

(This Ruling has been revised / superseded vide Valuation Ruling No. 1876/2024 dated 26-04-2024)

**GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
7TH FLOOR, CUSTOM HOUSE, KARACHI**

The Collectors of Customs, Collectorate of Customs (Appraisalment - West / Appraisalment - SAPT / Appraisalment - East / Appraisalment - Port Muhammad Bin Qasim / Enforcement / JIAP), Karachi / Hyderabad / (Appraisalment / Enforcement) Quetta / Gawadar / (Appraisalment / Enforcement / AIIA), Lahore / Appraisalment, Faisalabad / Appraisalment, Sambrial (Sialkot) / Enforcement, Multan / Islamabad / Gilgit-Baltistan / (Appraisalment / Enforcement), Peshawar / Enforcement, Dera Ismail Khan / Exports (Port Qasim / Custom House Karachi) / Transit Trade, Karachi.

**DETERMINATION OF CUSTOMS VALUES OF CERAMIC / PORCELAIN SANITARY
WARES UNDER SECTION 25-A OF THE CUSTOMS ACT, 1969**

(VALUATION RULING NO. 1857/2024)

C. No. Misc/07/2017-V/178

Dated: 27th February, 2024

In exercise of the powers conferred under Section 25A of the Customs Act, 1969, the customs values of Ceramic/Porcelain Sanitary wares are determined as follows:

2. Background of the valuation issue: Earlier, the customs values of Ceramic/ Porcelain Sanitary wares were determined vide Valuation Ruling No. 1651/2022 dated 19-05-2012. Representations for the redetermination of Customs Values under Section 25A of the Customs Act, 1969 afresh of the subject items were received by Gujranwala Chamber of Commerce & Industry (GCC&I) as All-Pakistan Ceramics Manufacturing Association approached them. Hence, this Directorate initiated an exercise for the determination of Customs values of subject goods under Section 25A of the Customs Act, 1969 to reflect the prices prevailing in international market.

3. Stakeholders' participation in determination of Customs value: Meeting with all stakeholders and trade bodies were held in this Directorate General on 18-01-2024 & 06-02-2024. Meetings were attended by several stakeholders including representatives of Gujranwala Chamber of Commerce & Industry (GCC&I). Mr. Rana Shahzad President (GCC&I) stated that the imports of the subject items are undervalued. Moreover, he contended that the Customs Values of the subject items should be determined in accordance with weight rather than by unit/piece. Furthermore, he also stated that some of the items of sanitary ware are also made up of plastic. Mr. Zeeshan Malik, importer of Porta brand stated that the importers are already affected by the dollar value and, if the values of the items are determined in accordance with weight, the quality of items may be reduced. Moreover, he stated that the import has a defining trend. Furthermore, he stated that if the quality of local products is goods, the buyer may shift to the local products. Moreover, he stated that the freight has also reduced with respect to the time when current VR was issued and conversely dollar value has increased. Representatives of GCC&I stated that the import may have declined because of construction sector as it is very much disturbed all over the country in recent few years and that the domestic market has also dropped.

4. Analysis / Exercise done to determine Customs values: The importers informed that the customs values in the ex existing Valuation Ruling are on higher side, which may be rationalized considering the worldwide recession and existing freights which have decreased substantially. In this regard they were requested to submit the requisite documents to support their contention but none of the importers submitted the requisite documents. Therefore, recent import data has been scrutinized and market inquiry has been conducted of the subject goods in the light of this directorate's Office Order No. 17/2014 dated 19-03-2014 and in terms of Section 25(7) read with Section 25(9) of the Customs Act, 1969.

5. Methods Adopted to Determine Customs Value: Valuation methods provided in Section 25 of the Customs Act, 1969, were duly applied in regular sequential order to arrive at customs value of

subject goods. The transaction value method as provided in sub-section (1) of Section 25 of the Customs Act, 1969, was found inapplicable because no substantial documents were provided by the stakeholders to prove that their declared values were true transactional values. Moreover, different values were declared by different importers for same product according to different origins. Identical/similar goods value methods provided in Sections 25 (5) & (6) *ibid* were examined for applicability to determine customs values of subject goods. The data provided some references; however, it was found that the same could not be solely relied upon due to absence of absolute demonstrable evidence of qualities and quantities of commercial level etc. Information available was, hence, found inappropriate. Market inquiries as envisaged under Sub-section (7) of Section 25 of the Customs Act, 1969, was also conducted, various wholesale markets were visited to observe the actual prices of Sanitary wares of different origin and brand. The exercise provided some applicable reference values. Valuation method vide Section 25(8) of the Customs Act, 1969, was examined for valuation, but the same also could not be applied due to non-availability of conversion and processing cost of exporting country. Finally, the Customs values of the subject goods have been determined under Section 25(9), read with Section 25(7) of the Customs Act, 1969, and Customs Rule 121(2) of Customs Rules, 2001 which provides that the methods of valuation, to be employed under sub-section (9) of section 25 of the Customs Act 1969 may be inclusive of those laid down in sub-sections (1), (5), (6), (7), and (8) of the said section, but a reasonable flexibility in the application of such methods would be in conformity with the aims and provisions of sub-section (9) of that section.

6. Customs values for Ceramic / Porcelain Sanitary wares - hereinafter specified shall be assessed to duty/taxes on the Customs values given against them in the Table below:-

Sr. No.	Description	PCT	Proposed PCT for WeBOC	Custom Values C&F Value (US\$ / PC / Set)		
				China	Turkey/ Thailand/ Indonesia/ Malaysia	Europe/ USA
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Toilet set 1 pc set (Pedestal pan with Cistern & Accessories)	6910.1080	6910.1080.1000	47.20	56.64	70.80
2	Toilet set 2 pc set (Pedestal pan with Cistern Accessories)	6910.1080	6910.1080.1100	38.00	42.90	53.90
3	Wall Hung Toilet with Cistern	6910.1080	6910.1080.1200	45.00	50.16	67.26
4	Wall Hung Toilets	6910.1080	6910.1080.1300	27.75	30.89	38.61
5	Concealed Cistern	6910.1040	6910.1040.1000	21.00	23.40	29.25
6	Cistern Flash Tank	6910.1040	6910.1040.1100	8.00	10.35	12.94
7	Gold Plated Toilet 1 pc set (Pedestal pan with Cistern & Accessories)	6910.1080	6910.1040.1400	63.50	75.90	95.45
8	Wash Basin with Pedestal upto 60 cm	6910.1010	6910.1010.1000	18.00	20.70	25.88
9	Wash Basin with Pedestal more than 60 cm	6910.1010	6910.1010.1100	39.00	43.56	54.45
10	Wash Basin Half Pedestal upto 60cm	6910.1010	6910.1010.1200	18.00	19.78	24.73
11	Wash Basin (under counter/ Without pedestal)	6910.1010	6910.1010.1300	15.00	17.49	21.78
12	Wash Basin (over	6910.1010	6910.1010.1400	11.00	12.53	15.66

	counter/art vanity without pedestal)					
13	Pedestal for Wash Basin	6910.1090	6910.1090.1000	6.50	6.90	8.63
14	Squatting pan without Cistern / WC / Water Closet	6910.1080	6910.1080.1500	10.00	11.88	14.85
15	Wall Hung Urinal Small	6910.1070	6910.1070.1000	9.50	10.79	13.46
16	Pedestal Urinal Large	6910.1070	6910.1070.1000	20.00	23.17	28.96
17	Bidet	6910.1030	6910.1030.1000	24.50	24.75	31.35
18	Double Square Sink with Fitting	6910.1050	6910.1050.1000	25.50	28.98	36.23
19	Single Sink with Fitting	6910.1050	6910.1050.1100	19.00	21.83	27.38
20	Ceramic Bath Tub (Plain)	6910.1020	6910.1020.1000	100.00	16.16	145.20
21	Seat cover	6910.1090	6910.1090.1100	3.80	4.60	5.75
22	Pedestal Pan with Seat Cover	6910.1080	6910.1080.1600	20.50	24.15	30.25
23	Half Pedestal	6910.1010	6910.1010.1200	3.80	4.60	5.75

7. In cases, where declared 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 officers shall take into account the difference between air freight and sea freight while applying the Customs values in this Ruling.

8. Validity of this Valuation Ruling: This Ruling, containing the Customs values for assessment of subject imported goods, shall be applicable until and unless the same are rescinded or revised by the competent authority in terms of sub-section (4) of Section 25A of the Customs Act, 1969.

9. Revision of the values determined vide this Valuation Ruling: If aggrieved, a revision petition may be filed against this ruling as provided under Section 25D of the Customs Act, 1969, within 30 days from the date of its issuance, 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 concerning assessing officers/ officials without fail. Any anomaly observed may kindly be brought to the notice of this Directorate immediately. The Customs values determined in the ruling are for the description and specification as mentioned in the aforementioned table in this 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 all formalities related to importability or other certifications required thereon.

11. This Ruling supersedes Valuation Ruling No. 1651/2022 dated 15-05-2012 and its Corrigendum dated 25-05-2022.

(FAYAZ RASOOL MAKEN)

Director

Copy for information to:-

- 1) The Member Customs (Operations), Federal Board of Revenue, Islamabad.
- 2) The Director General, Customs Valuation, Custom House, Karachi.
- 3) The Chief Collector of Customs, Appraisalment (South), Custom House, Karachi.
- 4) The Chief Collector of Customs, Enforcement (South), Custom House, Karachi.
- 5) The Chief Collector of Customs, Appraisalment (Central), Custom House, Lahore.
- 6) The Chief Collector of Customs, Enforcement (Central), Custom House, Lahore.

- 7) The Chief Collector of Customs (North), Custom House, Islamabad.
- 8) The Chief Collector of Customs, Baluchistan, Custom House, Quetta.
- 9) The Chief Collector of Customs, Khyber Pakhtunkhwa, Custom House, Peshawar.
- 10) The Director General, Intelligence and Investigation (Customs) FBR, Islamabad.
- 11) The Director General, PCA & Internal Audit, Karachi.
- 12) The Director General, IOCO, Karachi.
- 13) The Directors, Intelligence & Investigation, Karachi / Lahore / Islamabad/ Quetta/ Peshawar/ Faisalabad.
- 14) The Director, Transit Trade, Custom House, Karachi.
- 15) The Director, Directorate of Customs Valuation, Lahore/Quetta/Peshawar.
- 16) The Deputy Director (HQ), Directorate General of Customs Valuation, Karachi, for uploading in One Customs & WeBOC database system.
- 17) The Chairman (Valuation Committee), FPCC&I, Federation House, Clifton, Karachi.
- 18) The Chambers of Commerce & Industry, Karachi, Lahore, Islamabad, Hyderabad, Quetta & Peshawar.
- 19) The Karachi Customs Agents Association, Bohri Road, Karachi.
- 20) The Webmaster, Federal Board of Revenue, Islamabad.
- 21) Guard File.