

OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT),
JAWAHARLAL NEHRU CUSTOM HOUSE, SHEVA,
TAL. : URAN, DISTT. : RAIGAD, MAHARASHTRA 400 707.

F. No. S/26-Misc.-341/09-10Gr.II(E),

JNCH. Date :- 04
.02.2011

STANDING ORDER NO. 07/ 2011.

Sub:- Import of insecticides, fungicides and other chemicals notified under

Section 3(e) of the Insecticides Act, 1968.

1. Attention of all Group is invited to the judgement of the Hon^{ble} Supreme Court in the case of Union of India Vs Insecticide Manufacturing and Formulators Association of India[2002(146)ELT.19(SC) and [Board's Circular No. 61/2004](#) Cus Dtd. [28/10/2004](#).

2. In view of the above, even in respect of a separately chemically defined compound, if it is a pesticide/insecticide, it will be classifiable under heading 3808 of the Customs Tariff (which is identical to the corresponding heading of the Central Excise Tariff) and not under the chapters 28 or 29. Also, as per the DGFT Policy the insecticides, rodenticides, fungicides, herbicides, anti-sprouting products and plant growth regulators, disinfectants and similar products, which are classifiable under CTH 3808, are freely importable only when importer is registered with CIB & RC and the goods are not prohibited for import under the Insecticides Act, 1968 and formulation thereof.

- 3 All products referred to in para (2) are required to be regulated as per he DGFT policy. All concerned Importers are, therefore, required to obtain Registration/Import Permit from the CIB & RC under Insecticide Act, 1968 and produce the same to Customs.

4. The implication of the Public Notice is that all concerned Importers will henceforth compulsorily have to obtain Registration/Import Permit from the CIB & RC under Insecticide Act, 1968 and produce the same to Customs.

5. However, the Bills of Entry pertaining to the importers who are actual users and who are in the process of obtaining the Registration/Import Permit from CIB & RC would be assessed provisionally subject to production of the copies of the Registration/Import Permit from the CIB & RC under the Insecticide Act, 1968 within 2 (two) months from the date of clearance and this facility is extended only up to 15/03/2011 and after 15/03/2011 even the actual users shall furnish the CIB & RC certificate and no Provisional Assessment will be permitted.

1. All concerned Groups are hereby required to ensure that the above procedure is followed.

(MALA SRIVASTAVA)

COMMISSIONER OF
CUSTOMS (IMPORT)

JNCH

(2)

To,
All the Concerned.

Copy to:

1. The Chief Commissioner of Customs, Mumbai Zone-II
2. The Commissioner of Customs (Import), JNCH
3. All the Addl./Jt. Commissioners of Customs, JNCH
4. All the Assistant Commissioner s/ Deputy Commissioners.
5. All Appraising Groups.
6. Office Copy.