

Rule 803.2(c)(1)

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October 26, 1990

Richard B. Smith, Esquire  
Premerger Notification Office  
Federal Trade Commission  
6th Street and Pennsylvania Avenue, N.W.  
Room 303  
Washington, DC 20580

Dear Mr. Smith:

RECEIVED TO  
OCT 27 1990  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Our client, Company A, is engaged in manufacturing and would be the acquiring person in the contemplated transaction. Company A's plants are in the United States. Some of Company A's sales are made to customers located outside the United States.

Rule 803.2(c)(1) provides:

(c) In response to items 5, 7, 8, and 9 and the appendix to the Notification and Report Form

operations conducted within the United States . . . .

My question was whether revenues attributable to Company A's sales of domestically-manufactured products to foreign customers must be reported in response to Items 5 and 7.

Richard B. Smith, Esquire

October 26, 1966

You advised me that such information is considered "[i]nformation . . . with respect to operations conducted within the United States" within the meaning of § 803 2(c)(1). The rule is intended to assure that the responses to items 5, 7, 8 and 9

must include revenues attributable to foreign sales of domestically-produced product.

Thank you for your assistance.

Sincerely,