



GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

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

DETERMINATION OF CUSTOMS VALUES OF ENERGY DRINKS
(H.S.CODE NO.2202.1010) UNDER SECTION 25-A OF THE CUSTOMS ACT, 1969

(VALUATION RULING NO. 7/3 /2015)

No.Misc/07/2013-I

Dated: February 02, 2015

The Customs Values of energy drinks had been determined under section 25-A of the Customs Act, 1969 vide Valuation Ruling no. 556/2013 dated June 04, 2013. Numerous representations have been received in the Directorate to revise the values keeping in view decreasing trends in the international market, therefore, the issue was taken up for redetermination of customs values.

- 1. Background of the valuation issue:** As per orders of the Customs Appellate Tribunal, Bench II, issued in order Customs Appeal No. K-1451/2013 against Valuation Ruling No.556 dated 04-06-2013 and further in the light of representations made by importers regarding receding prices in the international market of energy drinks, an exercise to re-determine the Customs values of the subject goods was initiated.
- 2. Method adopted to determine Customs values:** The Valuation methods given in Section 25 of the Customs Act, 1969 were followed. Transaction value method under Sub-Section (1) of Section 25 of the Customs Act, 1969, was found inapplicable because the requisite information was not available. Identical/similar goods value methods provided in Sub-Sections (5) & (6) of Section 25 of the Customs Act, 1969 were found inapplicable because sufficient and reliable information was not available. Consequently, market survey as provided under Section 25(7) of the Customs Act, 1969, was conducted. Input / feedback from different stakeholders were also gathered during the stakeholders meetings. After evaluating and analyzing information gathered from the above, Customs values were determined under Section 25(9) of the Customs Act, 1969, read with Section 25-A *ibid*.
- 3. Stakeholders' participation in determination of Customs values:** A meeting was held on 20-01-2015 with different stakeholders including importers, representative of FPCCI, KCCI; their written as well as verbal contentions were taken into account for determination of Customs values.
- 4. Customs values for Energy Drink:** Energy drinks *hereinafter specified* shall be assessed to duty/ taxes at the following Customs values :-



S.No	Description of goods	PCT Code	Proposed PCT for WeBOC	Origin	Customs Values (C&F) US\$ per Liter
(1)	(2)	(3)	(4)	(5)	(6)
1.	Epic	2202.1010	2202.1010.1000	Austria	US\$ 1.25/Liter
2.	Power Horse	2202.1010	2202.1010.1100	Austria	US\$ 1.25/Liter
3.	Red Bull (Silver & Blue cans)	2202.1010	2202.1010.1200	Austria	US\$ 1.35/Liter
4.	Red Bull (Golden can)	2202.1010	2202.1010.1300	Thailand	US\$ 0.70/Liter
5.	Carabao	2202.1010	2202.1010.1400	Thailand	US\$ 0.70/Liter
6.	Rock star	2202.1010	2202.1010.1500	United Kingdom	US\$ 1.25/Liter
7.	Explosions	2202.1010	2202.1010.1600	United Kingdom	US\$ 1.45/Liter
8.	Im Bru	2202.1010	2202.1010.1700	United Kingdom	US\$ 0.85/Liter
9.	Boost	2202.1010	2202.1010.1800	United Kingdom	US\$ 0.85/Liter
10.	Lucozade	2202.1010	2202.1010.1900	United Kingdom	US\$ 1.00/Liter
11.	Mad Croc	2202.1010	2202.1010.2000	Netherland	US\$ 0.80/Liter
12.	Carrefour	2202.1010	2202.1010.2100	Netherland	US\$ 1.20/Liter
13.	Speed	2202.1010	2202.1010.2200	Netherland	US\$ 1.45/Liter
14.	She-Beauty	2202.1010	2202.1010.2300	Poland	US\$ 1.10/Liter
15.	Backer	2202.1010	2202.1010.2400	Korea	US\$ 0.55/Liter
16.	Effect	2202.1010	2202.1010.2500	Germany	US\$ 2.40/Liter
17.	Other	2202.1010	2202.1010.2600	All	US\$ 1.25/Liter

5. 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 determined in this Ruling.
6. **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.
7. **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.
8. The Collectors of Customs may kindly ensure that the values given in the 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.

9. This Ruling supersedes Valuation Ruling No.556 dated 04-06-2013.

(Abdul Rashid Sheikh)
Director