

F. No. 450/23/2014-Cus IV

Government of India

Ministry of Finance

Department of Revenue

(Central Board of Excise and Customs)

227 –B, North Block

New Delhi, dated 17.10.2014

To,

All Chief Commissioners of Customs/Customs (Preventive)

All Chief Commissioners of Customs and Central Excise

All Commissioners of Customs

All Commissioners of Customs and Central Excise

Sir / Madam,

Subject :- Import of Pesticides-reg.

Reference is invited to Board Circular No7/2014-Cus dated 7.04.2014 on compliance of Order of Hon'ble High Court of Gujarat regarding import of formulations into India which lays down that Commissioner of customs concerned should ensure that in case of import of formulations, the samples of its technical grade / material is tested. For this purpose actual physical sample of each 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 the chemical composition, test with regard to bio efficacy as well as its probable effect on the soil and human life.

2. The matter has been re-examined in the light of Order dated 28.03.2014 in Misc Civil Application No. 2483 of 2013 and Misc. Civil Application No 2496 of 2013 of High Court of Gujarat and in consultation with Department of Agriculture. It is, accordingly, clarified that the technical grade/ material shall not be insisted upon with each imported consignment of formulation once such technical grade/ material has been supplied for the purpose of analysis and scrutiny prior

to the registration. Further, each consignment of formulation which is imported should be verified and tested so that it matches with the technical grade material regarding specification and quality.

3. Board Circular No 7/2014- Cus dated 7.04.2014 stands modified to the above extent.

4. Suitable Public notice may be issued for guidance of staff and trade.

Yours sincerely,

(R.P.Singh)

Director (Customs)