

EXPORT OF PAINTS AND ALLIED PRODUCTS (QUALITY CONTROL AND INSPECTION) RULES, 1967

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SCHEDULE 1 :- Paint and Allied Products

EXPORT OF PAINTS AND ALLIED PRODUCTS (QUALITY CONTROL AND INSPECTION) RULES, 1967

S.O.2662, dated 5th August, 1967.1-In exercise of the powers conferred by Sec. 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement :-

- (1) These rules may be called the Export of Paints and Allied Products (Quality Control and Inspection) Rules, 1967.
- (2) They shall come into force on the 1st September, 1967.

2. Definitions :-

In these rules, unless the context otherwise requires, -

- (a) "Agency" means any Export Inspection Agency established at Cochin, Madras, Calcutta, Bombay and Delhi under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) "Paints and allied products" means-
 - (i) ready-mixed paints and enamels of all types, including primers, fillers, under-coating and finishing;
 - (ii) varnishes of all types (prepared from natural resins or synthetic

resins or both);

(iii) plastic emulsion paints of all types;

(iv) nitrocellulose lacquers, clear or pigmented including fillers, primers surfacers; or

(v) paste paints and paste distempers.

3. Quality control and inspection :-

(1) The quality of the paints and allied products aforesaid shall be ensured by means of exercising the following controls at different stages of their manufacture together with the levels of control as given in the Schedule to this notification, namely:-

(i) Purchase raw materials control.- (a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of raw materials to be used.

(b) The accepted consignments shall be either accompanied by the supplier's test or inspection certificate corroborating the requirements of the purchase specifications, in which case occasional checks at least once in ten consignments shall be conducted by the purchaser for a particular supplier to verify the correctness of the aforesaid test or inspection certificates, or, the purchased materials shall be regularly tested and inspected either in the laboratory within the factory or in an outside laboratory or test house.

(c) The sampling for inspection or tests to be carried out shall be based on a recorded investigation.

(d) After the inspection or test is carried out, systematic methods shall be adopted in segregating the accepted and rejected materials for disposal of rejected materials.

(e) Adequate records in respect of the aforesaid controls shall be regularly and systematically maintained

(ii) Process Control - (a) Detailed process specifications for different processes of manufacture of raw materials, and intermediate products, if any, shall be laid down by the manufacturer alongwith the properties of the raw materials and intermediate products

(b) Equipment, instrumentation and facilities shall be adequate to control the process as laid down in the process specifications

(c) Adequate records shall be maintained to enable verification of the controls exercised during the process of manufacture

(iii) Product Control - (a) The manufacturer shall either have his own adequate testing facilities or shall have access to such testing facilities to test the product as per the specifications recognised under Sec 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963)

(b) A representative sample shall be drawn from each batch The bulk sample shall be divided into two equal test samples One such test sample shall be tested by the manufacturer for the requirements of the product and the other preserved as referee sample alongwith its particulars for at least six months

(c) Adequate records in respect of sampling and tests carried out shall be regularly and systematically maintained

(iv) Packing Control - A packing specification shall be laid down with a view to satisfying the controls mentioned in the Schedule to this notification for packing the aforesaid product and shall be rigidly implemented

(2) Inspection -The inspection of paints and allied products intended for export shall be carried out with a view to ensure that the controls mentioned in sub rule (1) have been exercised at the relevant levels satisfactorily and the paint and allied products conform to the standard specifications applicable to it

4. Procedure of inspection :-

(1) The exporter or manufacturer shall give intimation in writing to the Agency and submit alongwith such intimation a declaration that the consignment of paints and allied products has been or is being manufactured by exercising quality control measures as per controls referred to in rule 3 and that the consignment conforms to the requirements of the specifications recognised for this purpose

(2) The exporter or manufacturer shall also furnish to the Agency the identification marks supplied on the consignment

(3) Every intimation and declaration under sub-rule (1) shall be given not less than three days prior to the despatch of the consignment from the manufacturer's premises

(4) On receipt of intimation and declaration under sub-rule (1), the

Agency on satisfying itself that during the process of manufacture the manufacturer had exercised adequate quality controls to manufacture the paints and allied products according to the controls mentioned in rule 3 shall, within three days or earlier in emergent cases, issue certificate declaring the consignment as export-worthy

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Provided that where the agency is not so satisfied it shall within the said period of three days refuse to issue such certificate and communicate such refusal to the exporter alongwith reason therefor

1. Ins by SO 442 dated 17th February 1973

5. Place of inspection :-

Every inspection under these rules shall be carried out at the premises of the manufacturer.

6. Inspection fee :-

A fee at the rate of one rupee for every one hundred rupees of F.O.B. value of each consignment shall be paid by the exporter to the Agency as inspection fee under these rules.]

7. Appeal :-

(1) Any person aggrieved by the refusal of the inspection agency to issue a certificate under sub-rule (4) of rule 4, may, within ten days of the receipt of the communication of such refusal by him prefer an appeal to a panel of experts consisting of not less three but not more than seven persons, appointed for the purpose by the Central Government.

(2) At least two-thirds of the total membership of the panel of experts shall consist of non-officials.

(3) The quorum for the panel shall be three.

(4) The decision of the panel on such appeal shall be final.

(5) The appeal shall be disposed of within 15 days of its receipt.

8. Repeal and saving :-

(1) The Export of Paints and Allied Products (Inspection) Rules, 1966, is hereby repealed.

(2) The appeal of the rules under sub-rule (1) is without prejudice

to the validity of anything done or any action taken under the said rules.

SCHEDULE 1

Paint and Allied Products