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GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE

NOTIFICATION NO. 26 / 2004-09
NEW DELHI : Dated : 22nd February, 2005

S.O. (E) In exercise of powers conferred under Section 5 of the Foreign Trade (Development and Regulation) Act, 1992 read with paragraph 2.1 of the Foreign Trade Policy, 2004-09, the Central Government hereby makes the following amendments in the ITC (HS) Classification of Export and Import Items, 2004-09.

1. Condition No. 11 of Chapter 1A : General Conditions of Import Policy would be amended to read as under :

(i) Import of textile and textile articles is permitted subject to the condition that they shall not contain any of the hazardous dyes whose handling, production, carriage or use is prohibited by the Government of India under the provisions of clause (d) of subsection (2) of section 6 of the Environment (Protection) Act, 1986 (29 of 1986) read with the relevant rule(s) framed there under. For this purpose, the import consignments shall be accompanied by a preshipment certificate from a textile testing laboratory accredited to the National Accreditation Agency of the Country of Origin. In cases where such certificates are not available, the consignment will be cleared after getting a sample of the imported consignment tested & certified from any of the agencies indicated in Public Notice No. 12 (RE-2001)/1997-2002 dated 3rd May, 2001. The sampling will be based on the following parameters:

- (a) At least 25% of samples are drawn for testing instead of 100%.
 - (b) While drawing the samples, it will be ensured by Customs that majority samples are drawn from consignments originating from countries where there is no legal prohibition on the use of harmful hazardous Dyes.
 - (c) The test report will be valid for a period of six months in cases where the textile / textile articles of the same specification / quality are imported and the importer, supplier and the country of origin are the same.
- (ii) Import of all woolen textiles and woolen blended textiles will be governed by Notification No. CER (18)/99-CLB dated 7th March, 1988 read with the Textile (Development & Regulation) Order, 2001 and the Essential Commodities Act, 1955. Imports will, therefore, be subject to the following conditions :-
- (a) All imports of woolen textiles & woolen blended fabrics will display markings or selvedge description indicating the composition of fibre blends. For this purpose, all consignments will be accompanied by a pre-shipment inspection certificate from a textile testing laboratory accredited to the National Accreditation Agency of the Country of Origin certifying the composition of the woolen textile & blends. Consignment not accompanied by a pre-shipment inspection certificate, will be allowed to be cleared after getting the sample of the imported consignment tested & certified from any of the agencies indicated in Public Notice No. 12 (RE-2001) 1997-2002 dated 3rd May, 2001.
 - (b) Imports will also be accompanied by a certificate of origin.
 - (c) Imports will also be accompanied by a certificate from the brand owners certifying the genuineness of the product & markings thereon as also the authority to use their brand names.

This issues in public interest.

(K.T. CHACKO)
Director General of Foreign Trade
And Ex-officio Additional Secretary to the Govt. of India

Copy to all concerned.

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