



GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL OF CUSTOMS VALUATION
7TH FLOOR, CUSTOM HOUSE, KARACHI

The Collectors of Customs, Collectorates of Customs (Appraisalment – West)/ Appraisalment – East / Appraisalment – Port Muhammad Bin Qasim / Enforcement / JIAP), Karachi / Hyderabad/ (Appraisalment/Enforcement), Quetta/Gawadar/ (Appraisalment/Enforcement/ AIIA), Lahore/Appraisalment, Faisalabad/ Appraisalment, Sambrial (Sialkot)/ Enforcement, Multan/Islamabad/ Gilgit-Baltistan/ (Appraisalment/Enforcement), Peshawar/Enforcement, Dera Ismail Khan/Exports (Port Qasim/Custom House, Karachi)/Transit Trade, Karachi.

DETERMINATION OF CUSTOMS VALUES OF NATURAL & ALKALIZED COCOA POWDER UNDER SECTION 25A READ WITH PROVISIO TO SECTION 25A (1) OF THE CUSTOMS ACT, 1969

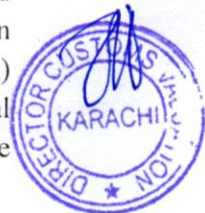
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In exercise of the powers conferred under Section 25A, read with proviso to Section 25A(1) of the Customs Act, 1969, the Customs values of Natural and Alkalized Cocoa Powder are determined as follows:

Background of the valuation issue: Earlier, the Customs values of Natural and Alkalized Cocoa Powder were determined under Section 25A of the Customs Act, 1969 vide Valuation Ruling No.1228/2017 dated 06-12-2017. The existing valuation ruling was more than five (05) years old and the Customs values determined therein were not reflective of prevailing international market prices. Therefore, an exercise has been undertaken by this Directorate to determine the same.



2. Analysis / Exercise done to determine Customs Values: In this regard, meeting dated 17.01.2023 was held in the Directorate of Customs Valuation, Karachi which was attended by the relevant stakeholders. The issues pertaining to the valuation of subject goods were deliberated upon in detail in/ the afore-referred meeting. Further, prices available in the international publication, namely Public Ledger, have been examined.

3. Method (s) adopted to determine Customs values: The Valuation methods specified in Section 25 of the Customs Act, 1969, were duly applied in sequential order to arrive at the 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 absence of information as required under sub-section (2) of Section 25 of Customs Act, 1969. Therefore, identical/similar goods value methods provided in Section 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 quantities and qualities and variation in declaration. Information available was, hence, found incomplete. In line with statutory sequential order of Section 25 of the Customs Act, 1969, this Directorate conducted market survey under sub-section (7) of Section 25 of the Customs Act, 1969.

Various Retail/Wholesale markets were visited to observe the actual prices of Natural and Alkalized Cocoa Powder. Subsequently, information was collected from international publication, i.e. Public Ledger, and thoroughly scrutinized and compared with the import data of the relevant period to determine Customs values. Finally, the values of Natural and Alkalized Cocoa Powder have been determined in terms of Section 25A read with proviso to Section 25A(1) of the Customs Act, 1969.

4. Customs values for Natural and Alkalized Cocoa Powder: Natural and Alkalized Cocoa Powder, hereinafter specified, shall be assessed to duty / taxes at the Customs values as per following Table.

S.No.	Description of Goods	PCT Code	Proposed PCT for WeBOC	Origin	Customs Values C&F (US\$/Kg)
(1)	(2)	(3)	(4)	(5)	(6)
1	Cocoa Powder Natural	1805.0000	1805.0000.1000	Malaysia/ Indonesia/Singapore/ Thailand	2.90
			1805.0000.1100	China	1.20
2	Cocoa Powder Alkalized	1805.0000	1805.0000.1200	Malaysia/ Indonesia/Singapore/ Thailand	3.00
			1805.0000.1300	China	1.30



5. In cases, where declared values are higher than the so determined Customs values, 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 officers shall take into account the difference between air freight and sea freight while applying the Customs values in this Ruling.

6. Validity of these Publication values: The Customs values for assessment of subject imported goods, shall be applicable until and unless the same are rescinded or revised by the competent authority in terms of sub-section (4) of Section 25A of the Customs Act, 1969.

7. Revision of the determined Publication values: In case of disagreement (with such Customs values) by any importer/exporter, the assessing officer shall give the reasons in writing and shall issue an Assessment Order which shall be appealable before the Collector (Appeals) under Section 193 of the Customs Act, 1969. These Publication values are also appealable under the law and a revision petition may be filed against publication values, under Section 25-D of the Customs Act, 1969, within 30 days from the date of issue of these publication values before the Director General, Directorate General of Customs Valuation, 7th Floor, Custom House, Karachi.

8. The Collectors of Customs may kindly ensure that the said determined values are applied by the concerned assessing officers/officials without fail. Any anomaly observed may kindly be brought to the notice of the Directorate of Customs Valuation, Karachi immediately. Customs