



**OFFICE OF THE COMMISSIONER OF CUSTOMS (NS-III),
MUMBAI ZONE-II, JAWAHARLAL NEHRU CUSTOM
HOUSE, NHAVA SHEVA, TALUKA: URAN, DISTRICT:
RAIGAD, MAHARASHTRA-400707.**

F. No. S/22-Gen-04/2017-18/AM(I)

Date:15.05.2018

Public Notice NO. 79/2018

Sub:- Direction under Section 16(5) of Food Safety and Standards Act, 2006 regarding operationalisation of draft Food Safety and Standards (Import) Amendment Regulations, 2018 –reg.

Attention of the Importers, Exporters, General Trade, Custom Brokers and all other stakeholders in the jurisdiction of JNCH, Nhava Sheva is invited to the “Notice for operationalisation of draft Food Safety and Standards (Import) Second Amendment Regulations, 2018” issued by the Director (Import), FSSAI. Keeping in mind the need to reduce the time taken in the process of clearance of imported food articles so as to facilitate the ease of doing business, it has been decided by FSSAI to operationalise these regulations with effect from 01st May, 2018.

2. As per the said draft regulations, the following changes have been made in the Food Safety and Standards (Import) Regulations, 2017:

(1) *in regulation 9, after the sub-regulation (3), the following shall be inserted, namely: -*

“(3a) In case of imported pre-packaged retail food article, the Authorized Officer after successful completion of visual inspection and sampling, may issue a provisional no objection certificate to move the food consignment to a well-equipped storage facility.

(3b) For the purpose of sub-regulation (3a), the Authorized Officer shall take a declaration from importer in Form ‘13 A’ and importer shall sell such pre-packaged food article only after the issuance of no objection certificate by the Authorized Officer.”

(2) *after Form ‘13’, the following form shall be inserted namely:- Form 13A. (enclosed with this P.N. as Annexure-A).*

3. The sub-regulation 3 of regulation 9 of the Food Safety and Standards (Import) Regulations, 2017 is reproduced below for ready reference:

“(3) In respect of imported articles of food having shelf-life less than seven days, the applicant shall declare the same in Form – 13 allowing the Authorised Officer to draw sample and issue provisional no objection certificate to the customs, without waiting for the analysis from the laboratory, the authorised Officer shall communicate to the customs along with no objection certificate if products conform to the standard.”

4. By inserting the sub-regulation 3a and 3b in regulation 9 of the Food Safety and Standards (Import) Regulations, 2017, the facility of provisional NOC, which was available only for “**goods having shelf-life less than seven days**” has been extended to “**all imported pre-packaged retail food articles**”. The importers can avail the facility on submitting a declaration in Form 13A.

5. All the stakeholders are advised to avail the above-mentioned facility, which will reduce the dwell time and overall transaction cost.

6. Difficulty, if any, may also be brought to the notice of Deputy / Assistant Commissioner in charge of Appraising Main (Import) through email / phones (email address: appraisingmain.jnch@gov.in , Phone No : 022-27244979).

7. 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, JNCH

Copy to (By email):

1. The Chief Commissioner of Customs, Mumbai Zone- II.
2. All Commissioner of Customs, Mumbai Zone- II.
3. All Addl./Joint Commissioners of Customs, Mumbai Zone- II.
4. All Deputy/Asstt. Commissioners of Customs, Mumbai Zone- II.
5. The DC/EDI for uploading on the JNCH website.
6. BCBA / FIEO / AIIEO / Other Associations.

Annexure-A

Form – 13A
[See Regulation 9 (3b)]

Declaration regarding issue of provisional no objection certificate for imported
pre-packaged retail food consignment
(To be printed on the Letterhead of the FBO/Importer/Company)

To

The Authorized Officer, FSSAI
<Port of Import>

Dear Sir,

I/We, resident of [as Proprietor / Partner / Managing Director / Director / Authorized Signatory] of M/s Are importer of<Name of Food Items> ... in the consignment imported vide<Bill of Entry>.... dated..... at<Port location>...., request you to issue provisional NOC for the same.

I/We hereby undertake to comply with the following terms and conditions on behalf of the importing firm/company as under: -

- (i) The entire consignment under above mentioned Bill of Entry will be retained in a storage facility at<address of warehouse>and no part of the consignment shall be released into the market prior to issuance of no objection certificate;
- (ii) Both Customs and Food Safety and Standards Authority of India have the right to inspect the said storage facility at any time to ensure that the consignment is held securely till the no objection certificate is provided by Food Safety and Standards Authority of India;
- (iii) In the event of non-compliance of any rules, regulations made under FSS Act, I/We shall be fully responsible to move the cargo back to Customs jurisdiction and comply with all the norms for destruction/ re-export as may be decided by the competent Authority;
- (iv) In case of non-compliance of any of the above norms, I/We will not be eligible to avail of the above-mentioned facility in future. Besides, I/We will be liable for contravention of the Food Safety and Standards Act, 2006 and rules & regulations made there under.

Signatures of the Importer with Stamp/
Seal

Name:

Place:

Address:

Date:

Contact Nos: