



UNITED STATES DEPARTMENT OF COMMERCE
Bureau of the Census
Washington, DC 20233-0001

October 8, 1997

FTSR Letter No. 166

To: U.S. Customs Service Headquarters, Customs Management Centers, Port Directors, Department of Commerce District Offices, Freight Forwarders, Exporters, Exporting Carriers, Consolidators, and Others Concerned

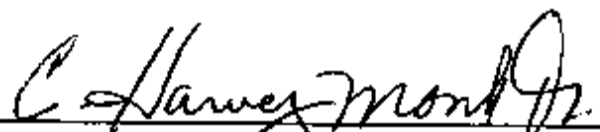
From: Bureau of the Census

Subject: Revision of Foreign Trade Statistics Regulations (FTSR) 15 CFR 30.56(b) to Allow Exemptions From Filing a Shipper's Export Declaration (SED) for Company-Owned Tools of Trade

A final rule published in the *Federal Register* on September 22, 1997 (62 FR 49436) amends Section 30.56(b) of the Foreign Trade Statistics Regulations (15 CFR 30), "Conditional Exemptions," to include an exemption for exporters who currently must file an SED for temporary exports of tools of trade. This exemption will apply whenever the tools of trade are company-owned commodities and software, accompany the employee or representative of the exporting company, and are intended to remain outside of the country for less than one year. The current regulation only allowed an exemption for filing an SED when the tools of trade were owned by the individual. This exemption still applies.

Commodities and software eligible for this exemption are those that do not normally require an export license or that are exported without a license as specified in 15 CFR 740.9 of the Export Administration Regulations (EAR, 15 CFR Chapter VII, subchapter C) and are subject to the following provisions:

- 1) Are owned by the individual exporter or exporting company;
- 2) Accompany the individual exporter, employee or representative of the exporting company;
- 3) Are necessary and appropriate and intended for the personal and/or business use of the individual exporter, employee or representative of the company or business;
- 4) Are not for sale; and
- 5) Are returned to the United States no later than one year from the date of export.


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