

**GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI**

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

**DETERMINATION OF CUSTOMS VALUES OF MIXTURE OF FATTY ACIDS UNDER
SECTION 25-A OF THE CUSTOMS ACT, 1969**

(VALUATION RULING No. 1346/2018)

No. Reg. Misc/19/2013-II/1573

Dated: 18th December, 2018

In exercise of powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Mixture of Fatty Acid are determined as follows:

2. Background of the Valuation Issue: Earlier customs values of Mixture of Fatty Acids were determined vide Valuation Ruling No. 1293/18 dated 20-04-2018. There were several representations from the importers and Pakistan Soap Manufacturers Association, wherein they contended that customs values determined in the existing valuation ruling do not reflect the prices prevailing in the international markets. Keeping in view the prevailing prices of the subject goods, this Directorate General initiated an exercise for re-determination of the Customs Values of Mixture of Fatty Acid in terms of Section 25-A of the Customs Act, 1969.

3. Stakeholders' participation in determination of Customs values: Several meetings with stakeholders including importers, representatives from Pakistan Soap Manufacturers Association and representatives from field formations were held in this Directorate General to discuss the current international prices of the subject goods. The Pakistan Soap Manufacturers Association informed that the values of Mixture of Fatty Acid need to be revised in accordance with the price prevailing in the international markets. The Pakistan Soap Manufacturers Association further stated that importers are facing problems in the clearance of the subject goods as world market prices of PFAD, PAO and MoFA are showing a downward trend since last three months. This position was verified from the import data, which also reflected inconsistent behavior of declaration of unit values. The Pakistan Soap Manufacturers Association pointed out that reputed importers declare the actual prices but some unscrupulous elements resort to mis-declaration and under-invoicing. After detailed deliberations, all the participants agreed that values of mixture of fatty acid need to be revised downward and representatives of the importers and associations also submitted their recommendations. The view point of all participants was heard in detail and considered to arrive at Customs values of the subject goods.

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 arrive at customs values of subject goods. The transaction value method as provided in Sub-Section (1) of Section 25 of the Customs Act, 1969 was found inapplicable due to wide variation of values displayed in the import data. Hence requisite information required under law was not available to arrive at the correct transaction value. Therefore, identical / similar goods value method as provided in Sub-Sections (5) & (6) of Section 25 ibid was examined for applicability to the valuation issue in the instant case, which provided some references but due to wide variations in declarations this method could not be relied upon exclusively. In line with the statutory sequential order of Section 25, this office conducted market inquiries using Deductive Value Method under Sub-Section (7) of Section 25 of the Customs Act, 1969 however, this method of valuation could not be exclusively relied upon due to reason that it is an industrial use item and is not readily available. Therefore, Sub-Section (8) was examined but valuation under this sub-section could not also be made due to non-availability of conversion and processing cost of the exporting country. All the information so gathered during the proceedings was

evaluated for the purposes of determining customs values and consequently, customs values of Mixture of Fatty Acid have been determined under Sub-Section (9) of Section 2S of the Customs Act, 1969.

5. Customs values for Mixture of Fatty Acid: The Mixture of Fatty Acid *hereinafter specified* shall be assessed to duty / taxes at the following Customs Values:

S. No.	Description	Origin	PCT	Proposed PCT for WeBOC	Customs value (C&F) US\$/Kg
(1)	(2)	(3)	(4)	(5)	(6)
1.	Mixture of Fatty Acids	Malaysia	3823.1990	3823.1990.1000	0.350
		Indonesia	3823.1990	3823.1990.1000	0.345
		Other Origins	3823.1990	3823.1990.1000	0.340

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 in this Ruling.

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: 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.

9. 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 descriptions and specifications as mentioned in 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 certifications 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 IS of the Customs Act, 1969 or any other law in vogue therein.

10. This Ruling supersedes Valuation Ruling No. 1293/2018 dated 20.04.2018.

(MUHAMMAD IQBAL MUNEEB)
Director

Copy for information to:-

1. The Member (Customs), F.B.R., Islamabad.
2. The Director General, Customs Valuation, Custom House, Karachi.
3. The Chief Collector of Customs, South (Appraisalment), Custom House, Karachi.
4. The Chief Collector of Customs, South (Enforcement), Custom House, Karachi.
5. The Chief Collector of Customs (Central), Lahore.
6. The Chief Collector of Customs (North), Islamabad.
7. The Director General, Intelligence and Investigation-FBR, Islamabad.
8. The Director General, Audit (Customs & Petroleum), 1st Floor, PT & T Audit Building, Mauje-e-Darya Road, Lahore.
9. The Director General, Post Clearance Audit (PCA), Islamabad.
10. The Director General, Internal Audit (Customs), Karachi.

11. The Directors, Intelligence & Investigation, Karachi / Lahore / Islamabad / Quetta, Peshawar / Faisalabad.
12. The Director, Directorate of Customs Valuation (Camp Office), Lahore.
13. The Deputy Director (HQ), Directorate General of Customs Valuation, Karachi, for uploading in One Customs & WeBOC database system and deleting Valuation Ruling No. 1293/18 dated 20-04-2018.
14. The Chairman (Valuation Committee), FPCC&I, Federation House, Clifton, Karachi.
15. The 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. The Karachi Customs Agents Group, Bohri Road, Karachi.
19. The CHO, Customs Valuation, Custom House, Karachi.
20. Notice Board, Customs Valuation 7th Floor, Custom House, Karachi / MCC,
21. Appraisement, 1st Floor, Custom House, Karachi.
22. Guard File.