



BIS Update: Mandatory Certification for Additional Products

INSIGHTS

January 20, 2021

Dear Reader,

We hope this email finds you well. We are writing to you with an important update regarding mandatory registration requirements applicable to imports of certain **Chemicals, Yarns and Sewing Machines** into India.

<p>Background</p>	<p>Notification of Proposed Quality Control Orders at the WTO</p> <p>The Government of India has on January 12, 2021 notified proposed Quality Control Orders for several chemicals and yarns at the World Trade Organization’s Committee on Technical Barriers to Trade.</p> <p>These are products for which mandatory BIS certification is being proposed. Upon their adoption, such Quality Control Orders will require products mentioned therein to meet the specifications contained in the standards formulated by the Bureau of Indian Standards (BIS), India’s National Standardization Body, before they may be imported into India. The relevant Orders are available here.</p>																													
<p>Products concerned</p>	<p>▪ The following products have been proposed for mandatory BIS certification at the WTO:</p> <table border="1" data-bbox="394 856 1386 1864"> <thead> <tr> <th data-bbox="394 856 789 961">Product</th> <th data-bbox="789 856 1089 961">Proposed date of adoption</th> <th data-bbox="1089 856 1386 961">Final Date for Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="394 961 789 1058">100 Percent Polyester Spun Grey and White Yarn</td> <td data-bbox="789 961 1089 1058">To be announced</td> <td data-bbox="1089 961 1386 1058">March 13, 2021</td> </tr> <tr> <td data-bbox="394 1058 789 1155">Ethylene Vinyl Acetate Copolymers,</td> <td data-bbox="789 1058 1089 1155">To be announced</td> <td data-bbox="1089 1058 1386 1155">March 13, 2021</td> </tr> <tr> <td data-bbox="394 1155 789 1224">Linear Alkyl Benzene</td> <td data-bbox="789 1155 1089 1224">To be announced</td> <td data-bbox="1089 1155 1386 1224">March 13, 2021</td> </tr> <tr> <td data-bbox="394 1224 789 1293">Polyester Industrial Yarn</td> <td data-bbox="789 1224 1089 1293">To be announced</td> <td data-bbox="1089 1224 1386 1293">March 13, 2021</td> </tr> <tr> <td data-bbox="394 1293 789 1390">Polyester Continuous Filament Fully Drawn Yarn</td> <td data-bbox="789 1293 1089 1390">To be announced</td> <td data-bbox="1089 1293 1386 1390">March 13, 2021</td> </tr> <tr> <td data-bbox="394 1390 789 1459">Polyester Partially Oriented Yarn</td> <td data-bbox="789 1390 1089 1459">To be announced</td> <td data-bbox="1089 1390 1386 1459">March 13, 2021</td> </tr> <tr> <td data-bbox="394 1459 789 1797"> Polyethylene Material for moulding and extrusion: (i) Low Density Polyethylene (LDPE) (ii) Linear Low-Density Polyethylene (LLDPE) (iii) High Density Polyethylene (HDPE) </td> <td data-bbox="789 1459 1089 1797">To be announced</td> <td data-bbox="1089 1459 1386 1797">March 13, 2021</td> </tr> <tr> <td data-bbox="394 1797 789 1864">Polyester Staple Fibers</td> <td data-bbox="789 1797 1089 1864">To be announced</td> <td data-bbox="1089 1797 1386 1864">March 13, 2021</td> </tr> </tbody> </table>			Product	Proposed date of adoption	Final Date for Comments	100 Percent Polyester Spun Grey and White Yarn	To be announced	March 13, 2021	Ethylene Vinyl Acetate Copolymers,	To be announced	March 13, 2021	Linear Alkyl Benzene	To be announced	March 13, 2021	Polyester Industrial Yarn	To be announced	March 13, 2021	Polyester Continuous Filament Fully Drawn Yarn	To be announced	March 13, 2021	Polyester Partially Oriented Yarn	To be announced	March 13, 2021	Polyethylene Material for moulding and extrusion: (i) Low Density Polyethylene (LDPE) (ii) Linear Low-Density Polyethylene (LLDPE) (iii) High Density Polyethylene (HDPE)	To be announced	March 13, 2021	Polyester Staple Fibers	To be announced	March 13, 2021
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Styrene-Butadiene Rubber Latex	To be announced	March 13, 2021
Synthetic Micro-Fibers for use in Cement Based Matrix	To be announced	March 13, 2021
Sewing Machines	To be announced	March 13, 2021

Concerned Authorities

Interested stakeholders and WTO Members are invited to provide their comments on the proposed Orders within the timeframes set out above. The relevant authorities that have been designated to receive such comments are:

1. For issues pertaining to the Quality Control Orders

Mr. Kashi Nath Jha
 Joint Secretary to the Government of India,
 Department of Chemicals and Petrochemicals
 Shastri Bhawan, Room no. 341-A wing,
 Dr. Rajendra Prasad Road, New Delhi - 110001
 Tel: +91-11-23383756
 Email: jspc-cpc@gov.in

2. For issues pertaining to Indian Standards and Conformity Assessment Procedures

Mr. H J S Pasricha
 Scientist – F & Head (Certification)
 Central Marks - I , Manak Bhawan
 Bureau of Indian Standards
 9, B.S. Zafar Marg,
 New Delhi - 110002
 Tel: +91-11-23231903
 Email: cmd1@bis.org.in

Important to note the timelines for implementation

As per the notifications, WTO Members are invited to make comments, if any, within 60 days of issuance of the notifications. Concerned manufacturers of the chemicals mentioned above may, therefore, raise their concerns at the WTO level through their respective governments or with the abovementioned authorities within such time frames.

Once these Orders come into force, both foreign producers and domestic manufacturers of these products would need to submit an application to the BIS seeking certification. Furthermore, 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. 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.

For any queries or comments on this update, please feel free to contact us at insights@elp-in.com.

Disclaimer: The information provided in this update is intended for informational purposes only and does not constitute legal opinion or advice. Readers are requested to seek formal legal advice prior to acting upon any of the information provided herein. This update is not intended to address the circumstances of any particular individual or corporate body. There can be no assurance that the judicial/quasi-judicial authorities may not take a position contrary to the views mentioned herein.