EXHIBIT 3

in the Customs Regulations [Sec. 14.7(b)] specifying that in comparing the prices on which a determination of sales below fair value is being considered, "reasonable allowances will be made for bona fide differences in circumstances of sale," has no basis in the Antidumping Act itself.

Congress certainly did not understand that the Secretary's authority to make adjustments for differences in quantity or in circumstances of sale applied to anything but the calculation of dumping duties. The Senate Finance Committee conveyed its understanding by stating in its report on the bill which was enacted into law that:

> "Another amendment in the definitions *relating to assessment of dumping duties* is designed to make appropriate comparisons between the price at which imported merchandise is sold to American purchasers and the price at which such or similar merchandise is sold by the foreign producers or exporters elsewhere despite minor dissimilarities between the merchandise and the differences in the terms or circumstances of the sale." (S. Rep. 1619, 85th Cong., May 21, 1958) (Emphasis added)

Accordingly, it is submitted that the Bureau of Customs is proceeding improperly if it fails or refuses to make a determination of dumping on the basis that differences in the circumstances of sale call for adjustments which eliminate the margin of dumping disclosed by a comparison of the home market and export prices.