

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

DETERMINATION OF CUSTOMS VALUES OF CASHEW NUT UNDER SECTION 25A OF THE CUSTOMS ACT, 1969

(VALUATION RULING NO. 1766 /2023)

No. Misc/Cashew/04/2023-I/424

Dated: 14-04-2023

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

Background of the valuation issue: Earlier, the Customs values of Cashew Nut were determined under Section 25A of the Customs Act, 1969 vide Valuation Ruling No.1031/2017 dated 02-02-2017. An exercise has been undertaken by this Directorate to re-determine the Customs values afresh in line with values prevalent in the international market.

2. **Analysis / Exercise done to determine Customs Values:** In this regard, meeting dated 15-03-2023 was held in the Directorate of Customs Valuation, Karachi but no relevant stakeholder appeared in the meeting. Ninety (90) days' clearance data has been retrieved and the same has been scrutinized. Subsequently, market inquiry has been conducted and examined in the light of this Directorate's Office Order No.17/2014 dated 19-03-2014 and in terms of Section 25 (7) read with Section 25(9) of the Customs Act, 1969.

3. **Method (s) adopted to determine Customs values:** 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 reference; however, it was found that the same could not be solely relied upon due to absence of absolute demonstrable evidences 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 Cashew Nut. On the basis of available data / information collected and exercise conducted, the values of Cashew Nut have been



determined under sub-section (7), read with Section 25(9), of Section 25 of the Customs Act, 1969.

4. **Customs values of Cashew Nut:** Cashew Nut, 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 | Cashew Nut | 0801.3200 | 0801.3200.1000 | Vietnam | 4.30 |
| | | | 0801.3200.2000 | Other Origins | 4.50 |

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

6. **Validity of this Valuation Ruling:** This Ruling, containing 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 values determined vide this Valuation Ruling:** If aggrieved, 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 its issuance, before the Director General, Directorate General of Customs Valuation, 7th Floor, Custom House, Karachi.

8. The Collectors of Customs may kindly ensure that the values given in this Valuation Ruling are applied by the concerned staff without fail. Any anomaly observed may kindly be brought to the notice of this Directorate immediately. Customs values determined in the Ruling are for the description and specification as mentioned in the table of this Ruling. PCT 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 further 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.

9. ***This Ruling supersedes Sr. No. 15 of Valuation Ruling No.1031/2017dated 02-02-2017.***


(Fayaz Rasool Maken)
Director

Copy for information to: -

- 1) The Member Customs (Operations), Federal Board of Revenue, Islamabad.