

The Collectors of Customs, Model Customs Collectorates of Appraisement East/West / PortQasim / Preventive (Karachi) / Appraisement (Lahore)/ Preventive (Lahore)/ Sambrial (Sialkot) / Faisalabad / Multan / Islamabad /Hyderabad/ Quetta / Peshawar/ Gawadar and Gilgit-Baltistan.

Determination of Customs Values of Plastic Baby Feeders Under Section 25-A of the

Customs Act, 1969

No.Misc/18/2018-II

(VALUATION RULING NO. 1359 / 2019)

Dated: April 4, 2019

In exercise of powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Plastic Baby Feeders are determined as follows:

2. **Background of the Valuation Issue:** Earlier the customs values of Plastic Baby Feeders were determined vide Valuation Ruling No. 844/2016 dated 03-05-2016. There were several representations from importers, wherein they contended that customs values determined in the existing Valuation Ruling are not reflective of prices in international markets, therefore required to be revised in line with the prevailing prices in the international market. Keeping in view the prevailing prices in the international markets, this Directorate General initiated an exercise for re-determination of the Customs Values of the Plastic Baby Feeders in terms of Section 25-A of the Customs Act, 1969.

3. **Stakeholders participation in determination of Customs values:** Several meetings with stakeholders including importers and representatives from field formations were held in this Directorate General to discuss the prices of the subject goods. The importers / stakeholders were requested to submit the following documents before or during the course of stakeholders meeting 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 last four months showing the difference in price (excluding duty and taxes) to substantiate their contentions.

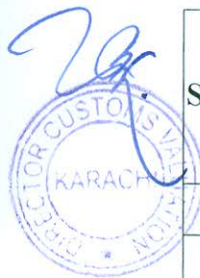
4. During the meetings some of the stakeholders contended that presently all over the world, the use of polycarbonate for the manufacturing of Plastic Baby Feeders has been discontinued due to health issues. Plastic Baby Feeders /milk containers, including their protective cover, locking ring and sealing discs are now manufactured mainly from polypropylene, which is safe and more economical material. They further contended that the customs values may be re-determined in the light of current price trend in the international markets. On the other hand, M/s. Shield Corporation Ltd., Karachi stated that they are engaged in the manufacturing and trading of Plastic Baby Feeders and insisted that the prices of Plastic Baby Feeders have been increased in the international market.



However they did not provide any documentary evidence to substantiate their stance. The issue of net contents was also deliberated upon in detail. The view point of all participants was heard in detail and considered to arrive at Customs Value of the subject goods.

5. **Method adopted to determine Customs values:** Valuation methods provided in Section 25 of the Customs Act, 1969 were duly applied in their regular sequential order to arrive at 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 displayed in the import data. Thereafter, identical / similar goods value method as provided in Sub-Sections (5) & (6) of Section 25 *ibid* were examined for applicability to the valuation issue in the instant case. The wide variations in declarations were observed. Information available was hence, found inappropriate. 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. During the market survey it was observed that the Plastic Baby Feeders are being sold in the local market different sizes, capacity and brands, therefore, values per number could not be considered for determination of customs value. Resultantly, Customs values of Plastic Baby Feeders brand-wise have been determined under section 25 (7) of the Customs Act, 1969.

6. **Customs values for Plastic Baby Feeders :** Plastic Baby Feeders *hereinafter specified* shall be assessed to duty / taxes at the following Customs Values:



S. No.	Description of goods	Origin	PCT	Proposed PCT for WeBOC	Customs Values (C&F) US\$/Kg
(1)	(2)	(3)	(4)	(5)	(6)
1	Plastic Baby Feeder Avent Brand	U.K	3923.3010	3923.3010.1000	10.04
			3923.3090	3923.3090.1000	
		China	3923.3010	3923.3010.1100	9.30
			3923.3090	3923.3090.1100	
2	Pigeon Brand	Japan/ Indonesia	3923.3010 3923.3090	3923.3010.1200 3923.3090.1200	7.50
3	Farlin Brand	UK/USA/ Taiwan	3923.3010 3923.3090	3923.3010.1300 3923.3090.1300	7.72
4	Low end brands	Thailand/ Taiwan	3923.3010 3923.3090	3923.3010.1400 3923.3090.1400	5.85
		China/ Hong Kong	3923.3010 3923.3090	3923.3010.1500 3923.3090.1500	5.20
		All other origins	3923.3010 3923.3090	3923.3010.1600 3923.3090.1600	5.85

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. 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 in this Ruling.

8. **Validity of this 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 (1) or (3) of Section 25-A of the Customs Act, 1969.

9. **Revision of the value determined vide this Valuation Ruling:** A revision 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 of this ruling, 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 this Directorate General immediately. Customs values determined in the ruling are for the descriptions and specifications as mentioned in this Valuation 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 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.

11. ***This Ruling supersedes Valuation Ruling No. 844/2016 dated 03.05.2016.***


(Shafique Ahmad Latki)
Director

Copy for information to:

1. The Member (Customs), F.B.R., Islamabad.
2. The Director General, Customs Valuation, Custom House, Karachi.
3. The Chief Collector of Customs, South (Appraisalment), Custom House, Karachi.
4. The Chief Collector of Customs, South (Enforcement), Custom House, Karachi.
5. The Chief Collector of Customs (Central), Lahore.
6. The Chief Collector of Customs (North), Islamabad.
7. The Director General, Intelligence and Investigation-FBR, Islamabad.
8. The Director General, Audit (Customs & Petroleum), 1st Floor, PT&T Audit Building, Mauje-Darya Road, Lahore.
09. The Director General, Post Clearance Audit (PCA), Islamabad.
10. The Director General, Internal Audit (Customs), Karachi.