

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C. 20436

Investigation No. TA-103-027

*Probable Economic Effect of Certain Modifications to the North American  
Free Trade Agreement Rules of Origin*

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of investigation and notice of opportunity to provide written comments.

**SUMMARY:** Following receipt of a request dated March 11, 2013 from the U.S. Trade Representative (USTR), under authority delegated by the President and pursuant to section 103 of the North American Free Trade Agreement (NAFTA) Implementation Act (19 U.S.C. 3313), the Commission instituted investigation No. TA-103-027, *Probable Economic Effect of Certain Modifications to the North American Free Trade Agreement Rules of Origin*.

**DATES:**

June 4, 2013: Deadline for filing written submissions.

November 12, 2013: Transmittal of report to USTR.

**ADDRESSES:** All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://www.usitc.gov/secretary/edis.htm>.

**FOR FURTHER INFORMATION CONTACT:** Project Leader Kimberlie Freund (202-708-5402 or [kimberlie.freund@usitc.gov](mailto:kimberlie.freund@usitc.gov)) or Deputy Project Leader Philip Stone (202-205-3424 or [philip.stone@usitc.gov](mailto:philip.stone@usitc.gov)) for information specific to this investigation. For information on the legal aspects of this investigation, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091 or [william.gearhart@usitc.gov](mailto:william.gearhart@usitc.gov)). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or [margaret.olaughlin@usitc.gov](mailto:margaret.olaughlin@usitc.gov)). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

**BACKGROUND:** In his request letter (dated March 11, 2013), the USTR stated that U.S. negotiators have recently reached agreement in principle with representatives of the governments of Canada and Mexico on proposed modifications to Annex 401 of the NAFTA. Chapter 4 and Annexes 401 and 403 of the NAFTA set forth the rules of origin for applying the tariff provisions of the NAFTA to trade in goods. Section 202(q) of the NAFTA Implementation Act (the Act) authorizes the President, subject to the consultation and layover requirements of section 103 of the Act, to proclaim such modifications to rules of origin as may from time to time be agreed to by the NAFTA countries. One of the requirements set out in section 103 of the Act is that the President obtain advice from the United States International Trade Commission.

In the request letter, the USTR asked that the Commission provide advice on the probable economic effect of the proposed modifications on U.S. trade under the NAFTA, on total U.S. trade, and on domestic industries. The investigation covers a wide variety of articles, including edible preparations; mineral

fuels; chemical products; plastics; rubber articles; cork; glass and glassware; copper, nickel, and other base metals; machinery and parts; rail locomotives; trailers; optical and medical instruments; furniture; toys and games; lighters; and smoking pipes. The USTR attached to the request letter a list of the proposed modifications to the NAFTA Rules of Origin. On March 19, 2013, USTR provided the Commission with an additional document making certain clarifications to the list of modifications in the attachment to the March 11, 2013, letter in the form of a correlation table for certain tariff lines for Canada and Mexico. The request letter, the complete list of proposed modifications, and the clarifying correlation table are available on the Commission's website at [http://www.usitc.gov/research\\_and\\_analysis/What\\_We\\_Are\\_Working\\_On.htm](http://www.usitc.gov/research_and_analysis/What_We_Are_Working_On.htm). As requested, the Commission will provide its advice to USTR by November 12, 2013.

**WRITTEN SUBMISSIONS:** No public hearing is planned. However, interested parties are invited to file written submissions and other information concerning the matters to be addressed in this investigation. All written submissions should be addressed to the Secretary. To be assured of consideration by the Commission, written submissions relating to the Commission's advice should be submitted at the earliest possible date, and should be received not later than 5:15 p.m. June 4, 2013. All written submissions must conform to the provisions of section 201.8 of the Commission's *Rules of Practice and Procedure* (19 C.F.R. 201.8). Section 201.8 and the Commission's Handbook on Filing Procedures require that interested parties file documents electronically on or before the filing deadline and submit eight (8) true paper copies by 12:00 p.m. eastern time on the next business day. In the event that confidential treatment of a document is requested, interested parties must file, at the same time as the eight paper copies, at least four (4) additional true paper copies in which the confidential information must be deleted (see the following paragraph for further information regarding confidential business information). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000).

Any submissions that contain confidential business information must also conform to the requirements of section 201.6 of the Commission's *Rules of Practice and Procedure* (19 C.F.R. 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information is clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

The Commission may include some or all of the confidential business information submitted in the course of this investigation in the report it sends to the USTR and the President. As requested, the Commission will issue a public version of its report, with any confidential business information deleted, shortly after it transmits its report.

By order of the Commission.



Lisa Barton  
Acting Secretary to the Commission

Issued: March 28, 2013