50% of the price of the product
9504 30	Articles for funfair, table or parlour games, including pinball machines, billiards, special tables for casino games and automatic bowling alley equipment; Other games, operated by coins, banknotes, bank cards, tokens or by other means of payment (excluding bowling alley equipment)	Manufacture from materials of any heading except that of the product	
9504 90	Articles for funfair, table or parlour games, including pinball machines, billiards, special tables for casino games and automatic bowling alley equipment; Other	Manufacture from materials of any heading except that of the product	
9505	Festive, carnival or other entertainment articles, including conjuring tricks and novelty jokes	Manufacture from materials of any heading, except that of the product	
9506	Articles and equipment for general physical exercise, gymnastics, athletics, other sports (including table tennis) or outdoor games, not specified or included elsewhere in this Chapter, swimming pools and padding pools	Manufacture from materials of any heading, except that of the product	
9607 30	Fishing reels	Manufacture from materials of any heading, except that of the product	
9603	Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorised, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (excluding roller squeegees)	Manufacture in which the value of all the materials used does not exceed 50 % of the price of the product	
9607 20	Slide fasteners and parts thereof; Parts	Manufacture from materials of any heading, except that of the product	
9608 10	Ball point pens	Manufacture from materials of any heading, except that of the product	
9608 20	Felt tipped and other porous-tipped pens and markers	Manufacture from materials of any heading, except that of the product	
9609	Pencils (other than pencils of heading 9608), crayons, pencil leads, pastels, drawing charcoals, writing or drawing chalks and tailors' chalks	Manufacture from materials of any heading, except that of the product	
9615	Combs, hair-slides and the like, hairpins, curling pins, curling grips, hair-cutters and the like (excluding those of heading 8516), and parts thereof	Manufacture from materials of any heading, except that of the product	
9616 10	Scent sprays and similar toilet sprays, and mounts and heads therefor	Manufacture from materials of any heading, except that of the product	
9617	Vacuum flasks and other vacuum vessels, complete with cases; parts thereof (excluding glass inners)	Manufacture from materials of any heading, except that of the product	

#### List of footnotes

- (1) The fish crustaceans, molluscs and other aquatic invertebrates shall be deemed originating even if they were cultivated from non-originating fry or larvae ("Fry" means immature fish at a post-larvae stage, including fingerlings, parr, smolts and elvers).
- (2) For the special conditions relating to "specific processes", see Introductory Notes 4.1 and A.2



## ANNEX III

## APPENDIX III

**Specimens of SACU - MERCOSUR certificate of origin and application for a  
SACU - MERCOSUR certificate of origin****Printing instructions**

1. Each form shall measure 210 x 297 mm; a tolerance of up to minus 5 mm or plus 8 mm in the length may be allowed. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m<sup>2</sup>. It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.
2. The competent authorities of Mercosur and the Customs authorities of SACU may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case, each form must include a reference to such approval. Each form must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

*Handwritten signature*





**13. REQUEST FOR VERIFICATION***(Insert name and address of the requested authority)*


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Verification of the authenticity and accuracy of this certificate is requested *(Insert name and address of the requesting authority)*

(1) 

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---

*(Insert date and stamp)**(Signature)*

- (1) Any documents and information obtained suggesting that the information given on the proof of origin is incorrect shall be forwarded in support of the request for verification.

**14. RESULT OF VERIFICATION**

Verification carried out shows this certificate (2)

- was issued by the Customs Office or competent authority indicated and that the information contained therein is accurate.
- does not meet the requirements as to authenticity and accuracy (see remarks appended).

Requested Customs or competent authority:  
*(Insert name and address of the requested authority)*

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*(Insert date and stamp)**(Signature)*

- (2) Insert X in the appropriate box.

**Notes**

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the Customs authorities or competent authority of the issuing country.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.
4. In the cases of traded goods invoiced by a third operator, the following (reproduced from the commercial invoice) shall be inserted in Box 7: the name, address and country of the supplier of the goods and the number and date of the invoice therefor. If this number is not known at the time the certificate is issued, the importer shall present to the corresponding customs authorities or a competent authority a sworn declaration giving the reasons for that.





DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate and that the goods do not originate in a free zone.

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....  
.....  
.....  
.....  
.....

SUBMIT the following supporting documents <sup>(1)</sup>:

.....  
.....  
.....  
.....  
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities ; and

REQUEST the issue of the attached certificate for these goods.

(Place and date) .....

(Signature) .....

<sup>(1)</sup> For example: import documents, certificates of origin, invoices, manufacturer's declarations, etc., referring to the products used in manufacture.

*Handwritten signature*

## ANNEX III

## APPENDIX IV

**Understanding on Free Zones**

SACU and MERCOSUR agree to continue their work to develop a common approach to the treatment of products manufactured or produced in Free Zones. In doing so, they will ensure balance in the PTA and consider the specific role and impact of Free Zones in the economic development of the Signatory Parties. For that purpose:

1. Within ninety (90) days after the signing of the Preferential Trade Agreement (PTA) between MERCOSUR and SACU, the Signatory Parties will designate focal points (names, titles, positions, contacts) for carrying out the commitments established in this Understanding.
2. Within thirty (30) days after the designation of the focal points, MERCOSUR and SACU will create a Joint Working Group to:
  - (a) analyze the rules, operations and overall procedures of Free Zones in MERCOSUR and SACU,
  - (b) facilitate missions, that may include Embassy officials, to visit Free Zones in the respective territories of the Parties in order to verify *in loco* the conditions under which they operate (including customs controls), and
  - (c) make recommendations on the treatment of goods from Free Zones under the PTA, taking into account the importance of effective customs controls and compliance with rules of origin of the PTA.
3. Within the Joint Working Group, MERCOSUR and SACU will exchange requests for documents and information they may consider necessary for the assessments on their Free Zones. Both sides will respond to questions and requests within a reasonable period of time after receiving them.
4. The Joint Working Group shall submit its findings and proposals to the Joint Administration Committee for a decision.

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**ANNEX IV**  
**SAFEGUARD MEASURES**

**Part I**  
**Global Safeguards**

**Article 1**

The Signatory Parties shall retain their rights and obligations to apply safeguard measures consistent with Article XIX of GATT 1994 and the WTO Agreement on Safeguards.

**Part II**  
**Preferential Safeguards**

**Article 2**  
**Definitions**

For the purposes of Part II of this Annex:

1. "domestic industry" shall be understood to mean the producers as a whole of the like or directly competitive products, operating in the territory of the Party or the Signatory Party, as the case may be, or when it is not possible, those whose collective output of the like or directly competitive products constitutes a major proportion of the total production of such products;
2. "preferential imports" shall be understood to mean products for which tariff preferences had been negotiated under this Agreement;
3. "serious injury" shall be understood to mean the significant overall impairment in the position of a domestic industry;
4. "threat of serious injury" shall be understood to mean the serious injury that is clearly imminent, based on facts and not merely on allegation, conjecture or remote possibility.

**Article 3**  
**Conditions for Application of Preferential Safeguard Measures**

1. Without prejudice to the rights and obligations referred to in Article 1, the Parties or the Signatory Parties may apply preferential safeguard measures under the conditions established in this Annex, when preferential imports have increased in such quantities, absolute or relative to domestic production of the importing party under such conditions as to cause or threaten to cause serious injury to the domestic industry of the importing Party or importing Signatory Party, as the case may be.

*Alfonso*

2. Preferential safeguard measures shall only be applied following an investigation by the competent authorities of the importing party under the procedures established in this Annex.
3. The preferential safeguard measure shall be applied only to the extent necessary to prevent or remedy serious injury.

#### Article 4

Preferential safeguard measures shall not be applied in the first year after the tariff preferences negotiated under the Agreement come into force.

#### Article 5

1. SACU may apply preferential safeguard measures on a customs union-wide basis, in which case the requirements for the determination of the existence of serious injury or threat thereof shall be based on the conditions prevailing in the SACU as a whole, or a SACU Signatory Party may apply preferential safeguard measures individually, if provided for in terms of the SACU Agreement, in which case the requirements for the determination of the existence of serious injury or threat thereof shall be based on the conditions prevailing in that Signatory Party and the measure shall be limited to that Signatory Party.
2. MERCOSUR may apply preferential safeguard measures on a customs union-wide basis, in which case the requirements for the determination of the existence of serious injury or threat thereof shall be based on the conditions prevailing in MERCOSUR as a whole, or a MERCOSUR Signatory Party may apply preferential safeguard measures individually, in which case the requirements for the determination of the existence of serious injury or threat thereof shall be based on the conditions prevailing in that Signatory Party and the measure shall be limited to that Signatory Party.
3. A Party or Signatory Party may apply preferential safeguard measures only to the imports from one or more Signatory Parties when serious injury or threat thereof is being caused by such imports.

#### Article 6

The preferential safeguard measures adopted under this Annex shall consist of either a quota, or a suspension or a reduction of the tariff preferences established in this Agreement for the product subjected to the measure.

- a) When a party applies a preferential safeguard measure as a quota, such a measure shall not reduce the annual quantity of preferential imports below the level of the average annualized imports of the product concerned in the thirty-six (36) month period previous to the period for which serious injury was determined. In this case, out of quota imports would receive either reduced preferences or the applied Most Favoured Nation rate. A different level of quota may be applied if it is duly justified.



b) When a party applies a preferential safeguard measure as a suspension or a reduction of the tariff preferences, such measure shall maintain the preferential conditions for a part of the imports of the product concerned in the form of a quota. In this case, the annual fixed quota cannot be less than the average annualized imports of the product concerned in the thirty-six (36) month period previous to the period for which serious injury was determined. A different level of quota may be applied if it is duly justified.

#### **Article 7**

The total period of application of a preferential safeguard measure, including the period of application of any provisional measure, shall not exceed two (2) years.

#### **Article 8**

No preferential safeguard shall be applied again to preferential imports which have been subject to such a measure, unless the period of non-application is at least of one (1) year from the end of the application period of the previous measure.

#### **Article 9**

1. The investigation to determine serious injury or threat thereof as a result of increased preferential imports of a certain product shall take into consideration all relevant factors of an objective and quantifiable nature having a bearing on the situation of the domestic industry affected, particularly the amount and rate of the increase in preferential imports of the product concerned, in absolute and relative terms; the relationship between the preferential and non-preferential imports, as well as between the increase of one and the other; the share of the domestic market taken by these imports; changes in the level of sales; prices; production; productivity; capacity utilization; profits and losses; employment; and other factors that, although not related to the evolution of preferential imports, have a causal relationship with the injury or the threat of injury to the domestic industry in question.

2. When factors other than increased preferential imports are causing injury to the domestic industry at the same time, such injury shall not be attributed to the increased preferential imports.

#### **Article 10**

##### **Investigation and Transparency Procedures**

A Party or Signatory Party may initiate a safeguard investigation at the request of the domestic producers in the importing Party or Signatory Party of the like or directly competitive product.

#### **Article 11**

The purpose of investigation shall be:

- a) to assess the quantities and conditions under which the product is being imported;
- b) to determine the existence of serious injury or threat of serious injury to the domestic industry; and

- c) to determine the causal link between the increased preferential imports of the product concerned and the serious injury or threat thereof to the domestic industry, pursuant to the terms of Article 9 of this Annex.

#### **Article 12**

The period between the date of publication of the decision to initiate the investigation and the publication of the final decision shall not exceed one (1) year.

#### **Article 13**

Each Party or Signatory Party shall establish or maintain transparent, effective and equitable procedures for the impartial and reasonable application of safeguard measures, in compliance with the provisions established in this Annex.

#### **Article 14** **Provisional Safeguards**

In critical circumstances where delay may cause damage which would be difficult to repair, a Party or Signatory Party, after due notification, may take a provisional safeguard measure pursuant to a preliminary determination that there is clear evidence that increased preferential imports have caused or are threatening to cause serious injury. The duration of the provisional measure shall not exceed two hundred (200) days, during which period the requirements of this Annex shall be met. If final determination concludes that there was no serious injury or threat thereof to domestic industry caused by imports under preferential terms, the increased tariff, if collected under provisional measures, shall be promptly refunded.

#### **Article 15** **Public Notice**

1. The importing Party or Signatory Party shall notify the exporting Signatory Party of:
  - a) the decision to initiate the investigation under this Annex;
  - b) the decision to apply a provisional safeguard measure;
  - c) the decision to apply or not a definitive safeguard measure.
2. The decision shall be notified by the Party or Signatory Party within a period of seven (7) days from the publication and shall be accompanied by the appropriate public notice.

#### **Article 16**

The public notice of the initiation of a safeguard investigation shall include the following information:

- a) the name of the petitioner;
- b) the description of the product subject to the measure, including its tariff classification under the Harmonised System;



- c) the deadline for the request for hearings and the venue where hearings shall be held;
- d) the deadline for the submission of information, statements and other documents;
- e) the address where the request or other documents related to the investigation can be examined;
- f) the name, address and telephone number of the institution which can provide further information; and
- g) a summary of the facts upon which the initiation of the investigation was based, including data on imports that have supposedly increased in absolute or relative terms to total production or internal consumption and analysis of the domestic industry situation based on all the elements conveyed in the request.

#### Article 17

1. The public notice or report of the decision to apply a provisional or definitive safeguard measure shall include the following information:

- a) description of the product subject to the measure, including its tariff classification under the Harmonised System;
- b) information and evidence leading to the decision, such as:
  - i) the increasing or increased preferential imports;
  - ii) the situation of the domestic industry;
  - iii) the fact that the increasing preferential imports are causing or threatening to cause serious injury to the domestic industry; and
  - iv) in the case of preliminary determination, the existence of critical circumstances;
- c) other reasoned findings and conclusions on all relevant issues of fact and law;
- d) description of the measure to be adopted;
- e) the date of entry into force of the measure and its duration.

2. The public notice shall include at least (a), (d) and (e), which shall be conveyed along with the report to all Signatory Parties.

#### Article 18

1. A Party or Signatory Party proposing to apply a definitive safeguard measure shall provide adequate opportunity for prior consultations to the exporting Signatory Party. With this objective, the Party or Signatory Party shall notify the exporting Signatory Party its decision to apply a definitive safeguard measure. The notification shall be provided no less than thirty (30) days before the measure comes into force.

2. The notifications shall include:
- i) evidence of the existence of serious injury or threat of serious injury to the domestic industry caused by the increased imports;
  - ii) description of the product subject to the measure, including its tariff classification under the Harmonised System;
  - iii) description of the measure proposed;
  - iv) the date of entry into force of the measure and its duration;
  - v) the period for consultations; and
  - vi) the criteria employed or any objective information proving that the conditions established in this Annex for the application of a measure have been met.

#### **Article 19**

At any stage of the investigation, the notified Signatory Party may request consultations to the importing Party or Signatory Party any additional information that it considers necessary.

#### **Article 20**

Not later than five (5) years after the entry into force of this Agreement, the Joint Administration Committee shall review the operation of this Annex and, as appropriate, propose to the Parties amendments to its text. In the course of this review, the Joint Administration Committee shall consider, in particular, the experience with the application of the preferential safeguard mechanism.

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**ANNEX V****DISPUTE SETTLEMENT PROCEDURE****Chapter I****Article 1****Scope**

1. For the purpose of this Dispute Settlement Procedure the Parties or one or more Signatory Parties of MERCOSUR or SACU may be a party to a dispute.
2. For the purpose of this Dispute Settlement Procedure, the following parties may be a party to a dispute:
  - both Parties;
  - one or more State Parties of MERCOSUR and one or more Member States of SACU;
  - one or more State Parties of MERCOSUR or SACU and a Party.

**Article 2****Election of Forum**

1. Any dispute that may arise in connection with the interpretation, application or non-compliance with the provisions of this Agreement between the Parties, as well as its Additional Protocols and related instruments, shall be subject to this Dispute Settlement Procedure.
2. Any dispute regarding matters arising under this Agreement that are also regulated in the agreements concluded at the World Trade Organization (hereinafter referred to as "the WTO") may be settled in accordance with this Annex or with the Understanding on Rules and Procedures Governing the Settlement of Disputes of the WTO (hereinafter referred to as the "DSU").
3. The parties to the dispute shall reach an agreement on a forum after the expiry of the period for consultations established in Chapter II of this Annex. If no agreement is reached on the forum, the complaining party shall select the forum for dispute settlement.
4. When selecting the forum, the complaining party or parties shall endeavour to resolve all disputes in the context of the Dispute Settlement Procedure provided in this Annex.
5. Once a dispute settlement procedure has been initiated under this Agreement or under the DSU, the selection of the forum shall be final and a party to the dispute may not refer the same subject matter of the dispute to the other forum.
6. For this purpose, a dispute settlement procedure shall be considered initiated under the WTO whenever the complaining party requests consultations under Article 4 of the DSU. Likewise, a dispute settlement procedure shall be considered initiated under the Agreement whenever a meeting of the Joint Administrative Committee has been requested under Article 6.1 of this Annex.

7. Notwithstanding the foregoing provisions, disputes that may arise in connection with Chapter VIII of this Agreement as well as Article 1 of Annex IV of this Agreement shall exclusively be submitted to the DSU.

## **Chapter II**

### **Article 3 Consultations**

1. The parties shall make all reasonable efforts to settle the disputes referred to in Article 2 through consultations with a view to reaching a mutually satisfactory solution.
2. Consultations shall be conducted, in the case of MERCOSUR, by the Pro Tempore Presidency or the National Coordinators of the Common Market Group, as the case may be, and in the case of SACU, by a Signatory Party or the Chair of the SACU Council of Ministers, as the case may be.

### **Article 4 Request for Consultations**

The request for consultations shall be submitted to the other party in writing and shall state the reasons for such request. The request for consultations shall be notified to all other Signatory Parties, to the Pro Tempore Presidency of MERCOSUR and to the Chair of the SACU Council of Ministers.

### **Article 5 Procedures for Consultations**

1. The party to which the request is made shall reply within 20 days after the date of its receipt.
2. The parties shall exchange information in order to facilitate the consultations. Such consultations shall be confidential.
3. Consultations shall last no more than 60 days after the date of receipt of the request, unless the parties involved consider it necessary, in order to settle the dispute, to extend the consultations for a further mutually agreed period.

## **Chapter III**

### **Article 6 Intervention of the Joint Administration Committee**

1. If consultations fail to settle the dispute within the period established in Article 5, both parties, by mutual consent, or the complaining party, may request in writing a meeting of the Joint Administration Committee, as defined in Chapter XI of the Agreement (hereinafter referred to as "the Committee"), with the specific purpose of dealing with the dispute.



2. The request shall state the facts and the legal basis of the dispute, indicating the applicable rules of this Agreement, Additional Protocols and related instruments.
3. The Committee shall notify immediately the request mentioned in paragraph 1 to all other Parties or Signatory Parties not a party to the dispute.

#### **Article 7 Committee Meeting**

1. The Committee shall meet within thirty (30) days of the date of receipt by all Parties or Signatory Parties of the request referred to in Article 6.
2. The Parties or Signatory Parties shall be deemed to have received the request five (5) days after the date of issuance by the Committee.

#### **Article 8 Joint Examination**

The Committee may, by consensus, examine jointly two or more proceedings only when, by their nature or by any relevant cause, they are deemed to be related.

#### **Article 9 Committee Procedures**

1. The Committee shall examine the dispute and give the parties an opportunity to present their positions and, if necessary, to give additional information in order to reach a mutually satisfactory solution.
2. The Committee shall issue its recommendations within thirty (30) days of the date of its first meeting.
3. When a dispute cannot be resolved by the Committee within the period mentioned in paragraph 2, the Committee shall submit the matter to the Group of Experts (hereinafter referred to as "the Group"), as established in Article 11 and shall immediately notify this decision to the parties.

#### **Article 10 List of Experts**

1. For the purpose of establishing the Group, each Signatory Party, within thirty (30) days as from the entry into force of the Agreement, shall provide the Committee with a list of four (4) experts, one (1) of them being a national of countries other than the Signatory Parties.
2. The list shall be composed of persons of recognized expertise in matters related to this Agreement.
3. The Committee shall establish a list of experts based on the names submitted by the Signatory Parties.

*Official*

**Article 11**  
**Establishment of the Group of Experts**

The Group shall consist of three (3) members and shall be constituted as follows:

- a) Within fifteen (15) days after the notification referred to in Article 9.3, each side to the dispute shall choose one expert from the list referred to in Article 10.3.
- b) Within the same timeframe the parties to the dispute shall indicate, by consensus, from among those in the list, a third expert, whom shall not be a national of any of the Signatory Parties. This third expert shall preside over the Group.
- c) If any nomination referred to in the paragraph a) or b) is not made within the specified timeframe, it shall be made by lot, by the Committee, within ten (10) days from the list of experts previously designated.
- d) Nominations referred to in paragraphs a) to c) shall be notified to all the Signatory Parties.

**Article 12**  
**Impartiality of the Experts**

1. A person who has acted in any capacity in previous phases of the dispute or who does not have the necessary independence with regard to the positions of the parties may not act as an expert.
2. In the exercise of their functions, the experts shall act with independence and impartiality.

**Article 13**  
**Evidence**

In order to further investigate the matter, the Group may request oral or written evidence.

**Article 14**  
**Expenses of the Group**

1. The expenses resulting from the work of the Group shall be borne in equal parts by the parties to the dispute.
2. Such expenses shall include the fees of the experts, travel expenses and other costs incurred in connection with their work.
3. The Committee shall determine the remuneration, fees and allowances for the experts, as well as approve related expenses.

*Official*



**Article 15**  
**Report and Recommendations**

1. Within thirty (30) days of receipt of the notification of the designation of the third expert, the Group shall deliver to the Committee its joint report. The report shall consist of two parts. The first, of a descriptive nature, shall contain an outline of the case and the arguments presented by the parties, and may reflect the opinions of individual experts, which shall remain anonymous. The second shall contain the findings of the Group.
2. Should the Group conclude that the matter referred to it pursuant to the provisions of Article 9.3 is inconsistent with a provision of this Agreement, the Group shall recommend to the Committee that the party or parties concerned conform with that provision.
3. Unless there is consensus in the Committee not to accept the recommendations of the Group, the Committee shall, within thirty (30) days after the receipt of the report, recommend that the party or parties concerned bring the measure into conformity with this Agreement.

**Article 16**  
**Compliance**

The party concerned shall comply with the recommendations of the Committee within 90 (ninety) days, unless otherwise decided by the Committee.

**Article 17**  
**Suspension of Concessions**

1. If the party concerned fails to implement the recommendations according to Article 15, the Committee may authorize the complaining party to temporarily withdraw concessions having trade effects equivalent to the benefits diminished by the non-conformity.
2. The complaining party should first seek to suspend, whenever possible, concessions with respect to the same sector(s) affected by the act of non-conformity. If this is not practicable or effective, the complaining party may suspend concessions in other sector(s), indicating the reasons to do so.

**Chapter IV**

**Article 18**  
**Communications**

1. All communications between MERCOSUR or its Member States and SACU or its Member States shall be transmitted, in the case of MERCOSUR, to the Pro Tempore Presidency, and in the case of SACU, to the Chair of the SACU Council of Ministers.
2. All communications referred to in this Dispute Settlement Procedure shall be transmitted to all the Signatory Parties.

**Article 19**  
**Determination of periods**

The periods referred to in this Dispute Settlement Procedure are expressed in consecutive days, including non-working days, and shall be calculated from the day immediately following the relevant act or fact. If the period begins or ends on a non-working day (Saturday or Sunday), the period shall be deemed to be starting or expiring on the following working day of the party concerned.

**Article 20**  
**Confidentiality**

Documents and acts related to the proceedings established in this Dispute Settlement Procedure shall be confidential.

**Article 21**  
**Withdrawal of Claim or Agreement**

At any time during the proceedings the complaining party may withdraw its claim or the parties may reach an agreement. In both cases the dispute shall be terminated. The Committee shall be notified in order to take any necessary measures.

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**ANNEX VI****SANITARY AND PHYTOSANITARY MEASURES****Article 1  
Objective**

The objective of the present Annex is to facilitate trade, between the Signatory Parties in animals and animal products, plants, and plant products, and any other regulated articles or any other product, deemed to require sanitary and phytosanitary measures, included in the Preferential Trade Agreement between MERCOSUR and SACU, whilst safeguarding human, animal and plant health.

**Article 2  
Multilateral Obligations**

The Signatory Parties confirm their rights and obligations established in the Agreement on the Application of Sanitary and Phytosanitary Measures of the World Trade Organization, by virtue of article 23 of the Preferential Trade Agreement between MERCOSUR and SACU.

**Article 3  
Transparency**

The Signatory Parties agree to exchange the following information:

- a) Any changes in the sanitary and phytosanitary status, including important epidemiological findings which may affect the Signatory Parties trade;
- b) Result of inspections and verifications within a 60-day term, which may be extended for a similar period in case of appropriate justification;
- c) Result of import controls in case the goods were rejected or considered non-compliant with official requirements, no further than a 48 hour term.

**Article 4  
Consultations on Specific Trade Concerns**

1. The Signatory Parties agree to create a consultation mechanism to facilitate the settlement of problems arising from the adoption and application of sanitary or phytosanitary measures, in order to prevent these measures from becoming unjustifiable barriers to trade.

2. The competent official authorities, as defined in Article 5 of this Annex, shall implement the mechanism established in paragraph 1, as follows:

- a) The exporting Signatory Party affected by a sanitary or phytosanitary measure shall inform the importing Signatory Party of this concern through the form established in Annex 1 and communicate this to the Joint Administration Committee.

- b) The importing Signatory Party shall respond to the request, in writing, before a thirty-day term specifying whether the measure:
- Conforms to an international standard, guideline or recommendation, in which case, it should be identified by the importing Party; or
  - Is based on an international standard, guideline or recommendation. In this case, the importing Party shall supply the scientific justification and other information to support the aspects differing from the international standard, guideline or recommendation; or
  - Results in a higher level of protection for the importing Party otherwise than through an international standard, guideline or recommendation. In this case, the importing Party shall supply the scientific justification for such measure, including the description of the risk/risks to be avoided and, if pertinent, the risk assessment; or
  - In the absence of an international standard, guideline or recommendation, the importing Party shall supply a scientific justification for such measure, including the description of the risk/risks to be avoided and, if pertinent, the risk assessment.
- c) Additional technical consultations may be made, whenever necessary, to analyze and suggest any procedures to overcome difficulties, within a 60-day term.
- d) In case the exporting Signatory Party finds the mentioned consultations to be satisfactory, a joint report shall be submitted to the Joint Administration Committee. If a satisfactory solution is not reached, each Signatory Party shall pass its report to the Joint Administration Committee.

### **Article 5** **Competent Official Authorities**

For the purpose of implementing the preceding provisions, the competent official authorities are the following:

#### **For MERCOSUR:**

##### Argentina

Secretaría de Agricultura, Ganadería, Pesca y Alimentos – SAGPyA (Agriculture, Livestock, Fisheries and Food Secretariat)

Servicio Nacional de Sanidad y Calidad Agroalimentaria – SENASA (Animals, Plants and Food Safety and Quality National Service)

Administración Nacional de Alimentos, Medicamentos y Tecnología Médica – ANMAT (National Administration of Food, Medicines and Medical Technology)

Instituto Nacional de Alimentos – INAL (National Food Institute)

##### Brazil

Ministério da Agricultura, Pecuária e Abastecimento – MAPA (Ministry of Agriculture, Livestock and Supply)

Agência Nacional de Vigilância Sanitária - ANVISA (National Health Surveillance Agency)



Paraguay

Servicio Nacional de Calidad y Sanidad Vegetal y de Semillas - SENAIVE (National Service for Health and Quality Plants and Seeds)

Ministerio de Agricultura y Ganadería - MAG (Ministry of Agriculture and Livestock)

Subsecretaría de Estado de Ganadería - SSEG - (Under Secretariat of Livestock)

Servicio Nacional de Calidad y Salud Animal - SENACSA - (National Service for Quality and Animal Health)

Uruguay

Dirección General de Servicios Agrícolas/MGAP DSSA (General Directorate of Plants Inspection Services/ Ministry of Livestock, Agriculture and Fisheries)

Dirección General de Recursos Acuáticos/MGAP - DINARA (General Directorate of Aquatic Resources/ General Directorate of Livestock/Ministry of Livestock, Agriculture and Fisheries)

Dirección General de Servicios Ganaderos/MGAP - DSSG (General Directorate of Livestock/Ministry of Livestock, Agriculture and Fisheries)

Dirección Nacional de Salud/MSP (National Health Office/Ministry of Health)

**For SACU:**Botswana

Measure: Animal Health  
 Contact: Director  
 Department of Veterinary Services  
 Ministry of Agriculture  
 Private Bag 0032  
 Gaborone  
 Country: Botswana  
 Languages: English  
 Telephone: +267 395 0500  
 Facsimile: +267 390 3744  
 E-mail:

Measure: Plant Health  
 Contact: Director  
 Department of Plant Protection  
 Ministry of Agriculture  
 Private Bag 0091  
 Gaborone  
 Country: Botswana  
 Languages: English  
 Telephone: +267 392 8745/6  
 Facsimile: +267 392 8762  
 E-mail:

Lesotho

Measure: Phytosanitary / plant health  
 Contact: Dr. Matla Ranthamane  
 Title/position: Director of Agricultural Research  
 Address: Department of Agricultural Research  
 P.O Box 829  
 MASERU, 100  
 Lesotho  
 Language: English  
 Telephone: (+266) 22320786 / Mobile: (+266) 58883572  
 Fax: (+266) 22310362  
 E-Mail: mmranthamane@yahoo.co.uk

Measure: Sanitary (animal health and animal products)  
 Contact: Dr. Marosi Molomo  
 Title/position: Director of Livestock Services  
 Address: Department of Livestock Services  
 Private Bag A 82  
 MASERU, 100  
 Lesotho  
 Language: English  
 Telephone: (+266) 22317282 / (+266) 324843 (Direct) / Mobile: (+266) 62000922  
 Fax: (+266) 22311500  
 E-Mail: marosimolomo@yahoo.com

Namibia

Measure: Phytosanitary / Plant health  
 Contact: Director of Law Enforcement  
 Address: Ministry of Agriculture, Water and Forestry  
 Private Bag 13184  
 WINDHOEK  
 Namibia  
 Language: English  
 Telephone: (264 61) 208 7461  
 Fax: (264 61) 208 7786  
 E-Mail: burgerr@mawrd.gov.na

Measure: Animal health  
 Contact: Director Veterinary Services  
 Address: Ministry of Agriculture, Water and Forestry  
 Private Bag 13184  
 WINDHOEK  
 Namibia  
 Language: English  
 Telephone: (264 61) 208 7513  
 Fax: (264 61) 208 7779  
 E-Mail: huebschleo@mawrd.gov.na

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South Africa

Measure: Phytosanitary / plant health  
 Title/Position: Director: Plant Health  
 Address: Department of Agriculture  
 Private Bag 14  
 PRETORIA 0031  
 South Africa  
 Language: English  
 Telephone: (+27 12) 319 6114  
 Fax: (+27 12) 319 6580;  
 Email: DPH@nda.agric.za

Measure: Sanitary / Animal health  
 Title/Position: Director: Veterinary Services  
 Address: Department of Agriculture  
 Private Bag X138  
 PRETORIA 0001  
 South Africa  
 Language: English  
 Telephone: (+27 12) 379 7456  
 Fax: (+27 12) 329 7218  
 E-mail: DVS@nda.agric.za

Measure: Food safety  
 Title/Position: Director: Food Safety and Quality Assurance  
 Address: Department of Agriculture  
 Private Bag X343  
 PRETORIA 000  
 South Africa  
 Language: English  
 Telephone: (+27 12) 319 7304  
 Fax: (+27 12) 319 6764  
 E-mail: DFSQA@nda.agric.za

Measure: Competent National Authority under the  
 Cartagena Protocol on Biosafety, & Registrar of the Genetically  
 Modified Organisms Act  
 Title/Position: Director: Genetic Resources Management  
 Address: Department of Agriculture  
 Private Bag X973  
 PRETORIA 0001  
 Language: English  
 Telephone: (+27 12) 319 6024  
 Fax: (+27 12) 319 6385  
 E-mail: DGRM@nda.agric.za

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Measure: Plant Breeders' Rights Act  
 Title/Position: Registrar: Plant Breeders' Rights Act  
 Address: Department of Agriculture  
 Private Bag X973  
 PRETORIA 0001  
 South Africa  
 Language: English  
 Telephone: (+27 12) 3196024  
 Fax: (+27 12) 319 6385  
 Email: DGRM@nda.agric.za

Swaziland

Measure: Phytosanitary / plant health  
 Contact Point: Research Officer  
 Address: Agricultural Research Division (ARD)  
 Ministry of Agriculture and Co-operatives  
 Malkerns Research Station  
 P.O. Box 4  
 MALKERNS  
 Country: Swaziland  
 Language: English  
 Telephone: (+268) 527 4071  
 Fax: (+268) 527 4070  
 E-mail: mrs@realnet.co.sz

Measure: Sanitary / Animal health  
 Contact Point: Director  
 Address: Director of Veterinary Services  
 Ministry of Agriculture and Cooperatives  
 P.O. Box 162  
 MBABANE  
 Country: Swaziland  
 Language: English  
 Telephone: (+268) 404 2731/9  
 Fax: (+268) 404 9802  
 Email:

Measure: Sanitary / Animal health  
 Contact Point: Senior Public Health  
 Address: Director of Veterinary Services  
 Swaziland Meat Industry  
 P.O. Box 446  
 MANZINI  
 Country: Swaziland  
 Language: English  
 Telephone: (+268) 518 4033  
 Fax: (+268) 519 0069  
 Email: simunyemeats@smi.co.sz

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Measure: Sanitary / Animal health  
Contact Point: Senior Field Services  
Address: Director of Veterinary Services  
Ministry of Agriculture and Cooperatives  
P.O. Box 162  
MBABANE  
Country: Swaziland  
Language: English  
Telephone: (+268) 404 2731/9  
Fax: (+268) 404 9802

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## ANNEX VI

## APPENDIX I

**FORM FOR CONSULTATIONS ON SPECIFIC TRADE CONCERNS REGARDING  
SANITARY AND PHYTOSANITARY MEASURES**

Measure under consultation causing concerns: \_\_\_\_\_

Country, which applies the measure: \_\_\_\_\_

Responsible institution for application of the measure: \_\_\_\_\_

WTO Notification Number, whenever if applicable: \_\_\_\_\_

Consulting country: \_\_\_\_\_

Consultation date: \_\_\_\_\_

Responsible Institution for consultation: \_\_\_\_\_

Division name: \_\_\_\_\_

Name of Responsible Official: \_\_\_\_\_

Title of Responsible Official: \_\_\_\_\_

Telephone, fax, e-mail and mailing address: \_\_\_\_\_

Product(s) affected by the measure: \_\_\_\_\_

Sub-tariff item(s): \_\_\_\_\_

Product(s) description (specify): \_\_\_\_\_

Is there any relevant international standard? Yes \_\_\_\_\_ No \_\_\_\_\_

In case this does exist, give the number and title of the specific international standard(s),  
guideline(s) or recommendation(s): \_\_\_\_\_

Objective or reason for consultation: \_\_\_\_\_

Approved



## ANNEX VII

**MUTUAL ADMINISTRATIVE ASSISTANCE BETWEEN THE CUSTOMS ADMINISTRATIONS OF THE COMMON MARKET OF THE SOUTH (MERCOSUR) AND THE SOUTHERN AFRICAN CUSTOMS UNION (SACU) REGARDING CUSTOMS CO-OPERATION MATTERS****Article I  
Definitions**

For the purposes of this Annex, unless the context otherwise requires:

- (a) "Customs administration" means, for:
- (i) the Government of the Republic of Argentina, the Federal Administration of Public Income;
  - (ii) the Government of the Federative Republic of Brazil, the Federal Revenue Secretariat of Brazil, Ministry of Finance (Ministério da Fazenda - Receita Federal do Brasil);
  - (iii) the Government of the Republic of Paraguay, the Customs Administration;
  - (iv) the Government of the Oriental Republic of Uruguay, the Customs Administration;
  - (v) the Government of the Republic of Botswana, the Botswana Unified Revenue Service;
  - (vi) the Government of the Kingdom of Lesotho, the Lesotho Revenue Authority;
  - (vii) the Government of the Republic of Namibia, the Directorate of Customs and Excise in the Ministry of Finance;
  - (viii) the Government of the Republic of South Africa, the South African Revenue Service; and
  - (ix) the Government of the Kingdom of Swaziland, the Department of Customs and Excise;
- (b) "Customs law" means all the legal and administrative provisions applicable or enforceable by the Customs administrations in connection with the importation, exportation, transshipment, transit, storage, and movement of goods, including:
- (i) the collection, guaranteeing or repayment of duties, taxes and other charges; and
  - (ii) action in relation to measures of prohibition, restriction or control;
- (c) "Customs offence" means any violation or attempted violation of Customs law;
- (d) "official" means any Customs officer or other government agent designated by the Customs administration of the Parties;
- (e) "person" means both natural and legal persons;
- (f) "information" means any data, whether or not processed or analysed, any documents, reports, and other communications in any format, including electronic, or certified or authenticated copies thereof;

- (g) "narcotic drugs and psychotropic substances" means the products in the list of the Single Convention of the United Nations relating to Narcotic Drugs of 30 March 1961, the Convention of the United Nations on Psychotropic Substances of 21 February 1971, as well as chemical substances in the list of Annexes I and II of the Convention of the United Nations against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 20 December 1988;
- (h) "requested administration" means the Customs administration from which assistance is requested;
- (i) "requested Signatory Party" means the Signatory Party whose Customs administration is requested to provide assistance;
- (j) "requesting administration" means the Customs administration which requests assistance;
- (k) "requesting Signatory Party" means the Signatory Party whose Customs administration requests assistance.

## **Article 2**

### **Objective**

The main objective of this Annex is to promote co-operation between the Customs administrations of the Signatory Parties in all matters pertaining to Customs.

## **Article 3**

### **Scope**

1. The assistance provided under this Annex shall apply to the Customs territories of the Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay, the Oriental Republic of Uruguay, the Republic of Botswana, the Kingdom of Lesotho, the Republic of Namibia, the Republic of South Africa and the Kingdom of Swaziland, hereinafter referred to as the Signatory Parties.

2. The Signatory Parties shall assist each other, in the areas within their competence, in the manner and under the conditions laid down in this Annex, to ensure the correct application of Customs law, in particular by preventing, investigating and combating Customs offences.

3. The assistance given under this Annex shall satisfy the legal and administrative provisions in force in the territory of the requested Signatory Party and shall be performed within the competence and available resources of its Customs administration.

4. This Annex is limited to mutual administrative assistance among the Signatory Parties and does not modify the contents of the mutual legal assistance agreements already concluded. In case other authorities of the requested Signatory Party should render assistance, the requested administration shall determine the names of said authorities and, where known, the applicable instrument or pertinent agreement.



5. The assistance provided for in this Annex does not include collection proceedings by the requested administration regarding Customs rights, taxes or any other amount owed to the requesting administration.

#### **Article 4 Communication of Information**

1. The Customs administrations shall supply, either on request or on their own initiative, any information that may contribute to ensure the proper application of Customs law and in order to prevent, investigate and combat Customs offences.

2. Each Customs administration shall, either on request or on its own initiative, supply all available information, records of evidence or certified copies of documents as well as any other available information related to concluded, planned or ongoing activities, which constitute or appear to constitute a Customs offence in the territories of the other Signatory Parties, together with the necessary information for its interpretation or utilisation.

3. The aforementioned documents may be substituted with electronic information for the same objective.

#### **Article 5 Spontaneous Assistance**

1. The Customs administrations shall, on its own initiative, supply information related to concluded, planned or ongoing transactions, which constitute or appear to constitute a Customs offence.

2. In cases that could involve substantial damage to the economy, public health, public security or other vital interests of the other Signatory Parties, the Customs administrations shall, wherever possible, supply information on its own initiative without delay.

#### **Article 6 Information for the Application of Customs Law Enforcement**

1. The Customs administrations shall communicate to each other, either on request or on their own initiative, all the available information which may contribute to proper application of Customs law or in the prevention of Customs fraud. This information may include:

- (a) new law enforcement techniques;
- (b) new trends, means and methods used to commit Customs offences;
- (c) goods known to be the subject of Customs offences, as well as means of transport and storage methods used in respect of those goods; and
- (d) all relevant information, which may be used by the Customs administrations to evaluate risks for the purpose of control and to facilitate trade.

2. The Customs administrations may share information on their work procedures aimed at improving their knowledge on procedures and techniques used by the other Customs administrations.
3. The Customs administrations shall provide each other, within the limits of their competence and available resources, with technical assistance, consulting services, training, secondments and exchanges of officials.
4. Upon request, the requested administration shall supply to the requesting administration information concerning the following matters:
  - (a) whether goods which are imported into the territory of the requesting Signatory Party have been lawfully exported from the territory of the requested Signatory Party;
  - (b) whether goods which are exported from the territory of the requesting Signatory Party have been lawfully imported into the territory of the requested Signatory Party and the nature of the Customs procedure or regime, if any, under which the goods have been placed.
5. If appropriate, the information shall have to determine the Customs procedures applied to the goods and, in particular, the Customs clearance.

#### **Article 7**

##### **Assistance for the Assessment of Import or Export Duties and Taxes**

1. On request, the requested administration shall provide information to assist the requesting administration in the proper application of Customs law, including in the areas of Customs value, tariff classification and origin of goods, when the requesting administration has reason to doubt the truth or accuracy of a declaration.
2. The information provided shall include:
  - (a) in respect of the value of goods for Customs purposes, information necessary for verifying the declared value;
  - (b) in respect of the tariff classification of goods, information necessary to determine the accuracy of the declared tariff classification; and
  - (c) in respect of the origin of goods, information necessary to determine the accuracy of the declared origin of goods.

#### **Article 8**

##### **Surveillance of Persons, Goods, Places and Means of Transport**

Each Customs administration shall, on its own initiative or upon written request, under the terms of its domestic laws and in accordance with its administrative practices, maintain special surveillance over and provide the requesting administration with information on:



- (a) persons known to have committed or suspected of being about to commit a Customs offence in the territory of the requesting Signatory Party, particularly those moving into and out of the territory of the requested Signatory Party;
- (b) suspect movement of goods notified by the requesting administration as giving rise to a Customs offence in the territory of that Signatory Party;
- (c) places used for storing goods which may be used in connection with substantial Customs offences in the territory of the requesting Signatory Party; and
- (d) means of transport known to have been used or suspected of being used to commit Customs offences in the territory of the requesting Signatory Party.

#### **Article 9 Visits by Officials**

1. On written request, officials designated by the requesting administration may, with the authorisation of the requested administration and subject to conditions the latter may impose, for the purpose of investigating a Customs offence:

- (a) examine in the offices of the requested administration the documents, registers and other relevant information in respect of that Customs offence;
- (b) take copies of the documents, registers and other information relevant in respect of that Customs offence; and
- (c) be present during an enquiry conducted by the requested administration relevant to the requesting administration.

2. Where the requested administration considers it appropriate for an official of the requesting administration to be present when measures of assistance are carried out pursuant to a request, the requested administration may invite the participation of that official, subject to any terms and conditions it may specify.

3. When, in the circumstances provided for in this Annex, officials of the Customs administration of a Signatory Party are present in the territory of another Signatory Party, they must at all times be able to furnish proof of their official capacity.

4. They shall, while there, enjoy the same protection accorded to Customs officials of that other Signatory Party in accordance with the domestic law of that Signatory Party and be responsible for any offence they might commit. They shall not be in uniform nor carry arms.

#### **Article 10 Communication of Requests**

1. Requests for assistance under this Annex shall be exchanged directly between the Customs administrations of the Signatory Parties. Each Customs administration shall designate a contact point for this purpose and communicate the details of the contact point to the other Customs administrations.



2. Requests for assistance shall be made in writing or electronically, and shall be accompanied by any information deemed useful to comply with the request. The requested administration may require written confirmation of electronic requests. Where the circumstances so require, requests may be made orally. Such requests shall be confirmed as soon as possible either in writing or, if acceptable to both Customs administrations, by electronic means. Requests shall be made in the Portuguese or Spanish languages to MERCOSUR and in the English language to SACU.
3. Requests made pursuant to paragraph 2, shall include the following details:
  - (a) the name of the requesting administration and the name of the national point of contact;
  - (b) the subject matter, the type of assistance requested and reasons for the request;
  - (c) a brief description of the subject matter and applicable legal and administrative provisions that apply;
  - (d) the names and addresses of the persons involved in the request if known; and
  - (e) other available information to enable the requested administration to effectively comply with the request.

#### **Article 11 Use of Information**

1. Any information received under this Annex shall be used only by the Customs administrations and solely for the purposes of this Annex.
2. On request, the Signatory Party that supplied the information may, notwithstanding paragraph 1, authorise its use by other authorities or for other purposes, subject to any terms and conditions it may specify. Such use shall be in accordance with the legal and administrative provisions of the Signatory Party which seeks to use the information. The use of information for other purposes includes its use in criminal investigations, prosecutions or proceedings.

#### **Article 12 Confidentiality and Protection of Information**

1. Any information received under this Annex shall be treated as confidential and shall, at least, be subject to the same confidentiality and protection as the same kind of information is subject to under the legal and administrative provisions of the requesting Signatory Party. Where a higher degree of protection is required by the requested administration for the supplied information, such requirement shall be mandatory once specified by the requested administration.
2. The requesting administration shall be responsible, in accordance with its own legal and administrative provisions, for any damage suffered by a person as a consequence of the information provided by the requested administration, in accordance with the provisions of this Annex.

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**Article 13**  
**Exception from the Obligation to Render Assistance**

1. If the requested administration considers that the assistance requested might be prejudicial to the public policy, sovereignty, security or other essential interests of that Signatory Party, or might involve violation of industrial, commercial or professional secrecy, it may decline to provide assistance or it may provide the assistance only if certain conditions are met, or it may provide a reduced level of assistance.
2. Where the requesting administration would be unable to comply if a similar request were made by the requested administration, it shall draw attention to that fact in its request. Compliance with such a request shall be at the discretion of the requested administration.
3. If assistance is refused or a reduced level only can be provided, the decision and the reasons therefore shall be notified in writing to the requesting administration without delay.

**Article 14**  
**Costs**

1. The Customs administrations shall waive all claims for reimbursement of costs incurred in the execution of this Annex, except for expenses and allowances paid to experts and to witnesses as well as costs of translators or interpreters other than officials, which shall be borne by the requesting administration.
2. If the expenses that will be required to execute a request are of a substantial or extraordinary nature, the Signatory Parties concerned shall consult to determine the terms and conditions under which the request will be executed as well as the manner in which the costs shall be borne.

**Article 15**  
**Implementation**

The Customs administrations of the Signatory Parties shall jointly determine the detailed arrangements for the implementation of this Annex.

**Article 16**  
**Final Provisions**

1. This Annex shall complement and not impede application of any agreements on mutual administrative assistance which have been or may be concluded between the Signatory Parties. Neither shall it preclude more extensive mutual assistance granted under such agreements.
2. The provisions of this Annex shall not affect the obligations of the Signatory Parties under any other international agreement or convention.

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3. Notwithstanding the provisions of paragraph 1, the provisions of this Annex shall take precedence over the provisions of any bilateral agreement on mutual assistance which has been or may be concluded between individual State Parties to MERCOSUR and any Member States of SACU in so far as the provisions of the latter are incompatible with those of this Annex.

*Alfonso*