

(This Ruling has been revised / superseded vide Valuation Ruling No. 1272/2018 dated 21-03-2018)

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

**DETERMINATION OF CUSTOMS VALUES OF ETHYL ACETATE, METHYL ACETATE
AND SEC-BUTYL ACETATE UNDER SECTION 25-A OF THE CUSTOMS ACT, 1969.**

(VALUATION RULING No. 1023/2017)

No.1/07/2012-II/222

Dated: 30th January, 2017

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Ethyl Acetate, methyl Acetate and Sec Butyl Acetate are determined as follows:-

2. Background of the valuation issue: The values of the Ethyl Acetate were earlier determined vide Valuation Ruling No. 646/2014 dated 21.3.2014. There were several representations from different importers/ traders and trade bodies i.e. Pakistan Chemicals and Dyes Merchants Association (PCDMA), for determination of customs value of the methyl Acetate and Sec Butyl Acetate as well. Hence, existing valuation ruling which is over one year and ten month 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. Since 90 days have passed and representations were received from commercial importers regarding values determined in afore mentioned valuation ruling, an exercise was initiated to re-determine the values of Ethyl Acetate, methyl Acetate and Sec Butyl Acetate in the light of international price trend, in terms of Section 25-A of the Customs Act. 1969.

3. Stakeholders' participation in determination of Customs values: Meeting with all the stakeholders including importers, trade bodies i.e. Pakistan Chemicals and Dyes Merchants Association (PCDMA) and representatives from clearance Collect orates, was held on 19.01.2017 to discuss the current international prices of Ethyl Acetate, methyl Acetate and Sec Butyl Acetate. The view point of all participants was heard in detail and considered to arrive at Customs value for Ethyl Acetate, methyl Acetate and Sec Butyl Acetate.

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 avail able 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 mis-leading 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 Ethyl Acetate, methyl Acetate and Sec Butyl Acetate.

5. Customs values for Ethyl Acetate, methyl Acetate and Sec Butyl Acetate: Ethyl Acetate, methyl Acetate and Sec Butyl Acetate *hereinafter specified* shall be assessed to duty / taxes at the following Customs Values:-

S. No.	Description	Origin	PCT	Proposed PCT for WEBOC	Customs Values (C&F) US\$/Kg
(01)	(02)	(03)	(04)	(05)	(06)
01	Ethyl Acetate	China, Taiwan, Korea, U.A.E	2915.3100	2915.3100.1000	1.20
		All other origins	2915.3100	2915.3100.1100	1.22
02	Methyl Acetate 99% and above	All origin	2915.3940	2915.3940.1000	0.68
03	Sec. Butyl Acetate	All origin	2915.3930	2915.3930.1000	0.905

Note: The customs values determined above are for imports in drum packing. This goods imported in bulk or in Iso tanks may be assessed by the clearance Collect orates in terms of Section 25 of the Customs Act 1969.

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) or 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 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 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. 646/2014 dated 21.03.2014.

(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.
9. Director General, Post Clearance Audit (PCA), Islamabad.