# DECISION OF THE EFTA-CHILE JOINT COMMITTEE 

No. 1 of 2013
Adopted on 31 December 2013

# AMENDMENTS TO APPENDICES 1 AND 2 TO ANNEX I <br> CONCERNING THE DEFINITION OF THE CONCEPT OF "ORIGINATING PRODUCTS" AND ARRANGEMENTS FOR <br> ADMINISTRATIVE CO-OPERATION <br> INTRODUCTORY NOTES TO THE LIST IN APPENDIX 2 

and

## LIST OF WORKING AND PROCESSING TO BE CARRIED OUT ON NONORIGINATING MATERIALS IN ORDER THAT THE PRODUCT MANUFACTURED CAN OBTAIN ORIGINATING STATUS

## THE JOINT COMMITTEE,

Noting the needs of facilitating international trade;
Recognising that amended origin rules will improve the effectiveness of this Agreement;

Aiming at ensuring legal certainty and predictability for economic operators;
Having regard to Article 85 of the Agreement, empowering the Joint Committee to amend the Annexes and Appendices to the Agreement,

## DECIDES:

1. Appendix 1 and 2 to Annex I shall be replaced with the text set out in Annex 1 to this Decision.
2. This Decision shall enter into force on the first day of the third month after the last Party has notified the Depositary that its internal requirements have been fulfilled.
3. The Secretary General of the European Free Trade Association shall deposit the text of this Decision with the Depositary.

## APPENDIX 1 TO ANNEX I

## PRODUCT-SPECIFIC RULES

# The products mentioned in the list may not all be covered by the Agreement. It is therefore necessary to consult the other parts of the Agreement. 

## Interpretative Notes

1. The first column of the list contains chapters, headings or sub-headings and the second column sets out a description of the products. For each entry in the first two columns, one or two rules are specified in columns 3 and 4 . If the HS code in column 1 is preceded by an 'ex', this signifies that the rules in column 3 or 4 apply only to the part of that chapter or heading as described in column 2. Where, for an entry in the first two columns, a rule is specified in both columns 3 and 4, either one may be applied. If no origin rule is given in column 4, the rule set out in column 3 shall be applied.
2. Pursuant to subparagraph (1) (b) of article 2, the product-specific rules may be fulfilled by operations in different factories, provided the working or processing takes place within the territory of a Party and fulfils the requirements of Annex I.
3. A product-specific rule of origin set out in this Appendix represents the minimum amount of working or processing required to be carried out on non-originating materials for the resulting product to achieve originating status. A greater amount of working or processing than that required by the rule for that product shall also confer originating status.
4. If a product-specific rule in the list specifies that a product may be manufactured from more than one material, any one or more materials may be used. It does not require that all be used.
5. If a product-specific rule in the list specifies that a product must be manufactured from a particular material, the condition does not prevent the use of other materials in addition.
6. If a product-specific rule excludes materials classified in certain chapters, headings, or subheadings of the Harmonized System, those materials must be originating for the products to qualify as originating.
7. If a product, which has acquired originating status by fulfilling the conditions set out in the list, is used as material in the manufacture of another product, the conditions applicable to the final product do not apply to the material. No account shall be taken of the nonoriginating components of that material.
8. Where a rule uses the expression "Manufacture from materials of any heading", then materials of any heading, even materials of the same description and heading as the product, may be used, subject, however, to any specific limitations which may also be contained in the rule.
9. The products mentioned in the list are not all covered by this Agreement. Other parts of this Agreement, e.g. exclusion lists and dismantling lists, must be consulted in order to
come to the conclusion whether preferential access may be granted to a given product imported from a Party to another.

## APPENDIX 2 TO ANNEX I

## List

| HS heading | Description of product | Working or processing, carried out on non-originating materials, which confers originating status |  |
| :---: | :---: | :---: | :---: |
| (1) | (2) | (3) | or (4) |
| Chapter 1 | Live animals | All the animals of Chapter 1 shall be wholly obtained |  |
| Ex Chapter 2 <br> Ex 0210.20 | Meat and edible meat offal; except for: <br> Dried beef | Manufacture in which all the materials of Chapters 1 and 2 used are wholly obtained <br> Manufacture from materials of any heading, except that of the product |  |
| Ex Chapter 3 $03.04$ $03.05$ | Fish and crustaceans, molluscs and other aquatic invertebrates; except for: <br> Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen <br> Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption | Manufacture in which all the materials of Chapter 3 used are wholly obtained <br> Manufacture from materials of any heading, except that of the product <br> Manufacture from materials of any heading, except that of the product |  |
| Chapter 4 | Dairy produce; birds’ eggs; natural honey; edible products of animal origin, not elsewhere specified or included | Manufacture in which all the materials of Chapter 4 used are wholly obtained |  |
| Chapter 5 | Products of animal origin, not elsewhere specified or included | Manufacture from materials of any heading, except that of the product |  |
| Ex Chapter 6 $06.01$ $06.02$ | Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage; except for: <br> Bulbs, tubers, tuberous roots, corms, crowns and rhizomes, dormant, in growth or in flower; chicory plants and roots <br> Other live plants (including their roots), cuttings and slips; mushroom spawn | Manufacture in which all the materials of Chapter 6 used are wholly obtained <br> Manufacture from materials of any heading, except that of the product <br> Manufacture from materials of any heading, except that of the product |  |
| Chapter 7 | Edible vegetables and certain roots and tubers | Manufacture in which all the materials of Chapter 7 used are wholly obtained |  |
| Chapter 8 | Edible fruit and nuts; peel of citrus fruits or melons | Manufacture in which all the materials of Chapter 8 used are wholly obtained |  |
| Chapter 9 | Coffee, tea, maté and spices; | Manufacture from materials of any heading |  |
| Chapter 10 | Cereals | Manufacture in which all the materials of Chapter 10 used are wholly obtained |  |
| Ex Chapter 11 | Products of the milling industry; malt; starches; inulin; wheat gluten; except for: | Manufacture in which all materials of Chapter 10 used are wholly obtained |  |




| HS heading | Description of product | Working or processing, carried out on non-originating materials, which confers originating status |  |
| :---: | :---: | :---: | :---: |
| (1) | (2) | (3) | or (4) |
| $24.01$ | Unmanufactured tobacco; tobacco refuse | Manufacture in which all the materials of chapter 24 used are wholly obtained |  |
| $24.02$ | Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes | Manufacture from materials of any other heading, except from subheading 2403.19 |  |
| 24.03 | Other manufactured tobacco and manufactured tobacco substitutes; "homogenised" or "reconstituted" tobacco; tobacco extracts and essences | Manufacture from materials of any other heading |  |
| Chapter 25 | Salt; sulphur; earths and stone; plastering materials, lime and cement | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 26 | Ores, slag and ash | Manufacture from materials of any heading |  |
| Chapter 27 | Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes | Manufacture from materials of any heading |  |
| Chapter 28 | Inorganic chemicals; organic or inorganic compounds of precious metals, of rare-earth metals, of radioactive elements or of isotope | Manufacture from materials of any heading |  |
| Chapter 29 | Organic chemicals | Manufacture from materials of any heading |  |
| Chapter 30 | Pharmaceutical products | Manufacture from materials of any heading |  |
| Chapter 31 | Fertilizers | Manufacture in which all the materials used are classified within a heading other thanthat of the product. However,materials classified within the same heading may be used provided their value does not exceed $20 \%$ of the ex-works | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 32 | Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other mastics; inks | Manufacture from materials of any heading |  |
| Chapter 33 | Essential oils and resinoids; perfumery, cosmetic or toilet preparations | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed $20 \%$ of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 34 | Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster | Manufacture from materials of any heading |  |


| HS heading | Description of product | Working or processing, carried out on non-originating materials, which confers originating status |  |
| :---: | :---: | :---: | :---: |
| (1) | (2) | (3) | or (4) |
| Chapter 35 | Albuminoidal substances; modified starches; glues; enzymes | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed $20 \%$ of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 36 | Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations | Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed $20 \%$ of the ex-works price of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 37 | Photographic or cinematographic goods | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 38 | Miscellaneous chemical products | Manufacture from materials of any heading |  |
| Chapter 39 | Plastics and articles thereof | Manufacture from materials of any heading |  |
| Ex Chapter 40 <br> Ex 40.12 | Rubber and articles thereof; except for: <br> Retreaded or used pneumatic tyres of rubber | Manufacture from materials of any heading, except that of the product <br> Manufacture from materials of any other heading, except from heading 40.11 | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 41 | Raw hides and skins (other than furskins) and leather | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 42 | Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut) | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 43 | Furskins and artificial fur; manufactures thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 44 | Wood and articles of wood; wood charcoal | Manufacture from materials of any heading, except that of the product |  |
| Chapter 45 | Cork and articles of cork | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 46 | Manufactures of straw, of esparto or of other plaiting materials; basketware and wickerwork | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 47 | Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard | Manufacture from materials of any heading, except that of the product |  |
| Chapter 48 | Paper and paperboard; articles of paper pulp, of paper or of paperboard | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |


| HS heading | Description of product | Working or processing, carried out on non-originating materials, which confers originating status |  |
| :---: | :---: | :---: | :---: |
| (1) | (2) | (3) | or (4) |
| Chapter 49 | Printed books, newspapers, pictures and other products of the printing industry; manuscripts, typescripts and plans | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 50 | Silk | Manufacture from materials of any heading |  |
| Chapter 51 | Wool, fine or coarse animal hair; horsehair yarn and woven fabric | Manufacture from materials of any heading |  |
| Chapter 52 | Cotton | Manufacture from materials of any heading |  |
| Chapter 53 | Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn | Manufacture from materials of any heading |  |
| Chapter 54 | Man-made filaments; strip and the like of man-made textile materials | Manufacture from materials of any heading |  |
| Chapter 55 | Man-made staple fibres | Manufacture from materials of any heading |  |
| Chapter 56 | Wadding, felt and non-wovens; special yarns; twine, cordage, ropes and cables and articles thereof | Manufacture from materials of any heading |  |
| Chapter 57 | Carpets and other textile floor coverings | Manufacture from materials of any heading |  |
| Chapter 58 | Special woven fabrics; tufted textile fabrics; lace; tapestries; trimmings; embroidery | Manufacture from materials of any heading |  |
| Chapter 59 | Impregnated, coated, covered or laminated textile fabrics; textile articles or a kind suitable for industrial use | Manufacture from materials of any heading |  |
| Chapter 60 | Knitted or crocheted fabrics | Manufacture from materials of any heading |  |
| Chapter 61 | Articles of apparel and clothing accessories, knitted or crocheted | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 62 | Articles of apparel and clothing accessories, not knitted or crocheted | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 63 | Other made-up textile articles; sets; worn clothing and worn textile articles; rags | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 64 | Footwear, gaiters and the like; parts of such articles | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 65 | Headgear and parts thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 66 | Umbrellas, sun umbrellas, walkingsticks, seat-sticks, whips, ridingcrops, and parts thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |


| HS heading | Description of product | Working or processing, carried out on non-originating materials, which confers originating status |  |
| :---: | :---: | :---: | :---: |
| (1) | (2) | (3) | or (4) |
| Chapter 67 | Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 68 | Articles of stone, plaster, cement, asbestos, mica or similar materials | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 69 | Ceramic products | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 70 | Glass and glassware | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Ex Chapter 71 | Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal, and articles thereof; imitation jewellery; coin; except for: | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| $71.06$ | Silver (including silver plated with gold or platinum), unwrought or in semi-manufactured forms, or in powder form | Manufacture from materials of any heading, except those of headings 71.06, 71.08 and 71.10 | Electrolytic, thermal or chemical separation or fusion of precious metals of heading 71.06, 71.08 or 71.10 or <br> Alloying of precious metals of heading 71.06, 71.08 or 71.10 with each other or with base metals |
| $71.08$ | Gold (including gold plated with platinum) unwrought or in semimanufactured forms, or in powder form | Manufacture from materials of any heading, except those of headings 71.06, 71.08 and 71.10 | Electrolytic, thermal or chemical separation or fusion of precious metals of heading 71.06, 71.08 or 71.10 or <br> Alloying of precious metals of heading 71.06, 71.08 or 71.10 with each other or with base metals |
| 71.10 | Platinum, unwrought or in semimanufactured forms, or in powder form | Manufacture from materials of any heading, except those of headings 71.06, 71.08 and 71.10 | Electrolytic, thermal or chemical separation or fusion of precious metals of heading 71.06, 71.08 or 71.10 or <br> Alloying of precious metals of heading 71.06, 71.08 or 71.10 with each other or with base metals |
| Chapter 72 | Iron and steel | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 73 | Articles of iron or steel | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 74 | Copper and articles thereof | Manufacture from materials of any heading, except that of the product |  |
| Chapter 75 | Nickel and articles thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |


| HS heading | Description of product | Working or processing, carried out on non-originating materials, which confers originating status |  |
| :---: | :---: | :---: | :---: |
| (1) | (2) | (3) | or (4) |
| Ex Chapter 76 $76.01$ | Aluminium and articles thereof <br> Unwrought aluminium | Manufacture from materials of any heading, except that of the product <br> Manufacture by thermal or electrolytic treatment from unalloyed aluminium or waste | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 77 | Reserved for possible future use in the HS |  |  |
| Chapter 78 | Lead and articles thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 79 | Zinc and articles thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 80 | Tin and articles thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 81 | Other base metals; cermets; articles thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Ex Chapter 82 $82.06$ | Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal; except for: <br> Tools of two or more of the headings 82.02 to 82.05 , put up in sets for retail sale | Manufacture from materials of any heading, except that of the product <br> Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed $25 \%$ of the ex-works price of the set | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 83 | Miscellaneous articles of base metal | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 84 | Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof | Manufacture from materials of any heading |  |
| Chapter 85 | Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles | Manufacture from materials of any heading |  |
| Chapter 86 | Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including electro-mechanical) traffic signalling equipment of all kinds | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |


| HS heading | Description of product | Working or processing, carried out on non-originating materials, which confers originating status |  |
| :---: | :---: | :---: | :---: |
| (1) | (2) | (3) | or (4) |
| Chapter 87 | Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 88 | Aircraft, spacecraft, and parts thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 89 | Ships, boats and floating structures | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 90 | Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $70 \%$ of the ex-works price of the product |
| Chapter 91 | Clocks and watches and parts thereof | Manufacture in which the value of all the materials used does not exceed $40 \%$ of the ex-works price of the product |  |
| Chapter 92 | Musical instruments; parts and accessories of such articles | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 93 | Arms and ammunition; parts and accessories thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 94 | Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Chapter 95 | Toys, games and sports requisites; parts and accessories thereof | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| Ex Chapter 96 | Miscellaneous manufactured articles; except for: | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |
| $96.05$ | Travel sets for personal toilet, sewing or shoe or clothes cleaning | Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed $25 \%$ of the ex-works price of the set |  |
| Chapter 97 | Works of art, collectors' pieces and antiques | Manufacture from materials of any heading, except that of the product | Manufacture in which the value of all the materials used does not exceed $50 \%$ of the ex-works price of the product |

