

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

F. No. S/22-Gen-82/2015-16/AM(X)

Dated 11.07.2017

**PUBLIC NOTICE NO. 94/2017**

**Sub: Procedure for chemical examination of cargo of non-hazardous category to be exported in ISO tanks - Reg.**

Attention of all the importers, exporters, Customs Brokers, and other stake holders is invited to the Public Notice No. 46/2017 dated 31.03.2017 on the subject '*Procedure for clearance of export cargo categorised as "Hazardous Goods"*'.

2. Following representations have been received in this regard expressing difficulties in following the procedure prescribed under aforesaid public notice.

**i. ISSUE-I**

It has been represented by the "exporters of the cargo in ISO tanks" (cargo being non-hazardous category) that the said ISO tanks cannot be opened for examination of goods as it may lead to contamination of the cargo due to exposure, etc.. It has been represented that the cases where an open examination has been ordered, the export may be permitted provisionally and a self-sealed counter sample for chemical examination will be arranged by them within a reasonable time.

**ii. ISSUE-II**

It has been represented by "exporters of the hazardous goods" that whenever the cargo requires examination, the Exporter's personnel are called to remain present during cargo examination & the Customs Broker (CB) or Consolidator's personnel are not allowed to be present during examination on behalf of Exporter, although CB or Consolidator are also competent people to facilitate Hazardous Cargo Examination.

3. The above representations have been examined and in continuation to the Public Notice No. 46/2017 dated 31.03.2017, it has been further decided that

**i. CLARIFICATION OF ISSUE-I**

The procedure laid down for the examination of "other Hazardous Cargo" under para 7, 7.1 and 7.2 of the aforesaid Public Notice No. 46/2017 dated 31.03.2017 will be applicable for the examination of the cargo exported in ISO tanks (cargo being non-hazardous category). Further, whenever, the sample is required to be drawn from such containers for chemical examination, the exporter shall arrange

for expert/concerned person/technical person for facilitating drawal of such sample under the supervision of the EO/PO.

**ii. CLARIFICATION OF ISSUE-II**

It is clarified that during examination/drawal of sample in case of the "hazardous cargo", the presence of exporter/customs broker or their authorised representative/expert/technical person/person conversant / competent in handling with such cargo is sufficient and there is no requirement for the personal presence of "exporter or his customs broker" only. However, it is also clarified that it will be the responsibility of exporter to ensure that person facilitating examination /drawal of sample is competent and exporter will be responsible for consequences, due to an accident / incident, if any, because of mishandling of such cargo.

5. Difficulty, if any, may be brought to the notice of Deputy / Assistant Commissioner in charge of Appraising Main (Export) through email / phones (email address: apmainexp@jawaharCustoms.gov.in, Phone No : 022-27244959,).

6. This, issues with approval of the Chief Commissioner of Customs, Mumbai Zone-II, JNCH. 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-IV).

Copy to:

1. The Chief Commissioner of Customs, Mumbai Zone-II, JNCH.
2. The Commissioner of Customs, NS-G/ NS-I/ NS-II / NS-III/ NS-IV / NS-V, JNCH.
3. All Additional / Joint Commissioner 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.