

GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

The Collectors of Customs, Model Customs Collectorates, Appraisalment & Facilitation (East / West) / Port Muhammad Bin Qasim / JIAP, Karachi (Appraisalment & Facilitation / Enforcement & Compliance), AIIA Lahore / Sambrial (Sialkot) / Faisalabad / Multan / Islamabad / Hyderabad / Quetta (Appraisalment / Preventive) / Peshawar (Appraisalment & Facilitation / Enforcement & Compliance) / Gawadar / Gilgit-Baltistan / Export (Karachi / Port Qasim)

DETERMINATION OF CUSTOMS VALUES OF MONO-ETHYLENE AND DI-ETHYLENE GLYCOL UNDER SECTION 25-A OF THE CUSTOMS ACT, 1969

(VALUATION RULING No. 1500/2020)

C. No. Misc/29/2012-II/5491

Dated: 9th December, 2020

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, the Customs values Mono-Ethylene Glycol (MEG) & Di-Ethylene Glycol (DEG) are determined as follows:-

2. Background of the valuation issue: Earlier the customs values of Mono-Ethylene Glycol (MEG) & Di-Ethylene Glycol (DEG) were determined under Section 25-A of the Customs Act, 1969 vide Serial Nos. 20 & 21 of the Valuation Ruling No.1480/2020 dated 22-10-2020. Representations were received from M/s Pakistan Chemicals & Dyes Merchants Association, Federation of Pakistan Chambers of Commerce & Industry as well as other stakeholders stating therein that the subject goods are not commercial traded items and are mostly imported by manufacturers. It was also considered that the prices are published in accredited publication i.e. ICIS and, thus VR may be hedged with the publication prices of the subject goods. Therefore, an exercise was undertaken by the Directorate General of Customs Valuation to determine the Customs Values of subject goods in terms of Section 25-A of Customs Act, 1969.

3. Stakeholders' participation in determination of values: Meeting was scheduled and held on 06-08-2020 which was attended by different stakeholders. The participants were requested to submit following documents before or during the course of meetings so that customs values could be determined:-

- i. Invoices of imports during last three months showing customs value.
- ii. Websites, names and E-mail addresses of known foreign manufacturers of the item in question through which the actual current value can be ascertained.
- iii. Copies of Contracts made / LCs opened during the last three months showing the value of item in question.
- iv. Copies of Sales Tax Invoices issued during the last four months showing the difference in price (excluding duty and taxes) to substantiate their contentions.

During the meeting, the importers/stakeholders stated that due to ongoing corona virus pandemic, the prices of Crude Oil and its Derivatives (other Petroleum products) have shown continuous downward trend. This trend has affected the values of Mono-Ethylene Glycol (MEG) & Di-Ethylene Glycol (DEG). They further informed that the prices of MEG and DEG are published in ICIS and thus there is no need for valuation ruling and values can be hedged with the ICIS prices as done in a number of valuation rulings earlier as well.

4. Method adopted to determine Customs values: Valuation methods given in Section 25 of the Customs Act, 1969 were duly applied in their sequential order to arrive at customs values of subject goods. The transaction value method under Sub-Section (1) of Section 25 of the Customs Act, 1969 was found inapplicable because requisite information was not available as per law. The wide variations of values displayed in the import data as available on record also strengthened the

aforementioned fact. Hence requisite information required under law was not available to arrive at the transaction value. Therefore, identical/ similar goods value methods as provided in Sub-Sections (5) and (6) of Section 25 *ibid* were examined for applicability to the valuation issue in the instant case. The same provided some reference values but could not be exclusively and solely relied upon. In line with the statutory sequential order of Section 25, this office conducted market inquiries 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 these were industrial use items and not readily available in the local market. Therefore, valuation method vide Section 25(8) was examined for valuation but the same also could not be applied as conversion cost from the constituent material and allied expenses, at the country of export were not available for manufacturing of the subject goods. Finally, clearance data, market information and international prices through interned were examined thoroughly and the information so gathered were utilized and analyzed for determination of customs values of the MEG and DEG under Section 25(9) of the Customs Act, 1969.

5. Customs values for Mono-Ethylene Glycol (MEG) Di-Ethylene Glycol (DEG):- *hereinafter specified* shall be assessed to duty/ taxes on the minimum Custom values given against them in the Table below: -

Sr. No.	Description of Goods/ Items	VR Origins	H.S. Code	Proposed PCT for WEBOC	Customs Values (C&F) US\$/Kg
(1)	(2)	(3)	(4)	(5)	(6)
1	Mono Ethylene Glycol (MEG)	All origins	2905.3100	2905.3100.1000	ICIS FOB Values + US\$40/MT (on account of freight)
2	Di-Ethylene Glycol (MEG)	All origins	2905.4100	2905.4100.1000	

Note: The above given prices are for bulk imports. In case the subject goods imported in ISO Tank/Flexi Tank US\$ 90/MT and for Drums Packing US\$200/MT shall be added for assessment purpose.

6. In cases where declared / transaction values are higher than the Customs values determined in this Ruling or higher evidential data is available of stipulated period of 90 days, the assessing officer shall apply those values in terms of Sub-Section 25(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.

7. Validity of this Valuation Ruling: The value 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. Review of the value determined vide this Valuation Ruling: A review 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, 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. The Customs 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 assessing officers. The assessment shall be finalized in the correct classifications after fulfilling requisite formalities relating to importability or 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 of the Customs Act, 1969 or any other law in vogue therein.

10. This ruling supersedes Valuation Ruling No. 1480/2020 dated 22-10-2020 only for the Serial Nos. 20 and 21.

(SHAFIQUE AHMED LATKI)

Director

Copy for information to:-

1. The Member (Customs, Operations), F.B.R., Islamabad.
2. The Director General, Customs Valuation, Custom House, Karachi.
3. The Chief Collector of Customs, South (Appraisal & Facilitation), Custom House, Karachi.
4. The Chief Collector of Customs, South (Enforcement & Compliance), Custom House, Karachi.
5. The Chief Collector of Customs (Central), Lahore.
6. The Chief Collector of Customs (North), Islamabad.
7. The Chief Collector of Customs, (Enforcement & Compliance), Custom House, Quetta.
8. The Director General, Intelligence and Investigation-FBR, Islamabad.
9. The Director General, PCA& Internal Audit, Karachi.
10. The Director General, IOCO, Karachi
11. The Directors, Intelligence & Investigation, Karachi / Lahore / Islamabad/ Quetta / Peshawar/ Faisalabad.
12. The Director, Directorate of Customs Valuation, Lahore.
13. The Deputy Director (HQ), Directorate General of Customs Valuation, Karachi, for uploading in One Customs & WeBOC database system.
14. The Chairman (Valuation Committee), FPCC&I, Federation House, Clifton, Karachi.
15. The Chambers of Commerce & Industry, Karachi, Lahore, Islamabad, Hyderabad, Quetta & Peshawar.
16. The Karachi Customs Agents Group, Bohri Road, Karachi.
17. The Webmaster, Federal Board of Revenue, Islamabad.
18. Guard File.