



GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE KARACHI

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

Determination of Customs Values of Cosmetics Under Section 25-A of the
Customs Act, 1969

(VALUATION RULING NO. 1374 2019)

No. Misc/41/2007-II

2033

Dated: May, 20th 2019.

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

2. **Background of the Valuation Issue:** Customs values of Cosmetics of High-end brands/other than High-end Brands were determined through Valuation Rulings No.535/2013 and 536/2013 dated 09-01-2013 read with (02) two corrigendums issued vide No. Misc-43/2006-II dated 23-01-2013, respectively. These valuation rulings, being too old, needed to be re-visited as the customs values determined in these rulings do not reflect the current prices prevailing in the international markets. Moreover, various representations were received from M/s. L'Oreal Pakistan (Private) Limited for exempting them from the values given in said valuation ruling because, being multinational company, their imports are from their sister concerns and unusually at higher values than those given in Valuation Rulings. Keeping in view the prevailing prices of the subject goods, this Directorate General initiated an exercise for re-determination of the Customs Values for Cosmetics in terms of Section 25-A of the Customs Act, 1969.



3. **Stakeholders' participation in determination of Customs values:** Several meetings with stakeholders, including the importers and the representatives from the field formations, were held in this Directorate General to discuss the issue of valuation of the subject goods. The stakeholders were also requested to furnish the following documents before or during the course of above said meetings:

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

4. The meetings were attended by different stakeholders including representatives from FPCCI/KCCI and All Pakistan Colour Cosmetics and Toiletries Importers Association (APCTIA). Most of the participants contended that values are already on the higher side and, if further increased, will lead to the imports from illegal channels. They requested that the values mentioned in the ruling should be maintained. When asked to submit Sales Tax Invoices and

other corroboratory evidences to substantiate their claim, none was provided despite lapse of considerable time. M/s L'Oréal Pakistan stated that their brands of cosmetics like L'Oreal Paris, Maybelline, NYX, Essie, YSL, Lancôme, Kerastase, Garnier etc. cater to different consumer segments. They have cost of production variance among different brands, as well as in different products within the same brand and therefore, their brands and products within the same brand priced differently in the market. They agitated that uniform application of customs values for different product ranges within a brand is not fair. They requested for their exemption from the Valuation Ruling No. 535 dated 09-01-2013 or revision of the ruling keeping in view the above mentioned facts. The view point of all participants was heard in detail and considered to arrive at Customs values of the subject goods.

5. **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 values of subject goods. The transaction value method as provided in Sub-Section (1) of Section 25 of the Customs Act, 1969 was found inapplicable due to wide variations of values displayed in the import data. Thereafter, identical / similar goods value methods as provided in Sub-Sections (5) & (6) of Section 25 ibid were examined for applicability to the valuation issue in the instant case. The wide variations in declarations were observed. Information available was hence, found inappropriate. In line with the statutory sequential order of Section 25, this office conducted market inquiries under Sub-Section (7) of Section 25 of the Customs Act, 1969. Resultantly, Customs values of Cosmetics have been determined under section 25 (7) of the Customs Act, 1969 accordingly.



Customs values for Cosmetics: Cosmetics herein after specified shall be assessed
duty/taxes at the following Customs Values:

TABLE-A

HIGH END BRANDS

Acqua Di Pama, Aerin, Aramis, Archery, Art Deco, Azzaro, Armani, Algenist, Amore Pacific, Amouage, Balenciaga, Biolyn, The Body Shop, Bvlgari, Burberry, By Terry, Bare Minerals, Bobbi Brown, Bath & Body Works, Canali, Chloe, Cailyn, Christian Dior, Creed, Chopard, Cartier, Carolina Herrera, Calvin Klein, Clinique, Chanel, Chole, Clarins, Claiborne, Crabtree & Evelyn, Cover Girl, Cover Fx, Charlotte Tildery, Claiborne, Camila Cabello, Cosnova, CNL, DKNY, Davidoff, Dali, Dunhill, Dolce & Gabbana, Dermalogica, Diana Of London, DMGM, Estee Lauder, Elizabeth Arden, Elemis, Escada, Etude, Emporio, Euphoria, Ferragamo, Fendi, Ferrari Endless, Fenty Beauty, Givenchy, Gucci, Guerlain, Guinot, Ghousons, GNC, Giorgio-Gosh, Gaultier, Giorogio/Emporio Armani, Hermes, Hugo, Hugo Boss, Issey Miyake, Igara Lauren, Igara Royal, Isabel Marant, Jean-Paul, Joop Jump, Jean Patou, Juicy Couture, Kenneth Cole, Kenzo, Karl Lagerfeld, Karaja, Kraylon, Kylie, L'Oreal, Lauder Escada, Lacoste, Liz Claiborne, Lancome, Lavin, Lalique, Lancaster, Lanvin, Kylie Jenner, Label M, Le Rouge, Le Tartiest, Lakme, Maybeline, Mauboussin, MAC, Mont Blanc, Marc Jackobs, Makeup for Ever, Mayb Col, Maybelle, MG Norwegian Formula, Makeup Revolution, Nancaster, Napoleon Perdis, Nancaster, Narciso R Neutrogena, Nina Ricci, Nina, Nars, Odriguez, Obagi, OPI, Opium, Obsession, Oriflame, Perry Ellis, Prada, Paco Rubanne, Polo, Peers, Proactive, Purin, Ralph Lauren, Rogger & Gallet, Red Musk, Revolution, Rimmel, Riche Balmin, Salvatore, Skin Medica, Sephore, Spa Ceyloon, Skin Medica, Saphora, Shine Lover, Tea Tree, Tussardi, Toni & Guy, Tomy Hill, Timoty, Urban Decay, Versace, Van Cleef & Arpels, Victoria Secrets, Vendome, White Gold, Xonia, YSL, Zero Makeup.

S.No.	Item Description	PCT	Proposed PCT For WeBOC	Origin	Customs Values (C&F) USS/Kg
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(1)	(2)	(3)	(4)	(5)	(net content weight) (6)
1.	Lipsticks	3304.1000	3304.1000.1010	All Origins	260.00
2.	Lip Gloss/Glaze		3304.1000.1020		150.00
3.	Lip Liner/Pencil		3304.1000.1030		350.00
4.	Eye Shade/Shadow	3304.2000	3304.2000.1010	All Origins	185.00
5.	Eye Shiner/Glitter		3304.2000.1020		115.00
6.	Eye Mascara/Liner		3304.2000.1030		315.00
7.	Eye Pencil/Kajal		3304.2000.1040		260.00
8.	Eye Lash		3304.2000.1050	All Origins	80.00
9.	Nail Polish	3304.3010	3304.3010.1010	All Origins	125.00
10.	Nail Polish Remover	3304.3090	3304.3090.1010	All Origins	9.00
11.	Pressed Powder/ Compact/ Foundation in Powder form (mineral/non-mineral/ Concealer/ Highlighter/ compact makeup/finishing powder/pressed/ compact/Blush/ bronzer	3304.9110	3304.9110.1010	All Origins	220.00
12.	Foundation Paint Stick /T.V Stick		3304.9110.1020	All Origins	130.00
	Liquid Makeup/Foundation/Pri mer/Makeup/ Blemish/Concealer/ Illuminator	3304.9190	3304.9190.1010	All Origins	85.00



TABLE-B

MEDIUM/LOW END BRANDS
Avon, Aqua, Ambar Beauty, Angzho, Anjieer, Aromatic, Artmatic, Aumlle, Adidas, Afshan, Alan Jey New Placent Alan, Alisha, Altamoda, Al'Lure, Aris Cosmetics, Amorish, Archi, Arimatic, Armaf, Am & Hammer, Astonish, Aveeno, ADS, Anastasia, Aival, Ajmal, Active, Amrij, Aris, Andalu Naturals, ADBO, Biogenik, Biolyn, Boots, Beauty and Silence, Beauty, Benefit, Bourjois, Beii, Bipera, Bad Girl, Biogenik, Biolyn, Beauty and Silence, Beauty, Benefit, Bourjois, Beaver, Bio Glow, Blesso, Blitz, Brut, Bob, CB, BCL, Baby mild, B & B, Berry Well, Bingo Care, Bio Beauty, BN, Blue Image, Blue King, Blue Touch, Bello, Beauty, Beauty Formula, Body Luxuries, Byphasse, Be Cute, Baolishi, Butr, Bell, Basi, Classic, Crack, Clairol, Cosnova, CNL, Classic, Crack, Clairol, Cosnova, Caresse Natural, CiF, Cussions, Cuticura, Caimei, Camay, Carex, Cleopatra, C.Booth, Comex, Concord, Christine, CHI, Chique, Cool Breez, Corsair, Cosmic Girl, Cosmo, Cruset, Charm, Colour Express, Colour Institute, Colour Riche, Colour Show, Colour Shine, Concept, Creation Lamis, Cruel Ruby, Comfor, Cailyn, Delta, Dial, Dikson, Dreamron, Deep, Dupas, Du'Vi, Distro, Deep, Du'Vi, Dermacole, Distro, Dalton, Deco A-1200, D'Olive, Deep Heat, Dora, Dalton Medora, Denim, Dial, Diana, Did, Daily Defense, Dalan, Dawn, Dark Black, Denon, Deomania, Dexe, Dorlene, DR. Rimpler, DEXZ, DFLZ, Diamond

Beauty, Devotion, Disco, Etude, Essentialz, Eco, El Paso, El More, E Vitamin, Enchanteur, Elentee Joy, Elentee Soy, Easy, Emeron, Emper, Emotion, Enliven, Eskulin, Estiara, Eskinol, Etemity, Evans, Everyuth, Ever Beauty, Eveline, ELF, Emelie, Eco, Filorga skin care, Foltene, Flormar, Farsali, Fenty Beauty, Filorga skin care, Foltene, Flormar, Farsali, Fascino, Fairness, Fair & Lovely, Fashion Natura, Fashion Elite, Freeman, Fresh & White, Formula, Feverz Frey, Fiabila, Fadeout, Farmona, Ferrari, Ferrero, Febreze, Fiabilo, Finesse, Fiore Bello, Florens, Flower Shop, FNAC, Fruiser, Face It, Fruity, Foellure, Flormar, GloMinerals, Girl Power, Gold Bond, Golden Rose, Gold Bond, Golden Girl Glam Up, Glatt, Glomesh, Glysolid, Galaxy Garden, Gambit, Godrej, Green World, Glamours Face, Goron, Gupay, Heliocare, Herblin essentials, Harmons, Uuxiab Beauty, Handsome, Hawallan, Healthy Shop, Hifa, Holly Wood, Halus, Home, Home Alone, Home Plus, HS Argon, Huda Beauty, Harmony, Huxin

Beauty, Isabelle Lancray, ISIS Pharma, I. E Tartiest, Iconic, J., Jergents, John Frieda, Jo Malone, Jennifer, Jo Malone, Jaimeier, John Allen, Jardin, Jardon, Jergens, Junsui, Jolen, Juli Rossa, Jialiqi, Jam, Jialiqi, Jialioi, Just Gold, Jasica, Kozmo, Kodomo, Kiss Beauty, Kiss Touch, Karipe, Kashees, Kylie, Kanwan, Kelly, Karite, Kidly, Limei, Lip Smacker, Lip Aholie, Lip Aholie Girl Power, Lola, Lady Diana, La Fresh, Laquila, LK, Lark, Le-Aroma, Limei, Leady Speed, Lorys, Lana, Lanofil Nature, Like, Life, Lisap, Loewe, Luce, Lolane, Lonkom, Lonkoom, Lorney, Lorvel, Lovium, Lovely, Lovenzo, Livon, Lucky, Lumice, Lyms, Love Vogue, Le Roge, Lethal Kiss, Luscious, Miniso, Minso, Massarat Misbah, Mustela, Max Factor, Make up, Mustela, Mach, Macho, Macho Beard Products, Madi International, Makkaj, Max Fair, May Fair, Medex, Morning Fresh, Mena, Morena, Melean, Meleans, May, Matalie, Maycare, Medora, Majestic, Majix, Maryaj, Millionaire, Miss London, Mistine, Move, Magic Romantic May, Madam Kiss, Milai, Miss Kiss, MP3, My Rose, Mystek, Makeover, Merry Colour, Miss Major, Miss Green, Miss Rose, Miss Wendy, Morphie, Mini Star, Monalisa, Meecole Night, Morphe Pink Magic, Milani, Mude, New Show, Nyx, Nina, New Life, Nova, Nouveau, No Marks, Nature, New Queen, Note Mineral, Nyx, Nature Secret, Naturilum, Nino, Nicaea, Oracare, Naked, Naked Love, Nabeela, Nifai, NARS, Natash Denona, Oriflame, Organic, Oyster Cosmetics, Passion, Purin, Panammas, Palmers, Pears, Ponds, Pert, Pentene, Paradise, Protect & Clean, Pride Platinum Cashash, Pomley, Prov-Vit B5, Pixy, Paris, Paris Collection, Poppy, Pleasure, Pride, Panache, Poise, Posh Black, Pretty Pink, Pink Magic, Put Plus, Purell, Pucelle, Queprepari Cartera, Party Queen, Pink Magic, Pop Feel, Pure Gloss Makeover, Precision, Pearson, Qincal, Royal Gold, Rasasi, Rica, Riva, Radox, Real, Real +, Redist, Redone, Relax, Revlon, Ring Guard, Revivogen, Royal, Royal Marriage, Roop Nikhar, Royal Mirage, Royal Premium, Romantic Bird, Romantic Beauty, Romantic Way Naked, Romantic, Romantic Girl, Rose, Ripe Berry, Root Beer, Smash Box, Secret, Stageline, Sudo, Stockholm, Super Star Duo, Sienie, St. Ives, Sweet Touch, Secret, Stageline, Sudo, Stockholm, Super Star Duo, Sienie, Safe Guard, SHE, S C Johnson, Safah, Salsun Blue, Santoor, SEN, Secret Love, Sensitive, Sexcity, Sevloon, Shelley, Shokubustu, Slade, Super Silk, Soft Touch, Soft Lips, Soft & Gentle, Silken, Smart Collection, State Strong, Suave, Subaru, Sellion, SPA Saloon, Special, Shirley May, Shehnaz Hussein, Setwet, SOL, ST John, Subaru, Succeed, Selamy, Soeb12, Sweet Beauty, Shoe B12, Stila, Sweet Face, Star B406 Gongli, CSEN Flush Bitten, Sweet Beauty, Schwarzkoph, Tegmen, The Vitamin Company, Too Faced, Thalgo, THE Balm, Tegmen, Thalgo, Too Faced, Tabac, Tango, Tag Him, Vo5, Touch & Glow, Tifi, Tiger, True Heart, The One Express Lip Crayon, Yhe One Colour Obsession, Ultra Compact, Ulay (Olay), U & Me, Uerseam Viso, Vizo, V S Labs, Vaseline, Vital, Vasmol, Vince, Vicks, VI John, VLCC, Velvet, Vipera, White Rose, Wild Rose, White Tone, Winner Manufacturer, Wisdom, White Satin, White Rain, Wokali Cosmetics, Wonderful, Wood, WP, XR, Xiazhimei, Yanqina, Yong Chin (YC), Yardley, Yoko, Yalani, Yan FDI, Yanwel, Zact, Zara Beauty, Zenix, Zest, Zixian NA, 4 me, 7 Vita.



S.No.	Item Description	H.S.Code	Proposed PCT WeBOC	Origin	Customs Values (C&F) USS/Kg (net Content weight)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Lipsticks	3304.1000	3304.1000.1040	Canada/ Europe/ Japan/ Korea/ USA	55.00
			3304.1000.1050	China/ Sri-Lanka	22.00
			3304.1000.1060	Others	35.00
2.	Lip Gloss/Glaze	3304.1000	3304.1000.1070	Canada/ Europe/ Japan/ Korea/ USA	28.00
			3304.1000.1080	China/ Sri-Lanka	11.00
			3304.1000.1090	Others	16.20
3.	Lip Liner/Pencil	3304.1000	3304.1000.1100	Canada/ Europe/ Japan/ Korea/ USA	65.00
			3304.1000.1110	China/ Sri-Lanka	24.00
			3304.1000.1120	Others	40.00
4.	Eye Shade/Shadow	3304.2000	3304.2000.1060	Canada/ Europe/ Japan/ Korea/ USA	28.00
		3304.2000	3304.2000.1070	China/ Sri-Lanka	10.00
		3304.2000	3304.2000.1080	Others	20.00
5.	Eye Shiner/Glitter	3304.2000	3304.2000.1090	Canada/ Europe/ Japan/ Korea/ USA	25.00
			3304.2000.1100	China/ Sri-Lanka	10.00
			3304.2000.1110	Others	14.00
6.	Eye Mascara/Liner	3304.2000	3304.2000.1120	Canada/ Europe/ Japan/ Korea/ USA	25.00
			3304.2000.1130	China/ Sri-Lanka	8.00
			3304.2000.1140	Others	10.00
7.	Eye Pencil/Kajal		3304.2000.1150	Canada/ Europe/ Japan/ Korea/	37.00



				USA	
			3304.2000.1160	China/ Sri-Lanka	16.00
			3304.2000.1170	Others	25.00
8.	Eye Lash		3304.2000.1180	All Origins	33.00
9.	Nail Polish	3304.3010	3304.3010.1020	Canada/ Europe/ Japan/ Korea/ USA	20.00
			3304.3010.1030	China/ Sri-Lanka	6.50
			3304.3010.1040	Others	10.00
10.	Nail Polish Remover	3304.3090	3304.3090.1020	All Origins	1.45
11.	Pressed Powder/ Compact/ Foundation in Powder form (mineral/non-mineral/ Concealer/ Highlighter/ compact makeup/finishing powder/pressed/ compact/Blush/ bronzer	3304.9110	3304.9110.1030	Canada/ Europe/ Japan/ Korea/ USA	23.00
			3304.9110.1040	China/ Sri-Lanka	10.00
			3304.9110.1050	Others	14.00
12.	Foundation Paint Stick/ T.V Stick		3304.9110.1060	All Origins (excluding Sri-Lanka)	16.00
			3304.9110.1070	Sri-Lanka	9.50
13.	Liquid Makeup/Foundation/P rimer/Makeup/ Blemish/Concealer/ Illuminator	3304.9190	3304.9190.1020	Canada/ Europe/ Japan/ Korea/ USA	10.50
			3304.9190.1030	China/ Sri-Lanka	4.75
			3304.9190.1030	Others	9.00

Notes:

i.

The values do not apply for the imports made directly by Multinational Companies from their sister concern of same name, such consignments shall be assessed in accordance with provisions of Section 25 (1) of the Customs Act, 1969 and kept under close watch. Any anomaly observed may be taken cognizance of and reported to this Directorate General.



ii.

Consignments of Brands not mentioned in the above table maybe assessed by the clearance Collectorate under Section 25 (1) of the Act, however in case the assessable customs of such goods cannot be derived at the collectorate, then Section 81 of the Customs Act, 1969 may be invoked and the transaction be referred to this Directorate for determination of its actual value and finalization.

iii. *Any Product imported in form of a KIT or a GIFT SET, the same shall be assessed according to the PCT of each item separately available in the kit, against the values mentioned in this valuation ruling.*

iv. *If the goods mentioned at above Tables A & B are imported in Bulk form, 20% discount on values mentioned in the above table, shall be allowed, after confirmation of their brands.*

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 differential between air freight and sea freight while applying the Customs values in this Ruling.

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-Section (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 descriptions and specifications 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 certifications required thereon. In addition to this, it is 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 Nos.535/2013 and 536/2013, dated 09-01-2013 and their corrigendums issued vide No. Misc-43/2006-II dated 23-01-2013.*


(Shafique Ahmad Latki)
Director

Copy for information to: -

1. Member (Customs), F.B.R., Islamabad.
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3. Chief Collector of Customs, South (Appraisalment), Custom House, Karachi.
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5. Chief Collector of Customs (Central), Lahore.
6. Chief Collector of Customs (North), Islamabad.