

File No: TIC-C10201/2/2022-IMPORTS-FSSAI
भारतीय खाद्य सुरक्षा और मानक प्राधिकरण
(खाद्य सुरक्षा और मानक अधिनियम, 2006 के तहत स्थापित एक वैधानिक प्राधिकरण)
(व्यापार और अंतर्राष्ट्रीय सहयोग प्रभाग)
एफडीए भवन, कोटला रोड, नई दिल्ली- 110002

दिनांक, 16 अक्टूबर, 2023

Advisory

विषय: 100% निर्यात/पुनः निर्यात उद्देश्य के लिए खाद्य खेप के आयात के संबंध में।

Sub: Import of food consignment for 100% Export/Re-export purpose-reg.

This office has received various representations from importers regarding delays in the clearance of imported food consignments, intended for captive use or production of value-added products meant for 100% Export / Re-export.

2. In this regard, attention is drawn to Regulation 7 (3) of Food Safety and Standards (Import) Regulations, 2017 which states as:

“Unless otherwise specified, the customs authority need not to refer the imported articles of food to Food Authority for clearance if such articles of food are meant for the following purpose, namely:

a. Export as per the extant instructions and export rejected or re- imported articles of food meant for re-export of the Government

b. The articles of food or ingredients or additive imported by the manufacturers or processors for their captive use or production of value-added products for hundred percent exports; or the consignments of articles of food or ingredients or additives imported by the firms or companies for use of their sister concerns or wholly owned subsidiary companies, to be used for hundred per cent export production subject to a defined relationship agreement between the two entities in this behalf and accompanied with Sanitary/Health Certificate issued by the Competent Authority of an exporting country.

Explanation 1 - *For the purposes of clause (b) of sub – regulation 3, the importer shall declare in FORM – 8 regarding the captive or end use of the imported product to the Customs Department at the time of filing the bill of entry, declaring that the imported articles of food is meant to be used by the importer for hundred per cent export or re-import of articles of food for export again as the case may be, and that no part thereof shall be supplied for domestic consumption.*

Explanation 2 - *The facility under clause (b) of sub – regulation 3 shall not be applicable in the case of trading entities, which do not import such items for their captive use in view of the problems associated with traceability of the end-use of such items”.*

3. In view of the above, food imported by the manufacturers or processors for their captive use or production of value added products for 100% Export / Re-export may avail the above-mentioned provision by making a declaration to the Customs in prescribed Form no. 8 specified in Food Safety and Standards (Import) Regulations, 2017 at the time of filing Bill of Entry in ICEGATE. In case any BoE which is filed by Importer availing the above referred provision and the BoE is still transmitted by ICEGATE to FSSAI's Food

Import Clearance System (FICS), the concerned FSSAI official may issue "Not in Scope" certificate after verification of the documents with due diligence and without usual requirement of visual inspection, sampling and testing.

4. यह सक्षम प्राधिकारी के अनुमोदन से जारी किया जाता है।

Encl: Copy of Form -8.

सादर,

मानवेश

16.10.2023

(मानवेश कुमार, आईआरएस)

निदेशक (टीआईसीडी)

एफएसएसएआई-मुख्यालय, नई दिल्ली

To:

1. Importers/other Stakeholders
2. Joint Secretary, CBIC
3. Pr. ADG, ICEGATE for necessary action.
4. Regional Directors and Authorized Officers, FSSAI
5. CITO, FSSAI-HQ- for uploading on FSSAI Website.

FORM - 8

[See regulation 7 (2)]

(For imported food consignment meant for hundred per cent Export/ Re- export)

Declaration and undertaking by Importer

(To be printed on FBO/Importer/Company's letterhead)

I/We, _____ [Proprietor/ Partner/ Managing Director/
Director / Authorised Signatory of M/S _____ <with address>
_____ do hereby declare and undertake that:

1. I/We have imported the consignment of _____ < Name of product> _____
measuring _____ <Weight/ Units> from _____ <Country of origin of consignment>
_____ vide _____ <Bill of entry number> _____ dated _____ at
_____ <Port location> _____;
2. The aforementioned Food Product is intended solely for the captive use/ production of value
added products/ for use of our sister/ subsidiary companies (subject to a defined relationship
agreement between the two entities) for 100% exports/ re- export.
3. I/We undertake that no part thereof will be supplied for domestic consumption.

	Signatures of the Importer with Stamp/ Seal
	Name: _____
Place: _____	Address: _____
Date:	Contact Nos: