Section 734.9 Foreign "Direct Product"[1] Rules (FDPR) (as of 12/18/24)

FDP RULE	Input: tech/soft	Output		Destination and/or End user/use
		Plant or 'major component'[2]	**Foreign Product**	
National Security § 734.9(b)	U.S.-origin tech or soft requires written assurance[3] (NS)		Foreign "direct product"[1] (FDP) is NS ECCN	Destination is listed in Country Group D:1, E:1, or E:2 of Supp. No. 1 to part 740
	U.S.-origin tech requires written assurance[3] (NS)	Plant or 'major component' is "direct product"[1] of input tech	FDP of plant/'major component'[2]; and FDP is NS ECCN	
9X515 § 734.9(c)	U.S.-origin 9D515 soft or 9E515 tech		FDP is 9x515	Destination is listed in Country Group D:5, E:1, or E:2 of Supp. No. 1 to part 740
	U.S.-origin 9E515 tech	Plant or 'major component' is "direct product"[1] of input tech	FDP is 9x515	
"600 Series" § 734.9(d)	U.S.-origin "600 series" soft or tech		FDP is "600 Series" ECCN or 0A919	Destined to a country listed in Country Group D:1, D:3, D:4, D:5, E:1, or E:2 of Supp. No. 1 to part 740
	U.S.-origin "600 series" tech	Plant or 'major component' "direct product"[1] of input tech	FDP is "600 series" ECCN	
Entity List (EL) Footnote (FN) 1 § 734.9(e)(1)	Tech or soft (**certain** Cat 3, 4, and 5 Part 1)[4] subject to EAR		FDP is any item	"Knowledge" that: 1. The foreign-produced item will be incorporated into, or will be used in the "production" or "development" of any "part," "component," or "equipment" produced, purchased, or ordered by any FN1 entity; **OR** 2. A FN1 entity is party to transaction
	U.S.-origin tech or soft (**certain** Cat 3, 4, and 5 Part 1)[4]	Plant or 'major component' is "direct product"[1] (made in US or abroad) of input tech/soft	Product of plant/major component	

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[1] **Direct product**. The immediate product (including processes and services) produced directly by the use of technology or software.

[2] **Major component.** A major component of a plant located outside the United States means "equipment" that is essential to the "production" of an item, including testing "equipment."

[3] See paragraph (o)(3)(i) of supplement no. 2 to part 748 or § 740.6(a)(1)

[4] 3D001, 3D901, 3D991, 3D992, 3D993, 3D994, 3E001, 3E002, 3E003, 3E901, 3E991, 3E992, 3E993, 3E994, 4D001, 4D993, 4D994, 4E001, 4E992, 4E993, 5D001, 5D991, 5E001, or 5E991

FDP RULE	Input: tech/soft	Output		Destination and/or End user/use
		Plant or 'major component'[2]	Foreign Product	
EL (FN 4) §§ 734.9(e)(2)	Tech or soft (**certain** Cat 3, 4, and 5)[5] subject to EAR		FDP is any item	"Knowledge" that: 1. The foreign-produced item will be incorporated into the "production" or "development" of any "part," "component," or "equipment" produced, purchased, or ordered by any FN4 entity; **OR** 2. A FN4 entity is party to transaction
	U.S.-origin tech or soft (**certain** Cat 3, 4, and 5)[5]	Plant or 'major component' is "direct product"[1] (made in US or abroad) of input tech/soft	Product of plant/major component	
EL (FN 5) §734.9(e)(3)	Tech or soft (**certain** Cat 3)[6] subject to the EAR		Specified Semiconductor Manufacturing Equipment (SME)[7]	"Knowledge" that: 1. The FDP will be incorporated into any "part," "component," or "equipment" produced, purchased, or ordered by any FN5 entity; **OR** 2. A FN5 entity is party to transaction
	U.S.-origin tech or soft (**certain** Cat 3)[8]	Plant or 'major component' is "direct product"[1] (made in US or abroad) of input tech/soft	1. Specified SME[7]; **OR** 2. Specified SME[7] that **contains** any product of the plant/major component	
Russia/Belarus /temporarily occupied Crimea region of Ukraine § 734.9(f)	U.S.-origin tech or soft on CCL		FDP is any item on CCL OR in 746 supps 6 or 7	"Knowledge" that the foreign-produced item: 1. Is destined to Russia, Belarus, or temporarily occupied Crimea region of Ukraine; **OR** 2. Will be incorporated into or used in the "production" or "development" of any "part," "component," or "equipment" specified on CCL or in 746 supps 6 or 7 and produced in or destined to Russia, Belarus, temporarily occupied Crimea region of Ukraine.
	U.S.-origin tech or soft on CCL	Plant or 'major component' is "direct product"[1] (made in US or abroad) of input tech/soft	Product of plant/major component AND is any item on CCL or in 746 supps 6 or 7	

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[5] 3D001, 3D901, 3D991, 3D992, 3D993, 3D994, 3E001, 3E002, 3E003, 3E901, 3E991, 3E992, 3E993, 3E994, 4D001, 4D993, 4D994, 4E001, 4E992, 4E993, 5D001, 5D002, 5D991, 5E001, 5E002, or 5E991

[6] 3D001 (for 3B commodities), 3D901(for 3B903), 3D991 (for 3B991 and 3B992), 3D993, 3D994, 3E001 (for 3B commodities), 3E901 (for 3B903), 3E991 (for 3B991 and 3B992), 3E993, or 3E994

[7] 3B001 (except 3B001.a.4, c, d, f.1, f.5, g, h, k to n, p.2, p.4, r), 3B002 (except 3B002.c), 3B903, 3B991 (except 3B991.b.2.a or 3B991.b.2.b), 3B992, 3B993, or 3B994

[8] 3D001 (for 3B commodities), 3D901, 3D991 (for 3B991 and 3B992), 3D992, 3D993, 3D994, 3E001 (for 3B commodities), 3E901 (for 3B903), 3E991 (for 3B991 and 3B992), 3E992, 3E993, or 3E994 of the CCL

FDP RULE	Input: tech/soft	Output		Destination and/or End user/use
		Plant or 'major component'[2]	Foreign Product	
Russia/Belarus MEU (FN 3) [§ 734.9(g)]	CCL tech or soft subject to EAR		FDP is any item	"Knowledge" that: 1. The foreign-produced item will be incorporated into, or used in the "production" or "development" of any "part," "component," or "equipment" produced, purchased, or ordered by any FN3 entity; **OR** 2. A FN3 entity is party to transaction
	U.S.-origin tech or soft on CCL	Plant or 'major component' is "direct product"[1] (made in US or abroad) of input tech/soft	Product of plant/major component	

Advanced Computing [§ 734.9(h)]	Tech or soft (certain Cat 3, 4, and 5)[9] subject to EAR		FDP is:
			• A certain ECCN[10]; **OR**
			• An integrated circuit, computer, "electronic assembly," or "component" specified in a certain ECCN[11]
				"Knowledge" that the foreign-produced item is:
				1. Destined to Country Group D:1, D:4, or D:5, excluding destinations also in A:5/A:6; **OR**
				2. Will be incorporated into any "part," "component," "computer," or "equipment" not designated EAR99 that is destined to:
				  • Country Group D:1/D:4/D:5 excluding A:5/A:6;
				    OR
				  • Worldwide to an entity headquartered in, or whose ultimate parent company is headquartered in Macau or Country Group D:5
				OR
				
				3. "Technology" "developed" by an entity headquartered in, or whose ultimate parent is headquartered in Macau or Country Group D:5 for the "production" of a mask or an integrated circuit wafer or die.

	U.S.-origin tech or soft (certain Cat 3, 4, and 5)[6]	Plant or 'major component' is "direct product"[1] (made in US or abroad) of input tech/soft	FDP is: 1. A certain ECCN[7]; **OR** 2. An integrated circuit, computer, "electronic assembly," or "component" specified in certain ECCN[8]	

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[9] 3D001, 3D901, 3D991, 3D992, 3D993, 3D994, 3E001, 3E002, 3E003, 3E901, 3E991, 3E992, 3E993, 3E994, 4D001, 4D090, 4D993, 4D994, 4E001, 4E992, 4E993, 5D001, 5D002, 5D991, 5E001, 5E991, or 5E002

[10] 3A090, 3E001 (for 3A090), 4A090, or 4E001 (for 4A090)

[11] 3A001.z, 4A003.z, 4A004.z, 4A005.z, 5A002.z, 5A004.z, or 5A992.z

FDP RULE	Input: tech/soft	Output		Destination and/or End user/use
		Plant or 'major component'[2]	Foreign Product	
Supercomputer [§ 734.9(i)](#)	Tech or soft (**certain** Cat 3, 4, and 5)[12] <u>subject to EAR</u>		FDP is any item	["Knowledge"](#) that the foreign-produced item will be: 1. Used in the design, "development," "production" operation, installation (including on-site installation), maintenance (checking), repair, overhaul, or refurbishing of, a "supercomputer" located in or destined to PRC or Macau; **OR** 2. Incorporated into, or used in the "development," or "production" of any "part," "component," or "equipment" that will be used in a "supercomputer" located in or destined to PRC or Macau.
	U.S.-origin tech or soft (**certain** Cat 3, 4, and 5)[13]	Plant or ['major component'](#) is ["direct product"](#)[1] (made in US or abroad) of input tech/soft	Product of plant/major component	
Iran [§ 734.9(j)](#)	U.S.-origin tech or soft in any ECCN in Cat 3 thru 9 of CCL		FDP is either identified in: • [Supp 7 to part 746](#); **OR** • Any ECCN in Cat 3 thru 9 of the CCL	["Knowledge"](#) that the foreign-produced item: 1. Is destined to Iran; **OR** 2. Will be incorporated into or used in the "production" or "development" of any "part," "component," or "equipment<u>," including any modified or designed "components," "parts," "accessories," and "attachments" therefor</u>, identified in [supplement no. 7 to part 746](#) of the EAR or specified in any ECCN in Cat 3 thru 9 of the CCL, and located in or destined to Iran. **OR** 3. ["Knowledge"](#) that the Government of Iran is a party to any transaction involving the foreign-produced item, *e.g.,* as a "purchaser," "intermediate consignee," "ultimate consignee," or "end-user."
	U.S.-origin tech or soft in any ECCN in Cat 3 thru 9 of CCL	Plant or ['major component'](#) is ["direct product"](#)[1] (made in US or abroad) of input tech/soft	FDP is either identified in: • [Supp 7 to part 746](#); **OR** • Any ECCN in Cat 3 thru 9 of the CCL	

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[12] 3D001, 3D901, 3D991, 3D992, 3D993, 3D994, 3E001, 3E002, 3E003, 3E901, 3E991, 3E992, 3E993, 3E994, 4D001, 4D993, 4D994, 4E001, 4E992, 4E993, 5D001, 5D002, 5D991, 5E001, 5E002, or 5E991

[13] 3D001, 3D991, 3E001, 3E002, 3E003, 3E991, 4D001, 4D994, 4E001, 4E992, 4E993, 5D001, 5D991, 5E001, 5E991, 5D002, or 5E002

FDP RULE	Input: tech/soft	Output		Destination and/or End user/use
		Plant or 'major component'[2]	Foreign Product	
SME §734.9(k)	Tech or software <u>subject to the EAR</u> in 3D992 or 3E992		FDP is 3B001.a.4, c, d, f.1, f.5, k to n, p.2, p.4, r, or 3B002.c	"Knowledge" that the FDP is destined to Macau or a destination in Country Group D:5 of supplement no. 1 to part 740 of the EAR
	<u>U.S.-origin</u> tech or soft (**Certain Cat 3**)[14]	Plant or 'major component' is "direct product"[1] (made in US or abroad) of input tech/soft	1. 3B001.a.4, c, d, f.1, f.5, k to n, p.2, p.4, r, or 3B002.c; **OR** 2. 3B001.a.4, c, d, f.1, f.5, k to n, p.2, p.4, r, or 3B002.c AND **contains** any product of the plant/major component.	

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[14] 3D001 (for 3B commodities), 3D901, 3D991 (for 3B991 and 3B992), 3D992, 3D993, 3D994, 3E001 (for 3B commodities), 3E901 (for 3B903), 3E991 (for 3B991 or 3B992), 3E992, 3E993, or 3E994