

Chile FTA Summary

Provision	CHILE (CLFTA)
GENERAL INFO & DATES	
Agreement Name	US-Chile Free Trade Agreement
Implementation Date	January 1, 2004
Expiration	None
Duty Phase-Out	January 1, 2015 (12 Years)
Merchandise Processing Fee (MPF)	Exempt for originating goods
Imported Directly	May leave customs' control; may not undergo further production in a 3rd country (requires non-ABI entry summary); 19 CFR 10.463, GN 28(c)(iii)
Primary Responsibility for Compliance	Importer
CITATIONS	
HTSUS General Note (GN)	GN 26
US Code	19 USC 3805 note
CFR	19 CFR 10.401 - 490 (Subpart H)
Marking Rules	19 CFR 134
Special Program Indicator	"CL"
Verification Authority	Article 416; 19 CFR 10.470



Chile FTA Summary

ORIGINATION, ETC.	
Rules of Origin Citations	General Note 26(b); 19 CFR 10.451
Rules of Origin	Wholly Obtained or Produced; Wholly of Originating Materials; Tariff Shift & / or Regional Value Content
Tariff Shift Rules	GN 26(n)
Tariff Shift Rules Updated to Comply with 2007 HTSUS	Yes, Presidential Proclamation 8214
Tariff Shift Rules Updated to Comply with 2012 HTSUS	Yes, Presidential Proclamation 8771, 12/28/11, effective 2/3/12
Chemical Reaction and Related Rules of Origin	Yes, HTS Ch. 27-38; GN 26(m)(vi)
Special Origination Rules	No
Drawback Restrictions	Yes, Article 3.8; 19 USC 1313(j)(4)(B) (most importantly (n)(4); No General Note or Regulation Citation
Repair & Alteration Provision	Duty Free per 19 CFR 10.490; 9802.00.40/50
Documentation required in the importer's possession at the time of claim	No, freeform "Certification" with the elements in 19 CFR 10.411 upon request by CBP



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VALUE	
Regional Value Content (RVC) Citations	GN 26(g); 19 CFR 10.454
Regional Value Content (RVC) Calculation Methods	Build-Up & Build-Down where there is RVC
Special Regimen for Automotive Goods	No, although RVC percentages are 30% Build-Up, 50% Build-Down
De Minimis (most common threshold)	10% of adjusted value; 19 CFR 10.459; GN 26(e) (with exceptions)
De Minimis and Sets, Non-Textile	No non-textile provision
INVENTORY MANAGEMENT METHODS	
Fungible Goods & Materials	LIFO, FIFO, Average; other GAAP-recognized method; GN 26(i)
CLAIMS & DETERMINATIONS	
Post-Importation Claims	19 USC 1520(d), 19 CFR 10.440-442
Reconciliation Claims	Yes, 69 FR 53730, Sept. 2, 2004
Determinations Communicated to Exporter	Yes, if correspondence with exporter
Pattern of Conduct Clause	Yes, 19 CFR 10.474

