

SECTION VII

PLASTICS AND ARTICLES THEREOF; RUBBER AND ARTICLES THEREOF (Chapter 39-40)

1. Chemical Reaction Origin Rule

Any good of Chapters 39 through 40 that is the product of a chemical reaction shall be considered to be an originating good if the chemical reaction occurred in the United States of America or Australia. Notwithstanding any of the line-by-line rules, the "chemical reaction" rule may be applied to any good classified in Chapters 39 through 40.

Note: For purposes of this section, a "chemical reaction" 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 determining whether a product is an originating good:

- (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.

Notwithstanding any of the line-by-line rules, the "chemical reaction" rule may be applied to any good classified in the above chapters.

2. Mixtures and Blends Origin Rule

For the purposes of Chapters 39 through 40, 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 considered to be origin conferring.

3. Purification Origin Rule

For the purposes of Chapter 39, 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, medicinal, 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-elements;
 - (iv) specialized optical uses;
 - (v) non toxic uses for health and safety;
 - (vi) biotechnical use;
 - (vii) carriers used in a separation process; or
 - (viii) nuclear grade uses.

[FTA Tariff Tool](#)

United States-Australia Free Trade Agreement Rules of Origin

4. Change in Particle Size Origin Rule

For the purposes of Chapter 39:

a) the deliberate and controlled reduction 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; or b) the deliberate and controlled modification in particle size of a good, other than by merely 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.

5. Isomer Separation Origin Rule

For the purposes of Chapter 39, the isolation or separation of isomers from mixtures of isomers is considered to be origin conferring.

Source:

[U.S. Australia FTA](#)

[5A-Annex-17-18 \(Product-Specific Rules of Origin\)](#)