



BIS Update: Mandatory Certification for Additional Products

November 9, 2020

We are writing to you with an important update regarding mandatory requirements applicable to imports of certain products, particularly chemicals into India.

Background

The Government of India has recently taken a series of steps with respect to the mandatory BIS certification of several products as follows:

▪ **Notification of New Quality Control Orders**

The Government of India has recently notified Quality Control Orders (**Orders**) for certain additional chemicals in the Official Gazette. Mandatory BIS certification for these chemicals will come into force 6 months from the publication of such Orders. The relevant Orders are available [here](#).

▪ **Extension of Existing Quality Control Orders**

The Government of India has extended the date of enforcement of the existing Quality Control Order for **Phthalic Anhydride**. The relevant Order is available [here](#).

▪ **Notification of Proposed Quality Control Orders at WTO**

Lastly, the Government of India has notified a proposed Quality Control Order for **refrigerating appliances** at the World Trade Organization’s Committee on Technical Barriers to Trade.

Products concerned

▪ **Mandatory BIS certification for the following chemical products has been notified through Quality Control Orders published in the Indian Gazette:**

Product	Date of Entry into force
Methyl Acrylate	4 May 2021
Ethyl Acrylate,	4 May 2021
N-Butyl Acrylate	4 May 2021
Maleic Anhydride	4 May 2021
Acrylonitrile	4 May 2021
Styrene (Vinyl Benzene)	4 May 2021
Vinyl Acetate Monomer	4 May 2021

▪ **The date of entry into force of existing Quality Control Orders for the following chemicals has been extended:**

Product	Date of Entry into force
Phthalic Anhydride	17 January 2021

■ **Proposed for mandatory BIS certification at the WTO:**

Product	Proposed date of entry into force	Final Date for Comments
Refrigerating appliances	1 January 2022	4 December 2020

Next Steps

In furtherance of these Orders, both foreign producers and domestic manufacturers of these products would need to submit an application to the BIS seeking certification to continue exporting/selling these products in India. The process of certification will also require physical testing and inspection of the relevant chemicals at the factory premises as well as parallel testing by a BIS authorized laboratory in India to verify the same and final approval from the Ministry of Chemicals. Certification may be granted for a period of up to two years initially, after which it must be renewed.

BIS certification is a time-consuming process and therefore it is recommended that interested producers make applications for certification at the earliest in cases wherein Quality Control Orders are already in place.

Lastly, with respect to the proposed Quality Control Orders at the WTO, as per the notification, WTO Members are invited to make comments, if any, within 30 days of issuance of the notification. Concerned manufacturers of refrigerating appliances may, therefore, raise their concerns at the WTO level through their respective governments or with the abovementioned authorities within such time frame. **Please note that the provision for making comments applies only to those Orders that are at the stage of proposal at the WTO and not for Orders that are already notified in the Gazette.**

We trust you will find this an interesting read. For any queries or comments on this update, please feel free to contact us at insights@elp-in.com

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