

ANNEX I

REFERRED TO IN ARTICLE 2.2

RULES OF ORIGIN AND METHODS OF ADMINISTRATIVE
COOPERATION

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SECTION I
GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Annex:

- (a) “chapter”, “heading” and “subheading” mean a chapter (two-digit codes), heading (four-digit codes) or subheading (six-digit codes) of the Harmonized System;
- (b) “competent authority” means:
 - for the EFTA States, the customs authorities of Iceland, Norway and Switzerland;
 - for Costa Rica, the *Promotora del Comercio Exterior de Costa Rica (PROCOMER)*, or its successor; and
 - for Panama, the *Ministerio de Comercio e Industrias* for issuance of movement certificates EUR.1; and the *Autoridad Nacional de Aduanas* for verification of proofs of origin and to grant the status of approved exporter, or their successors;
- (c) “customs value” means the value as determined in accordance with the Agreement on implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (WTO Agreement on Customs Valuation);
- (d) “ex-works price” means the price paid for a product ex-works to the manufacturer in the Party where the last working or processing was carried out, provided the price includes the value of all the materials used, minus any internal taxes which may be returned or repaid when the product obtained is exported;
- (e) “Harmonized System” or “HS” means the Harmonized Commodity Description and Coding System;
- (f) “manufacture” means any kind of working or processing, including assembly;
- (g) “material” means any ingredient, raw material, component or part, used in the manufacture of the product;
- (h) “Party” means Costa Rica, Panama, Iceland, Norway, or Switzerland. Due to the customs union between Switzerland and Liechtenstein, a

product originating in Liechtenstein shall be considered as originating in Switzerland;

- (i) “product” means the result of production and includes any material used in the production of another product;
- (j) “production” means growing, raising, mining, extracting, harvesting, fishing, trapping, hunting, or manufacturing of a product; and
- (k) “value of materials” means the customs value at the time of importation of the non-originating materials used, or, if this is not known and cannot be ascertained, the first ascertainable price paid for the materials in a Party.

SECTION II

CONCEPT OF “ORIGINATING PRODUCTS”

Article 2

Origin Criteria

For the purposes of this Agreement, a product shall be considered as originating in a Party if:

- (a) it has been wholly obtained in a Party, in accordance with Article 3;
- (b) the non-originating materials used in the working or processing of that product have undergone sufficient working or processing in a Party, in accordance with Article 4; or
- (c) it has been produced in a Party exclusively from materials originating in one or more Parties.

Article 3

Wholly Obtained Products

The following products shall be considered as wholly obtained in a Party:

- (a) mineral products and other non-living natural resources extracted or taken from their soil or from their seabed;
- (b) vegetable products harvested there;
- (c) live animals born and raised there;

- (d) products obtained from live animals there;
- (e) products obtained by hunting, trapping, fishing or aquaculture conducted there;
- (f) products falling within Chapter 30 obtained there by using cell cultures;¹
- (g) products falling within Chapters 28 to 39 obtained there by fermentation;²
- (h) products of sea fishing and other marine products taken from the sea outside twelve nautical miles measured from the baselines of any country by a vessel registered in a Party and flying its flag, and products manufactured exclusively from such products, on board a factory ship registered in a Party and flying its flag;
- (i) products extracted from marine soil or subsoil outside twelve nautical miles measured from the baselines of any country provided that they have the sole rights to exploit that soil or subsoil;
- (j) waste and scrap resulting from manufacturing operations conducted there;
- (k) used products collected there fit only for the recovery of raw materials; and
- (l) products manufactured there exclusively from those specified in subparagraphs (a) to (k).

Article 4

Sufficient Working or Processing

1. A product listed in Appendix 1 shall be considered to have undergone sufficient working or processing if the product specific rules of that Appendix are fulfilled and when processed beyond the requirements listed in Article 5.

2. If a product, which has acquired originating status in accordance with paragraph 1 in a Party, is further processed in that Party and used as material in the manufacture of another product, no account shall be taken of the non-originating components of that material.

¹ Cell culture is defined as the cultivation of human, animal and plant cells under controlled conditions (such as defined temperatures, growth medium, gas mixture, ph) outside a living organism.

² "Fermentation" is a biotechnological process in which human, animal, plant cells, bacteria, yeasts, fungi or enzymes are used to produce products falling within Chapters 28 to 39.

3. Notwithstanding paragraph 1, non-originating materials do not have to fulfil the conditions set out in Appendix 1, provided that:

- (a) their total value does not exceed 10% of the ex-works price of the product; and
- (b) no maximum value of non-originating materials set out in Appendix 1 is exceeded through the application of this paragraph.

Article 5

Insufficient Working or Processing

1. Notwithstanding Article 4, a product shall not be considered as originating, if it has only undergone the following operations:

- (a) preserving operations to ensure that a product remains in good condition during transport and storage;
- (b) freezing or thawing;
- (c) breaking-up, packaging, re-packaging or assembly of packages;
- (d) washing, cleaning, removal of dust, oxide, oil, paint or other coverings;
- (e) ironing or pressing of textiles or textile products;
- (f) simple painting and polishing;
- (g) husking, partial or total bleaching, polishing, and glazing of cereals and rice;
- (h) operations to colour sugar or form sugar lumps;
- (i) peeling and removal of stones and shells from fruits, nuts and vegetables;
- (j) sharpening, simple grinding or simple cutting;
- (k) sifting, screening, sorting, classifying, grading, matching;
- (l) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (m) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (n) simple mixing of products, whether or not of different kinds;

- (o) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (p) slaughter of animals; or
- (q) a combination of two or more operations specified in subparagraphs (a) to (p).

2. For the purposes of paragraph 1, “simple” describes activities which need neither special skills nor machines, apparatus or equipment especially produced or installed to carry out the activity.

3. All operations carried out in a Party on a given product shall be taken into account when determining whether the working or processing undergone by that product is considered as insufficient working or processing referred to in paragraph 1.

Article 6

Accumulation of Origin

1. Without prejudice to Article 2, a product originating in a Party, which is used as material in the manufacture in another Party, shall be considered as originating in the Party where the last operation beyond those referred to in paragraph 1 of Article 5 has been carried out, provided that:

- (a) the importing Party of the final product would grant duty free access to materials originating in the exporting Party of the materials in accordance with this Agreement; and
- (b) all the Parties involved have agreed to identical rules of origin to the final goods.

2. Notwithstanding paragraph 1, in determining the originating status of the final product, the materials obtained in a Party that do not meet the above requirements shall be considered as non-originating.

3. A product originating in a Party, which is exported from one Party to another and does not undergo working or processing beyond those referred to in paragraph 1 of Article 5, shall retain its origin.

4. Where materials originating in two or more Parties are used in the manufacture of a product and these materials have not undergone any working or processing beyond the operations referred to in Article 5, the origin of the product is determined by the material with the highest customs value, or if this cannot be ascertained, with the highest first ascertainable price paid for that material in that Party.

5. When the EFTA States and Costa Rica or Panama have established a preferential trade agreement with a same non-party country or group of countries, the products or materials from that same non-party country or group of countries used in the

manufacture of a product in their territories, may be considered as originating from the Party, as long as they comply with the specific rules of origin for that product or material under this agreement.

6. For the application of paragraph 5, an equivalent provision shall be in force between each Party and the non-party country or group of countries, as well as any other condition that the Parties consider necessary for its application.

Article 7

Unit of Qualification

1. The unit of qualification for the application of the provisions of this Annex shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the Harmonized System.

2. Pursuant to paragraph 1, it follows that:

- (a) when a product composed of a group or assembly of articles is classified under a single heading, the whole constitutes the unit of qualification; or
- (b) when a consignment consists of a number of identical products classified under the same heading, each product shall be taken individually into account when applying the provisions of this Annex.

3. For the purposes of subparagraph 2(b), “identical products” is defined in accordance with the WTO Agreement on Customs Valuation.

Article 8

Accessories, Spare Parts and Tools

Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in its ex-works price, or which are not separately invoiced, shall be considered as part of the product in question.

Article 9

Packaging Materials and Containers

1. Where, under General Interpretative Rule 5 of the Harmonized System, packaging is included with the products for classification purposes, it shall be included for the purposes of determining origin, except for products that qualify as wholly obtained.

2. Packing materials and containers for shipment shall be disregarded in determining whether products are originating.

Article 10

Sets

Sets, referred to in General Interpretative Rule 3 of the Harmonized System, shall be regarded as originating when all component products are originating. However, when a set is composed of originating and non-originating products, the set as a whole shall be regarded as originating, provided that the value of the non-originating products does not exceed 15% of the ex-works price of the set.

Article 11

Neutral Elements

Neutral elements, which have not entered into the final composition of the product, such as energy and fuel, plant and equipment, or machines and tools, shall not be taken into account when the origin of that product is determined.

Article 12

Fungible Materials

1. If originating and non-originating fungible materials are used in the working or processing of a product, the determination of whether the materials used are originating may be determined on the basis of an inventory management system.

2. For the purposes of paragraph 1, “fungible materials” means materials that are of the same kind and commercial quality, with the same technical and physical characteristics, and which cannot be distinguished from one another once they are incorporated into the finished product.

3. The inventory management system shall be based on generally accepted accounting principles applicable in the Party in which the product is manufactured and ensure that no more final products receive originating status than would have been the case if the materials had been physically segregated.

4. A producer using an inventory management system shall keep records of the operation of the system that are necessary for the customs authorities of the Party concerned to verify compliance with the provisions of this Annex.

5. A Party may require, according to its domestic legislation, that the application of an inventory management system as provided for in this Article be subject to prior authorisation.

SECTION III
TERRITORIAL REQUIREMENTS

Article 13

Principle of Territoriality

1. The conditions for acquiring originating status set out in the provisions of Section II must be fulfilled without any interruption in the territory of a Party.
2. If an originating product returns to the Party of export after having been exported to a non-party without having undergone any operation there, beyond those necessary to preserve it in good condition, that product shall retain its originating status, provided that the return period does not exceed the period established by the domestic law.
3. Notwithstanding paragraph 1, the acquisition of originating status of a product in accordance with the provisions of Section II shall not be affected by operations carried out in a non-party, under an outward processing procedure or a similar arrangement, if:
 - (a) the re-imported product has been obtained from the exported materials;
 - (b) the total added value acquired in the non-party does not exceed 15% of the ex-works price of the product; and
 - (c) the total value of the non-originating materials incorporated in the territory of the Party concerned, taken together with the total added value acquired outside the Party concerned, does not exceed the value allowed in accordance with Appendix 1.
4. For the purposes of paragraph 3, the term “total added value” means all costs arising outside the Party concerned, including transport costs and the value of materials incorporated there.

Article 14

Direct Transport

1. Preferential treatment in accordance with this Agreement shall only be granted to originating products that are transported directly between the Parties.
2. Notwithstanding paragraph 1, an originating product may be transported through territories of non-parties, provided that it:
 - (a) does not undergo operations other than unloading, reloading, splitting-up of consignments or any operation designed to preserve it in good condition; and

- (b) remains under customs control in those non-parties.
3. An importer shall upon request supply appropriate evidence to the customs authorities of the Party of import that the conditions set out in paragraph 2 have been fulfilled.
 4. For the purposes of paragraph 1, an originating product may be transported by pipeline across territories of non-parties.

SECTION IV

PROOF OF ORIGIN

Article 15

General Requirements

1. Products originating in a Party shall, on importation into a Party, benefit from the preferential treatment under this Agreement upon submission of one of the following proofs of origin:
 - (a) a movement certificate EUR.1, specimens of which appear in Appendix 3; or
 - (b) in the cases specified in paragraph 1 of Article 19, a declaration, subsequently referred to as the “origin declaration”, the text of which appears in Appendix 2, given by the exporter on an invoice, a delivery note or any other commercial document which describes the products concerned in sufficient detail to enable them to be identified.
2. Notwithstanding paragraph 1, originating products within the meaning of this Annex shall, in the cases specified in Article 22, benefit on importation from the preferential treatment under this Agreement without it being necessary to submit any of the documents referred in paragraph 1.

Article 16

Procedure for the Issuance of Movement Certificates EUR.1

1. A movement certificate EUR.1 shall be issued by the competent authority of the exporting Party on application having been made in writing by the exporter or, under the exporter’s responsibility, by his authorised representative.
2. For this purpose, the exporter or his authorised representative shall complete both the movement certificate EUR.1 and the application form, specimens of which

appear in Appendix 3. The movement certificate EUR.1 shall be completed in English or Spanish. If they are hand-written, they shall be completed in ink in printed characters. The description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

3. The exporter applying for the issuance of a movement certificate EUR.1 shall be prepared to submit at any time, at the request of the competent authority of the exporting Party where the movement certificate EUR.1 is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Annex.

4. A movement certificate EUR.1 shall be issued by the competent authority of an EFTA State or of a Central American State if the products concerned can be considered as products originating in an EFTA State or in a Central American State and fulfil the other requirements of this Annex.

5. The issuing competent authority shall take any steps necessary to verify the originating status of the products and the fulfilment of the other requirements of this Annex. For this purpose, it shall have the right to call for any evidence and to carry out any inspection of the exporter's accounting records³ or any other check considered appropriate. The issuing competent authority shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, it shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude any possibility of fraudulent additions.

6. The date of issuance of the movement certificate EUR.1 shall be indicated in Box 11 of the certificate.

7. A movement certificate EUR.1 shall be issued before or at the time of exportation.

Article 17

Movement Certificates EUR.1 Issued Retrospectively

1. Notwithstanding paragraph 7 of Article 16, a movement certificate EUR.1 may exceptionally be issued after exportation of the products to which it relates if:

- (a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or
- (b) it is demonstrated to the satisfaction of the competent authority that a movement certificate EUR.1 was issued but was not accepted at importation for technical reasons. The period of validity should be kept

3 For greater certainty, whenever the concept of "account" is used in this Annex or in its appendixes, it shall be understood as referring to accounting records.

as indicated in the movement certificate EUR.1 that was originally issued.

2. For the implementation of paragraph 1, the exporter shall indicate in the application the place and date of exportation of the products to which the movement certificate EUR.1 relates, and state the reasons for the request.
3. The competent authority may issue a movement certificate EUR.1 retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.
4. Movement certificates EUR.1 issued retrospectively must be endorsed with the phrase "ISSUED RETROSPECTIVELY" or "EXPEDIDO A POSTERIORI".
5. The endorsement referred to in paragraph 4 shall be inserted in Box 7 of the movement certificate EUR.1.

Article 18

Issuance of Duplicate Movement Certificates EUR.1

1. In the event of theft, loss or destruction of a movement certificate EUR.1, the exporter, stating the reason for his request, may apply to the competent authority which issued it for a duplicate completed on the basis of the export documents in their possession.
2. The duplicate issued in this way shall be endorsed with the word "DUPLICATE" or "DUPLICADO".
3. The endorsement referred to in paragraph 2 shall be inserted in Box 7 of the duplicate movement certificate EUR.1.
4. The duplicate, which shall bear the date of issuance of the original movement certificate EUR.1, shall take effect as from that date.

Article 19

Conditions for Completing an Origin Declaration

1. An origin declaration referred to in subparagraph 1(b) of Article 15 may be completed:
 - (a) by an approved exporter within the meaning of Article 20; or
 - (b) by any exporter for any consignment consisting of one or more packages containing originating products whose total value does not exceed the amount in Euros established in Appendix 4.

2. An origin declaration may be completed if the products concerned can be considered as products originating in a Party and fulfil the other requirements of this Annex.
3. An exporter completing an origin declaration shall be prepared to submit at any time, at the request of the competent authority of the exporting Party, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Annex.
4. An origin declaration shall be completed by the exporter by typing, stamping or printing on the invoice, the delivery note or another commercial document, the declaration, the text of which appears in Appendix 2, in English or Spanish. If the declaration is handwritten, it shall be written in ink in printed characters.
5. Origin declarations shall bear the original signature of the exporter in manuscript. However, an approved exporter within the meaning of Article 20 shall not be required to sign such declarations, provided that he gives the competent authority of the exporting Party a written undertaking that he accepts full responsibility for any origin declaration which identifies him as if it had been signed in manuscript by him.
6. An origin declaration may be completed by the exporter when the products to which it relates are exported, or after exportation.

Article 20

Approved Exporter

1. The competent authority of the exporting Party may authorise any exporter, hereafter referred to as “approved exporter”, who makes frequent shipments of originating products under this Agreement, to make out origin declarations irrespective of the value of the products concerned. An exporter seeking such authorisation shall offer to the satisfaction of the competent authority all guarantees necessary to verify the originating status of the products as well as the fulfilment of the other requirements of this Annex.
2. The competent authority may grant the status of approved exporter subject to any conditions which it considers appropriate.
3. The competent authority shall grant to the approved exporter an authorisation number which shall appear on the origin declaration.
4. The competent authority shall monitor the use of the authorisation by the approved exporter.
5. The competent authority may withdraw the authorisation at any time. It shall do so where the approved exporter no longer offers the guarantees referred to in paragraph 1, no longer fulfil the conditions referred to in paragraph 2 or otherwise makes incorrect use of the authorisation.

Article 21

Importation Requirements

1. Each Party shall grant preferential tariff treatment in accordance with this Agreement to originating products of a Party imported from another Party, on the basis of a proof of origin referred to in Article 15 and in accordance with the procedures applicable in the importing Party.
2. The customs authority of the importing Party may require the importer to submit a translation of the movement certificate EUR.1 in the language of the importing Party.
3. If the importer is not in possession of a proof of origin at the time of importation, the importer may, in accordance with the domestic legislation of the Party of import, present the proof of origin and, if required, other documentation relating to the importation, within the time-periods established in Appendix 5 to this Annex.
4. A proof of origin shall be valid for 12 months from the date of issuance in the exporting Party, and shall be submitted within such period to the customs authority of the importing Party.

Article 22

Exemptions from Proof of Origin

1. Products sent as small packages from private persons to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the submission of a proof of origin, provided that such products are not imported by way of trade and have been declared as meeting the requirements of this Annex and where there is no doubt as to the veracity of such a declaration. In the case of products sent by post, this declaration can be made on the customs declaration CN22/CN23 or on a sheet of paper annexed to that document.
2. Imports which are occasional and consist solely of products for the personal use of the recipients or travellers or their families shall not be considered as imports by way of trade, if it is evident from the nature and quantity of the products that no commercial purpose is in view.
3. Furthermore, the total value of these products shall not exceed in the case of small packages or of products forming part of travellers' personal luggage, the amounts in euro (EUR) established in Appendix 4 to this Annex.

Article 23

Importation by Instalments

Where, at the request of an importer and on the conditions laid down by the customs authorities of the importing Party, dismantled or non-assembled products within the meaning of General Rule 2(a) of the Harmonized System are imported by instalments, a single proof of origin for such products shall be submitted to the customs authorities upon importation of the first instalment.

Article 24

Supporting Documents

The documents referred to in paragraph 3 of Article 16 and paragraph 3 of Article 19 used for the purpose of proving that products covered by a proof of origin can be considered as products originating in an EFTA State or in a Central American State and fulfil the other requirements of this Annex may consist of *inter alia* the following:

- (a) direct evidence of the processes carried out by the exporter or supplier to obtain the products concerned, contained for example in his accounting records or internal bookkeeping;
- (b) documents proving the originating status of materials used, issued or made out in a Party where these documents are used, as provided for in their domestic legislation;
- (c) documents proving the working or processing of materials in a Party, issued or made out in a Party where these documents are used, as provided for in their domestic legislation; or
- (d) movement certificates EUR.1 or origin declarations proving the originating status of materials used, completed in a Party.

Article 25

Preservation of Proofs of Origin and Supporting Documents

1. The exporter applying for the issuance of a movement certificate EUR.1 shall keep for at least three years from the date of issuance of the movement certificate EUR.1 the documents referred to in paragraph 3 of Article 16.

2. The competent authority of the exporting Party issuing a movement certificate EUR.1 shall keep for at least three years from the date of issuance of the movement certificate EUR.1 the application form referred to in paragraph 2 of Article 16.

3. The customs authority of the importing Party shall ensure that the proofs of origin on the basis of which the preferential tariff treatment was claimed are kept and remain available to it for at least three years from the date of importation.

4. The exporter completing an origin declaration shall keep for at least three years from the date of issuance of the proof of origin, a copy of the origin declaration in question as well as the documents referred to in paragraph 3 of Article 19.

5. The records to be kept in accordance with paragraphs 1 to 4 shall include electronic records.

Article 26

Obligations of Exporters and Importers

1. An exporter who has completed a proof of origin shall:
 - (a) upon request of the competent authority of the Party of export, submit the documents regarding the fulfilment of the requirements of this Annex to this authority. They may, at any time, carry out inspections and verify the exporters or the producer's accounting records and take other appropriate measures; and
 - (b) when becoming aware of or having reason to believe that a proof of origin contains incorrect information, immediately notify the importer and the competent authority of the Party of export of any change affecting the originating status of each product covered by this proof of origin. Consequently, the competent authority of the Party of export shall inform the customs authority of the Party of import.
2. An importer who has requested or has been granted preferential tariff treatment shall:
 - (a) upon request of the customs authorities of the Party of import, submit to those authorities all documents related to the importation that he has available or may obtain; and
 - (b) when becoming aware of or having reason to believe that the proof of origin contains incorrect information, immediately notify the customs authorities of the Party of import of any change affecting the originating status of each product covered by a proof of origin.

Article 27

Denial of Preferential Treatment

1. The Party of import may deny preferential tariff treatment or recover unpaid customs duties in accordance with its laws and regulations where a product does not meet the requirements of this Annex or where the importer or exporter fails to demonstrate compliance with the requirements established in this Annex.
2. The discovery of slight discrepancies between the statements made in the proof of origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the proof of origin null and void if it is duly established that this document does correspond to the products submitted.
3. Obvious formal errors such as typing errors on a proof of origin should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.

SECTION V

ADMINISTRATIVE COOPERATION

Article 28

Subsequent Verification of Proofs of Origin

1. The competent authority of the Party of export shall carry out subsequent verifications of proofs of origin on request of the Party of import.
2. The verification request may question the authenticity of proofs of origin, the originating status of the products concerned or the fulfilment of other requirements of this Annex. It shall include a copy of the proof of origin and, if appropriate, any other document or information giving reason to believe that the proof of origin is invalid. The reasons for the inquiry shall be specified.
3. If the customs authorities of the Party of import decide to suspend the granting of preferential tariff treatment to the products from the exporter subject to verification, while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary, in accordance to their domestic legislation.
4. The competent authority of the Party of export may request evidence, carry out inspections at the exporter's or producer's premises, check the exporter's and the producer's accounting records and take other appropriate measures to verify compliance with this Annex.

5. The requesting Party shall be informed of the results and findings of the verification within 12 months from the date of the verification request, unless the Parties agree upon another time period. If the requesting Party receives no reply within 12 months or another time-period as agreed by the Parties, or if the reply does not contain sufficient information regarding the authenticity of the proof of origin or the originating status of the goods, the requesting Party may deny preferential tariff treatment to the product covered by the proof of origin which is subject to verification.

Article 29

Notifications and Cooperation

1. The Parties shall provide each other, through the EFTA Secretariat with:
 - (a) the addresses of the competent authorities of the Parties responsible for verifications referred to in Article 28 and other issues related to the implementation or application of this Annex;
 - (b) specimen impressions of stamps used for the issuance of the movement certificates EUR.1;
 - (c) information on authorisation numbers allocated to approved exporters, pursuant to Article 20; and
 - (d) information on the interpretation, application and administration of this Annex.

2. If the Party of import has concerns or questions regarding the authenticity of the movement certificates EUR.1 or the authorisation numbers allocated to approved exporters, it may ask the competent authority of the exporting Party by appropriate means for assistance.

3. The Parties shall endeavour to resolve technical matters related to the implementation or application of this Annex, to the extent possible, through direct consultations between the customs authorities or the competent authority or in the Sub-Committee on Trade in Goods. Disputes that cannot be settled through such consultations shall be submitted to the Joint Committee.

Article 30

Confidentiality

Any information communicated pursuant to this Annex shall be treated as confidential by the Parties in accordance with the respective laws of each Party. Such information shall not be disclosed by the authorities of a Party without the express permission of the person or authority providing it.

Article 31

Re-exportation of Goods

1. Goods re-exported from a Free Zone located in the territory of one Party (hereinafter referred to as “re-exporting Party”) to the territory of the other Party (hereinafter referred to as “importing Party”), shall maintain their originating status granted under a preferential trade agreement negotiated in accordance with Article XXIV of the GATT 1994 by the importing Party with a non-party, subject to the provisions established in paragraph 2.

2. For the purposes of the application of paragraph 1, it is required that:

- (a) goods were under customs control of the re-exporter Party;
- (b) goods have undergone no operation besides those allowed by the preferential trade agreement negotiated by the importing Party with a non-party. Unless otherwise provided by the preferential trade agreement, these operations may include, among others: whole sale or sale, transshipment, loading, unloading, storage, splitting of consignments, making up of sets, packaging, filling, labelling, reloading, consolidation or deconsolidation; and
- (c) other provisions of said agreement are fulfilled.

3. The importer that requests a preferential tariff treatment in accordance with the preferential trade agreement negotiated by the importing Party and the non-party shall also present upon request, the appropriate evidence to the customs authorities of the importing Party, that the conditions set out in paragraph 2, have been fulfilled by means of:

- (a) transport documents covering the passage from the exporting Party through the country of transit to the importing country; or
- (b) failing these, any other substantiating document that confirms the transshipment and specify the operations that the goods have undergone while they were under customs control.

4. In accordance with Article 1.4, this Article shall apply to the individual EFTA States on the one side, and, on the other side, the individual Central American States.

SECTION VI

FINAL PROVISIONS

Article 32

Penalties

Each Party may impose criminal, civil or administrative penalties for violations of its legislation related to this Annex.

Article 33

Products in Transit or Storage

The provisions of this Annex may be applied to products which, on the date of entry into force of this Agreement, are either in transit or in temporary storage in a customs warehouse or free zone under customs control. For such products, a proof of origin may be issued or completed retrospectively up to six months after the entry into force of this Agreement, provided that the provisions of this Annex and in particular Article 14 have been fulfilled.

Article 34

Explanatory notes

The Parties shall agree on a set of “Explanatory Notes” regarding the interpretation, application and administration of this Annex within the Sub-Committee on Trade in Goods in order to recommend its approval by the Joint Committee.

Article 35

Appendices

The Appendices to this Annex shall form an integral part thereof.
