PROTOCOL
AMENDING THE AGREEMENT
BETWEEN JAPAN AND THE UNITED MEXICAN STATES FOR THE STRENGTHENING OF THE ECONOMIC PARTNERSHIP

Japan and the United Mexican States (hereinafter referred to as the "Parties"),

COMMITTED to strengthening their relationships;

DESIRING to improve market access conditions on certain originating goods and to facilitate bilateral trade between the Parties;

DESIRING to introduce an Approved Exporter System as an alternative for the purpose of certifying the originating status of a good;

WISHING to amend the Agreement between Japan and the United Mexican States for the Strengthening of the Economic Partnership, signed at Mexico City on September 17, 2004, including the Protocol between Japan and the United Mexican States related to Improvement of Market Access Conditions based on paragraphs 3 and 5 of Article 5 of the Agreement between Japan and the United Mexican States for the Strengthening of the Economic Partnership, signed at Mexico City on September 20, 2006 (hereinafter referred to as "the Agreement");

HAVING CONSULTED in accordance with subparagraphs 3(a)(i) and (ii) of Article 5 of the Agreement; and

CONSIDERING the provisions established in Article 174 of the Agreement;

HAVE AGREED as follows:

Article 1

1. The Parties shall be bound by the provisions established in Appendices 1 and 2, which shall constitute an integral part of this Protocol.

2. Pursuant to paragraph 5 of Article 5 of the Agreement, Appendices 1 and 2 shall supersede the corresponding provisions set forth in Sections 2 and 3 of Annex 1 of the Agreement respectively.

Article 2

The table of contents of the Agreement shall be amended by deleting:

"Chapter 5 Certificate of Origin and Customs Procedures
Section 1 Certification of Origin
Article 39 Certificate of Origin"

and replacing it with the following:

"Chapter 5 Certification of Origin and Customs Procedures
Section 1 Certification of Origin
Article 39 Proof of Origin
Article 39A Certificate of Origin
Article 39B Origin Declaration
Article 39C Validity of Proof of Origin".

Article 3

Article 5 of the Agreement shall be amended by inserting the following new paragraph after paragraph 5:

"6. In cases where its most-favored-nation applied rate of customs duty on a particular good is lower than the rate of customs duty to be applied in accordance with paragraph 1 on the originating good which is classified under the same tariff line as that particular good, each Party shall apply the lower rate with respect to that originating good."

Article 4

Chapter 5 of the Agreement shall be replaced by the following:

"Chapter 5
Certification of Origin and Customs Procedures

Section 1
Certification of Origin

Article 39
Proof of Origin

For the purposes of this Section and Section 2, the following documents shall be considered as proofs of origin:

(a) a certificate of origin referred to in Article 39A; and

(b) an origin declaration referred to in Article 39B.

Article 39A
Certificate of Origin

1. For the purposes of this Section and Section 2, upon the date of entry into force of this Agreement, the Parties shall establish a format for the certificate of origin in the Uniform Regulations referred to in Article 10.

2. The certificate of origin referred to in paragraph 1 above will have the purpose of certifying that a good being exported from one Party into the other Party qualifies as an originating good.

3. The certificate of origin referred to in paragraph 1 above shall be issued by the competent governmental authority of the exporting Party on request having been made in writing by the exporter or, under the exporter's responsibility, by his authorized representative, in accordance with paragraph 4 below. The certificate of origin must be stamped and signed by the competent governmental authority of the exporting Party or its designees at the time of issue.

For the purposes of this Article, the competent governmental authority of the exporting Party may designate other entities or bodies to be responsible for the issuance of the certificate of origin, prior authorization given under its applicable laws and regulations.

Where the competent governmental authority of the exporting Party designates other entities or bodies to carry out the issuance of the certificate of origin, the exporting Party shall notify in writing the other Party of its designees.

The exporting Party shall revoke the designation, where the issuance of certificates of origin by a designee is not in conformity with the provisions provided for in this Section and the situation warrants the revocation. For this purpose, the exporting Party shall consider views expressed by the importing Party in deciding on revoking the designation.

4. Prior to the issuance of a certificate of origin, an exporter that requests a certificate of origin must prove to the competent governmental authority of the exporting Party or its designees, that the good to be exported qualifies as an originating good.

Where an exporter is not the producer of the good, the exporter may request a certificate of origin on the basis of a declaration voluntarily provided by the producer of the good that demonstrates that such producer has proved to the competent governmental authority or its designees, that the good concerned qualifies as an originating good. Nothing in this paragraph shall be construed to oblige the producer of the good to certificate that the good qualifies as an originating good. If the producer decides not to provide the declaration concerned, the exporter shall be required to prove to the competent governmental authority or its designees that the good to be exported qualifies as an originating good.

5. The competent governmental authority or its designees shall issue a certificate of origin after the exportation of a good when it is requested by the exporter in accordance with paragraph 4 above. The certificate of origin issued retrospectively must be endorsed with the phrase set out in the Uniform Regulations referred to in Article 10.

6. In the event of theft, loss or destruction of a certificate of origin, the exporter may request to the competent governmental authority or its designees which issued it a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed with the phrase set out in the Uniform Regulations referred to in Article 10.

7. The certificate of origin for a good imported into the importing Party shall be completed in the English language. If the certificate of origin is not completed in the English language, a translation into the official language of the importing Party shall be attached thereto. If the certificate of origin is completed in the English language, a translation into the Spanish or the Japanese language shall not be required.

8. Each Party shall provide that a valid certificate of origin that fulfills the requirements of this Section and that is applicable to a single importation of a good, shall be accepted by the customs authority of the importing Party for 1 year or another period that the Parties may agree, after the date on which the certificate was issued.

9. The competent governmental authority of the exporting Party shall:

(a) determine the administrative mechanisms for the issuing of the certificate of origin;

(b) provide, at the request of the importing Party in accordance with Article 44, information relating to the origin of the goods for which preferential tariff treatment was claimed; and

(c) provide the other Party with specimen impressions of stamps used in the offices of the competent governmental authority or its designees for the issue of the certificate of origin.

Article 39B
Origin Declaration

1. An origin declaration referred to in paragraph (b) of Article 39, may be produced in accordance with this Article, only by an approved exporter provided for in paragraph 2 below.

2. The competent governmental authority of the exporting Party may grant the status of approved exporter to an exporter in the exporting Party, in order to authorize him to produce the origin declaration referred to in paragraph 1 above, on condition that:

(a) the exporter makes frequent shipments of originating goods; and

(b) the exporter fulfills the conditions set out in the laws and regulations of the exporting Party, including offering to the competent governmental authority of the exporting Party all guarantees necessary to verify the originating status of the goods.

3. The competent governmental authority of the exporting Party shall allocate to the approved exporter an authorization number which shall appear on the origin declaration.

4. Where an approved exporter is not the producer of the good, the approved exporter may produce origin declaration for the good on the basis of information or a declaration voluntarily provided by the producer of the good that the good concerned qualifies as an originating good. The producer providing such declaration shall provide to the competent governmental authority of the exporting Party all necessary information that the good qualifies as an originating good, when required.

5. The Parties shall establish the text for the origin declaration in the Uniform Regulations referred to in Article 10. An origin declaration shall be produced by an approved exporter by typing, stamping or printing on any commercial document (such as the invoice or the delivery note) which describes the good concerned in sufficient detail to enable it to be identified. The origin declaration does not have to bear the signature of the approved exporter in manuscript, provided that he gives the competent governmental 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.

The origin declaration shall be considered to be produced on the date of issuance of such commercial document.

6. An origin declaration for a good may be produced by the approved exporter at the time of or after the exportation of the good.

7. The competent governmental authority of the exporting Party may verify the proper use of the authorization as approved exporter. The competent governmental authority of the exporting Party may withdraw the authorization at any time. It shall do so in accordance with the laws and regulations of the exporting Party where the approved exporter no longer fulfills the conditions referred to in this Article or otherwise makes improper use of the authorization.

8. Each Party shall provide that a valid origin declaration that fulfills the requirements of this Section and that is applicable to a single importation of a good, shall be accepted by the customs authority of the importing Party for 1 year or another period that the Parties may agree, after the date on which the declaration was produced.

9. The competent governmental authority of the exporting Party shall provide the importing Party with information on the composition of the authorization number and the names, addresses and authorization numbers of approved exporters and the dates from which the authorization comes into effect. Each Party shall notify the other Party of any changes, including the date from which such changes come into effect.

Article 39C
Validity of Proof of Origin

Proofs of origin which are submitted to the customs authority of the importing Party after the final date for submission may be accepted when failure to observe the time-limit is due to *force majeure* beyond the control of the exporter or importer.

Article 40
Obligations Regarding Importations

1. Except as otherwise provided for in this Section, each Party shall require an importer that claims preferential tariff treatment for a good imported from the other Party to:

(a) make a written declaration, based on a valid proof of origin, that the good qualifies as an originating good;

(b) have the proof of origin in its possession at the time the declaration is made;

(c) provide the proof of origin on the request of the customs authority; and

(d) promptly make a corrected declaration and pay any duties owing where the importer has reason to believe that a proof of origin on which a declaration was based contains information that is not correct.

Notwithstanding the provisions of Article 39, the importer shall submit a Certificate of Origin for claiming preferential tariff treatment for the originating goods specified as "Specifically Described Goods" in Annex 2-B of the Uniform Regulations referred to in Article 10.

2. Where an importer claims preferential tariff treatment for a good imported into a Party from the other Party, the customs authority of the importing Party may deny preferential tariff treatment to the good if the importer fails to comply with any requirement under this Article.

3. Each Party shall ensure that, in the case that the importer at the time of importation does not have in its possession a proof of origin, the importer of the good may, in accordance with the domestic laws and regulations of the importing Party, provide the proof of origin and if required such other documentation relating to the importation of the good at a later stage, within a period not exceeding 1 year after the time of importation.

Article 41
Obligations Regarding Exportations

1. Each Party shall ensure that an exporter having completed and signed a certificate of origin or a producer referred to in paragraph 4 of Article 39A that becomes to have reasons to believe that the certificate contains incorrect information, or the approved exporter referred to in paragraph 2 of Article 39B having produced an origin declaration that becomes to have reasons to believe that the good indicated in the origin declaration does not qualify as an originating good, shall promptly notify in writing, of any change that could affect the accuracy or validity of the certificate of origin or the origin declaration to all persons to whom he gave the certificate or the declaration, as well as to its competent governmental authority or its designees and to the customs authority of the importing Party. The notification shall be sent in the manner specified in the Uniform Regulations referred to in Article 10. If this is done prior to the commencement of a verification referred to in Article 44 and if the exporter or producer or the approved exporter demonstrates that at time of issuance of the certificate of origin or production of the origin declaration he possessed facts upon which he could reasonably rely to the effect that the good qualified as an originating good, the exporter or producer or the approved exporter shall not be subject to penalties for having submitted an incorrect certificate or the declaration.

2. Each Party shall ensure that the exporter referred to in paragraph 3 of Article 39A, the producer referred to in paragraph 4 of Article 39A, the producer who provides declaration under paragraph 4 of Article 39B or the approved exporter referred to in paragraph 2 of Article 39B, as the case may be, shall be prepared to submit at any time, at the request of the competent governmental authority or its designees of the exporting Party, all appropriate documents proving the originating status of the goods concerned as well as the fulfillment of other requirements under this Agreement.

Article 42
Exceptions

Each Party shall ensure that a proof of origin shall not be required for:

(a) a commercial importation of a good whose value does not exceed 1,000 United States dollars or its equivalent amount in the Party's currency, or such higher amount as it may establish, provided that it may require that the invoice accompanying the importation includes a statement indicating that the good qualifies as an originating good;

(b) a non-commercial importation of a good whose value does not exceed 1,000 United States dollars or its equivalent amount in the Party's currency, or such higher amount as it may establish; or

(c) an importation of a good for which the importing Party has waived the requirement for a proof of origin,

provided that the importation does not form part of a series of importations that may reasonably be considered to have been undertaken or arranged for the purposes of avoiding the certification requirements of Articles 39A, 39B and 40.

Section 2
Administration and Enforcement

Article 43
Records

1. Each Party shall ensure that an exporter referred to in paragraph 3 of Article 39A or a producer of the good referred to in paragraph 4 of Article 39A that has the documentation that proves that the good qualifies as an originating good for the purposes of requesting a certificate of origin shall maintain in that Party, for 5 years after the date on which the certificate was issued or for such longer period as the Party may specify, the records relating to the origin of a good for which preferential tariff treatment was claimed in the other Party, including records associated with:

(a) the purchase of, cost of, value of, and payment for, the good that is exported;

(b) the purchase of, cost of, value of, and payment for, all materials, including indirect materials, used in the production of the good that is exported; and

(c) the production of the good in the form in which the good is exported.

2. Each Party shall ensure that the approved exporter who has produced an origin declaration shall keep a copy of the commercial document on which the origin declaration was produced as well as the documents referred to in paragraph 2 of Article 41 for 5 years after the date on which the origin declaration was produced.

3. Each Party shall ensure that the producer of a good who provides declaration under paragraph 4 of Article 39B shall keep the records relating to the origin of the good for 5 years, or a longer period where it is specified in the laws and regulations of the exporting Party, after the date on which the declaration referred to in paragraph 4 of Article 39B was given by the producer to the approved exporter, as specified in the laws and regulations of the exporting Party.

4. Each Party shall ensure that an importer claiming preferential tariff treatment for an imported good shall maintain for 5 years after the date of importation of the good or for such longer period as the Party may specify, such documentation as the Party may require relating to the importation of the good.

5. Each Party shall ensure that the competent governmental authority or its designees shall keep a record of the certificate of origin issued for a minimum period of 5 years after the date on which the certificate was issued. Such record will include all antecedents, which were presented to prove the qualification as an originating good.

Article 44
Origin Verifications

1. For the purposes of determining whether a good imported from the other Party under preferential tariff treatment qualifies as an originating good, the importing Party may conduct a verification through its customs authority, by means of:

(a) request of information relating to the origin of a good to the competent governmental authority of the exporting Party on the basis of a proof of origin;

(b) written questionnaires to an exporter or a producer of the good, referred to in Article 43, in the other Party;

(c) request to the exporting Party to collect information, including that contained in the documents maintained pursuant to Article 43, that demonstrate the compliance with Chapter 4 and to check, for that purpose, the facilities used in the production of the good, through a visit by its competent governmental authority along with the customs authority of the importing Party to the premises of an exporter or a producer of the good, referred to in Article 43, in the exporting Party, and to provide the collected information in the English language to the customs authority of the importing Party; or

(d) such other procedure as the Parties may agree.

2. Where the customs authority of the importing Party has initiated a verification in accordance with this Article, the provisions of Annex 5 shall be applied as appropriate.

3. For the purposes of subparagraph 1(a), the competent governmental authority of the exporting Party shall provide the information requested, in a period not exceeding 6 months, after the date of the request.

If the customs authority of the importing Party considers necessary, it may require additional information relating to the origin of the good. If additional information is requested by the customs authority of the importing Party, the competent governmental authority of the exporting Party shall provide the information requested in a period not exceeding 3 months after the date of the request.

If the competent governmental authority of the exporting Party fails to respond to the request within the period specified therein, the customs authority of the importing Party shall determine that the good subject to the verification does not qualify as an originating good, therefore considering the proof of origin as not valid, and shall deny it preferential tariff treatment.

4. The customs authority of the importing Party shall send the questionnaires referred to in subparagraph 1(b), to the exporters or producers in the exporting Party, in the manner specified in the Uniform Regulations referred to in Article 10.

5. The provisions of paragraph 1 above shall not prevent the customs authority or the competent governmental authority, as the case may be, of the importing Party from exercising its powers to take action in that Party, in relation with the compliance with its domestic laws and regulations by its own importers, exporters, or producers.

6. The exporter or producer who receives a questionnaire pursuant to subparagraph 1(b) shall have 45 days from the date of its receipt to answer such questionnaire and return it.

7. Where the importing Party has received the answer to the questionnaire referred to in subparagraph 1(b) within the period specified in paragraph 6 above, and considers that it requires more information to determine whether the good subject to the verification qualifies as an originating good, it may, through its customs authority, request additional information from the exporter or producer, by means of a subsequent questionnaire, in which case, the exporter or producer shall have 45 days from the date of its receipt to answer and return it.

8. (a) If the response by the exporter or producer to any of the questionnaires referred to in paragraph 6 or 7 above does not contain sufficient information to determine that the good is originating, the customs authority of the importing Party may determine that the good subject to the verification does not qualify as an originating good and may deny it preferential tariff treatment, upon written determination under paragraph 22 below.

(b) If the response to the questionnaire referred to in paragraph 6 above is not returned within the period specified therein, the customs authority of the importing Party shall determine that the good subject to the verification does not qualify as an originating good, therefore considering the proof of origin as not valid, and shall deny it preferential tariff treatment.

9. The conducting of a verification in accordance with one of the methods set forth in paragraph 1 above shall not preclude the use of another verification method provided for in paragraph 1 above.

10. When requesting the exporting Party to conduct a visit pursuant to subparagraph 1(c), the importing Party shall deliver a written communication with such request to the exporting Party, the receipt of which is to be confirmed by the latter Party, at least 30 days in advance of the proposed date of the visit. The competent governmental authority of the exporting Party shall request the written consent of the exporter or producer whose premises are to be visited.

11. The communication referred to in paragraph 10 above shall include:

(a) the identity of the customs authority issuing the communication;

(b) the name of the exporter or producer whose premises are requested to be visited;

(c) the proposed date and place of the visit;

(d) the object and scope of the proposed visit, including specific reference to the good or goods subject of the verification referred to in the proof of origin; and

(e) the names and titles of the officials of the customs authority of the importing Party to be present during the visit.

12. Any modification to the information referred to in paragraph 11 above shall be notified in writing, prior to the proposed date of the visit referred to in subparagraph 11(c).

If the proposed date referred to in subparagraph 11(c) is to be modified, this shall be notified in writing at least 10 days prior to the date of the visit.

13. The exporting Party shall respond in writing to the importing Party, within 20 days of the receipt of the communication referred to in paragraph 10 above, if it accepts or refuses to conduct a visit requested pursuant to subparagraph 1(c).

14. Where the exporting Party refuses to conduct a visit, or that Party fails to respond to the communication referred to in paragraph 10 above within the period referred to in paragraph 13 above, the customs authority of the importing Party shall determine that the good or goods that would have been the subject of the visit do not qualify as originating goods, therefore considering the proof of origin as not valid, and shall deny them preferential tariff treatment.

15. The competent governmental authority of the exporting Party shall provide, within 45 days, or any other mutually agreed period, from the last day of the visit, to the customs authority of the importing Party the information obtained through the visit.

16. It is confirmed by both Parties that during the course of a verification referred to in paragraph 1 above, the customs authority of the importing Party may request information necessary for determining the origin of a material used in the production of the good.

17. For the purposes of obtaining information on the origin of the material used in the production of the good, the exporter or producer of the good referred to in paragraph 1 above may request a producer of the material to provide voluntarily the former with information relating to the origin of such material. In case the producer of such material desires, such information may be sent to the competent governmental authority of the exporting Party for the provision to the customs authority of the importing Party, without the involvement of the exporter or producer of the good.

18. Where the customs authority of the importing Party requests information relating to the origin of a material pursuant to paragraph 16 above, during the course of a verification in accordance with the method set forth in subparagraph 1(a), the information shall be provided by the competent governmental authority of the exporting Party in accordance with paragraph 3 above.

Where the customs authority of the importing Party requests information relating to the origin of a material pursuant to paragraph 16 above, during the course of a verification in accordance with the method set forth in subparagraph 1(b), the information shall be provided by the exporter or producer of the good or the competent governmental authority of the exporting Party, as the case may be, in accordance with paragraph 6 or 7 above, as appropriate and *mutatis mutandis*, provided that in case the information is provided by the competent governmental authority, the 45 day period referred to in paragraph 6 or 7 above shall mean the period beginning on the date of the receipt of the questionnaire by that exporter or producer.

Where the customs authority of the importing Party requests information relating to the origin of a material pursuant to paragraph 16 above, during the course of a verification in accordance with the method set forth in subparagraph 1(c), the information shall be provided by the competent governmental authority of the exporting Party in accordance with paragraph 15 above.

19. The requesting of information relating to the origin of a material pursuant to paragraph 16 above during the course of a verification in accordance with one of the methods set forth in paragraph 1 above shall not preclude the requesting of information relating to the origin of a material during the course of a verification in accordance with another verification method provided for in paragraph 1 above.

20. The customs authority of the importing Party shall determine that a material used in the production of the good is a non-originating material where the exporter or producer of the good or the competent governmental authority of the exporting Party, as the case may be, does not provide the information that demonstrates that the material in question qualifies as originating, or where the information provided is not sufficient to determine whether that material is originating. Such a determination shall not necessarily lead to a decision that the good itself is not originating.

21. Each Party shall, through its customs authority, conduct a verification of a regional value content requirement in accordance with the Generally Accepted Accounting Principles applied in the Party from which the good was exported.

22. After carrying out the verification procedures outlined in paragraph 1 above, the customs authority of the importing Party shall in the manner specified in the Uniform Regulations referred to in Article 10, provide the exporter or producer whose good is subject to the verification, a written determination of whether or not the good qualifies as an originating good under Chapter 4, including findings of fact and the legal basis for the determination.

23. Where the customs authority of the importing Party denies preferential tariff treatment to the good in question in the cases of paragraph 3, 8(b) or 14 above, a written determination thereof shall be sent to the exporter or producer, in the manner specified in the Uniform Regulations referred to in Article 10.

24. When the Party conducting a verification referred to in paragraph 1 above determines, based on the information obtained during the verification, that a good does not qualify as an originating good, and provides the exporter or producer with a written determination pursuant to paragraph 22 above, it shall grant the exporter or producer whose good was the subject of the verification, 30 days from the date of receipt of the written determination, to provide any comments or additional information before denying preferential tariff treatment to the good, and shall issue a final determination after taking into consideration any comments or additional information received from the exporter or producer during the above mentioned period, and shall send it to the exporter or producer in the manner specified in the Uniform Regulations referred to in Article 10.

25. Where the verification completed by the customs authority of the importing Party indicates that an exporter or a producer has repeatedly made false representations that a good imported into the Party qualifies as an originating good, the customs authority of the importing Party may withhold preferential tariff treatment to identical goods exported or produced by such person until that person establishes compliance with Chapter 4 to that authority. In taking such an action, the customs authority of the importing Party shall notify the person who completed and signed the certificate of origin or produced an origin declaration and the competent governmental authority of the exporting Party.

26. Communications from the importing Party to an exporter or producer in the exporting Party as well as the response to the questionnaire referred to in subparagraph 1(b) to the importing Party shall be conducted in the English language.

Article 45
Confidentiality

1. Each Party shall maintain, in accordance with its domestic laws and regulations, the confidentiality of information provided to it as confidential pursuant to Section 1 and this Section and shall protect that information from disclosure that could prejudice the competitive position of the persons providing the information.

2. Information obtained pursuant to Section 1 and this Section may only be disclosed, for the purposes of Section 1 and this Section, to those competent authorities of the Parties responsible for the administration and enforcement of determinations of origin and of customs duties and other indirect taxes on imports, and shall not be used by a Party in any criminal proceedings carried out by a court or a judge, unless the information is requested to the other Party and provided to the former Party, in accordance with the applicable laws of the requested Party or appropriate international cooperation agreements to which both Parties are parties.

Article 46
Penalties

Each Party shall ensure that criminal, civil or administrative penalties or other appropriate sanctions against its importers, exporters and producers for committing illegal acts in connection with a proof of origin, including providing false declarations or documents relating to Section 1 and this Section to its customs authority, competent governmental authority or its designees, shall be established or maintained.

Article 47
Review and Appeal

Each Party shall ensure that its importers have access to:

(a) at least one level of administrative review of a decision by its customs authority, provided that such review is done by an official or office different from the official or office making the decision subject to review; and

(b) judicial or quasi-judicial review of the decision referred to in subparagraph (a),

in accordance with its domestic laws and regulations.

Article 48
Goods in Transit or Storage

The provisions of this Agreement may be applied to goods which comply with the provisions of Chapter 4 and Section 1, and which on the date of entry into force of this Agreement are in transit, in Japan or Mexico, or in temporary storage in bonded area, subject to the submission to the customs authority of the importing Party in accordance with the domestic laws and regulations of that Party, within 4 months of that date, of a certificate of origin issued retrospectively, in accordance with paragraph 5 of Article 39A, by the competent governmental authority or its designees of the exporting Party together with the documents showing that the goods have been transported directly.

Article 49
Definitions

1. For the purposes of Section 1 and this Section:

(a) the term “authorized representative” means the person designated in accordance with its domestic laws and regulations by the exporter to be responsible for completing and signing the certificate of origin on his behalf;

(b) the term “commercial importation” means the importation of a good into a Party for the purposes of sale, or any commercial, industrial or other like use;

(c) the term “competent governmental authority” means the authority that, according to the legislation of each Party, is responsible for the issuing of the certificate of origin, for the designation of the certification entities or bodies, or for granting the status of approved exporter referred to in Article 39B. In the case of Japan, the Minister of Economy, Trade and Industry or his authorized representative, and in the case of Mexico, the Ministry of Economy;

(d) the term “customs authority” means the authority that, according to the legislation of each Party, is responsible for the administration of its customs laws and regulations. In the case of Japan, the Minister of Finance or his authorized representative, and in the case of Mexico, the Ministry of Finance and Public Credit;

(e) the term “determination of origin” means a determination whether a good qualifies as an originating good in accordance with Chapter 4;

(f) the term “exporter” means a person located in an exporting Party who exports a good from the exporting Party;

(g) the term “identical goods” means goods that are the same in all respects, including physical characteristics, quality and reputation, irrespective of minor differences in appearance that are not relevant to a determination of origin;

(h) the term “importer” means a person located in an importing Party who imports a good into the importing Party;

(i) the term “preferential tariff treatment” means the duty rate applicable to an originating good in accordance with this Agreement;

(j) the term “producer” means “producer”, as defined in Article 38, located in a Party;

(k) the term “valid certificate of origin” means a certificate of origin in the format referred to in paragraph 1 of Article 39A, completed and signed by the exporter and stamped and signed by the competent governmental authority of the exporting Party or its designees, in accordance with the provisions of Section 1 and with the instructions indicated in the format;

(l) the term “valid origin declaration” means a declaration produced by an approved exporter in accordance with the provisions of Section 1;

(m) the term “valid proof of origin” means a valid certificate of origin or a valid origin declaration; and

(n) the term “value” means the value of a good or material for the purposes of applying Chapter 4.

2. Except as otherwise defined in this Article, the definitions of Chapter 4 shall apply.

Section 3
Customs Cooperation for Trade Facilitation

Article 50
Customs Cooperation for Trade Facilitation

For prompt customs clearance of goods traded between the Parties, each Party, recognizing the significant role of customs authorities and the importance of customs procedures in promoting trade facilitation, shall make cooperative efforts to:

(a) make use of information and communications technology;

(b) simplify its customs procedures; and

(c) make its customs procedures conform, as far as possible, to relevant international standards and recommended practices such as those made under the auspices of the Customs Cooperation Council."

Article 5

1. This Protocol shall be approved by the Parties in accordance with their respective legal procedures, pursuant to paragraph 5 of Article 5 and paragraph 1 of Article 174 of the Agreement respectively, and enter into force on the thirtieth day after the date on which the Parties exchange diplomatic notes indicating such approval.

2. This Protocol shall continue in force as long as the Agreement remains in force.

Article 6

1. The texts of this Protocol in the Japanese, Spanish and English languages shall be equally authentic. In case of differences of interpretation, the English text shall prevail.

2. Notwithstanding paragraph 1 above:

(a) Appendix 1 is written in the Japanese and English languages, such texts being equally authentic; and

(b) Appendix 2 is written in the Spanish and English languages, such texts being equally authentic.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Protocol.

DONE at Mexico City, on this twenty-second day of September, 2011, in duplicate.

For Japan:	For the United Mexican States:
目賀田周一郎	B. Ferrari

Appendix 1

1. The first and second sentences of the lead-in of Section 2 of Annex 1 of the Agreement shall be replaced by the following:

> The terms and conditions in the following notes indicated with a serial number from 1 through 33 shall apply to originating goods imported from Mexico specified with that number in the Column 5 of the Schedule. The originating goods imported from Mexico specified with the letter "R" indicated in the Column 5 of the Schedule mean the goods with regard to which the Parties shall negotiate in April 2014 in accordance with subparagraph 3(a)(i) of Article 5.

2. With regard to subparagraphs (b) and (d) of Note 1 of Section 2 of Annex 1 of the Agreement, Japan shall apply a tariff rate quota for originating goods specified in the Schedule of Japan subject to the following:

(b) (i) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be as follows, respectively:

(AA) 10,500 metric tons for the eighth year (2012);

(BB) 12,000 metric tons for the ninth year (2013);

(CC) 13,500 metric tons for the tenth year (2014);

(DD) 15,000 metric tons for the eleventh year (2015); and

(EE) 15,000 metric tons for the twelfth year (2016).

(ii) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be as follows:

(AA) The in-quota rate of Customs Duties on the originating goods indicated with one asterisk ("*") in the Column 2 shall be lower than the most-favored-nation applied rate of Customs Duty in effect at the beginning of the Japanese fiscal year 2003 by 10 percent of that most-favored-nation applied rate.

(BB) The in-quota rate of Customs Duties on the originating goods indicated with two asterisks ("**") in the Column 2 shall be lower than the most-favored-nation applied rate of Customs Duty in effect at the beginning of the Japanese fiscal year 2003 by 20 percent of that most-favored-nation applied rate.

(CC) The in-quota rate of Customs Duties on the originating goods indicated with three asterisks ("***") in the Column 2 shall be lower than the most-favored-nation applied rate of Customs Duty in effect at the beginning of the Japanese fiscal year 2003 by 40 percent of that most-favored-nation applied rate.

(d) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

3. With regard to subparagraphs (a), (b) and (d) of Note 2 of Section 2 of Annex 1 of the Agreement, Japan shall apply a tariff rate quota for originating goods specified in the Schedule of Japan subject to the following:

(a) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be as follows, respectively:

(i) 83,000 metric tons for the eighth year (2012);

(ii) 86,000 metric tons for the ninth year (2013);

(iii) 90,000 metric tons for the tenth year (2014);

(iv) 90,000 metric tons for the eleventh year (2015); and

(v) 90,000 metric tons for the twelfth year (2016).

(b) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be as follows:

(i) The in-quota rate of Customs Duties on the originating goods indicated with one asterisk (“*”) in the Column 2, of which value for Customs Duty per kilogram is not more than 53.53 yen, shall be 482 yen per kilogram. The in-quota rate of Customs Duties on the originating goods indicated with one asterisk (“*”) in the Column 2, of which value for Customs Duty per kilogram is more than 53.53 yen but not more than the value obtained by dividing 535.53 yen by 1.022, shall be the difference between 535.53 yen per kilogram and the value for Customs Duty per kilogram. The in-quota rate of Customs Duties on the originating goods indicated with one asterisk (“*”) in the Column 2, of which value for Customs Duty per kilogram is more than the value obtained by dividing 535.53 yen by 1.022, shall be 2.2 percent.

(ii) The in-quota rate of Customs Duties on the originating goods indicated with two asterisks (“**”) in the Column 2, of which value for Customs Duty per kilogram is not more than the value obtained by dividing 577.15 yen by 0.643, shall be the difference between 577.15 yen per kilogram and the value obtained by multiplying the value for Customs Duty per kilogram by 0.6. The in-quota rate of Customs Duties on the originating goods indicated with two asterisks (“**”) in the Column 2, of which value for Customs Duty per kilogram is more than the value obtained by dividing 577.15 yen by 0.643, shall be 4.3 percent.

(d) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

4. With regard to subparagraphs (b) and (d) of Note 4 of Section 2 of Annex 1 of the Agreement, Japan shall apply a tariff rate quota for originating goods specified in the Schedule of Japan subject to the following:

(b) (i) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be as follows, respectively:

(AA) 8,600 metric tons for the eighth year (2012);

(BB) 8,700 metric tons for the ninth year (2013);

(CC) 8,800 metric tons for the tenth year (2014);

(DD) 8,900 metric tons for the eleventh year (2015); and

(EE) 9,000 metric tons for the twelfth year (2016).

(ii) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be lower than the most-favored-nation applied rate of Customs Duty in effect at the beginning of the Japanese fiscal year 2010 by 40 percent of that most-favored-nation applied rate.

(d) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

5. With regard to subparagraphs (b) and (d) of Note 10 of Section 2 of Annex 1 of the Agreement, Japan shall apply a tariff rate quota for originating goods specified in the Schedule of Japan subject to the following:

(b) (i) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be 4,100 metric tons for each year.

(ii) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be as follows, respectively:

Year	In-quota rate of Customs Duties applied during the period from June 1 to November 30	In-quota rate of Customs Duties applied during the period from December 1 to May 31
The eighth year (2012)	7.4%	14.8%
The ninth year (2013)	6.8%	13.6%
The tenth year (2014)	6.2%	12.4%
The eleventh year (2015)	5.6%	11.2%
The twelfth year (2016)	5.0%	10.0%

(d) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

6. With regard to subparagraphs (a), (b) and (d) of Note 13 of Section 2 of Annex 1 of the Agreement, Japan shall apply a tariff rate quota for originating goods specified in the Schedule of Japan subject to the following:

(a) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be as follows, respectively:

Year	Quota quantity for the originating goods classified in HS 2009.11 and 2009.19	Quota quantity for the originating goods classified in HS 2009.12	Total quantity (For reference only)(Note)
The eighth year (2012)	6,360	2,200	6,800
The ninth year (2013)	6,520	2,900	7,100
The tenth year (2014)	6,680	3,600	7,400
The eleventh year (2015)	6,840	4,300	7,700
The twelfth year (2016)	7,000	5,000	8,000

(Unit: metric tons)

Note: "Total quantity" means the sum of the quota quantities for the originating goods classified in HS 2009.11 and 2009.19 and for the originating goods classified in HS 2009.12. In calculating total quantity, the quota quantity of the latter is converted to the equivalent of goods classified in HS 2009.11 or HS 2009.19. For the purposes of such conversion, one metric ton of the goods classified in HS 2009.11 or 2009.19 shall be considered equivalent to five metric tons of the goods classified in HS 2009.12.

(b) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be as follows, respectively:

Year	The in-quota rate of Customs Duties on the originating goods indicated with one asterisk (“*”) in the Column 2	The in-quota rate of Customs Duties on the originating goods indicated with two asterisks (“**”) in the Column 2	The in-quota rate of Customs Duties on the originating goods indicated with three asterisks (“***”) in the Column 2
The eighth year (2012)	11.4%	13.4% or 10.34yen/kg, whichever is the greater	9.5%
The ninth year (2013)	10.1%	11.9% or 9.18yen/kg, whichever is the greater	8.4%
The tenth year (2014)	8.8%	10.4% or 8.02yen/kg, whichever is the greater	7.4%
The eleventh year (2015)	7.5%	8.9% or 6.86yen/kg, whichever is the greater	6.3%
The twelfth year (2016)	6.3%	7.4% or 5.70yen/kg, whichever is the greater	5.3%

(d) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

7. The following new Note shall be added immediately after Note 32 of Section 2 of Annex 1 of the Agreement:

33. Japan shall apply a tariff rate quota, in accordance with the following:

(a) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be as follows, respectively:

(i) 50 metric tons for the eighth year (2012);

(ii) 60 metric tons for the ninth year (2013);

(iii) 70 metric tons for the tenth year (2014);

(iv) 80 metric tons for the eleventh year (2015); and

(v) 90 metric tons for the twelfth year (2016).

(b) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be 25 percent or 12.5 yen per kilogram, whichever is the greater.

(c) For the purposes of subparagraphs (a) and (b) above, the tariff rate quota shall be implemented through a certificate of tariff rate quota issued by the importing Party on the basis of the certificate issued by the exporting Party for each export. Both Parties shall avoid undue delay in the issuance of these certificates. On the request of either Party, the Parties shall consult as soon as possible to resolve any matter arising related to the issuance of the certificates or other administrative issues.

(d) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

8. The following schedule shall supersede the corresponding part of the Schedule of Japan of Section 2 of Annex 1 of the Agreement:

Column 1	Column 2	Column 3	Column 4	Column 5
Tariff item number	Description of goods	Base Rate	Category	Note
0201.20	- Other cuts with bone in:			
	Quarter		X	
	Other *		Q	1
0201.30	- Boneless **		Q	1
0202.20	- Other cuts with bone in **		Q	1

0202.30	- Boneless:			
	Loin **		Q	1
	Chuck, Clod and Round **		Q	1
	Brisket and plate **		Q	1
	Other *		Q	1
0203.12	-- Hams, shoulders and cuts thereof, with bone in:			
	Of wild boars		A	
	Other *		Q	2
0203.19	-- Other:			
	Of wild boars		A	
	Other *		Q	2
0203.22	-- Hams, shoulders and cuts thereof, with bone in:			
	Of wild boars		A	
	Other *		Q	2
0203.29	-- Other:			
	Of wild boars		A	
	Other *		Q	2
0206.10	- Of bovine animals, fresh or chilled:			
	Internal organs and tongues ***		Q	1
	Other		X	
0206.21	-- Tongues ***		Q	1
0206.22	-- Livers *		Q	1
0206.29	-- Other:			
	Cheek meat and head meat ***		Q	1
	Other:			
	Internal organs ***		Q	1
	Other *		Q	1
0206.49	-- Other:			
	Of wild boars		A	
	Other:			

	Internal organs		P	3
	Other *		Q	2
0207.11	-- Not cut in pieces, fresh or chilled		Q	4
0207.12	-- Not cut in pieces, frozen		Q	4
0207.13	-- Cuts and offal, fresh or chilled		Q	4
0207.14	-- Cuts and offal, frozen:			
	Livers		X	
	Other:			
	Legs with bone in		Q	4
	Other		Q	4
0210.11	-- Hams, shoulders and cuts thereof, with bone in **		Q	2
0210.12	-- Bellies (streaky) and cuts thereof **		Q	2
0210.19	-- Other **		Q	2
0804.30	- Pineapples		X	R
0805.10	- Oranges		Q	10
0811.90	- Other:			
	Containing added sugar:			
	Pineapples		X	R
	Berries and sour cherries		X	
	Peaches and pears	7%	B6	
	Papayas, pawpaws, avocados, guavas, durians, bilimbis, champeder, jackfruit, bread-fruit, rambutan, rose-apple jambo, jambosa diamboo-kaget, chicomamey, cherimoya, kehapi, sugar-apples, mangoes, bullock's-heart, passion-fruit, dookoo kokosan, mangosteens, soursop and litchi	6%	B4	
	Other:			
	Apples and citrusfruits, other than grapefruits, lemons and limes		X	
	Other	12%	B8	
	Other:			
	Pineapples		X	R

	Papayas, pawpaws, avocados, guavas, durians, bilimbis, champeder, jackfruit, bread-fruit, rambutan, rose-apple jambo, jambosa diamboo-kaget, chicomamey, cherimoya, kehapi, sugar-apples, mangoes, bullock's-heart, passion-fruit, dookoo kokosan, mangosteens, soursop and litchi	3.6%	B4	
	Berries	3%	B4	
	Peaches and pears	7%	B6	
	Camucamu		X	
	Other:			
	Apples and citrusfruits, other than grapefruits, lemons and limes		X	
	Other	12%	B8	
1001.10	- Durum wheat		X	R
1101.00	Wheat or meslin flour.		X	R
1103.11	-- Of wheat		X	R
1602.31	-- Of turkeys:			
	Guts, bladders and stomachs, whole and pieces thereof, simply boiled in water		A	
	Other:			
	Containing meat or meat offal of bovine animals or swine		Q	4
	Other		A	
1602.32	-- Of fowls of the species *Gallus domesticus*:			
	Guts, bladders and stomachs, whole and pieces thereof, simply boiled in water		A	
	Other:			
	Containing meat or meat offal of bovine animals or swine		Q	4
	Other		Q	4
1602.39	-- Other:			
	Guts, bladders and stomachs, whole and pieces thereof, simply boiled in water		A	

	Other:			
	Containing meat or meat offal of bovine animals or swine		Q	4
	Other		A	
1602.41	-- Hams and cuts thereof:			
	Ham or bacon, excluding those sterilized; pressed and formed ham consisting of meat or meat offal of swine and binding materials; other prepared or preserved products consisting solely of meat or meat offal of swine, a piece of which weighs not less than 10g, whether or not containing seasonings, spices or similar ingredients **		Q	2
	Other		X	
1602.42	-- Shoulders and cuts thereof:			
	Ham or bacon, excluding those sterilized; pressed and formed ham consisting of meat or meat offal of swine and binding materials; other prepared or preserved products consisting solely of meat or meat offal of swine, a piece of which weighs not less than 10g, whether or not containing seasonings, spices or similar ingredients **		Q	2
	Other		X	
1602.49	-- Other, including mixtures:			
	Guts, bladders and stomachs, whole and pieces thereof, simply boiled in water		A	
	Other:			
	Ham or bacon, excluding those sterilized; pressed and formed ham consisting of meat or meat offal of swine and binding materials; other prepared or preserved products consisting solely of meat or meat offal of swine, a piece of which weighs not less than 10g, whether or not containing seasonings, spices or similar ingredients **		Q	2
	Other		X	
1602.50	- Of bovine animals:			

	Guts, bladders and stomachs, whole and pieces thereof, simply boiled in water		A	
	Other:			
	Internal organs and tongues of bovine animals		X	
	Other:			
	Containing less than 30% by weight of a meat and edible meat offal other than internal organs and tongues		X	
	Other:			
	Dried after simply boiled in water		X	
	Beef jerky or corned beef *		Q	1
	Other:			
	In airtight containers, containing vegetables *		Q	1
	Other		X	
1701.11	-- Cane sugar		X	R
1701.91	-- Containing added flavouring or colouring matter		X	R
1701.99	-- Other		X	R
1702.20	- Maple sugar and maple syrup:			
	Maple sugar		X	
	Maple syrup		X	R
1702.60	- Other fructose and fructose syrup, containing in the dry state more than 50% by weight of fructose, excluding invert sugar:			
	Fructose syrup derived from saps, extracts or concentrates of *Agave (Agave tequilana* or *Agave salmiana)*, of a Brix value exceeding 74, containing in the dry state not more than 4% by weight of sucrose, not more than 25% by weight of glucose and more than 70% by weight of fructose, not containing added flavouring or colouring matter or added sugar or other sweetening matter, whether or not refined		Q	33
	Other		X	

1703.10	- Cane molasses:			
	Intended for use in the manufacture of glutamic acid and its salts, yeast, lysine, 5′-ribonucleotide and its salts and other products stipulated by a Cabinet Order		X	R
	Other:			
	For feeding purposes Note: The imports under this item are to be used as materials for fodder and feeds under the supervision of the Customs.		A	
	Other		X	R
1703.90	- Other:			
	Intended for use in the manufacture of glutamic acid and its salts, yeast, lysine, 5′-ribonucleotide and its salts and other products stipulated by a Cabinet Order		X	R
	Other:			
	For feeding purposes Note: The imports under this item are to be used as materials for fodder and feeds under the supervision of the Customs.		A	
	Other		X	R
1704.10	- Chewing gum, whether or not sugar-coated		X	R
1704.90	- Other:			
	Liquorice extract, not put up as confectionery		A	
	Other		X	R
1806.10	- Cocoa powder, containing added sugar or other sweetening matter:			
	Containing added sugar		X	R
	Other	12.5%	B8	
2009.11	-- Frozen:			
	Containing added sugar:			
	Not more than 10% by weight of sucrose, naturally and artificially contained *		Q	13

	Other **		Q	13
	Other:			
	Not more than 10% by weight of sucrose ***		Q	13
	Other *		Q	13
2009.12	-- Not frozen, of a Brix value not exceeding 20:			
	Containing added sugar:			
	Not more than 10% by weight of sucrose, naturally and artificially contained *		Q	13
	Other **		Q	13
	Other:			
	Not more than 10% by weight of sucrose ***		Q	13
	Other *		Q	13
2009.19	-- Other:			
	Containing added sugar:			
	Not more than 10% by weight of sucrose, naturally and artificially contained *		Q	13
	Other **		Q	13
	Other:			
	Not more than 10% by weight of sucrose ***		Q	13
	Other *		Q	13
2009.41	-- Of a Brix value not exceeding 20		X	R
2009.49	-- Other		X	R
2106.90	- Other:			
	Preparations containing not less than 30% of natural milk constituents by weight, calculated on the dry matter		X	
	Other:			
	Food preparations containing more than 30% by weight of one of those, rice, wheat including triticale or barley		X	
	Other:			

	Sugar syrup, containing added flavouring or colouring matter:				
	Of sugar centrifugal		X		R
	Other		X		
	Chewing gum	5%	B6		
	Konnyaku		X		
	Compound alcoholic preparations of a kind used for the manufacture of beverages, of an alcoholic strength by volume of more than 0.5% vol:				
	Preparations with a basis of fruit juices, of an alcoholic strength by volume of less than 1% vol		X		
	Other		A		
	Other:				
	Containing added sugar:				
	Food supplement with a basis of vitamins	12.5%	Ca		
	Other		X		
	Other:				
	Prepared edible fats and oils, containing more than 15% and less than 30% by weight of those of heading 04.05		X		
	Bases for beverage, non-alcoholic:				
	Containing *Panax Ginseng* or its extract		X		
	Other	10%	Ca		
	Other:				
	Of products specified in heading 04.10	9%	B6		
	Other:				
	Food supplement with a basis of vitamins or of hydrolyzed vegetable protein	12.5%	Ca		
	Other:				

		Protein preservative of a kind used for manufacturing frozen minced fish, obtained from sorbitol and other materials stipulated by a Cabinet Order, which have been prepared by processes stipulated by a Cabinet Order		A	
		Other:			
		Hijiki (*Hijikia fusiformisu*)	10%	Ca	
		Other		X	

Appendix 2

1. The first sentence of the lead-in of Section 3 of Annex 1 of the Agreement shall be replaced by the following:

> The terms and conditions in the following notes indicated with a serial number from 1 through 28 shall apply to originating goods imported from Japan specified with that number in the Column 5 of the Schedule.

2. The following new Notes shall be added immediately after Note 25 of Section 3 of Annex 1 of the Agreement:

> 26. Mexico shall apply a tariff rate quota, in accordance with the following:
>
> (a) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be 500 metric tons for each year.
>
> (b) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be lower than the most-favored-nation applied rate of Customs Duty in effect at the time of importation by 50 percent of that most-favored-nation applied rate.
>
> (c) For the purposes of subparagraphs (a) and (b) above, the tariff rate quota shall be implemented through a certificate of tariff rate quota issued by the importing Party. The tariff rate quota shall be administered by the importing Party in cooperation with the exporting Party and the aggregate quota quantity shall be allocated by the importing Party.
>
> (d) On the request of either Party, the Parties shall consult as soon as possible to resolve any matter arising related to administration of the quota.

(e) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

27. Mexico shall apply a tariff rate quota, in accordance with the following:

(a) From the eighth year (2012) to the twelfth year (2016), the aggregate quota quantity shall be 500 metric tons for each year.

(b) The in-quota rate of Customs Duties applied during the period from the eighth year (2012) to the twelfth year (2016) shall be lower than the most-favored-nation applied rate of Customs Duty in effect at the time of importation by 50 percent of that most-favored-nation applied rate.

(c) For the purposes of subparagraphs (a) and (b) above, the tariff rate quota shall be implemented through a certificate of tariff rate quota issued by the importing Party. The tariff rate quota shall be administered by the importing Party in cooperation with the exporting Party and the aggregate quota quantity shall be allocated by the importing Party.

(d) On the request of either Party, the Parties shall consult as soon as possible to resolve any matter arising related to administration of the quota.

(e) In accordance with subparagraph 3(a)(i) of Article 5, the Parties shall negotiate in the eleventh year (2015) the aggregate quota quantity of the tariff rate quota and in-quota rate of Customs Duties after the twelfth year (2016), taking into consideration among others, the quota quantity during the twelfth year (2016) and records of trade between the Parties. In the absence of agreement between the Parties and until such an agreement is reached as a result of the negotiation, the aggregate quota quantity and in-quota rate of Customs Duties for the twelfth year (2016) shall be applied.

28. Mexico shall eliminate its Customs Duties as from April 1, 2012.

3. The following schedule shall supersede the corresponding part of the Schedule of Mexico of Section 3 of Annex 1 of the Agreement:

Column 1	Column 2	Column 3	Column 4	Column 5
Tariff item number	Description of goods	Base Rate	Category	Note
08052001	Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids.		Q	28
08081001	Apples.		Q	26
09021001	Green tea (not fermented) in immediate packings of a content not exceeding 3 kg.		Q	27
09022001	Other green tea (not fermented).		Q	27
34039999	Other.		Q	28
39263099	Other.		Q	28
40116199	Other.		Q	28
40169101	Floor coverings and mats.		Q	28

48115199	Other.		Q	28
48119099	Other.		Q	28
73202003	Of a unit weight of more than 30 g, excluding automobile suspension.		Q	28
74122001	Of copper alloys.		Q	28
83017099	Other.		Q	28
83100099	Other.		Q	28
84137099	Other.		Q	28
84212301	Oil or petrol-filters for internal combustion engines.		Q	28
84818007	Spray nozzles or heads.		Q	28
84831001	Driveshafts or crankshafts.		Q	28
84842001	Mechanical seals.		Q	28
85013199	Other.		Q	28
85022099	Other.		Q	28
85030099	Other.		Q	28
85044099	Other.		Q	28
85052001	Electro-magnetic couplings, clutches and brakes.		Q	28
85118001	Voltage regulators.		Q	28
85122002	Turn signal and/or tail lights, excluding those of tariff item 8512.20.01.		Q	28
85122099	Other.		Q	28
85168099	Other.		Q	28
85365001	Switches, excluding those of tariff item 8536.50.15.		Q	28
85366199	Other.		Q	28
85366902	Power outlets of an unit weight not exceeding 2 kg.		Q	28
85371004	Control or distribution panels, operated by buttons (button pad).		Q	28
85389099	Other.		Q	28
85392999	Other.		Q	28
87083199	Other.		Q	28

87083903	Disc brake mechanisms or their component parts.		Q	28
87083999	Other.		Q	28
87085004	Recognizable as intended exclusively for those in heading 87.03 except for 8708.50.04XX.		Q	28
87085004XX	Only: those corresponding to 8708.50.05 in HS code 2007, which is described as "Couplings for bodies, with or without drum-brake mechanisms, other than articles falling within subheadings 8708.50.04 and 8708.50.08".	18%	C	
87085007	Including those coupled to hubs, with or without brake mechanisms and drums, excluding those of tariff items 8708.50.03 and 8708.50.04 except for 8708.50.07XX.		Q	28
87085007XX	Only: those corresponding to 8708.50.05 in HS code 2007, which is described as "Couplings for bodies, with or without drum-brake mechanisms, other than articles falling within subheadings 8708.50.04 and 8708.50.08".	18%	C	
87087006	Wheel hubcaps or dust covers and trim rings.		Q	28
87089910	Gears except for 8708.99.10XX.		Q	28
87089910XX	Only: those corresponding to 8708.50.99 in HS code 2007, which is described as "Other".	18%	C	
87089939	Intake and output shaft castings for rear axle differential; semiaxle shaft castings for vehicles with cargo capacity exceeding 8,626 kg (19,000 lb), but not exceeding 20,884 kg (46,000 lb).		Q	28
87089999	Other except for 8708.99.99XX.		Q	28
87089999XX	Only: those corresponding to 8708.50.99 in HS code 2007, which is described as "Other".	13%	C	
90328999	Other.		Q	28
90329099	Other.		Q	28