

GOVERNMENT OF PAKISTAN
CLASSIFICATION CENTRE
MODEL CUSTOMS COLLECTORATE APPRAISEMENT (EAST)
CUSTOM HOUSE, KARACHI

No. 3(277)KAPE/DC (Gr-III)WeBOC/2014

Dated: 25.06.2014

PUBLIC NOTICE NO. 03/2014 (A)

Subject: CLASSIFICATION RULING OF "GOMMA THERMOPLASTIC IN GRANULES (THERMOPLASTIC RUBBER)"

The dispute regarding tariff classification of Gomma Thermoplastic in granules (Thermoplastic Rubber) was referred to Classification Centre, Custom House, Karachi by Collectorate of Customs (Adjudication-II), Karachi vide Order-in-Original No.153293 dated 05-12-2013. The importers M/s. Amin Tech, Lahore declared the subject goods under PCT Code 4002.9900 but Model Customs Collectorate of Appraisalment (East), Karachi, which was the clearance Collectorate in this case assessed the goods under PCT 4005.1090.

2. Meeting with stakeholders was convened on 03-06-2014 in the Classification Centre, Custom House, Karachi duly attended by representatives of M/s. Amin Tech, Lahore, Departmental representatives and members of the Classification Committee. According to the importer's contention, Gomma Thermoplastic Rubber is a physical mixture of different synthetic rubbers and there is no single /individual thermoplastic rubber made up of single co-polymer. Thus, they claimed the classification of the goods under PCT Code 4002.9900 relating to Synthetic Rubber. The view point of those representing the Department was that, as per test report of PCSIR Laboratory, the subject goods consist of plasticizer (5%), styrene butadiene co-polymer (85%), carbon black (2%) and carbonates of calcium /magnesium (8%). The same are , therefore, Compounded Rubber having carbon black classifiable under PCT Code 4005.1090.

3. The arguments put forth by the stakeholders, literature provided by the importers, test report of the goods and relevant explanatory notes were examined. According to Chapter Notes of Chapter 40 of Pakistan Customs Tariff and explanatory notes of Harmonized System of World Customs Organization, HS Code 40.02 does not apply to any rubber or mixture of rubber which has been compounded, before or after coagulation, with vulcanizing agents, accelerators, retarders or activators, pigments or colouring matter, plasticizer or extenders. On the other hand, the terms of heading 40.05 expressly mention Compounded Rubber and sub-heading 4005.10 pertains to Rubber compounded with Carbon Black or Silica.

4. Gomma Thermoplastic Rubber , being Compounded Rubber with carbon black, is, therefore, classifiable under **PCT Code 40.05 (sub-heading 4005.1090)** in terms of GIR 1.



(Wajid Ali)

Additional Collector-I
Chairman Classification Committee

Copy for information:

1. PS to Member (Customs), Federal Board of Revenue, Islamabad
2. Chief Collector of Customs (Appraisalment)-South, Custom House, Karachi.
3. Chief Collector of Customs (Enforcement)-South, Custom House, Karachi.
4. Chief Collector of Customs (Central), Custom House, Lahore.
5. Chief Collector of Customs (North), Custom House, Islamabad.
6. Collector, Collectorate of Customs, Adjudication-II, Custom House, Karachi.
7. M/s. Amin Tech, 98A, Phase I, DHA, Lahore Cantt.
8. Karachi Chamber of Commerce Industry, Karachi.
9. Karachi Customs Agents Association, 2nd floor Burhani Terrace, Opposite Custom House Karachi.
10. Notice Board.