

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

DETERMINATION OF CUSTOMS VALUE OF ABRASIVE PRODUCTS UNDER SECTION 25A OF THE CUSTOMS ACT, 1969

(VALUATION RULING NO ¹⁶⁵⁸ /2022)

C. No.Misc/19/2010-V/617

Dated: 16-06-2022



In exercise of the powers conferred under Section 25A of the Customs Act, 1969, the customs value of Abrasive Products is determined as follows:

2. **Background of the valuation issue:** Earlier, the customs value of Abrasive Products were determined vide Valuation Ruling No. 962/2016 dated 11-11-2016. As the Valuation Ruling was more than five years old, this Directorate General initiated an exercise for fresh determination of Customs value of subject goods under Section 25A of the Customs Act, 1969.

3. **Stakeholders' participation in determination of Customs value:** Meeting with all stakeholders including trade bodies was held in this Directorate General on 24.05.2022. The importers were requested to submit their proposals as well as following documents before or during the course of stakeholders' meeting so that Customs value could be determined:

- i. Invoices of import during last three months showing factual values.
- 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 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 meeting was attended by importers and other stakeholders. Their views were heard in detail to arrive at customs value of subject goods. During the meeting importers contended that the international market has showed a mixed trend of prices over the period of time due to change in the said commodity prices. However, the local manufacturer argued that the value of abrasive products had gone upward due to increase in prices of raw material and heightened freight.

5. **Methods Adopted to Determine Customs Value:** Valuation methods provided in Section 25 of the Customs Act, 1969, were duly applied in their 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. In line with statutory sequential order of section 25, this office conducted market inquiries using deductive value methods under sub-section (7) of Section 25 of the Customs Act, 1969, wide ranges of prices were observed for some items depends upon variety/quality/quantity/ brand etc., and location of market. Hence this method of valuation could not be relied upon due to aforesaid reasons. 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, clearance data, raw material prices, local market prices including international prices through internet were examined thoroughly and the information so gathered was utilized and analyzed for determination of Customs Value of Abrasive Products under Section 25(9) of the Customs Act, 1969.

6. **Customs value for Abrasive Products -hereinafter specified** shall be assessed to duty/taxes on the Customs value mentioned against them in the Table below:

| Sr. No. | Description of Goods | PCT Code | Proposed PCT Code for WeBOC | Origin | Customs Values (C&F) USS/Kg |
|---------|----------------------------------|------------------------|----------------------------------|----------|-----------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1 | Abrasive Fiber/ Paper Disc | 6805.2000 6805.3000 | 6805.2000.1000 6805.3000.1000 | China | 5.00 |
| | | | 6805.2000.1100 6805.3000.1100 | Korea | 5.70 |
| | | | 6805.2000.1200 6805.3000.1200 | Europe | 6.25 |
| 2 | Abrasive Fiber/ Paper Roll | 6805.2000 6805.3000 | 6805.2000.1300 6805.3000.1300 | China | 3.75 |
| | | | 6805.2000.1400 6805.3000.1400 | Korea | 4.20 |
| | | | 6805.2000.1500 6805.3000.1500 | Europe | 4.70 |
| 3 | Abrasive Cloth Sheet | 6805.1000 | 6805.1000.1000 | China | 2.30 |
| 4 | Abrasive Cloth Roll | 6805.1000 | 6805.1000.1100 | China | 3.75 |
| | | | 6805.1000.1200 | Korea | 5.00 |
| | | | 6805.1000.1300 | Europe | 7.45 |
| 5 | Abrasive Kraft Paper Sheet/ Roll | 6805.2000 | 6805.2000.1600 | China | 2.25 |
| | | | 6805.2000.1700 | Korea | 2.90 |
| | | | 6805.2000.1800 | Thailand | 2.70 |
| 6 | Abrasive Latex Paper Sheet/ Roll | 6805.2000 | 6805.2000.1900 | China | 3.30 |



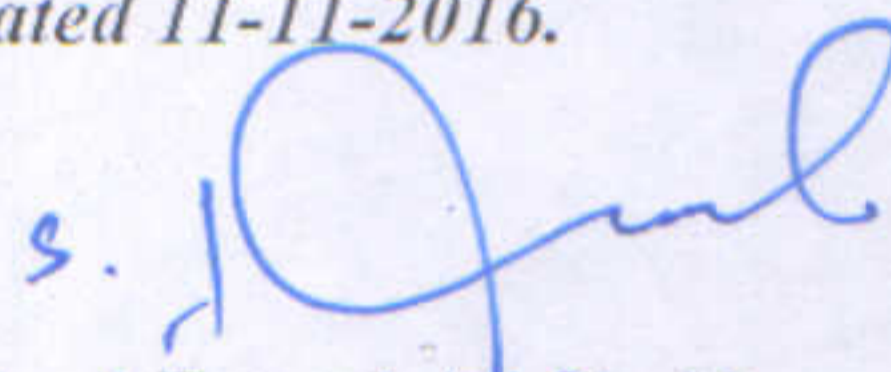
7. In cases where declared/transaction values are higher than the customs values determined in this Ruling, the assessing officers shall apply those values in terms of sub-Section (1) of Section 25 of the Customs Act, 1969, and the same may be communicated to this Directorate General forthwith. In case of consignments imported by air, the assessing officer shall take into account the difference between air freight and sea freight while applying the customs values determined in this Ruling.

8. **Validity of 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 (4) of Section 25A of the Customs Act, 1969, read with rule 107 (a), Chapter IX, of the Customs Rules, 2001.

9. **Revision of the Value Determined vide this Valuation Ruling:** 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 issue, 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 Directorate General immediately. Customs values determined in the ruling are for the description and specification as mentioned in the above table of this Ruling. PCT Codes are mentioned for illustrative purpose 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.

11. *This Ruling supersedes Valuation Ruling No. 962/2016 dated 11-11-2016.*


(Syed Fawad Ali Shah)
Director

Copy for information to: -

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