

Announcement on the explanation of rules of origin which Japan Customs requests at import declaration

Please be aware of the following points with regard to the application of the origin procedures under the EU-Japan EPA.

Where, in accordance with the second sentence of Article 3.16(3) of the EPA, the customs authority of Japan requests from an importer who claims preferential tariff treatment for a product under the EPA to provide an explanation that the product satisfies the requirements of Chapter 3 (Rules of Origin and Origin Procedures) of the EPA, the importer is not obliged to provide that explanation which is not available to the importer.

The absence of such explanation will not lead to denial of the preferential tariff treatment under the EU-Japan EPA.

Where the importer decides to provide the explanation requested, it may be done as follows:

1. When a claim for preferential tariff treatment by an importer is based on “a statement on origin” provided by an exporter, the importer may use Form C-5293 to provide the explanation. In that case, the exporter is responsible for the correctness of the statement on origin and of the information provided to make out that statement, in accordance with Article 3.17(1) of the EPA.
2. When a claim for preferential tariff treatment by an importer is based on “the importer’s knowledge”, the importer may use Forms C-5292-4 and C-5293 to provide the explanation. In that case, it is assumed that the importer’s claim is based on information demonstrating that the product is originating and satisfies the requirements provided for the EU-Japan EPA, in accordance with Article 3.18 of the EPA.

When necessary, a verification may be conducted based on Article 3.21 of the EPA.

(weblink: <http://www.customs.go.jp/roo/english/text/eu-3-16e.htm>)