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कार्यालय आयुक्त केन्द्रीय उत्पाद शुल्क, सीमा शुल्क एवं सेवाकर, भोपाल
48, प्रशासनिक क्षेत्र, अरेरा हिल्स, होशंगाबाद रोड, भोपाल
OFFICE OF THE COMMISSIONER OF CUSTOMS, CENTRAL EXCISE & SERVICE TAX,
48, ADMINISTRATIVE AREA, ARERA HILLS, HOSHANGABAD ROAD, BHOPAL

F. No. IV(16)37/PN/Tech-Cus/BPL/13-14

Bhopal 06.06.2014

PUBLIC NOTICE No. 03/2014/Customs
Dated 05.06.2014

Subject: - Import of Pesticides –Common Order dated 05.09.2013 passed by Hon'ble Gujarat High Court in various Civil Applications –regarding.

Attention of the field formations, Importers, Customs House Agents, Members of the Trade and Industry is invited to the Common order dated 05.09.2013 passed by Hon'ble Gujarat High Court in Special Civil Application no. 7928 of 2011 with Civil Application No. 8064 of 2013, and connected issues. The main contention in the said case is that the imports of formulation is being allowed without any technical grade verification and are granted exemption without registering its technical grade material whereas the indigenous manufacturers are required to undergo rigorous testing for the purpose of formulations well as well as technical grade in the Insecticide Act, 1968.

2. The Court passed the order dated 05.09.2013, inter alia, stating that even in case of import of formulations its technical grade/material will be tested and actual physical sample of such technical grade of each consignment when it is imported will have to be provided by the importer which will be subjected to all the rigours of the tests applicable to the indigenous manufacturer like the examination of chemical composition, test with regard to bio efficacy and human safety as well as its probable effect on the soil and human life.
3. The matter has been examined in consultation with Department of Agriculture and Cooperation, Ministry of Agriculture. Accordingly, Board desires that direction of Hon'ble High Court of Gujarat should be strictly complied with by the field formations. The Commissioner of Customs concerned should ensure that in case of import of formulations, samples of its technical grade/material are tested. For this purpose actual physical sample of such technical grade of each consignment has to be provided by the importer which will be subjected to all tests applicable to the indigenous manufacturer such as the examination of chemical composition, test with regard to bio efficacy and human safety as well as its probable effect on the soil and human life.
4. Any difficulty in implementation of these directives should be brought to the notice of the Plant Protection Advisor, Directorate of Plant Protection Quarantine and Storage, NH-IV, Faridabad-121001.

5. All Associations, Chamber of Commerce and Members of Regional Advisory Committee CCO Bhopal of Bhopal Commissionerate jurisdiction are requested to bring the contents of this Public Notice to the knowledge of their constituents and others concerned immediately.


(Dr. D.K. Verma)
COMMISSIONER

Authority:-
Circular No. 07/2014-Customs dtd. 07.03.2014 of
Central Board of Excise and Customs.

