

**OFFICE OF THE COMMISSIONER OF CUSTOMS, NS-III  
MUMBAI CUSTOMS ZONE-II  
JAWAHARLAL NEHRU CUSTOM HOUSE, NHAVA SHEVA,  
TAL:- URAN, DIST : RAIGAD. PIN – 400 707.**

F. No.S/26-Misc/545/2017-18/Gr.VI JNCH

Dated:30.10.2017.

**PUBLIC NOTICE NO. 135/2017**

**Subject: Import of toys – Amendment in Policy condition No. 2 to Chapter 95 of ITC (HS), 2017 – Schedule – 1 (Import Policy) procedure to be followed, in case goods are allowed to be warehoused– regd.**

Attention of the Importers, Custom Brokers and all concerned are invited to the Notification 26/2015-20 dated 01.09.2017 issued by the Director General of Foreign Trade, New Delhi on the above mentioned subject.

The DGFT vide above referred Notification, revised Policy condition No.2 to Chapter 95 of ITC (HS), 2017 – Schedule – 1 (Import Policy). As per New Policy condition Import of Toys shall be permitted freely when accompanied by the following certificates.

*(i) A Certificate that the toys being imported conform to the standards prescribed in IS: 9873 Part – 1, Part-2, Part-3, Part-4, Part-7, Part-9 and 15644:2006.*

*(ii) A Certificate of Conformance from the manufacturer that representative sample of the toys being imported have been tested by an independent laboratory which is accredited by NABL, India and found to meet the specifications indicated above. The Certificate would also link the toys in the consignment to the period of manufacture indicated in the Certificate of Conformity.*

2. It has been represented by the trade that it will take time for testing of toys from an independent laboratory which is accredited by NABL, India. They requested to allow warehousing of the toys to avoid the detention and demurrage.

3. These issues have been examined and following procedure, in addition to the provisions contained in Chapter IX of Customs Act, 1962 and Board Circulars, Standing Orders, Public Notices issued in this regard from time to time, is prescribed for clearance of Toys under Warehouse Bill of Entry:-

**At the time of filing of Warehouse Bill of Entry:-**

**• For Importer/Custom Broker:-**

(i) The Importer or Custom Broker may file Warehouse Bill of Entry under Section 59 of the Customs Act, 1962, where the Test Reports as per New BIS standards from NABL accredited Lab and Certificate of Conformance issued by the manufacturer is not readily available for clearance of Toys and importer expects to obtain the same within reasonable period.

- **For Assessing Officer:-**

- (i) The Group Officer shall after verification of self assessment made by importer in the Warehouse Bill of Entry, should give the Examination Order as per New policy conditions(as per Notification No. 26/2015-20 dated 01.09.2017 issued by the Director General of Foreign Trade, New Delhi).
- (ii) The Group officer shall also give examination order as “If the Test Report & Certificate of Conformance as per new policy is not produced at the time of Examination. Please examine the goods & verify the description, quantity, IGST rate for Electronic and Non-electronic toys, applicability of FTA benefit if claimed, compliance of RE-44 and other aspects. If the goods are found in order (except non-production of Test Report & Certificate of Conformance), then give Out of Charge for Warehousing with Comments “Test Report & Certificate of Conformance may be verified at the time of Ex-bonding in the Departmental Comments column” and also endorse remarks for the same on hard copy of the Bill Of Entry. If the goods are not found in order (except non-production of Test Report & Certificate of Conformance), then forward the same to the Group for necessary action.

### **At the time of filing of Ex-bond Bill of Entry:-**

- **For Importer/Custom Broker:-**

- (i) The Importer or Custom Broker has to produce checklist of all ex-bond Bills of Entry either selected for assessment or RMS facilitated to the Group alongwith the Copy of Warehouse Bill of Entry of the same goods, Test Report & Certificate of Conformance as per new policy for assessment.

- **For Assessing Officer:-**

- (i) The Group Officer shall scrutinize the Test Report & Certificate of Conformance with the details in Bill of Entry, Invoice and Packing list and give the Examination Order on Hard copy of the Check List to examine the goods w.r.t. the details on Test Report & Certificate of Conformance. The Supdt. In-charge of Warehouse shall examine the goods & ensure the compliance of Policy condition as per Examination Order and give the Examination Report on Hard copy of the Check List.
- (ii) The Group officer shall verify the Examination Report and issue NOC for clearance of the goods under Ex-bond Bill of Entry. The Group Appraiser shall put the remarks & NOC details in the Departmental Comments column as the Examination Order and Examination Report Column is not available in the Ex-bond Bill of Entry.

- **For Supdt. In-charge of Warehouse:-**

- (i) The Supdt. In-charge of Warehouse shall examine the goods as per Examination Order on Hard copy of the Check List & ensure the compliance of Policy condition. He shall give the Examination Report on Hard copy of the Check List

and forward the same to the Group. The Supdt. In-charge of Warehouse shall also verify the NOC from Group before allowing delivery of "Toys" under Ex-bond Bill of Entry.

- **For Bond Supdt. who will give Out of Charge:-**

- (i) The Bond Supdt. has to ensure that no Ex-bond Bill of Entry of Toys either selected for assessment or RMS facilitated will be Out of Charged without NOC from Group. A separate register has to be maintained with the details of Ex-bond Bill of Entry No. & date, Warehouse Bill of Entry No. & date, NOC details and quantity balance in the Warehouse Bill of Entry for record and scrutiny.

Difficulties, if any, faced in implementation of this Public Notice may be brought to the notice of the Dy. Commissioner in-charge of "Group.VI" on Tel. No.022-27244711.

Action to be taken in terms of decisions taken in this Public Notice should be considered as standing order for the purpose of officers and staff.

**sd/-**

**(SUBHASH AGRAWAL)**  
**Commissioner of Customs (NS-III).**

Copy to:

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 Commissioners of Customs, JNCH.
4. All Deputy / Assistant Commissioner of Customs, JNCH.
5. All Sections / Groups of NS-G, NS-I, NS-II / NS-III/ NS-IV / NS-V, JNCH.
6. Representative of BCBA / FIEO for information and circulation among their members for information.
7. AC/DC, EDI for uploading on JNCH website immediately