

Section VII

Plastics and Articles Thereof; Rubber and Articles Thereof (Chapter 39-40)

Notes to Section VII:

Note 1:

A good of any chapter or heading in Section VII that satisfies one or more of Rules 1 through 5 of this Section shall be treated as an originating good, except as otherwise specified in those rules.

Note 2:

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

Rule 1: Chemical Reaction

A good of Chapters 39 and 40 that results from a chemical reaction in the territory of one or both of the Parties shall be treated as an originating good.

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 an originating good:

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

Rule 2: Mixtures and Blends Origin

A good of Chapters 39 and 40 shall be treated as an originating good 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 different essential physical or chemical characteristics that are relevant to the purposes or uses of the good and are different from the input materials, occurs in the territory of one or both of the Parties.

Rule 3: Purification

A good of Chapters 39 and 40 that is subject to purification shall be treated as an originating good provided that the purification occurs in the territory of one or both of the Parties and results in the following:

- (a) the elimination of not less than 80 percent of the content of existing impurities; or
- (b) the reduction or elimination of impurities resulting in a good suitable:

- (i) as a pharmaceutical, medicinal, cosmetic, veterinary, or food grade substances;
- (ii) as a chemical product 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) for carriers used in a separation process; or
- (viii) for nuclear grade uses.

Rule 4: Change in Particle Size

A good of Chapter 39 shall be treated as an originating good if the deliberate and controlled modification in particle size of a good, including micronizing by dissolving a polymer and subsequent precipitation, 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 is relevant to the purposes of the resulting good and having different essential physical or chemical characteristics from the input materials, occurs in the territory of one or both of the Parties.

Rule 5: Isomer Separation

A good of Chapter 39 shall be treated as an originating good if the isolation or separation of isomers from mixtures of isomers occurs in the territory of one of both of the Parties.

Source:

[U.S.-Korea Trade Agreement](#)

[Annex 6-A, Specific Rules of Origin, page 37-39](#)