

**PROTOCOL TO AMEND THE FRAMEWORK AGREEMENT  
ON COMPREHENSIVE ECONOMIC CO-OPERATION  
BETWEEN THE ASSOCIATION OF SOUTH EAST ASIAN  
NATIONS AND THE PEOPLE'S REPUBLIC OF CHINA**

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, the Socialist Republic of Vietnam, Member States of the Association of South East Asian Nations (collectively "ASEAN" or "ASEAN Member States") and the People's Republic of China ("China");

**RECALLING** the Framework Agreement on Comprehensive Economic Co-operation between ASEAN and China (hereinafter referred as "the Framework Agreement") signed on 4 November 2002;

**RECOGNISING** that any Party may accelerate its tariff reduction and elimination for products covered under the Framework Agreement, including any commitments covered under the Early Harvest Programme of the Framework Agreement;

**RECOGNISING** also the requirement for some ASEAN Member States to complete their negotiations with China in respect of the Early Harvest Programme provided under the Framework Agreement;

**SEEKING** to incorporate into the Framework Agreement the Rules of Origin applicable to the products covered under the Early Harvest Programme of the Framework Agreement;

**SEEKING** also to revise the contents of the existing Annex 1 and Annex 2 of the Framework Agreement in order to include the subsequent Early Harvest agreements between some ASEAN Member States and China and to insert the relevant HS Codes and product descriptions;

**DESIRING** to clarify the implementation of the provisions of the Early Harvest Programme of the Framework Agreement;

**DESIRING** also to provide for the terms and conditions for the acceleration of tariff reduction and/or elimination for products covered under the Early Harvest Programme of the Framework Agreement through bilateral or plurilateral arrangements and to provide for such arrangements to be administratively annexed to the Framework Agreement;

**NOTING** that Article 14 of the Framework Agreement provides for any amendments thereto to be mutually agreed upon in writing by the Parties;

**HAVE AGREED AS FOLLOWS:**

### **ARTICLE 1**

#### **Amendment of Article 6(3)(a)(iv) of the Framework Agreement**

Article 6(3)(a)(iv) of the Framework Agreement shall be deleted and substituted entirely by a new Article 6(3)(a)(iv) as set out below:

“(iv) For those parties which are unable to complete the appropriate product lists in Annex 1 or Annex 2, the lists may still be drawn up by mutual agreement consistent with the implementation timeframe set out in Annex 3 to this Agreement.”

### **ARTICLE 2**

#### **Amendment of Article 6(3)(b)(i) of the Framework Agreement**

Article 6(3)(b)(i) of the Framework Agreement shall be substituted by a new Article 6(3)(b)(i) as set out below:

“(i) All products covered under the Early Harvest Programme shall be divided into 3 product categories for tariff reduction and elimination as defined and to be implemented in accordance with the timeframes set out in Annex 3 to this Agreement. This paragraph shall not prevent any Party from accelerating its tariff reduction and/or elimination if it so wishes, subject to the following terms and conditions:

- (1) A Party may accelerate its tariff reduction and/or elimination under this Article in relation to the rest of the parties on a unilateral basis;
- (2) One or more ASEAN Member States may also conduct negotiations and enter into a bilateral or plurilateral acceleration arrangement with China to accelerate their tariff reduction and/or elimination under this Article;
- (3) Before the commencement of negotiations of any arrangement pursuant to subparagraph 2 of Article 6(3)(b)(i) of this Agreement, all parties which decide to enter into such negotiations shall give joint written notification to the other ASEAN Member States at least one month before entering into such negotiations, so that any one or more of the ASEAN Member States may participate in such negotiations if they so wish. Any ASEAN Member State that intends to participate in such negotiations shall notify the original parties intending to enter into such negotiations of its intention in writing, and shall provide copies of such notification to the other ASEAN Member States through the ASEAN Secretariat;
- (4) Any individual ASEAN Member State shall be permitted to accede to any arrangement concluded pursuant to subparagraph 2 of Article 6(3)(b)(i) of this Agreement, provided that it undertakes to be fully bound by the entire package of commitments under such arrangement with respect to product coverage, tariff schedule, and implementation timeframe, as prescribed by such arrangement. For newer ASEAN Member States, special and differential treatment and flexibility on the implementation timeframe shall be provided;
- (5) In implementing tariff reduction and/or elimination under any arrangement concluded pursuant to subparagraph 2 of Article 6(3)(b)(i) of this Agreement, the Rules of Origin as set out in Annex 5 of this Agreement shall be applicable;

- (6) Any arrangement concluded pursuant to subparagraph 2 of Article 6(3)(b)(i) of this Agreement shall be jointly notified by the concluding parties to the rest of the ASEAN Member States through the ASEAN Secretariat, which shall annex it administratively to this Agreement without the need for any Protocol to amend this Agreement. The ASEAN Secretariat shall provide every ASEAN Member State and China with a copy of such arrangement with the appropriate annex numbering;
- (7) Any ASEAN Member State that intends to accede to any arrangement concluded pursuant to subparagraph 2 of Article 6(3)(b)(i) of this Agreement shall notify the original parties to such arrangement of its intention in writing, and shall provide copies of such notification to the other ASEAN Member States through the ASEAN Secretariat; and
- (8) Any acceleration arrangement concluded pursuant to the terms and conditions set forth in Article 6(3)(b)(i) of this Agreement, including any acceleration arrangement concluded before the entry into force of this Agreement, shall form an integral part of this Agreement.”

### **ARTICLE 3**

#### **Amendment of Article 6(3)(c) of the Framework Agreement**

1. Article 6(3)(c) of the Framework Agreement shall be amended by inserting a new paragraph immediately after the existing Article 6(3)(c) of the Framework Agreement and by renumbering those paragraphs as Article 6(3)(c)(i), Article 6(3)(c)(ii) and Article 6(3)(c)(iii) respectively as follows:

“(c) Rules of Origin

- (i) The Rules of Origin are set out in Annex 5 of this Agreement.

- (ii) The text of the Rules of Origin shall be applicable to the products covered under the Early Harvest Programme.
- (iii) Negotiations on the Product Specific Rules, which appear as Attachment B of the Rules of Origin, shall commence in January 2004.”

2. The Framework Agreement is amended by inserting as Annex 5 the Rules of Origin set out in Appendix 1 of this Protocol.

**ARTICLE 4**  
**Amendment to insert new Article 12A into the Framework Agreement**

The Framework Agreement shall be amended by inserting a new Article 12A immediately after the existing Article 12 of the Framework Agreement as follows:

**“ARTICLE 12A**  
**Agreements Outside this Agreement**

Nothing in this Agreement shall prevent or prohibit any individual ASEAN Member State from entering into any bilateral or plurilateral agreement with China and/or the rest of the ASEAN Member States relating to trade in goods, trade in services, investment, and/or other areas of economic co-operation outside the ambit of this Agreement. The provisions of this Agreement shall not apply to any such bilateral or plurilateral agreement.”

**ARTICLE 5**  
**Substitution of Annex 1 of the Framework Agreement**

The existing Annex 1 of the Framework Agreement shall be substituted by the new Annex 1 as set out in Appendix 2 of this Protocol.

**ARTICLE 6**  
**Substitution of Annex 2 of the Framework Agreement**

The existing Annex 2 of the Framework Agreement shall be substituted by the new Annex 2 as set out in Appendix 3 of this Protocol.

**ARTICLE 7**  
**Incorporation of Early Harvest Schedules of Commitments**

All Parties shall incorporate all of their commitments under the Early Harvest Programme of the Framework Agreement, as contained in Appendix 2 and Appendix 3 of this Protocol, in their respective schedules of the Early Harvest Concessions, which will form an integral part of the Framework Agreement, and shall promptly deposit such Schedules of Commitments with the ASEAN Secretariat.

**ARTICLE 8**  
**Entry into Force**

1. This Protocol shall form an integral part of the Framework Agreement and shall enter into force upon the date of signature.
2. For ASEAN Member States, this Protocol shall be deposited with the ASEAN Secretariat which shall promptly furnish a certified copy thereof to each ASEAN Member State.

**IN WITNESS WHEREOF**, the undersigned being duly authorised by their respective Governments, have signed this Protocol to Amend the Framework Agreement on Comprehensive Economic Co-operation between the Association of South East Asian Nations and the People's Republic of China.

**DONE** at Bali, Indonesia this Sixth Day of October in the Year Two Thousand and Three, in duplicate copies in the English language.

**RULES OF ORIGIN FOR THE  
ASEAN-CHINA FREE TRADE AREA**

In determining the origin of products eligible for the preferential tariff concession pursuant to the Framework Agreement on Comprehensive Economic Co-operation between the Association of Southeast Asian Nations and the People's Republic of China (hereinafter referred to as "the Agreement"), the following Rules shall be applied:

**RULE 1: DEFINITIONS**

For the purpose of this Annex:

(a) "a Party" means the individual parties to the Agreement i.e. Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic ("Lao PDR"), Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, the Socialist Republic of Vietnam and the People's Republic of China ("China").

(b) "materials" shall include ingredients, parts, components, subassembly and/or goods that were physically incorporated into another good or were subject to a process in the production of another good.

(c) "Originating goods" means products that qualify as originating in accordance with the provisions of Rule 2.

(d) "production" means methods of obtaining goods including growing, mining, harvesting, raising, breeding, extracting, gathering, collecting, capturing, fishing, trapping, hunting, manufacturing, producing, processing or assembling a good.

(e) "Product Specific Rules" are rules that specify that the materials have undergone a change in tariff classification or a specific manufacturing or processing

operation, or satisfy an ad valorem criterion or a combination of any of these criteria.

## **RULE 2: ORIGIN CRITERIA**

For the purposes of this Agreement, products imported by a Party shall be deemed to be originating and eligible for preferential concessions if they conform to the origin requirements under any one of the following:

- (a) Products which are wholly obtained or produced as set out and defined in Rule 3; or
- (b) Products not wholly produced or obtained provided that the said products are eligible under Rule 4, Rule 5 or Rule 6.

## **RULE 3: WHOLLY OBTAINED PRODUCTS**

Within the meaning of Rule 2 (a), the following shall be considered as wholly produced or obtained in a Party:

- (a) Plant<sup>1</sup> and plant products harvested, picked or gathered there;
- (b) Live animals<sup>2</sup> born and raised there;
- (c) Products<sup>3</sup> obtained from live animals referred to in paragraph (b) above;
- (d) Products obtained from hunting, trapping, fishing, aquaculture, gathering or capturing conducted there;
- (e) Minerals and other naturally occurring substances, not included in paragraphs (a) to (d), extracted or taken from its soil, waters, seabed or beneath their seabed;

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<sup>1</sup> Plant here refers to all plant life, including fruit, flowers, vegetables, trees, seaweed, fungi and live plants

<sup>2</sup> Animals referred to in paragraph (b) and (c) covers all animal life, including mammals, birds, fish, crustaceans, molluscs, reptiles, bacteria and viruses.

<sup>3</sup> Products refer to those obtained from live animals without further processing, including milk, eggs, natural honey, hair, wool, semen and dung.



(f) Products taken from the waters, seabed or beneath the seabed outside the territorial waters of that Party, provided that that Party has the rights to exploit such waters, seabed and beneath the seabed in accordance with international law;

(g) Products of sea fishing and other marine products taken from the high seas by vessels registered with a Party or entitled to fly the flag of that Party;

(h) Products processed and/or made on board factory ships registered with a Party or entitled to fly the flag of that Party, exclusively from products referred to in paragraph (g) above;

(i) Articles collected there which can no longer perform their original purpose nor are capable of being restored or repaired and are fit only for disposal or recovery of parts of raw materials, or for recycling purposes<sup>4</sup>; and

(j) Goods obtained or produced in a Party solely from products referred to in paragraphs (a) to (i) above.

**RULE 4: NOT WHOLLY PRODUCED OR OBTAINED**

(a) For the purposes of Rule 2(b), a product shall be deemed to be originating if:

(i) Not less than 40% of its content originates from any Party; or

(ii) If the total value of the materials, part or produce originating from outside of the territory of a Party (i.e. non-ACFTA) does not exceed 60% of the FOB value of the product so produced or obtained provided that the final process of the manufacture is performed within the territory of the Party.

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<sup>4</sup> This would cover all scrap and waste including scrap and waste resulting from manufacturing or processing operations or consumption in the same country, scrap machinery, discarded packaging and all products that can no longer perform the purpose for which they were produced and are fit only for discarding or for the recovery of raw materials. Such manufacturing or processing operations shall include all types of processing, not only industrial or chemical but also mining, agriculture, construction, refining, incineration and sewage treatment operations.

(b) For the purposes of this Annex, the originating criteria set out in Rule 4(a)(ii) shall be referred to as the "ACFTA content". The formula for the 40% ACFTA content is calculated as follows:

$\frac{\text{Value of Non-ACFTA materials} + \text{Value of materials of Undetermined origin}}{\text{FOB Price}} \times 100 \% < 60\%$
<p>Therefore, the ACFTA content: 100% - non-ACFTA material = at least 40%</p>

(c) The value of the non-originating materials shall be:

(i) the CIF value at the time of importation of the materials; or

(ii) the earliest ascertained price paid for the materials of undetermined origin in the territory of the Party where the working or processing takes place.

(d) For the purpose of this Rule, "originating material" shall be deemed to be a material whose country of origin, as determined under these rules, is the same country as the country in which the material is used in production.

**RULE 5: CUMULATIVE RULE OF ORIGIN**

Unless otherwise provided for, products which comply with origin requirements provided for in Rule 2 and which are used in the territory of a Party as materials for a finished product eligible for preferential treatment under the Agreement shall be considered as products originating in the territory of the Party where working or processing of the finished product has taken place provided that the aggregate ACFTA content (i.e. full cumulation, applicable among all Parties) on the final product is not less than 40%.

**RULE 6: PRODUCT SPECIFIC CRITERIA**

Products which have undergone sufficient transformation in a Party shall be treated as originating goods of that Party. Products which satisfy the Product Specific Rules provided for in

Attachment B shall be considered as goods to which sufficient transformation has been carried out in a Party.

**RULE 7: MINIMAL OPERATIONS AND PROCESSES**

Operations or processes undertaken, by themselves or in combination with each other for the purposes listed below, are considered to be minimal and shall not be taken into account in determining whether a good has been wholly obtained in one country:

- (a) ensuring preservation of goods in good condition for the purposes of transport or storage;
- (b) facilitating shipment or transportation;
- (c) packaging<sup>5</sup> or presenting goods for sale.

**RULE 8: DIRECT CONSIGNMENT**

The following shall be considered as consigned directly from the exporting Party to the importing Party:

- (a) *If the products are transported passing through the territory of any other ACFTA member states;*
- (b) *If the products are transported without passing through the territory of any non-ACFTA member states;*
- (c) *The products whose transport involves transit through one or more intermediate non-ACFTA member states with or without transshipment or temporary storage in such countries, provided that:*
  - (i) *the transit entry is justified for geographical reason or by consideration related exclusively to transport requirements;*
  - (ii) *the products have not entered into trade or consumption there; and*

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<sup>5</sup> This excludes encapsulation which is termed "packaging" by the electronics industry.

- (iii) the products have not undergone any operation there other than unloading and reloading or any operation required to keep them in good condition.

**RULE 9: TREATMENT OF PACKING**

(a) Where for purposes of assessing customs duties, a Party treats products separately from their packing, it may also, in respect of its imports consigned from another Party, determine separately the origin of such packing.

(b) Where paragraph (a) above is not applied, packing shall be considered as forming a whole with the products and no part of any packing required for their transport or storage shall be considered as having been imported from outside the ACFTA when determining the origin of the products as a whole.

**RULE 10: ACCESSORIES, SPARE PARTS AND TOOLS**

The origin of accessories, spare parts, tools and instructional or other information materials presented with the goods therewith shall be neglected in determining the origin of the goods, provided that such accessories, spare parts, tools and information materials are classified and collected customs duties with the goods by the importing member state.

**RULE 11: NEUTRAL ELEMENTS**

Unless otherwise provided, for the purpose of determining the origin of goods, the origin of power and fuel, plant and equipment, or machines and tools used to obtain the goods, or the materials used in its manufacture which do not remain in the goods or form part of the goods, shall not be taken into account.

**RULE 12: CERTIFICATE OF ORIGIN**

A claim that products shall be accepted as eligible for preferential concession shall be supported by a Certificate of Origin issued by a government authority designated by the exporting Party and notified to the other Parties to the

Agreement in accordance with the Operational Certification Procedures, as set out in Attachment A.

**Rule 13: Review and Modification**

These rules may be reviewed and modified as and when necessary upon request of a Member State and may be open to such reviews and modifications as may be agreed upon by the AEM-MOFCOM.

## ATTACHMENT A

### **OPERATIONAL CERTIFICATION PROCEDURES FOR THE RULES OF ORIGIN OF THE ASEAN-CHINA FREE TRADE AREA**

For the purpose of implementing the rules of origin for the ASEAN-China Free Trade Area, the following operational procedures on the issuance and verification of the Certificate of Origin (Form E) and the other related administrative matters shall be followed:

#### **AUTHORITIES**

##### RULE 1

The Certificate of Origin shall be issued by the Government authorities of the exporting Party.

##### RULE 2

(a) The Party shall inform all the other Parties of the names and addresses of their respective Government authorities issuing the Certificate of Origin and shall provide specimen signatures and specimen of official seals used by their said Government authorities.

(b) The above information and specimens shall be provided to every Party to the Agreement and a copy furnished to the ASEAN Secretariat. Any change in names, addresses, or official seals shall be promptly informed in the same manner.

##### RULE 3

For the purpose of verifying the conditions for preferential treatment, the Government authorities designated to issue the Certificate of Origin shall have the right to call for any supporting documentary evidence or to carry out any check considered appropriate. If such right cannot be obtained through the existing national laws and regulations, it shall be inserted as a clause in the application form referred to in the following rules 4 and 5.

## **APPLICATIONS**

### RULE 4

The exporter and/or the manufacturer of the products qualified for preferential treatment shall apply in writing to the Government authorities requesting for the pre-exportation verification of the origin of the products. The result of the verification, subject to review periodically or whenever appropriate, shall be accepted as the supporting evidence in verifying the origin of the said products to be exported thereafter. The pre-verification may not apply to the products of which, by their nature, origin can be easily verified.

### RULE 5

At the time of carrying out the formalities for exporting the products under preferential treatment, the exporter or his authorised representative shall submit a written application for the Certificate of Origin together with appropriate supporting documents proving that the products to be exported qualify for the issuance of a Certificate of Origin.

## **PRE-EXPORTATION EXAMINATION**

### RULE 6

The Government authorities designated to issue the Certificate of Origin shall, to the best of their competence and ability, carry out proper examination upon each application for the Certificate of Origin to ensure that:

- (a) The application and the Certificate of Origin are duly completed and signed by the authorised signatory;
- (b) The origin of the product is in conformity with the ASEAN-China Rules of Origin;
- (c) The other statements of the Certificate of Origin correspond to supporting documentary evidence submitted;

(d) Description, quantity and weight of goods, marks and number of packages, number and kinds of packages, as specified, conform to the products to be exported.

## **ISSUANCE OF CERTIFICATE OF ORIGIN**

### **RULE 7**

(a) The Certificate of Origin must be in ISO A4 size paper in conformity to the specimen as shown in Attachment C. It shall be made in English.

(b) The Certificate of Origin shall comprise one original and three (3) carbon copies of the following colours:

Original	- Beige (Pantone color code: 727c)
Duplicate	- Light Green (Pantone color code: 622c)
Triplicate	- Light Green (Pantone color code: 622c)
Quadruplicate	- Light Green (Pantone color code: 622c)

(c) Each Certificate of Origin shall bear a reference number separately given by each place of office of issuance.

(d) The original copy shall be forwarded, together with the triplicate, by the exporter to the importer for submission to the Customs Authority at the port or place of importation. The duplicate shall be retained by the issuing authority in the exporting Party. The quadruplicate shall be retained by the exporter. After the importation of the products, the triplicate shall be marked accordingly in box 4 and returned to the issuing authority within a reasonable period of time.

### **RULE 8**

To implement the provisions of Rules 4 and 5 of the ASEAN-China Rules of Origin, the Certificate of Origin issued by the final exporting Party shall indicate the relevant rules and applicable percentage of ACFTA content in Box 8.



## RULE 9

Neither erasures nor superimposition shall be allowed on the Certificate of Origin. Any alteration shall be made by striking out the erroneous materials and making any addition required. Such alterations shall be approved by the person who made them and certified by the appropriate Government authorities. Unused spaces shall be crossed out to prevent any subsequent addition.

## RULE 10

(a) The Certificate of Origin shall be issued by the relevant Government authorities of the exporting Party at the time of exportation or soon thereafter whenever the products to be exported can be considered originating in that Party within the meaning of the ASEAN-China Rules of Origin.

(b) In exceptional cases where a Certificate of Origin has not been issued at the time of exportation or soon thereafter due to involuntary errors or omissions or other valid causes, the Certificate of Origin may be issued retroactively but no longer than one year from the date of shipment, bearing the words "ISSUED RETROACTIVELY".

## RULE 11

In the event of theft, loss or destruction of a Certificate of Origin, the exporter may apply in writing to the Government authorities which issued it for the certified true copy of the original and the triplicate to be made on the basis of the export documents in their possession bearing the endorsement of the words "CERTIFIED TRUE COPY" in Box 12. This copy shall bear the date of the original Certificate of Origin. The certified true copy of a Certificate of Origin shall be issued not longer than one year from the date of issuance of the original Certificate of Origin and on condition that the exporter provides to the relevant issuing authority the fourth copy.

## **PRESENTATION**

### RULE 12

The original Certificate of Origin shall be submitted together with the triplicate to the Customs Authorities at the time of lodging the import entry for the products concerned.

### RULE 13

The following time limit for the presentation of the Certificate of Origin shall be observed:

(a) Certificate of Origin shall be submitted to the Customs Authorities of the importing Party within four (4) months from the date of endorsement by the relevant Government authorities of the exporting Party;

(b) Where the products pass through the territory of one or more non-parties in accordance with the provisions of Rule 8 (c) of the ASEAN-China Rules of Origin, the time limit laid down in paragraph (a) above for the submission of the Certificate of Origin is extended to six (6) months;

(c) Where the Certificate of Origin is submitted to the relevant Government authorities of the importing Party after the expiration of the time limit for its submission, such Certificate is still to be accepted when failure to observe the time limit results from force majeure or other valid causes beyond the control of the exporter; and

(d) In all cases, the relevant Government authorities in the importing Party may accept such Certificate of Origin provided that the products have been imported before the expiration of the time limit of the said Certificate of Origin.

### RULE 14

In the case of consignments of products originating in the exporting Party and not exceeding US\$200.00 FOB, the production of a Certificate of Origin shall be waived and the use of simplified declaration by the exporter that the products in question have originated in the exporting Party will be accepted.

Products sent through the post not exceeding US\$200.00 FOB shall also be similarly treated.

#### RULE 15

The discovery of minor discrepancies between the statements made in the Certificate of Origin and those made in the documents submitted to the Customs Authorities of the importing Party for the purpose of carrying out the formalities for importing the products shall not ipso-facto invalidate the Certificate of Origin, if it does in fact correspond to the products submitted.

#### RULE 16

(a) The importing Party may request a retroactive check at random and/or when it has reasonable doubt as to the authenticity of the document or as to the accuracy of the information regarding the true origin of the products in question or of certain parts thereof.

(b) The request shall be accompanied with the Certificate of Origin concerned and shall specify the reasons and any additional information suggesting that the particulars given on the said Certificate of Origin may be inaccurate, unless the retroactive check is requested on a random basis.

(c) The Customs Authorities of the importing Party may suspend the provisions on preferential treatment while awaiting the result of verification. However, it may release the products to the importer subject to any administrative measures deemed necessary, provided that they are not held to be subject to import prohibition or restriction and there is no suspicion of fraud.

(d) The issuing Government authorities receiving a request for retroactive check shall respond to the request promptly and reply not later than six (6) months after the receipt of the request.

## RULE 17

(a) The application for Certificates of Origin and all documents related to such application shall be retained by the issuing authorities for not less than two (2) years from the date of issuance.

(b) Information relating to the validity of the Certificate of Origin shall be furnished upon request of the importing Party.

(c) Any information communicated between the Parties concerned shall be treated as confidential and shall be used for the validation of Certificates of Origin purposes only.

## **SPECIAL CASES**

### RULE 18

When destination of all or parts of the products exported to a specified Party is changed, before or after their arrival in the Party, the following rules shall be observed:

(a) If the products have already been submitted to the Customs Authorities in the specified importing Party, the *Certificate of Origin* shall, by a written application of the importer be endorsed to this effect for all or parts of products by the said authorities and the original returned to the importer. The triplicate shall be returned to the issuing authorities.

(b) If the changing of destination occurs during transportation to the importing Party as specified in the *Certificate of Origin*, the exporter shall apply in writing, accompanied with the issued *Certificate of Origin*, for the new issuance for all or parts of products.

### RULE 19

For the purpose of implementing Rule 8(c) of the ASEAN-China Rules of Origin, where transportation is effected through the territory of one or more non-ACFTA member states, the

following shall be produced to the Government authorities of the importing Member State:

- (a) A through Bill of Lading issued in the exporting Member State;
- (b) A Certificate of Origin issued by the relevant Government authorities of the exporting Member State;
- (c) A copy of the original commercial invoice in respect of the product; and
- (d) Supporting documents in evidence that the requirements of Rule 8(c) sub-paragraphs (i),(ii) and (iii) of the China-ASEAN Rules of Origin are being complied with.

#### RULE 20

(a) Products sent from an exporting Party for exhibition in another Party and sold during or after the exhibition into a Party shall benefit from the China-ASEAN preferential tariff treatment on the condition that the products meet the requirements of the China-ASEAN Rules of Origin provided it is shown to the satisfaction of the relevant Government authorities of the importing Party that:

- (i) an exporter has dispatched those products from the territory of the exporting Party to the country where the exhibition is held and has exhibited them there;
- (ii) the exporter has sold the goods or transferred them to a consignee in the importing Party; and
- (iii) *the products have been consigned during the exhibition or immediately thereafter to the importing Party in the state in which they were sent for exhibition.*

(b) For purposes of implementing the above provisions, the Certificate of Origin must be produced to the relevant Government authorities of the importing Party. The name and address of the exhibition must be indicated, a certificate issued by the relevant Government authorities of the Party where the

exhibition took place together with supporting documents prescribed in rule 19(d) may be required.

(c) Paragraph (a) shall apply to any trade, agricultural or crafts exhibition, fair or similar show or display in shops or business premises with the view to the sale of foreign products and where the products remain under Customs control during the exhibition.

## **ACTION AGAINST FRAUDULENT ACTS**

### RULE 21

(a) When it is suspected that fraudulent acts in connection with the Certificate of Origin have been committed, the Government authorities concerned shall co-operate in the action to be taken in the territory of the respective Party against the persons involved.

(b) Each Party shall be responsible for providing legal sanctions for fraudulent acts related to the Certificate of Origin.

### Rule 22

In the case of a dispute concerning origin determination, classification or products or other matters, the Government authorities concerned in the importing and exporting Member States shall consult each other with a view to resolving the dispute, and the result shall be reported to the other Member States for information.

**ATTACHMENT B**

**PRODUCT SPECIFIC RULES**

(To be negotiated commencing January 2004)

**ATTACHMENT C**

**Original (Duplicate/Triplicate/Quadruplicate)**

<p>1. Goods consigned from (Exporter's business name, address, country)</p>		<p>Reference No.                  ASEAN-CHINA FREE TRADE AREA                  PREFERENTIAL TARIFF                  CERTIFICATE OF ORIGIN                  (Combined Declaration and Certificate)</p> <p align="center">FORM E                  Issued in _____                  (Country)                  See Notes Overleaf</p>			
<p>2. Goods consigned to (Consignee's name, address, country)</p>		<p>4. For Official Use</p> <p><input type="checkbox"/> Preferential Treatment Given Under ASEAN-CHINA Free Trade Area Preferential Tariff</p> <p><input type="checkbox"/> Preferential Treatment Not Given (Please state reason/s)</p> <hr/> <p align="center">.....                  Signature of Authorised Signatory of the Importing Country</p>			
<p>3. Means of transport and route (as far as known)</p> <p>Departure date</p> <p>Vessel's name/Aircraft etc.</p> <p>Port of Discharge</p>					
<p>5. Item number</p>	<p>6. Marks and numbers on packages</p>				
<p>11. Declaration by the exporter</p> <p>The undersigned hereby declares that the above details and statement are correct; that all the goods were produced in</p> <p align="center">.....                  (Country)</p> <p>and that they comply with the origin requirements specified for these goods in the ASEAN-CHINA Free Trade Area Preferential Tariff for the goods exported to</p> <p align="center">.....                  (Importing Country)</p> <p align="center">.....                  Place and date, signature of authorised signatory</p>		<p>12. Certification</p> <p>It is hereby certified, on the basis of control carried out, that the declaration by the exporter is correct.</p> <p align="center">.....                  Place and date, signature and stamp of certifying authority</p>			



**OVERLEAF NOTES**

1. Member States which accept this form for the purpose of preferential treatment under the ASEAN-CHINA Free Trade Area Preferential Tariff:

BRUNEI DARUSSALAM	CAMBODIA	CHINA
INDONESIA	LAOS	MALAYSIA
MYANMAR	PHILIPPINES	SINGAPORE
THAILAND	VIETNAM	

2. **CONDITIONS:** The main conditions for admission to the preferential treatment under the ACFTA Preferential Tariff are that goods sent to any Member States listed above:

- (i) must fall within a description of products eligible for concessions in the country of destination;
- (ii) must comply with the consignment conditions that the goods must be consigned directly from any ACFTA member state to the importing Member State but transport that involves passing through one or more intermediate non-ACFTA member states, is also accepted provided that any intermediate transit, transshipment or temporary storage arises only for geographic reasons or transportation requirements; and
- (iii) must comply with the origin criteria given in the next paragraph.

3. **ORIGIN CRITERIA:** For exports to the above mentioned countries to be eligible for preferential treatment, the requirement is that either:

- (i) The products wholly obtained in the exporting Member State as defined in Rule 3 of the ASEAN-China Rules of Origin;
- (ii) Subject to sub-paragraph (i) above, for the purpose of implementing the provisions of Rule 2 (b) of the ASEAN-China Rules of Origin, products worked on and processed as a result of which the total value of the materials, parts or produce originating from non-ACFTA member states or of undetermined origin used does not exceed 60% of the FOB value of the product produced or obtained and the final process of the manufacture is performed within territory of the exporting Member State;
- (iii) Products which comply with origin requirements provided for in Rule 2 of the ASEAN-China Rules of Origin and which are used in a Member State as inputs for a finished product eligible for preferential treatment in another Member State/States shall be considered as a product originating in the Member State where working or processing of the finished product has taken place provided that the aggregate ACFTA content of the final product is not less than 40%; or
- (iv) Products which satisfy the Product Specific Rules provided for in Attachment B of the ASEAN-China Rules of Origin shall be considered as goods to which sufficient transformation has been carried out in a Party.

If the goods qualify under the above criteria, the exporter must indicate in Box 8 of this form the origin criteria on the basis of which he claims that his goods qualify for preferential treatment, in the manner shown in the following table:

Circumstances of production or manufacture in the first country named in Box 11 of this form	Insert in Box 8
(a) Products wholly produced in the country of exportation (see paragraph 3 (i) above)	"X"
(b) Products worked upon but not wholly produced in the exporting Member State which were produced in conformity with the provisions of paragraph 3 (ii) above	Percentage of single country content, example 40%
(c) Products worked upon but not wholly produced in the exporting Member State which were produced in conformity with the provisions of paragraph 3 (iii) above	Percentage of ACFTA cumulative content, example 40%
(d) Products satisfied the Product Specific Rules	"Product Specific Rules"

4. **EACH ARTICLE MUST QUALIFY:** It should be noted that all the products in a consignment must qualify separately in their own right. This is of particular relevance when similar articles of different sizes or spare parts are sent.

5. **DESCRIPTION OF PRODUCTS:** The description of products must be sufficiently detailed to enable the products to be identified by the Customs Officers examining them. Name of manufacturer, any trade mark shall also be specified.

6. The Harmonised System number shall be that of the importing Member State.

7. The term "Exporter" in Box 11 may include the manufacturer or the producer.

8. **FOR OFFICIAL USE:** The Customs Authority of the importing Member State must indicate (✓) in the relevant boxes in column 4 whether or not preferential treatment is accorded.

## Appendix 2

### Annex 1

#### **Exclusion List Of A Party For Products Excluded From the Early Harvest Programme Under Article 6(3)(a)(i):**

1. Any Party that excludes the other ASEAN Member States and/or China from enjoying the tariff concessions in respect of products as specified in this Annex shall not enjoy the tariff concessions of the other ASEAN Member States and/or China in respect of such products.

2. The following parties have completed their negotiations with respect to one another and their exclusion lists are as follows:

- (a) Brunei : No exclusion of any product.
- (b) Cambodia : Exclusion of the following products for China and ASEAN Member States:

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
	0103 Live swine	0103 Live swine
1.	0103.92.00 - Other - - Weighing 50 kg or more	0103.9200 - Other - - Weighing 50 kg or more
	0207 Meat and edible offal, of the poultry of heading no. 01.05, fresh chilled or frozen	0207 Meat and edible offal, of the poultry of heading no. 01.05, fresh chilled or frozen
2.	0207.11.00 - Of fowls of the species <i>Gallus Domesticus</i> : - - Not cut in pieces, fresh or chilled	0207.1100 - Of fowls of the species <i>Gallus Domesticus</i> : - - Not cut in pieces, fresh or chilled
3.	0207.12.00 - Of fowls of the species <i>Gallus Domesticus</i> :	0207.1200 - Of fowls of the species <i>Gallus Domesticus</i> :

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
	- - Not cut in pieces, frozen	- - Not cut in pieces, frozen
4.	0207.13.00 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, fresh or chilled	0207.1311 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, fresh or chilled: - - - Cuts: - - - - With bone 0207.1319 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, fresh or chilled: - - - Cuts - - - - Other 0207.1321 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, fresh or chilled: - - - Offal: - - - - Midjoint wing 0207.1329 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, fresh or chilled: - - - Offal: - - - - Other
5.	0207.14.10 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, frozen - - - Wings	0207.1411 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, frozen: - - - Cuts: - - - - With bone 0207.1419 - Of fowls of the species <i>Gallus Domesticus</i> : - - Cuts and offal, frozen: - - - Cuts: - - - - Other

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
6.	0207.14.20 - Of fowls of the species <i>Gallus Domesticus</i> : -- Cuts and offal, frozen --- Thighs	0207.1421 - Of fowls of the species <i>Gallus Domesticus</i> : -- Cuts and offal, frozen: --- Offal: ---- Midjoint wing
		0207.1429 - Of fowls of the species <i>Gallus Domesticus</i> : -- Cuts and offal, frozen: --- Offal: ---- Other
7.	0207.14.30 - Of fowls of the species <i>Gallus Domesticus</i> : -- Cuts and offal, frozen --- Livers	
8.	0207.14.90 - Of fowls of the species <i>Gallus Domesticus</i> : -- Cuts and offal, frozen --- Other	
	<b>0301</b> <b>Live fish</b>	<b>0301</b> <b>Live fish</b>
9.	0301.93.00 - Other live fish -- Carp	0301.9310 - Other live fish -- Carp: --- Fry
		0301.9390 - Other live fish -- Carp: --- Other
10.	0702.00.00 Tomatoes, fresh or chilled	0702.0000 Tomatoes, fresh or chilled
	<b>0703</b> <b>Onions, shallots, garlic, leeks and other alliceous vegetables, fresh of chilled</b>	<b>0703</b> <b>Onions, shallots, garlic, leeks and other alliceous vegetables, fresh of chilled</b>

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
11.	0703.10.10 - - Onions	0703.1010 * - - Onions  (* In 2003 Customs Import and Export Tariff, this tariff line is 0703.1010)
12.	0703.20.00 - Garlic	0703.2010 - Garlic: - - - Garlic bulbs
		0703.2020 - Garlic: - - - Garlic stems, garlic seedlings
		0703.2090 - Garlic: - - - Other
	<b>0704</b> <b>Cabbages, cauliflowers, kohlrabi, kale and other edible brassicas, fresh or chilled</b>	<b>0704</b> <b>Cabbages, cauliflowers, kohlrabi, kale and other edible brassicas, fresh or chilled</b>
13.	0704.10.10 - - Cauliflowers	0704.1000 - Cauliflowers and headed broccoli
14.	0704.10.20 - - Headed broccoli	
15.	0704.90.10 - - Cabbages	0704.9000 - Other
16.	0704.90.90 - Other - - Other	
	<b>0705</b> <b>Lettuce and chicory, fresh or chilled</b>	<b>0705</b> <b>Lettuce and chicory, fresh or chilled</b>
17.	0705.11.00 - Lettuce - -Cabbage lettuce (head lettuce)	0705.1100 - Lettuce - -Cabbage lettuce (head lettuce)

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
18.	0705.19.00 - Lettuce - - Other	0705.1900 - Lettuce - - Other
	<b>0706</b> <b>Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled</b>	<b>0706</b> <b>Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled</b>
19.	0706.10.10 - - Carrots	0706.1000 - Carrots and turnips
20.	0706.10.20 - - Turnips	
21.	0706.90.00 - Other	0706.9000 - Other
	<b>0708</b> <b>Leguminous vegetables, shelled or unshelled, fresh or chilled</b>	<b>0708</b> <b>Leguminous vegetables, shelled or unshelled, fresh or chilled</b>
22.	0708.20.00 - Beans (vigna spp., Phaseolus spp.)	0708.2000 - Beans (vigna spp., Phaseolus spp.)
	<b>0709</b> <b>Other vegetables, fresh or chilled</b>	<b>0709</b> <b>Other vegetables, fresh or chilled</b>
23.	0709.90.00 - Other	0709.9010 - Other - - - Bamboo shoots
		0709.9090 - Other - - - Other
	<b>0801</b> <b>Coconuts, brazil nuts, cashew nuts, fresh or dried, whether or not shelled or peeled</b>	<b>0801</b> <b>Coconuts, brazil nuts, cashew nuts, fresh or dried, whether or not shelled or peeled</b>

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
24.	0801.19.00 - Coconut - - Other	0801.1910 - Coconuts: - - Other: - - - Seedlings
		0801.1990 - Coconuts: - - Other: - - - Other
	<b>0804</b> <b>Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried</b>	<b>0804</b> <b>Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried</b>
25.	0804.30.00 - Pineapples	0804.3000 - Pineapples
26.	0804.50.00 - Guavas, mangoes and mangosteens	0804.5010 - Guavas, mangoes and mangosteens - - - Guavas
		0804.5020 - Guavas, mangoes and mangosteens - - - Mangoes
		0804.5030 - Guavas, mangoes and mangosteens - - - Mangosteens
	<b>0805</b> <b>Citrus fruit, fresh or dried</b>	<b>0805</b> <b>Citrus fruit, fresh or dried</b>
27.	0805.10.00 - Oranges	0805.1000 - Oranges
	<b>0807</b> <b>Melons (including watermelons) and papaw (papayas), fresh</b>	<b>0807</b> <b>Melons (including watermelons) and papaw (papayas), fresh</b>
28.	0807.11.00 - Melons (including watermelons) - - Watermelons	0807.1100 - Melons (including watermelons) - - Watermelons

S/No	HS Code/Product Description (Cambodia)	HS Code/Product Description (China)
29.	0807.19.00 - Melons (including watermelons) -- Other	0807.1910 - Melons (including watermelons) -- Other: --- Hami melons
		0807.1920 - Melons (including watermelons) -- Other: --- Cantaloupe and Galia melons
		0807.1990 - Melons (including watermelons) -- Other: --- Other
	<b>0810</b> <b>Other fruits, fresh</b>	<b>0810</b> <b>Other fruits, fresh</b>
30.	0810.90.20 -- Longans	0810.9030 --- Longans

- (c) China : No exclusion of any product for ASEAN Member States.
- (d) Indonesia : No exclusion of any product.<sup>6</sup>
- (e) Lao PDR : Exclusion of the following products for China and ASEAN Member States:

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
	<b>0103</b> <b>Live swine</b>	<b>0103</b> <b>Live swine</b>
1.	0103.92 - Other -- Weighing 50kg or more	0103.9200 - Other: -- Weighing 50kg or more

<sup>6</sup> Sweet Corn (HS 0710.10.000) from Indonesia is subject to multilateral negotiations in the WTO.



S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
	0105  Live poultry, i.e. fowls or the species <i>Gallus Domesticus</i> , ducks. Geese, turkeys and guinea fowls.	0105  Live poultry, i.e. fowls or the species <i>Gallus Domesticus</i> , ducks. Geese, turkeys and guinea fowls
2	0105.91  -- Fowls	0105.9210  - Other: -- Fowls of the species <i>Gallus Domesticus</i> , weighing not more than 2,000 g: -- -Pure-bred breeding
		0105.9290  - Other: -- Fowls of the species <i>Gallus Domesticus</i> , weighing not more than 2,000 g: -- - Other
		0105.9310  - Other: -- Fowls of the species <i>Gallus Domesticus</i> , weighing more than 2,000 g: -- - Pure-bred breeding
		0105.9390  - Other: -- Fowls of the species <i>Gallus Domesticus</i> , weighing more than 2,000 g: -- - Other
3.	0105.99  - Other: -- Fowls of the species <i>Gallus Domesticus</i> weighing more than 2,000 g:	0105.9910  - Other: --Other: -- -Pure-bred breeding
		0105.9991  - Other: -- Other: -- - Other: -- - - Ducks
		0105.9992  - Other: -- Other: -- - Other: -- - - Geese

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0105.9993 - Other: -- Other: --- Other: ---- Guinea fowls
		0105.9994 - Other: -- Other: --- Other: ---- Turkeys
4.	0106.00 Other live animals (domestic and wild animals)	0106.1110 - Mammals: -- Primates: --- Pure-bred breeding
		0106.1190 - Mammals: -- Primates: --- Other
		0106.1200 - Mammals: -- Whales, dolphins and porpoises (mammals of the order Cetacea); manatees and dugongs (mammals of the order Sirenia)
		0106.1910 - Mammals: -- Other: --- Pure-bred breeding
		0106.1920 - Mammals: -- Other: --- For human consumption
		0106.1990 - Mammals: -- Other: --- Other
		0106.2011 - Reptiles (including snakes and turtles): --- Pure-bred breeding: ---- Crocodiles for cultivation

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0106.2019 - Reptiles (including snakes and turtles): --- Pure-bred breeding: ---- Other
		0106.2020 - Reptiles (including snakes and turtles): --- For human consumption
		0106.2090 - Reptiles (including snakes and turtles): --- Other
		0106.3110 - Birds: -- Birds of pray: --- Pure-bred breeding
		0106.3190 - Birds: -- Birds of pray: --- Other
		0106.3210 - Birds: -- Psittaciformes (including parrots, parakeets, macaws and cockatoos): --- Pure-bred breeding
		0106.3290 - Birds: -- Psittaciformes (including parrots, parakeets, macaws and cockatoos): --- Other
		0106.3910 - Birds: -- Other: --- Pure-bred breeding
		0106.3921 - Birds: -- Other: --- For human consumption: ---- Squabs

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0106.3922 - Birds: - - Other: - - - For human consumption: - - - - Ostrich
		0106.3923 - Birds: - - Other: - - - For human consumption: - - - - Teals
		0106.3929 - Birds: - - Other: - - - For human consumption: - - - - Other
		0106.3990 - Birds: - - Other: - - - Other
		0106.9011 - Other: - - - Pure-bred breeding: - - - - Tadpole and young frogs
		0106.9019 - Other: - - - Pure-bred breeding: - - - - Other
		0106.9020 - Other: - - - For human consumption
		0106.9090 - Other: - - - Other
	<b>0202</b>  <b>Meat of bovine animals, frozen</b>	<b>0202</b>  <b>Meat of bovine animals, frozen</b>
5.	0202.10  - Carcasses and half-carcasses	0202.1000  - Carcasses and half-carcasses

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
6.	0202.20 - Other cuts with bone in	0202.2000 - Other cuts with bone in
7.	0202.30 - Boneless	0202.3000 - Boneless
	<b>0203</b> <b>Meat of swine, fresh, chilled or frozen</b>	<b>0203</b> <b>Meat of swine, fresh, chilled or frozen</b>
8.	0203.11 -- Carcasses and half-carcasses	0203.1110 - Fresh or chilled -- Carcasses and half-carcasses --- Sucking pig
		0203.1190 - Fresh or chilled -- Carcasses and half-carcasses --- Other
9.	0203.12 -- Hams, shoulders and cuts thereof, with bone in	0203.1200 - Fresh or chilled -- Hams, shoulders and cuts thereof, with bone in
10.	0203.19 -- Other	0203.1900 - Fresh or chilled -- Other
11.	0203.21 -- Carcasses and half-carcasses	0203.2110 - Frozen -- Carcasses and half-carcasses --- Sucking pig
		0203.2190 - Frozen -- Carcasses and half-carcasses --- Other
12.	0203.22 -- Hams, shoulders and cuts thereof, with bone in	0203.2200 - Frozen -- Hams, shoulders and cuts thereof, with bone in

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
	0207 Meat and edible offal, of the poultry of heading No. 01.05, fresh, chilled or frozen.	0207 Meat and edible offal, of the poultry of heading No. 0105, fresh, chilled or frozen
13.	0207.10 - Poultry not cut in pieces, fresh or chilled	0207.1100 - Of fowls of the species <i>Gallus domesticus</i> : -- Not cut in pieces, fresh or chilled
		0207.2400 - Of turkeys: -- Not cut in pieces, fresh or chilled
		0207.3210 - Of ducks, geese or guinea fowls: -- Not cut in pieces, fresh or chilled --- Ducks
		0207.3220 - Of ducks, geese or guinea fowls: -- Not cut in pieces, fresh or chilled --- Geese
		0207.3230 - Of ducks, geese or guinea fowls: -- Not cut in pieces, fresh or chilled --- Guinea fowls
14.	0207.20 - Poultry not cut in pieces, frozen	0207.1200 - Of fowls of the species <i>Gallus domesticus</i> : -- Not cut in pieces, frozen
		0207.2500 - Of turkeys: -- Not cut in pieces, frozen
		0207.3310 - Of ducks, geese or guinea fowls: -- Not cut in pieces, frozen --- Ducks
		0207.3320 - Of ducks, geese or guinea fowls: -- Not cut in pieces, frozen --- Geese

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0207.3330 - Of ducks, geese or guinea fowls: - - Not cut in pieces, frozen - - - Guinea fowls
15.	0207.30 - Poultry cuts and offal (including livers), fresh or chilled	0207.1311 - Of fowls of the species <i>Gallus domesticus</i> : - - Chicken cut and offal, fresh or chilled - - - Cut - - - - With bone  0207.1319 - Of fowls of the species <i>Gallus domesticus</i> : - - Chicken cut and offal, fresh or chilled - - - Cut - - - - Other  0207.1321 - Of fowls of the species <i>Gallus domesticus</i> : - - Chicken cut and offal, fresh or chilled - - - Offal - - - - Midjoint wing  0207.1329 - Of fowls of the species <i>Gallus domesticus</i> : - - Chicken cut and offal, fresh or chilled - - - Offal - - - - Other  0207.2600 - Of turkeys: - - Cuts and offal, fresh or chilled  0207.3400 - Of ducks, geese or guinea fowls: - - Fatty livers( <i>foie gras</i> ), fresh or chilled  0207.3510 - Of ducks, geese or guinea fowls: - - Other, fresh or chilled - - - Cuts and offal of ducks

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0207.3520 - Of ducks, geese or guinea fowls: -- Other, fresh or chilled --- Cuts and offal of geese
		0207.3530 - Of ducks, geese or guinea fowls: -- Other, fresh or chilled --- Cuts and offal of guinea fowls
	<b>0210</b> <b>Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat or meat offal. Edible meat or meat offal</b>	<b>0210</b> <b>Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal</b>
16.	0210.11 -- Hams, shoulders and cuts thereof, with bone in	0210.1110 -- Hams, shoulders and cuts thereof, with bone in --- Hams and shoulders, with bone in
		0210.1190 - Meat of swine: -- Hams, shoulders and cuts thereof, with bone in --- Other
17.	0210.12 -- Bellies (Streaky) and cuts thereof	0210.1200 - Meat of swine: -- Bellies (Streaky) and cuts thereof
18.	0210.19 -- Other	0210.1900 - Meat of swine: -- Other
19.	0210.20 - Meat of bovine animals	0210.2000 - Meat of bovine animals
20.	0210.90 - Other, including edible flours and meals of meat or meat offal	0210.9100 - Other, including edible flours and meals of meat or meat offal: -- Of primates



S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0210.9200 - Other, including edible flours and meals of meat or meat offal: - - Of whales, dolphins and porpoises(mammals of the order Cetacea); of manatees and dugongs (mammals of the order Sirenia)
		0210.9300 - Other, including edible flours and meals of meat or meat offal: - - Of reptiles (including snakes and turtles)
		HS: 02109900 -Other, including edible flours and meals of meat or meat offal: --Other
	<b>0301</b> <b>Live fish</b>	<b>0301</b> <b>Live fish</b>
21.	0301.91(90) - Fresh water fish	0301.9190 - Other live fish: - - Trout ( <i>Salmo trutta</i> , <i>Oncorhynchus my kiss</i> , <i>Oncorhynchus clarki</i> , <i>Oncorhynchus aguabonita</i> , <i>Oncorhynchus gilae</i> , <i>Oncorhynchus apache</i> and <i>Oncorhynchus chrysogaster</i> ): - - - Other
	<b>0407</b> <b>Birds eggs, in shell, fresh, preserved or cooked</b>	<b>0407</b> <b>Birds eggs, in shell, fresh, preserved or cooked</b>
22.	0407.00 Birds eggs, in shell, fresh, preserved or cooked	0407.0010 - - - For hatching
		0407.0021 - - - Other, in shell, fresh: - - - - Of hens
		0407.0022 - - - Other, in shell, fresh: - - - - Of ducks

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0407.0023 --- Other, in shell, fresh: ---- Of geese 0407.0029 --- Other, in shell, fresh: ---- Other 0407.0091 --- Other ---- Salted eggs 0407.0092 --- Other ---- Lime-preserved eggs 0407.0099 --- Other ---- Other
	<b>0504</b>  <b>Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof</b>	<b>0504</b>  <b>Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked</b>
23.	0504.00  Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof	0504.0011 --- Casings: ---- Hog casings, salted 0504.0012 --- Casings: ---- Sheep casings, salted 0504.0013 --- Casings: ---- Goat casings, salted 0504.0014 --- Casings: ---- Hog fat-ends, salted 0504.0019 --- Casings: ---- Other 0504.0021 --- Gizzard: ---- Cold, frozen gizzard

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0504.0029 - - - Gizzard: - - - - Other
		0504.0090 - - - Other
	<b>0702</b> <b>Tomatoes, fresh or chilled</b>	<b>0702</b> <b>Tomatoes, fresh or chilled</b>
24.	0702.00 Tomatoes, fresh or chilled	0702.0000 Tomatoes, fresh or chilled
	<b>0706</b> <b>Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled</b>	<b>0706</b> <b>Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled</b>
25.	0706.10 - Carrots and turnips	0706.1000 - Carrots and turnips
	<b>0708</b> <b>Leguminous vegetables, shelled or unshelled, fresh</b>	<b>0708</b> <b>Leguminous vegetables, shelled or unshelled, fresh or chilled</b>
26.	0708.20 - Beans (Vigna spp., Phaseolus spp.)	0708.2000 - Beans (Vigna spp., Phaseolus spp.)
	<b>0709</b> <b>Other vegetables, fresh or chilled</b>	<b>0709</b> <b>Other vegetables, fresh or chilled</b>
27.	0709.30 - Aubergines (Egg-plants)	0709.3000 - Aubergines (Egg-plants)
28.	0709.51(00) - Mushrooms	0709.5100 - Mushrooms and truffles: - - Mushrooms of the genus <i>Agaricus</i>
29.	0709.60 - Fruits of the genus <i>Capsicum</i> or of the genus <i>Primenta</i>	0709.6000 - Fruits of the genus <i>Capsicum</i> or of the genus <i>Primenta</i>

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
30.	0709.90  - Other	0709.9010  - Other: - - - Bamboo shoots
		0709.9090  - Other: - - - Other
	<b>0710</b>  <b>Vegetables (uncooked or cooked by steaming or boiling in water), frozen</b>	<b>0710</b>  <b>Vegetables (uncooked or cooked by steaming or boiling in water), frozen</b>
31.	0710.22  - - Beans (Vigna spp., Phaseolus spp.)	0710.2210  - - Beans (Vigna spp., Phaseolus spp.) - - - Small red (Adzuki) beans (Phaseolus or Vigna angularis)
		0710.2290  - - Beans (Vigna spp., Phaseolus spp.) - - - Other
32.	0710.29  - - Other	0710.2900  - - Other
33.	0710.40  - Sweet corn	0710.4000  - Sweet corn
34.	0710.80  - Other Vegetables	0710.8010  - Other Vegetables: - - - Sungmo
		0710.8020  - Other Vegetables: - - - Garlic stems, garlic seedlings
		0710.8090  - Other Vegetables: - - - Other
35.	0710.90  - Mixtures of vegetables	0710.9000  - Mixtures of vegetables

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
	0711 Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions) but unsuitable in that state for immediate consumption	0711 Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
36.	0711.10 - Onions	0711.9039 - Other Vegetables, mixtures vegetables: - - - In brine: - - - - Other (ex.)
		0711.9090 - Other Vegetables, mixtures vegetables: - - - Other (ex.)
37.	0711.40 - Cucumbers and gherkins	0711.4000 - Cucumbers and gherkins
38.	0711.90 - Other vegetables; mixtures vegetables	0711.9031 - Other Vegetables, mixtures vegetables: - - - In brine: - - - - Bamboo shoots
		0711.9034 - Other Vegetables, mixtures vegetables: - - - In brine: - - - - Garlic
		0711.9039 - Other Vegetables, mixtures vegetables: - - - In brine: - - - - Other
		0711.9090 - Other Vegetables, mixtures vegetables: - - - Other
	0712 Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared	0712 Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
39.	0712.20 - Onions	0712.2000 - Onions
40.	0712.30 - Mushroom and truffles	0712.3100 - Mushrooms, wood ears ( <i>Auricularia</i> spp.), jelly fungi ( <i>Tremella</i> spp.) and truffles -- Mushrooms of the genus <i>Agaricus</i>
		0712.3910 - Mushrooms, wood ears ( <i>Auricularia</i> spp.), jelly fungi ( <i>Tremella</i> spp.) and truffles -- Other --- Shiitake
		0712.3920 - Mushrooms, wood ears ( <i>Auricularia</i> spp.), jelly fungi ( <i>Tremella</i> spp.) and truffles -- Other --- Winter mushroom
		0712.3930 - Mushrooms, wood ears ( <i>Auricularia</i> spp.), jelly fungi ( <i>Tremella</i> spp.) and truffles -- Other --- Paddy straw mushroom
		0712.3940 - Mushrooms, wood ears ( <i>Auricularia</i> spp.), jelly fungi ( <i>Tremella</i> spp.) and truffles -- Other --- <i>Tricholoma mongolicum</i> Imai
		0712.3990 - Mushrooms, wood ears ( <i>Auricularia</i> spp.), jelly fungi ( <i>Tremella</i> spp.) and truffles -- Other --- Other
41.	0712.90 - Other vegetables; mixtures vegetables	0712.9010 - Other vegetables; mixtures vegetables: --- Bamboo shoots

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		<p>0712.9020</p> <p>- Other vegetables; mixtures vegetables: - - - Osmund</p> <hr/> <p>0712.9030</p> <p>- Other vegetables; mixtures vegetables: - - - Day lily flowers</p> <hr/> <p>0712.9040</p> <p>- Other vegetables; mixtures vegetables: - - - Wild brake</p> <hr/> <p>0712.9050</p> <p>- Other vegetables; mixtures vegetables: - - - Garlic</p> <hr/> <p>0712.9090</p> <p>- Other vegetables; mixtures vegetables: - - - Other</p>
	<p><b>0713</b></p> <p><b>Dried leguminous vegetables, shelled, whether or not skinned or split</b></p>	<p><b>0713</b></p> <p><b>Dried leguminous vegetables, shelled, whether or not skinned or split</b></p>
42.	<p>0713.30</p> <p>- Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)</p>	<p>0713.3110</p> <p>- Beans (<i>Vigna</i> spp., <i>Phaseolus</i> <i>spp.</i>): - - Beans of the species <i>Vigna</i> <i>mungo</i> (L.) Hepper or <i>Vigna radiata</i> (L.) Wilczek: - - - Seed</p> <hr/> <p>0713.3190</p> <p>- Beans (<i>Vigna</i> spp., <i>Phaseolus</i> <i>spp.</i>): - - Beans of the species <i>Vigna</i> <i>mungo</i> (L.) Hepper or <i>Vigna radiata</i> (L.) Wilczek: - - - Other</p>

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0713.3211 - Beans ( <i>Vigna spp.</i> , <i>Phaseolus spp.</i> ): -- Small red (Adzuki) beans ( <i>Phaseolus</i> or <i>Vigna Augularis</i> ): --- Seed: ---- Small red (Adzuki) beans
		0713.3219 - Beans ( <i>Vigna spp.</i> , <i>Phaseolus spp.</i> ): -- Small red (Adzuki) beans ( <i>Phaseolus</i> or <i>Vigna Augularis</i> ): --- Seed: ---- Other
		0713.3290 - Beans ( <i>Vigna spp.</i> , <i>Phaseolus spp.</i> ): -- Small red (Adzuki) beans ( <i>Phaseolus</i> or <i>Vigna Augularis</i> ): --- Other
		0713.3310 - Beans ( <i>Vigna spp.</i> , <i>Phaseolus spp.</i> ): -- Kidney beans, including white pea beans ( <i>Phaseolus vulgaris</i> ): --- Seed
		0713.3390 - Beans ( <i>Vigna spp.</i> , <i>Phaseolus spp.</i> ): -- Kidney beans, including white pea beans ( <i>Phaseolus vulgaris</i> ): --- Other
		0713.3900 - Beans ( <i>Vigna spp.</i> , <i>Phaseolus spp.</i> ): -- Other
43.	0713.90 - Other	0713.9010 - Other: --- Seed
		0713.9090 - Other: --- Other



S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
	0714 Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith	0714 Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith
44.	0714.10 - Manioc (Cassava)	0714.1010 - Manioc (Cassava): - - - Fresh 0714.1020 - Manioc (Cassava): - - - Dried 0714.1030 - Manioc (Cassava): - - - Chilled or frozen
45.	0714.20 - Sweet potatoes	0714.2011 - Sweet potatoes: - - - Fresh: - - - - For cultivation 0714.2019 - Sweet potatoes: - - - Fresh: - - - - Other 0714.2020 - Sweet potatoes: - - - Dried 0714.2030 - Sweet potatoes: - - - Chilled or frozen
46.	0714.90 - Other	0714.9010 - Other: - - - Water chestnut 0714.9021 - Other: - - - Lotus ( <i>Nelumbo nucifera</i> ) rootstock: - - - - For cultivation

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0714.9029 - Other: - - - Lotus ( <i>Nelumbo nucifera</i> ) rootstock: - - - - Other
		0714.9090 - Other: - - - Other
	<b>0802</b>  <b>Other nuts, fresh or dried, whether or not shelled or peeled</b>	<b>0802</b>  <b>Other nuts, fresh or dried, whether or not shelled or peeled</b>
47.	0802.00  Other nuts, fresh or dried, whether or not shelled or peeled	0802.1100 - Almonds: - - In shell 0802.1200 - Almonds: - - Shelled 0802.2100 - Hazelnuts or filberts ( <i>Corylus spp.</i> ): - - In shell 0802.2200 - Hazelnuts or filberts ( <i>Corylus spp.</i> ): - - Shelled 0802.3100 - Walnuts: - - In shell 0802.3200 - Walnuts: - - Shelled 0802.4010 - Chestnuts ( <i>Castanea spp.</i> ): - - - Chestnuts 0802.4090 - Chestnuts ( <i>Castanea spp.</i> ): - - - Other

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0802.5000 - Pistachios
		0802.9010 - Other: - - - Betel nuts
		0802.9020 - Other: - - - Gingko nuts
		0802.9030 - Other: - - - Pine-nuts, shelled
		0802.9041 - Other: - - - Hawaiian nuts: - - - - Seed
		0802.9049 - Other: - - - Hawaiian nuts: - - - - Other
		0802.9090 - Other: - - - Other
	<b>0804</b> <b>Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried</b>	<b>0804</b> <b>Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried</b>
48.	0804.30 - Pineapples	0804.3000 - Pineapples
49.	0804.50 - Guavas, mangoes and mangosteens	0804.5010 - Guavas, mangoes and mangosteens - - - Guavas
		0804.5020 - Guavas, mangoes and mangosteens - - - Mangoes

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
		0804.5030 - Guavas, mangoes and mangosteens - - - Mangosteens
	<b>0805</b> <b>Citrus fruit, fresh or dried</b>	<b>0805</b> <b>Citrus fruit, fresh or dried</b>
50.	0805.10 - Oranges	0805.1000 - Oranges
51.	0805.30 - Lemons (Citrus limons, citrus limonum) and limes (Citrus aurantifolia)	0805.5000 - Lemons (Citrus limons, citrus limonum) and limes (Citrus aurantifolia)
52.	0805.90 - Other	0805.9000 - Other
	<b>0807</b> <b>Melons (including watermelons) and papaws (papayas), fresh</b>	<b>0807</b> <b>Melons (including watermelons) and papaws (papayas), fresh</b>
53.	0807.10 - - Melons( including watermelons)	0807.1100 - Melons (including watermelons): - - Watermelons
		0807.1910 - Melons (including watermelons): - - Other: - - - Hami melons
		0807.1920 - Melons (including watermelons): - - Other: - - - Cantaloupe and Galia melons
		0807.1990 - Melons (including watermelons): - - Other: - - - Other
54.	0807.20 - - Papaws (papaya)	0807.2000 - Papaws (papayas)

S/No	HS Code/Product Description (Lao PDR)	HS Code/Product Description (China)
	0813 Fruit, dried, other than that of headings Nos. 08.01 to 08.06 mixtures of nuts or dried fruits of this Chapter	0813 Fruit, dried, other than that of headings Nos. 08.01 to 08.06; mixtures of nuts or dried fruits of this Chapter
55.	0813.40 - Other	0813.4010 - Other fruit: - - - Longans and longan pulps
		0813.4020 - Other fruit: - - - Persimmons
		0813.4030 - Other fruit: - - - Red jujubes
		0813.4090 - Other fruit: - - - Other
56.	0813.50 - Mixtures of nuts or dried fruits of this Chapter	0813.5000 - Mixtures of nuts or dried fruits of this Chapter

(f) Malaysia : No exclusion of any product for China. Exclusion of the following products for ASEAN Member States:

S/No	HS Code/Product Description (Malaysia)
1.	0407.00.111 Fresh hens' eggs, in shell, for hatching
2.	0407.00.112 Fresh ducks' eggs, in shell for hatching
3.	0803.00.100 Pisang mas, fresh or dried

S/No	HS Code/Product Description (Malaysia)
4.	0803.00.200 Pisang rastali, fresh or dried
5.	0803.00.300 Pisang berangan, fresh or dried
6.	0803.00.400 Pisang embun, fresh or dried
7.	0803.00.900 Other bananas, including plantains, fresh or dried
8.	0804.30.000 Pineapples, fresh or dried
9.	0804.50.100 Guavas, fresh or dried
10.	0804.50.200 Mangoes, fresh or dried
11.	0804.50.300 Mangosteens, fresh or dried
12.	0807.11.000 Watermelons, fresh
13.	0807.19.000 Other melons, fresh
14.	0807.20.100 Mardi backcross, solo (betik solo), fresh

S/No	HS Code/Product Description (Malaysia)
15.	0807.20.900 Other papaws (papayas), fresh
16.	0810.60.000 Durians, fresh
17.	0810.90.110 Rambutan, fresh
18.	0810.90.130 Langsat, fresh
19.	0810.90.140 Jack fruit (cempedak and nangka), fresh
20.	0810.90.160 Cikus, fresh
21.	0810.90.170 Star fruits, fresh
22.	0810.90.190 Other tropical fruit, fresh

(g) Myanmar : No exclusion of any product.

(h) Philippines : *Philippines to insert exclusion list*

(i) Singapore : No exclusion of any product.

(j) Thailand : No exclusion of any product.

(k) Vietnam : Exclusion of the following products for China and ASEAN Member States:

(Note: This Exclusion List will be transposed in accordance with the new tariff nomenclature enacted by the Ministry of Finance Decision No. 82/2003/QD-BTC of 13 June 2003. The same product coverage as contained in the original Annex 1 of the Framework Agreement will be maintained.)

S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
	0105 Live poultry, that is to say, fowls or the species <i>Gallus Domesticus</i> , ducks, geese, turkeys and guinea fowls	0105 Live poultry, that is to say, fowls or the species <i>Gallus Domesticus</i> , ducks, geese, turkeys and guinea fowls
1.	010511900 -Weighing not more than 185 g: --Fowls of the species <i>Gallus Domesticus</i> : ---Other	0105.1190 -Weighing not more than 185 g: --Fowls of the species <i>Gallus Domesticus</i> : ---Other
2.	010592900 -Other: --Fowls of the species <i>Gallus Domesticus</i> , weighing not more than 2,000 g: ---Other	0105.9290 -Other: --Fowls of the species <i>Gallus Domesticus</i> , weighing not more than 2,000 g: ---Other
3.	010593000 -Other: --Fowls of the species <i>Gallus Domesticus</i> weighing more than 2,000 g:	0105.9310 -Other: --Fowls of the species <i>Gallus Domesticus</i> weighing more than 2,000 g: ---Pure-bred breeding
		01059390 -Other: --Fowls of the species <i>Gallus Domesticus</i> weighing more than 2,000 g: ---Other
4.	010599900 -Other: --Other: ---Other	01059991 -Other: --Other: ---Other ----Ducks



S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
		01059992 -Other: --Other: ---Other ----Geese  01059993 -Other: --Other: ---Other ----Guinea fowls  01059994 -Other: --Other: ---Other ----Turkeys
	<b>0207</b> <b>Meat and edible offal, of the poultry of heading No. 01.03, fresh, chilled or frozen</b>	<b>0207</b> <b>Meat and edible offal, of the poultry of heading No. 01.05, fresh, chilled or frozen</b>
5.	020711000 -Of fowls of the species <i>Gallus Domesticus</i> : --Not cut in pieces, fresh or chilled	02071100 -Of fowls of the species <i>Gallus Domesticus</i> : --Not cut in pieces, fresh or chilled
6.	020712000 -Of fowls of the species <i>Gallus Domesticus</i> : --Not cut in pieces, frozen	02071200 -Of fowls of the species <i>Gallus Domesticus</i> : --Not cut in pieces, frozen
7.	020713000 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, fresh or chilled	02071311 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, fresh or chilled: ---Cuts: ----With bone  02071319 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, fresh or chilled: ---Cuts ----Other

S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
		02071321 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, fresh or chilled: ---Offal: ----Midjoint wing
		02071329 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, fresh or chilled: ---Offal: ----Other
8.	020714000 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, frozen	02071411 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, frozen: ---Cuts: ----With bone
		02071419 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, frozen: ---Cuts: ----Other
		02071421 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, frozen: ---Offal: ----Midjoint wing
		02071429 -Of fowls of the species <i>Gallus Domesticus</i> : --Cuts and offal, frozen: ---Offal: ----Other
9.	020726000 -Of turkeys: --Cuts and offal, fresh or chilled	02072600 -Of turkeys: --Cuts and offal, fresh or chilled
10.	020727000 -Of turkeys: --Cuts and offal, frozen	02072700 -Of turkeys: --Cuts and offal, frozen

S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
	<b>0407</b> <b>Birds' eggs, in shell, fresh, preserved or cooked</b>	<b>0407</b> <b>Birds' eggs, in shell, fresh, preserved or cooked</b>
11.	040700100 -For hatching	04070010 ---For hatching
12.	040700900 -Other	04070021 ---Other, in shell, fresh: ----Of hens
		04070022 ---Other, in shell, fresh: ----Of ducks
		04070023 ---Other, in shell, fresh: ----Of geese
		04070029 ---Other, in shell, fresh: ----Other
		04070091 ---Other ----Salted eggs
		04070092 ---Other ----Lime-preserved eggs
		04070099 ---Other ----Other
	<b>0805</b> <b>Citrus fruit, fresh or dried</b>	<b>0805</b> <b>Citrus fruit, fresh or dried</b>
13.	080530000 -Lemons (citrus liman, citrus limonum) and limes (citrus aurantifolia)	08055000 -Lemons (citrus liman, citrus limonum) and limes (citrus aurantifolia)
14.	080540000 -Grapefruit	08054000 -Grapefruit

S/No	HS Code/ Product Description (Vietnam)	HS Code/ Product Description (China)
15.	080590000 -Other	08059000 -Other

### Appendix 3

### Annex 2

#### Specific Products Covered By The Early Harvest Programme Under Article 6(3)(a)(iii)

- A. Brunei and Singapore shall be parties to any arrangements that have been agreed on or will be agreed to between China and any other Party pursuant to Article 6(3)(a)(iii) so long as they individually provide written notification to China and the rest of the ASEAN Member States through the ASEAN Secretariat of their intended effective date of participation in such arrangements.
- B. Brunei and Singapore's lists of specific products under this Annex shall be administratively inserted by the ASEAN Secretariat after China has verified the HS Codes and product descriptions in Brunei and Singapore's lists. The ASEAN Secretariat shall distribute an updated copy of this Annex to all Parties.
- C. The following parties have completed their negotiations with China and their specific products are as follows:
1. Cambodia: Nil
  2. Indonesia:

S/No	HS Code Product Description (China)	HS Code Product Description (Indonesia)
1.	09012200 -Coffee, roasted: --Decaffeinated	090122000 Roasted, decaffeinated coffee
2.	15131100 -Coconut oil and its fractions: --Crude oil	151311000 Crude coconut oil and fractions thereof
3.	15131900 -Coconut oil and its fractions: --Other	151319000 Coconut copra oil (excl. crude) and fractions thereof
4.	15132100 -Palm kernel or babassu oil and fractions thereof: --Crude oil	151321000 Crude palm kernel or babassu oil and fractions thereof

S/No	HS Code Product Description (China)	HS Code Product Description (Indonesia)
5.	15132900 -Palm kernel or babassu oil and fractions thereof: --other	151329000 Palm kernel or babassu oil (excl. crude) and fraction
6.	15162000 -Vegetable fats and oils and fractions thereof	151620000 Vegetable fats and oils and their fractions, hydrogenated
7.	15179000 Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No. 15.16: -Other	151790000 Edible prep of fats or oils, nes
8.	18061000 -Cocoa powder, containing added sugar or other sweetening matter	180610000 Cocoa powder with added sugar or other sweetening
9.	34011990 -Soap and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent: --Other: ---Other	340119900 Soap and organic surface active product in bars, etc
10	34012000 -Soap in other forms	340120000 Soap in other forms, nes
11.	40169200 Other articles of vulcanized rubber other than hard rubber: -Other: --Erasers	401692000 Erasers of vulcanized rubber
12.	70112010 -For cathode-ray tubes: ---Anti-dazzle glass	701120100 Anti-dazzle glass, envelopes for cathode ray tubes
13.	94015000 -Seats of cane, osier, bamboo or similar materials	940150000 Seats of cane, osier, bamboo or similar materials
		940150900 Seats of other rattan
14.	94038010 -Furniture of other materials, including cane, osier, bamboo or similar materials: ---Of cane, osier, bamboo or similar materials	940380100 Furniture of cane, osier, bamboo or similar materials

3. Lao PDR: Nil

4. Myanmar: Nil

5. Malaysia:

S/No	HS Code Product Description (China)	HS Code Product Description (Malaysia)
1.	09012200 Coffee, roasted: Decaffeinated	090122000 Coffee, roasted: Decaffeinated
2.	15131100 Coconut (copra) oil and its fractions: Crude oil	151311000 Coconut (copra) oil, crude
3.	15132100 Palm kernel or babassu oil and fractions thereof; Crude oil	151321100 Palm kernel oil, crude  151321900 Palm kernel or babassu oil and fractions thereof, crude
4.	15132900 Palm kernel or babassu oil and fractions thereof: Other	151329110 Palm kernel olein, crude  151329120 Palm kernel olein, RBD  151329130 Palm kernel oil, RBD  151329141 Solid fractions of palm kernel stearin, crude not chemically modified  151329149 Solid fractions of other than palm kernel stearin, crude not chemically modified  151329190 Palm kernel oil, other than RBD or solid fraction not chemically modified  151329910 Babassu oil, solid fractions not chemically modified  151329990 Babassu oil other than solid fractions not chemically modified

S/No	HS Code Product Description (China)	HS Code Product Description (Malaysia)
5.	15162000 Vegetables fats and oils and their fractions thereof	Vegetables fats and oils and their fractions: Re-esterified fats and oils and their fractions:  151620111 of soya bean
		151620112 of cotton seed  151620113 of ground-nut
		151620114 of sunflower seed  151620115 of olive  151620120 of rape, colza and mustard seed
		151620130 of palm oil, crude  151620141 of palm oil, other than crude: in packings not exceeding 20kg
		151620149 of palm oil, other than crude: in packings exceeding 20kg  151620150 of coconut
		151620161 of palm kernel oil: crude  151620162 of palm kernel oil: refined, bleached and deodorised (RBD)
		151620171 of palm kernel olein: crude  151620179 of palm kernel olein: refined, bleached and deodorised (RBD)
		151620181 of sesame seed  151620182 of almond  151620183 of illipenut



S/No	HS Code Product Description (China)	HS Code Product Description (Malaysia)
		151620191 of maize
		151620192 of linseed
		151620193 of castor
		151620199 other
		151620910 Other: hydrogenated ground-nut oil
		151620920 Other: hydrogenated sesame seed oil
		151620930 Other: hydrogenated castor oil ("opal wax")
		151620940 Other: palm kernel stearin, crude
		151620950 Other: palm kernel stearin, RBD
		151620960 Other: palm kernel olein, hydrogenated and RBD
		151620970 Other: palm kernel stearin, hydrogenated and RBD
		151620981 Other: palm stearin of iodine value not exceeding 48: crude
		151620982 Other: palm stearin of iodine value not exceeding 48: refined, bleached and deodorised (RBD)
		151620989 Other: palm stearin of iodine value not exceeding 48: other
		151620990 Other: other

S/No	HS Code Product Description (China)	HS Code Product Description (Malaysia)
6.	15179000 Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading No. 15.16. Other	<p>Margarine; edible mixtures or preparations of animal or vegetable fats or of fractions or different fats or oils of this chapter, other than edible fats or oils or their fractions of heading No. 15.16.</p> <p>- Other:</p> <p>151790100 Imitation ghee</p> <p>151790200 Imitation lard</p> <p>151790300 Liquid margarine</p> <p>151790400 Mould release preparations</p> <p>Of mixtures or preparations of vegetable fats or oils or of their fractions:</p> <p>151790510 solid mixtures or preparations</p> <p>liquid mixtures or preparations:</p> <p>151790521 of which ground-nut oil predominates</p> <p>151790522 of which linseed oil predominates</p> <p>151790524 <i>of which palm oil predominates: crude</i></p> <p>151790526 of which palm oil predominates: other: in packings not exceeding 20kg</p> <p>151790529 of which palm oil predominates: other: In packings exceeding 20 kg</p> <p>151790531 of which palm kernel oil predominates: crude</p>

S/No	HS Code Product Description (China)	HS Code Product Description (Malaysia)
		<p>151790532 of which palm kernel oil predominates: refined, bleached and deodorised (RBD)</p> <p>151790541 of which palm kernel olein predominates: crude</p> <p>151790542 of which palm kernel olein predominates: refined, bleached and deodorised (RBD)</p> <p>151790550 of which castor oil predominates</p> <p>151790551 of which tung oil predominates</p> <p>151790552 of which sesame oil predominates</p> <p>151790553 of which almond oil predominates</p> <p>151790554 of which maize (corn oil) predominates</p> <p>151790555 of which soya bean oil predominates</p> <p>151790556 of which cotton seed oil predominates</p> <p>151790557 of which olive oil predominates</p> <p>151790558 of which sunflower seed oil predominates</p> <p>151790559 of which rape, colza or mustard oil predominates</p> <p>151790560 of which illipenut oil predominates</p> <p>151790561 of which coconut oil predominates</p> <p>151790590 other</p>

S/No	HS Code Product Description (China)	HS Code Product Description (Malaysia)
		151790600 Of mixtures or preparations of animals fats or oils or of their fractions  151790900 Other
7.	18010000 Cocoa beans, whole or broken, raw or roasted	180100000 Cocoa beans, whole or broken, raw or roasted
8.	18031000 Cocoa paste, whether or not defatted: Not defatted	180310000 Cocoa paste, whether or not defatted
9.	18032000 Cocoa paste, whether or not defatted: Wholly or partly defatted	180320000 Cocoa paste, whether or not defatted: wholly or partly defatted
10.	18040000 Cocoa butter, fat and oil	180400000 Cocoa butter, fat and oil
11.	18050000 Cocoa powder, not containing added sugar or other sweetening matter	180500000 Cocoa powder, not containing added sugar or other sweetening matter
12.	18061000 Cocoa powder, containing added sugar or other sweetening matter	180610000 Cocoa powder, containing added sugar or other sweetening matter
13.	27011100 Anthracite	270111000 Coal, whether or not pulverised, but not agglomerated: Anthracite
14.	27040010 Coke and semi-coke	270400100 Coke and semi-coke of coal
15.	34011990 Soap and organic surface-active products and preparations, in the form of bars, cakes, moulded pieces or shapes, and paper, wadding, felt and nonwovens, impregnated, coated or covered with soap or detergent: --Other: ---Other	340119900 Other soap other than for toilet use and other than those falling under sub- heading 3401.19.100 to 3401.19.690
16.	34012000 Soap in other forms	340120000 Soap in other forms
17.	38231100 Industrial monocarboxylic fatty acids; acid oils from refining: Stearic acid	382311000 Industrial monocarboxylic fatty acids; acid oils from refining: Stearic acid

S/No	HS Code Product Description (China)	HS Code Product Description (Malaysia)
18.	40169200 Other articles of vulcanised rubber other than hard rubber: Other: -Erasers	401692100 Other articles of vulcanised rubber other than hard rubber: Other: -Erasers  401692900 Erasers: Other
19.	70112000 Glass envelopes (including bulbs and tubes), open, and glass parts thereof, without fittings, for electric lamps, cathode-ray tubes or the like: For cathode-ray tubes	701120000 Glass envelopes (including bulbs and tubes), open, and glass parts thereof, without fittings, for electric lamps, cathode-ray tubes or the like: For cathode-ray tubes

6. Philippines: *To insert specific products*

7. Thailand:

S/No	HS Code Product Description (China)	HS Code Product Description (Thailand)
1.	27011100 Anthracite	2701110008 Anthracite, whether or not pulverized, but not agglomerated
2.	27040010 Coke and Semi-coke	2704000904 Coke and Semi-Coke of Coal, of Lignite or of Peat

8. Vietnam: Nil