

**Summary**  
**A Pharmaceutical Company Protest**  
**Protests and Objections Unit**  
**September 4, 2017**

XY, a taxpayer wrote the Customs Department for refund on excess payment made on pharmaceutical goods brought into the country. In the communication, the taxpayer complained that it was charged additional tax (excise tax) on Gripe Water, a medication for infants. BIVAC misclassified the Gripe Water under the same heading as water and non-alcoholic beverages due to the nomenclature and this was also used by the consignee on the SAD.

The Technical Affairs Unit of the Customs Department established that the taxpayer paid the requested amount. Customs also established that had the product been classified correctly, it would have attracted a 0% excise tax within the CET<sup>1</sup>.

The Protest Panel<sup>2</sup> ruled that BIVAC and the taxpayer made an error in misclassifying the medication under a wrong heading and concluded that the taxpayer be given a refund of US \$ 2,563.50 for the excess in duties paid.

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<sup>1</sup> An investigation was conducted by Technical Affairs Unit of the Customs Department into the case and a report was written.

<sup>2</sup> Hearing Panel of the Protests and Objections Unit of the Liberia Revenue Authority is composed of four members: Manager of the unit, Special Counsel/Consultant, Protest Officer and Paralegal. The hearing was held with representatives from both the Customs Department and the Taxpayer being present.