



australia - united states free trade agreement

Sample statements for US manufacturers/producers

To claim a preferential rate of customs duty under the Australia - United States Free Trade Agreement (AUSFTA), an importer needs to possess the information, or knowledge, that the imported good meets the relevant rule of origin.

The importer does not need to possess a certificate of origin, a declaration or any other particular documentation to claim a preferential rate of customs duty.

Numerous Australian importers and customs brokers as well as US manufacturers and exporters have prepared certificates of origin or declarations for possible use under the AUSFTA. Given the interest in the use of such documentation and given that most of the documentation has contained insufficient information, the Australian Customs Service (Customs) has prepared statements that would be accepted for the purposes of the AUSFTA.

- The first sample is for goods (other than textiles and apparel) that meet a product-specific rule of origin
- The second sample is for textiles and apparel that meet a product-specific rule of origin
- The third sample is for goods that are produced entirely in the USA, or in the USA and Australia, from originating materials
- The fourth sample is for goods that are wholly obtained or produced entirely in the USA


The [product-specific rules for goods other than textiles and apparel](#).

The [product-specific rules for textiles and apparel](#).


The statements need to be completed by the US manufacturer/producer of the goods.

Customs will accept such a statement as *prima facie* evidence that the goods meet a rule of origin under the AUSFTA.

It should be noted that the sample statements are designed as a *guide only*. The use of such statements is discretionary, not compulsory, and Australian importers are entitled to claim a preferential rate of customs duty without recourse to such statements.

 [Sample statement for goods \(other than textiles and apparel\) that meet a product-specific rule of origin](#)

 [Sample statement for textiles and apparel that meet a product-specific rule of origin](#)

 [Sample statement for goods produced entirely in the USA, or in the USA and Australia, from originating materials](#)

 [Sample statement for goods that are wholly obtained or produced entirely in the USA](#)

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URL: <http://www.customs.gov.au/site/page.cfm?u=5498&print=1>

Company Letterhead
Australia-United States Free Trade Agreement (AUSFTA)
STATEMENT OF UNITED STATES ORIGIN

I _____ of (name of company) in the United States of America hereby state that the goods supplied to (Australian importer's name) and described below are US originating goods as defined in Section 153YE of the *Customs Act 1901* (and in paragraph 5.1 (b) of AUSFTA) as they are produced entirely in the US, or entirely in the US and Australia, and contain non-originating materials.

The non-originating materials:

- meet the requirements of the product specific rules of origin in the Schedule 1 Tariff table in the *Customs (Australia-US Free Trade Agreement) Regulations 2004* (and in Annex 5A of AUSFTA), **AND / OR**
- satisfy the de minimis requirements in Section 153YE of the *Customs Act 1901* (and in Article 5.2 of AUSFTA)

The applicable product specific rule of origin is:

Example only, replace with the actual rule for the product imported

8419.81	Either: (a) a change to subheading 8419.81 from any other heading; or (b) a change to subheading 8419.81 from subheading 8419.90, whether or not there is also a change from any other heading, provided that there is a regional value content of not less than 35 percent based on the build-up method or 45 percent based on the build-down method.
<i>Where there is more than one option, identify which rule has been satisfied</i>	

Description of Goods	Model/Product No. (if applicable)	Harmonized Tariff Classification (6 digits)

This statement applies to the goods above that are supplied on and from (specify date in DD/MM/YYYY format). I agree to maintain and present on request, documentation necessary to support this statement. I further agree to inform, in writing, all persons to whom this statement was given of any changes that could affect the accuracy or validity of this statement.

Signed by:

Position in Company:

Full Name:

Contact Details:

Date:

Note: The Australian importer should quote Preference Rule Type "PS" on the Import Declaration for the goods described above.

Company Letterhead
Australia-United States Free Trade Agreement (AUSFTA)
STATEMENT OF UNITED STATES ORIGIN

I _____ of *(name of company)* in the United States of America hereby state that the clothing and textile goods supplied to *(Australian importer's name)* and described below are US originating goods as defined in Section 153YH of the *Customs Act 1901* (and in paragraph 5.1 (c) of AUSFTA) as they are produced entirely in the US, or entirely in the US and Australia, and contain non-originating materials.

The non-originating materials:

- meet the requirements of the product specific rules of origin contained in the Schedule 2 Tariff table in the *Customs (Australia-US Free Trade Agreement) Regulations 2004* (and in Annex 4A of AUSFTA), **AND / OR**
- satisfy the de minimis requirements in Section 153YH of the *Customs Act 1901* (and in Article 4.2, paragraph 6 of AUSFTA).

The applicable product specific rule of origin is:

Example only, replace with the actual rule for the product imported.

6309	A change to 6309 from any other heading
<i>Where there is more than one option, identify which rule has been satisfied</i>	

Description of Goods	Model/Product No. (if applicable)	Harmonized Tariff Classification (6 digits)

This statement applies to the goods above that are supplied on and from (specify date in DD/MM/YYYY format). I agree to maintain and present on request, documentation necessary to support this statement. I further agree to inform, in writing, all persons to whom this statement was given of any changes that could affect the accuracy or validity of this statement.

Signed by: _____ **Position in Company:** _____
Full Name: _____ **Contact Details:** _____
Date: _____

Note: The Australian importer should quote Preference Rule Type "PS" on the Import Declaration for the goods described above.

Company Letterhead
Australia-United States Free Trade Agreement
STATEMENT OF UNITED STATES ORIGIN

I _____ of (name of company) in the United States of America hereby state that the goods supplied to (Australian importer's name) and described below are US originating goods as defined in Section 153YC of the Customs Act 1901 (and in paragraph 5.1 (d) of AUSFTA) as they are produced entirely in the US, or entirely in the US and Australia, exclusively from originating materials.

Description of Goods	Model/Product No. (if applicable)	Harmonized Tariff Classification to 6 digits
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This statement applies to the goods above that are supplied on and from (specify date in DD/MM/YYYY format). I agree to maintain and present on request documentation necessary to support this statement. I further agree to inform, in writing, all persons to whom the statement was given of any changes that could affect the accuracy or validity of this statement.

Signed by:

Position in Company:

Full Name:

Contact Details:

Date:

Note: The Australian importer should quote Preference Rule Type "POM" on the Import Declaration for the goods described above.

Company Letterhead
Australia-United States Free Trade Agreement
STATEMENT OF UNITED STATES ORIGIN

I _____ of (name of company) in the United States of America hereby state that the goods supplied to (Australian importer's name) are US originating goods as defined in Section 153YB of the Customs Act 1901 (and in paragraph 5.1 (a) of AUSFTA) as they are wholly obtained or produced entirely in the US.

Description of Goods	Model/Product No. (if applicable)	Harmonized Tariff Classification to 6 digits

The goods are:

	Tick ✓
1. Minerals extracted in the US	
2. Plants grown in the US, or the US and Australia, or products obtained from such plants	
3. Live animals born and raised in the US, or the US and Australia, or products obtained from such animals	
4. Goods obtained from hunting, trapping, fishing or aquaculture conducted in the US	
5. Fish, shellfish or other marine life taken from the sea by ships registered or recorded in the US and flying the flag of the US	
6. Goods produced exclusively from goods referred to in point 5 above, on board factory ships registered or recorded in the US and flying the flag of the US	
7. Goods taken from the seabed, or beneath the seabed, outside the territorial waters of the US by the US or a national of the US, where the US has the right to exploit that part of the seabed	
8. Goods taken from outer space by the US or a national of the US	
9. Waste and scrap that has been derived from production operations in the US or has been derived from used goods that are collected in the US and that are fit only for recovery of raw materials	
10. Goods produced entirely in the US exclusively from goods referred to at point number (relevant number here) above or from their derivatives	
11. Recovered goods derived in the US and used in the US in the production of remanufactured goods	

This statement applies to the goods above that are supplied on and from (specify date in DD/MM/YYY format). I agree to maintain and present on request, documentation necessary to support this statement. I further agree to inform, in writing, all persons to whom the statement was given of any changes that could affect the accuracy or validity of this statement.

Signed by:

Position in Company:

Full Name:

Contact Details:

Date:

Note: The Australian importer should quote Preference Rule Type "WO" on the Import Declaration for the goods described above.