

October 7, 1992

in the production of the good by the producer of the good, and

- (ii) the value of non-originating materials used by the producer to produce an originating self-produced material that is designated by the producer as an intermediate material pursuant to Article 402(10);
- (b) with respect to paragraph 4, where an originating intermediate material is subsequently used by the producer with non-originating materials (whether or not produced by the producer) to produce the good, the value of such non-originating materials shall be included in the VNM of the good;
- (c) with respect to paragraph 8, sales promotion, marketing and after-sales service costs, royalties, shipping and packing costs, and non-allowable interest costs included in the value of materials used in the production of the good are not subtracted out of the net cost in the numerator of the calculation under Article 402(3);
- (d) with respect to paragraph 10, an intermediate material used by another producer in the production of a material that is subsequently acquired and used by the producer of the good shall not be taken into account in applying the limitation set out in that paragraph;
- (e) with respect to paragraph 10, if a producer designates a self-produced material as an originating intermediate material and the Customs Administration of the importing Party subsequently determines that the intermediate material is not originating, the producer may rescind the designation and recalculate the value content of the good accordingly; in such a case, the producer shall retain its rights of appeal or review with regard to the determination of the origin of the intermediate material; and
- (f) under paragraph 11, with respect to any self-produced material that is not designated as an intermediate material, only the value of non-originating materials used to produce the self-produced material shall be included in VNM of the good.

22. Article 403 (Rules of Origin - Automotive Goods):

- (a) for purposes of paragraph 1, "first person in the territory of a Party" means the first person who uses the imported good in production or resells the imported good; and