

OFFICE OF THE COMMISSIONER OF CUSTOMS (IMPORT)

JAWAHARLAL NEHRU CUSTOM HOUSE, SHEVA

TAL. URAN, DIST. RAIGAD

F. No. : S/6-Gen-42/2011 Docks / TPL (Imp) Date : 08.09.2011

PUBLIC NOTICE NO. 116/2011

(Referred / amended vide P.N.No. [33/2012](#))

Sub:- Compliance of [DGFT Notification No.44 \(RE-2000\)/1997-2002](#) dt.24.11.2000- Labeling of goods prior to clearance-reg.

Attention of all the Importers/ Exporters, trade and CHAs is invited to the Boards [circular No. 19/2011](#) dt. 15.04.2011 and [Public Notice No. 76/2011](#) and [Standing Order No. 40/2011](#) both dated 03.05.2011 issued in pursuance of this circular. This circular extends the facility of labeling on imported goods in Bonded Warehouses subject to certain procedural conditions.

2. It has been brought to the notice that there is no uniform practice/ procedure being followed for seeking permission for labeling on imported goods in CFS itself. In some cases, permission is being sought from the assessing group and in some cases permission is being sought from docks officers. It has also been noticed that in certain cases importers did not seek any such permission and also claimed the benefit of Notification. No. 29/10-CUS.dated 27.02.10. However, when non-compliance of RE 44 condition was detected during examination, they sought permission for labeling of goods. In this regard, it may be noted that the onus of making true and correct declaration in all aspects relating to the imported goods lies with the importer.

This is especially so in the context of introduction of self-assessment this year. Therefore, it is clear that the importer should declare in case RE-44 conditions have not been complied with at the time of import and seek specific permission of labeling the imported goods before clearance. However, if non-compliance is detected during examination, appropriate action will have to be taken as per provisions of the Customs Act, 1962.

3. In order to ensure that uniform practice is followed in this regard, it has been decided that for the Bills of Entries which are selected for verification, the importer should give a suitable letter to the assessing group seeking permission for labeling on imported goods in CFS itself. The assessing group will give suitable examination order to the docks officer to allow such labeling at CFS. The docks officer shall verify compliance of RE-44 condition before clearance of the goods. In case of RMS cleared Bills of Entries, the importer should give a suitable letter to the AC/DC Docks seeking permission for labeling on imported goods. The AC/DC Docks, while giving such permission will suitably instruct the docks officers to verify compliance before clearance of the goods.

4. It is further clarified that this procedure will be applicable to all goods covered under [DGFT Notification No.44 \(RE-2000\)/1997-2002](#) dt. 24.11.2000, irrespective of whether they attract RSP based CVD and whether the importer has claimed the benefit of [Notification No. 29/10-CUS](#).dated 27.02.10.

Sd/-

(B. RAVICHANDRAN)

COMMISSIONER OF CUSTOMS (IMPORT)

JNCH, NHAVA SHEVA

To,

All the Concerned Officers

Copy for information to:

- i) The Chief Commissioner of Customs, Mumbai-II Zone, JNCH
- ii) The Commissioner of Customs (Export), JNCH
- iii) The Additional Commissioner of Customs (EDI) : for uploading the same on JNCH website.
- iv) The Bombay Custom House Agent Association.