

(This Ruling has been revised / superseded vide Valuation Ruling No. 1306/2018 dated 29-05-2018)

**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 CUSTOMS VALUES OF TUBULAR METAL NEEDLE IN BULK,
DISPOSABLE SURGICAL METAL NEEDLES (STERILIZED) AND DISPOSABLE
VETERINARY METAL NEEDLES (STERILIZED) UNDER SECTION 25-A OF THE
CUSTOMS ACT, 1969**

(VALUATION RULING No. 1011/2017)

No. Misc/05/2015-VIII(B)/IX/102

Dated: 13th January, 2017

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Tubular Metal Needles are determined as follows:-

2. Background of the valuation issue: The customs values of Tubular Metal Needles were determined vide Valuation Ruling No. 900/2016, dated 04-08-2016. Certain importers filed a Revision Petition before the Director General of Customs Valuation, Karachi under Section 25D of the Customs Act, 1969, which has been disposed of vide Order-in-Revision No. 286/2016 (DG(V)Val. Rev/979/2016/41), dated 09-01-2017, and the issue was remanded back for reconsideration of customs values after providing opportunity of presentation to stakeholders. Therefore, this Directorate General initiated an exercise for determination of customs value for the subject goods.

3. Stakeholders' participation in determination of Customs values: Meeting with stakeholders was held on 12-01-2017. The stakeholders were requested to furnish the following documents before or during the course of above said meeting:-

- 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 representatives of manufacturers and importers attended the meeting. The importers claimed that the determined customs values were on higher side whereas as per their claim there was a downward trend in prices in the international market. They also requested that a new category of Tubular Metal Needles with Hub/Cap and without blister packing may be added as currently the same is not available and they are facing problems during clearance. One local manufacturer, who imports unsterilized tubular metal needles without hub, cap and blister packing contended that customs values of the subject item have been determined at much lower value and the same may be enhanced according to his declarations. His claim was vociferously contested by other manufacturers and importers. As for as tubular metal needle for veterinary use is concerned, all present agreed to marginally increase its value.

5. Method adopted to determine Customs values: Valuation methods given in Section 25 of the Customs Act, 1969 were followed to arrive at customs value of Tubular Metal Needles in Bulk,

Disposable Surgical Metal Needles (Sterilized) and Disposable Veterinary Metal Needles (Sterilized). 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 enquiry as envisaged under Section 25(7) of the Customs Act, 1969, was conducted. A number of items sold in the local market were obtained and customs values were worked back from the same. 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 Tubular Metal Needle in Bulk, Disposable Surgical Metal Needles (Sterilized) and Disposable Veterinary Metal Needles (Sterilized). Consequently, the Customs values of Tubular Metal Needle in Bulk, Disposable Surgical Metal Needles (Sterilized) and Disposable Veterinary Metal Needles (Sterilized) have been determined under Section 25(9) of the Customs Act, 1969.

6. Customs values of Tubular Metal Needle, Disposable Surgical Metal Needles and Disposable Veterinary Metal Needles (Sterilized) hereinafter specified, shall be assessed to duty/taxes at the following Customs Values:-

S. No.	Description of goods	PCT	Proposed PCT for WEOC	Origins	Customs Values (C&F) US\$/Kg
1	Tubular Metal Needle (In Bulk), Un-sterilized without Hub, Cap and Blister Packing	9018-3200	9018-3200.1000	China	18.0
			9018-3200.1100	Other origins	27.0
2	Tubular Metal Needle (In Bulk), Un-sterilized with Hub, Cap and without Blister Packing.		9018-3200.1200	China	4.0
			9018-3200.1300	Other origins	5.5
3	Disposable Surgical Metal Needles Sterilized with Hub, Cap and Blister Packing		9018-3200.1400	China	7.0
			9018-3200.1500	Other origins	8.5
4	Disposable Veterinary Metal Needles (Sterilized)		9018-3200.1600	China	6.5
			9018-3200.1700	Other origins	8.0

7. 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 element of air freight while assessing the goods.

8. 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.

9. 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.

10. 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 Annexure to this Valuation 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.

11. This Valuation Ruling supersedes Valuation Ruling No. 900/2016, dated 04-08-2016.

(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 (Appraisement), 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 WeBOC database system and deleting Valuation Ruling No. 900/2016, dated 04-08-2016.
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. Webmaster, Federal Board of Revenue, Constitution Avenue, Islamabad, for uploading FBR website and deleting Valuation Ruling No. 900/2016, dated 04-08-2016.
22. Guard File.