

TRADE AGREEMENT/PROGRAM COMPARISON

PROVISION	NAFTA	SINGAPORE FTA	CHILE FTA	GSP	AUSTRALIA FTA
General					
Agreement	NAFTA Implementation Act	US-Singapore FTA Implementation Act	US- Chile FTA Implementation Act	Generalized System of Preferences	US-Australia FTA Implementation Act
US Code	19 U.S.C. 3301-3473	19 U.S.C. 3805 note	19 U.S.C. 3805 note	19 U.S.C. 2461-2467	19 U.S.C. 3805 Note
CFR	19 CFR 181 and Rules of Origin Regulations	Regulations in early Draft Stage	70 FR 10868, March 7, 2005 (19 CFR 10 subpart H)	19 CFR 10.171, 10.178	Regulations in Early Draft Stage
HTSUS General Note	GN 12	GN 25	GN 26	GN 4	GN 28
Primary responsibility for compliance	Exporter	Importer	Importer	Importer	Importer
Special Program Indicator	CA or MX	SG or 9999.00.84 (ISI)	CL	A, A+, A*	AU
Expiration	No	No	No	2006 (likely to be renewed)	No
Importing					
Marking Rules	19 CFR 102 & 134	19 CFR 134 (substantial transformation)	19 CFR 134 (substantial transformation)	19 CFR 134 (substantial transformation)	19 CFR 134 (substantial transformation)
MPF	Exempt for originating goods	Exempt for originating goods	Exempt for originating goods	Not exempt (except for LDBDC'S)	Exempt for originating goods
Preference Criteria	A through F	GN25(b);will be A,B,C	A,B,C	N/A	GN28(b)
General Rules of Origin	Wholly originating, wholly of originating materials, Tariff Shift &/or regional value content	Wholly originating, wholly of originating materials, tariff shift &/or regional value content, integrated sourcing initiative	Wholly originating, wholly of originating materials, tariff shift &/or regional value content	Growth, product of manufacture of BDC	Wholly originating, wholly of originating materials, tariff shift &/or regional value content, other qualifying method
Tariff Shift Rules	GN 12(t)	GN25(o)	GN26(n)	GN4(b)(ii)	GN28(n)
Tariff Preference Levels (TPL)	Yes	Yes	Yes	No	No
Concepts of fiber, Yarn, and fabric forward	Yes	Yes	Yes	No	Yes

PROVISION	NAFTA	SINGAPORE FTA	CHILE FTA	GSP	AUSTRALIA FTA
Level of documentation or data required to be on file with importer at time of entry summary	NAFTA Certificate of Origin	Freeform statement with 10 elements and sufficient knowledge or information	Freeform certification with 10 elements and sufficient knowledge or information	Form A no longer required	Freeform statement with 10 elements and sufficient knowledge or information
Advance Rulings	Yes	Yes	Yes	Yes	Yes
Direct Shipment Required	Yes	No (requires non-ABI entry)	No (requires non-ABI entry)	Yes, except LDBDC's can transship thru one another as can the associated countries	Yes, pursuant to GN28(b)
Special Origination Rules	Annex 308.1/E Criterion	Integrated sourcing initiation (ISI) GN28(m)	No	NO	NO
Value					
Regional value content (RVC) calculation method	Transaction value & net cost	Build-up and Build-down	Build-up and Build-down	Materials produced in the BDC plus direct costs of processing	Build-up, Build-down and net cost for automotive goods
General RVC percent	50% Transaction value 60% net cost	35% build-up 45% build-down	35% build-up 45% build-down	35% of appraised value	35% build-up 45% build-down 50% net cost
Special rules for automotive goods	Tracing, net cost only	No, although RVC percentages are 30% build-up; 50% build-down	No, although RVC percentages are 30% build-up; 50% build-down	No	Yes, certain tariffs require net cost RVC (GN28(g)(iii))
Accumulation of originating materials in non-orig. goods	No	Yes	Yes	N/A	Yes
De minimis (non-textile)	7% by value	10% by value	10% by value	N/A	10% by value
De minimis (textile)	7% by weight	7% by weight	7% by weight	N/A	7% by weight
Inventory					
Fungible goods	Specific identification, LIFO, FIFO, average	Specific identification, LIFO, FIFO, average	Specific identification, LIFO, FIFO, average	GAAP	Specific identification, LIFO, FIFO, average

PROVISION	NAFTA	SINGAPORE FTA	CHILE FTA	GSP	AUSTRALIA FTA
Fungible materials	Specific identification, LIFO, FIFO, average	Specific identification, LIFO, FIFO, average	Specific identification, LIFO, FIFO, average	GAAP	Specific identification, LIFO, FIFO, average
Post-Importation					
Post importation	520(d)	SIL/PEA	520(d)	SIL/PEA	SIL/PEA
TPL post-entry	SIL/PEA	SIL/PEA	SIL/PEA	N/A	N/A
520(d) reconciliation	Yes	No	69 FR 53730, September 2, 2004	No	No
US CBP					
Verifications via CBP form 28	Yes	Yes	Yes	Yes	Yes
Determination via CBP form 29	Yes	Yes	Yes	Yes	Yes
Joint verification teams	Yes	Yes-only if correspondence with exporter required	Yes- only if provided documents directly to CBP	No	Yes- only if exporter provides documents directly to CBP
Pattern of conduct/denial of future claims based on prior actions	Yes	No	Yes	No	No
Prior Disclosure	19 USC 1592©(4)	Prompt notification to CBP, however 1 yr form importation to correct	19 USC 1592©(4)	19 USC 1592©(4)	Prompt notification to CBP, however 1 yr form importation to correct
Additional information					
Complete duty phase-out period	15 years (1/1/2008)	10 years (1/1/2013)	12 years (1/1/2015)	Immediate	18 years (1/1/2022)