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F.No.S/22-Gen-41/2014-15/AM(I)/JNCH

Dated 22.08.2016

PUBLIC NOTICE NO. 112 /2016

Sub: - Amendment in the Legal Metrology (Packaged Commodities) Rules'2011-reg.

Attention of all the Importers/Exporters, Customs Brokers and the member of the Trade is invited to the Notification dated 14th May'2015 issued by the Food and Public Distributions Department of Consumer Affairs, Ministry of Consumer Affairs, New Delhi.

2. The said Notification contained the '**Legal Metrology (Packaged Commodities) (Amendment) Rules,2015**' by which the Central Government amended the Legal Metrology (Packaged Commodities) Rules'2011 which are as under:

1. In the Legal Metrology (Packaged Commodities) Rules'2011 (hereinafter referred to as the said rules), in rule 2-

(i) For clauses (bb) and (bc), the following clauses shall be substituted, namely:-

(bb) "industrial consumer" means the consumer who buys packaged commodities directly from the manufacturer or from an importer or from wholesale dealer for use by that industry and the package shall have declaration 'not for retail sale'.

(bc) "Institutional consumer" means the institution who hires or avails of the facilities or services in connection with transport, hotel, hospital or other organization which buy packaged commodities directly from the manufacturer or from an importer or from wholesale dealer for use by the institution and the package shall have declaration 'not for retail sale'.

(ii) In clause (k), the following proviso shall be inserted, namely:-

"Provided that for the purposes of "retail food package", the definition of the same contained in the rules or regulations made under the Food Safety and Standards Act, 2006 (34 of 2006) shall apply".

2. In the said rules, in rule 6,-

(i) For sub-rule (2), the following sub-rule shall be substituted w.e.f. 1st January, 2016 namely:-

“(2) Every package shall bear the name, address, telephone number, e-mail address of the person who can be or the office which can be contacted, in case of consumer complaints.”

(ii) After sub-rule (8), the following sub-rule shall be inserted, namely:-

“(9) Without prejudice to the provisions contained in this rule, it shall be permissible to affix a label on imported packages for making the declarations required under these rules.”

3. In terms of the Legal Metrology Act, 2009 and the instructions issued by the Board vide Circular No. 51/2003 dated 18.06.2003, it is mandatory for all importers, Exporters and Customs Brokers to declare the measurement (weight, volume, length, area etc.) both in the Bill of Entry and Shipping Bill in the units of measurement as approved under the Legal Metrology Act only.

4. All Public Notices issued earlier with reference to Standard Weight & Measurement Act, 1976 and Legal Metrology Act, 2009 stand amended to the extent applicable.

5. Any difficulty noticed may be brought to the notice of the undersigned.

Sd-

(SHRAWAN KUMAR)
COMMISSIONER OF CUSTOMS, NS- III

Copy to:

- 1. The Pr. Chief Commissioner of Customs, Mumbai Zone-II**
- 2. The Pr. Commissioner/All the Commissioner of Customs, Mumbai Zone-II**
- 3. All Addl. /Joint Commissioner of Customs, Mumbai Zone-II**
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