



Use of the "First Sale Rule" for Customs Valuation of U.S. Imports

United States International Trade Commission

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This report responds to the requirement in section 15422(c) of the Food, Conservation, and Energy Act of 2008 (2008 Act) (19 U.S.C. 1484 note) that the Commission provide a report to the Congress containing certain information relating to the use of the First Sale method of valuing import transactions. The report is based in large part on information concerning the use of the First Sale method that the 2008 Act required the Commissioner of U.S. Customs and Border Protection (CBP) to collect and transmit to the Commission on a monthly basis. The 2008 Act requires the Commission to transmit its report to the Congress no later than 90 days after receiving the last monthly report from CBP—in this case, by December 24, 2009.

This report includes tabulations of the number of importers using the First Sale rule and the value of imported merchandise covered, in the aggregate, by tariff classification, and on a sectoral basis, as well as descriptions and analyses of the frequency of such use. This report also contains information on the aggregate transaction value of all merchandise reported into the United States during September 2008–August 2009.

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