(k) a product that is:

(i) waste or scrap derived from production there; or

(ii) waste or scrap derived from used products collected there, provided that those products are fit only for the recovery of raw materials; or

(l) a product produced there, exclusively from products referred to in subparagraphs (a) to (k) or from their derivatives.

2. "A Party's vessel" in subparagraph 1(h) or "a Party's factory ship" in subparagraph 1(i) means respectively a vessel or a factory ship which:

(a) is registered in a Member State of the European Union or in Japan;

(b) flies the flag of a Member State of the European Union or of Japan; and

(c) satisfies one of the following requirements:

(i) it is at least 50 per cent owned by one or more natural persons of a Party; or

(ii) it is owned by one or more juridical persons[1]:

(A) which have their head office and their main place of business in a Party; and

(B) in which at least 50 per cent of the ownership belongs to natural persons or juridical persons of a Party.

ARTICLE 3.4

Insufficient working or processing

1. Notwithstanding subparagraph 1(c) of Article 3.2, a product shall not be considered as originating in a Party if solely one or more of the following operations are conducted on non-originating materials in the production of the product in that Party:

(a) preserving operations such as drying, freezing, keeping in brine and other similar operations where their sole purpose is to ensure that the product remains in good condition during transport and storage;

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[1] For the purposes of this Chapter, "juridical person" means any legal entity duly constituted or otherwise organised under the applicable law, whether for profit or otherwise, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association.