



European
Commission



Do you want to **export** to the EU?

Export Helpdesk is the right tool to use.

**Generalised Scheme of Preferences
Cocoa**

Trade

The “Generalised Scheme of Preferences” (GSP) is a set of rules allowing exporters from developing countries to **pay lower duties on some or all of what they sell to the EU.**

To check if your case can benefit from the GSP, visit the Export Helpdesk website: www.exporthelp.europa.eu under “My Export”.

To benefit from the GSP, you will have to prove that your product “originates” in your country.

What is ‘origin’ and what are the rules of origin for?

Origin is the ‘economic’ nationality of goods traded in commerce.

It is the origin that determines which duties apply to your product when it enters the EU market.

The **rules of origin** are used to determine whether a product may be considered as sufficiently linked to the country from which it is exported to say that it ‘originates’ from there.

To benefit from a GSP preferential tariff when exporting to the EU, refer to the GSP’s rules of origin applying to cocoa.

Be aware that the rules of origin applied to each country are not identical in all cases.

Basic concepts of rules of origin

Goods wholly obtained in your country

Production does not involve any country other than your own.

Cocoa originates in your country when it is **grown or harvested there**. You may import the seed but the plant has to be grown in your country.

Goods sufficiently transformed in your country

Production involves more than your country.

The EU rules of origin define — for each product — the degree of processing that must be carried out in your country for the product to claim originating status.

Three basic criteria determine if a product was sufficiently transformed in your country.

- For agricultural products, compare the weight of the materials not originating in your country with the net weight of your final product when it leaves the factory.
- Change of tariff classification: compare the product code (four-digit tariff classification) of the materials not originating in your country with the product code of your goods.
- Specific operations: you should carry out the quoted processing.

In some cases, the applicable rule may involve a combination of the above criteria.

Cumulation

Cumulation allows you to claim originating status for ingredients that don't originate in your country, but are used in the production process in your country.

Under the GSP, the following types of cumulation are possible:

- **Cumulation among your region:** materials originating in your regional group can be used in your product and then considered as originating in your country. The GSP regional groups are:
 - Group I: Brunei-Darussalam, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand, Vietnam.
 - Group II: Bolivia, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua, Panama, Peru, Venezuela.
 - Group III: Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka.
 - Group IV: Argentina, Brazil, Paraguay and Uruguay.

Cumulation can also be applied between individual countries in groups I and III, upon request, and in certain circumstances. A list of eligible countries and excluded products is available in the Export Helpdesk.

- **Cumulation with the EU:** materials originating in the EU can be used in your product and then considered as originating in your country as long as the processing done locally goes beyond minimal.
- **Cumulation with Norway, Switzerland and Turkey:** non-agricultural materials originating in Norway, Switzerland and Turkey can be used in your product and then considered as originating in your country as long as the processing done locally goes beyond minimal.

Direct transport or non-manipulation

Upon request, your importer must be able to prove to EU customs authorities that the cocoa bought to you and originating in your country hasn't been altered elsewhere before arriving in the EU.

You need to verify that your product has been sent from your country to the EU without being altered or transformed in another country. If your product "transit" in another country, it must not be altered or separated and it has to be under the vigilance of customs authorities.



Minimal operations

To claim originating status the production steps carried out in your country must go beyond the minimal operations listed in the agreement, such as shelling, sorting, packaging or simple mixing. If only the steps listed were carried out in your country and nothing else was

produced or transformed there, the the cocoa or cocoa preparations cannot be considered as originating in your country.

The full list of minimal operations is available at the Export Helpdesk.

Specific rules for cocoa and cocoa preparations

All products have specific rules of origin. For details, conduct a search in the 'My Export' section of the Export Helpdesk. For instance:

Harmonised System heading	Description of product	Qualifying operation (working or processing, carried out on materials not originating in your country) which confers originating status)
Chapter 18	Cocoa and cocoa preparations	Manufacture from materials of any heading, except that of the product, in which <ul style="list-style-type: none">■ the individual weight of sugar and of the materials of Chapter 4 used does not exceed 40% of the weight of the final product, and■ the total combined weight of sugar and the materials of Chapter 4 used does not exceed 60% of the weight of final product

Tolerance

For cocoa preparations, ingredients whose import is limited or forbidden by the product-specific rule may still be used providing they do not exceed 15% of the final product's net weight.

- **Invoice declaration:** for consignments valued 6000€ or less, you can fill out a declaration. To make an invoice declaration, you should **type, stamp or print the following declaration** on the invoice, delivery note or other commercial document:

Submitting proof of origin

To claim the tariff preference, you must prove that your cocoa originates in your country and fulfils all conditions. For this, you need one of the following documents.

- **Certificate of Origin Form A:** this is needed for consignments valued more than 6000€ and it is issued by your country's authorities. You can download the template at the Export Helpdesk. Be prepared to submit documents proving the originating status of your cocoa or cocoa preparations.

'The exporter of the products covered by this document (customs authorisation No ...) declares that, except where otherwise clearly indicated, these products are of the Generalised Scheme of Preferences preferential origin.'

Important: You must date and sign your declaration by hand.

Proofs of origin remain valid for 10 months after issue.



How to export to the EU?
Check it at www.exporthelp.europa.eu

The European Union (EU) is the world's largest single market. Therefore, many exporters around the world want to export their products to the EU to meet the large consumer demand.

Sometimes, however, exporters feel that they lack information on how to export to the EU and how to meet EU norms. Yet the information is there!

Indeed, with the Export Helpdesk, you can find all the facts and figures you need: information, forms and contacts.

The challenge is there.
Interested in accessing the European market?
Check the Export Helpdesk at www.exporthelp.europa.eu

