



GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
CUSTOM HOUSE, KARACHI

The Collectors of Customs, Collectorate of Customs, (Appraisement - East / West/ Port Muhammad Bin Qasim / Enforcement/ JIAP), Karachi/ Hyderabad (Appraisement/ Enforcement), Quetta/ Gawadar/ (Appraisement/ Enforcement/ AIIA) /Lahore/ Appraisement, Faisalabad/ Appraisement, Smbrial (Sialkot)/ Enforcement, Multan/ Islamabad/ Gilgit-Baltistan / Export ((Appraisement/ Enforcement), Peshawar/ Enforcement, Dera Ismail Khan

DETERMINATION OF CUSTOMS VALUE OF BERETTA FIREARMS UNDER SECTION 25A OF THE CUSTOMS ACT, 1969

(VALUATION RULING NO. 1591/2022)

C. No. Misc/04/2021/IX/

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Dated: 19-01-2022



In exercise of the powers conferred under Section 25A of the Customs Act, 1969, the custom value of Beretta Firearms is determined as follows:

2. Background of the valuation issue: The Directorate General while conducting exercise in identifying tariff-lines prone to under-invoicing, received a re-presentation from M/s Beretta Italy through the Board's letter C.No. 1(102)E&C/2020 dated 11-10-2021 to determine values of their various products under Section 25A of the Customs Act, 1969. Thus, an exercise was initiated to determine customs values of subject goods in terms of Section 25A of the Customs Act, 1969.

3. Stakeholders' participation in determination of Customs values: Meetings with all stakeholders, trade bodies including representatives of clearance Collectorates were held in this Directorate General on 09-12-2021 & 14-12-2021. The importers/stakeholders were requested to submit their proposals/suggestions as well as following documents before or during the course of stakeholders' meeting so that Customs value could be determined:

- i. Invoices of import during last three months showing factual values
- ii. Websites, names and E-mail addresses of known foreign manufacturers of the item in question through which the actual current value can be ascertained.
- iii. Copies of Contracts made / LCs opened during the last three months showing the value of item in question.
- iv. 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. The meeting was attended by stakeholders and their points of view were heard in detail to arrive at custom values of subject goods. None of the importers submitted any documents required in support of their contention. M/s Beretta Italy Products in Pakistan stressed that custom values may be fixed by keeping in view the element of freight, import prices of raw materials and the values prevailing in the local and international market.

5. Methods 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 value of subject goods. The Transaction value method as provided in sub-section (1) of Section 25 of the Customs Act, 1969, was found inapplicable because no substantial documents were provided by the stakeholders to prove that their declared values were true transactional values. Moreover, different values were declared by different importers for same product according to different origins. Identical/similar goods value methods provided in Sections 25 (5) & (6) *ibid* were examined for applicability to determine customs values of subject goods. The data provided some references; however, it was found that the same could not be solely relied upon due to absence of absolute demonstrable evidence of qualities and quantities of commercial level etc. Information available was, hence, found inappropriate. In line with statutory sequential order of section 25, this office conducted market inquiries using deductive value methods under sub-section (7) of Section 25 of the Customs Act, 1969, item was not readily available in the market, therefore, this method of valuation could not be relied upon due to aforesaid reasons. Valuation method *vide* Section 25(8) of the Customs Act, 1969, was examined for valuation but the same also could not be applied due to non availability of conversion and processing cost of exporting country. Finally, clearance data, raw material prices, international prices through internet were examined thoroughly and the information so gathered were utilized and analyzed for determination of Custom Values of Beretta Firearms under Section 25(9) of the Customs Act, 1969.

6. **Customs values for Beretta Firearms - *hereinafter specified*** shall be assessed to duty/taxes on the FOB Customs values mentioned against them in the “**Annex A**” (Sr. No. 1 to 180 and Page No. 01 to 08). **Note:** In all the aforementioned FOB values, the actual sea or air freight, as the case may be, shall be added to arrive at the respective C&F values.

7. In cases where declared/transaction values are higher than the customs values determined in this Ruling or higher evidential data is available of stipulated period 90 days, the assessing officers shall apply those values in terms of sub-Section (1) of Section 25 of the Customs Act, 1969, and the same may be communicated to this Directorate General forthwith. In case of consignment imported by air, the assessing officer shall take into account the difference between air freight and sea freight while applying the customs values determined in this Ruling.

8. **Validity of Valuation Ruling:** The values determined *vide* this Ruling shall be the applicable Customs values for assessment of subject imported goods until and unless it is rescinded or revised by the competent authority in terms of Sub-Sections (4) of Section 25A 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 25D of the Customs Act, 1969, within 30 days from the date of issue, 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 Directorate General immediately. Customs values determined in the ruling are for the description and specification as mentioned in the above table of this Ruling. HS Codes are mentioned for illustrative purpose so that valuation ruling values are made accessible to the assessing officers. The assessment



