Tiffany N. Comprés Discusses PACA vs. CISG

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Miami partner Tiffany N. Comprés was recently featured in *Fresh Plaza* in an article titled "PACA vs CISG: Which Prevails, Domestic or International Law?" Tiffany comments that "the CISG and PACA diverge in ways that critically affect the outcome of disputes between U.S. buyers and international exporters of fresh produce, and no court has taken a position on which law would prevail in such a direct conflict."

Tiffany further explains the reasons why CISG and PACA conflict – they are bodies of law independently created for specific purposes, which sometimes overlap. She states when a U.S. party and a non-U.S. party are parties to a sale of goods, international law automatically applies unless the non-U.S. party is from a country that hasn't ratified the CISG treaty. "The CISG is a self-executing treaty, which means that it doesn't have to be ratified by local governments or incorporated into the U.S. Code for it to apply. PACA, on the other hand, applies only when the dispute involves a U.S. business trading in perishable agricultural products." Additionally, Tiffany discusses examples of discrepancies and possible solutions.

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About Tiffany N. Comprés

Tiffany N. Comprés is a partner in the Miami office of Shutts & Bowen LLP, where she is a member of the International Arbitration and Litigation practice group. Tiffany is a litigator who represents clients in disputes across multinational borders. She is uniquely qualified to help companies in international disputes: she holds two Masters of Law in international law and arbitration, one of only 51 attorneys in Florida certified as an expert in international law, speaks four languages, and has worked in Italy, France, and the United States. She represents clients in Florida and throughout the world.

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