



GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE, KARACHI

The Collectors of Customs, Model Customs Collectorates, Appraisement & Facilitation (East / West) / Port Muhammad Bin Qasim / JIAP, Karachi (Appraisement & Facilitation / Enforcement & Compliance), AIIA Lahore / Sambrial (Sialkot) / Faisalabad / Multan / Islamabad / Hyderabad / Quetta (Appraisement / Preventive) / Peshawar (Appraisement & Facilitation/ Enforcement & Compliance) / Gawadar / Gilgit-Baltistan / Export (Karachi / Port Qasim)

Determination of Custom Values of Food Supplements (Drinking Powder Milo, Nesquick, Bournvita, Complan, Horlicks) Under section 25-A of the Customs Act, 1969

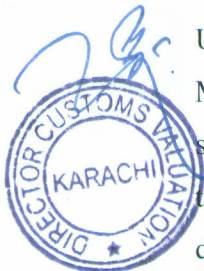
(VALUATION RULING NO. ¹⁵¹⁶ / 2021)

C. No. Misc/30/2013-I / ¹¹⁶

Dated: - 18-02-2021

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969, Customs values of Food Supplements (Drinking Powder) are determined as follows: -

2. **Background of the valuation issue:** Earlier the customs values of Food Supplements (Drinking Powder) were determined under Section 25A of the Customs Act, 1969, vide Valuation Ruling No.792/2016 dated 11-01-2016 read with Order in Revision No. 198/2016 dated 15-06-2016 and No. 176/2016 dated 18-03-2016. M/s. Nestle Pakistan and M/s. Unilever Pakistan also requested for re-determination of Customs values of subject goods. Moreover, as the valuation ruling was very old and a considerable time has passed and significant variations in the international prices of Food Supplements (Drinking Powder) had taken place. Keeping in view the above, this Directorate General initiated exercise for re-determination of the Customs Values of the subject goods in terms of Section 25A of Customs Act, 1969.




3. **Stakeholders' participation in determination of Customs values:** Meetings were held on, 12-08-2020 & 13-10-2020 with the stakeholders of subject goods in this Directorate General. The importers/stakeholders were requested to submit following documents before or during the course of meeting so that customs values could be determined: -

- i. Invoices of import during last three months showing factual 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 one year showing the difference in price (excluding duty and taxes) to substantiate their contention.

4. **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 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 the requisite information under the law were not provided by the importers. Identical/similar goods valuation methods provided in Sections 25 (5) & (6) *ibid* were examined for applicability to determine customs values of subject goods. The data provided some reference values but due to wide variations in the declarations the same could not be relied upon exclusively. In the sequential order, this office conducted market inquiries in terms Sub-Section of (7) of Section 25 of the Customs Act, 1969. All the information so gathered was analyzed and evaluated. Keeping all the above in view, customs values of Food Supplements (Drinking Powder) are determined under Sub-Section (7) of Section 25 of the Customs Act, 1969.

5. **Customs values of Food Supplements (Drinking Powder) *hereinafter specified*** shall be assessed to duty/taxes on the following minimum Customs Values mentioned against them in the table below: -



S. No.	Description of Goods	H.S. Code	Proposed PCT for WeBOC	Origin	Customs Values (C&F) US\$/Kg (net content)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Drinking Powder "Ovaltine" in Glass Bottle	1901.9090 2106.9090	1901.9090.1000 2106.9090.1000	All Origins	3.66
2.	Drinking Powder "Ovaltine" in Plastic Bottle		1901.9090.1100 2106.9090.1100		3.28
3.	Drinking Powder "Ovaltine" in Plastic Bags/Pouches		1901.9090.1200 2106.9090.1200		3.12
4.	Drinking Powder "Ovaltine" in Paper Bags		1901.9090.1300 2106.9090.1300		2.95

5.	Drinking Powder "Milo, Bournvita and Complan" in Plastic Bottle	1901.9090.1400 2106.9090.1400	4.43
6.	Drinking Powder "Milo, Bournvita and Complan" in Plastic Bags/Pouches	1901.9090.1500 2106.9090.1500	3.62
7.	Drinking Powder "Milo, Bournvita and Complan" in Paper Bags	1901.9090.1600 2106.9090.1600	4.03
8.	Drinking Powder "Milo" in Tin Pack	1901.9090.1700 2106.9090.1700	4.63
9.	Drinking Powder "Nesquick" in Plastic Bottle	1901.9090.1800 2106.9090.1800	3.92
10.	Drinking Powder "Nesquick", in Paper Bags	1901.9090.1900 2106.9090.1900	4.90
11.	Drinking Powder "Horlicks" in Plastic Bottle	1901.9090.1900 2106.9090.1900	3.75
12.	Drinking Powder "Horlicks" in Paper Bags	1901.9090.2000 2106.9090.2000	3.60
13.	Drinking Powder "Horlicks" in Glass Bottle	1901.9090.2100 2106.9090.2100	4.20
14.	Drinking Powder "Milo" in Bulk Packing (25KG or above)	1901.9090.2200 2106.9090.2200	2.90

Note: The above values do not apply to the imports made directly made by the Multinational Companies from their sister concern(s). Such consignments shall be assessed in accordance with provisions of Section 25 of Customs Act, 1969, and kept under close watch. Any anomaly observed may be taken cognizance of and reported to this Director General.

6. In cases where declared / transaction values are higher than the Customs values determined in this Ruling or higher evidential data is available of stipulated period of 90 days, the assessing officer shall apply those values in terms of Sub-Section 25(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 determined in this Ruling.

7. **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.

8. **Revision of the value determined vide this Valuation Ruling:** This Valuation Ruling is appealable under the law and a revision petition may be filed against this Ruling, 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.

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 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 table above of this Ruling. HS Codes are mentioned for illustrative purpose so that valuation ruling values are made assessable 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 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 Valuation Ruling No.792/2016 dated 11-01-2016, Order-in-Revision No. 198/2016 dated 15-06-2016 and No. 176/2016 dated 18-03-2016.*


(Shafique Ahmed Latki)
Director

Copy for information to: -

1. The Member (Customs, Operations), F.B.R., Islamabad.
2. The Director General, Customs Valuation, Custom House, Karachi.
3. The Chief Collector of Customs, South (Appraisalment & Facilitation), Custom House, Karachi.
4. The Chief Collector of Customs, South (Enforcement & Compliance), Custom House, Karachi.
5. The Chief Collector of Customs (Central), Lahore.
6. The Chief Collector of Customs (North), Islamabad.
7. The Chief Collector of Customs, (Enforcement & Compliance), Custom House, Quetta.
8. The Director General, Intelligence and Investigation-FBR, Islamabad.
9. The Director General, PCA& Internal Audit, Karachi.
10. The Director General, IOCO, Karachi
11. The Directors, Intelligence & Investigation, Karachi / Lahore / Islamabad/ Quetta/ Peshawar/Faisalabad.

12. The Director, Directorate of Customs Valuation, Lahore.
13. The Deputy Director (HQ), Directorate General of Customs Valuation, Karachi, for uploading in
14. One Customs & WeBOC database system.
15. The Chairman (Valuation Committee), FPCC&I, Federation House, Clifton, Karachi.
16. The Chambers of Commerce & Industry, Karachi, Lahore, Islamabad, Hyderabad, Quetta & Peshawar.
17. The Karachi Customs Agents Group, Bohri Road, Karachi.
18. The Webmaster, Federal Board of Revenue, Islamabad.
19. Guard File.