

Korea Free Trade Agreement

# U.S. – Korea Free Trade Agreement

The United States-Korea Free Trade Agreement (KORUS) entered into force on March 15, 2012.

# **Rules of Origin**

For goods that are not <u>wholly obtained</u>, you must meet the product's rule of origin, usually through Tariff Shift or Regional Value Content. Learn more about how to <u>Read and Apply FTA Rules of Origin</u>. The rules of origin may be found in the final text of the FTA. Occasionally, a particular rule of origin may be revised. For the most updated version of the ROOs consult the <u>Harmonized Tariff Schedule</u> of the United States, General Notes — General Note 33.

#### In addition to the above rules of origin, there may be other ways to qualify your product:

- <u>Accumulation</u> may allow the producer to reduce the value of the non-originating materials used in the production of the good.
- <u>De Minimis</u> allows the exporter to disregard a very small percentage of non-originating materials the do no meet a tariff shift rule.
- Direct Shipment are goods which must be shipped directly from one FTA party to another FTA party.
- <u>Fungible Goods and Materials</u> refers to goods or materials (components) that are interchangeable for commercial purposes and whose properties are essentially identical.
- <u>Indirect Materials</u> are goods used in the production, testing or inspection of a good but not physically incorporated into the good.

### **Claiming/Documenting Origin**

No specific certificate is required for the U.S. – Korea FTA. You may be requested by the importer or the Korean Customs Service to provide information to support a claim of preferential treatment. More information on what to include can be found in <a href="Free Trade Agreements Certificates of Origin">Free Trade Agreements Certificates of Origin</a>. Please note that the Korean Customs Service does not mandate a specific Certificate of Origin document under KORUS, nor is there a prescribed form or format for certifying origin. U.S. exporters or producers should be advised that as long as you provide the elements necessary to complete a certification, you should not need to use the Korean Customs Service's <a href="sample Certificate of Origin">sample Certificate of Origin</a> (page 6-7) or any Korean Government prescribed form, although you are free to do so.

## **Key Links/Resources**

- USTR U.S.-Korea FTA (KORUS)
- USDA Korea Overview
- Textiles Overview
- CBP Side-by-Side Comparison of FTAs
- U.S. Commercial Service Korea
- FTA Tariff Tool
- FTA Help Center