GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

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

Determination of Customs Values of CD-R/DVD-R under Section 25-A of
the Customs Act, 1969

No. Misc/06/2008-VII/1593

Dated: March 2, 2017

In exercise of the powers conferred under Section 25-A of the Customs Act, 1969,
Customs values of CD-R/DVD-R are determined as follows:

2. Background of the valuation issue: Customs values of CD-R/DVD-R were
determined under Section 25A of the Customs Act, 1969, vide Valuation Ruling No. 171/2009,
dated 28-10-2009. Some GDs were referred to this Directorate General through provisional
assessment under Section 81 in light of judgement of honourable High Court in CP No 6918,
as the importers had approached this Directorate General for revision of Valuation Ruling. As
the Valuation Ruling required revision in line with the prevailing prices in the international
market, this Directorate General initiated an exercise for determination of customs values of
CD-R/DVD-R.

3. Stakeholders’ participation in determination of Customs values: A meeting
with stakeholders was held on 14-02-2017. Importers had been requested to furnish the
following documents before or during the course of meeting:

A. Invoices of imports during last three months showing factual value.
B. Websites, names and E-mail addresses of known foreign manufacturers of the item in
question through which the actual current value can be ascertained.
C. Copies of Contracts made/LCs opened during the last three months showing the value
of item in question.
D. Copies of Sales Tax Invoices issued during last four months showing the difference
in price (excluding duty and taxes) to substantiate that the benefit of difference in price
is passed on to the local buyers.

4. During the course of meeting, the importers were of the view that the values of CD-
R/DVD-R of China origin have considerably reduced in the international market as compared
with the values determined in the existing valuation ruling, therefore, the values needed
downward revision. They were requested to submit import invoices, sales tax invoices,
literature, evidences and other relevant requisite import documents in support of their
contentions; they did not provide any documents or evidence to substantiate their contentions.
The importers agreed that work back values obtained from a market inquiry from the market
where these CD-R/DVD-R, are traded, like Saddar (Rainbow Centre), Karachi, will actually
reflect that the values have actually gone down. No documents were submitted in this
Directorate General on or before the said scheduled meeting. Comprehensive market surveys
from the relevant markets were conducted already.

5. Method adopted to determine Customs values: Valuation methods given in Section
25 of the Customs Act, 1969 were followed to arrive at customs values of CD-R/DVD-R.
Transaction value method provided in Section 25 (1) was found inapplicable owing to wide
variation in the values being declared to the customs. Identical/similar goods value methods
provided in Section 25 (5) & (6) were examined for applicability to the valuation issue in the
instant case which provided some reference values of the subject goods but the same could not
be exclusively relied upon due to wide variation in declared values of subject goods. Thereafter,
market enquiry as envisaged under section 25(7) of the Customs Act, 1969, was conducted.
For the purpose, different markets were surveyed repeatedly. The computed value method as
provided in Section 25(8) of the Customs Act, 1969, could not be applied as the conversion costs from constituent material at the country of export were not available. Online values of subject goods were also obtained. All the information so gathered was evaluated and analyzed for the purpose of determination of customs values. Consequently, the Customs values of CD-R/DVD-R have been determined under Section 25(9) of the Customs Act, 1969.

6. **Customs values for CD-R/DVD-R:** CD-R/DVD-R, specified as **specified herein shall** be assessed to duty/taxes at the Customs values given are as under:

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Description</th>
<th>PCT Code</th>
<th>Proposed PCT for WeBOC</th>
<th>Origin</th>
<th>Customs value US$/PC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Blank CD-R in Spindle</td>
<td>8523.4110</td>
<td>8523.4110.1000</td>
<td>China</td>
<td>0.060</td>
</tr>
<tr>
<td>2</td>
<td>Blank CD-R in Spindle</td>
<td>8523.4110</td>
<td>8523.4110.1100</td>
<td>Other origins</td>
<td>0.085</td>
</tr>
<tr>
<td>3</td>
<td>Blank DVD-R in Spindle</td>
<td>8523.4120</td>
<td>8523.4120.1000</td>
<td>China</td>
<td>0.088</td>
</tr>
<tr>
<td>4</td>
<td>Blank DVD-R in Spindle</td>
<td>8523.4120</td>
<td>8523.4120.1100</td>
<td>Other origins</td>
<td>0.135</td>
</tr>
<tr>
<td>5</td>
<td>Blank DVD-R in Spindle (Blue Ray-25GB)</td>
<td>8523.4120</td>
<td>8523.4120.1000</td>
<td>China</td>
<td>0.45</td>
</tr>
<tr>
<td>6</td>
<td>Blank DVD-R in Spindle (Blue Ray-25GB)</td>
<td>8523.4120</td>
<td>8523.4120.1100</td>
<td>Other origins</td>
<td>0.60</td>
</tr>
</tbody>
</table>

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 element of air freight while assessing the goods.

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 description and specification 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 certification 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.171/2009, dated 28-10-2009.**

(Dr. Wasif Ali Mehto)
Director