

Deepak Gupta, Dy Director, Chemexcil

From: adeshpande@pmfaiindia.org
Sent: 17 June 2019 15:18
To: 'Deepak Gupta, Dy Director, Chemexcil'
Cc: ed@chemexcil.gov.in
Subject: RE: : Issues for Chemexcil



PESTICIDES MANUFACTURERS & FORMULATORS ASSOCIATION OF INDIA

D/516 Crystal Plaza, ,Andheri Link Road, Andheri (W), Mumbai-400053. India

T:+91-22-26734845 /46 F:+91-22-26734847 w: www.pmfaiindia.org E: pmfai@bom4.vsnl.net.in

<https://www.facebook.com/pesticides.formulators>

TWITTER: @PMFAI1967

New Email ID info@pmfaiindia.org & new website: www.pmfaiindia.org

1. **Import permit from CIB&RC for import of Multi-use insecticides for non-insecticidal purpose - Kerala High Court Judgement dated 10th September, 2018**

Presently, for import of multi-use insecticides which are used for non-insecticidal purpose, import permit required to be obtained from Central Insecticides Board & Registration Committee (CIB&RC)

In a case related to Import of Ethylene Di-chloride (EDC) for the purpose of manufacturing Poly Vinyl Chloride (PVC) and the question of obtaining import permit from Central Insecticides Board and Registration Committee (CIB&RC), Kerala High Court has delivered Judgement dated 10th September 2018 in which Kerala High Court took decision that any import of substances for non-insecticidal purpose shall be released as per the procedure prescribed by the Customs Authorities, by trade notices without insisting for registration under the Insecticides Act or an import permit from CIB&RC. In the Judgement, Hon'ble High Court of Kerala has observed that CIB&RC has no power or authority to issue any import permit for import of scheduled substances for non-insecticidal use.

The products listed below falls under Multi-Use (Dual use) insecticides used for non-insecticidal purposes:

- Thiourea
- Nitrobenzene
- Sodium Cyanide
- Iodopropynyl Butyl Carbamate (IPBC)
- Carbon Disulphide
- Potassium Cyanide
- Pipernoyl Butoxide
- Barium Carbonate
- Boric Acid
- 2, 6-Dichloro Benzonitrile

- Di-methyl Di-Sulphide
- Nickel Chloride
- Copper Sulphate
- Ethyl Dichloride
- Acrylonitrile
- Amitrole
- Hydrogen Cyanamide
- Yellow Phosphorus (Phosphorus paste)
- Eucalyptol
- Eucalyptus Oil

But above directives of Hon'ble Kerala High Court have not yet implemented by the authorities and in the absence of necessary directives, customs authorities still demand import permit from CIB&RC. We appeal that necessary CIB&RC should issue necessary notification in this regard.

2. Registration of Technical Grade Pesticides be made compulsory, prior to granting registrations for Formulations, as per Insecticides Act, 1968 & Insecticides Rules, 1971

Registration of Technical Grade Pesticides (Active Ingredients) be made compulsory in India as is prevailing in other major agricultural nations like USA, Europe, Australia, Brazil, China etc.

As per Insecticides Act 1968 and Insecticides Rules 1971, till the year 2005 registrations for Technical Grade pesticides and Formulations were done simultaneously and in no case, Formulation was registered without registering Technicals. The policy of allowing registrations for "Imports of readymade Pesticides Formulations without registering its Technical Grade Products in India" needs to be stopped as this policy discourages registration of Technical Grade products in the country. This policy creates monopolies for importers of readymade Pesticide Formulations, preventing "Me too Registrations" to the domestic manufacturers as Technical Grade pesticides are not registered in the country. This also results in loss of job opportunities and no new plants have come up from 2007 due to non-availability of Technical products. Due to monopolies in imported pesticide formulations, the products are also sold to Indian Farmers in very high profit margins by importers.

To support the concept of "Make in India" and MSMEs in the country, FICCI should take up the matter with Government authorities.

3. Differential treatment to Indian Industries v/s. MNCs / Importers: For Registrations under Technical Indigenous Manufacture (TIM) and Formulation Indigenous Manufacture (FIM) u/s 9(3) in-process sampling & inspection required, and whereas registration applications by MNCs / Importers for Technical Import & Formulation Import are considered without plant visit and drawing in process samples

For registration under categories TIM (Technical Indigenous Manufacturing) and FIM (Formulation Indigenous Manufacturing) under Section 9(3) and 9(4), for drawing sample of Technical grade products for testing and analysis, registration authorities and licensing authorities visit manufacturing plants and inspect production and process and check quality of raw-material and intermediates used in the manufacturing.

The sample drawn are sent to CIL for testing and analysis. Even in this process of analyzing samples there are delays, as it sometimes takes 3 to 6 months, which needs to be made faster. In total, registration under category TIM u/s 9(3) takes minimum 2-3 years whereas for Imports of Readymade Formulations and Technical Import, registrations are processed within six months to one year period, which kills the concept of "Make in India".

Similar method of sample drawing and analysis, as in the case of indigenous manufacturing TIM & FIM, be adopted while granting registrations for imports under categories TI (Technical Import) and FI (Formulation Import). The registration authority must draw samples from overseas manufacturing plants to ensure quality of products (Technical Grade products and Formulations) imported to the country, prior to granting registrations. Registration process must be balanced and not differential to Indian manufacturers.



Regards

Aparna Deshpande Bhasin
Dy.Executive Director



 Save a tree. Don't print this e-mail unless it's really necessary

ICSCE -2018

PMFAI
D/516 Crystal Plaza
Andheri Link Road
Andheri (W)
Mumba-400053. India
T:+91-22-26734845 /46
F:+91-22-26734847
M:+91 98210 93076 Skype: aparna19d
E:adeshpande@pmfaiindia.org / info@pmfaiindia.org / pmfai@vsnl.com
W: www.pmfaiindia.org