

Side-by-Side Comparison of Free Trade Agreements and Selected Preferential Trade Legislation Programs--Non-Textiles

Provision	NAFTA	CHILE (CFTA)	SINGAPORE (SFTA)	AUSTRALIA (AFTA)
<b>GENERAL INFO &amp; DATES</b>				
Agreement Name	North American Free Trade Agreement	US-Chile Free Trade Agreement	US-Singapore Free Trade Agreement	US-Australia Free Trade Agreement
Implementation Date	January 1, 1994	January 1, 2004	January 1, 2004	January 1, 2005
Expiration	None	None	None	None
Complete Duty Phase-Out	January 1, 2008 (15 Years)	January 1, 2015 (12 Years)	January 1, 2013 (10 years)	January 1, 2022 (18 Years)
Merchandise Processing Fee (MPF)	Exempt for originating goods	Exempt for originating goods	Exempt for originating goods	Exempt for originating goods
Direct Shipment Imported Directly Transshipment	Transshipment: May NOT leave customs' control nor undergo production in a 3rd country, 19 CFR 181 Appendix, Sec. 16, 19 CFR 181.23(b)	Transit and Transshipment: May not undergo further production in a 3rd country, 19 CFR 10.463	Third Country Transportation: May not undergo further production in a 3rd country, 19 CFR 10.542	Third Country Operations: May not undergo further production in a 3rd country (requires non-ABI entry), GN 28c(iii)
Primary Responsibility for Compliance	Exporter	Importer	Importer	Importer
<b>CITATIONS</b>				
HTS General Note (GN)	GN 12	GN 26	GN 25	GN 28
US Code	19 USC 3301-3473	19 USC 3805 note	19 USC 3805 note	19 USC 3805 note
CFR	19 CFR 181 and Appendix 19 CFR 102	19 CFR 10.401 - 490 (Subpart H)	19 CFR 10.501 - 570 (Subpart I) (Interim)	No interim Regulations published to date
Marking Rules	19 CFR 102	19 CFR 134	19 CFR 134	19 CFR 134
Special Program Indicator	"CA" or "MX"	"CL"	"SG" or "9999.00.84" (ISI)	"AU"

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Provision	NAFTA	CHILE (CFTA)	SINGAPORE (SFTA)	AUSTRALIA (AFTA)
<b>ORIGINATION, ETC.</b>				
Rules of Origin Citations	General Note 12(b), 19 CFR 181 Append., Part II, Sec. 4	General Note 26(b), 19 CFR 10.451	General Note 25(b), 19 CFR 10.531	General Note 28(b)
Rules of Origin	Wholly Obtained or Produced, Wholly of Originating Materials, Tariff Shift & / or Regional Value Content	Wholly Obtained, Wholly of Originating Materials, Tariff Shift & / or Regional Value Content	Wholly Obtained, Tariff Shift & / or Regional Value Content, Integrated Sourcing Initiative (ISI)	Wholly Obtained, Wholly of Originating Materials, Tariff Shift & / or Regional Value Content
Tariff Shift Rule Citations	GN 12(t)	GN 26(n)	GN 25(o)	GN 28(n)
Tariff Shift Rules of Origin Updated to Comply with 2007 HTSUS	Yes, update effective 10/2/09 Presidential Proclamation 8405	Yes, already updated, Presidential Proclamation 8214	Yes, already updated, Presidential Proclamation 8214	Yes, already updated
Chemical Reaction Rule of Origin	No	Yes, HTS Ch. 27-38, GN 26(m)(vi)	Yes, HTS Ch. 27-40, GN 25(n)(v)	Yes, HTS Ch. 27-40, GN 28(m)(vii)
Special Origination Rules	Annex 308.1 (E Criterion) for certain high-tech goods, (69 FR 54739, Sept. 9, 2004); Disassembly treated as production, 19 CFR 181.132	No	Integrated Sourcing Initiative (ISI) GN 25(m) for goods shipped through Singapore	No
Repair & Alteration Provision	Duty Free, or when returned from Canada after actions not completed under warranty: a duty upon the value of the repairs or alterations (which will likely be free); 19 CFR 181.64; 9802.00.40/50, HTS	Duty Free per 19 CFR 10.490	Duty Free per 19 CFR 10.570	Duty Free per Agreement Article 2.6
Documentation required in the importer's possession at the time of claim	Yes, NAFTA Certificate of Origin must be in importer's possession at time of claim, 19 CFR 181.21	No, freeform "Certification" with the elements in 19 CFR 10.411 upon request by CBP	No, freeform "Supporting Statement" with the elements in 19 CFR 10.511 upon request by CBP	No, freeform "Supporting Statement" with 10 elements upon request by CBP; <a href="http://www.cbp.gov/xp/cgov/trade/trade_programs/international_agreements/free_trade/australia/">http://www.cbp.gov/xp/cgov/trade/trade_programs/international_agreements/free_trade/australia/</a>



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Provision	NAFTA	CHILE (CFTA)	SINGAPORE (SFTA)	AUSTRALIA (AFTA)
<b>VALUE</b>				
<b>Regional Value Content (RVC) Citations</b>	GN12(c), 19 CFR 181, Appendix, Section 6 - 10	GN 26(g); 19 CFR 10.454	GN 25(g); 19 CFR 10.535	GN 28(g); Agreement Article 5.4
<b>Regional Value Content (RVC) Calculation Methods</b>	Transaction Value & Net Cost where there is RVC	Build-Up & Build-Down where there is RVC	Build-Up & Build-Down where there is RVC	Build-Up, Build-Down & Net Cost (automotive only) where there is RVC
<b>Special Regimen for Automotive Goods</b>	Yes, tracing the value of certain non-originating materials and net cost required	No, although RVC percentages are 30% build-up; 50% build-down	No, although RVC percentages are 30% build-up; 50% build-down	Yes, certain tariffs require net cost RVC (GN 28(g)(iii))
<b>De Minimis (most common threshold)</b>	7% of transaction value	10% of adjusted value (with exceptions GN26(e)(ii))	10% of adjusted value (with exceptions GN 25(e)(ii))	10% of adjusted value (with exceptions GN 28(e)(ii))
<b>INVENTORY MANAGEMENT METHODS</b>				
<b>Fungible Goods</b>	Specific Identification, LIFO, FIFO, Average	Specific Identification, LIFO, FIFO, Average	Specific Identification, LIFO, FIFO, Average	Specific Identification, LIFO, FIFO, Average
<b>Fungible Materials</b>	Specific Identification, LIFO, FIFO, Average	Specific Identification, LIFO, FIFO, Average	Specific Identification, LIFO, FIFO, Average	Specific Identification, LIFO, FIFO, Average
<b>CLAIMS &amp; DETERMINATIONS</b>				
<b>Post-Importation Claims</b>	19 USC 1520(d) 19 CFR 181 Subpart D	19 USC 1520(d) 19 CFR 10.440-442	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514
<b>Reconciliation Claims</b>	Yes, 67 FR 6120, Sept. 27, 2002	Yes, 69 FR 53730, Sept. 2, 2004	No	No
<b>Determinations Communicated to Exporter</b>	Yes	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter
<b>Pattern of Conduct Clause</b>	Yes, 19 CFR 181.76(c)	Yes, 19 CFR 10.474	No	No

Side-by-Side Comparison of Free Trade Agreements and Selected Preferential Trade Legislation Programs--Non-Textiles

Provision	ISRAEL (ILFTA)	JORDAN (JFTA)	BAHRAIN (BFTA)	MOROCCO (MFTA)	OMAN (OFTA)
<b>GENERAL INFO &amp; DATES</b>					
Agreement Name	US-Israel Free Trade Area Agreement	US-Jordan Free Trade Area Agreement	US-Bahrain Free Trade Agreement	US-Morocco Free Trade Agreement	US-Oman Free Trade Agreement
Implementation Date	September 1, 1985	December 17, 2001	August 1, 2006	January 1, 2006	January 1, 2009
Expiration	None	None	None	None	None
Complete Duty Phase-Out	January 1, 1995	January 1, 2010 (10 years)	January 1, 2015 (10 years)	January 1, 2023 (18 years)	January 1, 2018 (10 years)
Merchandise Processing Fee (MPF)	Exempt for products of Israel, whether or not originating	No Exemption	Exempt for originating goods	No Exemption	Exempt for originating goods
Direct Shipment Imported Directly Transshipment	Imported Directly: May NOT enter the commerce of another country (and documents must show the U.S. as the final destination), or may NOT leave customs' control nor undergo further production in a 3rd country (GN 3(a)(v)(B))	Imported Directly: May NOT enter the commerce of another country (and documents must show the U.S. as the final destination), or may NOT leave customs' control nor undergo further production in a 3rd country (19 CFR 10.711)	Imported Directly: May not undergo further production in a 3rd country, 19 CFR 10.817	Imported Directly: May not undergo further production in a 3rd country, 19 CFR 10.777	Imported Directly: May not undergo further production in a 3rd country, 19 CFR 10.880
Primary Responsibility for Compliance	Importer	Importer	Importer	Importer	Importer
<b>CITATIONS</b>					
HTS General Note (GN)	GN 8	GN 18	GN 30	GN 27	GN 31
US Code	19 USC 2112 note	19 USC 2112 note	19 USC 3805 note	19 USC 3805 note	19 USC 3805 note
CFR	None	19 CFR 10.701-712 (Subpart K)	19 CFR 10.801-827 (Subpart N)	19 CFR 10.761-787 (Subpart M)	19 CFR 10.861-890 (Subpart P)
Marking Rules	19 CFR 134	19 CFR 134	19 CFR 102 (Side Letter)	19 CFR 102 (Side Letter)	19 CFR 134
Special Program Indicator	"IL" ("N" for Qualified Industrial Zones (QIZs))	"JO"	"BH"	"MA"	"OM"



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Provision	ISRAEL (ILFTA)	JORDAN (JFTA)	BAHRAIN (BFTA)	MOROCCO (MFTA)	OMAN (OFTA)
<b>ORIGINATION, ETC.</b>					
Rules of Origin Citations	Agreement Annex 3, 19 U.S.C. 2112 (note)	General Note 18(b) 19 CFR 10.709, 10.710	General Note 30(b) 19 CFR 10.810	General Note 27(b) 19 CFR 10.770	General Note 31(b) 19 CFR 10.873
Rules of Origin	"Growth, Product, or Manufacture" or Value Content + Substantial Transformation	"Wholly the growth, product, or manufacture" or Value Content + Substantial Transformation	"Wholly the growth, product, or manufacture" or Value Content + 19 CFR 102 or Product-Specific Tariff shift	"Wholly the growth, product, or manufacture" or Value Content + 19 CFR 102 or Product-Specific Tariff shift	"Wholly the growth, product, or manufacture" or Value Content + Substantial Transformation or Product-Specific Tariff shift
Tariff Shift Rule Citations	No	No	GN 30(h), Tariff Shift Rules for Certain Goods in HTS 17, 18, 20, 21, 42, 70 & 94	GN 27(h), Tariff Shift Rules for Certain Goods in HTS 6-9, 12-13, 20-22, 39, 42, 70, 72, 85, 87 & 94	GN 31(h), Tariff Shift Rules for Certain Goods in HTS 17, 18, 20, 21, 42, 70 & 94
Tariff Shift Rules of Origin Updated to Comply with 2007 HTSUS	N/A	N/A	Yes	No, still uses 2006 tariff shift rules	No, still uses 2006 tariff shift rules
Chemical Reaction Rule of Origin	No	No	No	No	No
Special Origination Rules	Qualified Industrial Zones (QIZs) (Gaza, West Bank, parts of Jordan and Egypt) (GN 3(a)(v))	No	No	No	No
Repair & Alteration Provision	No	No	Duty Free per 19 CFR 10.827	Duty Free per 19 CFR 10.787	Duty Free per 19 CFR 10.890
Documentation required in the importer's possession at the time of claim	ILFTA: None QIZ: No, "Declaration" with listed elements upon request by CBP, GN 3(a)(v)(F)(2)	No, freeform "Declaration" with the elements in 19 CFR 10.704 upon request by CBP	No, freeform "Declaration" with the elements in 19 CFR 10.804 upon request by CBP	No, freeform "Declaration" with the elements in 19 CFR 10.764 upon request by CBP	No, freeform "Declaration" with the elements in 19 CFR 10.864 upon request by CBP
<b>VALUE</b>					
Regional Value Content (RVC) Citations	19 USC 2112 (note), Sec. 9 (QIZ), Sec. 402 (ILFTA); Agreement Annex 3	19 CFR 10.710; GN 18(iv), (v)	19 CFR 10.810, 19 CFR 10.813 - 816; GN 30(b)(ii), (c), (f)	19 CFR 10.770; GN 27(b)(ii), (c), (f)	19 CFR 10.873, 10.876 - 879; GN 31(b)(ii), (c), (f)
Regional Value Content (RVC) Calculation Methods and Most Common Thresholds	Israeli materials + direct cost of processing must at least equal 35% of appraised value (up to 15% US content)	Jordanian materials + direct cost of processing must at least equal 35% of appraised value (up to 15% US content)	Bahraini materials + direct cost of processing must at least equal 35% of appraised value (unlimited US content)	Moroccan materials + direct cost of processing must at least equal 35% of appraised value (unlimited US content)	Omani materials + direct cost of processing must at least equal 35% of appraised value (unlimited US content)
Special Regimen for Automotive Goods	No	No	No	No	No
De Minimis Provision	No	No	No	No	No

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Provision	ISRAEL (ILFTA)	JORDAN (JFTA)	BAHRAIN (BFTA)	MOROCCO (MFTA)	OMAN (OFTA)
<b>INVENTORY MANAGEMENT METHODS</b>					
Fungible Goods	No	No	No	No	No
Fungible Materials	No	No	No	No	No
<b>CLAIMS &amp; DETERMINATIONS</b>					
Post-Importation Claims	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514	19 USC 1520(d)
Reconciliation Claims	No	No	No	No	No
Determinations Communicated to Exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter
Pattern of Conduct Clause	No	No	No	No	No



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Provision	CAFTA-DR	Peru (PTPA)	Korea (UKFTA)	Colombia (CTPA)
<b>GENERAL INFO &amp; DATES</b>				
<b>Agreement Name</b>	Dominican Republic-Central America-United States Free Trade Agreement	US-Peru Trade Promotion Agreement	US-Korea Free Trade Agreement	US-Colombia Trade Promotion Agreement
<b>Implementation Date</b>	El Salvador: 3/1/06 Nicaragua: 4/1/06 Honduras: 4/1/06 Guatemala: 7/1/06 Dominican Republic: 3/1/07 Costa Rica: 1/1/09	February 1, 2009	March 15, 2012	May 15, 2012
<b>Expiration</b>	None	None	None	None
<b>Complete Duty Phase-Out</b>	January 1, 2025 (20 Years)	January 1, 2025 (17 years)	January 1, 2026 (January 1, year 15)	January 1, 2028; January 1, year 17 (Annex 2.3)
<b>Merchandise Processing Fee (MPF)</b>	Exempt for Originating Goods	Exempt for Originating Goods	Exempt for Originating Goods 19 C.F.R. 24.23	Exempt for Originating Goods; 19 USC 58c(b)(20)
<b>Direct Shipment Imported Directly Transshipment</b>	Transit and Transshipment: May NOT leave customs' control nor undergo further production in a non-party (19 CFR 10.604)	Transit and Transshipment: May NOT leave customs' control nor undergo further production in a 3rd country (19 CFR 10.925)	Transit and Transshipment: May NOT leave customs' control nor undergo further production in a 3rd country (19 CFR 10.1025)	Transit and Transshipment: May NOT leave customs' control nor undergo further production in a 3rd country (Article 4.13; 19 USC 3805 note, Sec. 203(I))
<b>Primary Responsibility for Compliance</b>	Importer	Importer	Importer	Importer
<b>CITATIONS</b>				
<b>HTS General Note (GN)</b>	GN 29	GN 32	GN 33	GN 34
<b>US Code</b>	19 USC 4001- 4111	19 USC 3805 note	19 USC 3805 note	19 USC 3805 note
<b>CFR</b>	19 CFR 10.581-625 (Subpart J), 75 FR 50695, Aug. 17, 2010	19 CFR 10.901-934 (Subpart Q), 76 FR 68067, Nov. 3, 2011 (interim)	19 CFR 10.1001-1034 (Subpart R), 77 FR 15943, March 19, 2012 (interim)	(No interim regs)
<b>Marking Rules</b>	19 CFR 134	19 CFR 134	19 CFR 134	19 CFR 134
<b>Special Program Indicator</b>	"P," "P+" (qualifying agricultural goods)	"PE"	"KR"	"CO"



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Provision	CAFTA-DR	Peru (PTPA)	Korea (UKFTA)	Colombia (CTPA)
<b>ORIGINATION, ETC.</b>				
<b>Rules of Origin Citations</b>	General Note 29(b); 19 CFR 10.594	GN 32(b); 19 CFR 10.914 (interim)	GN 33(b); 19 CFR 10.1014	GN 34(b); 19 USC 3805 note Sec. 203
<b>Rules of Origin</b>	Wholly Obtained, Tariff Shift & / or Regional Value Content, Wholly of Originating Materials, Qualifying Goods	Wholly Obtained or Produced; Tariff Shift & / or Regional Value Content; or Wholly of Originating Materials	Wholly Obtained or Produced; Tariff Shift & / or Regional Value Content; or Wholly of Originating Materials	Wholly Obtained or Produced; Tariff Shift & / or Regional Value Content; or Wholly of Originating Materials
<b>Tariff Shift Rule Citation</b>	GN 29(n)	GN 32(n)	GN 33(b)	GN 34(b)
<b>Tariff Shift Rules of Origin Updated to Comply with 2007 HTSUS</b>	No, still uses 2006 tariff shift rules	No, still uses 2006 tariff shift rules	No, still uses 2006 tariff shift rules	No, still uses 2006 tariff shift rules
<b>Chemical Reaction Rule of Origin</b>	Yes, HTS Ch. 27-40, GN 29(m)(vii)	Ch 27-40, GN 32(m)(vii)	Ch 27-40, GN 33(n)(vii)-(viii)	Ch 27-40, GN 34(n)(v)-(vi)
<b>Special Origination Rules</b>	Qualifying Goods, GN 29(a)(ii) for certain CAFTA-DR agricultural goods	No	No	No
<b>Repair &amp; Alteration Provision</b>	Duty Free per 19 CFR 10.624	Duty Free per 19 CFR 10.934	Duty Free per 19 CFR 10.1034	Duty Free per Article 2.6 of Agreement
<b>Documentation required in the importer's possession at the time of claim</b>	No, freeform "Certification" with the elements in 19 CFR 10.584 upon request by CBP	No, freeform "Certification" with the elements in 19 CFR 10.904 upon request by CBP	No, freeform "Certification" with the elements in 19 CFR 10.1004 upon request by CBP	No, freeform "Certification" with the elements in Article 4.15 upon request by CBP
<b>VALUE</b>				
<b>Regional Value Content (RVC) Citations</b>	19 CFR 10.595-596; GN 29(f)	19 CFR 10.915; GN 32(f)	19 CFR 10.1015, GN 33(g)	GN 34(g); 19 USC 3805 note Sec. 203(c)-(d); Article 4.2
<b>Regional Value Content (RVC) Calculation Methods</b>	Build-Up, Build-Down; Net-Cost for automotive goods	Build-Up, Build-Down; Net-Cost for automotive goods	Build-Up, Build-Down. Indirect materials are disregarded from the value of originating and nonoriginating materials in build-up and build-down, respectively. Automotive goods may use Net Cost.	Build-Up, Build-Down; Net-Cost for automotive goods



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Provision	CAFTA-DR	Peru (PTPA)	Korea (UKFTA)	Colombia (CTPA)
<b>Special Regimen for Automotive Goods</b>	Yes, certain tariffs may elect to use Net Cost RVC, GN 29(f)(iii)	Yes, automotive goods must use Net Cost RVC, 19 CFR 10.915(d) GN 32(f)(iii)	Yes, automotive goods MAY use NC, BU or BD for RVC, 19 CFR 10.1015(d), GN 33(h)	Yes, automotive goods must use Net Cost RVC. GN 34(h); 19 USC 3805 note Sec. 203(c)(4); (Art. 4.2)
<b>De Minimis (most common threshold)</b>	10% of adjusted value (with exclusions)	10% of the adjusted value (with exclusions)	10% of the adjusted value (with exclusions)	10% of the adjusted value (with exclusions)
<b>Sets</b>		A set is originating if the value of the non-originating goods does not exceed 15% of the AV of the set. GN 32(c)(v)	A set is originating if the value of the non-originating goods does not exceed 15% of the AV of the set. 19 CFR 10.1021	A set is originating if the value of the non-originating goods does not exceed 15% of the AV of the set. GN 34(c)(iv); 19 USC 3805 note Sec. 203(m)
<b>INVENTORY MANAGEMENT METHODS</b>				
<b>Fungible Goods</b>	Specific Identification, LIFO, FIFO, Average	LIFO, FIFO, Average	LIFO, FIFO, Average; other GAAP-recongized method	LIFO, FIFO, Average; other GAAP-recongized method
<b>Fungible Materials</b>	Specific Identification, LIFO, FIFO, Average	LIFO, FIFO, Average	LIFO, FIFO, Average; other GAAP-recongized method	LIFO, FIFO, Average; other GAAP-recongized method
<b>CLAIMS &amp; DETERMINATIONS</b>				
<b>Post-Importation Claims</b>	19 USC 1520(d), 19 CFR 10.590	19 USC 1520(d), 19 CFR 10.910	Yes, 19 USC 1520(d); 19 CFR 10.1010	Yes, 19 USC 1520(d)
<b>Reconciliation Claims</b>	Yes			
<b>Determinations Communicated to Exporter</b>	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter
<b>Pattern of Conduct Clause</b>	Yes, 19 CFR 10.619	Yes, 19 CFR 10.929	Yes, 19 CFR 10.1029	Yes, Agreement Article 4.18



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Provision	CBERA	CBTPA	GSP	AGOA
<b>GENERAL INFO &amp; DATES</b>				
<b>Preferential Trade Legislation Name</b>	Caribbean Basin Economic Recovery Act	Caribbean Basin Trade Partnership Act	Generalized System of Preferences	African Growth and Opportunity Act
<b>Implementation Date</b>	January 1, 1984	October 5, 2000	January 1, 1976	October 5, 2000
<b>Expiration</b>	None	9/30/2020	12/31/2010 (expired) Renewed Retroactively through 7/31/2013	9/30/2015
<b>Complete Duty Phase-Out</b>	Immediate	Immediate	Regional Value Content + substantial transformation	Immediate
<b>Merchandise Processing Fee (MPF)</b>	Exempt for all products of CBERA beneficiary countries, whether or not claiming preference	Exempt for all products of CBERA beneficiary countries, along with goods claiming preference under HTS 9820.85.44	Products of Least Developed Countries are exempt, GN 4(b)(i)	Products of Least Developed Countries are exempt per GN 4(b)(i)
<b>Direct Shipment Imported Directly Transshipment</b>	Imported Directly: May NOT enter the commerce of another country and the U.S. must be listed as the final destination on the documents, or May NOT leave customs' control nor undergo further production in a 3rd country, 19 CFR 10.193	Imported Directly: May NOT enter the commerce of another country and the U.S. must be listed as the final destination on the documents, or May NOT leave customs' control nor undergo further production in a 3rd country, 19 CFR 10.223(d) and 10.233(d). Goods may be exported from a former CBTPA country that is now a CAFTA country as long as the origin-conferring activity occurred in the CBTPA country	Imported Directly: May NOT enter the commerce of another country and the U.S. must be listed as the final destination on all the documents, or May NOT leave customs' control nor undergo further production in a 3rd country, 19 CFR 10.175. Limited operations (mainly related to testing, sorting, packing and labeling) are allowed in a Free Trade Zone, 19 CFR 10.175(c)	Imported Directly: May NOT enter the commerce of another country and the U.S. must be listed as the final destination on the documents, or May NOT leave customs' control nor undergo further production in a 3rd country, 19 CFR 178a(e)(4)
<b>Primary Responsibility for Compliance</b>	Importer	Importer	Importer, Exporter with regard to Declaration	Importer, Exporter with regard to Declaration
<b>Covered Non-Textile Goods</b>		Benefits apply to petroleum products, watches, handbags, luggage, flat goods, work gloves, leather apparel, tuna and footwear, 19 CFR 10.233		Benefits apply to petroleum products, watches, certain electronic and steel articles, footwear, handbags, luggage, flat goods, work gloves, leather apparel and certain glass products, 19 CFR 10.178a(b)



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Provision	CBERA	CBTPA	GSP	AGOA
<b>CITATIONS</b>				
HTS General Note (GN)	GN 7	GN 17; Subchapter XX, Chapter 98	GN 4	GN 16
US Code	19 USC 2701 - 2707	19 USC 2701 - 2707	19 USC 2461-2467	19 USC 3701 - 3722
CFR	19 CFR 10.191 - 10.199 (Subpart B)	19 CFR 10.221 - 10.237	19 CFR 10.171 - 10.178	19 CFR 10.178a
Marking Rules	19 CFR 134	19 CFR 134	19 CFR 134	19 CFR 134
Special Program Indicator	"E" "E**"	"R"; Applicable subheading, Subchapter XX, Chapter 98	"A" "A+" (Least-Developed Beneficiary Developing Countries) "A*" (with exceptions)	"D"
<b>ORIGINATION, ETC.</b>				
Rules of Origin Citations	General Note 7(b) 19 CFR 10.195	General Note 17(b) 19 CFR 10.233(b)	General Note 4(b)(ii) & 4(c), 19 CFR 10.176, 19 USC 2463(a)(2)	General Note 16(b) 19 CFR 10.178a (referencing 19 CFR 10.171, 10.173, and 10.175-178)
Rules of Origin	Regional Value Content + substantial transformation	NAFTA GN 12 rules of origin apply. May use CAFTA-DR materials (GN 17(e))	Regional Value Content + substantial transformation	Regional Value Content + substantial transformation
Tariff Shift Rule Citations	No	Yes, General Note 12(t)	No	No
Tariff Shift Rules of Origin Updated to Comply with 2007 HTSUS	N/A	Yes, update effective 10/2/09, Pres Proc 8405	N/A	N/A
Chemical Reaction Rule of Origin	No	No	No	No
Special Origination Rules	No	No	No	No
Repair & Alteration Provision	No	No	No	No
Documentation required in the importer's possession at the time of claim	No, Declaration submitted upon request, as provided for in 19 CFR 10.198	Yes, CBP Form 450 signed by exporter	No, GSP Declaration upon request, as provided for in 19 CFR 10.173	No, "GSP Declaration" upon request, as provided for in 19 CFR 10.173 and 19 CFR 10.178a(d)

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Provision	CBERA	CBTPA	GSP	AGOA
<b>VALUE</b>				
<b>Regional Value Content (RVC) Citations</b>	19 CFR 10.195-.197; GN 7(b)(i)(B), (b)(iii)	19 CFR 10.233(b); See General Note 12	19 CFR 10.176(a)(1), 10.177-178; GN 4(b)(ii) & (c)	GN 16(b)(ii); 19 CFR 178a(d)(4)
<b>Regional Value Content (RVC) Calculation Methods</b>	Direct cost of processing	Transaction Value & Net Cost where there is RVC	Direct cost of processing	Direct cost of processing
<b>General RVC Percentages</b>	CBERA materials + direct cost of processing must at least equal 35% of appraised value (up to 15% US content)	See NAFTA regulations	GSP materials + direct cost of processing must at least equal 35% of appraised value	AGOA materials + direct cost of processing must at least equal 35% of appraised value (up to 15% US content)
<b>Special Regimen for Automotive Goods</b>	No	No	No	No
<b>De Minimis Provision</b>	No	No	No	No
<b>INVENTORY MANAGEMENT METHODS</b>				
<b>Fungible Goods</b>	No	No	No	No
<b>Fungible Materials</b>	No	No	No	No
<b>CLAIMS &amp; DETERMINATIONS</b>				
<b>Post-Importation Claims</b>	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514
<b>Reconciliation Claims</b>	No	No	No	No
<b>Determinations Communicated to Exporter</b>	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter
<b>Pattern of Conduct Clause</b>	No	No	No	No



Side-by-Side Comparison of Free Trade Agreements and Selected Preferential Trade Legislation Programs--Non-Textiles

Provision	ATPA	ATPDEA
<b>GENERAL INFO &amp; DATES</b>		
Preferential Trade Legislation Name	Andean Trade Preference Act	Andean Trade Promotion and Drug Eradication Act
Implementation Date	December 4, 1991	October 31, 2002
Expiration	Ecuador: 7/31/2013 Colombia: 5/15/2012 (expired) Peru: 12/31/10 (expired) Bolivia: 12/15/08 (expired)	Ecuador: 7/31/2013 Colombia: 5/15/12 (expired) Peru 12/31/10 (expired) Bolivia: 12/15/08 (expired)
Complete Duty Phase-Out	Immediate	Immediate
Merchandise Processing Fee (MPF)	No Exemption	Exempt only for HTS 9821.01.01
Direct Shipment Imported Directly Transshipment	Imported Directly: May NOT enter the commerce of another country and the U.S. must be listed as the final destination on the documents, or May NOT leave customs' control nor undergo further production in a 3rd country, 19 CFR 10.204	Imported Directly: May NOT enter the commerce of another country and the U.S. must be listed as the final destination on the documents, or May NOT leave customs' control nor undergo further production in a 3rd country, 19 CFR 10.253(b); 19 CFR 10.243(d)
Primary Responsibility for Compliance	Importer, Exporter with regard to ATPA Declaration	Importer, Exporter with regard to Certificate of Origin
Covered Non-Textile Goods		Benefits apply to goods listed on CBP Form 449, 19 CFR 10.253 and Subchapter 21, Chapter 98 (petroleum products, watches, footwear, handbags, luggage, flat goods, work gloves, leather apparel, and tuna)
<b>CITATIONS</b>		
HTS General Note (GN)	GN 11	GN 11; Subchapter 21, Chapter 98
US Code	19 USC 3201-3206	19 USC 3201-3206
CFR	19 CFR 10.201 - 10.207	19 CFR 10.251 - 10.257
Marking Rules	19 CFR 134	19 CFR 134
Special Program Indicator	"J" and "J**"	"J+"; Applicable subheading, Subchapter XXI, Chapter 98

Side-by-Side Comparison of Free Trade Agreements and Selected Preferential Trade Legislation Programs--Non-Textiles

Provision	ATPA	ATPDEA
<b>ORIGINATION, ETC.</b>		
Rules of Origin Citations	General Note11(b) 19 CFR 10.205 - 206	General Note11(b) 19 CFR 10.253(c)
Rules of Origin	Regional Value Content + substantial transformation or "growth, product, and manufacture"	Regional Value Content + substantial transformation or "growth, product, and manufacture"
Tariff Shift Rule Citations	No	No
Tariff Shift Rules of Origin Updated to Comply with 2007 HTSUS	N/A	N/A
Chemical Reaction Rule of Origin	No	No
Special Origination Rules	No	No
Repair & Alteration Provision	No	No
Documentation required in the importer's possession at the time of claim	No, must submit an "ATPA Declaration," per 19 CFR 10.207, upon request	Yes, CBP Form 449 signed by exporter
<b>VALUE</b>		
Regional Value Content (RVC) Citations	GN 11(b)(i)(B), 19 CFR 10.205 - 206	GN 11(b)(i)(B), 19 CFR 10.253(d)
Regional Value Content (RVC) Calculation Methods	Sum of Materials and Direct cost of processing	Sum of Materials and Direct cost of processing
General RVC Percentages	ATPA materials + direct cost of processing must equal at least 35% of appraised value (up to 15% US content)	ATPDEA materials + direct cost of processing must equal at least 35% of appraised value (up to 15% US content)
Special Regimen for Automotive Goods	No	No
De Minimis Provision	No	No
<b>INVENTORY MANAGEMENT METHODS</b>		
Fungible Goods	No	No
Fungible Materials	No	No
<b>CLAIMS &amp; DETERMINATIONS</b>		
Post-Importation Claims	Post Entry Amendment (PEA) or 19 USC 1514	Post Entry Amendment (PEA) or 19 USC 1514
Reconciliation Claims	No	No
Determinations Communicated to Exporter	Yes, if correspondence with exporter	Yes, if correspondence with exporter
Pattern of Conduct Clause	No	No