

leading to doubts about under valuation and the authenticity of the invoices itself. Hence, the purported transaction value is apparently to be rejected under Rule 12 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 read with Section 14 of the Customs Act, 1962.

2. ◆◆◆◆◆◆◆◆ The International Price of **Ethylene Vinyl Acetate** as published on website www.icispricing.com, shall be relied upon for the purpose of determination of the value in terms of Rule 4& 5 of the Customs Valuation (Determination of Value of Imported Goods) Rules, 2007 read with Section 14 of the Customs Act, 1962.

3. ◆◆◆◆◆◆◆◆ If the goods are imported against a Contract / Indent backed by an irrevocable Letter of Credit (L/C) and shipment has been done within the validity period of L/C, the assessment shall be done at ◆ prices shown in the website www.icispricing.com, applicable during the week prior to the date of opening of L/C and not on the date of indent.

3.1. ◆◆◆◆◆◆ If a Contract / Indent is backed by L/C and more than one consignment are imported against same Contract / Indent, the price prevailing in the week prior to the date of opening of L/C as per www.icispricing.com, shall be taken if L/C was opened for the whole consignment as per the Contract / Indent. However, if separate L/C was opened for each consignment against one Contract / Indent, , the price prevailing during previous week of each L/C as per www.icispricing.com, shall be taken for assessment. Such contract may be registered with the Custom House, JNCH before filing the first Bill of Entry. In case, the contract was registered, then the original copy of the contract backed by the original L/C may be presented at the time of assessment of the first Bill of Entry. The contract can then be registered for subsequent

clearance. This would be applicable to the High Seas Buyers also in case the importer had made a High Sea Sale/Purchase.

3.2. ◆◆◆◆◆ If the import is made on a Contract not backed by Letter of Credit, the same may also be registered with the Custom House, JNCH, within **SEVEN days** of the Contract, in such case, value shall be taken on the basis of prevailing price on the date of contract as per www.icispricing.com subject to the condition that, the first shipment is made within ONE MONTH from the date of Contract or as per the schedule of dispatch as per contract, and the remaining shipments are made during the original contract period◆ or within one year whichever is earlier. An account of the Contract, so registered, shall be maintained in the Custom House and each import shall be debited against the quantity and the value of the registered Contract for ensuring that the imports against the registered contract do not exceed the contracted quantity and value. In case the imports against the registered contract are to be effected through the ports other than JNCH, at the request of the Importer a suitable Release Advice shall be issued to the Custom House, at the port of Importation, after debiting their account in respect of the relevant contract.

3.3 ◆◆◆◆◆ If the imports of **Ethylene Vinyl Acetate** are made without any Contract/Indent/LC, the assessable value shall be determined based on the prices as published at site www.icispricing.com, prevailing during the week preceding the date of Bill of Lading.

3.4 ◆◆◆◆◆ Amended Letter of Credit (LC), Contract & Bill of Lading would not be taken into consideration for application of **icispricing**.

4. In case of imports from manufacturers also , variation upto 5% from the prices as published at site www.icispricing.com would be considered on sufficient cause being shown, with the prior written approval of the jurisdictional Additional / Joint Commissioner. However, no variation from www.icispricing.com rate shall be allowed in respect of import from traders and 100 % subsidiary of the manufacturers / sole selling agent. However, if the imports are of goods manufactured by the manufacturer for which variation, as above, has been allowed / is allowable when imported from the manufacturers, said variation could be considered in the case of imports from traders and 100 % subsidiary of the manufacturer / sole selling agent, provided manufacturer's invoice to such trader is produced.

5. While arriving at the Assessable Value based on the prices as published at site www.icispricing.com {quoted for South East Asia (SEA) region (Indian)}, the freight. Insurance premium charges and handling charges shall be added to referred price (icispricing) in following manner:

(i) Freight @ USD 30/MT or Actual Freight paid;

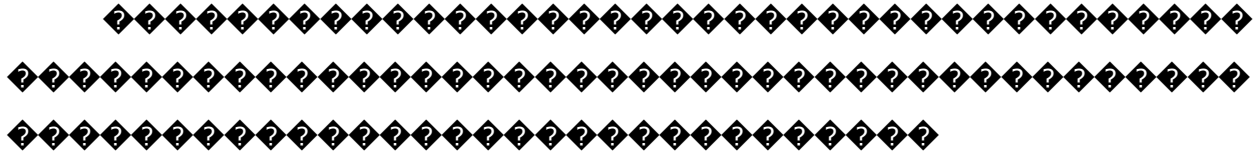
(ii) Insurance Premium charges @ 1.125% of C&F or Actual paid ;

(iii) Landing Charges 1.00% of CIF

Note:- Actual paid charges shall be considered only when supported with

original paid receipts duly issued by the carrier.

6. The above guidelines for valuation of aforesaid items, shall be complied strictly in this Customs House.



(SANJEEV BEHARI)



Commissioner of Customs (Import).

JNCH

Copy to:

- i) The Chief Commissioner of Customs, Mumbai Zone II, for kind information
- ii) All ADCs/JCs, Import Commissionerate, JNCH
- iii) All DCs/ACs, Import Commissionerate, JNCH
- iv) Office copy,
- v) EDI/Systems Manager for publishing on Intranet.

