



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



C. No.C-113/KAPE/ PCT/DC/2019

Dated: 23.8.2019

**PUBLIC NOTICE NO. 05/2019**

**Subject: CLASSIFICATION OF RECTANGULAR OR SQUARE ALUMINUM SHEETS IMPORTED IN THE FORM OF COILS**

**FACTS:**

MCC Appraisement East Karachi forwarded a reference for determination of correct classification of product "rectangular or square Aluminum Sheets imported in the form of Coils". The importer's (M/s Pakistan Aluminum Beverage Cans Limited) contention was that said Aluminum Sheets imported in form of Coils were classifiable under PCTs 7606.1100 (non-alloy) or 7606.1200 (alloy) while the Collectorate was of the view that that 7606.9190 (non-alloy) or 7606.9290 (alloy) were the appropriate PCTs for said product.

2. Meeting of the Classification Committee was held on 10.6.2019.

**ISSUE:**

3. Whether "rectangular or square Aluminum Sheets imported in the form of Coils" of a thickness exceeding 0.2 mm are appropriately classifiable in PCT 7606.1100 or 7606.9190 (in case of non-alloy); or in PCT 7606.1200 or 7606.9290 (in case of alloy) or under any other relevant heading of the First Schedule of Customs Act, 1969.

**PRODUCT ANALYSIS:**

4. The Committee considered the examination reports and uploaded images of impugned goods in the WeBOC system to confirm that imported goods comprised of Aluminum Sheets of thickness above 0.2mm that are imported in the form of coils.

**LAW AND ANALYSIS:**

5. For the purpose of classification, the Classification Committee observed that, in terms of first rule of General Rules of Interpretation to Schedule 1, classification has to be determined according to the terms of heading and any relative Section or Chapter Notes. For classification of product under consideration, the Classification Committee considered following PCT headings:

- i. 7606.1100 (--of Rectangular including square of non-alloy)
- ii. 7606.1200 (--of Rectangular including square of alloy)
- iii. 7606.9190 (---Other of non-alloy)
- iv. 7606.9290 (--Other of alloy)

6. PCT Heading 7606.1100 covers flat rolled non alloy aluminum sheets of rectangular (including square) shape, while alloy aluminum sheets of rectangular (including square) shape are covered under PCT heading 7606.1200. The PCT headings 7606.9190 and 7606.9290 (Other) are for aluminum sheets of non-rectangular and non-square shapes.

7. As per Collectorate's contention, as aluminum sheets were imported in the form of coils, and not in the form of rectangular or square plates, sheets or strips, therefore, the same are not classifiable under PCT headings 7606.1100 or 7606.1200. The importer, on the other hand, contended that aluminum sheets were imported in the form of rectangular sheets which were wound in a joined sequence of concentric rings for packing purpose, thus forming coils, but this coiling process didn't change primary rectangular shape of the aluminum sheets. The importer argued that rectangular aluminum sheets remained rectangular despite being wound into coils and it cannot be said that the sheets lost their rectangular shape because of their mode of packing.

8. The Committee considered Note 1(d) of Chapter 76, which defines sheets as follows:

*"Flat-surfaced products" (other than the unwrought products of heading 76.01), coiled or not, of solid rectangular (other than square) cross-section with or without rounded corners (including modified rectangles of which two opposite sides are convex arcs, the*

*other two sides being straight, of equal length and parallel) of a uniform thickness, which are:*

*-of rectangular (including square) shape with a thickness not exceeding one-tenth of the width,*

*-of a shape other than rectangular or square, of any size, provided that they do not assume the character of articles or products of other headings.*

9. Above explanation clarifies that sheet is a flat-surfaced product which can be of any shape (rectangular, square, other than rectangular or square); and may be coiled or not. Thus reference to coiling or not coiling refers to mode of packing and not to the primary shape of the product. The specific mentioning that flat-surfaced product "may be coiled or not" means that process of coiling is separate from the primary shape of the product, else the expression used in the explanatory note (i.e. "may be coiled") becomes self-contradictory as how a flat-surfaced product that is coiled can be of rectangular or square shape? The above explanatory note clarifies that flat-surfaced product may be coiled, but it needs to be seen what is the shape of that product (sheet) that has been coiled, whether rectangular, square or of any other shape. Thus, the process of coiling does not change the primary shape of the product which may still be rectangular, square or of any other shape. For instance, a garment having shape of a T-shirt or a piece of fabric having rectangular shape cannot be said to have lost its shape in case of being folded. Garment or fabric retains its primary shape despite being folded. Similarly, a rectangular or square aluminum sheet cannot be said to have lost its primary shape when coiled.

10. In the light of above discussion, the Committee observed that by virtue of Note 1(d) of Chapter 76 of Pakistan Customs Tariff, the goods under consideration are appropriately classifiable under PCT headings 7606.1100 (non-alloy) or 7606.1200 (alloy) as the process of coiling refers to rolling or wounding a "thing" while the "thing" retains its primary shape and remains what it is. Thus, coiling is mode of packing and does not change the primary shape of a product.

**HOLDING:**

11. In view of the above, Committee holds that rectangular or square Aluminum Sheets imported in the form of Coils are appropriately classifiable in PCT headings 7606.1100 (in case of non-alloy) or 7606.1200 (in case of alloy) through application of GIR 1. Since the goods can be classified by reference to the terms of heading according to rule 1, therefore, there is no need to resort to subsequent rules of General Rules for Interpretation of Schedule 1.



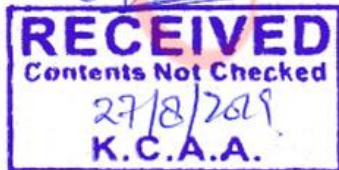
12. The above decision is based upon the documents and information provided by the importer and the detail scrutiny of the PCT headings in the light of Chapter Notes, General Rules of Interpretation and Explanatory Notes. This decision shall be treated as annulled, if it is found, at any subsequent stage, that the same was obtained by providing incorrect, false, misleading or incomplete information by the applicant.

SD/-  
(Sheeraz Ahmed)  
Additional Collector -II  
Chairman Classification Committee

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5. Director General, Intelligence & Investigation-FBR, Mauve Area-1, G-10/4, Islamabad.
6. Chief (Tariff), Customs Wing, Federal Board of Revenue, Islamabad.
7. Collector, MCC Appraisalment (East/West) / (Preventive), Custom House, Karachi.
8. Collector of Customs MCC, Port Mohammad Bin Qasim, Karachi.
9. Director General, Directorate of Customs Post Clearance Audit, 3<sup>rd</sup> Floor, Custom House, 24 Mauve Area, G-9/1, Islamabad.
10. Karachi Chamber of Commerce & Industry, Karachi.
- ✓ 11. Karachi Customs Agents Association, Custom House, Karachi.
12. Notice Board.
13. Master File.

(Sheeraz Ahmed)  
Additional Collector -II  
Chairman Classification Committee



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*Arshad Khurshid*  
Arshad Khurshid  
(General Secretary)  
Karachi Customs Agents Association  
27/8/19