2. Provisional application of Mercosur Trade Agreement

Key points:

- **Provisional application from 1 May 2026**

- **The EU-Mercosur Interim Agreement on Trade covers all four Mercosur countries (Argentina, Brazil, Uruguay and Paraguay)**

Classification – transposition into CN 2026

- Customs classification of the goods included in the documents negotiated were based on 2013 Combined Nomenclature (CN)

=> correlated to and translated into the commodity codes that are actually valid according to the 2026 Combined Nomenclature

- Preferential duties calculated according to the indications included in the MERCOSUR Interim Agreement

=> integrated in the EU Integrated tariff system (TARIC)

Tariff rate quotas (TRQs)

- 25 new TRQs
- 22 TRQs for agricultural products covered by a Regulation drafted by AGRI:
  - 14 managed with licences
  - 8 managed on a 'first-come-first-served' basis

=> Voted in Committee, adoption procedure by COM ongoing

- 3 TRQs for PAPs covered by a Regulation drafted by TAXUD
  - Infant formula, Rum, Biodiesel
  - All managed on a 'first-come-first-served' basis

=> Commission Implementing Regulation (EU) 2026/888 of 20 April 2026

Rules of Origin

- **Chapter 3 of the Agreement + several annexes**

Section A:

- **Similar provisions as in other recent FTAs (e.g. new Chile) for several origin concepts (e.g. insufficient transformation, non-alteration, accounting segregation, exhibitions)**

Rules of Origin – Section A (cont)

Particularities Section A:

- **Origin: EU or Mercosur** (no individual country origin)
- **Bilateral cumulation only**
- **Wholly obtained:** 'Vessels conditions': chartered vessels is possible if it is sailing under the flag of a Party and fulfills the ownership condition

European Commission

Rules of Origin - Section A (cont)

- **Tolerance rule:** the tolerance is limited to 10% of the ex-works price of the product, subject to not exceeding as well any of the percentages for the maximum value or weight of non-originating materials set out in Annex 3-B.

- **Non-alteration**

- **Drawback:** no prohibition of duty drawback

European Commission

Rules of Origin – Section B

- **Claim for preferential tariff treatment on the basis of a statement on origin made out by the exporter in the exporting Party**

- **Data elements:**

  – D.E. Region or country of preferential origin / status 16 09 000 000:

    o **The general identifier code assigned for Mercosur in TARIC is 5500.**

    o ISO country code ‘BR’, ‘AR’, ‘PY’, or ‘UY’ for respectively Brazil, Argentina, Paraguay or Uruguay.

  – D.E. Preference 14 11 000 000:

    o preference code 300

    o preference code 320 for preferential quota

  – D.E. type of supporting document 12 03 002 000:

    o **U126 Statement on origin**

Rules of Origin – Section B (cont)

Two types of statements on origin:

1. **A "classical" statement on origin, similar with other FTAs (Annex 3-C), which will be used by EU and Argentina, Brazil and Uruguay**

   EN: *The exporter of the products covered by this document (exporter reference no…[1]) declares that, except where otherwise clearly indicated, these products are of … preferential origin[2].*

Exporter reference numbers & signatures:

- **EU exporters:** EU exporters having a REX number must state it on origin statements, regardless of consignment value. Non-REX exporters may issue statements only for consignments under €6,000. No signature is required in either case.

- **Mercosur exporters:**
  - Argentina: "Clave única de identificación tributaria" or "CUIT". Name and signature is mandatory.
  - Brazil: "Cadastro Nacional da Pessoa Jurídica" or "CNPJ". Name and signature is mandatory.
  - Uruguay: "Registro Unico Tributario" or "RUT". Name and signature is mandatory.

Rules of Origin – Section B (cont)

2. For a provisional period of up to 5 years, <u>all</u> Mercosur countries can issue as well a statement on origin in the form of a "certificate" (Annex 3-D).

- **Same "certificate" for all Mercosur states, issued by one of the authorized entities in Mercosur.**

- **The "certificate" must always be completed in full, with the exception of the optional boxes 5 (transport details) and 12 (observations).**

- **Issuing languages: English, Portuguese or Spanish**

- **Mercosur's "certificate" notification:**
  https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AL_202600875

Rules of Origin – Section B (cont)

ANNEX 3-D
OF THE EU-MERCOSUR INTERIM AGREEMENT ON TRADE
MERCOSUR - CERTIFICATE OF ORIGIN

1. Producer or Exporter (name, address, country)	Certificate No.
2. Importer (name, address, country)	Name of the Issuing Authority: Address: City: Country:
3. Consignee (name, country)	
4. Port or place of shipment	5. Transport Details (optional)
6. Commercial invoices Number: Date:	

7. Nº of Order	8. Tariff item number	9. Description of the goods	10.Gross weight or other measure

Nº of Order	11. Origin criteria

12. Observations

ORIGIN CERTIFICATION	
13. Declaration by the producer or the exporter (if not the producer) The undersigned hereby declares that the goods comply with the origin requirements specified in the Agreement. Date Stamp and signature	14. Certification by the issuing Authority We hereby certify the authenticity of this certificate and that it was issued in accordance with the provisions of the Agreement. Date Stamp and signature

1

Rules of Origin – Section B (cont)

- **No provisions on importers’ knowledge or multiple shipments**

- **Validity of the statement on origin – 12 months**

- **If the statement on origin is made out after the date of exportation, it must be presented in the Party of import no later than 2 years after the import of the products.**

- **Transitional measures:** Preferential tariff treatment possible for products in transit or in temporary storage in bonded warehouse or in free zones in the EU or Mercosur, subject to submission of a statement on origin within six months of the entry into force of the ITA

Rules of Origin

More information:

- **TAXUD's webpage:**

https://taxation-customs.ec.europa.eu/customs/international-affairs/third-countries/latin-america-0_en

- **EU-Mercosur ITA Guidance on Rules of Origin**

https://taxation-customs.ec.europa.eu/document/download/a620d284-34db-48d8-99e6-c6cd6252d236_en?filename=EU-Mercosur%20ITA%20Guidance%20RoO%20Apr2026.pdf

Rules of Origin – Product-specific rules – General

- Annex 3-B (published Official Journal 27 February 2026)
- The PSRs generally represent the rules of origin used in older EU FTAs, in particular in key sectors of EU exports (cars, machinery, chemicals)
- Some specificities in the PSRs reflect Mercosur’s key agricultural export areas, as well as careful balancing of EU’s and Mercosur’s offensive and defensive interests

Rules of Origin – Product-specific rules – Machinery

- Chapters 84 and 85 :

- Majority (80%+) of trade covered by EU rules (including EU industry's priorities) : CTH or 50% MaxNOM (EXW)

- Remainder at 45-50% MaxNOM (EXW)

- In exceptional cases, more flexible rules : CTH or 55% MaxNOM (EXW) (8528.52 ---> 8528.59 / 8528.72 ---> 8528.73 / 8529.90 ---> 8530.80 / 8537.10 / 8538.90)

Rules of Origin – Product-specific rules – Automobiles

- Automobiles : standard EU PSRs 45% MaxNOM (EXW)
- Core car parts (including engines) : 50% MaxNOM (EXW)

Chapter 87	Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof
87.01 – 87.07	MaxNOM 45 % (EXW).
87.08 – 87.09	MaxNOM 50 % (EXW) (2).

Rules of Origin – Product-specific rules – Chemicals

- Chapters 28 until 39 :

- Majority of PSRs is based on EU standard rules : CTSH or 50% MaxNOM (EXW) or main chemical processes, depending on Chapter / Heading

Rules of Origin – Product-specific rules – Agricultural & PAPs

- Agricultural products : EU PSRs with some exceptions reflecting MCS agricultural production (e.g., coffee, soya);

0901.21 – 0901.22	Manufacture in which the weight of non-originating materials of Chapter 9 used does not exceed 60 % of the weight of the product.

Chapter 12	Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruits; industrial or medicinal plants; straw and fodder
12.01 – 12.14	Manufacture in which all the materials of Chapter 12 used are wholly obtained.

Rules of Origin – Product-specific rules – Agricultural & PAPs

- Chocolate : 40% non-originating sugar threshold

1806	Manufacture in which: — all the materials of Chapter 4 used are wholly obtained; and — the total weight of non-originating materials of headings 17.01 and 17.02 used does not exceed 40 % of the weight of the product.

Rules of Origin – Product-specific rules – Agricultural & PAPs

- Cigars and cigarettes : higher thresholds of originating materials reflecting MCS exports to the EU (60% for cigarettes, 70% for cigars, and 20% for new tobacco products of Heading 2403)

2402.10	Manufacture in which the weight of non-originating materials of heading 24.01 used does not exceed 30 % of weight of the product.
2402.20	Manufacture in which the weight of non-originating materials of heading 24.01 used does not exceed 40 % of weight of the product.

Rules of Origin – Product-specific rules – Textiles & clothing

- Textiles and clothing (Chapters 50 until 63) :

- EU double transformation with few exceptions

Rules of Origin – Product-specific rules – Footwear

- Footwear (Chapter 64) : PSRs differentiate based on customs value, similar to EU FTAs with Central America / Peru and Columbia

Chapter 64	Footwear, gaiters and the like; parts of such articles
64.01 – 64.05	
– With a customs value of 35 euros or less	Manufacture from non-originating materials of any heading, except from non-originating materials of subheading 6406.10 provided that the total value of the non-originating materials does not exceed 40 % of the value of the product.
– With a customs value above 35 euros	Manufacture from non-originating materials of any heading, except from assemblies of uppers affixed to inner soles or to other sole components of heading 64.06.

Rules of Origin – Product-specific rules – Fisheries

- Chapters 3 and 16 :

Chapter 3	Fish and crustaceans, molluscs and other aquatic invertebrates
03.01 – 03.08	Manufacture in which all the materials of Chapter 3 used are wholly obtained.

Chapter 16	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates
16.01 – 16.05	CC, provided that all the materials of Chapters 2 and 3 used are wholly obtained