

Committee on Rules of Origin

**INTEGRATED NEGOTIATING TEXT FOR THE
HARMONIZATION WORK PROGRAMME**

CHAPTERS 28-40 (CHEMICAL PRODUCTS)

Note by the Secretariat

Revision

1. At its meeting on 10 May 1996, the Committee on Rules of Origin (CRO) decided to establish an Integrated Negotiating Text (INT) for the Harmonization Work Programme. The first INT was circulated in document G/RO/W/13 (24 May 1996), and had been periodically updated (G/RO/W/13/Rev.1-3, G/RO/W/13/Rev.3/Add.1 and 2). A further consolidated INT was circulated in document G/RO/41(3 September 1999), and has also been periodically updated (JOB(99)/5869, JOB(99)/7617, JOB(00)/1573, JOB(00)/3230, JOB(00)/5207 and JOB(00)/7194).
2. The attached document is the latest update of the negotiating text for Chapters 28-40 and reflects the progress made by the CRO in September/October 2001.

ISSUES FOR DECISION: CHAPTERS 28 THROUGH 40

This document combines all issues referred by the TCRO to the CRO. The annexed tables set out all proposed rules for these issues as well as all Basket 1 decisions.

It is to be noted that Issue n° 4 refers also to Chapter 39; Issue n° 5 refers also to Chapters 39 and 40; and Issue n° 7 refers also to Chapter 39.

The Committee on Rules of Origin is invited to decide whether the products resulting from processes described below have undergone their last substantial transformation.

ISSUE No. 1: MIXING OF TWO OR MORE CONSTITUENTS TO PRODUCE A MEDICAMENT CLASSIFIED IN HEADING 30.03.

OPTION A:

1. Substantial transformation always takes place as a result of processes in which: (1) input materials from outside heading 30.03 become classifiable in the heading; or (2) input materials classified within heading 30.03 undergo mixing operations which satisfy the general mixtures rule of origin applicable to goods of the chemical sector, even if the resulting good remains classified in heading 30.03. The mixing and blending operations which take place in the pharmaceutical sector are always highly controlled, deliberate and complex. Because of the complexity of these operations, carried out to produce goods with new properties for new uses, it may be concluded that any good produced under standards set forth in the mixtures rule is a new good which has been substantially transformed. There is no need to introduce an additional distinction between constituents and active ingredients, nor is there a need to insist on a distinction between intermediate goods and goods ready for putting up in measured doses. The change of tariff heading and general mixtures rules fully express the last substantial transformation carried out on the goods in question. (EC)(CH)(COL)(IND)(JPN)(PHI)(CAN)(HK)

Australia's preferred option remains Option A, as the mixing and blending operations performed in the manufacture of pharmaceuticals result in the substantial transformation of the good because the resultant mixture has physical or chemical characteristics which are different from the starting materials. That said, however, Australia could move to support Option B, as long as the wording provided that the resulting mixture is a medicinal formulation ready for putting up into measured doses or for retail sale. That is, in order for Australia to be able to support Option B, it would need to recognise that the mixing of active ingredients with inactive ingredients in some cases does confer particular properties on the resulting mixture that are substantially different from the original starting materials.

OPTION B:

2. Under this option, there are two contexts in which origin can be conferred as a result of a mixing or blending operation. The first is where two or more active ingredients are mixed. In such a case the active ingredients impart active therapeutic properties to the mixture. Thus origin would always be conferred. In the second case an active ingredient is blended with one or more inactive ingredients. These inactive ingredients do not contribute to the therapeutic properties of the mixture. Nevertheless, the rule would allow origin to be conferred as a result of the addition of these inactive ingredients provided that the resulting mixture is a medicinal formulation suitable for putting up in measured doses or for retail sale. Such a complete formulation is considered to be a new product in comparison with the input materials.

3. Unlike Option A, this approach does not permit the mixing of an active ingredient with an inactive ingredient, such a flavor or sugar, where the resulting mixture is not a medicament ready for putting up. Such a mixture is not really a medicament at all; it is merely an intermediate mixture that will be used in producing a medicament. The making of such a mixture is not origin conferring. **(BRA)(MEX)(US)(EGY)**

Relevant HS Codes:

30.03 - Medicaments (excluding goods of heading No. 30.02, 30.05 or 30.06) consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses, not put up in measured doses or in forms or packings for retail sale.

ISSUE No. 2: PUTTING UP OF MEDICAMENTS INTO MEASURED DOSES

OPTION A:

4. The production of tablets, capsules, granules, or other administrable forms of medicaments, such as in diffusion, dissolution, osmotic and other systems, are highly complex operations performed under controlled conditions which result in new products which have been substantially transformed. The active ingredients of these products are unusable and even dangerous to the patient unless attenuated by excipients, binders and other substances. Pharmaceutical dosage forms are produced under stringent conditions and are designed to meet pre-defined specifications not met in the starting bulk medicaments. Unlike bulk medicaments, the finished dosage forms render medicaments safe for human consumption at pre-defined concentration of active or potent ingredients (as determined by appropriate pre-clinical tests such as acute and chronic toxicity, carcinogenicity, mutagenicity, and teratogenicity). The finished dosage forms are of a quality suitable for human consumption and are efficacious for intended therapeutic or prophylactic purposes at prescribed dosage. The finished products classified in heading 30.04 are not at all comparable to the starting materials classified in other headings. The transformation of a medicament classified under heading 30.03 to a medicament classified under heading 30.04 is not only a question of dosage. The complex processes which result in the galenic form are essential for the administration of medicaments to humans and animals. A rule of change of tariff heading to heading 30.04 from heading 30.03 is sufficient to express the substantial transformation which takes place when medicaments are put up in measured doses. (AUS) (CH) (IND) (PHI) (HK)

OPTION B:

5. Putting up medicaments in dosage form does not, by itself, result in changes in the character of the medicaments which should be considered as origin conferring. Changes between the relevant tariff headings, from the mixed medicaments of heading 30.03 to mixed medicaments in dosage form of heading 30.04, can take place as a result of dosaging operations alone. This tariff change should not be treated as origin conferring unless it is also accompanied by mixing operations which satisfy the conditions for mixtures set out in the rules for Chapter 30. A rule for mixed medicaments of change of tariff heading to heading 30.04 except from heading 30.03; or change from heading 30.03 if resulting from a mixing operation in accordance with the Chapter Note on mixtures would express this origin principle. In addition, changes from unmixed goods (e.g., of Chapters 28 or 29) to unmixed medicaments in dosage form of heading 30.04 can take place by dosaging operations alone. A rule for unmixed medicaments of change of tariff heading except as a result solely of putting up in measured doses would express this origin principle.

Other Considerations:

6. It is noted that heading 30.04 includes goods which have been put up in packings for retail sale. The Technical Committee is in agreement that notwithstanding the application of any other rule of origin for heading 30.04, putting up medicaments in packings for retail sale cannot, by itself, result in substantial transformation. (BRA) (EC) (JPN) (MEX) (US) (CAN)

Relevant HS Codes:

30.04 - Medicaments (excluding goods of heading No. 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms or packings for retail sale.

ISSUE No. 3: PUTTING UP OF OPACIFYING PREPARATIONS FOR X-RAY EXAMINATIONS AND DIAGNOSTIC REAGENTS INTO MEASURED DOSES

OPTION A:

7. The production of these goods requires pharmaceutical operations carried out under controlled conditions. The products are administered normally by injection or oral ingestion and, as such, must meet stringent requirements for safety and efficacy. The products classified in subheading 3006.30 include both unmixed goods put up in measured doses and products consisting of mixtures of two or more ingredients. The goods put up in dosage form may be undergo a mixing operation or other significant processing such as purification, standardization, or milling and emulsifying operations before they become classifiable in this subheading. It is difficult to conceive of a good of another tariff heading which would become classifiable in this subheading solely as a result of putting up in dosage form. In other words, the goods of this subheading are classified here, whether or not they are put up in dosage form. Thus, a rule of change to this subheading from any other tariff heading is sufficient to express the last substantial transformation which is performed in producing the goods of this subheading. (AUS) (IND) (JPN) (PHI)

OPTION B:

8. Putting up the goods of this subheading into measured doses does not, by itself, result in substantial transformation. Included among the goods classified in subheading 3006.30 are products which are not mixed, but which merely are goods of other headings put up in measured doses. For this reason, a limitation on the rule of change to this subheading from any other tariff heading is necessary to exclude those changes from other tariff headings which take place by putting up in doses alone. (EC), (US) (~~CAN~~)(~~MEX~~)

Relevant HS Codes:

3006.30 - Opacifying preparations for X-ray examinations; diagnostic reagents designed to be administered to the patient.

References:

Doc. 41.602 (Secretariat's Basket 2 working document)
Doc. 41.187, Annexes D/1 & D/2 (Report of the 6th Session)
Doc. 41.759 (Contribution by Switzerland)
Doc. 41.723 (Contribution by Singapore)
Doc. 41.607 (Contribution by Switzerland)
Doc. 41. 649 (Contribution by the United States)

ISSUE No. 4: PRODUCTION OF CHEMICALS HAVING INCREASED PARTICLE SIZE (GRANULATION, PELLETIZING, EXTRUSION, ROTO FORMING AND FLAKING); FOR CHAPTER 30, PRODUCTION OF GOODS HAVING CHANGED PARTICLE SIZE

OPTION A: Yes

9. Crude solid chemicals from synthesis are normally in the form of powders with a very broad particle size distribution. In this form, they generally cannot be used by the processing industry, as they also contain very small particles (below 50 microns) behaving as dust.

This dust prevents a product from its intended use:

- causing inaccurate, unreproducible, uneven dosing rates and clogging of pneumatic lines.
- because of requirements of industrial hygiene (acute toxicity, inducing asthmatic reactions, lung cancer, etc.)
- creating safety hazards due to dust explosions

10. Such a good, if possessing the intrinsic chemical characteristics for the intended purpose but being prevented from its use because of its dusting behaviour, will find its due place in the market by physical modification, i.e. by significantly increasing its particle size and radically eliminating small particles (below 100 microns).

11. The technologies being developed for increasing the particle size of chemicals have to take into account the chemical and physical characteristics of the good to be modified, such as thermal stability, melting range, its depressability by third components, etc., and the permanence of the elimination of dust to be achieved.

12. Depending on the product's purpose and the properties of the chemical compound or mixture, the choice of technology to be used for its increase in particle size may vary. Today most commonly in use are:

- Granulation in spray dryers (including those with fluidized bed)
- Pelletizing (forms a coating by slight melting of surface)
- Extrusion (after melting)
- Rotoforming or prilling (after melting)
- Flaking (after melting)

13. Products with intrinsically valuable chemical characteristics, but being prevented from their use by detrimental (mean) particle size, particle size distribution or surface area can be physically modified into valuable products, by the controlled increase of particle size. Such increase of particle size represents a substantial transformation, which should confer origin.

14. The substantial transformations which result from these operations should be reflected in a Chapter Note which specifies that modifications in particle size, as opposed to reductions in particle size only, are to be considered as origin conferring. (CH)(SG)(AUS)(BRA)

15. For Chapters 30 the unresolved issue is slightly different. For this Chapter the unresolved issue is whether there is a need for a Chapter Note concerning changes in particle size of any kind, i.e., increases or reductions. The milling, grinding, granulation, micronizing, pelletizing, extrusion, rotoforming and flaking operations performed on the goods of Chapter 30 results in new chemical and performance characteristics and should be considered origin conferring.

OPTION B: No

16. The production of chemical goods having increased particle size is a finishing operation performed for ease of handling resulting in no changes in essential chemical characteristics. (EC)(JPN)(US)(CAN)(THA)(IND)(COL)(EGY)

17. For Chapter 30 it is concluded that no particle size rule is appropriate. (EC, JPN, US).

18. In particular, it is noted that for the goods of Chapter 30 it is not a common practice to reduce the particle size since the process will deteriorate the chemical quality and purity which quickly shorten their shelf life. Mixing and blending are commonly utilized only in compounding to produce medicines for patients (not milling, grinding and micronizing). Although reduction in particle size is an acceptable rule for other chapters, it is not appropriate for Chapter 30 (or Chapter 29) where the purity and quality of the goods is of major concern. For Chapter 30 reduction in particle size should not be considered origin conferring. (THAI)

Relevant HS Codes:

Chapters 28, 29, 30, 32, 38 & 39

ISSUE No. 5: MIXTURES AND BLENDS - ADDITION OF DILUENTS

OPTION A: Yes

19. The present rule on mixtures and blends of chemicals provides that the deliberate and proportionally controlled mixing or blending (including dispersing) of materials to conform to predetermined specifications, resulting in a good having physical or chemical characteristics relevant to the purposes or uses of the good and are different from the input materials confers origin. This means that whatever the materials used, if it is carried out in deliberate and proportionally controlled conditions and fulfil the conditions required, the process described above is a substantial transformation.

20. The addition of a diluent alone to a chemical or a pre-mix, in deliberate and proportionally controlled conditions, may constitute the critical aspect of a mixing and blending operation and can result in physical or chemical characteristics relevant to the purposes or uses of the good which are different from those of the input materials. In many instances, the addition of a non-active substance to pure chemicals or pre-mixes containing active substances is crucial in the overall manufacturing process to achieve the required physical and chemical characteristics for the product.

21. For example, ammonium nitrate (3102.30) cannot be used in a pure form because of its high level of activity. In many cases, it has to be mixed with inactive substances, such as calcium carbonate, in specified and controlled conditions, in order to make it suitable for use as a fertilizer. In Chapter 32, the shade, colour strength, solubility, etc. determine the nature of a colouring matter or a synthetic or chemically modified solution. These properties can be modified or improved by standardization processes or adding one or more materials such as plasticizers, accelerators, retarders, etc., in order to fulfil the specifications and needs of the final user. In other sectors, such as in Chapter 38, one can find pre-mixes and preparations ready-for-use (insecticides, fungicides, disinfectants, etc.). Pre-mixes are intermediate preparations which need to be further worked to obtain final products. If the addition of a diluent makes this pre-mix applicable for a specific use, then it should confer origin.

22. Lastly, rules of origin should be coherent, at least in defined sectors. Regarding medicaments of heading 3003 (see issue 1 in doc. 41.847 – first referral to the CRO), most delegations agree that the addition of an inactive substance to a chemical of Chapter 29 in order to obtain a medicament of heading 3003 confers origin. For another delegation, it would be regarded as substantial if it results in a medicinal formulation suitable for putting up in measured doses or for retail sale.

23. Given that preparations of Chapters 31 to 38 usually possess the essential character which is relevant to their function or use (surface-active preparations, fertilizing preparations, colouring preparations, etc.), and are in many cases ready for use, the same approach as for medicaments should be followed.

24. Regarding the decision for Chapters 28 and 29, the mixtures and blends rule in these Chapters represents a compromise position by Members and it was explicitly written in the working draft of 23 April 1998 and verbally reiterated in the Technical Committee that this rule, established for chemically defined compounds, should not prejudice the positions of Members on this rule for subsequent chemical Chapters, which cover mainly preparations. The rule adopted for Chapters 28 and 29 cannot be viewed as a precedent which will have an impact on unresolved issues dealing with other unrelated products classified in different headings. (CH, EC, SG)

OPTION B: No

25. In the context of mixing and blending it is the combination of different materials to produce new products which should be considered to result in substantial transformation of the input materials. Dilution alone, which might include the addition of liquids or solids, does nothing to change the essential character of the primary input materials, but merely serves to put them into a less concentrated state. The performance characteristics of the primary materials are established before dilution, which serves the purpose merely of facilitating usage but does not create new goods. The Chapter Note on Mixtures and Blends should exclude dilution alone. It has been agreed by the TCRO that the addition of diluents only to goods of Chapters 28 and 29 would not constitute an origin conferring mixture. (US, JPN, CAN, AUS).

Relevant HS Codes:

Chapter 30, 31, 32, 34, 35, 37, 38, 39, 40

ISSUE No. 6: APPLICABILITY OF CHAPTER NOTES FOR CHAPTER 33

~~OPTION A: Yes~~

~~26. The full range of Chapter Notes applies for the goods of Chapter 33.~~

~~OPTION B: No~~

~~27. The chemical reaction rule is not relevant for Chapter 33 because the products covered are not pure chemicals, but rather preparations. Regarding essential oils, they are mainly concerned by separation processes (isolation of several materials in order to obtain another mixture see issue n° 7) rather than by purification. The reduction in particle size or separation of isomers are not relevant here: in the first case, it is only carried out for purposes of presentation of the product.~~

~~28. Regarding the rule on mixtures, headings 33.03 to 33.07 are finished products already formulated. These products are rarely further worked because they would be polluted by the addition of other materials. Moreover, the addition of a colouring matter to a cream or of a brilliance agent to a lipstick would not modify their use characteristics.~~

~~29. Consequently, there is no need for Chapter rules regarding Chapter 33. (EC, AUS)~~

~~Relevant HS Codes:~~

~~33.01 through 33.07~~

ISSUE No. 7: ADOPTION OF A CHAPTER NOTE ON SEPARATION PROCESSES FOR CHAPTERS 33, 38 & 39

OPTION A: Yes

Chapter 33:

30. For products of headings 3301 and 3302, a rule should be provided for deterpenation, refining and separation of essential oils (these are the terms used in the industry concerned).

31. Regarding essential oils of heading 3301, deterpenation consists in removing the terpenic constituents of the oils which alter their flavour. Refining consists in removing the waxes contained in concretes in order to obtain absolutes. In this case, the resulting essential oils are nearly pure products.

32. For products of heading 3302, the separation process consist in isolating some constituents of essential oils of heading 3301 : it can be covered by a change of heading rule.

Chapters 38 and 39:

33. Products of Chapters 38 and 39 are not covered by the purification rule because purification consists in purifying one substance in order to obtain a pure product. On the contrary, after separation, the resulting product remains a mixture from which one or more substances have been removed. The separation process, carried out by extraction, refining, chromatography or any other treatment should therefore apply to products of Chapters 38 and 39 which are not necessarily pure chemicals (e.g. headings 3801, 3803, 3805 , 3807).

34. The products concerned are clearly identified (nuclear grade graphite, refined tall oil, refined sulphate turpentine oils, wood tar oils, wood creosote and vegetable pitch obtained from wood tar).

35. The Chapter Note should provide (CH, EC, SG, AUS)(JPN for Chapter 38)(PHI for Chapter 39):

36. Separation, by chromatography, extraction, precipitation, (refining), or specific mechanical treatments, is considered to be origin conferring [provided that one of the following criteria is satisfied:

- i) obtaining goods with specific molecular weight distribution;
- ii) obtaining goods with specific purity;
- [iii) obtaining goods with specific odoriferous characteristics;
- iv) obtaining goods with specific flavouring characteristics;] or
- v) obtaining goods suitable for specific uses.]

OPTION B: No

37. The proposed Chapter Note should not be adopted. The operations specified do not result in substantial transformation because they consist in merely segregating elements in a mixture without creating new properties. The properties sought are already present in the materials used, and the separation processes merely remove unwanted materials. It also appears that there is significant ambiguity in the proposal which leaves doubts as to its scope and could lead to difficulties of administration. There should be no such Chapter Note. (CAN, PHI, US).

Relevant HS Codes:

33.01 & 33.02

38.01, 38.03, 38.05, 38.07
39.01 through 39.14

ISSUE No. 8: PRODUCTION OF MIXTURES AND PREPARATIONS BASED ON SYNTHETIC ORGANIC COLOURING MATTER OF SUBHEADING 3204.19 USING COLOURING MATTER AND PREPARATIONS OF SUBHEADINGS 3204.11 THROUGH 3204.17

~~OPTION A: Yes~~

~~38. A change of classification from subheadings 3204.11 through 3204.17 to subheading 3204.19, or from any other heading if the Chapter Note on Mixtures and Blends is satisfied, is sufficient to reflect the substantial transformation of the input materials into a new good identified in the Harmonized System and classified in subheading 3204.19. There can be a high degree of confidence that the mixing operations which take place are expressed equally accurately by either the change of tariff classification at the subheading level or by the Chapter Note on Mixtures and Blends. Under these circumstances, the application of the rule would be facilitated for the user by allowing him to refer to the tariff shift criterion alone, without the necessity to determine whether the requirements of the Chapter Note on Mixtures and Blends have been satisfied.~~

~~The rule should be: (JPN, COL, NZ, CAN, MEX, EGY, US, CH, SG, PHI, EC, KOR):~~

~~CTSH; Chapter Note on Mixtures and Blends applies to goods within the subheading~~

~~OPTION B: Yes, provided~~

~~39. Considering that there cannot be any assurance that simple mixing and blending leading to subheading 3204.19 can be excluded by a change of heading rule, a Chapter Note on mixtures and blends would be more appropriate to reflect substantial transformation. This approach will provide the assurance that the resulting goods have in fact satisfied the relevant criteria for mixtures and blending, i.e., that the new goods have acquired new physical or chemical characteristics which are relevant to the purposes or uses of the good which are different from the input materials.~~

~~The rule should be:~~

~~CTH; Chapter Note on Mixtures and Blends applies to goods within the heading~~

~~Relevant HS Code:
3204.19~~

ISSUE No. 9: PRODUCTION OF PERFUMES AND TOILET WATERS OF HEADING 33.03 BY MIXING GOODS OF THE SAME HEADING OR BY USING GOODS OF 33.01 OR 33.02

OPTION A: Yes

40. The production of perfumes and toilet waters of heading 33.03 using essential oils and related goods of heading 33.01 or using mixtures of odoriferous substances and related goods of heading 33.02 results in substantial transformation of the input materials which is reflected by a rule of change of tariff heading without qualification. Also, the production perfumes and toilet waters from intermediate products classified in heading 33.03 in a manner which satisfies the Chapter Note on Mixtures and Blends expresses the substantial transformation which the intermediate products undergo. The preparation of perfumes and toilet waters of heading 33.03, whatever the source materials, results in new products with new commercial identities and characteristics, with or without a change of tariff classification. The Chapter Note on Mixtures and Blends should apply for heading

33.03 so as to take account of the significant expertise required to achieve the desired results in the finished products.

The rule should be: (CH, EGY, SG, PHI):

CTH; Chapter Note on Mixtures and Blends applies to goods within the heading

OPTION B: Yes, except for dilutions ~~and except for mixtures of perfumes or toilet waters~~

41. The perfumes and toilet waters of heading 33.03 derive their essential characters from the odoriferous substances classified in headings 33.01 and 33.02. If the production of perfumes and toilet waters is accomplished by dilution alone substantial transformation does not take place. ~~The Chapter Note on Mixtures and Blends should not be applied to confer origin upon mixtures of perfumes and toilet waters because the input materials do not impart any new odoriferous characteristics to the new goods.~~

The rule should be (US)(CAN) :

CTH except from headings 33.01 or 33.02 when this change results from mere dilution (Chapter Note on Mixtures and Blends not to apply).

~~OPTION C: Yes, except for the mere addition of alcohol to odoriferous substances or to perfume base and except for mixtures of perfume or toilet waters~~

~~42. The production of perfumes and toilet waters of heading 33.03 does not confer origin when the process consists of the mere addition of alcohol to odoriferous substances (33.01) or to perfume base (33.02). This is merely a dilution which does not change the essential characteristics of the input materials and cannot be considered as the last substantial transformation. On the other hand, the mixing or blending of perfumes or toilet waters of heading 33.03 is not a substantial transformation, these goods being final products ready for consumption. The mixing or blending of perfumes and toilet waters would result, in many cases, in adulterated products.~~

~~The rule should be (EC):~~

~~CTH except from headings 33.01 or 33.02 when this change results from the mere addition of alcohol to odoriferous substances or to a perfume base.~~

Relevant HS Code:

33.03

ISSUE No. 10: PRODUCTION OF: BEAUTY OR MAKE-UP PREPARATIONS AND PREPARATIONS FOR THE CARE OF THE SKIN (33.04); PREPARATIONS FOR USE ON THE HAIR (33.05) ; PREPARATIONS FOR ORAL OR DENTAL HYGIENE (3306.10 AND 33.06.90); AND SHAVING PREPARATIONS AND OTHER PERFUMERY, COSMETIC OR TOILET PREPARATIONS (33.07) USING OTHER PREPARATIONS CLASSIFIED IN THE SAME RESPECTIVE HEADINGS

~~OPTION A: Yes (using change of tariff classification and Mixtures Chapter Note)~~

~~43. Goods classified in subheadings of the respective headings are employed in the production of other goods of the respective headings. Also, the subheadings contain intermediate preparations which are used in the production of goods classified in the same subheadings. To express the~~

~~substantial transformations which result from such operations both the change of classification at the subheading level and the Chapter Note on Mixtures and Blends should apply.~~

~~The rule should be (CH, SG, EGY, HK, PHI for 3306.90 and 33.07):~~

~~CTSH or the Chapter Note on Mixtures and Blends~~

~~OPTION B: Yes (for changes between and not within subheadings)~~

~~44. The preparations classified in the various subheadings are used in the production of goods classified in different subheadings of the respective headings. These operations result in substantial transformation of the input materials. There are no substantial transformations which take place as a result of mixing and blending if no change of classification within the subheading takes place.~~

~~The rule should be (US, MEX, CAN, NZ, BRA, and JPN for 3306.10, COL for 3306.10, 3306.90 & 33.07):~~

~~CTSH with no Chapter Note on Mixtures and Blends~~

~~OPTION C: No~~

~~45. The preparations classified in the subheadings of the respective headings do not undergo substantial transformation when used to produce goods classified in the same respective headings. The preparations classified in these headings are final products which have been formulated and are already regarded as beauty or hygiene preparations. The fact that their use as base materials in the manufacture of other products might imply a change in classification is not relevant: each subheading covers a specific type of preparation which is not used in the manufacture of goods of other subheadings.~~

~~The rule should be (EC, JPN for 33.04, 33.05, 33.07 & 3306.90, COL for 33.04 & 33.05, PHI for 33.04, 33.05 & 3306.90):~~

~~CTH with no Chapter Note on Mixtures and Blends (EC proposes no such note for Chapter 33 as a whole)~~

~~Relevant HS Codes:~~

~~33.04, 33.05, 3306.10, 3306.90, 33.07~~

ISSUE No. 11: PRODUCTION OF DENTAL FLOSS FROM YARN

~~OPTION A: Yes~~

~~46. The production of yarn used to clean between the teeth, packed in individual retail packages (dental floss) using yarn classified in Section XI of the Harmonized System results in substantial transformation of the textile materials and should be considered as origin conferring.~~

~~The rule should be:~~

~~CTSH (CAN, COL, MEX, NZ, EGY, CH, PHI, EC)~~

~~CTH (EC, JPN, BRA)~~

~~OPTION B: Yes, except~~

~~47. The production of dental floss can be accomplished by the simple operations of cutting textile yarn to length and packaging it in individual retail packages. These operations should not be considered as resulting in the last substantial transformation of the textile yarn.~~

~~The rule should be (EC, JPN):~~

~~CTH, with the exclusion of mere cutting and packing of yarn of Section XI.~~

~~OPTION C: No~~

~~48. Textile yarn is does not undergo substantial transformation when used to produce dental floss. The dental floss should have the country of origin of the textile yarn.~~

~~The rule should be (US):~~

~~CTSH except from Chapter 54~~

~~Relevant HS Code Number:
3306.20~~

~~ISSUE No. 12: PRODUCTION OF FINISHED SOAP USING SOAP AND/OR OTHER SURFACE-ACTIVE PRODUCTS AND PREPARATIONS OF HEADING 34.01~~

~~OPTION A: Yes~~

~~49. Finished soap is a hardened product whose production may entail the use of soaps and other organic surface active agents of this heading. When such operations involve blending, kneading and shaping they result in substantial transformations and should be origin conferring.~~

~~The rule should be (SG):~~

~~CTHS, provided the change is the result of blending, kneading and shaping.~~

~~OPTION B: Yes, provided~~

~~50. The production of finished soaps using materials of heading 3401 is a substantial transformation if the Chapter rule on mixtures is fulfilled. Some finished soaps have specific characteristics such as medicinal, abrasive properties, etc. which make them different from the starting materials. The Chapter rule therefore covers the manufacture of finished soaps from soap or other surface active preparations of heading 3401. The rule should be (EC, JPN):~~

~~CTH, and Chapter rule on Mixtures and Blends understood to permit origin to be conferred by some operations involving change within the heading~~

~~OPTION C: No~~

~~51. The production of finished soap represents a change in form only and is not a substantial transformation when input materials from within heading 34.01 are used.~~

~~The rule should be (CH, COL, US, MEX, CAN, EGY, PHI, NZ, BRA, AUS, KOR):~~

~~CTH, and Chapter rule on Mixtures and Blends understood to not to confer origin by reason of the operations concerned.~~

Relevant HS Code:
ex 34.01(b)

ISSUE No. 13: PRODUCTION OF PAPER, WADDING, FELT OR NON-WOVENS: IMPREGNATED WITH SOAP OR DETERGENT OF HEADING 34.01; OR IMPREGNATED WITH POLISHES OR CREAMS OF HEADING 34.05

~~OPTION A: Yes~~

~~52. The impregnation of paper, wadding, felt or non-wovens with soap, detergent, polishes or creams in order to obtain a finished good modifies the characteristics of the paper or textiles used, which become a product suitable for industrial or other specific purposes (in hospitals, for travels, etc.). These products have cleaning or polishing properties the supports used did not possess before impregnation. Moreover, this proposal, which in principal covers textile products, should be linked with considerations regarding impregnation of textile fabrics, felt and non-wovens of Section XI.~~

~~The rule should be (EC, AUS, IND, CH):~~

~~CTHS~~

~~OPTION B: No~~

~~53. These operations bring about a change in the means of application of the soaps, detergents, polishes or waxes, but do not change their essential character. Substantial transformation does not take place.~~

~~The rule should be (COL, US, MEX, CAN, EGY, PHI, NZ, BRA JPN, KOR):~~

~~CTH~~

Relevant HS Codes:
ex 3401(a)
ex 34.05(b)

ISSUE No. 14: PRODUCTION OF SURFACE-ACTIVE PREPARATIONS OF SUBHEADINGS 3402.20 AND 3402.90 FROM INPUT MATERIALS OF ANY OTHER SUBHEADING

~~OPTION A: Yes~~

~~54. The production of surface active preparations using goods classified outside of these subheadings always involves mixing operations which should be considered as origin conferring.~~

~~The rule should be (JPN, COL, NZ, CAN, BRA, PHI, KOR)~~

~~CTH or the mixtures Chapter Note; or~~

~~(MEX, EGY, US, CH, SG, HK):~~

~~CTSH or the mixtures Chapter Note~~

~~These proposed rules are understood as having the same results.~~

~~OPTION B:~~

~~55. The production of surface active preparations of subheadings 3402.20 and 3402.90 may involve simple operations such as diluting a soap of heading 3401 with an organic solvent without changing the characteristics of the materials used. In order to exclude simple processes and given the existence of a Chapter rule on mixtures, such a rule would be applicable for surface active preparations, which result from mixing together surface active agents with other substances.~~

~~The rule should be (EC):~~

~~A split of subheadings 3402.20 and 3402.90 with the Mixtures Chapter Note as the only rule for surface active preparations classified in these subheadings.~~

~~Relevant HS Codes:~~

~~3402.20, 3402.90~~

ISSUE No. 15: PRODUCTION OF EGG ALBUMIN, NOT DRIED, FROM EGGS OR FROM DRIED EGG ALBUMIN

~~OPTION A: Yes~~

~~56. Egg albumin, not dried, is a distinct product whose production, either from eggs or from dried albumin, results in substantial transformation of the input materials.~~

~~The rule should be:~~

~~CTSH~~

~~OPTION B: Yes, except from dried egg albumin~~

~~57. The production of egg albumin, not dried, from eggs of Chapter 4 is a substantial transformation. However, the production of this good from dried egg albumin represents merely a hydration process which should not be origin conferring.~~

~~The rule should be (MEX):~~

~~CTSH except from subheading 3502.11~~

~~Or alternatively, with the same effect (COL,)~~

~~CTH~~

~~OPTION C: No~~

~~58. Obtaining egg albumin, not dried, is effectively a matter of obtaining egg whites from eggs of Chapter 4 and should not be recognised as substantial transformation. Relatedly, obtaining egg albumin, not dried from the dried good is a matter of mere hydration which also should not be recognised.~~

~~The rule should be (EC, US, JPN, EGY, CH, CAN, NZ, PHI):~~

~~CTH, except from headings 04.07 or 04.08 (CTH excludes change from dried egg albumin of subheading 3502.11)~~

Relevant HS Code:
3502.19

Other Considerations:

~~59. A related issue, on the removal of eggs from their shells, has been forwarded to the Committee as Issue No. 23 in Referral Document 42.146.~~

ISSUE No. 16: PRODUCTION OF INSTANT PRINT FILM USING PHOTOGRAPHIC PAPER OF HEADING 37.03

~~OPTION A: Yes~~

~~60. The preparation of an instant print film is different from that of a normal film, because in this case, there is no further processing after exposure: the development of the film takes place immediately. Consequently, the positive image plate and the chemicals for the image formation have to be included during the manufacturing process.~~

~~61. The preparation process is the following: the reagents are made up from several chemical ingredients, the chemical reaction taking from 7 to 18 hours. This substance is prepared in small paper envelopes which will be attached to individual flat photographic plate. Then, the positive sheet, the mask to form the environment of the photograph, the chemicals and the film are added together to create the instant print plate. The plates are then packed in special boxes together with a metal string and a battery.~~

~~62. Such a process is not comparable to simple cutting and should be regarded as a substantial transformation.~~

~~The rule should be (EC) (BRA, JPN, KOR, US):~~

~~CTH for subheading 3701.20 (instant print film in the flat)~~

~~CTH except from heading 37.01 for subheading 3702.20 (instant print film in rolls)~~

~~OPTION B: No~~

~~63. The production of instant print films of heading 37.01 or 37.02 from photographic paper of heading 37.03 results from minor operations including cutting to size and should not be regarded as substantial transformation.~~

~~The rule should be (MEX):~~

~~CTH except from headings 37.02 or 37.03 for 3701.20~~

~~CTH except from headings 37.01 or 37.03 for 3702.20~~

Relevant HS Codes:
3701.20, 3702.20

ISSUE No. 17: PRODUCTION OF CHEMICAL PREPARATIONS FOR PHOTOGRAPHIC USES USING OTHER CHEMICAL PREPARATIONS OF THE SAME HEADING

OPTION A: Yes

~~64. The Explanatory Notes for Heading 37.07 indicate that although some of the goods classified in the heading are unmixed, others are obtained by mixing or compounding two or more substances for photographic use. It thus is appropriate to lay down origin criteria which would permit origin to be conferred by mixing or blending operations, including the mixing or blending of goods of this heading. The change of classification criterion alone is not sufficient to express these substantial transformations.~~

~~The rule should be (CH)(EC)(HK)(JPN)(KOR)(US):~~

~~CTH or Chapter Note on Mixtures and Blends~~

~~OPTION B: No~~

~~65. Change within heading 37.07 is not substantial transformation; no Chapter Note on Mixtures and Blends should be applied. (CAN) (BRA)(PHI)~~

~~Relevant HS Code:~~

~~37.07~~

ISSUE No. 18: REFINING OF TALL OIL

~~OPTION A: Yes~~

~~66. The refining of tall oil is a substantial transformation of crude tall oil. Change from crude to refined tall oil is origin conferring. The refining processes used include distillation, solvent refining and treatment with activated earths.~~

~~The rule should be (CH, EC, NOR, JPN, KOR, BRA):~~

~~Change from crude oil to refined oil is origin conferring~~

~~OPTION B: No~~

~~67. Refined tall oil is a mixture of fatty acids and resin acids. Refining tall oil involves removal of certain impurities found in crude tall oil by simple processes such as solvent extraction or treatment with activated earth.~~

~~The rule should be (US) (PHI)(CAN):~~

~~Change from crude to refined tall oil is not origin conferring~~

~~Relevant HS Code:~~

~~38.03~~

ISSUE No. 19: PRODUCTION OF GOODS OF HEADING 38.08 USING INPUT MATERIALS CLASSIFIED WITHIN THE HEADING

OPTION A: Yes

~~68. Numerous formulations of insecticides, fungicides, herbicides and disinfectants of 38.08 are produced by mixing or blending intermediate preparations of adjacent subheadings. These mixing and blending operations using the intermediate preparations will always satisfy the Chapter Rule for Mixtures and Blends; change of tariff classification at the subheading level is an alternative criterion~~

~~which also expresses these substantial transformations. Given that this is so, it is preferable to invite the user to rely in the first instance upon this criterion instead of being obliged to make a separate determination of whether the particular mixing or blending operation satisfies the Chapter Rule. Not to provide the CTSH criterion would be inconsistent with the reality of the production operations which take place for the goods of this heading.~~

~~The rule should be (SG):~~

~~CTSH~~

~~OPTION B: Yes, provided~~

~~69. In general, the goods identified by the subheadings of heading 3808 are differentiated by use and are either intermediate or ready for use preparations. Changes at the subheading level could take place as a result of changes in applications alone, whereas changes to an intermediate preparations to a finished product does not imply a change of classification (both goods are falling under the same subheading).. It is thus appropriate to require that, to the extent any goods are produced using goods classified in the same heading, origin is conferred only if the operations satisfy the Chapter Note on Mixtures and Blends or other relevant Chapter Notes.~~

~~The rule should be (EC, CAN, JPN, US, NZ, BRA, CH, MEX, IND):~~

~~CTH or Chapter Note on Mixtures and Blends~~

~~ISSUE No. 20: PRODUCTION OF GOODS OF HEADING 38.09 USING INPUT MATERIALS CLASSIFIED WITHIN THE HEADING~~

~~OPTION A: Yes~~

~~70. The production of the finishing agents and dye carriers of heading 38.09 involves mixing or blending intermediate preparations of adjacent subheadings. These mixing and blending operations using the intermediate preparations will always satisfy the Chapter Rule for Mixtures and Blends; change of tariff classification at the subheading level is an alternative criterion which also expresses these substantial transformations. Given that this is so, it is preferable to invite the user to rely in the first instance upon this criterion instead of being obliged to make a separate determination of whether the particular mixing or blending operation satisfies the Chapter Rule. Not to provide the CTSH criterion would be inconsistent with the reality of the production operations which take place for the goods of this heading.~~

~~The rule should be (SG, US, **KOR**):~~

~~CTSH~~

~~OPTION B: Yes, provided~~

~~71. In general, the goods identified by the subheadings of heading 3809 are differentiated by use and are either intermediate or ready for use preparations. Changes at the subheading level could take place as a result of changes in applications alone, whereas changes to an intermediate preparations to a finished product does not imply a change of classification (both goods are falling under the same subheading). It is thus appropriate to require that, to the extent any goods are produced using goods classified in the same heading, origin is conferred only if the operations satisfy the Chapter Note on Mixtures and Blends or other relevant Chapter Notes.~~

~~The rule should be (EC, CAN, JPN, NZ, BRA, CH):~~

~~CTH or Chapter Note on Mixtures and Blends~~

~~Relevant HS Code:~~

~~38.09~~

ISSUE No. 21: PRODUCTION OF GOODS OF HEADING 38.11 USING INPUT MATERIALS CLASSIFIED WITHIN THE HEADING

OPTION A: Yes

~~72. The production of the anti knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers and other preparations of heading 38.11 may entail mixing or blending intermediate preparations of adjacent subheadings. These mixing and blending operations using the intermediate preparations will always satisfy the Chapter Rule for Mixtures and Blends; change of tariff classification at the subheading level is an alternative criterion which also expresses these substantial transformations. Given that this is so, it is preferable to invite the user to rely in the first instance upon this criterion instead of being obliged to make a separate determination of whether the particular mixing or blending operation satisfies the Chapter Rule. Not to provide the CTH criterion would be inconsistent with the reality of the production operations which take place for the goods of this heading.~~

~~The rule should be (SG, KOR):~~

~~CTSH~~

~~OPTION B: Yes, provided~~

~~73. In general, the goods identified by the subheadings of heading 3811 are differentiated by use and are either intermediate or ready for use preparations. Changes at the subheading level could take place as a result of changes in applications alone, whereas changes to an intermediate preparations to a finished product does not imply a change of classification (both goods are falling under the same subheading). It is thus appropriate, to ensure that the operations result in substantial transformation, to require that for any goods produced using goods classified in the same heading, origin is conferred only if the operations satisfy the Chapter Note on Mixtures and Blends or other relevant Chapter Notes.~~

~~The rule should be (EC, CAN, US, JPN, NZ, BRA, CH, MEX):~~

~~CTH or Chapter Note on Mixtures and Blends~~

~~Relevant HS Code:~~

~~38.11~~

ISSUE No. 22: WORKING, POLISHING, OR COATING OF CHEMICAL COMPOUNDS DOPED FOR USE IN ELECTRONICS

OPTION A: Yes

74. Doped chemical **elements** in the form of cylinders or bars are classified in Chapter 28. Their cutting into discs or wafers followed in some cases by polishing or coating with an epitaxial layer result in a change to heading 3818. It is agreed that CTH would apply.

75. Regarding doped chemical **compounds**, they are classified in heading 3818 whatever their form. They can undergo the same processes as described above. For coherence, it is then proposed to consider that the cutting of cylinders or bars into discs or wafers also confers origin for doped chemical compounds.

76. As far as polishing and coating with an epitaxial layer are concerned, these processes are carried out in precised conditions for use in micro-electronics. The latter allows a mutual orientation of crystals of different substances, due to close similitudes in combination of atoms in their common face. Polishing and coating should therefore be regarded as substantial transformations. Substantial transformation takes place when chemical compounds are worked into new forms (i.e., from discs into wafers), or when they are polished and/or coated with an epitaxial layer. These operations entail significant complexity and skill which result in micro-electronics products with new performance characteristics.

The rule should be (EC, PHI, KOR, SG, CH):

CTH, or change within this heading following the cutting into discs, wafers or similar forms, polishing or coating with an epitaxial layer

~~OPTION B: Yes~~

~~77. Agree with Option A that substantial transformation takes place.~~

~~The rule should be (SG):~~

~~[The CIF value of non-originating raw materials imported and used in the production does not exceed 75 % of the ex factory price of the goods. The method of calculating foreign content is as follows :~~

~~foreign content = $\frac{\text{CIF Value of Non-originating material} \times 100\%}{\text{Ex factory price}}$ < 75%~~

~~where Ex Factory price = total materials cost + direct labour costs + overheads costs + profits (SG)]~~

OPTION C: No

78. The working, polishing or coating of doped chemical elements does not result in substantial transformation.

The rule should be (JPN, US, CAN, MEX, NZ, TUR, IND, BRA):

CTH

Relevant HS Code:
38.18

ISSUE No. 23: PRODUCTION OF ISOLATED ENZYMES AND ENZYME CONCENTRATES FROM ENZYMES

~~OPTION A: Yes~~

~~79. Isolated enzymes and enzyme concentrates are derived from enzymes for specialized applications such as pharmaceutical uses, food processing, textile production and paper manufacturing. Various techniques are employed to produce these goods. Isolated enzymes may be produced by chemical or~~

~~non-chemical extraction, while concentrates also may be made by chemical or non-chemical means. The goods produced are new goods created for pre-determined purposes and should be considered as having undergone substantial transformation.~~

~~80. Change of tariff classification at the heading or subheading level is insufficient to express the change from enzymes to isolated or concentrated enzymes because almost all of the changes described take place within the subheadings without any change of tariff classification. The rules at the chapter level concerning purification and chemical reaction also are insufficient to cover all of the ways in which the isolated and concentrated enzymes are produced. It is therefore necessary to provide for separate identification of isolated and concentrated enzymes so as to indicate in the rules of origin that change from enzymes to these goods is origin conferring. The rule should be (US) (PHI): CTHS~~

~~OPTION B: Yes, provided~~

~~81. The change from enzymatic concentrates to isolated enzymes or from isolated enzymes or concentrates to prepared enzymes can be regarded as a substantial transformation insofar as chapter rules are satisfied.~~

~~82. Isolated enzymes are actually obtained by isolation or purification of enzymes concentrates. Chapter rule on purification is applicable to them.~~

~~83. Enzymatic concentrates are usually extracted from animal organs, plants, microorganisms or culture broths. Lastly, prepared enzymes are obtained by dilution of concentrates or by intermixing isolated enzymes or enzymatic concentrates. Therefore, chapter rule on mixtures applies to these products and CTH is the appropriate criterion for heading 35.07. (EC)~~

The rule should be:

CTH (COL, CAN, NZ, EGY, EC, JPN, CH) or
CTSH (MEX)

Relevant HS Code: 35.07

ISSUE No. 24: SHOULD THE ADDITION, WHETHER OR NOT IN COMBINATION, OF DILUENTS ONLY OR OF THE ADDITIVES ENUMERATED IN HS CHAPTER NOTE 1(F) AND 1(G) TO CHAPTER 29 FOR THE PURPOSES INDICATED THEREIN, BE DISREGARDED IN DETERMINING THE ORIGIN OF THE GOOD?

OPTION A: Yes (US)(CAN)(PHI)

84. For purposes of Chapters 30 to 38, the addition of the substances identified in Note 1 to Chapter 29 for the purposes identified therein is not origin conferring.

85. Note 1 to Chapter 29 identifies a number of substances which may be added to the products of that chapter without changing the classification of the product. This is due to the fact that the addition of the substances is considered so minor with respect to the character of the good that the good retains its identity as the original chemical product, even though mixtures are generally excluded from that chapter.

86. For similar reasons the addition of such substances such as anti-dusting agents, or stabilizers for the preservation or transport of the products of these chapters, or the addition of an odoriferous

substance or colouring agent simply to identify the products, are simply too minor in terms of the effect on the goods to be considered origin conferring. They are properly understood as minimal operations or processes which should be disregarded for origin purposes.

OPTION B: No (EC, KOR)

87. During the 11th Session different chapter rules in the chemical chapters were adopted by the Technical Committee as Basket 1. After adopting these rules, a proponent of Option A put forward a request to introduce "non-origin conferring processes" for the chapters 28 to 38 as indicated in the notes 1 (f) and (g) to Chapter 29. The exclusions are mainly addressed to restrict the application of the mixture rule. Based on this request, the Technical Committee agreed to introduce certain minimal operations identified in Note 1 to chapter 29 in the mixture rule of the chapters 28 and 29, reopening a Basket 1 decision. This decision was acceptable because in the chapters 28 and 29 are classified - with minor exceptions - chemically defined compounds.

88. Chapters 30 to 38 instead cover mainly preparations and mixtures which need the addition of some components mentioned in Note 1 to chapter 29. Some Members have therefore refused to reopen the Basket 1 mixture rule for chapters 30 to 38 and have also refused to introduce further such restrictions under a rule setting out on "non-origin conferring processes".

89. There must be no contradiction between the "non-origin conferring processes" and specific origin conferring processes rules already agreed under Basket 1 Chapter rules. The necessary specific minimal operations have already been excluded from these specific chapter rules.¹

90. In addition, the proposal of "non-origin conferring processes" is linked with the template on General Rule 5 on minimal operations and processes where similar concerns were expressed.

Relevant HS Codes: Chapters 30-38

ISSUE NO. 25: PURIFICATION RESULTING IN A GOOD SUITABLE FOR NON-TOXIC USES FOR HEALTH AND SAFETY

~~OPTION A: Yes~~

~~91. In the chemicals sector the Technical Committee has generally seen fit to adopt a rule providing that purification of a good is origin conferring. Under the first part of the purification rule the elimination of 80 percent of the content of existing impurities confers origin. In the second part of the rule, presumably where less than 80 percent of the existing impurities might be removed, origin is nevertheless conferred when the reduction or elimination of impurities results in a good suitable for certain enumerated applications.~~

~~92. The reduction or elimination of impurities to produce a good suitable for non-toxic uses for health and safety should be included in the enumerated purification applications and, consequently, should be considered as origin conferring. This application differs from the enumerated pharmaceutical, medical, cosmetic, veterinary or food grade uses. The standard of purification, which is being~~

¹ Examples:

Chemical reaction : exclusion only of dissolving in water or other solvents, elimination of solvent including solvent water, addition or elimination of water of crystallization.

Mixtures and blends : Chapters 28-29: exclusion of the addition of diluents only or additives enumerated in HS Chapter Note 1(f) and 1(g) to Chapter 29 for the purposes indicated therein (precisely, i.e. transportation and storage), to be disregarded in determining the origin of the good.

achieved, is not necessarily found under the pharmaceutical, medical, cosmetic, veterinary or food grade applications. While a specific level of reduced toxicity necessary for safe use in human or animal applications is the objective, the source of the standard may be a consumer safety agency, private industry association or proprietary standard. In all cases, however, the standard is objective. Without the attainment of the specified standard the good is not suitable for its intended use. A prime example of the kind of good covered by this provision in the purification rule is children's toys, which must meet precise standards of reduced toxicity for safe use.

93. The purification rule for the chemicals sector should include a provision recognizing that origin is conferred when the reduction or elimination of impurities results in a good suitable for non-toxic uses for health and safety. (THA)

~~OPTION B: No~~

94. The proposed provision should not be included under the purification rule. Given the lack of world wide defined standards of reduced toxicity for the goods and activities described, the application of the rule will produce inharmonious results. What could constitute an origin-conferring purification operation in one country might be only a minimal operation in another. Such outcomes are not in keeping with the purposes of harmonization of non-preferential rules of origin.

95. Apart from this, there can be a high degree of confidence that most of the applications described, if not all of them, are taken up in the existing provision covering purification for pharmaceutical, medical, cosmetic, veterinary or food grade substances. The proposed rule should not be included as an origin-conferring purification operation. (IND, EC, US, PHI, KOR, CH)

Relevant HS Codes: Purification Rule for Chapters 28-35, 38-39.

ISSUE No. 26: CHAPTER NOTE ON CHEMICAL REACTION: INCLUSION OF A REQUIREMENT RELATING TO THE PERCENTAGE BY WEIGHT OF THE MONOMER UNITS WHICH MUST UNDERGO MODIFICATION.

~~OPTION A: Yes~~

96. The requirement that more than 30 percent by weight of the monomer units undergo a chemical reaction is needed to reasonably ensure that the chemical reaction(s) which take place are, in fact substantial and origin-conferring. Without such a requirement it is entirely possible that operations could be performed which affect only the surface of the plastic material, e.g., by painting, coating, or bonding, and consequently that a very small volume of the material is affected by the chemical reaction. The 30 percent standard is proposed because, from a technical point of view, this is the minimum level of affected volume which can be identified by available methods of measurement. The Chapter Note on Chemical Reaction should specify (CAN):

———The products are considered to have undergone a chemical reaction only if more than 30% by weight of the monomer units in the total polymer content have undergone a modification which results in the breaking of the bonds of the appendages to the main polymer chain and by forming new intramolecular bonds or by altering the spatial arrangement of the atoms of the appendages.

97. Correspondingly, the rule of origin at the product-specific level should be:

CC or Chapter Rules (CAN)

———so that the applicable rule of origin for any change between the relevant headings or subheadings is the Chapter Note on Chemical Reaction or the Chapter Note on Mixtures and Blends.

~~OPTION B : No~~

~~98. The proposed additional requirement for the Chapter Note on Chemical Reaction is not appropriate. In the context of the goods of Chapter 39, there are numerous operations which would not satisfy the 30 percent requirement but which are the result of chemical reaction(s) and impart essential new properties and performance characteristics which should be considered to confer origin.~~

~~99. More generally, there does not seem to be a justification for the 30 percent requirement for the goods of Chapter 39 when no such requirement has been agreed or even proposed for the preceding chapters in the chemicals sector. After much consideration the Technical Committee agreed upon a general definition of chemical reaction for the entire sector, having concluded that operations which resulted in chemical reactions were reflective of substantial transformation of the goods. The standard definition of chemical reaction should be the Chapter Note for chapter 39 as well. (EC, SG, US, CH, JPN, BRA, PHI).~~

~~100. Correspondingly, the rule of origin at the product specific level should be:~~

~~CTSH (SG)~~

~~CTH (JPN, EC, CH, US, BRA, NZ)~~

~~Relevant HS Codes:
39.01 through 39.14~~

~~Reference:
Doc. 42.210 (CAN)~~

ISSUE No. 27 : CHAPTER NOTE ON MIXTURES AND BLENDS : INCLUSION OF A REQUIREMENT RELATING TO THE ALLOWABLE PERCENTAGE OF NON-ORIGINATING POLYMERIC COMPONENTS

~~OPTION A : Yes~~

~~101. There is a need in Chapter 39, by reason of the nature of the rubber and polymeric materials concerned, to ensure that the mixing or blending operations which are to be considered origin conferring are, in fact, substantial. For this purpose it is appropriate to require that a significant proportion of the polymeric content of a good produced by mixing or blending originates in the country where the mixing or blending takes place. The Chapter Note should include the requirement that no more than 60 percent by weight of the total polymeric component in the finished good originates from a country other than the country where the blending occurred for origin to be conferred upon the resulting good. (CAN)~~

~~102. Correspondingly, the rule of origin at the product specific level should be:~~

~~CC or Chapter Rules (CAN)~~

~~so that the applicable rule of origin for any change between the relevant headings or subheadings is the Chapter Note on Chemical Reaction or the Chapter Note on Mixtures and Blends.~~

~~OPTION B : No~~

~~103. — The proposed requirement would be unduly restrictive and, moreover, difficult to administer because identifying the required percentage of material would pose burdens upon Customs Administrations and end users. The Chapter Note on Mixtures and Blends as used for other Chapters in the Chemicals and related sectors is a sufficient alternative criterion for the goods of Chapter 39. It would ensure that origin is conferred when mixing or blending results in a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials.~~

~~———— Correspondingly, the rule of origin at the product specific level should be:~~

~~CTSH (SG)~~

~~CTH (JPN, EC, CH, US, BRA, PHI, NZ)~~

~~Relevant HS Codes:~~

~~Chapter 39 (scope within the Chapter to be determined)~~

~~ISSUE No. 28 : SHAPING AND FURTHER PROCESSING OF SEMI-FINISHED ARTICLES OF HEADINGS 39.16, 39.17, 39.19, 39.20 AND 39.21~~

~~OPTION A : Yes~~

~~104. — Numerous operations performed upon goods of these headings result in substantial transformation without change of classification. The operations concerned are: cold drawing, hand-fabricating thermoforming, laminating, forming of vulcanized fibre, bonding of plastics and machining. These substantial transformations should be covered in a Chapter Note to provide as follows: (EC, CH, PHI, KOR):~~

~~The following shaping and other processes on semi-finished articles in order to obtain finished articles are regarded as substantial transformations:~~

~~Cold drawing, hand-fabricating thermoforming, laminating, forming of vulcanized fibre, bonding of plastics, machining~~

~~105. — In addition, a specific criterion should be provided regarding the coating of articles of heading 3916 with an adhesive layer. Indeed, for articles of heading 3919, a CTH rule is agreed, which recognizes the coating of articles of other headings with auto-adhesive layers as substantial. Given that articles of heading 3916 remain classified in the same heading after coating with an adhesive layer, a specific rule should be elaborated for a change within the heading.~~

~~OPTION B: Yes (for lamination or reinforcement within headings 39.19 and 39.21)~~

~~106. — The operations of laminating or reinforcing plastics with plastics or other materials results in substantial transformation within headings 39.19 and 39.21. However, the operations described in Option A other than lamination or reinforcement do not result in substantial transformation, and there should be no Chapter Note to this effect. The rule at the heading level should be (US) (BRA)(CAN)(NZ):~~

~~CTH: or Change within the heading to reinforced, laminated or supported material, provided supplementary criteria are satisfied.~~

~~OPTION C: No~~

~~107. — No substantial transformation takes place when these operations are performed on plastics goods of these headings. The rule should be:~~

~~CTH~~

~~Relevant HS Codes:~~

~~39.16, 39.17, 39.19, 39.20, 39.21~~

ISSUE No. 29: VACUUM DEPOSITION OF METAL ON THE SURFACE OF PLASTICS OF HEADINGS 39.20 AND 39.21

OPTION A: Yes

~~108. — The treatment of plastics by the vacuum deposition of metal on their surfaces imparts highly important anti-static properties which make the plastics suitable for wrapping or holding certain goods. The technical process carried out is the following : Individual parts are held on rotating supports, sheets on reeling mechanism, in high-vacuum tanks. There they are coated with a 0.1 to 1 µm thick layer of metal, which has been volatilized by electrical heating. Above 0.2 µm the metallic coating becomes opaque. Gas-producing (plastizier-containing) plastics require a primer lacquer while mirror-like thin metallic coatings need a protecting lacquer. Thicker layers may be added by *electroplating*. The parts have to be immersed in etching baths to chemically roughen up the surface; the roughened surfaces are activated in baths containing solutions of noble metal salts so that firmly cohering copper coatings can be precipitated from copper baths onto the plastic surfaces without current. These are then further coppered, nickelled or chromed to the desired layer thickness by electroplating.~~

~~109. — As metallized films or sheets have new properties (effective antistatic action, important for packing electronic goods; mirror quality) and do not necessarily undergo a change of classification, a supplementary criterion is therefore proposed for products of headings 3920 and 3921. The rule should be (EC, CH, IND, PHI, JPN)(CAN)(KOR)(NZ):~~

~~CTH or change within the heading following the vacuum deposition of metal on the surface of plastics.~~

OPTION B: No

~~110. — Vacuum deposition of metals does not result in substantial transformation of plastics. The coatings in question are of the thinnest possible kind, often used to decorate or impart shine to make the good have the appearance of a metal good. The rule should be (US, **BRA**):~~

~~CTH~~

~~Relevant HS Codes:~~

~~39.20, 39.21~~

~~Reference:~~

~~42.348 (EC)~~

ISSUE No 30: ASSEMBLY OF GOODS OF HEADINGS 39.25 AND 39.26 USING GOODS CLASSIFIED WITHIN THE RESPECTIVE HEADINGS

OPTION A: Yes

111. Given that the goods used in the assembly of the goods of these headings, including parts and components of these articles, may be classified within the same headings, it is appropriate to provide that the assembly of articles from parts results in substantial transformation. The rule should be (US, CAN, IND, KOR, PHI, CH (for 39.25)):

CTH or assembly of articles from parts or components classified within the heading.

OPTION B: No

112. Assembly of parts into articles of headings 3925 and 3926 is not a substantial transformation. The articles covered in these headings are either composed of a small number of parts (reservoirs and other containers, office or school supplies) or assembled by the end user (doors and windows and their frame). The rule should be: (EC, JPN, BRA)

CTH

N.B. : The TCRO has agreed that the rule of origin for the goods of subheading 3926.20 (articles of apparel and accessories) will be the rule agreed by the Committee on Rules of Origin for textile articles of apparel.

Relevant HS Codes:

39.25, 39.26

CHAPTER 40

ISSUE NO.31: CHAPTER NOTE ON MIXTURES AND BLENDS : INCLUSION OF A REQUIREMENT RELATING TO THE ALLOWABLE PERCENTAGE OF NON-ORIGINATING POLYMERIC COMPONENTS

~~OPTION A : Yes~~

~~113. — There is a need in Chapter 40, by reason of the nature of the rubber and polymeric materials concerned, to ensure that the mixing or blending operations which are to be considered origin conferring are, in fact, substantial. For this purpose it is appropriate to require that a significant proportion of the polymeric content of a good produced by mixing or blending originates in the country where the mixing or blending takes place. The Chapter Note should include the requirement that no more than 60 percent by weight of the total polymeric component in the finished good originates from a country other than the country where the blending occurred for origin to be conferred upon the resulting good. (CAN)(NZ)~~

~~OPTION B : No~~

~~114. — The proposed requirement would be unduly restrictive and, moreover, difficult to administer because identifying the required percentage of material would pose burdens upon Customs Administrations and end users. The Chapter Note on Mixtures and Blends as used for other Chapters in the Chemicals and related sectors is a sufficient alternative criterion for the goods of Chapter 40. It would ensure that origin is conferred when mixing or blending results in a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials. (EC, SG, US, CH, JPN, BRA).~~

Relevant HS Codes:

Chapter 40 (scope within the Chapter to be determined)

ISSUE NO. 32: PRODUCTION OF RUBBER IN SMOKED SHEETS, TECHNICALLY SPECIFIED RUBBER, AND OTHER NATURAL RUBBER IN FORMS USING RUBBERS CLASSIFIED IN THE SAME HEADING

OPTION A: Yes

115. The production of rubbers of subheadings 4001.21, 4001.22 or 4001.29 results in substantial transformation of the products of other subheadings in heading 40.01 and is deemed origin conferring. While there is a pattern for some of these rubbers that they are normally produced in the country in which the raw material - latex - is obtained, it is also the case that there is cross-border activity in which non-originating input materials are used to produce goods of subheadings 4001.21, 4001.22 and 4001.29. The production process often involves significant mixing and blending operations. So that the rule at the product-specific level is consistent with the origin outcome when a Chapter Note on mixtures and blends is applied, the origin rule proposed is: "CTSH" (CAN)(MEX)(SG)(US)(NZ)(JPN)(KOR).

OPTION B: No

116. All types of rubber in primary forms or in plates, sheets or strip of heading 40.01 are products wholly obtained in one country. There is no substantial transformation which takes place when rubber of one subheading is used to produce rubber in another form classified in the same heading. The origin rule should be: "The origin of the goods shall be the country in which the goods of this heading are obtained in their natural or unprocessed state". (EC, IND)

Relevant HS Codes:

4001.21, 4001.22, 4001.29

Reference Document:

41.504 (SG)

ISSUE No. 33: PRODUCTION OF SYNTHETIC RUBBER PLATES, SHEETS OR STRIP OF HEADING 40.02 FROM LATEX CLASSIFIED IN THE SUBHEADINGS OF 40.02

OPTION A: Yes

~~117. — For products of subheadings 4002.11 to 4002.70, the origin rule of "CTH" is appropriate and sufficient to express substantial transformation as the input products are classified in other headings. However, it is considered that a change to plates, sheets or strip of one of these subheadings from latex of the same subheading also involves significant processing to produce new products of different characteristics, forms and uses.~~

~~118. — To reflect this change which is deemed origin conferring, the origin rule "CTH" for subheading 4002.11 to 4002.70 should be modified to read "CTH; or change to plates, sheets or strip of this subheading from latex of the same subheading". (KOR, PHI)~~

OPTION B: No

~~119. — The change from synthetic rubber latex to synthetic rubber plates, sheets or strip is not a substantial transformation. The rule should be:~~

~~CTH (CAN, NZ, EC, US, CH) (JPN) (BRA)~~

Relevant HS Codes:

4002.19; 4002.20; 4002.31; 4002.39; 4002.49; 4002.49; 4002.60; 4002.70; 4002.99

ISSUE NO. 34: PRODUCTION OF GOODS OF HEADING 40.05 FROM OTHER PRODUCTS OF THE SAME HEADING

OPTION A: Yes

~~120. — Changes among products of the same heading may involve significant processing and are therefore origin conferring. For example, plates, sheets and strip (subheading 4005.91), consisting of textile fabrics not more than 50% by weight, are produced by combining textile fabrics with compounded rubber (subheading 4005.10) through calendering, “gumming” or both processes. The origin rule proposed for products of this heading is :~~

~~“CTSH”. (CH)(KOR)~~

OPTION B: No

~~121. — The products of heading 40.05 are obtained through compounding of natural rubber, synthetic rubber, etc. with or without mineral oils or other ingredients. Resulting from such processing, the input products have been substantially changed to form a new and different product. As the input materials and the resultant products are classified in different headings, “CTH” is therefore an appropriate origin rule to express the substantial transformation so caused. (JPN) (US) (EC)(NZ)(MEX)(CAN)~~

Relevant HS Code:

40.05

ISSUE NO. 35: CONVERSION OF UNVULCANISED RUBBERS IN FORMS (FOR EXAMPLE, RODS, TUBES AND PROFILE SHAPED PRODUCTS) INTO ARTICLES OF UNVULCANISED RUBBER (FOR EXAMPLE, DISCS AND RINGS)

~~122. — Heading 40.06 refers to unvulcanised rubber in forms (e.g., rods, tubes and profile shapes) and articles thereof. These products are grouped into two subheadings:~~

~~4006.10 — “Camel back” strips for retreading rubbers tyres~~

~~4006.90 — Other~~

OPTION A: Yes

~~123. — The conversion of products of subheading 4006.10 from input products of subheading 4006.90 represents a substantial transformation and is origin conferring. The origin rule proposed is “CTSH”. (MEX)(US)(PHI)(KOR)~~

~~124. — In respect of subheading 4006.90, it covers both (a) unvulcanised rubber in the forms of rods, tubes and other profile shapes and (b) articles other than those of subheading 4006.10. A change from (a) to (b) or vice versa is also deemed origin conferring. The origin rule proposed is :~~

~~“CTSHS”. (MEX)(US)~~

OPTION B: No

~~125. The conversion of unculvanised rubber in whatever forms to articles thereof is effected through simple operations and cannot therefore be taken as origin conferring. Substantial transformation is deemed to have occurred only when the goods of heading 40.06 were made from products of other headings. The origin rule proposed is :~~

~~“CTH”. (JPN) (EC) (NZ) (BRA)~~

~~OPTION C: No~~

~~126. Substantial transformation is only deemed to have occurred under the following circumstances:~~

~~(a) A change to products of heading 40.06 from material of any other heading, except from heading 40.05 which covers compounded rubber, unculvanised, in primary forms or in plates, sheets or strip; or~~

~~(b) A change from products of heading 40.05, provided that the Chapter Note on Mixtures and Blends has been met.~~

~~127. The origin rule proposed for the products is as follows: “CTH, except from heading 40.05; or a change to this heading from heading 40.05, provided that the Chapter Note on Mixtures and Blends is met.” (CAN)~~

~~Relevant HS Codes:~~

~~4006.10, ex 4006.90 (a), ex 4006.90 (b)~~

~~ISSUE NO. 36: CHANGE WITHIN HEADING 40.08~~

~~OPTION A: Yes~~

~~128. The above conversion entails a substantial transformation. The origin rule proposed is :~~

~~“CTSH”. (CH) (PHI)~~

~~OPTION B: No~~

~~129. The conversion is too simple to bring about substantial transformation. The rule proposed is :~~

~~“CTH”: (JPN, US, NZ, CAN, MEX, EC)(BRA)~~

~~Relevant HS Code:~~

~~40.08~~

~~ISSUE NO. 37: ORIGIN CRITERIA FOR USED PNEUMATIC TYRES (Use and Collection)~~

~~OPTION A : Tariff Criteria; no substantial transformation by use or collection~~

~~130. The Philippine delegation cannot accept the application of the Ottawa language of the type used for scrap and waste for used pneumatic tires of 4012.20 in the proposed text.~~

~~(1) First, the Committee has agreed that using a product does not change its origin. Thus the origin of used tires is the same as new tires.~~

(2) — ~~Agreement in the use of the Ottawa language is only for products that fit the description of waste and scrap — products which can no longer perform the purpose for which they were produced and are fit only for disposal or recovery of raw materials. Obviously, this does not apply to used tires of heading 4012.20 since used tires can either be reused as tires or retreaded to perform their original function.~~

(3) — ~~It is noted that in the definition of wholly obtained goods, there is a bracketed paragraph (g), for which no agreement has been reached to use the Ottawa language for articles collected. But even this bracketed text specifies that such articles are those which can no longer perform their original function nor are capable of being restored or repaired.~~

(4) — ~~It is pointed out by the proponents of Ottawa language for 4012.20 that the proposal is attractive to them due to commercial reality. I take this to mean that this will facilitate the trade of those countries who collect used tires for export, and those who import them will not have to determine separate origins for a shipment of collected tires.~~

(5) — ~~However, this is only one side of commercial reality in this case. Since the term “used” includes tires that are almost like new, a change of origin simply by collection in a third country could nullify country specific tariff measures to remedy unfair trade practices. In addition, because terms such as “used” or “showing signs of appreciable wear “ are subjective, there is the probability that it can be exploited to take advantage of tariff differentials that exist in some countries between new and used tires. To my delegation, this is also commercial reality which lead us not to accept the present proposal.~~

(6) — ~~It is pointed out that the decision on worn clothing of 63.09 justifies a similar decision on used tires. My delegation has a reservation on this. First, since the 63.09 decision clearly is a departure from the agreed use of the Ottawa language, its validity has yet to be tested in the review of overall coherence to be undertaken by the CRO. Our view therefore is that this decision should not be used as a precedent. Rather, individual cases should be examined taking the particular circumstances of all Members.~~

(7) — ~~The TCRO took the 63.09 decision also on the basis of “commercial reality”. However, this is one where all TCRO Members could agree to an exception on the Ottawa rule. However, given what I have explained we are not ready to join a similar consensus on used tires. We maintain our original position for a uniform rule on used tires of 4012.20 (CTSH except from heading 40.11 (PHI)).~~

~~OPTION B : Criteria derived from Ottawa language~~

131. — ~~A practical approach is necessary for these goods. While it could be accepted as a general matter that use, as such, does not result in substantial transformation, it is a commercial reality that the collection and international trade of used tyres is a substantial activity. The tracking of the original countries of manufacture of such collected tyres poses an insurmountable burden for traders and Customs Administrations. Given that all goods must have origin assigned to them, a reasonable approach is that the origin of used tyres should be the country in which the goods were last collected and packed for shipment. (EC, US, NZ, MEX, CH, IND).~~

~~OPTION C : Split subheading to use both tariff criteria and Ottawa criteria~~

132. — ~~The principle that use as such does not result in substantial transformation should be reflected in the rules of origin in general and in the origin criteria for used tyres in particular. The key consideration is that two quite different categories of goods are classified in the same subheading. Bulk, unsorted used tyres have no remaining utility in the country of original use. The collection of~~

~~these used tyres in bulk, unsorted and showing appreciable wear, should result in the conferral of origin in accordance with the Ottawa principles for scrap and waste, which are derived from the definitions of wholly obtained goods. For other used tyres, i.e., not in bulk, probably sorted according to their remaining utility as tyres for specific vehicles, it is appropriate that the country of origin should be the country in which they were originally manufactured, i.e., that the use, as such, of these goods does not confer origin. For these latter goods a tariff-based origin criterion is suitable to indicate that their country of origin remains their country of original manufacture. It is proposed, therefore, that the subheading be divided into these two categories of used tyres and that different origin criteria be laid down for each. (CAN)(JPN)~~

Relevant HS Code:

4012.20

ISSUE NO.38: OBTAINING SOLID OR CUSHION TYRES, INTERCHANGEABLE TYRE TREADS AND TYRE FLAPS FROM RETREAD TYRES OR USED PNEUMATIC TYRES

OPTION A: Yes

~~133. — Obtaining products of subheading 4012.90 from retreaded tyres (subheading 4012.10) or used pneumatic tyres (subheading 4012.20) is considered substantial transformation. For the products of subheading 4012.90, the origin rules proposed is:~~

~~“CTSH”. (CAN) (PHI)~~

OPTION B: No

~~134. — Obtaining products of subheading 4012.90 from retread tyres or used pneumatic tyres is not considered substantial transformation. In order to claim origin, the products must be made from materials classified in other headings. The origin rule proposed is:~~

~~“CTH”. (JPN) (US) (NZ) (EC) (MEX) (SEN) (NOR) (IND)~~

Relevant HS Code:

4012.90

CHAPTER 28

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

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

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and blends Basket 1

- a) The deliberate and proportionally controlled mixing or blending (including dispersing) of materials to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.
- b) However the addition, whether or not in combination, of diluents only or of the additives enumerated in HS Chapter Note 1(d) and 1(e) to Chapter 28 for the purposes indicated therein, is to be disregarded in determining the origin of the good.

3. Purification Basket 1, Submitted to CRO for decision for bracketed text (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, 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-electronics;
- (iv) specialized optical uses;
- (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vi) carriers used in a separation process; or
- (vii) nuclear grade uses.

4. Change in particle size

1) Reduction in particle size: Basket 1

The deliberate and controlled reduction in particle size of a good, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.

2) Increase in particle size: Submitted to CRO for decision (Doc.42.626, Issue No.4)

[The deliberate and controlled [modification] in particle size of a good, other than by merely crushing [or pressing,] resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.]

Note: If Paragraph 2 is accepted by the CRO, it should be adopted in the place of Paragraph 1; only the words “modification” and “or pressing” are for decision.

5. Standard Materials Basket 1

Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.

6. Isomer Separation Basket 1

The isolation or separation of isomers from a mixture of isomers is to be considered as origin conferring.

[Product Specific] [Chapter] Residual Rule

[When application of the primary rules of this chapter (including the product specific rules provided in the matrix) does not result in a determination of a country of origin, the country of origin shall be determined as follows:

1. Goods of this chapter produced by mixing or otherwise combining materials of different origins, originate in the country that produced the materials (disregarding solvents and other additives permitted by HS Chapter note 1) that predominate by weight or volume, as appropriate, over those of each other single country. (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume, as appropriate (EC)]

[Total value of parts and related processing activity (CH)]

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotopes			
28.01	Fluorine, chlorine, bromine and iodine.	CTSH		Basket 1 (Endorsed by CRO)
2801.10 2801.20 2801.30	- Chlorine - Iodine - Fluorine; bromine	<i>As indicated at the heading level</i>		
28.02	Sulphur, sublimed or precipitated; colloidal sulphur.	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
28.03	Carbon (carbon blacks and other forms of carbon not elsewhere specified or included).	CTH		Basket 1 (Endorsed by CRO)
28.04	Hydrogen, rare gases and other non-metals.	CTSH		Basket 1 (Endorsed by CRO)
2804.10 2804.21 2804.29 2804.30 2804.40 2804.50 2804.61 2804.69 2804.70 2804.80 2804.90	- Hydrogen - Rare gases : -- Argon -- Other - Nitrogen - Oxygen - Boron; tellurium - Silicon : -- Containing by weight not less than 99.99 % of silicon -- Other - Phosphorus - Arsenic - Selenium	<i>As indicated at the heading level</i>		
28.05	Alkali or alkaline-earth metals; rare-earth metals, scandium and yttrium, whether or not intermixed or interalloyed; mercury.	CTSH		Basket 1 (Endorsed by CRO)
2805.11 2805.19 2805.21 2805.22	- Alkali metals : -- Sodium -- Other - Alkaline-earth metals : -- Calcium -- Strontium and barium	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2805.30	-- Rare-earth metals, scandium and yttrium, whether or not intermixed or interalloyed			
2805.40	- Mercury			
28.06	Hydrogen chloride (hydrochloric acid); chlorosulphuric acid.	CTSH		Basket 1 (Endorsed by CRO)
2806.10	- Hydrogen chloride (hydrochloric acid)	<i>As indicated at the heading level</i>		
2806.20	- Chlorosulphuric acid			
28.07	Sulphuric acid; oleum.	CTH		Basket 1 (Endorsed by CRO)
28.08	Nitric acid; sulphonitric acids.	CTH		Basket 1 (Endorsed by CRO)
28.09	Diphosphorus pentaoxide; phosphoric acid and polyphosphoric acids.	<i>Proposals as specified for subheadings</i>		
2809.10	-Diphosphorus pentaoxide	CTSH		Basket 1 (Endorsed by CRO)
2809.20	Phosphoric acid and polyphosphoric acids	CTSH		Basket 1 (Endorsed by CRO)
28.10	Oxides of boron; boric acids.	CTH		Basket 1 (Endorsed by CRO)
28.11	Other inorganic acids and other inorganic oxygen compounds of non-metals.	CTSH		Basket 1 (Endorsed by CRO)
2811.11	- Other inorganic acids : -- Hydrogen fluoride (hydrofluoric acid)	<i>As indicated at the heading level</i>		
2811.19	-- Other			

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2811.21 2811.22 2811.23 2811.29	- Other inorganic oxygen compounds of non-metals: -- Carbon dioxide -- Silicon dioxide -- Sulphur dioxide -- Other	<i>As indicated at the heading level</i>		
28.12	Halides and halide oxides of non-metals.	CTSH		Basket 1 (Endorsed by CRO)
2812.10 2812.90	- Chlorides and chloride oxides - Other	<i>As indicated at the heading level</i>		
28.13	Sulphides of non-metals; commercial phosphorus trisulphide.	CTH/CTSH		Basket 1 (Endorsed by CRO) The choice between CTH and CTSH has been identified as a question of origin terminology to be resolved during later consideration
2813.10 2813.90	- Carbon disulphide - Other	<i>As indicated at the heading level</i>		
28.14	Ammonia, anhydrous or in aqueous solution.	<i>As indicated at subheading level</i>		
2814.10	- Anhydrous ammonia	CTSH		Basket 1 (Endorsed by CRO)
2814.20	- Ammonia in aqueous solution	CTSH, except from subheading 2814.10		Basket 1 (Endorsed by CRO)
28.15	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium.	<i>As indicated at subheading level</i>		
	- Sodium hydroxide (caustic soda) :			
2815.11	-- Solid	CTSH, except from 2815.12		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2815.12	-- In aqueous solution (soda lye or liquid soda)	CTSH, except from subheading 2815.11		Basket 1 (Endorsed by CRO)
2815.20	- Potassium hydroxide (caustic potash)	CTSH		Basket 1 (Endorsed by CRO)
2815.30	- Peroxides of sodium or potassium	CTSH		Basket 1 (Endorsed by CRO)
28.16	Hydroxide and peroxide of magnesium; oxides, hydroxides and peroxides, of strontium or barium.	CTH/CTSH		Basket 1 (Endorsed by CRO) The choice between CTH and CTSH has been identified and a question of origin terminology to be resolved during later consideration
2816.10	- Hydroxide and peroxide of magnesium	<i>As indicated at the heading level</i>		
2816.20	- Oxide, hydroxide and peroxide of strontium			
2816.30	- Oxide, hydroxide and peroxide of barium			
28.17	Zinc oxide; zinc peroxide.	CTH		Basket 1 (Endorsed by CRO)
28.18	Artificial corundum, whether or not chemically defined; aluminium oxide; aluminium hydroxide.	CTSH		Basket 1 (Endorsed by CRO)
2818.10	- Artificial corundum, whether or not chemically defined	<i>As indicated at the heading level</i>		
2818.20	- Aluminium oxide, other than artificial corundum			
2818.30	- Aluminium hydroxide			

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
28.19	Chromium oxides and hydroxides.	CTSH		Basket 1 (Endorsed by CRO)
2819.10 2819.90	- Chromium trioxide - Other	<i>As indicated at the heading level</i>		
28.20	Manganese oxides.	CTSH		Basket 1 (Endorsed by CRO)
2820.10 2820.90	- Manganese dioxide - Other	<i>As indicated at the heading level</i>		
28.21	Iron oxides and hydroxides; earth colours containing 70 % or more by weight of combined iron evaluated as Fe₂O₃.	CTSH		Basket 1 (Endorsed by CRO)
2821.10 2821.20	- Iron oxides and hydroxides - Earth colours	<i>As indicated at the heading level</i>		
28.22	Cobalt oxides and hydroxides; commercial cobalt oxides.	CTH		Basket1 (Endorsed by CRO)
28.23	Titanium oxides.	CTH		Basket 1 (Endorsed by CRO)
28.24	Lead oxides; red lead and orange lead.	CTSH		Basket 1 (Endorsed by CRO)
2824.10 2824.20 2824.90	- Lead monoxide (litharge, massicot) - Red lead and orange lead - Other	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
28.25	Hydrazine and hydroxylamine and their inorganic salts; other inorganic bases; other metal oxides, hydroxides and peroxides.	CTSH		Basket 1 (Endorsed by CRO)
2825.10	- Hydrazine and hydroxylamine and their inorganic salts	<i>As indicated at the heading level</i>		
2825.20	- Lithium oxide and hydroxide			
2825.30	- Vanadium oxides and hydroxides			
2825.40	- Nickel oxides and hydroxides			
2825.50	- Copper oxides and hydroxides			
2825.60	- Germanium oxides and zirconium dioxide			
2825.70	- Molybdenum oxides and hydroxides			
2825.80	- Antimony oxides			
2825.90	- Other			
28.26	Fluorides; fluorosilicates, fluoroaluminates and other complex fluorine salts.	CTSH		Basket 1 (Endorsed by CRO)
2826.11	- Fluorides : -- Of ammonium or of sodium	<i>As indicated at the heading level</i>		
2826.12	-- Of aluminium			
2826.19	-- Other			

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2826.20	- Fluorosilicates of sodium or of potassium			
2826.30	-Sodium hexafluoroaluminate (synthetic cryolite)			
2826.90	- Other			
28.27	Chlorides, chloride oxides and chloride hydroxides; bromides and bromide oxides; iodides and iodide oxides.	CTSH		Basket 1 (Endorsed by CRO)
2827.10	- Ammonium chloride	<i>As indicated at the heading level</i>		
2827.20	- Calcium chloride			
	- Other chlorides :			
2827.31	-- Of magnesium			
2827.32	-- Of aluminium			
2827.33	-- Of iron			
2827.34	-- Of cobalt			
2827.35	-- Of nickel			
2827.36	-- Of zinc			
2827.38	-- Of barium			
2827.39	-- Other			
	- Chloride oxides and chloride hydroxides :			
2827.41	-- Of copper			
2827.49	-- Other			
	- Bromides and bromide oxides :			
2827.51	-- Bromides of sodium or of potassium			
2827.59	-- Other			

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2827.60	- Iodides and iodide oxides			
28.28	Hypochlorites; commercial calcium hypochlorite; chlorites; hypobromites.	CTSH		Basket 1 (Endorsed by CRO)
2828.10	- Commercial calcium hypochlorite and other calcium hypochlorites	<i>As indicated at the heading level</i>		
2828.90	- Other			
28.29	Chlorates and perchlorates; bromates and perbromates; iodates and periodates.	CTSH		Basket 1 (Endorsed by CRO)
2829.11	- Chlorates :	<i>As indicated at the heading level</i>		
2829.19	-- Of sodium			
2829.90	-- Other			
	- Other			
28.30	Sulphides; polysulphides.	CTSH		Basket 1 (Endorsed by CRO)
2830.10	- Sodium sulphides	<i>As indicated at the heading level</i>		
2830.20	- Zinc sulphide			
2830.30	- Cadmium sulphide			
2830.90	- Other			
28.31	Dithionites and sulphyxylates.	CTSH		Basket 1 (Endorsed by CRO)
2831.10	- Of sodium	<i>As indicated at the heading level</i>		
2831.90	- Other			
28.32	Sulphites; thiosulphates.	CTSH		Basket 1 (Endorsed by CRO)
2832.10	- Sodium sulphites	<i>As indicated at the heading level</i>		.
2832.20	- Other sulphites			
2832.30	- Thiosulphates			

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
28.33	Sulphates; alums; peroxosulphates (persulphates).	CTSH		Basket 1 (Endorsed by CRO)
2833.11	- Sodium sulphates : -- Disodium sulphate	<i>As indicated at the heading level</i>		
2833.19	-- Other	<i>As indicated at the heading level</i>		
2833.21	- Other sulphates : -- Of magnesium			
2833.22	-- Of aluminium			
2833.23	-- Of chromium			
2833.24	-- Of nickel			
2833.25	-- Of copper			
2833.26	-- Of zinc			
2833.27	-- Of barium			
2833.29	-- Other			
2833.30	- Alums			
2833.40	-Peroxosulphates (persulphates)			
28.34	Nitrites; nitrates.	CTSH		Basket 1 (Endorsed by CRO)
2834.10	- Nitrites	<i>As indicated at the heading level</i>		
2834.21	- Nitrates : -- Of potassium			
2834.22	-- Of bismuth			
2834.29	-- Other			
28.35	Phosphinates (hypophosphites), phosphonates (phosphites), phosphates and polyphosphates.	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2835.10	- Phosphinates (hypophosphites) and phosphonates (phosphites)	<i>As indicated at the heading level</i>		
2835.22	- Phosphates : -- Of mono- or disodium			
2835.23	-- Of trisodium			
2835.24	-- Of potassium			
2835.25	-- Calcium hydrogenorthophosphate ("dicalcium phosphate")	<i>As indicated at the heading level</i>		
2835.26	-- Other phosphates of calcium			
2835.29	-- Other			
2835.31	- Polyphosphates : -- Sodium triphosphate (sodium tripolyphosphate)			
2835.39	-- Other			
28.36	Carbonates; peroxocarbonates (percarbonates); commercial ammonium carbonate containing ammonium carbamate.	CTSH		Basket 1 (Endorsed by CRO)
2836.10	- Commercial ammonium carbonate and other ammonium carbonates	<i>As indicated at the heading level</i>		
2836.20	- Disodium carbonate			
2836.30	- Sodium hydrogencarbonate (sodium bicarbonate)			
2836.40	- Potassium carbonates			
2836.50	- Calcium carbonate			

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2836.60 2836.70 2836.91 2836.92 2836.99	- Barium carbonate - Lead carbonate - Other : -- Lithium carbonates -- Strontium carbonate -- Other			
28.37	Cyanides, cyanide oxides and complex cyanides.	CTSH		Basket 1 (Endorsed by CRO)
2837.11 2837.19 2837.20	- Cyanides and cyanide oxides: -- Of sodium -- Other - Complex cyanides	<i>As indicated at the heading level</i>		
28.38	Fulminates, cyanates and thiocyanates.	CTH		Basket 1 (Endorsed by CRO)
28.39	Silicates; commercial alkali metal silicates.	CTSH		Basket 1 (Endorsed by CRO)
2839.11 2839.19 2839.20 2839.90	- Of sodium : -- Sodium metasilicates -- Other - Of potassium - Other	<i>As indicated at the heading level</i>		
28.40	Borates; peroxoborates (perborates).	<i>As indicated at subheading level</i>		
	- Disodium tetraborate (refined borax) :			
2840.11	-- Anhydrous	CTSH, except from subheading 2840.19		Basket 1 (Endorsed by CRO)
2840.19	-- Other	CTSH, except from subheading 2840.11		Basket 1 (Endorsed by CRO)
2840.20	- Other borates	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2840.30	- Peroxoborates (perborates)	CTSH		Basket 1 (Endorsed by CRO)
28.41	Salts of oxometallic or peroxometallic acids.	CTSH		Basket 1 (Endorsed by CRO)
2841.10 2841.20	- Aluminates - Chromates of zinc or of lead	<i>As indicated at the heading level</i>		
2841.30 2841.40 2841.50 2841.61 2841.69 2841.70 2841.80 2841.90	- Sodium dichromate - Potassium dichromate - Other chromates and dichromates; peroxochromates - Manganites, manganates and permanganates : -- Potassium permanganate -- Other - Molybdates - Tungstates (wolframates) - Other	<i>As indicated at the heading level</i>		
28.42	Other salts of inorganic acids or peroxyacids, excluding azides.	CTSH		Basket 1 (Endorsed by CRO)
2842.10 2842.90	- Double or complex silicates - Other	<i>As indicated at the heading level</i>		
28.43	Colloidal precious metals; inorganic or organic compounds of precious metals, whether or not chemically defined; amalgams of precious metals.	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2843.10 2843.21 2843.29 2843.30 2843.90	- Colloidal precious metals - Silver compounds : -- Silver nitrate -- Other - Gold compounds - Other compounds; amalgams	<i>As indicated at the heading level</i>		
28.44	Radioactive chemical elements and radioactive isotopes (including the fissile or fertile chemical elements and isotopes) and their compounds; mixtures and residues containing these products	<i>As specified for split heading</i>		
ex28.44 (a)	- Waste and scrap; spent (irradiated) fuel elements (cartridges) of nuclear reactors.	The origin of the goods shall be the country in which the radioactive waste and scrap or spent (irradiated) fuel elements (cartridges) of nuclear reactors of this split heading are derived or collected from manufacturing or processing operations or from consumption.		Basket 1
ex28.44 (b)	- Natural radioactive elements or compounds, other than goods of ex 28.44(a)	The origin of the goods shall be the country in which the natural radioactive elements or compounds of this split heading are obtained in their natural or unprocessed state.		Basket 1

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
ex28.44 (c)	- Enriched or depleted radioactive elements or compounds, and alloys, dispersions (including cermetes), ceramic products and mixtures containing such elements or compounds, other than goods of ex28.44(a)	CTHS, or change within this split heading following enrichment or depletion.		Basket 1
ex28.44 (d)	- Other	CTHS		Basket 1
2844.10 2844.20	- Natural uranium and its compounds; alloys, dispersions (including cermetes), ceramic products and mixtures containing natural uranium or natural uranium compounds - Uranium enriched in U 235 and its compounds; plutonium and its compounds; alloys, dispersions (including cermetes), ceramic products and mixtures containing uranium enriched in U 235, plutonium or compounds of these products	<i>As indicated at the split heading level</i>		

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
2845.90	- Other	<i>As indicated for split subheading</i>		
ex2845.90(a)	Enriched or depleted isotopes other than those of heading 28.44; compounds of such isotopes	CTSHS, or change within this split subheading following enrichment or depletion.		Basket 1
ex2845.90(b)	Other	CTSHS		Basket 1
28.46	Compounds, inorganic or organic, of rare-earth metals, of yttrium or of scandium or of mixtures of these metals.	CTSH		Basket 1 (Endorsed by CRO)
2846.10 2846.90	- Cerium compounds - Other	<i>As indicated at the heading level</i>		
28.47	Hydrogen peroxyde, whether or not solidified with urea.	CTH		Basket 1 (Endorsed by CRO)
28.48	Phosphides, whether or not chemically defined, excluding ferrophosphorus.	CTH		Basket 1 (Endorsed by CRO)
28.49	Carbides, whether or not chemically defined.	CTSH		Basket 1 (Endorsed by CRO)
2849.10 2849.20 2849.90	- Of calcium - Of silicon - Other	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary Rule	Notes	Comments
A	B	C	D	E
28.50	Hydrides, nitrides, azides, silicides and borides, whether or not chemically defined, other than compounds which are also carbides of heading No. 28.49.	CTH		Basket 1 (Endorsed by CRO)
28.51	Other inorganic compounds (including distilled or conductivity water and water of similar purity); liquid air (whether or not rare gases have been removed); compressed air; amalgams, other than amalgams of precious metals.	CTH		Basket 1 (Endorsed by CRO)

CHAPTER 29

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

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

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and blends Basket 1

- a) The deliberate and proportionally controlled mixing or blending (including dispersing) of materials to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.
- b) However the addition, whether or not in combination, of diluents only or of the additives enumerated in HS Chapter Note 1(f) and 1(g) to Chapter 29 for the purposes indicated therein, is to be disregarded in determining the origin of the good.

3. Purification Basket 1, Submitted to CRO for decision for bracketed text (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, cosmetic, veterinary or food grade substances;
 - (ii) chemical products and reagents for analytical, diagnostic or laboratory uses;
 - (iii) elements and components for use in in micro-electronics;

- (iv) specialized optical uses;
- (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vi) carriers used in a separation process; or
- (vii) nuclear grade uses.

4. Change in particle size

1) Reduction in particle size: Basket 1

The deliberate and controlled reduction in particle size of a good, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.

2) Increase in particle size: Submitted to CRO for decision (Doc.42.626, Issue No.4)

[The deliberate and controlled [modification] in particle size of a good, other than by merely crushing [or pressing,] resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.]

Note: If Paragraph 2 is accepted by the CRO, it should be adopted in the place of Paragraph 1; only the words “modification” and “or pressing” are for decision.

5. Standard Materials Basket 1

Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.

6. Isomer Separation Basket 1

The isolation or separation of isomers from a mixture of isomers is to be considered as origin conferring.

[Product Specific] [Chapter] Residual Rule

[When application of the primary rules of this chapter (including the product specific rules provided in the matrix) does not result in a determination of a country of origin, the country of origin shall be determined as follows:

1. Goods of this chapter produced by mixing or otherwise combining materials of different origins, originate in the country that produced the materials (disregarding solvents and other additives permitted by HS Chapter note 1) that predominate by weight or volume, as appropriate, over those of each other single country. (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume, as appropriate (EC)]

[Total value of parts and related processing activity (CH)]

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 29	Organic chemicals			
29.01	Acyclic hydrocarbons.	CTSH		Basket 1 (Endorsed by CRO)
2901.10	- Saturated	<i>As indicated at the heading level</i>		
	- Unsaturated :			
2901.21	-- Ethylene			
2901.22	-- Propene (propylene)			
2901.23	-- Butene (butylene) and isomers thereof			
2901.24	-- Buta-1,3-diene and isoprene			
2901.29	-- Other			
29.02	Cyclic hydrocarbons.	CTSH		Basket 1 (Endorsed by CRO)
	- Cyclanes, cyclenes and cycloterpenes :	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2902.11 2902.19 2902.20 2902.30 2902.41 2902.42 2902.43 2902.44 2902.50 2902.60 2902.70 2902.90	-- Cyclohexane -- Other - Benzene - Toluene - Xylenes : -- o-Xylene -- m-Xylene -- p-Xylene -- Mixed xylene isomers - Styrene - Ethylbenzene - Cumene - Other	<i>As indicated at the heading level</i>		
29.03	Halogenated derivatives of hydrocarbons.	CTSH		Basket 1 (Endorsed by CRO)
2903.11 2903.12 2903.13 2903.14 2903.15 2903.16	- Saturated chlorinated derivatives of acyclic hydrocarbons : -- Chloromethane (methyl chloride) and chloroethane (ethyl chloride) -- Dichloromethane (methylene chloride) -- Chloroform (trichloromethane) -- Carbon tetrachloride -- 1,2-Dichloroethane (ethylene dichloride) -- 1,2-Dichloropropane (propylene dichloride) and dichlorobutanes	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2903.19	-- Other	<i>As indicated at the heading level</i>		
	- Unsaturated chlorinated derivatives of acyclic hydrocarbons :			
2903.21	-- Vinyl chloride (chloroethylene)			
2903.22	-- Trichloroethylene			
2903.23	-- Tetrachloroethylene (perchloroethylene)			
2903.29	-- Other			
2903.30	- Fluorinated, brominated or iodinated derivatives of acyclic hydrocarbons			
	- Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens :			
2903.41	-- Trichlorofluoromethane			
2903.42	-- Dichlorodifluoromethane			
2903.43	-- Trichlorotrifluoroethanes			
2903.44	-- Dichlorotetrafluoroethanes and chloropentafluoroethane			
2903.45	-- Other derivatives perhalogenated only with fluorine and chlorine			
2903.46	-- Bromochlorodifluoromethane, bromotrifluoromethane and dibromotetrafluoroethanes			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2903.47	-- Other perhalogenated derivatives	<i>As indicated at the heading level</i>		
2903.49	-- Other			
	- Halogenated derivatives of cyclanic, cyclenic or cycloterpenic hydrocarbons :			
2903.51	-- 1,2,3,4,5,6-Hexachlorocyclohexane			
2903.59	-- Other			
	- Halogenated derivatives of aromatic hydrocarbons :			
2903.61	-- Chlorobenzene, o-dichlorobenzene and p-dichlorobenzene			
2903.62	-- Hexachlorobenzene and DDT (1,1,1-trichloro-2,2-bis(p-chlorophenyl)ethane)	CTSH		Basket 1(Endorsed by CRO)
2903.69	-- Other			
29.04	Sulphonated, nitrated or nitrosated derivatives of hydrocarbons, whether or not halogenated.			
2904.10	- Derivatives containing only sulpho groups, their salts and ethyl esters	<i>As indicated at the heading level</i>		
2904.20	- Derivatives containing only nitro or only nitroso groups			
2904.90	- Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
29.05	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2905.11 2905.12 2905.13 2905.14 2905.15 2905.16 2905.17 2905.19 2905.22 2905.29 2905.31	Saturated monohydric alcohols : -- Methanol (methyl alcohol) -- Propan-1-ol (propyl alcohol) and propan-2-ol (isopropyl alcohol) -- Butan-1-ol (n-butyl alcohol) -- Other butanols -- Pentanol (amyl alcohol) and isomers thereof -- Octanol (octyl alcohol) and isomers thereof -- Dodecan-1-ol (lauryl alcohol), hexadecan-1-ol (cetyl alcohol) and octadecan-1-ol (stearyl alcohol) -- Other - Unsaturated monohydric alcohols : -- Acyclic terpene alcohols -- Other - Diols : -- Ethylene glycol (ethanediol)	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2905.32	-- Propylene glycol (propane-1,2-diol)	<i>As indicated at the heading level</i>		
2905.39	-- Other			
	- Other polyhydric alcohols:			
2905.41	- 2-Ethyl-2-(hydroxymethyl)propane-1,3-diol (trimethylolpropane)			
2905.42	-- Pentaerythritol			
2905.43	-- Mannitol			
2905.44	-- D-glucitol (sorbitol)			
2905.45	-- Glycerol			
2905.49	- Halogenated, sulphonated, nitrated or nitrosated derivatives of acyclic alcohols			
2905.50	- Halogenated, sulphonated, nitrated or nitrosated derivatives of acyclic alcohols			
29.06	Cyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2906.11	- Cyclanic, cyclenic or cycloterpenic :	<i>As indicated at the heading level</i>		
2906.12	-- Menthol			
	-- Cyclohexanol, methylcyclohexanols and dimethylcyclohexanols			
2906.13	-- Sterols and inositols			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2906.14	-- Terpeneols	<i>As indicated at the heading level</i>		
2906.19	-- Other			
	- Aromatic :			
2906.21	-- Benzyl alcohol			
2906.29	-- Other			
29.07	Phenols; phenol-alcohols.	CTSH		Basket 1 (Endorsed by CRO)
2907.11	- Monophenols : -- Phenol (hydroxybenzene) and its salts	<i>As indicated at the heading level</i>		
2907.12	-- Cresols and their salts			
2907.13	-- Octylphenol, nonylphenol and their isomers; salts thereof			
2907.14	-- Xylenols and their salts			
2907.15	-- Naphthols and their salts			
2907.19	-- Other			
	- Polyphenols :			
2907.21	-- Resorcinol and its salts			
2907.22	-- Hydroquinone (quinol) and its salts			
2907.23	-- 4,4'-Isopropylidenediphenol (bisphenol A, diphenylolpropane) and its salts			
2907.29	-- Other			
2907.30	- Phenol-alcohols			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
29.08	Halogenated, sulphonated, nitrated or nitrosated derivatives of phenols or phenol-alcohols.	CTSH		Basket 1 (Endorsed by CRO)
2908.10 2908.20 2908.90	-Derivatives containing only halogen substituents and their salts -Derivatives containing only sulpho groups, their salts and esters -Other	<i>As indicated at the heading level</i>		
29.09	Ethers, ether-alcohols, ether-phenols, ether-alcohol-phenols, alcohol peroxides, ether peroxides, ketone peroxides (whether or not chemically defined), and their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2909.11 2909.19	-Acyclic ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives : --Diethyl ether --Other	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2909.20	-Cyclanic, cyclenic or cycloterpenic ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives	<i>As indicated at the heading level</i>		
2909.30	-Aromatic ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives			
	-Ether-alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives :			
2909.41	--2,2'-Oxydiethanol (diethylene glycol, digol)			
2909.42	--Monomethyl ethers of ethylene glycol or of diethylene glycol			
2909.43	--Monobutyl ethers of ethylene glycol or of diethylene glycol			
2909.44	--Other monoalkylethers of ethylene glycol or of diethylene glycol			
2909.49	--Other			
2909.50	-Ether-phenols, ether-alcohol-phenols and their halogenated, sulphonated, nitrated or nitrosated derivatives			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2909.60	-Alcohol peroxides, ether peroxides, ketone peroxides and their halogenated, sulphonated, nitrated or nitrosated derivatives	<i>As indicated at the heading level</i>		
29.10	Epoxides, epoxyalcohols, epoxyphenols and epoxyethers, with a three-membered ring, and their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2910.10 2910.20 2910.30 2910.90	-Oxirane (ethylene oxide) -Methyloxirane (propylene oxide) -1-Chloro-2,3-epoxypropane (epichlorohydrin) - Other	<i>As indicated at the heading level</i>		
29.11	Acetals and hemiacetals, whether or not with other oxygen function, and their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTH		Basket 1 (Endorsed by CRO)
29.12	Aldehydes, whether or not with other oxygen function; cyclic polymers of aldehydes; paraformaldehyde.	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2912.11	- Acyclic aldehydes without other oxygen function : -- Methanal (formaldehyde)	<i>As indicated at the heading level</i>		
2912.12	-- Ethanal (acetaldehyde)			
2912.13	-- Butanal (butyraldehyde, normal isomer)			
2912.19	-- Other			
2912.21	- Cyclic aldehydes without other oxygen function : -- Benzaldehyde			
2912.29	-- Other			
2912.30	- Aldehyde-alcohols - Aldehyde-ethers, aldehyde-phenols and aldehydes with other oxygen function :			
2912.41	-- Vanillin (4-hydroxy-3-methoxybenzaldehyde)			
2912.42	-- Ethylvanillin (3-ethoxy-4-hydroxybenzaldehyde)			
2912.49	-- Other			
2912.50	- Cyclic polymers of aldehydes			
2912.60	- Paraformaldehyde			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
29.13	Halogenated, sulphonated, nitrated or nitrosated derivatives of products of heading No. 29.12.	CTH		Basket 1 (Endorsed by CRO)
29.14	Ketones and quinones, whether or not with other oxygen function, and their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2914.11 2914.12 2914.13 2914.19 2914.21 2914.22 2914.23 2914.29	- Acyclic ketones without other oxygen function : -- Acetone -- Butanone (methyl ethyl ketone) -- 4-Methylpentan-2-one (methyl isobutyl ketone) -- Other -Cyclanic, cyclenic or cycloterpenic ketones without other oxygen function : --Camphor --Cyclohexanone and methylcyclohexanones --Ionones and methylionones --Other -Aromatic ketones without other oxygen function :	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2914.31 2914.39 2914.40 2914.50 2914.61 2914.69 2914.70	--Phenylacetone (phenylpropan-2-one) --Other -Ketone-alcohols and ketone-aldehydes -Ketone-phenols and ketones with other oxygen function -Quinones : --Anthraquinone --Other -Halogenated, sulphonated, nitrated or nitrosated derivatives	<i>As indicated at the heading level</i>		
29.15	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2915.11 2915.12 2915.13 2915.21 2915.22 2915.23	- Formic acid, its salts and esters : -- Formic acid -- Salts of formic acid -- Esters of formic acid - Acetic acid and its salts; acetic anhydride : -- Acetic acid -- Sodium acetate -- Cobalt acetates -- Acetic anhydride	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2915.29	-- Other	<i>As indicated at the heading level</i>		
	- Esters of acetic acid :			
2915.31	-- Ethyl acetate			
2915.32	-- Vinyl acetate			
2915.33	-- n-Butyl acetate			
2915.34	-- Isobutyl acetate			
2915.35	-- 2-Ethoxyethyl acetate			
2915.39	-- Other			
2915.40	-Mono-, di- or trichloroacetic acids, their salts and esters			
2915.50	- Propionic acid, its salts and esters			
2915.60	- Butyric acids, valeric acids, their salts and esters			
2915.70	-Palmitic acid, stearic acid, their salts and esters			
2915.90	- Other			
29.16	Unsaturated acyclic monocarboxylic acids, cyclic monocarboxylic acids, their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2916.11 2916.12 2916.13 2916.14 2916.15 2916.19 2916.20 2916.31 2916.32 2916.34	-Unsaturated acyclic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives : --Acrylic acid and its salts --Esters of acrylic acid --Methacrylic acid and its salts --Esters of methacrylic acid --Oleic, linoleic or linolenic acids, their salts and esters --Other -Cyclanic, cyclenic or cycloterpenic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives -Aromatic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives : --Benzoic acid, its salts and esters --Benzoyl peroxide and benzoyl chloride --Phenylacetic acid and its salts	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2916.35	-- Esters of phenylacetic acid	<i>As indicated at the heading level</i>		
2916.39	-- Other			
29.17	Polycarboxylic acids, their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2917.11	-Acyclic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives : --Oxalic acid, its salts and esters	<i>As indicated at the heading level</i>		
2917.12	--Adipic acid, its salts and esters			
2917.13	--Azelaic acid, sebacic acid, their salts and esters			
2917.14	--Maleic anhydride			
2917.19	--Other			
2917.20	-Cyclanic, cyclenic or cycloterpenic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2917.31 2917.32 2917.33 2917.34 2917.35 2917.36 2917.37 2917.39	-Aromatic polycarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives : --Dibutyl orthophthalates --Dioctyl orthophthalates --Dinonyl or didecyl orthophthalates --Other esters of orthophthalic acid --Phthalic anhydride --Terephthalic acid and its salts --Dimethyl terephthalate --Other	<i>As indicated at the heading level</i>		
29.18	Carboxylic acids with additional oxygen function and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
	-Carboxylic acids with alcohol function but without other oxygen function, their anhydrides, halides, peroxides, peroxyacids and their derivatives :	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2918.11	--Lactic acid, its salts and esters	<i>As indicated at the heading level</i>		
2918.12	--Tartaric acid			
2918.13	--Salts and esters of tartaric acid			
2918.14	--Citric acid			
2918.15	--Salts and esters of citric acid			
2918.16	--Gluconic acid, its salts and esters			
2918.17	--Phenylglycolic acid (mandelic acid), its salts and esters			
2918.19	--Other			
	-Carboxylic acids with phenol function but without other oxygen function, their anhydrides, halides, peroxides, peroxyacids and their derivatives :			
2918.21	--Salicylic acid and its salts			
2918.22	--O-Acetylsalicylic acid, its salts and esters			
2918.23	--Other esters of salicylic acid and their salts			
2918.29	--Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2918.30	-Carboxylic acids with aldehyde or ketone function but without other oxygen function, their anhydrides, halides, peroxides, peroxyacids and their derivatives	<i>As indicated at the heading level</i>		
2918.90	-Other			
29.19	Phosphoric esters and their salts, including lactophosphates; their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTH		Basket 1 (Endorsed by CRO)
29.20	Esters of other inorganic acids (excluding esters of hydrogen halides) and their salts; their halogenated, sulphonated, nitrated or nitrosated derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2920.10	-Thiophosphoric esters (phosphorothioates) and their salts; their halogenated, sulphonated, nitrated or nitrosated derivatives	<i>As indicated at the heading level</i>		
2920.90	-Other			
29.21	Amine-function compounds.	CTSH		Basket 1 (Endorsed by CRO)
	-Acyclic monoamines and their derivatives; salts thereof	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2921.11	--Methylamine, di- or trimethylamine and their salts	<i>As indicated at the heading level</i>		
2921.12	--Diethylamine and its salts			
2921.19	--Other			
	-Acyclic polyamines and their derivatives; salts thereof			
2921.21	--Ethylenediamine and its salts			
2921.22	--Hexamethylenediamine and its salts			
2921.29	--Other			
2921.30	-Cyclanic, cyclenic or cycloterpenic mono- or polyamines, and their derivatives; salts thereof			
	-Aromatic monoamines and their derivatives; salts thereof :			
2921.41	--Aniline and its salts			
2921.42	--Aniline derivatives and their salts			
2921.43	--Toluidines and their derivatives; salts thereof			
2921.44	--Diphenylamine and its derivatives; salts thereof			
2921.45	--1-Naphthylamine (alpha-naphthylamine), 2-naphthylamine (beta-naphthylamine) and their derivatives; salts thereof			
2921.49	--Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2921.51 2921.59	-Aromatic polyamines and their derivatives; salts thereof : --o-,m-, p-Phenylenediamine, diaminotoluenes, and their derivatives; salts thereof --Other	<i>As indicated at the heading level</i>		
29.22	Oxygen-function amino-compounds.	CTSH		Basket 1 (Endorsed by CRO)
2922.11 2922.12 2922.13 2922.19 2922.21	-Amino-alcohols, their ethers and esters, other than those containing more than one kind of oxygen function; salts thereof : --Monoethanolamine and its salts --Diethanolamine and its salts --Triethanolamine and its salts --Other -Amino-naphthols and other amino-phenols, their ethers and esters, other than those containing more than one kind of oxygen function; salts thereof : -- Aminohydroxynaphthalenesulphonic acids and their salts	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2922.22 2922.29 2922.30 2922.41 2922.42 2922.43 2922.49 2922.50	--Anisidines, dianisidines, phenetidines, and their salts --Other -Amino-aldehydes, amino-ketones and amino-quinones, other than those containing more than one kind of oxygen function; salts thereof -Amino-acids and their esters, other than those containing more than one kind of oxygen function; salts thereof : --Lysine and its esters; salts thereof --Glutamic acid and its salts --Anthranilic acid and its salts --Other --Amino-alcohol-phenols, amino-acid-phenols and other amino-compounds with oxygen function	<i>As indicated at the heading level</i>		
29.23	Quaternary ammonium salts and hydroxides; lecithins and other phosphoaminolipids.	CTSH		Basket 1 (Endorsed by CRO)
2923.10 2923.20	- Choline and its salts - Lecithins and other phosphoaminolipids	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2923.90	- Other	<i>As indicated at the heading level</i>		
29.24	Carboxyamide-function compounds; amide-function compounds of carbonic acid.	CTSH		Basket 1 (Endorsed by CRO)
2924.10	-Acyclic amides (including acyclic carbamates) and their derivatives; salts thereof	<i>As indicated at the heading level</i>		
2924.21	-Cyclic amides (including cyclic carbamates) and their derivatives; salts thereof : --Ureines and their derivatives; salts thereof			
2924.22	--2-Acetamidobenzoic acid			
2924.29	--Other			
29.25	Carboxyimide-function compounds (including saccharin and its salts) and imine-function compounds.	CTSH		Basket 1 (Endorsed by CRO)
2925.11	- Imides and their derivatives; salts thereof : -- Saccharin and its salts	<i>As indicated at the heading level</i>		
2925.19	-- Other			
2925.20	- Imines and their derivatives; salts thereof			
29.26	Nitrile-function compounds.	CTSH		Basket 1 (Endorsed by CRO)
2926.10	- Acrylonitrile	<i>As indicated at the heading level</i>		
2926.20	- 1-Cyanoguanidine (dicyandiamide)			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2926.90	- Other	<i>As indicated at the heading level</i>		
29.27	Diazo-, azo- or azoxy-compounds.	CTH		Basket 1 (Endorsed by CRO)
29.28	Organic derivatives of hydrazine or of hydroxylamine.	CTH		Basket 1 (Endorsed by CRO)
29.29	Compounds with other nitrogen function.	CTSH		Basket 1 (Endorsed by CRO)
2929.10	- Isocyanates	<i>As indicated at the heading level</i>		
2929.90	- Other			
29.30	Organo-sulphur compounds.	CTSH		Basket 1 (Endorsed by CRO)
2930.10	- Dithiocarbonates (xanthates)	<i>As indicated at the heading level</i>		
2930.20	- Thiocarbamates and dithiocarbamates			
2930.30	- Thiuram mono-, di- or tetrasulphides			
2930.40	- Methionine			
2930.90	- Other			
29.31	Other organo-inorganic compounds.	CTH		Basket 1 (Endorsed by CRO)
29.32	Heterocyclic compounds with oxygen hetero-atom(s) only.	CTSH		Basket 1 (Endorsed by CRO)
	- Compounds containing an unfused furan ring (whether or not hydrogenated) in the structure :	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2932.11	-- Tetrahydrofuran	<i>As indicated at the heading level</i>		
2932.12	-- 2-Furaldehyde (furfuraldehyde)			
2932.13	-- Furfuryl alcohol and tetrahydrofurfuryl alcohol			
2932.19	-- Other			
2932.21	- Lactones :			
	-- Coumarin, methylcoumarins and ethylcoumarins			
2932.29	-- Other lactones			
2932.91	- Other :			
	-- Isosafrole			
2932.92	-- 1-(1,3-Benzodioxol-5-yl)propan-2-one			
2932.93	-- Piperonal			
2932.94	-- Safrole			
2932.99	-- Other			
29.33	Heterocyclic compounds with nitrogen hetero-atom(s) only.	CTSH		Basket 1 (Endorsed by CRO)
	- Compounds containing an unfused pyrazole ring (whether or not hydrogenated) in the structure :	<i>As indicated at the heading level</i>		
2933.11	-- Phenazone (antipyrin) and its derivatives	<i>As indicated at the heading level</i>		
2933.19	-- Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2933.21	- Compounds containing an unfused imidazole ring (whether or not hydrogenated) in the structure : -- Hydantoin and its derivatives	<i>As indicated at the heading level</i>		
2933.29	-- Other - Compounds containing an unfused pyridine ring (whether or not hydrogenated) in the structure :			
2933.31	-- Pyridine and its salts			
2933.32	-- Piperidine and its salts			
2933.39	-- Other			
2933.40	- Compounds containing a quinoline or isoquinoline ring-system (whether or not hydrogenated), not further fused			
2933.51	-Compounds containing a pyrimidine ring (whether or not hydrogenated) or piperazine ring in the structure : --Malonylurea (barbituric acid) and its derivatives; salts thereof			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2933.59	--Other	<i>As indicated at the heading level</i>		
	-Compounds containing an unfused triazine ring (whether or not hydrogenated) in the structure :			
2933.61	-- Melamine			
2933.69	-- Other			
	- Lactams :			
2933.71	-- 6-Hexanelactam (epsilon-caprolactam)			
2933.79	-- Other lactams	CTSH		Basket 1 (Endorsed by CRO)
2933.90	- Other			
29.34	Nucleic acids and their salts; other heterocyclic compounds.			
2934.10	- Compounds containing an unfused thiazole ring (whether or not hydrogenated) in the structure	<i>As indicated at the heading level</i>		
2934.20	-Compounds containing a benzothiazole ring-system (whether or not hydrogenated), not further fused			
2934.30	Compounds containing a phenothiazine ring-system (whether or not hydrogenated), not further fused			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2934.90	-Other	<i>As indicated at the heading level</i>		
29.35	Sulphonamides.	CTH		Basket 1 (Endorsed by CRO)
29.36	Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent.	CTSH		Basket 1 (Endorsed by CRO)
2936.10	- Provitamins, unmixed	<i>As indicated at the heading level</i>		
2936.21	- Vitamins and their derivatives, unmixed : -- Vitamins A and their derivatives			
2936.22	-- Vitamin B ₁ and its derivatives			
2936.23	-- Vitamin B ₂ and its derivatives			
2936.24	-- D- or DL-Pantothenic acid (Vitamin B ₃ or Vitamin B ₅) and its derivatives			
2936.25	-- Vitamin B ₆ and its derivatives			
2936.26	-- Vitamin B ₁₂ and its derivatives			
2936.27	-- Vitamin C and its derivatives			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2936.28	-- Vitamin E and its derivatives	<i>As indicated at the heading level</i>		
2936.29	-- Other vitamins and their derivatives			
2936.90	- Other, including natural concentrates			
29.37	Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones.	CTSH		Basket 1 (Endorsed by CRO)
2937.10	-Pituitary (anterior) or similar hormones, and their derivatives	<i>As indicated at the heading level</i>		
2937.21	-Adrenal cortical hormones and their derivatives :			
	--Cortisone, hydrocortisone, prednisone			
	(dehydrocortisone) and prednisolone			
2937.22	(dehydrohydrocortisone)			
2937.29	--Halogenated derivatives of adrenal cortical hormones			
	--Other			
	-Other hormones and their derivatives; other steroids used primarily as hormones :			
2937.91	--Insulin and its salts			
2937.92	--Oestrogens and progestogens			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2937.99	--Other	<i>As indicated at the heading level</i>		
29.38	Glycosides, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2938.10	-Rutoside (rutin) and its derivatives	<i>As indicated at the heading level</i>		
2938.90	-Other			
29.39	Vegetable alkaloids, natural or reproduced by synthesis, and their salts, ethers, esters and other derivatives.	CTSH		Basket 1 (Endorsed by CRO)
2939.10	-Alkaloids of opium and their derivatives; salts thereof	<i>As indicated at the heading level</i>		
	-Alkaloids of cinchona and their derivatives; salts thereof:			
2939.21	-- Quinine and its salts			
2939.29	-- Other			
2939.30	- Caffeine and its salts			
	- Ephedrines and their salts:			
2939.41	-- Ephedrine and its salts			
2939.42	-- Pseudoephedrine (INN) and its salts			
2939.49	-- Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2939.50	-Theophylline and aminophylline (theophylline-ethylenediamine) and their derivatives; salts thereof	<i>As indicated at the heading level</i>		
	-Alkaloids of rye ergot and their derivatives; salts thereof:			
2939.61	-- Ergometrine (INN) and its salts			
2939.62	-- Ergotamine (INN) and its salts			
2939.63	-- Lysergic acid and its salts			
2939.69	-- Other			
2939.70	- Nicotine and its salts			
2939.90	- Other			
29.40	Sugars, chemically pure, other than sucrose, lactose, maltose, glucose and fructose; sugar ethers and sugar esters, and their salts, other than products of heading No. 29.37, 29.38 or 29.39.	CTH		Basket 1 (Endorsed by CRO)
29.41	Antibiotics.	CTSH		Basket 1 (Endorsed by CRO)
2941.10	-Penicillins and their derivatives with a penicillanic acid structure; salts thereof	<i>As indicated at the heading level</i>		
2941.20	-Streptomycins and their derivatives; salts thereof			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
2941.30	-Tetracyclines and their derivatives; salts thereof	<i>As indicated at the heading level</i>		
2941.40	-Chloramphenicol and its derivatives; salts thereof			
2941.50	-Erythromycin and its derivatives; salts thereof			
2941.90	-Other			
29.42	Other organic compounds.	CTH		Basket 1 (Endorsed by CRO)

CHAPTER 30

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

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

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and blends Basket 1, Submitted to CRO for decision for Bracketed Texts (Doc.42.626, Issue No.5)

[Except for goods of heading 30.03] The deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.

3. Purification Basket 1, Submitted to CRO for decision for Bracketed Text (Doc.OC0014, Issue No.5)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, cosmetic, veterinary or food grade substances;

- (ii) chemical products and reagents for analytical, diagnostic or laboratory uses;
- (iii) elements and components for use in in micro-electronics;
- (iv) specialized optical uses;
- (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vi) carriers used in a separation process; or
- (vii) nuclear grade uses.

4. Change in particle size Submitted to CRO for decision (Doc.42.626, Issue No.4)

[The deliberate and controlled modification in particle size of a good, other than by merely crushing or pressing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring. (CH)]

5. Standard Materials Basket 1

Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.

6. Isomer Separation Basket 1

The isolation or separation of isomers from a mixture of isomers is to be considered as origin conferring.

7. Non-origin conferring processes Submitted to CRO for decision (Doc.OC0032, Issue No.24)

[- For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

8. Packing for retail sale Basket 1

The change of classification resulting from the mere putting up for retail sale of products of this Chapter is to be disregarded for the determination of origin.

9. Biotechnological Processes Basket 1

- (a) Biological or biotechnological culturing, hybridization or genetic modification of:

- (i) micro-organisms (bacteria, viruses (including phages) etc.) or
 - (ii) human, animal or plant cells; and
- (b) production, isolation or purification of cellular or intercellular structures (such as isolated genes, gene fragments and plasmids) are regarded as origin conferring.

[Product Specific] [Chapter] Residual Rule Submitted to CRO for decision (Doc.OC0023E2, Issue No.77)

[When application of the primary rules of this chapter (including the product specific rules provided in the matrix) does not result in a determination of a country of origin, the country of origin shall be determined as follows:

1. Goods of headings 30.03 and 30.04 produced by mixing or otherwise combining materials of different origins, originate in the country that produced the therapeutic or prophylactic materials (disregarding solvents and other nonactive additives) that predominate by weight or volume, as appropriate, over those of each other single country.
2. Goods of Subheading 3006.50 that satisfy the change of heading rule merely as a result of putting up articles in first aid boxes or kits, originate in the country that produced the largest number of articles in the box or kit.
3. The country of origin of goods of subheading 3005.90 that contain textile material shall be the country where the textile material was formed, or in the case of a good containing textile materials of more than one country, the origin of the good is the country in which the textile material that predominates by weight was formed. (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

- [Weight (CAN)]
- [Weight or volume, as appropriate (US)]
- [Weight, volume or value, as appropriate (EC)]
- [Total value of parts and related processing activity (CH)]

CHAPTER 30

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 30	Pharmaceutical products			
30.01	Glands and other organs for organo-therapeutic uses, dried, whether or not powdered; extracts of glands or other organs or of their secretions for organo-therapeutic uses; heparin and its salts; other human or animal substances prepared for therapeutic or prophylactic uses, not elsewhere specified or included.	<i>As specified at subheading level</i>		
3001.10	- Glands and other organs, dried, whether or not powdered	CTH		Basket 1 (Endorsed by CRO)
3001.20	- Extracts of glands or other organs or of their secretions	CTSH		Basket 1 (Endorsed by CRO)
3001.90	- Other	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
30.02	Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products.	CTSH or change to the goods of this heading by biological or biotechnological processes specified in a Note.		Basket 1 (Endorsed by CRO)
3002.10	- Antisera and other blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes	<i>As specified at heading level</i>		
3002.20	- Vaccines for human medicine			
3002.30	- Vaccines for veterinary medicine			
3002.90	- Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
30.03	Medicaments (excluding goods of heading No. 30.02, 30.05 or 30.06) consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses, not put up in measured doses or in forms or packings for retail sale.	[CTH] [CTH, provided that the resulting good has been produced by a deliberate and proportionally controlled mixing or blending of one or more pharmacologically active ingredients : (a) with one another, or (b) with one or more non-pharmacologically active ingredients thereby resulting in the production of a medicinal formulation suitable for putting up in measured doses or in forms or packings for retail sale; or change within heading 30.03 by the same processes]		Submitted to CRO for decision (Doc.42.626). Issue n° 1
3003.10 3003.20 3003.31 3003.39	- Containing penicillins or derivatives thereof, with a penicillanic acid structure, or streptomycins or their derivatives - Containing other antibiotics - Containing hormones or other products of heading No. 29.37 but not containing antibiotics : -- Containing insulin -- Other	<i>As specified at heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3003.40	- Containing alkaloids or derivatives thereof but not containing hormones or other products of heading No. 29.37 or antibiotics	<i>As indicated at the heading level</i>		
3003.90	- Other			
30.04	Medicaments (excluding goods of heading No. 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms or packings for retail sale.	[CTH] [CTH, except from heading 30.03; or except when this change results from putting up in measured doses of unmixed products of other headings; or change from heading when this change results from a mixing operation]** [CTH except when the change results from putting up in measured doses or for retail sale]**		Submitted to CRO for decision (Doc.42.626).* <i>** the second and third options are alternate formulations for Option B in the template</i> Issue n° 2
3004.10	- Containing penicillins or derivatives thereof, with a penicillanic acid structure, or streptomycins or their derivatives	<i>As specified at heading level</i>		
3004.20	- Containing other antibiotics			
	-Containing hormones or other products of heading No 29.37 but not containing antibiotics :			
3004.31	-- Containing insulin			
3004.32	-- Containing adrenal cortical hormones			
3004.39	-- Other			

* These options are based on the agreement in TCRO that packing for retail sale is not an origin conferring process.

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3004.40	- Containing alkaloids or derivatives thereof but not containing hormones, other products of heading No. 29.37 or antibiotics	<i>As specified at heading level</i>		
3004.50	- Other medicaments containing vitamins or other products of heading No. 29.36			
3004.90	- Other			
30.05	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in forms or packings for retail sale for medical, surgical, dental or veterinary purposes.	<i>As specified at split heading level</i>		
ex 3005 (a)	-Impregnated or coated with pharmaceutical substances	CTH		Basket 1 (Endorsed by CRO)
ex 3005 (b)	- Not impregnated or coated with pharmaceutical substances	CTH, except from the headings of Section XI		Basket 1 (Endorsed by CRO) *
3005.10	- Adhesive dressings and other articles having an adhesive layer	<i>As specified at split heading level</i>		
3005.90	- Other			

* During the review for overall coherence, specific consideration will be given to the question as to whether a separate rule is needed for "adhesive dressing and other articles having an adhesive layer, not impregnated with pharmaceutical substances".

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
30.06	Pharmaceutical goods specified in Note 4 to this Chapter.	<i>As specified at subheading level</i>		
3006.10	- Sterile surgical catgut, similar sterile suture materials and sterile tissue adhesives for surgical wound closure; sterile laminaria and sterile laminaria tents; sterile absorbable surgical or dental haemostatics	CTH		Basket 1 (Endorsed by CRO)
3006.20	- Blood-grouping reagents	CTH		Basket 1 (Endorsed by CRO)
3006.30	- Opacifying preparations for X-ray examinations; diagnostic reagents designed to be administered to the patient	[CTH } [CTH, except if this change results from the mere putting up in measured doses]		Submitted to CRO for decision (Doc.42.626) Issue n° 3
3006.40	- Dental cements and other dental fillings; bone reconstruction cements	CTH		Basket 1 (Endorsed by CRO)
3006.50	- First-aid boxes and kits	CTH, except when resulting only from putting up in sets		Basket 1
3006.60	- Chemical contraceptive preparations based on hormones or spermicides	CTH		Basket 1 (Endorsed by CRO)

CHAPTER 31

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

- 1) dissolving in water or other solvents;
- 2) the elimination of solvents including solvent water; or
- 3) the addition or elimination of water of crystallization

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and Blends Basket 1, Submitted to CRO for decision for Bracketed Text (Doc.42.626, Issue No.5)

The deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents alone] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.

3. Purification Basket 1, Submitted to CRO for decision for Bracketed Text (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied :

- 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, medical, cosmetic, veterinary or food grade substances;
 - (ii) chemical products and reagents for analytical, diagnostic or laboratory uses;
 - (iii) elements and components for use in in micro-electronics;

- (iv) specialized optical uses;
- (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vi) carriers used in a separation process; or
- (vii) nuclear grade uses.

4. Standard Materials Basket 1

Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.

5. Isomer Separation Basket 1

The isolation or separation of isomers from a mixture of isomers is to be considered as origin conferring.

6. Non-Origin Conferring Processes Submitted to CRO for decision (Doc.OC0032, Issue No.24)

[- For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

7. Packing for retail sale Basket 1

The change of classification resulting from the mere putting up for retail sale of products of this Chapter is to be disregarded for the determination of origin.

[Product Specific] [Chapter] Residual Rule

[When application of the primary rules of this chapter (including the product specific rules provided in the matrix) does not result in a determination of a country of origin, the country of origin shall be determined as follows:

1. Goods of this chapter produced by mixing or otherwise combining materials of different origins, originate in the country that produced the fertilizing materials (disregarding solvents) that predominate by weight or volume, as appropriate, over those of each other single country. (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule 2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume (EC)]

[Total value of parts and related processing activity (CH)]

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 31	Fertiliser			
31.01	Animal or vegetable fertilisers, whether or not mixed together or chemically treated; fertilisers produced by the mixing or chemical treatment of animal or vegetable products.	CTH		Basket 1 (Endorsed by CRO)
31.02	Mineral or chemical fertilisers, nitrogenous.	CTH		Basket 1 (Endorsed by CRO)
3102.10	- Urea, whether or not in aqueous solution - Ammonium sulphate; double salts and mixtures of ammonium sulphate and ammonium nitrate :	<i>As specified at heading level</i>		
3102.21	-- Ammonium sulphate			
3102.29	-- Other			
3102.30	- Ammonium nitrate, whether or not in aqueous solution	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3102.40	- Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilising substances			
3102.50	- Sodium nitrate			
3102.60	- Double salts and mixtures of calcium nitrate and ammonium nitrate (EC)			
3102.70	- Calcium cyanamide			
3102.80	- Mixtures of urea and ammonium nitrate in aqueous or ammoniacal solution			
3102.90	- Other, including mixtures not specified in the foregoing subheadings			
31.03	Mineral or chemical fertilisers, phosphatic.	CTH		Basket 1 (Endorsed by CRO)
3103.10	- Superphosphates	<i>As specified at heading level</i>		
3103.20	- Basic slag			
3103.90	- Other			
31.04	Mineral or chemical fertilisers, potassic.	CTH		Basket 1 (Endorsed by CRO)
3104.10	- Carnallite, sylvite and other crude natural potassium salts	<i>As specified at heading level</i>		
3104.20	- Potassium chloride			
3104.30	- Potassium sulphate	<i>As indicated at the heading level</i>		
3104.90	- Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
31.05	Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorus and potassium; other fertilisers; goods of this Chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg.	<i>As specified at subheading level</i>		
3105.10	- Goods of this Chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg	CTSH, except when resulting from putting up in tablets or similar forms or in packages.		Basket 1 (Endorsed by CRO)
3105.20	- Mineral or chemical fertilisers containing the three fertilising elements nitrogen, phosphorus and potassium	CTH		Basket 1 (Endorsed by CRO)
3105.30	- Diammonium hydrogenorthophosphate (diammonium phosphate)	CTH		Basket 1 (Endorsed by CRO)
3105.40	- Ammonium dihydrogenorthophosphate (monoammonium phosphate) and mixtures thereof with diammonium hydrogenorthophosphate (diammonium phosphate)	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
	- Other mineral or chemical fertilisers containing the two fertilising elements nitrogen and phosphorus :			
3105.51	-- Containing nitrates and phosphates	CTH		Basket 1 (Endorsed by CRO)
3105.59	-- Other	CTH		Basket 1 (Endorsed by CRO)
3105.60	- Mineral or chemical fertilisers containing the two fertilising elements phosphorus and potassium	CTH		Basket 1 (Endorsed by CRO)
3105.90	- Other	CTH		Basket 1 (Endorsed by CRO)

CHAPTER 32

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

- 1) dissolving in water or other solvents;
- 2) the elimination of solvents including solvent water; or
- 3) the addition or elimination of water of crystallization.

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and Blends Basket 1, Submitted to CRO for decision for Bracketed Text (Doc.42.626, Issue No.5)

- a) The deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.
- b) Notwithstanding paragraph 1, the processing of crude dyestuffs and pigments (including the addition of diluents only) to produce a standardized product fulfilling prescribed specifications for shade, brightness, colour strength, particulate size, particle distribution or solubility is to be considered as origin conferring.

3. Purification Basket 1, Submitted to CRO for decision for Bracketed Text (Doc. OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, 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-electronics;
- (iv) specialized optical uses;
- (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vi) carriers used in a separation process; or
- (vii) nuclear grade uses.

4. Change in particle size

1) Reduction in particle size: Basket 1

The deliberate and controlled reduction in particle size of a good, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.

2) Increase in particle size: Submitted to CRO for decision (Doc.42.626, Issue No.4)

[The deliberate and controlled [modification] in particle size of a good, other than by merely crushing [or pressing,] resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.]

Note: If Paragraph 2 is accepted by the CRO, it should be adopted in the place of Paragraph 1; only the words “modification” and “or pressing” are for decision..

5. Standard Materials Basket 1

Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.

6. Isomer separation Basket 1

The isolation or separation of isomers from a mixture of isomers is to be considered as origin conferring.

7. Non-Origin Conferring Processes Submitted to CRO for decision for Bracketed Text (Doc.OC0032, Issue No.24)

[- For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

8. Packing for retail sale Basket 1

For the purposes of heading 32.12, the change of classification resulting from the mere putting up for retail sale of products of this Chapter is not to be considered origin conferring.

[Product Specific] [Chapter] Residual Rule

[When application of the primary rules of this chapter (including the product specific rules provided in the matrix) does not result in a determination of a country of origin, the country of origin shall be determined as follows:

Goods of this chapter produced by mixing or otherwise combining materials of different origins, originate in the country that produced the materials of this chapter (disregarding solvents) that predominate by weight or volume, as appropriate, over those of each other single country. (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume (EC) (US)]

[Total value of parts and related processing activity (CH)]

CHAPTER 32

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks			
32.01	Tanning extracts of vegetable origin; tannins and their salts, ethers, esters and other derivatives.	<i>As indicated at the split heading level</i>		<i>Decisions as specified for the split heading</i>
ex 32.01(a) ex 32.01(b)	- Tannins - Other	CTHS CTH		Basket 1 (Endorsed by CRO) Basket 1 (Endorsed by CRO)
3201.10 3201.20 3201.90	- Quebracho extract - Wattle extract - Other	<i>As indicated at the split heading level</i>		<i>Decisions as specified for the split heading</i>
32.02	Synthetic organic tanning substances; inorganic tanning substances; tanning preparations, whether or not containing natural tanning substances; enzymatic preparations for pre-tanning.	<i>As indicated at the subheading level</i>		<i>Decisions as specified for the subheading</i>
3202.10	- Synthetic organic tanning substances	CTH		Basket 1 (Endorsed by CRO)
3202.90	- Other	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
32.03	Colouring matter of vegetable or animal origin (including dyeing extracts but excluding animal black), whether or not chemically defined; preparations as specified in Note 3 to this Chapter based on colouring matter of vegetable or animal origin.	CTH		Basket 1 (Endorsed by CRO)
32.04	Synthetic organic colouring matter, whether or not chemically defined; preparations as specified in Note 3 to this Chapter based on synthetic organic colouring matter; synthetic organic products of a kind used as fluorescent brightening agents or as luminophores, whether or not chemically defined.	<i>As indicated at the subheading level</i>		
	- Synthetic organic colouring matter and preparations based thereon as specified in Note 3 to this Chapter :			
3204.11	-- Disperse dyes and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3204.12	-- Acid dyes, whether or not premetallised, and preparations based thereon; mordant dyes and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)
3204.13	-- Basic dyes and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)
3204.14	-- Direct dyes and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)
3204.15	-- Vat dyes (including those usable in that state as pigments) and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)
3204.16	-- Reactive dyes and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)
3204.17	-- Pigments and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)
3204.19	-- Other, including mixtures of colouring matter of two or more of the subheadings Nos. 3204.11 to 3204.19	CTSH		Endorsed
3204.20	- Synthetic organic products of a kind used as fluorescent brightening agents	CTSH		Basket 1 (Endorsed by CRO)
3204.90	- Other	CTSH		Basket 1 (Endorsed by CRO)
32.05	Colour lakes; preparations as specified in Note 3 to this Chapter based on colour lakes.	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
32.06	Other colouring matter; preparations as specified in Note 3 to this Chapter, other than those of heading No. 32.03, 32.04 or 32.05; inorganic products of a kind used as luminophores, whether or not chemically defined.	<i>As indicated at the subheading level</i>		
	- Pigments and preparations based on titanium dioxide:			
3206.11	-- Containing 80 % or more by weight of titanium dioxide calculated on the dry weight	CTSH		Basket 1 (Endorsed by CRO)
3206.19	-- Other	CTSH		Basket 1 (Endorsed by CRO)
3206.20	- Pigments and preparations based on chromium compounds	CTSH		Basket 1 (Endorsed by CRO)
3206.30	- Pigments and preparations based on cadmium compounds	CTSH		Basket 1 (Endorsed by CRO)
	- Other colouring matter and other preparations:			
3206.41	-- Ultramarine and preparations based thereon	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3206.42	-- Lithopone and other pigments and preparations based on zinc sulphide	CTSH		Basket 1 (Endorsed by CRO)
3206.43	-- Pigments and preparations based on hexacyanoferrates (ferrocyanides and ferricyanides)	CTSH		Basket 1 (Endorsed by CRO)
3206.49	-- Other	CTSH		Basket 1 (Endorsed by CRO)
3206.50	- Inorganic products of a kind used as luminophores	CTSH		Basket 1 (Endorsed by CRO)
32.07	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, engobes (slips), liquid lustres and similar preparations, of a kind used in the ceramic, enamelling or glass industry; glass frit and other glass, in the form of powder, granules or flakes.	<i>As indicated at the subheading level</i>		
3207.10	- Prepared pigments, prepared opacifiers, prepared colours and similar preparations	CTSH		Basket 1 (Endorsed by CRO)
3207.20	- Vitrifiable enamels and glazes, engobes (slips) and similar preparations	CTSH		Basket 1 (Endorsed by CRO)
3207.30	- Liquid lustres and similar preparations	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3207.40	- Glass frit and other glass, in the form of powder, granules or flakes	CTSH		Basket 1 (Endorsed by CRO)
32.08	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.	<i>As indicated at the split heading level</i>		
ex 32.08(a)	-Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium;	CTHS		Basket 1 (Endorsed by CRO)
ex 32.08(b)	-Solutions as defined in note 4 to this Chapter	CTH, except from headings 39.01 to 39.13		Basket 1 (Endorsed by CRO)
3208.10 3208.20 3208.90	- Based on polyesters - Based on acrylic or vinyl polymers - Other	<i>As indicated at the split heading level</i>		
32.09	Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in an aqueous medium.	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3209.10	- Based on acrylic or vinyl polymers	<i>As indicated at the heading level.</i>		
3209.90	- Other			
32.10	Other paints and varnishes (including enamels, lacquers and distempers); prepared water pigments of a kind used for finishing leather.	CTH		Basket 1 (Endorsed by CRO)
32.11	Prepared driers.	CTH		Basket 1 (Endorsed by CRO)
32.12	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.	<i>As indicated at the subheading level.</i>		
3212.10	- Stamping foils	CTSH		Basket 1 (Endorsed by CRO)
3212.90	Other	CTH		Basket 1 (Endorsed by CRO)
32.13	Artists', students' or signboard painters' colours, modifying tints, amusement colours and the like, in tablets, tubes, jars, bottles, pans or in similar forms or packings*	CTH, except when resulting only from putting in tablets, tubes, jars, bottles, pans or in similar forms or packings		Basket 1 (Endorsed by CRO)
3213.10	- Colours in sets	<i>As indicated at the heading level.</i>		

* During the review of overall coherence, specific consideration will be given to this item (G/RO/W/22/Rev.4)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3213.90	- Other	<i>As indicated at the heading level.</i>		
32.14	Glaziers' putty, grafting putty, resin cements, caulking compounds and other mastics; painters' fillings; non-refractory surfacing preparations for façades, indoor walls, floors, ceilings or the like.	CTH, except from subheading 3824.50		Basket 1 (Endorsed by CRO)
3214.10	- Glaziers' putty, grafting putty, resin cements, caulking compounds and other mastics; painters' fillings	<i>As indicated at the heading level</i>		
3214.90	- Other			
32.15	Printing ink, writing or drawing ink and other inks, whether or not concentrated or solid.	<i>As indicated at the subheading level</i>		
	- Printing ink :			
3215.11	-- Black	CTSH		Basket 1 (Endorsed by CRO)
3215.19	-- Other	CTSH		Basket 1 (Endorsed by CRO)
3215.90	- Other	CTSH		Basket 1 (Endorsed by CRO)

CHAPTER 33

Chapter Notes

N.B.: A template for referral to the CRO (Doc.42.626, Issue No. 6) has been prepared on the issue of whether any Chapter Rules should be laid down for Chapter 33. (Sec.)

1. Mixtures and Blends Submitted to CRO for decision (Doc.42.626, Issues Nos. 5 and 6)

For the purposes of headings 33.02, 33.04, 33.05, 33.06 and 33.07, the deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring. However, the mere addition of the goods of headings 33.01 or 33.02 to the goods of other headings of this Chapter should not be considered as producing a good having physical or chemical characteristics which are relevant to the purposes or uses of the good under this Chapter.

2. Purification Basket 1, Submitted to CRO for decision for bracketed text (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, 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-electronics;
 - (iv) specialized optical uses;
 - (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
 - (vi) carriers used in a separation process; or
 - (vii) nuclear grade uses.

3. Separation Submitted to CRO for decision (Doc. 42.626, Issue No. 7)

Separation, by chromatography, extraction, precipitation, (refining), or specific mechanical treatments, is considered to be origin conferring provided that one of the following criteria is satisfied:

- (i) obtaining goods with specific purity;
- [(ii) obtaining goods with specific odoriferous characteristics;
- (iii) obtaining goods with specific flavouring characteristics;] or
- (iv) obtaining goods suitable for specific uses. (EC) (CH) (SG)]

4. Packing for retail sale Submitted to CRO for decision (Doc.42.626, Issue No.6)

For the purposes of this Chapter the change of classification resulting from the mere putting up for retail sale of products ~~of this Chapter~~ is not to be considered origin-conferring.

5. Change in use Basket 1

The change of classification resulting from the mere change in use ~~described in HS Nomenclature~~ is not to be considered origin-conferring.

6. Non Origin-Conferring Processes Submitted to CRO for decision (Doc.OC0032, Issue No.24)

[- For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume (EC)(US)]

[Total value of parts and related processing activity (CH)]

CHAPTER 33

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations			
33.01	- 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.	<i>As indicated at the subheading level</i>		<i>A Chapter Note on extraction is to be considered for this heading.</i>
	- Essential oils of citrus fruit :			
3301.11	-- Of bergamot	CTSH		Basket 1 (Endorsed by CRO)
3301.12	-- Of orange	CTSH		Basket 1 (Endorsed by CRO)
3301.13	-- Of lemon	CTSH		Basket 1 (Endorsed by CRO)
3301.14	-- Of lime	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3301.19	-- Other	CTSH		Basket 1 (Endorsed by CRO)
	- Essential oils other than those of citrus fruit :			
3301.21	-- Of geranium	CTSH		Basket 1 (Endorsed by CRO)
3301.22	-- Of jasmine	CTSH		Basket 1 (Endorsed by CRO)
3301.23	-- Of lavender or of lavandin	CTSH		Basket 1 (Endorsed by CRO)
3301.24	-- Of peppermint (Mentha piperita)	CTSH		Basket 1 (Endorsed by CRO)
3301.25	-- Of other mints	CTSH		Basket 1 (Endorsed by CRO)
3301.26	-- Of vetiver	CTSH		Basket 1 (Endorsed by CRO)
3301.29	-- Other	CTSH		Basket 1 (Endorsed by CRO)
3301.30	- Resinoids	CTSH		Basket 1 (Endorsed by CRO)
3301.90	- Other	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
33.02	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages	[Chapter Notes on Mixtures and Blends and Extraction] [The deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the mere addition of diluents] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring; or extraction other than dehydration; refining; or deterpenation are to be considered origin conferring. (EC)]		Submitted to CRO (DOC.42.626) Issue n° 7 <i>The principle that mixing and extraction are origin conferring for goods of this heading has been agreed by the TCRO. However, the text and placement for separation/extraction are still to be decided, as is the placement of mixtures, the choice being between placement as a Chapter Note and placement and origin criterion at the heading level. (Sec.)</i>
3302.10 3302.90	- Of a kind used in the food or drink industries - Other	<i>As indicated at the heading level</i>		<i>Decision as specified for the heading</i>
33.03	Perfumes and toilet waters.	[CTH] (CH) (SG) (EGY)(PHI) [CTH, except from heading 33.01 or 33.02 when this change results from the mere dilution] (US)	[Chapter Note 2 (Mixture and blending rule) is not applicable to this heading.] (US)	Submitted to CRO for decision (Doc.42.626) Issue n° 9

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
		[CTH, except from heading 33.01 or 33.02 when this change results from the mere addition of alcohol to odoriferous substances or to a perfume base] (EC)	[Chapter Note 2 (Mixture and blending rule) is not applicable to this heading.] (EC)	
33.04	Beauty or make-up preparations and preparations for the care of the skin (other than medicaments), including sunscreen or sun tan preparations; manicure or pedicure preparations.	CTSH		Submitted to CRO for decision (Doc.42.626) Issue n° 10
3304.10 3304.20 3304.30 3304.91 3304.99	-Lip make-up preparations -Eye make-up preparations -Manicure or pedicure preparations -Other : -- Powders, whether or not compressed -- Other	<i>As indicated at the heading level</i>		
33.05	Preparations for use on the hair.	CTSH		Submitted to CRO for decision (Doc.42.626) Issue n° 10
3305.10 3305.20 3305.30 3305.90	- Shampoos - Preparations for permanent waving or straightening - Hair lacquers - Other	<i>As indicated at the heading level</i>		<i>Decision as specified for the heading</i>

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
33.06	Preparations for oral or dental hygiene, including denture fixative pastes and powders; yarn used to clean between the teeth (dental floss), in individual retail packages.	<i>As indicated at the subheading level</i>		<i>Decisions as specified for the subheading</i>
3306.10	- Dentifrices	CTSH		Submitted to CRO for decision (Doc.42.626) Issue n° 10 Endorsed
3306.20	- Yarn used to clean between the teeth (dental floss)	CTH, except by cutting and putting up for retail sale only		
3306.90	- Other	CTSH		Submitted to CRO for decision (Doc.42.626) Issue n° 10
33.07	Pre-shave, shaving or after-shave preparations, personal deodorants, bath preparations, depilatories and other perfumery, cosmetic or toilet preparations, not elsewhere specified or included; prepared room deodorisers, whether or not perfumed or having disinfectant properties.	CTSH		Submitted to CRO for decision (Doc.42.626) Issue n° 10
3307.10	- Pre-shave, shaving or after-shave preparations	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3307.20	- Personal deodorants and antiperspirants			
3307.30	- Perfumed bath salts and other bath preparations			
	- Preparations for perfuming or deodorizing rooms, including odoriferous preparations used during religious rites :			
3307.41	-- "Agarbatti" and other odoriferous preparations which operate by burning			
3307.49	-- Other			
3307.90	- Other			

CHAPTER 34

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

- 1) dissolving in water or other solvents;
- 2) the elimination of solvents including solvent water; or
- 3) the addition or elimination of water of crystallization.

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and Blends Basket 1, Submitted to CRO for decision for Bracketed Text (Doc.42.626, Issue No.5)

The deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.

3. Purification Basket 1, Submitted to CRO for decision for bracketed text (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, 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-electronics;

- (iv) specialized optical uses;
- (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vi) carriers used in a separation process; or
- (vii) nuclear grade uses.

4. Reduction in particle size Basket 1

The deliberate and controlled reduction in particle size of a good, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.

5. Non-Origin Conferring Processes Submitted to CRO for decision (Doc.OC0032, Issue No.24)

[– For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

6. Packing for retail sale Basket 1

For the purposes of subheading 3402.20, the change of classification resulting from the mere putting up for retail sale of products of this Chapter is not to be considered origin conferring.

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule 2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume (EC) (US)]

[Total value of parts and related processing activity (CH)]

CHAPTER 34

HS Code Number	Description of goods	Origin Criteria	Notes	Comments
A	B	C	D	E
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, “dental waxes” and dental preparations with a basis of plaster			
34.01	Soap; organic surface-active products and preparations for use as soap, in the form of bars, cakes, moulded pieces or shapes, whether or not containing soap; paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent.	<i>As indicated at split heading level</i>		
ex 34.01 (a)	-Paper, wadding, felt and non-wovens, impregnated, coated or covered with soap or detergent	CTHS		Submitted to CRO for decision (Doc.42.626) Issue n° 13
ex 34.01 (b)	-Other	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Origin Criteria	Notes	Comments
A	B	C	D	E
3401.11 3401.19 3401.20	- Soap and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent : -- For toilet use (including medicated products) -- Other - Soap in other forms	<i>As indicated at split heading level</i>		
34.02	Organic surface-active agents (other than soap); surface-active preparations, washing preparations (including auxiliary washing preparations) and cleaning preparations, whether or not containing soap, other than those of heading No. 34.01.	<i>As indicated at the subheading level</i>		
	- Organic surface-active agents, whether or not put up for retail sale :			
3402.11	-- Anionic	CTSH		Basket 1 (Endorsed by CRO)
3402.12	-- Cationic	CTSH		Basket 1 (Endorsed by CRO)
3402.13	-- Non-ionic	CTSH		Basket 1 (Endorsed by CRO)
3402.19	-- Other	CTSH		Basket 1 (Endorsed by CRO)
3402.20	- Preparations put up for retail sale	CTH		Submitted to CRO for decision (Doc.42.626) Issue n° 14

HS Code Number	Description of goods	Origin Criteria	Notes	Comments
A	B	C	D	E
3402.90	- Other	CTH		Submitted to CRO for decision (Doc.42.626) Issue n° 14
34.03	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals.	CTH		Basket 1 (Endorsed by CRO)
3403.11 3403.19 3403.91	- Containing petroleum oils or oils obtained from bituminous minerals : -- Preparations for the treatment of textile materials, leather, furskins or other materials -- Other - Other : -- Preparations for the treatment of textile materials, leather, furskins or other materials	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Origin Criteria	Notes	Comments
A	B	C	D	E
3403.99	-- Other			
34.04	Artificial waxes and prepared waxes.	CTH		Basket 1 (Endorsed by CRO)
3404.10 3404.20 3404.90	- Of chemically modified lignite - Of polyethylene glycol - Other	<i>As indicated at the heading level</i>		
34.05	Polishes and creams, for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations (whether or not in the form of paper, wadding, felt, nonwovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations), excluding waxes of heading No. 34.04.			Submitted to CRO for decision (Doc.42.626) Issue n° 13
ex 34.05(a)	- Polishes and creams for footwear, furniture, floors, coachwork, glass or metal, scouring pastes and powders and similar preparations, excluding waxes of heading N° 3404. (EC)	CTH		
ex 34.05(b)	- Paper, wadding, felt, nonwovens, cellular plastics or cellular rubber, impregnated, coated or covered with such preparations (EC)]	CTHS		
34.06	Candles, tapers and the like.	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Origin Criteria	Notes	Comments
A	B	C	D	E
34.07	Modelling pastes, including those put up for children's amusement; preparations known as "dental wax" or as "dental impression compounds", put up in sets, in packings for retail sale or in plates, horseshoe shapes, sticks or similar forms; other preparations for use in dentistry, with a basis of plaster (of calcined gypsum or calcium sulphate).	CTH		Basket 1 (Endorsed by CRO)

CHAPTER 35

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

- 1) dissolving in water or other solvents;
- 2) the elimination of solvents including solvent water; or
- 3) the addition or elimination of water of crystallization

A chemical reaction as defined above is to be considered origin-conferring.

2. Mixtures and Blends Basket 1, Submitted to CRO for decision for Bracketed text (Doc.42.626, Issue No.5)

For the purposes of subheading 3502.20 and headings 35.06 and 35.07, the deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.

3. Purification Basket 1, Submitted to CRO for decision for bracketed text (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied :

- a) purification of a good resulting in the elimination of 50 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, medical, cosmetic, veterinary or food grade substances;
 - (ii) chemical products and reagents for analytical, diagnostic or laboratory uses;

- (iii) elements and components for use in in micro-electronics;
- (iv) specialized optical uses;
- (v) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vi) carriers used in a separation process; or
- (vii) nuclear grade uses.

4. Reduction in particle size Basket 1

The deliberate and controlled reduction in particle size of a good, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.

5. Standard Materials Basket 1

Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.

6. Isomer Separation Basket 1

The isolation or separation of isomers from a mixture of isomers is to be considered as origin-conferring.

7. Non-Origin Conferring Processes Submitted to CRO for decision (Doc.OC0032, Issue No.24)

[- For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

8. Packing for retail sale Basket 1

For the purposes of heading 35.06, the change of classification resulting from the mere putting up for retail sale of products of this Chapter is not to be considered origin-conferring.

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]
[Weight or volume (EC) (US)]
[Total value of parts and related processing activity (CH)]

CHAPTER 35

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 35	Albuminoidal substances; modified starches; glues; enzymes			
35.01	Casein, caseinates and other casein derivatives; casein glues.	<i>As indicated at the subheading level</i>		
3501.10	- Casein	CTSH/CTH		Basket 2 (Terminology Only) - to be finalised
3501.90	- Other	<i>As indicated at the split subheading level</i>		<i>Decisions as specified for the split subheading</i>
ex 3501.90(a)	<u>Casein glues</u>	CTSHS		Basket 1 (Endorsed by CRO)
ex 3501.90(b)	<u>Other</u>	CTSH		Basket 1 (Endorsed by CRO)
35.02	Albumins (including concentrates of two or more whey proteins, containing by weight more than 80 % whey proteins, calculated on the dry matter), albuminates and other albumin derivatives.	<i>As indicated at the subheading level</i>		
	- Egg albumin :			
3502.11	-- Dried	CTSH		Basket 1 (Endorsed by CRO)
3502.19	-- Other	CTH, except from heading 04.07 or 04.08		Endorsed
3502.20	- Milk albumin, including concentrates of two or more whey proteins	CTSH/CTH		Basket 2 (Terminology Only) - to be finalised
3502.90	- Other	CTSH/CTH		Basket 2 (Terminology Only) - to be finalised

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
35.03	Gelatin (including gelatin in rectangular (including square) sheets, whether or not surface-worked or coloured) and gelatin derivatives; isinglass; other glues of animal origin, excluding casein glues of heading No. 35.01.	CTH		Basket 1 (Endorsed by CRO)
35.04	Peptones and their derivatives; other protein substances and their derivatives, not elsewhere specified or included; hide powder, whether or not chromed.	CTH		Basket 1 (Endorsed by CRO)
35.05	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches.	<i>As indicated at the subheading level</i>		
3505.10	- Dextrins and other modified starches	CTH/CTSH		Basket 2 (Terminology Only) - to be finalised
3505.20	- Glues	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
35.06	Prepared glues and other prepared adhesives, not elsewhere specified or included; products suitable for use as glues or adhesives, put up for retail sale as glues or adhesives, not exceeding a net weight of 1 kg.	<i>As indicated at the subheading level</i>		
3506.10	- Products suitable for use as glues or adhesives, put up for retail sale as glues or adhesives, not exceeding a net weight of 1kg	CTSH		Endorsed by CRO
	Other :			
3506.91	-- Adhesives based on rubber or plastics (including artificial resins)	CTSH		Basket 1 (Endorsed by CRO)
3506.99	-- Other	CTSH		Basket 1 (Endorsed by CRO)
35.07	Enzymes; prepared enzymes not elsewhere specified or included.	CTH		Submitted to CRO for decision
3507.10	- Rennet and concentrates thereof			
3507.90	- Other			

CHAPTER 36

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations			
36.01	Propellant powders.	CTH		Basket 1 (Endorsed by CRO)
36.02	Prepared explosives, other than propellant powders.	CTH		Basket 1 (Endorsed by CRO)
36.03	Safety fuses; detonating fuses; percussion or detonating caps; igniters; electric detonators.	CTH		Basket 1 (Endorsed by CRO)
36.04	Fireworks, signalling flares, rain rockets, fog signals and other pyrotechnic articles.	CTH		Basket 1 (Endorsed by CRO)
36.05	Matches, other than pyrotechnic articles of heading No. 36.04.	CTH		Basket 1 (Endorsed by CRO)
36.06	Ferro-cerium and other pyrophoric alloys in all forms; articles of combustible materials as specified in Note 2 to this Chapter.	CTH except when this change results from the liquefaction or putting up for retail sale of products of other headings		Basket 1 (Endorsed by CRO)
3606.10	- Liquid or liquefied-gas fuels in containers of a kind used for filling or refilling cigarette or similar lighters and of a capacity not exceeding 300 cm ³	<i>As indicated at the heading level</i>		<i>Decisions as specified for the heading</i>
3606.90	- Other			

CHAPTER 37

Chapter Notes

1. Mixtures and Blends Submitted to CRO for decision (Doc.42.626, Issue No.5)

[For the purposes of heading 37.07, the deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.]

2. Non-Origin Conferring Processes Submitted to CRO for decision (Doc.OC0032, Issue No.24)

[- For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume, as appropriate (US)]

[Weight, volume or value, as appropriate (EC)]

[Total value of parts and related processing activity (CH)]

CHAPTER 37

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 37	Photographic or cinematographic goods			
37.01	Photographic plates and film in the flat, sensitised, unexposed, of any material other than paper, paperboard or Photographic plates and film in the flat, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensitised, unexposed, whether or not in packs.	<i>As indicated at the subheading level</i>		
3701.10	- For X-ray	CTH except from heading 37.02		Basket 1 (Endorsed by CRO)
3701.20	- Instant print film	CTH		Endorsed
3701.30	- Other plates and film, with any side exceeding 255 mm -- Other	CTH except from heading 37.02		Basket 1 (Endorsed by CRO)
3701.91	-- For colour photography (polychrome)	CTH except from heading 37.02		Basket 1 (Endorsed by CRO)
3701.99	-- Other	CTH except from heading 37.02		Basket 1 (Endorsed by CRO)
37.02	Photographic film in rolls, sensitised, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensitised, unexposed.	<i>As indicated at the subheading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3702.10	- For X-ray	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.20	- Instant print film	CTH, except from heading 37.01		Endorsed
	- Other film, without perforations, of a width not exceeding 105 mm :			
3702.31	-- For colour photography (polychrome)	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.32	-- Other, with silver halide emulsion	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.39	-- Other	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
	- Other film, without perforations, of a width exceeding 105 mm :			
3702.41	-- Of a width exceeding 610 mm and of a length exceeding 200 m, for colour photography (polychrome)	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.42	-- Of a width exceeding 610 mm and of a length exceeding 200 m, other than for colour photography	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.43	-- Of a width exceeding 610 mm and of a length not exceeding 200 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.44	-- Of a width exceeding 105 mm but not exceeding 610 mm	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
	- Other film, for colour photography (polychrome) :			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3702.51	-- Of a width not exceeding 16 mm and of a length not exceeding 14 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.52	-- Of a width not exceeding 16 mm and of a length exceeding 14 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.53	-- Of a width exceeding 16 mm but not exceeding 35 mm and of a length not exceeding 30 m, for slides	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.54	-- Of a width exceeding 16 mm but not exceeding 35 mm and of a length not exceeding 30 m, other than for slides	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.55	-- Of a width exceeding 16 mm but not exceeding 35 mm and of a length exceeding 30 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.56	- Of a width exceeding 35 mm Other :	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.91	-- Of a width not exceeding 16 mm and of a length not exceeding 14 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.92	-- Of a width not exceeding 16 mm and of a length exceeding 14 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.93	-- Of a width exceeding 16 mm but not exceeding 35 mm and of a length not exceeding 30 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3702.94	-- Of a width exceeding 16 mm but not exceeding 35 mm and of a length exceeding 30 m	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
3702.95	-- Of a width exceeding 35 mm	CTH except from heading 37.01		Basket 1 (Endorsed by CRO)
37.03	Photographic paper, paperboard and textiles, sensitised, unexposed.	CTH		Basket 1 (Endorsed by CRO)
3703.10	- In rolls of a width exceeding 610 mm	<i>As indicated at the heading level</i>		
3703.20	- Other, for colour photography (polychrome)			
3703.90	- Other			
37.04	Photographic plates, film, paper, paperboard and textiles, exposed but not developed.	CTH		Basket 1 (Endorsed by CRO)
37.05	Photographic plates and film, exposed and developed, other than cinematographic film.	CTH		Basket 1 (Endorsed by CRO)
37.06	Cinematographic film, exposed and developed, whether or not incorporating sound track or consisting only of sound track.	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
37.07	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.	CTH		Endorsed
3707.10 3707.90	- Sensitising emulsions - Other	<i>As indicated at the heading level</i>		

CHAPTER 38

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

- 1) dissolving in water or other solvents;
- 2) the elimination of solvents including solvent water; or
- 3) the addition or elimination of water of crystallization

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and Blends Basket 1, Submitted to CRO for decision for Bracketed Text (Doc.42.626, Issue No.5)

For the purposes of headings 38.01, 38.04, 38.06, 38.07, 38.08 through 38.15, 38.19 through 38.21, 38.23 and 38.24, the deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only (SG) (US)] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.

3. Purification Basket 1, Submitted to CRO for decision for bracketed text to CRO (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, cosmetic, veterinary or food grade substances;
 - (ii) chemical products and reagents for analytical, diagnostic or laboratory uses;

- (iii) elements and components for use in in micro-electronics;
- (iv) specialized optical uses;
- [(v) non toxic uses for health and safety] ;
- (vi) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
- (vii) carriers used in a separation process; or
- (viii) nuclear grade uses.

4. **Separation** Submitted to CRO for decision (Doc.42.626, Issue No.7)

Separation, by chromatography, extraction, precipitation or specific mechanical treatments, is considered to be origin conferring provided that one of the following criteria is satisfied:

- (i) obtaining goods with specific purity;
- [(ii) obtaining goods with specific odoriferous characteristics;
- (iii) obtaining goods with specific flavouring characteristics;] or
- (iv) obtaining goods suitable for specific uses.. (EC) (CH) (SG)]

5. **Change in particle size**

1) Reduction in particle size: **Basket 1**

For the purposes of headings 38.02, 38.08, 38.09, 38.11, 38.12 and 38.15, the deliberate and controlled reduction in particle size of a good, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.

2) Increase in particle size: **Submitted to CRO for decision (Doc.42.626, Issue No.4)**

[For the purposes of headings 38.02, 38.08, 38.09, 38.11, 38.12 and 38.15, the deliberate and controlled [modification] in particle size of a good, other than by merely crushing [or pressing,] resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring.]

Note: If Paragraph 2 is accepted by the CRO, it should be adopted in the place of Paragraph 1; only the words “modification” and “or pressing” are for decision.

6. Standard Materials Basket 1

Standard materials (including standard solutions) are preparations suitable for analytical, calibrating or referencing uses having precise degrees of purity or proportions which are certified by the manufacturer. The production of standard materials is to be considered as origin conferring.

7. Packing for retail sale Basket 1

For the purposes of headings 38.08 and 38.13, the change of classification resulting from the mere putting up for retail sale of products of this Chapter is to be disregarded for the determination of origin.

8. Non-Origin Conferring Processes Submitted to CRO for decision (Doc. OC0032, Issue No. 24)

[- For the purposes of Chapters 30-38 the addition, whether or not in combination, of the additives enumerated in HS Chapter Notes 1(f) and 1(g) to Chapter 29 for the purposes indicated therein is not origin conferring. (CAN) (PHI) (US)]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule 2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume, as appropriate (US)]

[Weight, volume or value, as appropriate (EC)]

[Total value of parts and related processing activity (CH)]

CHAPTER 38

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 38	Miscellaneous chemical products			
38.01	Artificial graphite; colloidal or semi-colloidal graphite; preparations based on graphite or other carbon in the form of pastes, blocks, plates or other semi-manufactures.	<i>As indicated at the subheading level</i>		
3801.10	- Artificial graphite	CTSH; or Change within the subheading from waste, scrap or worn-out articles		Basket 1 (Endorsed by CRO)
3801.20	- Colloidal or semi-colloidal graphite	CTSH		Basket 1 (Endorsed by CRO)
3801.30	- Carbonaceous pastes for electrodes and similar pastes for furnace linings	CTSH		Basket 1 (Endorsed by CRO)
3801.90	- Other	CTSH		Basket 1 (Endorsed by CRO)
38.02	Activated carbon; activated natural mineral products; animal black, including spent animal black.	CTH		Basket 1 (Endorsed by CRO)
3802.10	- Activated carbon	<i>As indicated at the heading level</i>		
3802.90	- Other			
38.03	Tall oil, whether or not refined.	<i>As indicated at the split heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
ex 38.03(a)	- <u>Refined</u>	CTHS		Submitted to CRO for decision (Doc.42.626) Issue n° 18
ex 38.03(b)	- <u>Other</u>	CTH		Basket 1 (Endorsed by CRO)
38.04	Residual lyes from the manufacture of wood pulp, whether or not concentrated, desugared or chemically treated, including lignin sulphonates, but excluding tall oil of heading No. 38.03.	CTH		Basket 1 (Endorsed by CRO)
38.05	Gum, wood or sulphate turpentine and other terpenic oils produced by the distillation or other treatment of coniferous woods; crude dipentene; sulphite turpentine and other crude para-cymene; pine oil containing alpha-terpineol as the main constituent.	<i>As indicated at the subheading level</i>		
3805.10	- Gum, wood or sulphate turpentine oils	CTH		Basket 1 (Endorsed by CRO)
3805.20	- Pine oil	CTSH		Basket 1 (Endorsed by CRO)
3805.90	- Other	CTSH		Basket 1 (Endorsed by CRO)
38.06	Rosin and resin acids, and derivatives thereof; rosin spirit and rosin oils; run gums.	<i>As indicated at the subheading level</i>		
3806.10	- Rosin and resin acids	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3806.20	- Salts of rosin, of resin acids or of derivatives of rosin or resin acids, other than salts of rosin adducts	CTSH		Basket 1 (Endorsed by CRO)
3806.30	- Ester gums	CTSH		Basket 1 (Endorsed by CRO)
3806.90	- Other	CTSH		Basket 1 (Endorsed by CRO)
38.07	Wood tar; wood tar oils; wood creosote; wood naphtha; vegetable pitch; brewers' pitch and similar preparations based on rosin, resin acids or on vegetable pitch.	CTH		Basket 1 (Endorsed by CRO)
38.08	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).	CTH		Endorsed by CRO
3808.10 3808.20 3808.30 3808.40 3808.90	- Insecticides - Fungicides - Herbicides, anti-sprouting products and plant-growth regulators - Disinfectants - Other	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
38.09	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included.	CTH		Endorsed by CRO
3809.10	- With a basis of amylaceous substances	<i>As indicated at the heading level</i>		
3809.91	- Other : -- Of a kind used in the textile or like industries			
3809.92	-- Of a kind used in the paper or like industries			
3809.93	-- Of a kind used in the leather or like industries			
38.10	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding electrodes or rods.	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3810.10	- Pickling preparations for metal surfaces; soldering, brazing or welding powders and pastes consisting of metal and other materials	<i>As indicated at the heading level</i>		
3810.90	- Other			
38.11	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and other prepared additives, for mineral oils (including gasoline) or for other liquids used for the same purposes as mineral oils.	CTH or Chapter Note on Mixtures and Blends		Endorsed by CRO
3811.11	-Anti-knock preparations :	<i>As indicated at the heading level</i>		
3811.19	-- Based on lead compounds			
	-- Other			
3811.21	- Additives for lubricating oils :			
	-- Containing petroleum oils or oils obtained from bituminous minerals			
3811.29	-- Other			
3811.90	- Other			

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
38.12	Prepared rubber accelerators; compound plasticisers for rubber or plastics, not elsewhere specified or included; anti-oxidising preparations and other compound stabilisers for rubber or plastics.	CTH		Basket 1 (Endorsed by CRO)
3812.10 3812.20 3812.30	- Prepared rubber accelerators - Compound plasticisers for rubber or plastics - Anti-oxidising preparations and other compound stabilisers for rubber or plastics	<i>As indicated at the heading level</i>		
38.13	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades.	CTH		Basket 1 (Endorsed by CRO)
38.14	Organic composite solvents and thinners, not elsewhere specified or included; prepared paint or varnish removers.	CTH		Basket 1 (Endorsed by CRO)
38.15	Reaction initiators, reaction accelerators and catalytic preparations, not elsewhere specified or included.	CTH		Basket 1 (Endorsed by CRO)
	- Supported catalysts :	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3815.11	-- With nickel or nickel compounds as the active substance	<i>As indicated at the heading level</i>		
3815.12	-- With precious metal or precious metal compounds as the active substance			
3815.19	-- Other			
3815.90	- Other			
38.16	Refractory cements, mortars, concretes and similar compositions, other than products of heading No. 38.01.	CTH		Basket 1 (Endorsed by CRO)
38.17	Mixed alkylbenzenes and mixed alkylnaphthalenes, other than those of heading No. 27.07 or 29.02.	CTH		Basket 1 (Endorsed by CRO)
3817.10 3817.20	- Mixed alkylbenzenes - Mixed alkylnaphthalenes	<i>As indicated at the heading level</i>		
38.18	Chemical elements doped for use in electronics, in the form of discs, wafers or similar forms; chemical compounds doped for use in electronics.	[CTH] (JPN) (US) (CAN) (MEX) (NZ) (CH) [CTH; or Change within this heading following the cutting into discs, wafers or similar forms, polishing or coating with an epitaxial layer (EC)] [Value added rule] (SG)		Submitted to CRO for decision (Doc.42.626) Issue n° 22

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
38.19	Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70 % by weight of petroleum oils or oils obtained from bituminous minerals.	CTH		Basket 1 (Endorsed by CRO)
38.20	Anti-freezing preparations and prepared de-icing fluids.	CTH		Basket 1 (Endorsed by CRO)
38.21	Prepared culture media for development of micro-organisms.	CTH		Basket 1 (Endorsed by CRO)
38.22	Diagnostic or laboratory reagents on a backing and prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading No. 30.02 or 30.06.	CTH		Basket 1 (Endorsed by CRO)
38.23	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols.	<i>As indicated at the subheading level</i>		
	- Industrial monocarboxylic fatty acids; acid oils from refining :			
3823.11	-- Stearic acid	CTSH		Basket 1 (Endorsed by CRO)
3823.12	-- Oleic acid	CTSH		Basket 1 (Endorsed by CRO)
3823.13	-- Tall oil fatty acids	CTSH		Basket 1 (Endorsed by CRO)
3823.19	-- Other	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3823.70	- Industrial fatty alcohols	CTSH		Basket 1 (Endorsed by CRO)
38.24	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; residual products of the chemical or allied industries, not elsewhere specified or included.	<i>As indicated at the subheading level</i>		
3824.10	- Prepared binders for foundry moulds or cores	CTSH		Basket 1 (Endorsed by CRO)
3824.20	- Naphthenic acids, their water-insoluble salts and their esters	CTSH		Basket 1 (Endorsed by CRO)
3824.30	- Non-agglomerated metal carbides mixed together or with metallic binders	CTSH		Basket 1 (Endorsed by CRO)
3824.40	- Prepared additives for cements, mortars or concretes	CTSH		Basket 1 (Endorsed by CRO)
3824.50	- Non-refractory mortars and concretes	CTSH		Basket 1 (Endorsed by CRO)
3824.60	- Sorbitol other than that of subheading No. 2905.44	CTSH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
	- Mixtures containing perhalogenated derivatives of acyclic hydrocarbons containing two or more different halogens :			
3824.71	-- Containing acyclic hydrocarbons perhalogenated only with fluorine and chlorine	CTSH		Basket 1 (Endorsed by CRO)
3824.79	-- Other	CTSH		Basket 1 (Endorsed by CRO)
3824.90	- Other	CTSH		Basket 1(Endorsed by CRO)

CHAPTER 39

Chapter Notes

1. Chemical Reaction : Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

- 1) dissolving in water or other solvents;
- 2) the elimination of solvents including solvent water; or
- 3) the addition or elimination of water of crystallization

A chemical reaction as defined above is to be considered origin conferring.

This definition comprises all types of polymerization reactions and chemical modification of polymers, including cross-linking by hardener/cross-linking agents and irradiation.

2. Mixtures and Blends Submitted to CRO for decision (Doc.42.627, Issue No.27)

a) [The deliberate and proportionally controlled mixing or blending including dispersing of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.]

b) [The deliberate and proportionally controlled mixing or blending of polymers, which results in the production of a polymer blend having physical and/or chemical characteristics different from the individual constituents, is considered to be origin conferring. (Headings 39.01-39.15)

This definition comprises polymer compounding and the use of recycled polymers. (EC)]

3. Purification Basket 1, Submitted to CRO for decision for bracketed text (Doc.OC0014, Issue No.25)

Purification is considered to be origin conferring provided that one of the following criteria is satisfied:

- 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, medical, 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-electronics;
 - (iv) specialized optical uses;
 - [(v) [non toxic uses for health and safety] ;
 - (vi) biotechnical use (e.g., in cell culturing, in genetic technology, or as a catalyst);
 - (vii) carriers used in a separation process; or
 - (viii) nuclear grade uses.

4. Change in particle size

- 1) Reduction in particle size: **Basket 1**

The deliberate and controlled reduction in particle size of a good including micronizing by dissolving a polymer and subsequent precipitation, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area relevant to the purposes of the resulting good and having different physical or chemical characteristics from the input materials is considered to be origin conferring.

- 2) Increase in particle size: **Submitted to CRO for decision (Doc.42.626, Issue No.4)**

[The deliberate and controlled modification in particle size of a good including micronizing by dissolving a polymer and subsequent precipitation, other than by merely crushing, resulting in a good having a defined particle size, defined particle size distribution or defined surface area, which are relevant to the purposes of the resulting good and have different physical or chemical characteristics from the input materials is considered to be origin conferring. (CH)]

Note: If Paragraph 2 is accepted by the CRO, the term “reduction” in Paragraph 1 shall be amended to “modification”. (Sec)

5. Separation (Headings 39.01- 39.14) Submitted to CRO for decision (Doc.42.626, Issue No.7)

[Separation, by chromatography, extraction, precipitation, (refining), or specific mechanical treatments, is considered to be origin conferring provided that one of the following criteria is satisfied:

- (i) obtaining goods with specific molecular weight distribution;
- (ii) obtaining goods with specific purity;
- [(iii) obtaining goods with specific odoriferous characteristics;
- (iv) obtaining goods with specific flavouring characteristics;] or
- (v) obtaining goods suitable for specific uses.. (EC) (CH) (SG)]

6. Shaping and further processing on semi-finished articles (Headings 39.16 - 39.17 and 39.19 - 39.21) Submitted to CRO for decision (Doc.42.626, Issue No.3)

[The following shaping and other processes on semi-finished articles in order to obtain finished articles are regarded as substantial transformations:

Cold drawing, hand-fabricating thermoforming, laminating, forming of vulcanized fibre, bonding of plastics, machining, and coating with an adhesive layer. (EC) (CH)]

[Product Specific] [Chapter] Residual Rule

[When application of the primary rules of this chapter (including the product specific rules provided in the matrix) does not result in a determination of a country of origin, the country of origin shall be determined as follows:

1. Goods of headings 39.01 through 39.14 produced by mixing or otherwise combining materials of different origins, originate in the country that produced the polymers that predominate by weight or volume, as appropriate, over those of each other single country.]

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume, as appropriate (EC)]

[Total value of parts and related processing activity (CH)]

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 39	Plastics and articles thereof			
39.01	Polymers of ethylene, in primary forms	CTH		Submitted to CRO for decision (doc. 42.627) Issue n° 1 Issue n° 2
3901.10 3901.20 3901.30 3901.90	- Polyethylene having a specific gravity of less than 0.94 - Polyethylene having a specific gravity of 0.94 or more - Ethylene-vinyl acetate copolymers - Other	<i>As indicated at the heading level.</i>		
39.02	Polymers of propylene or of other olefins, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3902.10 3902.20 3902.30 3902.90	- Polypropylene - Polyisobutylene - Propylene copolymers - Other	<i>As indicated at the heading level.</i>		
39.03	Polymers of styrene, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3903.11 3903.19 3903.20	- Polystyrene : -- Expansible -- Other - Styrene-acrylonitrile (SAN) copolymers	<i>As indicated at the heading level.</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3903.30 3903.90	- Acrylonitrile-butadiene-styrene (ABS) copolymers - Other			
39.04	Polymers of vinyl chloride or of other halogenated olefins, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3904.10 3904.21 3904.22 3904.30	- Polyvinyl chloride, not mixed with any other substances - Other polyvinyl chloride : -- Non-plasticised -- Plasticised - Vinyl chloride-vinyl acetate copolymers	<i>As indicated at the heading level.</i>		
3904.40 3904.50 3904.61 3904.69 3904.90	- Other vinyl chloride copolymers - Vinylidene chloride polymers - Fluoro-polymers : -- Polytetrafluoroethylene -- Other - Other	<i>As indicated at the heading level.</i>		
39.05	Polymers of vinyl acetate or of other vinyl esters, in primary forms; other vinyl polymers in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3905.12 3905.19 3905.21 3905.29	- Polyvinyl acetate : -- In aqueous dispersion -- Other - Vinyl acetate copolymers : -- In aqueous dispersion -- Other	<i>As indicated at the heading level.</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3905.30 3905.91 3905.99	Other - Polyvinyl alcohol, whether or not containing unhydrolysed acetate groups - Other : -- Copolymers -- Other			
39.06	Acrylic polymers in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3906.10 3906.90	- Polymethyl methacrylate - Other	<i>As indicated at the heading level.</i>		
39.07	Polyacetals, other polyethers and epoxide resins, in primary forms; polycarbonates, alkyd resins, polyallyl esters and other polyesters, in primary forms.	CTH		Submitted to CRO for Decision (Doc. 42.627) Issue n° 1 Issue n° 2
3907.10 3907.20 3907.30 3907.40 3907.50 3907.60 3907.91 3907.99	- Polyacetals - Other polyethers - Epoxide resins - Polycarbonates - Alkyd resins - Polyethylene terephthalate - Other polyesters : -- Unsaturated -- Other	<i>As indicated at the heading level.</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
39.08	Polyamides in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3908.10 3908.90	- Polyamide-6, -11, -12, -6-,6, -6,9, -6,10 or -6,12 - Other	<i>As indicated at the heading level.</i>		
39.09	Amino-resins, phenolic resins and polyurethanes, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3909.10 3909.20 3909.30 3909.40 3909.50	- Urea resins; thiourea resins - Melamine resins - Other amino-resins - Phenolic resins - Polyurethanes	<i>As indicated at the heading level.</i>		
39.10	Silicones in primary forms	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
39.11	Petroleum resins, coumarone-indene resins, polyterpenes, polysulphides, polysulphones and other products specified in Note 3 to this Chapter, not elsewhere specified or included, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3911.10 3911.90	- Petroleum resins, coumarone, indene or coumarone-indene resins and polyterpenes - Other	<i>As indicated at the heading level.</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
39.12	Cellulose and its chemical derivatives, not elsewhere specified or included, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3912.11 3912.12 3912.20 3912.31 3912.39 3912.90	- Cellulose acetates : -- Non-plasticised -- Plasticised - Cellulose nitrates (including collodions) - Cellulose ethers : -- Carboxymethylcellulose and its salts -- Other - Other	<i>As indicated at the heading level.</i>		
39.13	Natural polymers (for example, alginic acid) and modified natural polymers (for example, hardened proteins, chemical derivatives of natural rubber), not elsewhere specified or included, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2
3913.10 3913.90	- Alginic acid, its salts and esters - Other	<i>As indicated at the heading level.</i>		
39.14	Ion-exchangers based on polymers of headings Nos. 39.01 to 39.13, in primary forms.	CTH		Submitted to CRO for decision (Doc. 42.627) Issue n° 1 Issue n° 2

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
39.15	Waste, parings and scrap of plastics.	The origin of the goods shall be the country in which the waste and scrap of this heading is collected or derived from manufacturing or processing operations or from consumption, [or Chapter Rule on recycling of waste and scrap. (EC)]		Basket 1 Basket 2 for the bracketed text.
3915.10 3915.20 3915.30 3915.90	- Of polymers of ethylene - Of polymers of styrene - Of polymers of vinyl chloride - Of other plastics	<i>As indicated at the heading level.</i>		
39.16	Monofilament of which any cross-sectional dimension exceeds 1 mm, rods, sticks and profile shapes, whether or not surface-worked but not otherwise worked, of plastics.	CTH, or change within this heading to reinforced, laminated or supported material.		Submitted to CRO for decision (Doc. 42.627) Issue n° 3
3916.10 3916.20 3916.90	- Of polymers of ethylene - Of polymers of vinyl chloride - Of other plastics	<i>As indicated at the heading level.</i>		
39.17	Tubes, pipes and hoses, and fittings therefor (for example, joints, elbows, flanges), of plastics.	CTH, or change within this heading to reinforced, laminated or supported material.		Submitted to CRO for decision (Doc. 42.627) Issue n° 3
3917.10 3917.21 3917.22 3917.23 3917.29	- Artificial guts (sausage casings) of hardened protein or of cellulosic materials - Tubes, pipes and hoses, rigid: -- Of polymers of ethylene -- Of polymers of propylene -- Of polymers of vinyl chloride -- Of other plastics	<i>As indicated at the heading level.</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3917.31 3917.32 3917.33 3917.39 3917.40	- Other tubes, pipes and hoses: -- Flexible tubes, pipes and hoses, having a minimum burst pressure of 27.6 MPa -- Other, not reinforced or otherwise combined with other materials, without fittings -- Other, not reinforced or otherwise combined with other materials, with fittings -- Other - Fittings	<i>As indicated at the heading level.</i>		
39.18	Floor coverings of plastics, whether or not self-adhesive, in rolls or in the form of tiles; wall or ceiling coverings of plastics, as defined in Note 9 to this Chapter.	CTH		Basket 1 (Endorsed by CRO)
3918.10 3918.90	- Of polymers of vinyl chloride - Of other plastics	<i>As indicated at the heading level.</i>		
39.19	Self-adhesive plates, sheets, film, foil, tape, strip and other flat shapes, of plastics, whether or not in rolls.	CTH, or change within this heading to reinforced, laminated or supported material.		Submitted to CRO for decision (Doc. 42.627) Issue n° 3
3919.10 3919.90	- In rolls of a width not exceeding 20 cm - Other	<i>As indicated at the heading level.</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
39.20	Other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials.	CTH, or change within this heading to reinforced, laminated or supported material.		Endorsed by CRO
3920.10 3920.20 3920.30 3920.41 3920.42 3920.51 3920.59 3920.61 3920.62 3920.63 3920.69 3920.71 3920.72 3920.73 3920.79 3920.91 3920.92	- Of polymers of ethylene - Of polymer of propylene - Of polymers of styrene - Of polymers of vinyl chloride: -- Rigid -- Flexible - Of acrylic polymers: -- Of polymethyl methacrylate -- Other - Of polycarbonates, alkyd resins, polyallyl esters or other polyesters: -- Of polycarbonates -- Of polyethylene terephthalate -- Of unsaturated polyesters -- Of other polyesters - Of cellulose or its chemical derivatives: -- Of regenerated cellulose -- Of vulcanised fibre -- Of cellulose acetate -- Of other cellulose derivatives - Of other plastics: -- Of polyvinyl butyral -- Of polyamides	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3920.93 3920.94 3920.99	-- Of amino-resins -- Of phenolic resins -- Of other plastics	<i>As indicated at the heading level</i>		
39.21	Other plates, sheets, film, foil and strip, of plastics.	CTH, or change within this heading to reinforced, laminated or supported material.		Endorsed by CRO
3921.11 3921.12 3921.13	- Cellular: -- Of polymers of styrene -- Of polymers of vinyl chloride -- Of polyurethanes	<i>As indicated at the heading level</i>		
3921.14 3921.19 3921.90	-- Of regenerated cellulose -- Of other plastics - Other	<i>As indicated at the heading level.</i>		
39.22	Baths, shower-baths, wash-basins, bidets, lavatory pans, seats and covers, flushing cisterns and similar sanitary ware, of plastics.	CTH		Basket 1 (Endorsed by CRO)
3922.10 3922.20 3922.90	- Baths, shower-baths and wash-basins - Lavatory seats and covers - Other	<i>As indicated at the heading level</i>		
39.23	Articles for the conveyance or packing of goods, of plastics; stoppers, lids, caps and other closures, of plastics.	CTH		Basket 1 (Endorsed by CRO)
3923.10	- Boxes, cases, crates and similar articles - Sacks and bags (including cones):	<i>As indicated at the heading level</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
3923.21 3923.29 3923.30 3923.40 3923.50 3923.90	-- Of polymers of ethylene -- Of other plastics - Carboys, bottles, flasks and similar articles - Spools, cops, bobbins and similar supports -- Stoppers, lids, caps and other closures - Other	<i>As indicated at the heading level</i>		
39.24	Tableware, kitchenware, other household articles and toilet articles, of plastics.	CTH		Basket 1 (Endorsed by CRO)
3924.10 3924.90	- Tableware and kitchenware - Other	<i>As indicated at the heading level</i>		
39.25	Builders' ware of plastics, not elsewhere specified or included.	CTH [or assembly of articles from parts or components classified within the heading. (US) (CH) (PHI)]		Submitted to CRO for decision (Doc. 42.627) Issue n° 5
3925.10 3925.20 3925.30 3925.90	- Reservoirs, tanks, vats and similar containers, of a capacity exceeding 300 l - Doors, windows and their frames and thresholds for doors - Shutters, blinds (including Venetian blinds) and similar articles and parts thereof - Other	<i>As indicated at the heading level.</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
39.26	Other articles of plastics and articles of other materials of headings Nos. 39.01 to 39.14.	CTH [or assembly of articles from parts or components classified within the heading. (US) (PHI)] [for subheading 3926.20, CTH or change within this subheading following complete making-up (EC)]		Submitted to CRO for decision (Doc. 42.627) Issue n° 5 <i>The origin criterion for goods of 3926.20 is to be laid down in accordance with the CRO decision on the origin criterion for assembled or made up textile apparel.</i>
3926.10 3926.20 3926.30 3926.40 3926.90	- Office or school supplies - Articles of apparel and clothing accessories including gloves) - Fittings for furniture, coachwork or the like - Statuettes and other ornamental articles - Other	<i>As indicated at the heading level.</i>		

CHAPTER 40

Chapter Notes

1. Chemical Reaction Basket 1

A “chemical reaction” is 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.

The following are not considered to be chemical reactions for the purposes of this definition:

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

A chemical reaction as defined above is to be considered origin conferring.

2. Mixtures and Blends

The deliberate and proportionally controlled mixing or blending (including dispersing) of materials [other than the addition of diluents only] to conform to predetermined specifications which results in the production of a good having physical or chemical characteristics which are relevant to the purposes or uses of the good and are different from the input materials is to be considered to be origin conferring.

[Criteria to apply Appendix 2, Rule 2(g)]

The criteria to determine the major portion of the materials as set forth in Appendix 2, Rule2(g) for this Chapter are:

[Weight (CAN)]

[Weight or volume, as appropriate (US)]

[Weight volume or value, as appropriate (EC)]

[Total value of parts and related processing activity (CH)]

CHAPTER 40

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
Chapter 40	Rubber and articles thereof			
40.01	Natural rubber, balata, gutta-percha, guayule, chicle and similar natural gums, in primary forms or in plates, sheets or strip.	<i>Proposals as specified at the subheading level</i>		
4001.10	- Natural rubber latex, whether or not pre-vulcanised	The country origin of origin of the goods of this subheading shall be the country in which the goods are obtained in their natural or unprocessed state.		Basket 1 (Endorsed by CRO)
	- Natural rubber in other forms :			
4001.21	-- Smoked sheets	[CTSH (JPN) (CAN) (MEX)(US)(NZ) (SG) (KOR)] [The country of origin of the good of this subheading shall be the country in which the goods are obtained in their natural or unprocessed state (EC)] (IND)		Submitted to CRO for decision (Doc. 42.627) Issue n° 7
4001.22	-- Technically specified natural rubber (TSNR)	[CTSH (JPN) (CAN) (MEX)(US)(NZ) (SG) (KOR)] [The country of origin of the goods of this subheading shall be the country in which the goods are obtained in their natural or unprocessed state (EC)] (IND)		Submitted to CRO for decision (Doc. 42.627) Issue n° 7
4001.29	-- Other	[CTSH (JPN) (CAN) (MEX)(US)(NZ)(IND)(SG) (KOR)]		Submitted to CRO for decision (Doc. 42.627)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
		[The origin of the goods shall be the country in which the goods of this heading are obtained in their natural or unprocessed state (EC)]		Issue n° 7
4001.30	- Balata, gutta-percha, guayule, chicle and similar natural gums	The origin of the goods shall be the country in which the goods of this heading are obtained in their natural or unprocessed state		Basket 1 (Endorsed by CRO)
40.02	Synthetic rubber and factice derived from oils, in primary forms or in plates, sheets or strip; mixtures of any product of heading No 40.01 with any product of this heading, in primary forms or in plates, sheets or strip.	<i>As specified at the subheading level</i>		
	- Styrene-butadiene rubber (SBR); carboxylated styrene-butadiene rubber (XSBR) :			
4002.11	-- Latex	CTH		Basket 1 (Endorsed by CRO)
4002.19	-- Other	CTH		Endorsed
4002.20	- Butadiene rubber (BR)	CTH		Endorsed
	- Isobutene-isoprene (butyl) rubber (IIR); halo-isobutene-isoprene rubber (CIIR or BIIR) :			Endorsed
4002.31	-- Isobutene-isoprene (butyl) rubber (IIR)	CTH		Endorsed
4002.39	-- Other - Chloroprene (chlorobutadiene) rubber (CR) :	CTH		Endorsed

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
4002.41	-- Latex	CTH		Basket 1 (Endorsed by CRO)
4002.49	-- Other	CTH		Endorsed
	- Acrylonitrile-butadiene rubber (NBR) :			
4002.51	-- Latex	CTH		Basket 1 (Endorsed by CRO)
4002.59	-- Other	CTH		Endorsed
4002.60	- Isoprene rubber (IR)	CTH		Endorsed
4002.70	- Ethylene-propylene-non-conjugated diene rubber (EPDM)	CTH		Endorsed
4002.80	- Mixtures of any product of heading No. 40.01 with any product of this heading	CTH, except from heading 40.01		Basket 1
	- Other :			
4002.91	-- Latex	CTH		Basket 1 (Endorsed by CRO)
4002.99	-- Other	CTH		Endorsed
40.03	Reclaimed rubber in primary forms or in plates, sheets or strip.	CTH		Basket 1 (Endorsed by CRO)
40.04	Waste, parings and scrap of rubber (other than hard rubber) and powders and granules obtained therefrom.	The origin of the goods shall be the country in which the rubber waste of this heading is derived or collected from manufacturing or processing operations or from consumption		Basket 1 (Endorsed by CRO)
40.05	Compounded rubber, unvulcanised, in primary forms or in plates, sheets or strip.	CTH		Endorsed by CRO
4005.10	- Compounded with carbon black or silica	<i>As specified for the heading</i>		

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
4005.20 4005.91 4005.99	- Solutions; dispersions other than those of subheading No. 4005.10 - Other : -- Plates, sheets and strip -- Other	<i>As indicated at the heading</i>		
40.06	Other forms (for example, rods, tubes and profile shapes) and articles (for example, discs and rings), of unvulcanised rubber.	CTH		Endorsed
4006.10	- "Camel-back" strips for retreading rubber tyres			Endorsed
4006.90	- Other			Endorsed
40.07	Vulcanised rubber thread and cord.	CTH		Basket 1 (Endorsed by CRO)
40.08	Plates, sheets, strip, rods and profile shapes, of vulcanised rubber other than hard rubber.	CTH		Endorsed by CRO
4008.11 4008.19 4008.21 4008.29	- Of cellular rubber: -- Plates, sheets and strip -- Other - Of non-cellular rubber: -- Plates, sheets and strip -- Other	<i>As indicated at the heading level</i>		
40.09	Tubes, pipes and hoses, of vulcanised rubber other than hard rubber, with or without their fittings (for example, joints, elbows, flanges).	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
40.10	Conveyor or transmission belts or belting, of vulcanised rubber.	CTH		Basket 1 (Endorsed by CRO)
40.11	New pneumatic tyres, of rubber.	CTH		Basket 1 (Endorsed by CRO)
40.12	Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, interchangeable tyre treads and tyre flaps, of rubber.	<i>As specified for subheadings</i>		
4012.10	- Retreaded tyres	CTSH		Basket 1 (Endorsed by CRO)
4012.20	- Used pneumatic tyres	The country of origin of the goods of this subheading is the country in which these goods were last collected and packed for shipment		Endorsed
4012.90	- Other	CTH		Endorsed by CRO
40.13	Inner tubes, of rubber.	CTH		Basket 1 (Endorsed by CRO)
40.14	Hygienic or pharmaceutical articles (including teats), of vulcanised rubber other than hard rubber, with or without fittings of hard rubber.	CTH		Basket 1 (Endorsed by CRO)
40.15	Articles of apparel and clothing accessories (including gloves), for all purposes, of vulcanised rubber other than hard rubber.	CTH		Basket 1 (Endorsed by CRO)

HS Code Number	Description of goods	Primary rule	Notes	Comments
A	B	C	D	E
40.16	Other articles of vulcanised rubber other than hard rubber.	CTH		Basket 1 (Endorsed by CRO)
40.17	Hard rubber (for example, ebonite) in all forms, including waste and scrap; articles of hard rubber.	<i>As indicated at split heading level</i>		
ex 40.17(a)	<u>Slabs, blocks, plates, sheets, strips, rods, profile shapes, tubes, pipes and hoses</u>	CTH		Basket 1 (Endorsed by CRO)
ex 40.17 (b)	<u>Waste and Scrap</u>	The origin of the goods shall be the country in which the waste or scrap of this split heading is collected or derived from manufacturing or processing operations or from consumption		Basket 1 (Endorsed by CRO)
ex 40.17 (c)	<u>Other</u>	CTHS		Basket 1 (Endorsed by CRO)