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

DETERMINATION OF CUSTOMS VALUE OF HAIR BRUSHES / CLEANING / WASHING / SWEEPING / DUSTING FEEDER BRUSHES AND SIMILAR KIND OF BRUSHES UNDER SECTION 25A OF THE CUSTOMS ACT, 1969.

(VALUATION RULING NO. 1682 /2022)

No. Misc/10/2016-IX/723

Dated: 26-07-2022

All Collectors In exercise of the powers conferred under Section 25A of the Customs Act, 1969, the Customs values of Hair Brushes / Cleaning / Washing / Sweeping / Dusting Feeder Brushes and Similar kind of Brushes are determined as follows: -

Background of the valuation issue: Earlier the customs values of Hair Brushes / Cleaning / Washing / Sweeping / Dusting Feeder Brushes and Similar kind of Brushes were determined under Section 25A of the Customs Act, 1969 vide Valuation Ruling No. 1535/2021 dated 08-07-2021. The domestic and international prices of the subject goods have been showing varying trends over the period of time. Therefore, an exercise was undertaken by the Directorate General of Customs Valuation to determine afresh the Customs Values of Hair Brushes / Cleaning / Washing / Sweeping / Dusting Feeder Brushes and similar kind of brushes in terms of Section 25A of the Act.

3. **Stakeholders' participation in determination of values:** Meeting was held on 22-06-2022 which were attended by different stakeholders. The participants were requested to submit following documents before or during the course of meeting so that customs values could be determined: -

- 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 that the benefit of difference in price is passed on to the local buyers.



4. The stakeholders were of the view that the values of brushes were not properly calculated on unit basis. The brushes vary in sizes, weight, quality and brand name and therefore the same needs proper segregation and it would be more logical for trade and assessing officer to apply values in Kgs. The importers also submitted that some separate categories may also be introduced in the Valuation Ruling for uniformity in assessment and minimizing the possibility of misdeclaration. No importer, however, submitted any import invoices/ sales tax invoices, representative samples, evidences and any other relevant import documents.

5. **Method adopted to determine Customs values:** Valuation methods given in Section 25 of the Customs Act, 1969 were duly applied in their sequential order to arrive at customs values of subject goods. The transaction value method under Sub-Section (1) of Section 25 of the Customs Act, 1969 was found inapplicable because requisite information was not available as per law. No documents were provided by the importers to ascertain their transaction value. The wide variations of values displayed in the import data as available on record also strengthened the aforementioned fact. Hence requisite information required under law was not available to arrive at the transaction value. Therefore, identical/ similar goods value methods as provided in Sub-Sections (5) and (6) of Section 25 ibid were examined for applicability to the valuation issue in the instant case. The same provided some reference values but due to wide range, qualities and sizes of brushes the values so found could not be exclusively and solely relied upon. 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. Accordingly, the Customs values of Hair/ Feeder/ Shoe brushes Cleaning/ Washing/Sweeping/ Dusting and Similar kind of Brushes (Low end Brands) have been determined under Section 25 (7) of Customs Act, 1969.

6. **Customs values for Hair/ Feeder/ Shoe Polish/ Cleaning/ Washing/ Sweeping/ Dusting and Similar kind of Brushes (Low end Brands):** Hair Brushes / Cleaning / Washing / Sweeping / Dusting Feeder Brushes and Similar kind of Brushes hereinafter specified shall be assessed to duty/ taxes at the following Customs Values: -

S. No.	Description/Specification	PCT Codes	Proposed PCT for WEOC	Origin	Customs Value (C&F) USS/Kg
(1)	(2)	(3)	(4)	(5)	(6)
1.	Hair Brush (Non- Electric - Wood Polymer Composite)	9603.9000	9603.9000.1000	China/ Vietnam	3.50
		9603.9000	9603.9000.1010	Korea/Taiwan	4.80
		9603.9000	9603.9000.1020	Other Origins	5.30
2.	Hair Brush (Non-Electric - Wood)	9603.9000	9603.9000.1030	China/ Vietnam	4.00
		9603.9000	9603.9000.1040	Korea/Taiwan	6.00
		9603.9000	9603.9000.1050	Other Origins	7.00
3.	Hair Brush (Non-Electric - Plastic)	9603.9000	9603.9000.1060	China/ Vietnam	3.80
		9603.9000	9603.9000.1070	Korea/Taiwan	4.50
		9603.9000	9603.9000.1080	Other Origins	5.50

4.	Brushes for Cleaning/ Washing/ Sweeping/ Dusting and similar kind of Brushes (Non-Electric)	9603.9000	9603.9000.1090	China/ Vietnam	5.00
		9603.9000	9603.9000.1100	Korea/Taiwan	6.00
		9603.9000	9603.9000.1110	Other Origins	7.00
5.	Feeder Brushes (Non- Electric)	9603.9000	9603.9000.1120	China/ Vietnam	5.27
		9603.9000	9603.9000.1130	Korea/Taiwan	6.05
		9603.9000	9603.9000.1140	Other Origins	7.32
6.	Brushes for Shoe Polishing (Non- Electric)	9603.9000	9603.9000.1150	China/ Vietnam	1.00
		9603.9000	9603.9000.1160	Other Origins	1.50

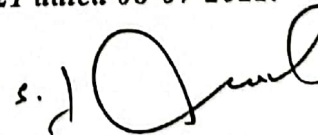
7. In cases where declared / transaction values are higher than the Customs values determined in this Ruling, the assessing officer shall apply those values in terms of Sub-Section 25(1) of Section 25 of the Customs Act, 1969, read with Section 25A(2) *ibid*. In case of consignments imported by air, the assessing officer shall take into account the differential between air freight and sea freight while applying the Customs values determined in this Ruling.

8. **Validity of this Valuation Ruling:** The value 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 (4) of Section 25A of the Customs Act, 1969.

9. **Review of the value determined vide this Valuation Ruling:** A review 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 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. The Customs values determined in the Valuation Ruling are for the descriptions and specifications as mentioned herein. HS Codes are mentioned for illustrative purposes so that Valuation Ruling values are made accessible to assessing officers. The assessment shall be finalized in the correct classifications after fulfilling requisite formalities relating to importability or other certifications 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 of the Customs Act, 1969 or any other law in vogue therein.

11. ***This ruling supersedes the Valuation Ruling No. 1535/2021 dated 08-07-2021.***


(Syed Fawad Ali Shah)
Director

Copy for information to: -

- 1) The Member Customs (Policy/Operations), F.B.R., Islamabad.
- 2) The Director General, Customs Valuation, Custom House, Karachi.