

(This Ruling has been revised / superseded vide Valuation Ruling No. 1383/2019 dated 15-07-2019)

**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 / Appraisement (Lahore) / Preventive (Lahore) / Sambrial (Sialkot) / Faisalabad / Multan / Islamabad / Hyderabad / Quetta / Peshawar / Gawadar / Gilgit-Baltistan

**DETERMINATION OF CUSTOMS VALUES OF WATER BASED ACRYLIC TYPE SELF
ADHESIVE TAPE (BOPP/OPP) AND HOT MELT RUBBER BASED SELF ADHESIVE
TAPE IN JUMBO/LOG ROLLS OR IN RETAIL PACKING, UNDER SECTION 25-A OF
THE CUSTOMS ACT, 1969**

(VALUATION RULING No. 944/2016)

No. Misc/27/204-II

Dated: 4-10-2016

In exercise of powers conferred under Section 25-A of the Customs Act, 1969, Customs values of water based acrylic type self adhesive (BOPP/OPP) and hot melt rubber based self adhesive tape in jumbo/ log or in retail packing, are determined as follows:

2. Background of the valuation issue: The custom values of water based acrylic type self adhesive (BOPP/OPP) and hot melt rubber based self adhesive tape in jumbo/ log or in retail packing, were earlier determined vide Valuation Ruling No. 809/2016 dated 25-01-2016. There were several representations from different importers and local manufacturers, for determination of customs value of the subject items. The importers have claimed that the prices of subject items are showing downward trend in the International market hence existing valuation ruling, which is over seven months old is required to be revised in the light of honorable High Court of Sind, at Karachi's orders dated 10-11-2015 in Constitutional Petition No. D-6918/2015. However on the other hand the local manufacturers contended that customs values determined vide Valuation Ruling No. 809/2016 dated 25-01-2016 since was on lower side and request to enhance the customs value. Since 90 days have passed and a number of representations were received from commercial importers and local manufacturers regarding values determined in the valuation ruling dated 25-01-2016, hence an exercise was initiated to re-determine the values of subject items.

3. Stakeholders' participation in determination of Customs values: Meeting with all the stakeholders including importers, local manufacturers and representatives from clearance Collectorates, was held on 28-6-2016 and 15-8-2016 to discuss the current international prices of the subject items. The view point of all participants was heard in detail and considered to arrive at Customs value for water based acrylic type self adhesive (BOPP/OPP) and hot melt rubber based self adhesive tape in jumbo/log or in retail packing.

4. Method adopted to determine Customs values: Valuation methods provided in Section 25 of the Customs Act, 1969 were duly applied in their regular sequential order to address the particular valuation issue at hand. The transaction value method as provided in Sub-Section (1) of Section 25, found inapplicable in light of the wide variety of invoices submitted at import stage the veracity of which could not be ascertained fully, hence requisite information required under law was not available to arrive at the correct transaction value. Identical/similar goods value method provided vide Sub-Sections (5) & (6) of Section 25 ibid were examined for applicability to determine Customs value of subject goods, this data provided some references, however, it was found that the same cannot be solely relied upon due to the absence of absolute demonstrable evidence of qualities, and quantities of commercial level etc., and also it was observed that importers usually provided misleading description while declaring goods, as other types and varieties of similar goods to avoid the application of valuation ruling. Information available was, hence, found inappropriate. In line with the statutory sequential order of Section 25, this office then conducted a market inquiry using Deductive Value Method under Sub-Section (7) of the Section 25 of the Customs Act, 1969, however, it was found that

the determination of Customs value could not be based solely upon this method either. Therefore, valuation method provided vide Section 25(8) of Customs Act 1969, could not be applied as the conversion cost from constituent materials and allied expenses, at country of export were are not available. Finally, PRAL database, market information and international prices through Web were examined thoroughly. All the information so gathered was analyzed for determination of Customs Value of the subject good. Consequently, the Fall Back Method as provided under section 25(9) of the Customs Act, 1969 was applied to arrive assessable customs values of the Chemicals.

5. Customs values for water based acrylic type self adhesive (BOPP/OPP) and hot melt rubber based self adhesive tape in jumbo/ log rolls or in retail packing: The water based acrylic type self adhesive (BOPP/OPP) and hot melt rubber based self adhesive tape in jumbo/ log rolls or in retail packing hereinafter specified shall be assessed to duty / taxes at the following Customs Values:-

S. No.	Description of goods	PCT	Proposed PCT for WEBOC	Origins	Customs Values (C&F) US\$/Kg
(1)	(2)	(3)	(4)	(5)	(6)
A	WATER BASED ACRYLIC TYPE SELF ADHESIVE TAPE				
1.	Self Adhesive (Transparent / BOPP/ OPP) Tape - Width exceeding 20 cm -Jumbo Rolls	3919.9010 3919.9090	3919.9010.1000 3919.9090.1000 3919.9010.1100 3919.9090.1100 3919.9010.1200 3919.9090.1200 3919.9010.1300 3919.9090.1300	China /Malaysia Korea/UAE / Taiwan Europe All other origins	1.42 1.50 1.87 1.62
2.	Self Adhesive (Transparent / BOPP/ OPP) Tape Width exceeding 20 cm - Log Rolls.	3919.9010 3919.9090	3919.9010.1400 3919.9090.1400 3919.9010.1500 3919.9090.1500 3919.9010.1600 3919.9090.1600 3919.9010.1700 3919.9090.1700	China /Malaysia Korea/UAE / Taiwan Europe All other origins	1.48 1.55 1.95 1.58
3.	Self Adhesive (BOPP/ OPP) Tape -Width not exceeding 20 cm- in retail packing with paper board spool.	3919.1090	3919.1090.1000 3919.1090.1100 3919.1090.1200 3919.1090.1300	China /Malaysia Korea/UAE / Taiwan Europe All other origins	1.50 1.58 1.96 1.61
4.	Self Adhesive (BOPP/ OPP) Tape - Width not exceeding 20 cm- in retail packing with plastic spool.	3919.1090	3919.1090.1400 3919.1090.1500 3919.1090.1600 3919.1090.1700	China /Malaysia Korea/UAE / Taiwan Europe All other origins	1.55 1.62 2.02 1.69
5.	Self Adhesive Tape (BOPP / OPP) - "Scotch" brand width not exceeding 20 cm- in retail packing.	3919.1030	3919.1030.1000 3919.1030.1100 3919.1030.1200 3919.1030.1300	China /Malaysia Korea/UAE / Taiwan Europe All other origins	4.86 5.04 6.30 5.22
B	HOT MELT RUBBER BASED SELF ADHESIVE TAPE (IMPORTED FROM M/S ALPHA BETA GLOBAL TAPES AND ADHESIVES CO LTS)				
6.	Self Adhesive (BOPP/ OPP) Tape - Width exceeding 20 cm, Jumbo Rolls	3919.9010 3919.9090	3919.9010.1800 3919.9090.1800	Taiwan	2.42

7.	Self Adhesive (BOPP/OPP) Tape - Width exceeding 20 cm - Log Rolls	3919.9010 3919.9090	3919.9010.1900 3919.9090.1900	Taiwan	2.50
8.	Self Adhesive (BOPP/OPP) Tape - Width not exceeding 20 cm - in retail packing with paper board spool.	3919.1090	3919.1090.1800	Taiwan	2.56
9.	Self Adhesive (BOPP/OPP) Tape - Width not exceeding 20 cm- in retail packing with plastic spool.	3919.1090	3919.1090.1900	Taiwan	2.61
10	The customs values as specified in the column (6) have been determined after duly accounting for the aspect of tare weights regarding spools/wrapping etc. At assessment stage no further allowance is admissible on any account.				

6. 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 while applying the Customs values determined in this Ruling. The Custom values determined in the Valuation Ruling are for the descriptions and specifications as mentioned herein, HS Codes are mentioned for illustrative purposes so that Valuation Ruling values are made accessible to the assessing officers. The assessment shall be finalized in the correct classifications after fulfilling request formalities relating to importability or other certifications required thereon.

7. 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.

8. Revision of the value determined vide this Valuation Ruling: This Valuation Ruling is appealable under the law and a revision petition may be filed against this Ruling, 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.

9. The Collectors of Customs may kindly ensure that the values given in the 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 Directorate General immediately.

10. This Ruling supersedes Valuation Ruling Nos. 809/2016 dated 25-01-2016.

(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.

10. Director General, Internal Audit (Customs), Karachi.
11. Directors, Intelligence & Investigation, Karachi / Lahore / Islamabad/ Quetta Peshawar/ Faisalabad.
12. Director, Directorate of Customs Valuation (Camp Office), Lahore.
13. Deputy Director (HQ), Directorate General of Customs Valuation, Karachi, for uploading in One Customs & WeBOC database system and deleting V.R. No. 809/2016 dated 25-01-2016.
14. Chairman (Valuation Committee), FPCC&I, Federation House, Clifton, Karachi.
15. Chambers of Commerce & Industry, Karachi, Lahore, Islamabad, Hyderabad, Quetta & Peshawar.
16. Law Section, Customs Valuation, 7th Floor, Custom House, Karachi.
17. Review Section, Customs Valuation, 7th Floor, Custom House, Karachi.
18. Karachi Customs Agents Group, Bohri Road, Karachi.
19. CHO, Customs Valuation, Custom House, Karachi.
20. Notice Board, Customs Valuation 7th Floor, Custom House, Karachi / MCC, Appraisement, 1st Floor, Custom House, Karachi.
21. Guard File.

(DR. WASIF ALI MEMON)
Director