

- ◆ *movement expenses* incurred in bringing the merchandise from the factory to the point of sale (this includes expenses for foreign inland freight, foreign warehousing, U.S. inland freight, international freight and insurance, and U.S. brokerage and handling charges, where those charges are included in the price);³³
- ◆ *special packaging for export transactions*;
- ◆ *import duties and taxes* imposed by the country of exportation that have been rebated or not collected because of exportation;
- ◆ *countervailing duties* imposed by the U.S. government to offset the effect of a subsidy offered by a foreign government; or
- ◆ *discounts and rebates* (Commerce makes allowance for these if they are granted and taken in the home market).³⁴

7.2 Sampling and Averaging

The Uruguay Round Agreement allows Commerce to use averaging and statistically valid sampling techniques to determine export price, constructed export price or normal value if there is a significant volume of sales or a significant number or types of products. Commerce has the discretion to select the samples and averages to be used, but is directed to consult with exporters and producers. Furthermore, if determining individual weighted-average dumping margins for each company is not practical, Commerce may determine the weighted-average dumping margin for a sample of exporters, producers or types of products that is statistically valid, or for a sample of exporters and producers accounting for the largest volume of the subject merchandise for the exporting country.

7.3 Affiliated Persons

Commerce modifies its methodologies where the transaction examined involves related parties. Commerce presumes that any transaction between related parties is an unreliable basis for establishing export price or normal value because related parties may offer each other preferential pricing, or transfer products on the basis of cost or cost plus a fixed mark-up. Where Commerce finds that a sale between related parties was not made at a price at which the exporter sells "such or similar merchandise" to unrelated purchasers, the sale is disregarded. The respondent carries the burden of demonstrating that a sale to a related party is made at arm's length. Similarly, Commerce stipulates that the transfer price of a major input between related parties must be greater than the cost of producing the input, and it requires the respondent to report the supplier's actual production costs.

33 19 U.S.C. § 1672 (c) (2) (A).

34 19 U.S.C. § 1672 (b).