

## **Section VI**

### **Products of the Chemical or Allied Industries (Chapter 28-38)**

#### **Notes to Section VI:**

##### **Note 1**

Rules 1 through 7 of this Section confer origin to a good of any chapter or heading in this Section, except as otherwise specified in those rules.

##### **Note 2**

Notwithstanding Note 1, a good is originating if it meets the applicable change in tariff classification specified in the rules of origin in this Section.

##### **Rule 1: Chemical Reaction**

A good, except a good of heading 38.23, that results from a chemical reaction in the territory of one or more of the Parties shall be treated as originating

Note: For purposes of this Section, a "chemical reaction" is a process (including a biochemical process) that 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 good is originating:

- (a) dissolution in water or in another solvent;
- (b) the elimination of solvents, including solvent water; or
- (c) the addition or elimination of water of crystallization.

##### **Rule 2: Purification**

For a good of chapters 28 through 35 or 38, a good that is subject to purification shall be treated as originating provided that one of the following occurs in the territory of one or more of the Parties:

- (a) the purification results in the elimination of 80 percent of the impurities; or
- (b) the purification results in the reduction or elimination of impurities, rendering the good suitable:
  - (i) as a pharmaceutical, medicinal, cosmetic, veterinary, or food grade substance;
  - (ii) as a chemical good or reagent for analytical, diagnostic, or laboratory uses;
  - (iii) as an element or component for use in micro-elements;
  - (iv) for specialized optical uses;
  - (v) for non toxic uses for health and safety;
  - (vi) for biotechnical use;

- (vii) as a carrier used in a separation process; or
- (viii) for nuclear grade uses.

**Rule 3: Mixtures and Blends**

A good of chapters 30 or 31, heading 33.02, subheading 3502.20, heading 35.06 through 35.07, or 37.07 shall be treated as originating if the deliberate and proportionally controlled mixing or blending (including dispersing) of materials to conform to predetermined specifications, resulting 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, occurs in the territory of one or more of the Parties.

**Rule 4: Change in Particle Size**

A good of chapter 30 or 31 shall be treated as originating if the following occurs in the territory of one or more of the Parties:

(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; 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.

**Rule 5: Standards Materials**

A good of chapters 28 through 32, 35 or 38, shall be treated as originating if the production of these materials occurs in the territory of one or more of the Parties.

For purposes of this rule, “standards materials” (including standards solutions) are preparations suitable for analytical, calibrating, or referencing uses, having precise degrees of purity or proportions which are certified by the manufacturer.

**Rule 6: Isomer Separation**

A good of chapters 28 through 32 or 35 shall be treated as originating if the isolation or separation of isomers from mixtures of isomers occurs in the territory of one or more of the Parties.

**Rule 7: Separation Prohibition**

A good that undergoes a change from one classification to another in the territory of one of more of the Parties as the result of the separation of one or more materials from a man-made mixture shall not be treated as originating unless the isolated material underwent a chemical reaction in the territory of one or more of the Parties

[FTA Tariff Tool](#)

CAFTA-DR (Dominican Republic-Central America FTA) Rules of Origin

Source:

[U.S.-Dominican Republic-Central America FTA](#)

[Annex 4.1 Specific Rules of Origin, page 17-19](#)