

The Collectors of Customs, Collectorates of Customs (Appraisalment – West)/ (Appraisalment – East)/ Appraisalment – Port Muhammad Bin Qasim / Enforcement / JIAP), Karachi/Hyderabad/Gawadar, Quetta, Lahore (Appraisalment/Enforcement/AIIA, 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 BABY DIAPERS AND
SANITARY TOWELS/NAPKINS AND TAMPONS UNDER SECTION 25A
OF THE CUSTOMS ACT,1969.**

(VALUATION RULING NO. 1728 /2022)

No. Misc/01/2015-VII (B)/IX/10043.

Dated: 13-01-2023

In exercise of the powers conferred under Section 25A of the Customs Act, 1969, the Customs values of Baby Diapers and Sanitary Towels/Napkins and Tampons are determined as follows:

Background of the valuation issue: Earlier, the values of Baby Diapers and Sanitary Towels/Napkins and Tampons were determined under Section 25A of the Customs Act, 1969 vide Valuation Ruling No.1618/2022 dated 25-03-2022 which was set aside by the Director General of Customs Valuation vide Order-in-Revision No. 54/2022 dated 28-06-2022 to the extent of Table C and Table D with directions to re-determine the customs values of Sanitary Towels/Napkins & Tampons. Therefore, an exercise has been undertaken by the Directorate to determine the same.



2. **Stakeholders' participation in determination of Customs values:** Meetings were convened on 20-10-2022 and 23-11-2022 which were attended by the relevant stakeholders. The issues pertaining to the valuation of subject goods were deliberated upon in the afore-referred meetings.

3. **Analysis / Exercise done to determine Customs values:** The stakeholders contended that values for the Sanitary Towels/Napkins & Tampons of China origin are extremely high in comparison to market prices. For this purpose, ninety (90) days' data has been retrieved and scrutinized. Subsequently, market inquiry has also been conducted and examined in the light of this Directorate's Office Order No.17/2014 dated 19-03-2014 and in terms of Section 25(7) of the Customs read with Section 25(9) of the Customs Act, 1969.

4. **Method (s) adopted to determine Customs values:** Valuation methods specified in Section 25 of the Customs Act, 1969, were duly applied in sequential order to arrive at the 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 in import data. Moreover, the requisite information under law was not available to arrive at correct/transaction value. Therefore, identical/similar goods value methods provided in Sections 25(5) & (6) ibid were examined for applicability to determine Customs values of

subject goods. On the basis of available data / information collected and exercise conducted, the values of Sanitary Towels/Napkins & Tampons have been determined under sub-section (5), read with Section 25 (9) of the Customs Act, 1969.

5. **Customs values of Baby Diapers and Sanitary Towels/Napkins and Tampons:** Sanitary Towels/Napkins & Tampons hereinafter specified, shall be assessed to duty / taxes at the Customs values as per the following tables:

TABLE-A

Baby Diapers of High Value Brands: excluding 'Pampers' brand					
S.No	Description of goods	PCT	Proposed PCT for WEOC	Origin	Customs Values (C&F) US\$/KG
(1)	(2)	(3)	(4)	(5)	(6)
1.	Baby Diaper Brands E.Q, Canbebe, Huggies	9619.0020	9619.0020.1000	All origin	5.40
2.	Bello	9619.0020	9619.0020.1100		5.30
3.	Molfix, Shield/Rocket		9619.0020.1200		4.90



TABLE-B

Baby Diapers of Low End Value Brands					
S.No	Description of goods	PCT	Proposed PCT for WEOC	Origin	Customs Values (C&F) US\$/KG
(1)	(2)	(3)	(4)	(5)	(6)
1.	Baby Diaper	9619.0020	9619.0020.1300	China/Vietnam	3.30
2.			9619.0020.1400	Indonesia, Malaysia & UAE	3.75
3.			9619.0020.1500	Turkey	3.25
4.			9619.0020.1600	Others	3.90

TABLE-C

High Value Brands Sanitary Towels/Napkins (pads) and Tampons excluding 'Always' brand					
S.No	Description of goods	PCT	Proposed PCT for WEOC	Origin	Customs Values (C&F) US\$/KG
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sanitary Towels (pads) and Tampons	9619.0030 9619.0090	9619.0030.1000 9619.0090.1000	Turkey	5.0
2.			9619.0030.2000 9619.0090.2000	UK/Germany	7
3.			9619.0030.3000 9619.0090.3000	U.A.E	5.0

TABLE-D

Low End Value Brands of Sanitary Towels/ Napkins (pads) and Tampons					
S.No	Description of goods	PCT	Proposed PCT for WEBOC	Origin	Customs Values (C&F) USS/KG
(1)	(2)	(3)	(4)	(5)	(6)
1.	Sanitary Towels (pads) and Tampons	9619.0030 9619.0090	9619.0030.1100 9619.0090.1100	China/Thailand	4.0

Note: If the above said goods are imported in bulk packing, 5% (five percent) reduction shall be allowed in the above mentioned determined customs values. The brands excluded in Table-A and Table-C, namely 'Pampers' and 'Always' shall be assessed under section 25 of the Customs Act, 1969.

6. 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.

7. **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.

8. **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.

9. The Collectors of Customs may kindly ensure that the values given in the Valuation Ruling, for the given description of goods, are applied by the concerned assessing officers / officials without fail. Any anomaly observed may kindly be brought to the notice of this Directorate immediately. The Customs values determined in this ruling are for the descriptions and specifications as mentioned in Para-6 of this Ruling. HS Codes are mentioned for illustrative purposes so that Valuation Ruling is made accessible to the assessing officers. The assessments shall be finalized on the basis of correct classifications after fulfilling all formalities related to importability or other certifications required thereon.

10. This ruling supersedes *Valuation Ruling No. 1681/2022 dated 23-03-2022.*


(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, Appraisement (South), Custom House, Karachi.
- 4) The Chief Collector of Customs, Enforcement (South), Custom House, Karachi.
- 5) The Chief Collector of Customs, Appraisement (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 Director, 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.