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GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

To,

The Collector of Customs, Model Customs Collectorate (Appraisement / PaCCS / Port Qasim / Preventive), Karachi / Lahore / Multan / Islamabad / Sainbrial / Faisalabad / Hyderabad / Quetta / Peshawar / Gawadar / Gilgit-Baltistan.

DETERMINATION OF CUSTOMS VALUE OF BALLAST FOR DISCHARGE LAMPS
OR TUBES UNDER SECTION 25-A OF CUSTOMS ACT, 1969

(VALUATION RULING NO.551 / 2013

No.Misc/20/2012-VII

Dated 23-04-2013

In exercise of the powers conferred under Section 25A of the Customs Act, 1969, the customs values of Ballast for Discharge Lamps or tubes PCT Heading 8504.1000 are determined as follows :-

1. **Description of the valuation issue:** A complaint of under invoicing in imports of Ballast for Discharge Lamps or Tubes was received through FBK and Federal Tax Ombudsman. On scrutiny of the import data of the said item, it was revealed that some importers were prima facie underinvoicing the said goods when compared with imports made by manufacturers. This prompted an exercise to determine the customs values of Ballast for Discharge Lamps or Tubes.
2. **Methodology adopted to determine customs values:** Valuation methods given in section 25 of the Customs Act, 1969, were examined to ascertain which methods were applicable to the valuation issue in hand in terms of section 25A of the Act. Transactional value method provided in Section 25 (1) was found applicable for branded ballast as the same is mostly imported by M/s. Phillips Electrical Industries whose transaction values are also corroborated by the market inquiry of branded ballast. Identical / similar goods value methods provided in section 25(5) and (6) were examined which furnished unreliable values for commercial imports however bonafide transactions by industrial importers were found in the database. Since the manufacturers costs of producing the goods in question in the country of exportation were not available, computed value method as provided in section 25(8) could not be applied for valuation of the aforesaid goods. Therefore, deductive method as envisaged under section 25(7) and identical/similar goods method under section 25(4) & (6) of the Customs Act, 1969 were applied to arrive at customs values of Ballast for Discharge Lamps or Tubes.



3. Stakeholders participation in determination of customs values: Meetings were fixed with the stakeholders on 26.12.2012, 28.01.2013, 07.03.2013 and 19-04-2013 to obtain their input. However the meetings were attended only by representatives of M/s. Phillips who provided C&F values of Phillips brand ballast. M/s. Phillips also suggested that the ruling may be issued separately for branded/unbranded ballast and for the categories of HID Electromagnetic ballast, Electromagnetic ballast for FL Lamps and Electronic ballast for FL lamps.
4. Customs values for Ballast: The following customs values for Ballast for Discharge Lamps or Tubes are determined under section 25A of the Customs Act, 1969 :-

S. No.	Description of goods.	PCT Code	Proposed PCT for W&BOC	Origin	Customs Values US\$/pc	
					(1)	(2)
1	Electromagnetic ballast for fluorescent lamps 18 W (Aluminum) 36W (Aluminum) 58 W (Aluminum) 18W (Copper) 36W (Copper) 58W (Copper)	8504.1000	8504.1000.1010 8504.1000.1020 8504.1000.1030 8504.1000.1040 8504.1000.1050 8504.1000.1060	China	Branded	Unbranded
2	Electronic ballast for fluorescent lamps 14W (Single) 14W (Double) 18W (Single) 18 W (Double) 28W (Single) 28W (Double) 36W (Single) 58W (Single) 58W (Double)	8504.1000	8504.1000.1070 8504.1000.1080 8504.1000.1090 8504.1000.1210 8504.1000.1220 8504.1000.1230 8504.1000.1240 8504.1000.1250 8504.1000.1260	China		



HTS	HTS	HTS	HTS	HTS
	Electromagnetic ballast			
	Upto 36 W	8504.1000.1270	5.00	3.0
	70 W	8504.1000.1280	5.88	3.52
	100 W	8504.1000.1290	6.22	3.73
	125 W	8504.1000.1310	6.22	3.73
	150 W	8504.1000.1320	10.8	6.40
	250 W	8504.1000.1330	13.5	8.10
	400 W	8504.1000.1240	21.7	13.0
	1000 W	8504.1000.1350	46.2	27.7
	1800 W	8504.1000.1360	64.5	38.7

5. **Validity of this Valuation Ruling:** The values determined in this Ruling shall continue to be the applicable customs values, for relevant goods till the time this Valuation Ruling is rescinded or revised by the competent authority in terms of section 25A of the Customs Act, 1969. Moreover, this Valuation Ruling applies to cases where declared values are less than the customs values determined in the ruling. In cases where declared values are more than the customs value determined in the ruling, the concerned assessing officers shall apply such higher values in terms of section 25(1) of the Customs Act, 1969. Moreover, in case of consignments imported by air, if the differential between air freight and sea freight, when taken into account, raises the customs values above those determined in this ruling, the concerned assessing officers shall apply such higher values in terms of section 25(1) of the Customs Act, 1969.
6. **Remedies against this Valuation Ruling.** The Customs Act, 1969, provides efficacious alternate remedies against this Ruling. Section 25-D provides that any person aggrieved of the Ruling may file a revision petition within 30 days from the date of this Ruling before the Director General, Directorate General of Customs Valuation, 7th Floor, Custom House, Karachi. An appeal against the decision in revision of the Director General can be filed within 60 days of the decision before the Customs Appellant Tribunal under section 194-A(1) (e) of the Customs Act, 1969.

(Muhammad Javed Ghani)
Director

Copy for information to :-

- 1) S.A. to Chairman, F.B.R., Islamabad.
- 2) Member (Customs), F.B.R., Islamabad.
- 3) Director General, Customs Valuation, Custom House, Karachi.
- 4) Chief Collector of Customs (Appraisalment), South, Custom House, Karachi.
- 5) Chief Collector of Customs (Enforcement), South, Custom House, Karachi.

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GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

No.Misc/20/2012-VII

Dated 06-09-2013

The Collectors of Customs, Model Customs Collectorates (Appraisement, East /West/ PaCCS/ Port Qasim/ Preventive), Karachi/ Lahore (Appraisement)/Lahore (Preventive)/ Sambrial/ Faisalabad/ Multan/ Islamabad/ Hyderabad/ Quetta/ Peshawar/Gawadar/Gilgit.

ADDENDUM

In the Valuation Ruling No.551/2013 dated 23.04.2013, issued in terms of Section 25A of the Customs Act, 1969, relating to import of Electromagnetic/Electronic/HID Electromagnetic Ballasts the following amendment shall be made, namely:- Against S. No.4 of the Table the following new items and value thereof shall be inserted.

S. NO	Description of goods	PCT Code	Proposed PCT for WeBOC	Origin	Customs Values US\$/Pc.
4	HID Electromagnetic Ballast (Aluminum)				(Braided)
	BHL E 250 (Aluminum) for Mercury Lamps	8504.1000	8504.1000.1370	China	4.25
	BHL E 400 (Aluminum) for Mercury Lamps	8504.1000	8504.1000.1380		5.79
	BSN E 70 (Aluminum) for Sodium Lamps	8504.1000	8504.1000.1390		3.96
	BSN E 150 (Aluminum) for Sodium Lamp	8504.1000	8504.1000.1400		5.81
	BSN E 250 (Aluminum) for Sodium Lamps	8504.1000	8504.1000.1410		7.07
	BSN E 400 (Aluminum) for Sodium Lamps	8504.1000	8504.1000.1420		10.23
	BHL A 125 (Aluminum) for Mercury Lamps	8504.1000	8504.1000.1430		3.80

(Suraiya Ahmed Butt)
Director

Copy for information to :-

- 1) S.A. to Chairman, F.B.R., Islamabad.
- 2) Member-(Customs), F.B.R, Islamabad.
- 3) Director General, Customs Valuation, Custom House, Karachi.