

The Collectors of Customs, Collectorates of Customs (Appraisement – West)/ Appraisement – East / SAPT / Appraisement – Port Muhammad Bin Qasim / Enforcement / JIAP), Karachi / Hyderabad/ (Appraisement/Enforcement), Quetta/Gawadar/ Khuzdar (Appraisement / Enforcement/ AIIA), (Appraisement – East / Appraisement –West, Lahore/ Faisalabad Appraisement / Enforcement, Sargodha/ Enforcement. 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 VALUES OF STATIONERY ITEMS UNDER SECTION 25A OF THE CUSTOMS ACT, 1969

(VALUATION RULING NO. 1866 /2024)

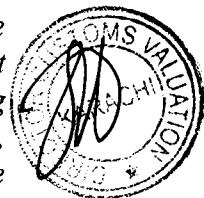
C.No.Misc/06/2009-IX/255

Dated: 14-03-2024

In exercise of the powers conferred under Section 25A of the Customs Act, 1969, the Customs values of Stationery Items are determined as follows:

Background of the valuation issue: Earlier, the Customs values of Stationery Items were determined under Section 25A of the Customs 1969, vide Valuation Ruling No. 1804/2023 dated 13-09-2023. This Valuation Ruling was challenged under Section 25D before Director General, Customs Valuation, Karachi who passed Order in Revision No. 72/2023 dated 30-12-2023 whose para 11 states / orders as under:

“In view of the aforesaid discussions and reasons recorded above, the impugned values to the extent of items of Chinese origin appearing at S.No. 2, 3, 5, 7, 12, 14, 16, 17, 18 and 19 of Table to the impugned ruling is hereby ordered to be set aside. The Director Customs (Valuation), Karachi, is directed to undertake fresh exercise, under section 25(A) of the Customs Act, 1969 to re-determine the customs values of subject items especially with reference to the prevailing international price”.



Therefore, an exercise was initiated by the Directorate of Customs Valuation, Karachi to re-determine the Customs values of the subject goods in terms of Section 25A of the Act, 1969.

2. **Stakeholders' participation in determination of Customs values:** Meeting was convened on 23-01-2024 which was attended by all the relevant stakeholders. The issues pertaining to the valuation of subject goods were deliberated upon in detail in the afore-referred meeting. The stakeholders submitted their proposals and the same were considered pertaining to the valuation of subject goods.

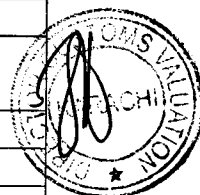
3. **Analysis / Exercise done to determine Customs Values:** Ninety (90) days' clearance data was retrieved and the same was scrutinized. The analysis revealed that the declared values of black lead pencil in bulk packing of China origin ranged from 0.019 USD per piece to 0.028 USD per piece. Similarly declared values of black lead pencil in retail packing from same origin ranged from 0.020 USD per piece to 0.032 USD per piece. Likewise, declared values of color pencils in cardboard box packing (half size) ranged from

0.010 USD per piece to 0.015 USD per piece. Whereas, declared values of color pencil in cardboard box packing (Full size) ranged from 0.016 USD per piece to 0.035 USD per piece. Subsequently, market enquiry was 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 Act, 1969.

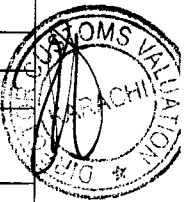
4. **Method (s) adopted to determine Customs values:** Valuation methods specified in Section 25 of the Customs Act, 1969, were duly applied in sequential order to arrive at the Customs values of subject goods. The transaction value method as provided in sub-section (1) of Section 25 of the Customs Act, 1969, was found inapplicable due to absence of information as required under sub-section (2) of Section 25 of Customs Act, 1969. Therefore, identical goods value method provided in Section 25(5) was examined for applicability to determine Customs values of subject goods. The data provided some reference; however, it was found that the same could not be solely relied upon due to absence of absolute demonstrable evidences of quantities and qualities. Information available was, hence, found incomplete. Subsequently, similar goods value method provided in Section 25(6) was examined for applicability to determine Customs value of subject goods. However, Declared Values of similar goods had shown consistent variations. Hence, this method was also found inapplicable. In line with statutory sequential order of Section 25 of the Customs Act, 1969, this Directorate conducted market survey under sub-section (7) of Section 25 of the Customs Act, 1969 but could only yield results to some extent because of variations in market prices. In line with statutory sequential order of Section 25 of Customs Act, Computed value method as provided in Section 25 (8) of the Customs Act, 1969 was examined, but the same also could not be applied as the conversion cost of constituent material and allied expenses in the country of export, were not available for manufacturing of stationary items. Finally the Customs values of subject goods have been determined under Section 25(9), read with Section 25(7), of Section 25 of the Customs Act, 1969 in exercise of the powers conferred under Section 25A, and the proviso to Section 25A(1), 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 Act, 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.

5. **Customs values of Stationery Items**, hereinafter specified, shall be assessed to duty / taxes at the Customs values as per the following table:

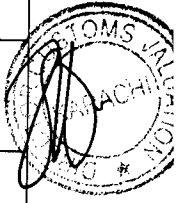
S.No.	Description of goods	PCT	WeBOC	Origin	Customs Values (C&F US\$) per piece
(1)	(2)	(3)	(4)	(5)	(6)
1	Ball Point Pens (Excluding Gel Pen and Roller Pen)	9608.1000	9608.1000.1000	China / Vietnam	0.103
			9608.1000.1100	Europe/ Japan/ USA/ Canada	0.149
			9608.1000.1200	Other Origins	0.126
2	Markers all types (Except paint and drawing markers)	9608.2000	9608.2000.1000	China / Vietnam	0.191
			9608.2000.1100	Europe/ Japan/ USA/ Canada	0.402
			9608.2000.1200	Other Origins	0.299



3	Paint & Drawing Marker	9608.2000	9608.2000.1300	China / Vietnam	0.318
			9608.2000.1400	Europe/ Japan/ USA/ Canada	0.724
			9608.2000.1500	Other Origins	0.552
4	Highlighters	9608.2000	9608.2000.1600	China / Vietnam	0.184
			9608.2000.1700	Europe/ Japan/ USA/ Canada	0.30
			9608.2000.1800	Other Origins	0.264
5	Fine Liner Pens	9608.2000	9608.2000.1900	China / Vietnam	0.182
			9608.2000.2000	Europe/ Japan/ USA/ Canada	0.322
			9608.2000.2100	Other Origins	0.207
6	Fountain Pen with Plastic cap	9608.3000	9608.3000.1000	China / Vietnam	0.207
			9608.3000.1100	Europe/ Japan/ USA/ Canada	0.540
			9608.3000.1200	Other Origins	0.322
7	Roller Pen	9608.2000	9608.2000.2200	China / Vietnam	0.258
			9608.2000.2300	Europe/ Japan/ USA/ Canada	0.322
			9608.2000.2400	Other Origins	0.299
8	Gel Pen	9608.2000	9608.2000.2500	China / Vietnam	0.184
			9608.2000.2600	Europe/ Japan/ USA/ Canada	0.230
			9608.2000.2700	Other Origins	0.207
9	Fiber Tip Coloring Marker with water base ink for student use excluding Fine Liner Pen, Permanent Markers, White Board Markers, Highlighters & Gel Pen etc.	9608.2000	9608.2000.2800	China / Vietnam	0.092
			9608.2000.2900	Europe/ Japan/ USA/ Canada	0.161
			9608.2000.3000	Other Origins	0.126
10	Pen with Tips on Both Sides	9608.2000	9608.2000.3100	China / Vietnam	0.195
			9608.2000.3200	Europe/ Japan/ USA/ Canada	0.368
			9608.2000.3300	Other Origins	0.299
11	Fountain Pen with Metal cap	9608.3000	9608.3000.1300	China / Vietnam	0.276
			9608.3000.1400	Europe/ Japan/ USA/ Canada	0.644
			9608.3000.1500	Other Origins	0.425
12	Colour Pencils in cardboard Box packing (Half size)	9609.1000	9609.1000.1000	China	0.014
			9609.1000.1100	Other Origins	0.016
13	Colour pencils in Metals Box Packing (Half Size)	9609.1000	9609.1000.1200	China	0.026
			9609.1000.1300	Other Origins	0.036
14	Colour pencils in Cardboard Box Packing (Full Size)	9609.1000	9609.1000.1400	China	0.0287
			9609.1000.1500	Other Origin	0.032
15	Colour pencils in Metals Box Packing (full Size)	9609.1000	9609.1000.1600	China	0.050
			9609.1000.1700	Other Origins	0.068
16	Colour Pencils in Bulk packing (Half Size)	9609.1000	9609.1000.1800	China	0.0138
			9609.1000.1900	Other Origin	0.0189
17	Colour Pencils in Bulk packing (Full Size)	9609.1000	9609.1000.2000	China	0.00297
			9609.1000.2100	Other Origin	0.042



18	Black Lead pencils with or without Rubber Tip in bulk packing		9609.1000.2200	China	0.0235
			9609.1000.2300	Other Origin	0.026
19	Black Lead pencils with or without Rubber Tip in retail packing		9609.1000.2400	China	0.0249
			9609.1000.2500	Other Origin	0.027
20	Raw Pencils (Black Lead) Without polish paint		9609.1000.2600	All Origins	0.026
21	Crayons		9609.1000.2700	China	0.46 / Packet 12 Small size
			9609.1000.2800	Other Origins	0.55/ Packet 12 Small size
			9609.1000.2900	China	0.69 / Packet 12 Large size
			9609.1000.3000	Other Origins	0.83 / Packet 12 Large size
22	Oil Pastels	9609.1000	9609.1000.3100	China	0.36 / Packet 12 Small size
			9609.1000.3200	Other Origins	0.43 / Packet 12 Small size
			9609.1000.3300	China	0.52 / Packet 12 Large size
			9609.1000.3400	Other Origins	0.64 / Packet 12 Large size
23	Writing/Drawing Board (Black/White)	9610.0000	9610.0000.1000	China	0.74 / Small size
			9610.0000.1100	Other Origins	0.74 / Small size
			9610.0000.1200	China	1.26 / Large size
			9610.0000.1300	Other Origins	1.26 / Large size
<p>Note: This Valuation Ruling does not apply to the high-end brands like Parker, Sheaffer, Mont Blanc, Cross, Waterman, Sailor, Lamy, Aurora and other equivalent brands.</p>					



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 is

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 this Valuation Ruling are applied by the concerned staff without fail. Any anomaly observed may kindly be brought to the notice of this Directorate immediately. Customs values determined in the Ruling are for the description and specification as mentioned in the table above of this Ruling. PCT 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 15 of the Customs Act, 1969 or any other law in vogue therein.

10. ***This Ruling supersedes the Valuation Ruling No. 1804/2023 dated 13-09-2023.***


(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 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 (KCAA), Bohri Road, Karachi.
- 20) The Webmaster, Federal Board of Revenue, Islamabad.
- 21) Guard File.