

**OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-III ,
JAWAHARLAL NEHRU CUSTOM HOUSE, TAL - URAN,
NHAVA -SHEVA, DISTRICT : RAIGAD, 400707**

F. No. S/26-Misc.- 2895/2017-18 Group II G

Date: 02/11/2017

STANDING ORDER NO. 35/2017

Sub : Guidelines for Valuation of Acrylic Polymers, Poly (Methyl Methacrylate) (PMMA/MMA) & Acrylic Sheet, etc. – reg.

Please refer to the Standing Order No. 52/2008, dated 19.11.2008 issued by JNCH in respect of guidelines for valuation of "**Ethylene Vinyl Acetate (EVA)**".

2. **Valuation of Acrylic Polymers & Poly (Methyl Methacrylate) (PMMA/MMA):** Acrylic Polymers & Poly (Methyl Methacrylate) (PMMA/MMA) (classifiable under CTH 3906) are also a derivative product of Petrochemical Industry and their International Price also depends / linked with the International Price of Crude Petroleum. Hence, for the sake of uniformity and to avoid delays / disputes, it has been decided that the guidelines issued vide Standing Order No. 52/2008, dated 19.11.2008 in respect of guidelines for valuation of "Ethylene Vinyl Acetate (EVA)" should be followed for determining / verifying valuation of Acrylic Polymers, Poly (Methyl Methacrylate) (PMMA/MMA) in the similar manner.

3. **Valuation of Acrylic Sheets:** ICIS does not indicate the prices of acrylic sheet (classifiable under CTH 392051), which is a derivative product of PMMA/MMA. Therefore, it has been decided that for determining / verifying valuation of PMMA/MMA products like acrylic sheet, etc. further manufacturing cost will be added into the price of PMMA/MMA as calculated according to the prescribed guidelines (guidelines issued vide Standing Order No. 52/2008, dated 19.11.2008).

4. The above guidelines for valuation of aforesaid items, shall be complied with.

Sd/-

(SUBHASH AGRAWAL)

Commissioner of Customs (NS-III).

Copy to (by email):

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH.
2. The Commissioner of Customs, NS-G/ NS-I/ NS-II / NS-IV / NS-V, JNCH.
3. All Additional / Joint Commissioner of Customs, JNCH.
4. All Deputy / Assistant Commissioner of Customs, JNCH.
5. All Groups of NS-I, NS-II / NS-III/ NS-IV / NS-V, JNCH.
6. AC/DC, EDI for uploading on JNCH website immediately

**OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-III ,
JAWAHARLAL NEHRU CUSTOM HOUSE, TAL - URAN,
NHAVA -SHEVA, DISTRIC : RAIGAD, 400707,
MAHARASHTRA**

**F. No. S/26-Misc.- 2895/2017-18 Group II G
/10/2017**

Date:

STANDING ORDER NO./2017

Sub : Guidelines for Valuation of Acrylic Polymers (PMMA) & Acrylic Sheet etc. – reg.

Kind attention is being invited to directions on valuation issued vide F. No. S/V-Valuation Cell/2012VC-1 dated 24.01.2013 wherein, interalia, the value of Acrylic Sheet was fixed at Rs. 200/- per kg. However, due to frequent changes in international prices of PMMA/acrylic resin, covered under CTH 3906 the valuation aspect has been reviewed.

Further, the value of Acrylic Sheet (CTH 392051) a derivative product of PMMA was required to be looked into. PMMA/Acrylic resin and its products like Acrylic is a derivative product of Petrochemical Industry, therefore, International Price of PMMA directly depends on the International Price of Crude Petroleum. Though, Poly Methyl Metha Acrylate is manufactured by select producers across the globe, the invoices produced by the importers are mostly of traders wherein, the variation between the invoice value and the international prices have been noticed of great significance, 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 Poly Methyl Metha Acrylate, acrylic resin and acrylic sheet 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 Poly Methyl Metha Acrylate/ acrylic resin and acrylic sheet 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 manufactures 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 from 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, provide manufacturers 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 (whichever is higher);
- (ii) Insurance Premium charges @ 1.125% of C&F or Actual paid ;
- (iii) Landing Charges @ 1.00% of CIF value.

Note:- Actual paid charges shall be considered only when supported with original paid receipts duly issued by the carrier.

6. Since ICIS does not indicate prices of acrylic sheet, hence for arriving at the Assessable Value of PMMA's products like acrylic sheet, further manufacturing cost will be added into the price of PMMA as calculated above at para 4.

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

(Subhash Agrawal)
Commissioner of Customs, NS-III.
JNCH

Copy to:

- i) The Chief Commissioner of Customs, Mumbai Zone II, for kind information
- ii) The Commissioner of Customs (NS-I and NS-V), JNCH
- iii) All ADCs/JCs, Import Commissionerate, JNCH
- iv) All DCs/ACs, Import Commissionerate, JNCH
- iv) Office copy,
- v) EDI/Systems Manager for uploading on JNCH website.