

GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

The Collectors of Customs, Model Customs Collectorates, Appraisement (East / West) / Port Qasim / Preventive, Karachi / Lahore (Appraisement / Preventive) / Sambrial (Sialkot) / Faisalabad / Multan / Islamabad / Hyderabad / Quetta / Peshawar / Gawadar / Gilgit-Baltistan.

Determination of Custom Values of Infusion Giving Sets under Section 25-A of the Customs Act, 1969

(VALUATION RULING No. 885/2016)

No. Misc/08/2015-VIII (B)/IX/9013

Dated: 25-07-2016

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Infusion Giving Sets are determined as follows:-

2. Back ground of the valuation issue: It was brought to the notice of this Directorate General of Customs Valuation that the values of Infusion Giving Sets have increased in the international market as compared to the determined Customs values of Infusion Giving Sets vide Valuation Ruling No. 741/2015, dated 03-06-2015, The impugned Valuation Ruling required revision in line with the prevailing prices in the international market. Therefore, this Directorate General initiated an exercise for determination of customs value for Infusion Giving Sets.

3. Stakeholders' participation in determination of Customs values: Meeting with stakeholders was held on 25-07-2016 and the importers were also requested to furnish the following documents:-

- A. Invoices of imports during last three months showing factual value.
- B. Websites, names and E-mail addresses of known foreign manufacturers of the item in question through which the actual current value can be ascertained.
- C. Copies of Contracts made / LCs opened during the last three months showing the value of item in question.
- D. Copies of Sales Tax Invoices issued during last four months showing the difference in price (excluding duty and taxes) to substantiate that the benefit of difference in price is passed on to the local buyers.

4. The meeting was attended by different local manufacturers and importers. The manufacturers, during the meeting, were of the view that the values determined vide Valuation Ruling No.741/2015, dated 03-06-2015 were on lower side. Some importers agreed to their point of view, stating that their declaration were slightly above the values determined vide the previous Valuation Ruling. Others contested their claim, but could not submit any proof in support of their contention.

5. Method adopted to determine Customs values: Valuation methods given in Section 25 of the Customs Act, 1969 were followed to arrive at fair value of Infusion Giving Sets. Transaction value method provided in Section 25 (1) was found inapplicable owing to wide variation in the values being declared to the customs and incomplete descriptions. Identical/ similar goods value methods provided in Section 25(5) & (6) were examined for applicability to the valuation issue in the instant case which provided some reference values of the subject goods but the same could not be exclusively relied on due to wide variation in declared values of subject goods. Thereafter, market inquiry as envisaged under Section 25(7) of the Customs Act, 1969, was conducted. Market inquiry was conducted from Marriot Road, Katchi Gali. Online prices were also obtained to corroborate the findings of the market surveys. Computed Value Method as provided in Section 25 (8) could not be applied for valuation of the aforementioned goods as the cost of raw material and fabrication charges under clause (a) and amount of profit and general expenses under clause (b) of Section 25 (8) of the Act, in the country of export, could not be ascertained. All the information so gathered was evaluated and analyzed for the purpose of determination of customs values of Infusion Giving Sets.

Consequently, the Customs values of Infusion Giving Sets have been determined under Section 25 (9) of the Customs Act, 1969.

7. Customs values for Infusion Giving Sets: Infusion Giving Sets, hereinafter specified, shall be assessed to duty/taxes at the Customs Values mentioned below:-

S.NO.	Description of goods	PCT	Proposed PCT for WeBOC	Origin	Customs Value (C&F) USS/Sets
1	Infusion Giving Sets without Burette	9018.3920	9018.3920.1000	China	0.065
			9018.3920.1100	Other Origins	0.090
2	Infusion Giving Sets with Burette		9018.3920.1200	China	0.320
			9018.3920.1300	Other Origins	0.380

8. In cases where declared/transaction values are higher than the Customs values determined in this Ruling, the assessing officers shall apply those values in terms of Sub-Section (1) of Section 25 of the Customs Act, 1969. In case of consignments imported by air, the assessing officer shall take into account the differential between air freight and sea freight or incase of import through Land Customs Stations, the differential amount between the Sea freight and land transport charges while applying the Customs values determined in this Ruling.

9. Validity of this Valuation Ruling: The values determined vide this Ruling shall be the applicable Customs value for assessment of subject imported goods until and unless it is rescinded or revised by the competent authority in terms of Sub-Sections (1) or (3) of Section 25-A of the Customs Act, 1969.

10. Revision of the value determined vide this Valuation Ruling: A revision petition may be filed against this Ruling, as provided under Section 25-D of the Customs Act, 1969, within 30 days from the date of issue of this ruling, before the Director General, Directorate General of Customs Valuation, 7th Floor, Custom House, Karachi.

11. The Collectors of Customs may kindly ensure that the values given in this Valuation Ruling for the given description of goods are applied by the concerned staff without fail. Any anomaly observed may kindly be brought to the notice of this Directorate General immediately. Customs values determined in the ruling are for the description and specification as mentioned in the tables above of this Ruling. HS Codes are mentioned for illustrative purposes so that valuation ruling values are made accessible to the assessing officers. The assessment shall be finalized on the basis of correct classification after fulfilling requisite formalities related to importability or any other certification required thereon. In addition to this, it is further necessary to verify that there is no mis-declaration of any sort or violation of Import Policy Order or Section 15 of the Customs Act, 1969 or any other law in vogue therein.

12. *This Valuation Ruling supersedes Valuation Ruling No. 741/2015, dated 03-06-2015.*

(DR. WASIF ALI MEMON)
Director

Copy for information to:-

1. Member (Customs), F.B.R., Islamabad.
2. Director General, Customs Valuation, Custom House, Karachi.
3. Chief Collector of Customs, South (Appraisalment), Custom House, Karachi.
4. Chief Collector of Customs, South (Enforcement), Custom House, Karachi .
5. Chief Collector of Customs (Central), Lahore.
6. Chief Collector of Customs (North), Islamabad.
7. Director General, Intelligence and Investigation-FBR, Islamabad.

8. Director General, Audit (Customs & Petroleum), 1st Floor, PT &T Audit Building, Mauj-e-Darya Road, Lahore.
09. Director General, Post Clearance Audit (PCA), Islamabad.