

Preferential Trade Agreements & Trade Programs Synopsis (Non-Textile)

Trade Agreements Branch
Special Enforcement Division
Commercial Targeting and Enforcement



U.S. Customs and
Border Protection

May 2007

If you have questions regarding Preferential Trade Agreements, please contact Mohawk's Director of Entry Services, Robert Stein at (315) 455-3003.

General Notes Reference

African Growth and Opportunity Act	GN 16
Andean Trade Preferences Act & Andean Trade Promotion and Drug Eradication Act (ATPA/ATPDEA)	GN 11
Australia Free Trade Agreement (AFTA)	GN 28
Bahrain Free Trade Agreement (BFTA)	GN 30
Caribbean Basin Economic Recovery Act (CBERA)	GN 7
Caribbean Basin Trade Partnership Act (CBTPA)	GN 17
Central America-Dominican Republic Free Trade Agreement (CAFTA-DR)	GN 29
Chile Free Trade Agreement (CFTA)	GN 26
Generalized System of Preferences (GSP)	GN 4
Israel Free Trade Agreement (IFTA)	GN 8
Jordan Free Trade Agreement (JFTA)	GN 18
Morocco Free Trade Agreement (MFTA)	GN 27
North American Free Trade Agreement (NAFTA)	GN 12
Singapore Free Trade Agreement (SFTA)	GN 25



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AGOA References

- Effective Date: 10/2/00
- Expiration Date: 9/30/15
- General Note in HTS: GN 16
- Special Indicator in HTS: D
- Regulation Cite: 19 CFR 10.178a
- US Code: 19 USC 3706
- Public Law: 106-200



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AGOA Summary

Reference	General Note 16
SPI	D
General Rules of Origin	Wholly Obtained, 35% Value Added + Substantial Transformation
Value Content	15% of US cost & value may count towards 35%
Level of Documentation at Importation	Knowledge
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	No exemption (but products of least-developed beneficiary developing countries General Note 4 (b)(i) are exempt)



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ATPA/ATPDEA References

- Expiration Date: 06/30/07
- General Note in HTS: GN 11
- Special Indicator in HTS: J, J*, J+
- Regulation Cite: 19 CFR 10.201 – 207 & 10.241 - 248
- US Code: 19 USC 3201 - 3206
- Public Law: 102-182



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ATPA/ATPDEA Summary

Reference	General Note 11
SPI	J, J*, J+
General Rules of Origin (Preference Criteria)	Wholly Growth, 35% Value Added + Substantial Transformation
Regional Value Content	15% of US cost or value can be counted towards 35%
Level of Documentation at Importation	Knowledge (ATPA); CPB Form 449, Signed by the exporter (ATPDEA)
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	No exemption

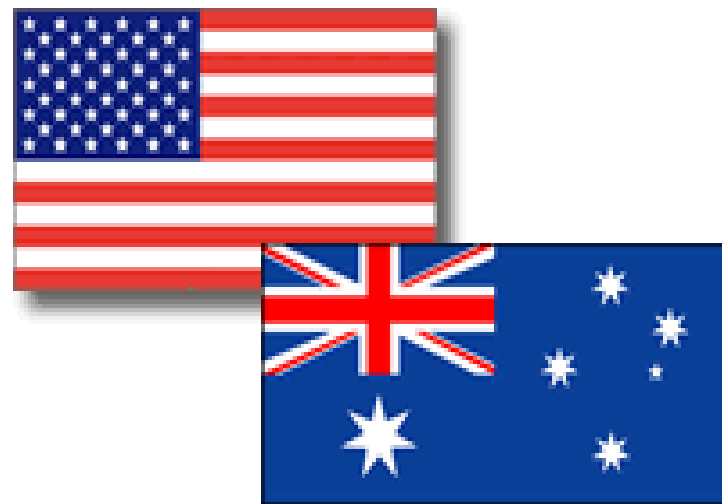


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Australia Free Trade Agreement

- **Effective Date: 1/1/05**
- **Expiration Date: None**
- **General Note in HTS: GN 28**
- **Special Indicator in HTS: AU**
- **US Code: 19 USC 3805**
- **Public Law: 108-286**



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Australia FTA Summary

Reference	General Note 28
SPI	AU
General Rules of Origin (Preference Criteria)	Wholly Obtained, Tariff Shift &/or RVC, Exclusively from Originating Materials, Other Qualifying Method
Regional Value Content	Build-up, Build-down, Net Cost
Level of Documentation at Importation	Freeform Statement (10 data elements); Importer Knowledge
Verification Notification	Importer, At discretion may contact exporter
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Must support no further production occurred in a 3 rd country
Post-Importations	SIL/PEA or 19 USC 1514
MPF	Exempt for Originating Goods

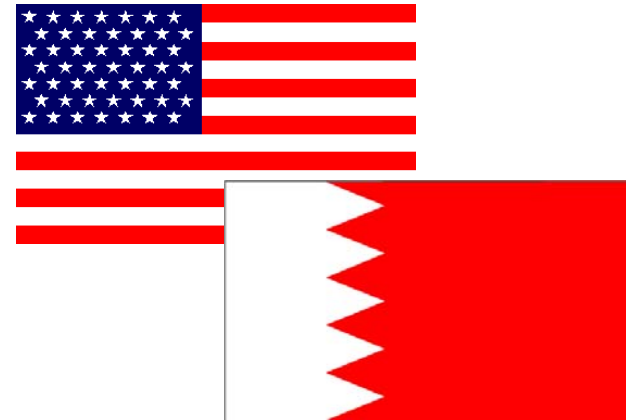


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Bahrain Free Trade Agreement

- Effective Date: August 1, 2006
- Expiration Date: None
- General Note in HTS: GN 30
- Special Indicator in HTS: BH
- US Code: 19 USC 3805 note
- Public Law: 109-169



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Bahrain FTA Summary

Reference	General Note 30
SPI	BH
General Rules of Origin (Preference Criteria)	Wholly Growth, 35% Value Added + Substantial Transformation; Tariff Shift for specific goods
Value Content	Unlimited US content towards meeting 35%
Level of Documentation at Importation	Supporting Declaration; Importer Knowledge
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	Exempt for originating goods



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Caribbean Basin Economic Recovery Act

- Effective Date: 10/2/00
- Expiration Date: N/A
- General Note in HTS: GN 7
- Special Indicator in HTS: E, E*
- Regulation Cite: 19 CFR 10.191 - 199
- US Code: 19 USC 2701 - 2706
- Public Law: 98-67



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CBERA Summary

Reference	General Note 7
SPI	E, E*
General Rules of Origin (Preference Criteria)	Wholly Growth, 35% Value Added + Substantial Transformation
Value Content	15% of US cost or value can be counted towards 35%
Level of Documentation at Importation	Knowledge
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	Exempt for all goods, whether or not they are originating



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Caribbean Basin Trade Preferences Act

- Expiration Date: 9/30/08
- General Note in HTS: GN 17
- Special Indicator in HTS: R
- Regulation Cite: 19 CFR 10.231 - 237
- US Code: 19 USC 2701 - 2707
- Public Law: 106-200



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CBTPA Summary

Reference	General Note 17
SPI	R
General Rules of Origin (Preference Criteria)	Wholly Obtained, Good originates according to the NAFTA rules of origin
Regional Value Content	If applicable per GN 12
Level of Documentation at Importation	CPB Form 450, Signed by the exporter
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	Exempt for all goods, whether or not they are originating



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Central America-Dominican Republic Free Trade Agreement

- **Effective Dates:**
 - 3/1/06 (El Salvador)
 - 4/1/06 (Nicaragua & Honduras)
 - 7/1/06 (Guatemala)
- **Expiration Date: None**
- **General Note in HTS: GN 29**
- **Special Indicator in HTS: P, P+**
- **US Code: 19 USC 4001 note**
- **Public Law: 109-53**



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CBI/CBERA/CBTPA/CAFTA-DR Comparison

Caribbean Basin Initiative (CBI)	Caribbean Basin Economic Recovery Act (CBERA)	Caribbean Basin Trade Partnership Act (CBTPA)	Central America-Dom. Rep. Free Trade Agreement (CAFTA-DR)*
Program providing duty free treatment of certain goods	Act that implemented CBI	Expands CBERA benefits to previously excluded articles applying NAFTA rules of origin & tariffs	Reciprocal trade agreement between the US and Central American countries
	Countries listed in GN 7(a)	Countries listed in GN 17(a)	Costa Rica, Guatemala, Honduras, El Salvador, Nicaragua, Dominican Republic
	SPI “E” or “E*”	SPI “R”	SPI “P” or “P+”

* CAFTA amends certain provisions of CBERA/CBTPA



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CAFTA-DR Summary

Reference	General Note 29
SPI	P, P+
General Rules of Origin (Preference Criteria)	Wholly Obtained, Tariff Shift &/or RVC, Exclusively from Originating Materials; [Qualifying Goods]
Regional Value Content	Build-up, Build-down, Net Cost
Level of Documentation at Importation	Freeform Certification (10 data elements); Importer Knowledge
Verification Notification	Importer, At discretion may contact exporter
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	No further production; must stay under Customs control
Post-Importations	19 USC 1520(d)
MPF	Exempt for Originating Goods & Qualifying Goods

* Imports from CAFTA countries will lose GSP, CBERA & CBTPA eligibility upon implementation of FTA

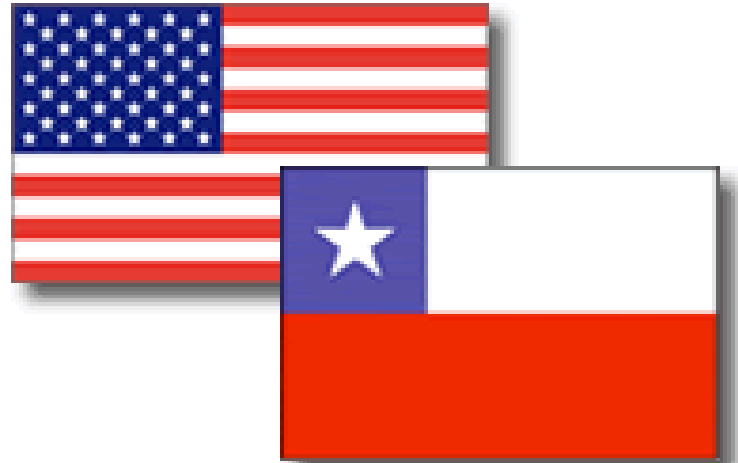


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Chile Free Trade Agreement

- **Effective Date: 1/1/04**
- **Expiration Date: None**
- **General Note in HTS: GN 26**
- **Special Indicator in HTS: CL**
- **Regulation Cite: 19 CFR 10.400 et. seq.**
- **US Code: 19 USC 3805 Note**
- **Public Law: 108-77**



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Chile FTA Summary

Reference	General Note 26
SPI	CL
General Rules of Origin (Preference Criteria)	Wholly Obtained, Tariff Shift &/or RVC, Exclusively of Originating Materials
Regional Value Content	Build-up, Build-down
Level of Documentation at Importation	Freeform Certification (10 data elements); Sufficient Knowledge
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Must support no further production occurred in a 3 rd country
Post-Importations	19 USC 1520(d)
MPF	Exempt for Originating Goods

* Imports from Chile lost GSP eligibility upon implementation of FTA (Jan 1, 2004)

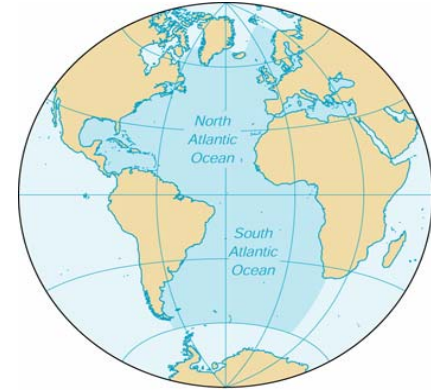


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Generalized System of Preferences

- Effective Date: 1/1/76
- Expiration Date: 12/31/08
- General Note in HTS: GN 4
- Special Indicator in HTS: A, A+, A*
- Regulation Cite: 19 CFR 10.171 – 178a
- US Code: 19 USC 2461 - 2467



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GSP Summary

Reference	General Note 4
SPI	A, A+, A*
General Rules of Origin (Preference Criteria)	Wholly Obtained, 35% Value Added + Substantial Transformation
Value Content	US cost and value may NOT count towards 35%
Level of Documentation at Importation	Knowledge (Form A no longer required)
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	Exempt for products of least-developed beneficiary developing countries regardless of whether a claim is made

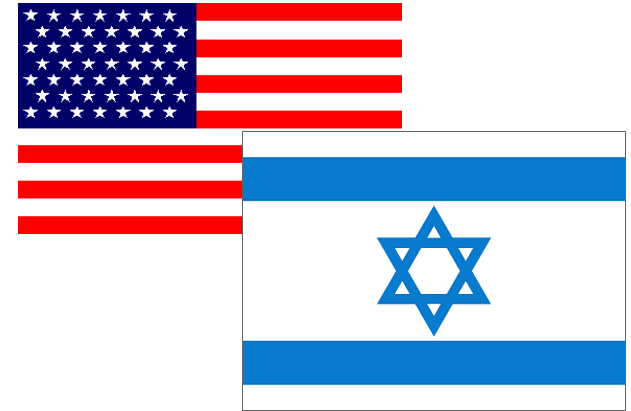


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Israel Free Trade Agreement

- Effective Date: 9/1/85
- Expiration Date: None
- General Note in HTS: GN 8
- Special Indicator in HTS: IL
- US Code: 19 USC 2112
- Public Law: 99-47



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Israel FTA Summary

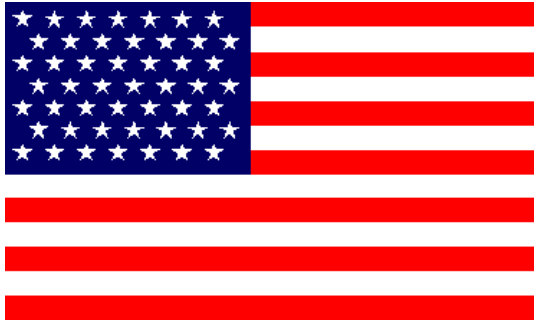
Reference	General Note 8
SPI	IL
General Rules of Origin (Preference Criteria)	Wholly Growth, 35% Value Added + Substantial Transformation
Value Content	15% of US cost or value can be counted towards 35%
Level of Documentation at Importation	Knowledge, Form A (optional)
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	Exempt for all products, whether or not originating



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Qualified Industrial Zone (QIZ)



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QIZ General Information

- Extension of ILFTA benefits to goods produced in designated regions outside of Israel
- Company must be approved by Joint Committees
- Separate requirements for inputs regulated by Joint Committees
- Imported goods must meet the 35% value added + substantial transformation and imported directly requirement to receive benefits



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Jordan Qualified Industrial Zone (QIZ)

- Effective Date: 11/21/96
- Expiration Date: None
- General Note in HTS: GN 3(a)(v) & GSN 3(d)
- Special Indicator in HTS: IL in HTS, N on 7501



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Jordan QIZ Summary

Reference	General Note 8 and 3(a)(v), General Statistical Note 3(d)
SPI	IL in HTS, but N on 7501
General Rules of Origin (Preference Criteria)	Wholly Growth, 35% Value Added + Substantial Transformation
Value Content	15% of US cost or value can be counted towards 35%
Level of Documentation at Importation	Knowledge
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Direct Shipment
Post-Importations	SIL/PEA, 19 USC 1514
MPF	No exemption



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Egypt Qualified Industrial Zone (QIZ)

- Effective Date: 12/29/04
- Expiration Date: None
- General Note in HTS: GN 3(a)(v) & GN 3(d)
- Special Indicator in HTS: IL in HTS, N on 7501
- US-Israel Free Trade Area Implementation Act: 69 FR 78094
- Eligible company list at: Egypt Ministry of Foreign Trade and Industry Website (www.qizegypt.gov.eg)



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Egypt QIZ Summary

Reference	General Note 8 and 3(a)(v), General Statistical Note 3(d)
SPI	IL in HTS, but N on 7501
General Rules of Origin (Preference Criteria)	Wholly Growth, 35% Value Added + Substantial Transformation
Value Content	15% of US cost or value can be counted towards 35%
Level of Documentation at Importation	Knowledge
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Direct Shipment
Post-Importations	SIL/PEA, 19 USC 1514
MPF	No exemption

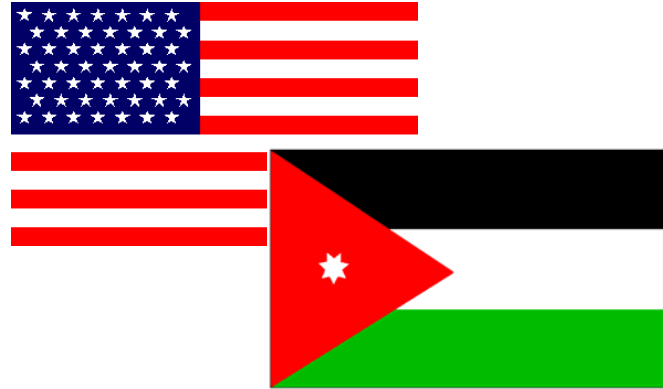


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Jordan Free Trade Agreement

- Effective Date: 12/17/01
- Expiration Date: None
- General Note in HTS: GN 18
- Special Indicator in HTS: JO
- US Code: 19 USC 2112
- Public Law: 107-43



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Jordan FTA Summary

Reference	General Note 18
SPI	JO
General Rules of Origin (Preference Criteria)	Wholly Growth, 35% Value Added + Substantial Transformation
Value Content	15% of US cost or value can be counted towards 35%
Level of Documentation at Importation	Knowledge
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA, 19 USC 1514
MPF	No exemption

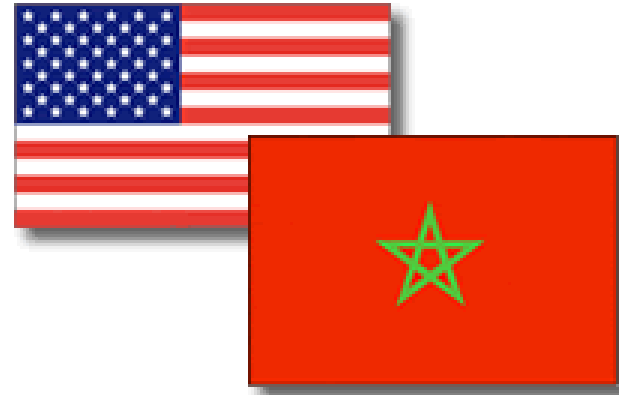


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Morocco Free Trade Agreement

- Effective Date: 1/1/06
- Expiration Date: None
- General Note in HTS: GN 27
- Special Indicator in HTS: MA
- US Code: 19 USC 3805 note
- Public Law: 108-302



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Morocco FTA Summary

Reference	General Note 27
SPI	MA
General Rules of Origin (Preference Criteria)	Wholly Obtained, Substantial Transformation + 35% Valued Added, Tariff Shift
Value Content	Unlimited US content towards meeting 35%
Level of Documentation at Importation	Freeform Declaration (10 data elements); Deemed Certification
Verification Notification	Importer
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Imported Directly
Post-Importations	SIL/PEA or 19 USC 1514
MPF	No Exemption

* Imports from Morocco lost GSP eligibility upon implementation of FTA



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North American Free Trade Agreement

- Effective Date: 1/1/94
- Expiration Date: None
- General Note in HTS: GN 12
- Special Indicator in HTS: CA / MX
- Regulation Cite: 19 CFR 181
- US Code: 19 USC 3301 - 3473
- Public Law: 103-182



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NAFTA Summary

Reference	General Note 12
SPI	MX, CA
General Rules of Origin (Preference Criteria)	Wholly Obtained, Tariff Shift &/or RVC, Wholly of Originating Materials, Exception to Tariff Shift, IT goods
Regional Value Content	Transaction Value, Net Cost
Level of Documentation at Importation	Certificate of Origin, CBP Form 434; Alternate CBP Form 434; Computer Generated CBP Form 434
Verification Notification	Exporter (Importer must provide C/O prior to verification)
Determination Notification	Exporter, Negative Determination issued to Importer
Post-Importations	19 USC 1520(d)
MPF	Exempt for Originating Goods

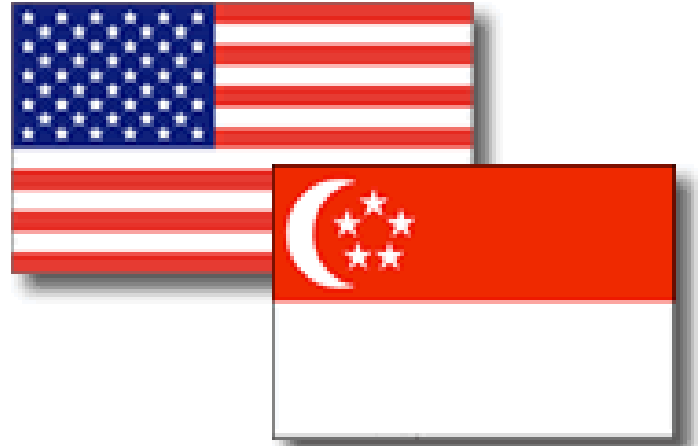


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Singapore Free Trade Agreement

- **Effective Date: 1/1/04**
- **Expiration Date: None**
- **General Note in HTS: GN 25**
- **Special Indicator in HTS: SG**
- **US Code: 19 USC 3805 Note**
- **Public Law: 108-78**



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Singapore FTA Summary

Reference	General Note 25
SPI	SG
General Rules of Origin	Wholly Obtained, Tariff Shift &/or RVC, Integrated Sourcing Initiative
Regional Value Content	Build-up, Build-down
Level of Documentation at Importation	Freeform Statement (10 data elements); Importer Knowledge
Verification Notification	Importer, At discretion may contact exporter
Determination Notification	Importer, Exporter if provided documentation to CBP
Transit/Transshipment	Must support no further production occurred in a 3 rd country
Post-Importations	SIL/PEA or 19 USC 1514
MPF	Exempt for Originating Goods and ISI Goods



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