

First "Sale for exportation to the United States"
Customs & Border Protection extends comment period.
February 7, 2008

U.S. Customs & Border Protection (CBP) is providing an additional 30 days for the importing community to comment on a proposed CBP interpretation of the phrase "sold for exportation to the United States". This phrase has been used for the purposes of applying the transaction value method of valuation for appraisement in those situations where there are a series of sales. The historical interpretation has been that the transaction value will be the total price paid or payable for the goods (transaction value) at the time the goods depart from their origin in a direct transit to the United States. There may be multiple sales of the goods subsequent to this event, each sale generating a higher value associated to the goods. But, the total price paid or payable for purpose of appraisement is that one at the time of the first sale upon export from the origin.

CBP's proposed interpretation would hold that the transaction value will be the total price paid or payable by the U.S. buyer of the goods regardless of any prior sales transactions; or, the last sale prior to the introduction of the goods into the U.S. This proposed interpretation was published in the Federal Register on January 24, 2008. The original public comment period was to expire on March 24th. This period for comment has now been extended for 30 additional days.