

Committee on Customs Valuation

Original: Spanish

**NOTIFICATION UNDER PARAGRAPH 1 OF ANNEX III TO THE
AGREEMENT ON IMPLEMENTATION OF ARTICLE VII
OF THE GENERAL AGREEMENT
ON TARIFFS AND TRADE 1994**

EL SALVADOR

The following communication, dated 16 August 2004, is being circulated at the request of the delegation of El Salvador.

I have the honour to refer to the waiver on minimum values granted to El Salvador in regard to the implementation of Article VII of the General Agreement on Tariffs and Trade 1994.

In this regard, and in accordance with the condition relating to the application of minimum values set out in point 3 of the General Council Decision of 8 July 2002 (document WT/L/476), please find attached the information submitted by our capital on the technical criteria and methodology for determining minimum values.

DIRECTIVE NO. 2-2002
MINIMUM IMPORT PRICES OR VALUES
FOR NEW AND USED GOODS

The Directorate-General of Customs Revenue hereby notifies **Directive No. 2-2002 of 11 September 2002, "Minimum Import Prices or Values for New and Used Goods"**, issued with the aim of establishing the technical criteria and methodology for determining the minimum import prices or values for goods classified under the tariff headings subject to this provision and approved by the General Council of the World Trade Organization by means of the Decision of 8 July 2002 (document WT/L/476 of 12 July 2002) and Executive Decision No. 908 of 8 October 2002 of the Ministry of Economy, published in Official Journal No. 187, Vol. 357, of the same date, and which shall enter into effect on 17 October 2002.

1. PURPOSE

This Directive is issued with a view to establishing the technical criteria and methodology for determining the minimum import prices or values for goods classified under the tariff headings subject to this provision and approved by the General Council of the World Trade Organization.

2. LEGAL BASIS

The Directorate-General of Customs Revenue is issuing this Directive pursuant to its authority under Article 20 of the Law on Customs Simplification, enacted by Legislative Decree No. 529, published in Official Journal No. 23, Vol. 342, of 3 February 1999, Articles 6, 7 and 107 of the Central American Uniform Customs Code (CAUCA), and Decree No. 357, published in Official Journal No. 70, Vol. 350, of 6 April 2001, on the basis of paragraph 2 of Annex III to the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (GATT/WTO) and the Decision of 8 July 2002 issued by the World Trade Organization, document WT/L/476 of 12 July 2002 (02-3903), and pursuant to Executive Decision No. 908, published in Official Journal No. 187, Vol. 357, of 8 October 2002 and the effective date of which shall be 17 October 2002.

3. GENERAL PROVISIONS

3.1 Application of Minimum Values

The application of minimum values is a legal reservation contained in paragraph 2 of Annex III to the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (GATT/WTO), whereby any country may apply to the WTO with a view to establishing the basis on which the import duties and taxes on goods to which minimum values are applicable are to be calculated.

In that respect, this Directive sets out the bases, criteria and data sources applicable to the different categories of goods subject to such treatment.

3.2 Required Documentation

The commercial invoice and other documents required by the Customs authorities must be submitted for all imports of goods or vehicles into the country.

3.3 Additional Documentation

The commercial invoice requirement shall be waived only if the goods have been acquired as a donation or royalty. In the absence of such a document, the presentation of a donation or royalty certificate issued by the granting body and duly notarized in the country of provenance will therefore be required to demonstrate proof of ownership of the imported goods.

3.4 Enforceability of Minimum Values

The use of minimum values shall be enforceable when any of the goods recorded in the commercial invoice is subject to minimum value treatment and the f.o.b. price recorded in the purchase/sale document is lower than those officially established by this Directive. If, on the other hand, the invoiced value is greater than the established minimum values, the importer shall base his declaration on the values recorded on the commercial invoice.

3.5 Nature and Binding Force of Minimum Values

Minimum values are mandatory, applicable for a limited period of time and governed by the Decision of 8 July 2002, "**Waiver on Minimum Values in Regard to the Implementation of Article VII of the General Agreement on Tariffs and Trade 1994**", issued by the World Trade Organization, document WT/L/476 of 12 July 2002 (02-3903).

3.6 Inspection Powers

The Directorate-General reserves the right to check, by means of post-entry verification, the truth or accuracy of any statement, document or declaration presented for Customs valuation purposes, pursuant to Article 17 and paragraph 6 of Annex III to the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (GATT/WTO), Article 14 of the Central American Uniform Customs Code (CAUCA) and the Law on Customs Simplification.

3.7 Exemption from the Application of Minimum Values

Products which are covered by free-trade agreements and which are not subject to specific restrictions or differentiated treatment are exempt from this provision.

4. DEFINITIONS

Minimum value or price: This is the lowest value considered acceptable by the Customs authorities for goods importation, in accordance with the criteria, data sources and methodology available to them for the determination thereof; such values are an integral part of the tax base for determining the amount of duties and taxes payable.

Transaction value: This is the price actually paid or payable for the goods when sold for export to the country of importation, adjusted in accordance with the provisions of Article 8 of the GATT Customs Valuation Agreement, in the ordinary course of trade under fully competitive conditions.

Value at origin (f.o.b.): This is to be understood as the value of the goods at the port of departure of their country of provenance.

Customs value: This is the tax base for determining the import duties and taxes payable on goods. It includes the value at origin of the goods (f.o.b. value or minimum price, as applicable), plus freight,

insurance and other expenses related to their purchase, pursuant to paragraph 3 of Article 2 of the Law on Customs Simplification.

Fully competitive conditions: Market conditions permitting free access for any type of goods, where buyers and sellers fix their transaction prices on the basis of supply and demand and criteria of opportunity.

Average retail value: This is the price asked by a used vehicle distributor or retailer selling to a private individual when the two are unrelated and business is under fully competitive conditions. The vehicle being sold is considered to be in good condition, to have standard factory equipment and mileage appropriate to its use and to have received normal maintenance over its life.

MSRP value (Manufacturer's Suggested Retail Price): This is the public retail price suggested by the manufacturer to new vehicle distributors. It includes factory extras for the vehicle model, but no optional extras.

Used vehicle importer and distributor: Any natural or legal person who imports used vehicles into the country with a view to post-importation commercialization and who is bound to comply with the requirements laid down in the respective tax legislation.

Used vehicles: Means of transport for persons or goods which have or have had registration plates from the country of provenance and the date of the definitive importation of which into the country is over 180 calendar days after the date of manufacture.

Vehicles with a clean title: The category of vehicles imported from the United States of America, the certificate of ownership of which makes no reference to any specific physical or mechanical damage to the vehicle preventing it from being driven in that country by the Division of Motor Vehicles (DMV) transport authorities.

Vehicles without a clean title: The category of vehicles imported from the United States of America, the certificate of ownership of which refers to specific physical or mechanical damage to the vehicle preventing it from being driven in that country by the DMV transport authorities (for example: Salvage Title, Non-Repairable Title or Certificate of Destruction).

Used tyres: Tyres which show a certain degree of wear from use, but which are still able to be used.

Retreaded pneumatic tyres: Used tyres, the tread of which has been replaced, thereby restoring their original characteristics, in terms of both safety and appearance, in order to optimize subsequent use.

Bulk used clothing (credential clothing): Used, dirty, ungraded clothing, imported in bulk and without packaging. This kind of clothing, also known as credential clothing, is received in charity and/or donation collection centres and usually includes shoes, handbags and other personal items.

Fabric remnants: Cloth pieces or cuttings considered as surplus and the length of the edges of which does not exceed 50 centimetres.*

* Definition from Nota Complementaria Centroamericana "B" (supplementary note) to Chapter 63 of the Central American Import Tariff.

Fabric strips: Long, narrow pieces of cloth made from small processed textile cuttings. Worn, stained or torn textile pieces considered as by-products and generally only likely to be used for fibre recovery.

Prestigious brand name: Applied to goods with a brand name registered and patented mainly abroad which are sold on an exclusive basis, usually under a distribution or retail contract, and are bound by contract to recognize royalties or licence fees on any subsequent resale.

Registered brand name: Applied to goods with a brand name registered and patented mainly abroad which are not sold on an exclusive basis, not subject to a distribution or retail contract and not bound by contract to recognize royalties or licence fees on any subsequent resale.

No brand name: Goods with no registered brand name, which are generally sold at clearance prices or by volume and have no specific distinguishing marks or devices.

Abbreviation "Ex": Exclusive or Exclusively, generally applicable in this Directive to a tariff heading or subheading.

5. PROCEDURES

The importer, or his representative or Customs agent, as applicable, shall be responsible for checking, prior to submitting the respective goods declaration, whether the import being formalized includes products classified under the following tariff subheadings:

1. List of goods to which minimum prices can be applied until 7 March 2003

Articles of apparel (new)	6101.10.00 to 6117.90.00, 6201.11.00 to 6217.90.00
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2. List of goods to which minimum prices can be applied until 7 March 2005

Worn clothing and other worn articles	6309, ex 6310.10 and ex 6310.90
Used televisions	Ex 8528.12.10, ex 8528.12.90, ex 8528.13.10, ex 8528.13.90
Footwear (new)	6402.19.00 to 6405.90.00
Retreaded or used pneumatic tyres	Ex 4012.10.00, ex 4012.20.00
Sacks and bags, of a kind used for the packing of goods, of jute or of other textile bast fibres of heading 53.03	6305.10.00
Used vehicles and used parts and accessories thereof	Chapter 87, except ex 8703.10, ex 8709 and ex 8710

If goods falling under any of the above headings are present, the f.o.b. prices thereof recorded on the commercial invoice shall be checked to ensure that they are higher than or equal to the minimum reference values established herein.

ESTABLISHMENT OF MINIMUM VALUES BY HEADING

5.1 ARTICLES OF APPAREL (NEW) (Tariff subheadings 6101.10.00 to 6117.90.00, 6201.11.00 to 6217.90.00)

Articles of apparel classified under these tariff subheadings relate solely to new clothing. Minimum prices are established according to the category of clothing in question, namely Prestigious brand names, Registered brand names and No brand names.

To determine the minimum values to be declared for this type of product, the importer shall refer to Annex I to this Directive and follow the procedure below:

- Establish whether the imported articles of apparel are prestigious by checking whether the brand is included in the "List of Prestigious Brand Names for Articles of Apparel (New)" in Annex I.
 - If this is the case, find the corresponding value in the table "Minimum US\$ f.o.b. Unit Prices for Articles of Apparel (New)" under the column "Prestigious brand names".
 - If the brand is not listed, find the product in the column of prices for registered brand names and select the corresponding value.
 - If the imported product does not have a brand name, find the corresponding minimum value in the column for articles with no brand name.
 - The search is conducted by clothing category - men's, women's or children's - and garment type - shirt, trousers, etc.
- **On-line consultations**

The information on minimum values in the Annex to this Directive may also be consulted on the Customs website (www.aduana.gob.sv) using the "Minimum values" module, as follows:

- Select the icon "Articles of apparel" and conduct a search for the minimum value, giving the requested information for each field:
 - (a) Product brand name;
 - (b) type of brand name: Prestigious, Registered or No brand name;
 - (c) product or by-product: Shirt, Trousers, etc.;
 - (d) product line by category: Men's, Women's or Children's.
- The system will then calculate the minimum value for the type of garment in question on the basis of this information.
- The value established by the system should be recorded on the goods declaration form.

The Customs authorities may request a printout of the consultation as proof of the source of this figure.

5.2 WORN CLOTHING AND OTHER WORN ARTICLES (6309, ex 6310.10 and ex 6310.90)

This heading includes the following products:

- (a) Mixed used clothing, without packaging, ungraded and dirty (credential clothing), imported in bulk.

The minimum f.o.b. value to be declared for such goods shall be **US\$0.45** per kilogram of gross weight.

- (b) Mixed used clothing, imported in any kind of packaging, sorted, clean and whether or not graded.

The minimum f.o.b. value to be declared has been established as **US\$1.57** per kilogram of gross weight.

For the above prices to be applied, the clothing shall show clear signs of use and have no distinctive signs or brand names.

- (c) Fabric remnants and strips (scraps and worn-out articles), graded.

The minimum value to be declared for these products shall be **US\$0.50** per kilogram of gross weight.

- (d) Fabric remnants and strips (scraps and worn-out articles), ungraded.

The minimum value to be declared for such goods shall be **US\$0.19** per kilogram of gross weight.

- (e) Used footwear.

All used footwear shall be valued on the basis of **US\$3.00** (f.o.b.) per pair (the minimum price includes used and damaged footwear).

N.B.: Imports of used clothing and fabric remnants (scraps), as described in (a) to (d) above, shall be sent only to the border Customs posts of San Bartolo and Marítima de Acajutla for their respective settlement and dispatch.

5.3 USED TELEVISIONS (ex 8528.12.10, ex 8528.12.90, ex 8528.13.10, ex 8528.13.90)

To determine the minimum value for used televisions, refer to Annex II to this Directive and indicate first of all the screen size and the type of television, namely colour or black and white, then select the corresponding minimum value.

Televisions shall show clear signs of use in order to be valued under this heading.

- **On-line consultations**

Conduct a search on the Customs website using the "Minimum values" module, as follows:

- Firstly indicate the screen size and type of television, i.e., colour or black and white.
- Select the corresponding value.
- The value established by the system should be recorded on the goods declaration form.

The Customs authorities may request a printout of the consultation as proof of the source of this figure.

5.4 FOOTWEAR (NEW) (6402.19.00 to 6405.90.00)

With regard to imports of new footwear falling under the above-mentioned tariff headings, refer to Annex III to this Directive and conduct a search for the minimum value in the same way as described for articles of apparel (new) in point 5.1 of this Directive, that is to say, applying the value allocation criteria by type of product and brand name.

- **On-line consultations**

The information on minimum values in Annex III to this Directive may also be consulted on the Customs website (www.aduana.gob.sv), as follows:

- Select the icon "Footwear" and conduct a search for the minimum value, giving the requested information for each field:
 - (a) Type of brand name: Prestigious, Registered or No brand name;
 - (b) product or by-product: Casual, Formal, Sports, etc.;
 - (c) product line by category: Men's, Women's or Children's.
- The system will then calculate the minimum value for the article in question on the basis of this information.
- The value established by the system should be recorded on the goods declaration form.

The Customs authorities may request a printout of the consultation as proof of the source of this figure.

5.5 RETREADED OR USED PNEUMATIC TYRES (ex 4012.10.00, ex 4012.20.00)

To search for the value of used or retreaded tyres, the importer must indicate the characteristics of the tyres by size and group them together by batch according to the type of vehicle for which they are intended and their use, for example, light vehicles, heavy goods vehicles, etc. These values are given in the tables in Annex IV to this Directive.

- **On-line consultations**

On-line consultations can be made using the "Minimum values" module on the Customs website and a search for a minimum value conducted by furnishing the following information:

- (a) Tyre condition: used or retreaded;
- (b) tyre use: type of vehicle;
- (c) tyre measurement/rim size.

The system will then calculate the minimum value for the type of tyre selected on the basis of this information. The value established by the system should be recorded on the goods declaration form.

The Customs authorities may request a printout of the consultation as proof of the source of this figure.

5.6 SACKS AND BAGS, OF A KIND USED FOR THE PACKING OF GOODS, OF JUTE OR OF OTHER TEXTILE BAST FIBRES OF HEADING 53.03 (6305.10.00)

Sacks and bags, of a kind used for the packing of goods (empty), of jute or of other textile fibres, shall be valued using **US\$1.54** per unit as a minimum f.o.b. reference price.

5.7 USED VEHICLES AND USED PARTS AND ACCESSORIES THEREOF (Chapter 87, except ex 8703.10, ex 8709 and ex 8710)

Used vehicles and used parts thereof shall be valued using separate criteria, as follows:

5.7.1 USED VEHICLES:

The procedure for determining a minimum value varies according to vehicle type. Vehicles are therefore classified in the following three groups:

Group 1:

This group includes all vehicles classified under tariff heading 8703, corresponding to motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons (fewer than 10 people) and racing cars: vehicles with spark-ignition internal combustion reciprocating piston engine or with compression-ignition internal combustion piston engine, of any cylinder capacity, diesel or semi-diesel.

It also includes vehicles classified under tariff subheadings 8704.21 and 8704.31, corresponding to vehicles for the transport of goods, of a gross vehicle weight not exceeding 1.5 tonnes, diesel or semi-diesel.

- **DETERMINATION OF THE MINIMUM VALUE FOR IMPORTED VEHICLES WITH A CLEAN TITLE**

Vehicles in this group shall be valued on the basis of information relating to their new price, in accordance with the year, make and model, as suggested by the manufacturer (Manufacturer's

Suggested Retail Price, MSRP, or Factory Suggested Retail Price, Fact. SRP, as applicable), as set out in the following specialized publications, listed in sequential order:

1. Automobile Red Book. Source: Fact. SRP;
2. National Automobile Dealers' Association (NADA) Official Used Car Guide. Source: MSRP;
3. Kelley Blue Book. Source: LIST;
4. Automobile Blue Book. Source: MSRP;
5. Older Car Red Book. Source: MSRP;
6. Black Book Used Car Guide. Source: MSRP.

Once the relevant value has been found in the above publications, a 12-per-cent reduction is applied for vehicle use, with a further reduction for depreciation in accordance with the age of the vehicle, calculated as from the date of manufacture, pursuant to the table below:

Table 1

180 days to one year	10%
Over one year but less than two	20%
Over two years but less than three	40%
Over three years but less than four	50%
Over four years	60%

These time-frames should be understood as the time from the vehicle's date of manufacture until the date of acceptance of the goods declaration by the Customs authorities or, failing that, of the Customs valuation of the vehicle. If the vehicle's exact date of manufacture - in the format (day/month/year) - is known, then this information is used to estimate depreciation for use. Otherwise, the fifteenth day of the month and year of manufacture shall be used to calculate the number of days.

If the date of manufacture of the vehicle is unknown, it shall be considered as 15 January of the year of the model, in accordance with the vehicle identification number (VIN).

Once the year of manufacture has been indicated and depreciation calculated, the Customs value shall be determined by adding freight, insurance and other expenses in accordance with the relevant supporting documentation to the value obtained from applying the above table. Should no supporting documentation exist for such expenses, Table 2, Overheads, shall apply, in accordance with the following criteria:

Table 2

Type of Transport	Freight	Insurance	Other expenses
Maritime ¹	\$350.00	\$35.00	\$100.00*
Land (own means)	\$350.00	\$35.00	\$0.00
Land (hired)	\$600.00	\$60.00	\$0.00

¹/Shipping to Puerto Barrios or Sto. Tomás de Castilla in Guatemala or Puerto Cortés in Honduras.

*Includes loading, unloading and handling charges associated with the transport of vehicles.

• **DETERMINATION OF THE MINIMUM VALUE FOR IMPORTED DAMAGED VEHICLES (WITHOUT A CLEAN TITLE)**

When the imported vehicle suffers from physical or operational damage, a single reduction of **40 per cent** shall be applied to the value obtained after depreciation has been determined, pursuant to Table 1 above. To this end, the condition of the vehicle must be stated and be able to be verified by way of the ownership certificate issued by the country of provenance. The salvage title, non-repairable title or certificate of destruction is required for this purpose, otherwise no such reduction shall be permitted. Unless the provenance of the vehicle is a recognized body or auction house able to report on the legal status of the vehicle, the Customs authorities reserve the right to request relevant supporting documentation justifying application of this reduction.

In any case, if the vehicle value is not found in the aforementioned publications or no ownership certificate or other document serving the same purpose exists, the Valuation Department of the Directorate-General of Customs Revenue (DGRA) shall be consulted in order to establish the corresponding value, in which case the purchase invoice or bill of sale from the supplier in the country of provenance shall be required.

Group 2:

This group includes diesel or petrol vehicles for the transport of cargo and passengers (10 or more persons including the driver).

It covers tariff headings 8701, 8704 and 8711.

Vehicles in this group shall be valued on the basis of the **average retail prices** established in the following publications, listed in sequential order:

- (a) Lorries and truck-tractors:
 - 1. Truck Blue Book;
 - 2. Older Truck Blue Book.
- (b) Vans, minibuses (for 10 or more persons) or light goods vehicles (exceeding 1.5 tonnes): Values shall first be checked in the publications mentioned for Group 1; failing that, the following publications can be used:
 - 1. Truck Blue Book;
 - 2. Older Truck Blue Book.

- (c) Motorcycles, of any cylinder capacity:
1. Motorcycle Red Book;
 2. National Automobile Dealers' Association (NADA) Motorcycle Appraisal Guide;
 3. Kelley Blue Book Official Motorcycle Guide.

Once the average retail value has been determined, the Customs value shall be calculated by adding freight, insurance and other expenses in accordance with the relevant supporting documentation. Should no supporting documentation exist, Table 3, Overheads, shall apply, in accordance with the following criteria:

Table 3

Type of Transport	Freight	Insurance	Other expenses
Maritime ¹			
Motorcycles	\$125.00	\$12.50	\$50.00*
Buses, lorries, <i>inter alia</i>	\$600.00	\$60.00	\$150.00*
Land (own means)			
Motorcycles	\$100.00	\$10.00	\$0.00
Buses, lorries, <i>inter alia</i>	\$500.00	\$50.00	\$0.00
Land (hired)			
Motorcycles	\$200.00	\$20.00	\$0.00
Buses, lorries, <i>inter alia</i>	\$800.00	\$80.00	\$0.00

¹/Shipping to Puerto Barrios or Sto. Tomás de Castilla in Guatemala or Puerto Cortés in Honduras.

*Includes loading, unloading and handling charges associated with the transport of vehicles.

Group 3:

Vehicles not included or identified in the publications mentioned for Groups 1 and 2 shall be valued as follows:

- (a) Buses: in accordance with the lists in Annex V;
- (b) trailers and semi-trailers (trailers, containers, tanks).

The Commercial Trailer Blue Book shall be consulted and the **average retail values** applied; should no reference prices be found, valuation shall be on the basis of the lists in Annex VI.

- (c) special-purpose motor vehicles (crane lorries, fire engines, ambulances, concrete-mixer lorries, *inter alia*) falling under tariff heading 8705.

These shall be valued at the transaction value recorded on the commercial invoice; should no transaction value exist, prior valuation by the Valuation Department shall be requested.

Once the transaction value or average retail value, as applicable, has been determined, the Customs value can be calculated by adding freight, insurance and other expenses, in accordance with

the relevant supporting documentation. Should no supporting documentation exist, Table 4, Overheads, shall apply, in accordance with the following criteria:

Table 4

Type of Transport	Freight	Insurance	Other expenses
Maritime ¹			
Buses	\$600.00	\$60.00	\$150.00*
Trailers, containers and tanks	\$1,000.00	\$100.00	\$150.00*
Special-purpose vehicles ²	\$1,200.00	\$120.00	\$150.00*
Land (own means)			
Buses	\$500.00	\$50.00	\$0.00
Trailers, containers and tanks	\$700.00	\$70.00	\$0.00
Special-purpose vehicles ²	\$1,000.00	\$100.00	\$0.00
Land (hired)			
Buses	\$800.00	\$80.00	\$0.00
Trailers, containers and tanks	\$1,200.00	\$120.00	\$0.00
Special-purpose vehicles ²	\$1,400.00	\$140.00	\$0.00

¹/Shipping to Puerto Barrios or Sto. Tomás de Castilla in Guatemala or Puerto Cortés in Honduras.

²/Crane lorries, fire engines, ambulances, concrete-mixer lorries, *inter alia*, falling under tariff heading 8705.

*Includes loading, unloading and handling charges associated with the transport of vehicles.

5.7.2 SPARE AND USED PARTS:

Minimum values for vehicle spare parts are classified as follows:

- (a) Spare parts for light vehicles in general (see Annex VII);
- (b) engines for light vehicles (see Annex VIII);
- (c) spare parts for heavy goods vehicles (see Annex IX);
- (d) engines for heavy goods vehicles (see Annex X).

The search should be conducted by type of product, specifying the year of manufacture, if known.

- **On-line consultations**

Engine values can be found on-line, furnishing the following information in each case:

- Make;
- fuel used;
- engine model or series;

- cylinder capacity.

The criterion for used parts is product type.

The system will calculate the minimum value permissible according to the characteristics of each engine on the basis of this information.

The value established by the system should be recorded on the goods declaration form.

The Customs authorities may request a printout of the consultation as proof of the source of this figure.

- **GOODS DECLARATIONS SUBJECT TO SELECTIVE AUTOMATIC RELEASE (GREEN LIGHT):**

Self-assessed goods declarations or Customs forms shall be subject to the selective Customs control system. If the outcome is automatic release and the declaration includes products to which minimum values are applicable, the release of the goods shall be authorized unless any circumstance leads to the presumption of the existence of a Customs offence. In such cases, the administrator or person responsible shall be consulted to determine the procedure to be followed. Any post-release inspection required shall therefore be conducted by the Inspection Department of this Directorate-General.

- **GOODS DECLARATIONS SUBJECT TO SELECTIVE PHYSICAL INSPECTION (RED LIGHT):**

With regard to declarations subject to selective physical inspection, the Customs appraiser shall conduct the corresponding inspection with a view to confirming that the goods correspond to those declared in terms of tariff classification, valuation, amount, origin and other determining elements in relation to Customs duties.

If the goods declaration contains products to which minimum values are applicable, the Customs appraiser shall proceed as follows:

- (a) The minimum value declared shall be compared with the respective Annexes to this Directive (or the Customs website). In the event of any differences, the Customs appraiser shall adjust the values and prepare the corresponding discrepancy sheet establishing which products are being adjusted and the new value of each, as well as assessing the corresponding taxes and penalties, where applicable. These shall be notified to the interested party pursuant to Article 31 of the Special Law for the Penalization of Customs Offences.
- (b) Should the said values not be established in the Directive, the case shall be referred for consultation to the Valuation Department of this Directorate-General for consideration and for an opinion, which shall be brought to the attention of the Customs appraiser who referred the case so that the respective discrepancy sheet can be issued, if appropriate, for corresponding notification to the importer.

6. REPEAL AND ENTRY INTO FORCE

This Regulation shall enter into effect on 17 October 2002, with the exception of Annexes I and III relating to the valuation of new clothing (subheadings 6101.10.00 to 6117.90.00, 6201.11.00

to 6217.90.00) and new footwear (6402.19.00 to 6405.90.00), which shall be incorporated into the Directive at a later date under the provisions in point 4 of the Decision of 8 July 2002, issued by the World Trade Organization, document WT/L/476 of 12 July 2002 (02-3903).

The following legal provisions are rescinded:

- (a) Circular No. 211 of 9 November 1998;
- (b) Circular No. 85/2000 of 22 May 2000;
- (c) Circular No. 93/2000 of 2 June 2000;
- (d) Circular No. DVAL-276/2000 of 4 December 2000 on reference prices for goods to which, pursuant to this Directive, minimum values are applicable; the values for all other products remain in force;
- (e) Circular No. DVAL-0089/2002 of 10 April 2002 on reference prices for goods to which, pursuant to this Directive, minimum values are applicable; the values for all other products remain in force;
- (f) All administrative provisions which conflict with the rules set out in this Directive.

7. TRANSITIONAL ARTICLE

Goods and vehicles which entered national Customs territory prior to 17 October 2002 shall not be subject to the provisions of this Regulation for the purposes of Customs valuation.

Goods declarations which, upon the entry into force of this Directive, have already been accepted by the Customs authorities, shall therefore be valued pursuant to existing regulations and provisions, without prejudice to the adjustments and corrections arising from any subsequent investigation conducted by this Directorate-General pursuant to this legislation.

DONE AT THE DIRECTORATE-GENERAL OF CUSTOMS REVENUE: Ilopongo on the eleventh day of September of the year two thousand and two.

GOD UNION LIBERTY

ANNEXES

ANNEX I

(Pending)

Minimum US\$ f.o.b. Unit Prices for Articles of Apparel (New)

[illegible]

*** See list of prestigious brand names overleaf.**

(Pending)

[illegible]

ANNEX II

Minimum US\$ f.o.b. Unit Prices for Used Colour or Black-and-White Televisions

Screen Size	Colour Televisions (US\$)	Black-and-White Televisions (US\$)
1" to 10"	47.00	3.00
11" to 14"	62.00	5.00
15" to 20"	66.00	
21" to 25"	145.00	
26" to 29"	203.00	
30" to 37"	419.00	
38" to 47"	624.00	
48" to 54"	851.00	
54" and above	1,333.00	

(Pending)

Minimum US\$ f.o.b. Unit Prices for New Footwear

[illegible]

*** See list of prestigious brand names for footwear overleaf.**

List of Prestigious Brand Names for New Footwear

(Pending)

[illegible]

ANNEX IV

Minimum US\$ f.o.b. Unit Prices for Retreaded Pneumatic Tyres

Buses, Lorries and Other Heavy Goods Vehicles

Measurements	US\$ f.o.b.
1000	56.00
1000-20	56.00
1000R20	60.00
10R22,5	48.00
1100-20	55.00
1100R-20	60.00
11R22,5	63.00
11R24,5	75.00
1200-20	62.00
12R22,5	58.00
295/80R22,5	58.00
295/85R22,5	58.00
900-20	62.00
900R20	43.00

Pick-Up Trucks, Minibuses and All-Terrain (Off-Road) Vehicles

Measurements	US\$ f.o.b.
205R16	13.00
215/60R15	7.00
215/60R16	7.00
215/65R14	7.00
215/70R16	7.00
225/50R16	7.00
225/60R15	7.00
31X10,5R15	13.00
650R16	15.00
700-16	18.00
700R16	18.00
750-16	27.00
750R16	27.00
825-16	33.00

Light and Passenger Vehicles

Measurements	US\$ f.o.b.
155R13	5.50
175/70R13	10.00
185/60R14	10.00
185/65R13	8.00
185/65R14	9.00
185/70R13	10.00
185/70R14	10.00
185R14	10.00
195/50R15	14.00
195/60R14	11.00
195/60R15	14.00
195/70R14	10.00
205/45R16	15.00
205/50R15	14.00
205/60R15	13.00
205/65R14	10.00
205/65R15	7.00

Minimum US\$ f.o.b. Unit Prices for Used Tyres
Buses, Lorries and Other Heavy Goods Vehicles

Measurements	US\$ f.o.b.
1000	12.50
1000-20	12.50
1000R20	12.50
10R22,5	12.50
1110-20	12.50
1110R20	12.50
11R22,5	12.50
11R24,5	12.50
1200-20	12.50
12R22,5	12.50
295/80R22,5	12.50
295/85R22,5	12.50
900-20	12.50
900R20	12.50

Pick-up Trucks, Minibuses, All-Terrain (Off-Road) and Light Vehicles

Measurements	US\$ f.o.b.
12. 13. 14. 15 and 16	5.50

ANNEX V

Minimum US\$ f.o.b. Unit Prices for Used Buses

Makes	Capacity (Passengers)	Years			
		1987-1990	1991-1993	1994-1995	1996-1997
Blue Bird	Up to 66	6,500	8,500	14,000	25,630
	Over 66	7,500	13,500	21,000	28,125
Chevrolet Ford GMC	Up to 66	2,200	4,025	5,800	8,900
	Over 66	2,900	6,500	7,200	13,500
Navistar	Up to 66	2,640	6,250	11,900	18,500
	Over 66	5,500	7,850	16,650	23,400
Thomas	Up to 66	3,200	7,500	12,000	13,500
	Over 66	6,200	11,620	16,000	17,900
International	Up to 66	5,500	7,850	11,000	14,000
	Over 66	8,500	9,500	14,000	17,000

ANNEX VI

Minimum US\$ f.o.b. Unit Prices for Trailers and Semi-Trailers (Trailers, Containers, Tanks)

Trailers and containers

Description	Make	Years	US\$ f.o.b. Value	Length	No. of Axles
Platform trailers	All makes	1987-1989	3,500.00	40 to 48 feet	2
	All makes	1990-1995	5,500.00	40 to 48 feet	2
Van trailer	All makes	1987-1989	4,500.00	40 to 48 feet	2
	All makes	1990-1993	7,000.00	40 to 48 feet	2
Refrigerated van trailer	All makes	1987-1989	5,500.00	40 to 48 feet	2
	All makes	1990-1993	8,500.00	40 to 48 feet	2
Lorry-mounted container	All makes	1987-1995	400.00	Up to 14 feet	None
	All makes	1987-1996	800.00	14 to 22 feet	None
	All makes	1987-1997	1,200.00	Over 22 feet	None

Tanks

Description	Make	Years	US\$ f.o.b. Value	Capacity	Length
Aluminium	All makes	1987-1990	9,480.00	Less than 7,000 gallons	42 to 45 feet
	All makes	1987-1990	10,410.00	7,000 gallons	42 to 45 feet
	All makes	1987-1990	12,600.00	Over 7,000 gallons	42 to 45 feet
Stainless Steel	All makes	1987-1990	11,050.00	Less than 7,000 gallons	45 to 45 feet
	All makes	1987-1990	11,962.00	7,000 gallons	45 to 45 feet
	All makes	1987-1990	12,875.00	Over 7,000 gallons	45 to 45 feet

ANNEX VII

Minimum US\$ f.o.b. Unit Prices for Used Spare Parts for Light Motor Vehicles

NO.	DESCRIPTION	f.o.b. UNIT PRICE (US\$)
1	ACCELERATOR WITH CABLE	3.00
2	FLOOR MATS	1.00
3	ALTERNATOR	6.00
4	SHOCK ABSORBERS	5.00
5	DOOR SHOCK ABSORBERS	2.00
6	POWER STEERING GEAR ASSY	13.00
7	AERIAL	1.00
8	ELECTRIC AERIAL	2.00
9	FRONT SEATS	5.00
10	BACK SEATS	5.00
11	COIL SPRINGS	1.00
12	STEERING ROD	2.00
13	FRONT FIREWALL (<i>BARRA DE TABLERO</i>)	2.00
14	TORSION BAR	2.00
15	ANTI-ROLL BAR	4.00
16	BUMPER BRACKETS	3.00
17	BATTERY	13.00
18	BOOT	5.00
19	AIR CONDITIONING BLOWER	3.00
20	COILS	4.00
21	HORNS	2.00
22	AUXILIARY FUEL PUMP	2.00
23	WATER PUMP	20.00
24	AIR-CONDITIONING PUMP	10.00
25	POWER-STEERING PUMP	4.00
26	BRAKE PUMPS	4.00
27	WINDSCREEN WIPER ARMS	1.00
28	BUMPER	12.00
29	PICK-UP CAB WITHOUT ENGINE	190.00
30	SPARK-PLUG LEAD	1.00
31	CLUTCH CABLE	1.00
32	BONNET CABLE	1.00
33	SPEEDOMETER CABLE	1.00
34	FUSE BOX	1.00
35	GEARBOX	47.00
36	FULL-SIZE PICK-UP BED	100.00
37	PICK-UP CAMPER	100.00
38	BONNET	12.00
39	CARBURETTOR	24.00

NO.	DESCRIPTION	f.o.b. UNIT PRICE (US\$)
40	GEARBOX HOUSING (WITHOUT GEARWHEELS)	30.00
41	UNIVERSAL JOINT	10.00
42	CATALYTIC CONVERTER	2.00
43	SEATBELTS	2.00
44	RADIATOR COVERS	1.00
45	SPOILER	7.00
46	STEERING COLUMN	4.00
47	PICK-UP TAILGATE	10.00
48	COMPUTER	28.00
49	CONDENSER	3.00
50	CONDENSER WITH FAN	7.00
51	CENTRAL CONSOLE	2.00
52	AIR CONDITIONING CONTROLS	1.00
53	PLASTIC HUB-CAP	2.00
54	RING GEAR	10.00
55	RACK	13.00
56	CYLINDER HEAD	21.00
57	BONNET LOCK	2.00
58	VEHICLE CHASSIS	143.00
59	AIR FILTER HOUSING	2.00
60	BRAKE DISCS	3.00
61	DISTRIBUTOR	5.00
62	REAR AXLES	50.00
63	DOOR WEATHERSTRIP	1.00
64	EXHAUST	21.00
65	COIL SPRINGS	1.00
66	INTERIOR MIRROR	1.00
67	REAR-VIEW MIRROR	3.00
68	BUMPER CORNERS	2.00
69	RUNNING-BOARDS	5.00
70	EVAPORATOR	4.00
71	AIR FILTER	1.00
72	DRIVE SHAFT ASSY	35.00
73	COMPLETE VEHICLE FRONT-END WITH ENGINE	475.00
74	COMPLETE VEHICLE FRONT-END WITHOUT ENGINE	285.00
75	GLOVE COMPARTMENT	1.00
76	MUDGUARD	5.00
77	JACK	13.00
78	PLASTIC MUD FLAPS	10.00
79	TAILLIGHTS AND HEADLIGHTS	5.00
80	CEILING COURTESY LIGHT	1.00
81	TYRES WITH RIM	10.00
82	DOOR HANDLES (INTERIOR AND EXTERIOR)	1.00

NO.	DESCRIPTION	f.o.b. UNIT PRICE (US\$)
83	AIR CONDITIONING HOSES	1.00
84	POWER WINDOW MOTOR	7.00
85	POWER STEERING GEAR ASSY	13.00
86	AIRFLOW METER	9.00
87	MECHANICAL JACKS	2.00
88	BRAKE SHOE	4.00
89	STARTER MOTOR	5.00
90	WINDSCREEN WIPER MOTOR	2.00
91	BALL JOINTS	7.00
92	DAMPENED BALL JOINTS	9.00
93	HANDBRAKE LEVER	2.00
94	GEAR LEVER	2.00
95	PICK-UP TRUCK BED	123.00
96	ROOF RACK	7.00
97	BONNET STRUT	2.00
98	BUMPER BRACKETS	2.00
99	PEDAL	2.00
100	HORN	1.00
101	PICK-UP TRUCK BED LINER	20.00
102	ENGINE SUBFRAME	7.00
103	FRONT AXLE	7.00
104	SIDE DOORS	16.00
105	SUNROOF	7.00
106	RADIATOR	15.00
107	RELAY	2.00
108	RIM	2.00
109	AIRBAG SENSORS	10.00
110	SERVO-ASSISTED BRAKES	3.00
111	SET OF LEAF SPRINGS	10.00
112	HORN	1.00
113	ENGINE MOUNT	2.00
114	STARTER MOTOR	5.00
115	THIRD BRAKE LIGHT	1.00
116	FRONT SUSPENSION	10.00
117	REAR SUSPENSION	10.00
118	LIGHT SWITCH	1.00
119	STARTER SWITCH	14.00
120	CAR DASHBOARD	40.00
121	BRAKE DRUMS	2.00
122	DIESEL TANK	33.00
123	PETROL TANK	5.00
124	FUEL DOOR	1.00
125	GLOVE COMPARTMENT DOOR	7.00

NO.	DESCRIPTION	f.o.b. UNIT PRICE (US\$)
126	SUN VISORS	1.00
127	BOOT LID	7.00
128	ROOF	33.00
129	STEERING ARM	7.00
130	STEERING BALL JOINT	13.00
131	STEERING WHEEL	7.00
132	CASSETTE PLAYER	10.00
133	WINDSCREEN WIPER BLADE	2.00
134	FAN SHROUD	1.00
135	TRANSMISSION	50.00
136	HOSE	1.00
137	JACK ROD	1.00
138	SPEEDOMETER	7.00
139	VENTILATORS	3.00
140	FRONT WINGS	3.00
141	REAR WINGS	5.00
142	WINDSCREEN GLASS	25.00
143	REAR WINDOW GLASS	20.00
144	TEMPERED DOOR GLASS	9.00
145	QUARTER-LIGHT TEMPERED GLASS	7.00
146	FLYWHEEL	7.00

ANNEX VIII

Minimum US\$ f.o.b. Unit Prices for Engines for Light Motor Vehicles Without Transmission

MAKE	FUEL	MODEL	US\$ f.o.b. value
HONDA	PETROL	B16A	300.00
HONDA	PETROL	EW	300.00
ISUZU	DIESEL	C223	500.00
ISUZU	DIESEL	4FB1	500.00
MAZDA	DIESEL	R2	500.00
MAZDA	PETROL	FE	325.00
MITSUBISHI	DIESEL	4D56	550.00
MITSUBISHI	PETROL	4G32	310.00
NISSAN	DIESEL	SD22	570.00
NISSAN	DIESEL	SD23	570.00
NISSAN	DIESEL	SD25	570.00
NISSAN	DIESEL	TD27	600.00
NISSAN	PETROL	CA20	310.00
NISSAN	PETROL	A15	300.00
NISSAN	PETROL	A14	300.00
NISSAN	PETROL	E15	300.00
SUBARU	PETROL	EA82	325.00
TOYOTA	DIESEL	B	550.00
TOYOTA	DIESEL	2L	950.00
TOYOTA	PETROL	3Y	310.00
TOYOTA	PETROL	4K	350.00
OTHER	DIESEL	n/a	400.00
OTHER	PETROL	n/a	300.00

N.B.: US\$50.00 to be added to list value for vehicles with transmission.

ANNEX IX

Minimum US\$ f.o.b. Unit Prices for Used Spare Parts for Heavy Motor Vehicles

NO.	DESCRIPTION	US\$ f.o.b. value
1	ALTERNATORS	7.00
2	SHOCK ABSORBERS	19.00
3	WHEEL RIMS FOR LORRIES AND TRUCK-TRACTORS	10.00
4	SINGLE-PIECE WHEEL RIMS	4.00
5	BUS SEATS (2- AND 3-PERSON)	38.00
6	BATTERIES	25.00
7	COILS	4.00
8	POWER TAKE-OFF PUMP	25.00
9	HYDRAULIC PUMPS	23.00
10	BRAKE PUMPS	2.00
11	STEERING ARM	10.00
12	BUMPERS	60.00
13	FULL TRUCK-TRACTOR CAB WITHOUT ENGINE	1,140.00
14	FULL TRUCK-TRACTOR CAB WITH ENGINE	2,140.00
15	LORRY CABS WITHOUT ENGINE	550.00
16	POWER TAKE-OFF CABLES	15.00
17	BONNETS	47.00
18	CARBURETTORS	95.00
19	SPROCKET-WHEELS FOR LORRIES	47.00
20	EXHAUST PIPES	20.00
21	STEERING COLUMN	4.00
22	TUFLO AIR COMPRESSOR	50.00
23	RING GEAR	150.00
24	BUMPERS	30.00
25	FRONT AXLE FOR TRUCK-TRACTORS AND LORRIES	250.00
26	REAR AXLE WITH MAXI-BRAKES	1,000.00
27	TRUCK-TRACTOR REAR AXLES	662.50
28	TRUCK-TRACTOR EXHAUSTS	25.00
29	OIL FILTER	19.00
30	DRIVE SHAFT	142.00
31	HYDRAULIC JACKS FOR LORRIES/TRUCK-TRACTORS	47.00
32	LEAF SPRING (FRONT SPRING)	30.00
33	LEAF SPRING	4.00
34	LEAF SPRING ASSY	95.00
35	MUD FLAPS	28.00
36	TYRES WITH RIM	20.00
37	STEERING ASSY	15.00
38	AIRFLOW METER	9.00
39	ENGINE MODULE	50.00
40	BRAKE SHOE	4.00
41	WINDSCREEN WIPER MOTORS	5.00

NO.	DESCRIPTION	US\$ f.o.b. value
42	FRONT SPRING (LEAF SPRING)	25.00
43	REAR SPRING (LEAF SPRING)	40.00
44	GEAR LEVER	10.00
45	GEAR LEVER	8.00
46	LORRY DOORS	38.00
47	USED CLUTCH PLATES	25.00
48	RADIATORS	67.00
49	FRONT SPRINGS FOR TRUCK-TRACTORS	25.00
50	LORRY SPRINGS	33.00
51	REAR SPRINGS FOR TRUCK-TRACTORS	45.00
52	REAR-VIEW MIRRORS	2.00
53	SILENCERS	28.00
54	STARTER MOTOR	5.00
55	SUNROOFS	28.00
56	BRAKE DRUMS	20.00
57	DIESEL TANK	33.00
58	STEERING WHEEL FOR HEAVY VEHICLES	10.00
59	TANDEM AXLES FOR TRUCK-TRACTORS	900.00
60	TRANSMISSIONS	500.00

ANNEX X

Minimum US\$ f.o.b. Unit Prices for Used Engines for Heavy Goods Vehicles

GENERAL DESCRIPTION	MAKE	YEAR	MODEL OR SERIES	CYLINDERS	US\$ f.o.b. VALUE
ENGINE WITH TRANSMISSION	CATERPILLAR	n/a	3208	8	\$2,500.00
ENGINE WITHOUT TRANSMISSION AND SHORTENED CHASSIS, SPRINGS AND CARBURETTOR	CATERPILLAR	n/a	3208	8	\$4,000.00
TURBO ENGINE WITHOUT TRANSMISSION	CATERPILLAR	n/a	3208	8	\$1,900.00
ENGINE WITH TRANSMISSION	MERCEDES BENZ	n/a	OM325A	6	\$2,800.00
ENGINE WITH GEARBOX, 175 HP	FORD	n/a	380	6	\$1,500.00
INCLINED ENGINE WITHOUT GEARBOX, 185 HP	MAN	n/a	846	6	\$1,500.00
ENGINE WITH GEARBOX	MERCEDES BENZ	n/a	314	4	\$1,500.00
TURBO ENGINE WITH 5-SPEED GEARBOX, 180 HP	MERCEDES BENZ	n/a	OM352	6	\$4,600.00
TURBO ENGINE CON G4 6-SPEED GEARBOX, 200 HP	MERCEDES BENZ	n/a	OM366	6	\$4,600.00
ENGINE WITH GEARBOX, 175 HP	PERKINS	n/a	6354.1	6	\$1,600.00
ENGINE WITH GEARBOX, 175 HP	PERKINS	n/a	6354.2	6	\$1,600.00
TURBO ENGINE WITHOUT GEARBOX FOR RECONDITIONING OR PARTS	MERCEDES BENZ	n/a	352	6	\$1,300.00
TURBO ENGINE WITH 6-SPEED GEARBOX FOR RECONDITIONING OR PARTS	MERCEDES BENZ	n/a	366	6	\$2,900.00
USED ENGINE WITH TRANSMISSION	Other	n/a	n/a	6	\$2,500.00
USED ENGINE WITH TRANSMISSION	Other	n/a	n/a	8	\$3,500.00
USED ENGINE WITHOUT TRANSMISSION	Other	n/a	n/a	6	\$2,000.00
USED ENGINE WITHOUT TRANSMISSION	Other	n/a	n/a	8	\$2,800.00