

EXPORT OF ULTRAMARINE BLUE (QUALITY CONTROL AND INSPECTION) RULES, 1977

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S.O.2197, dated 2nd July, 1977. 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 Ultramarine Blue (Quality Control and Inspection) Rules, 1977.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires,-

- (a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) "agency" means any one of the agencies established under Sec. 7 of the Act at Cochin, Madras, Calcutta, Bombay and Delhi;
- (c) "Ultramarine blue" means any or all of the following types, namely:-
 - (1) Ultramarine Blue (Technical Grade)
 - (2) Ultramarine Blue (Laundry Grade)

(d) "Schedule" means the Schedule appended to these rules.

3. Quality control and inspection :-

The quality control of Ultramarine Blue shall be ensured by the manufacturer by effecting the following controls at different stages of manufacture, preservation and packing of the product, set out below :

(i) Purchase and raw material control.-

(a) Purchase specification shall be laid down by the manufacturer incorporating the properties of raw materials to be used.

(b) Either the accepted consignment shall be accompanied by a supplier's test and inspection certificate corroborating the requirements of the purchase specifications, in which case occasional checks shall be conducted at least once in 10 consignments by the purchaser for a particular supplier to verify the correctness the aforesaid test or inspection certificates or the purchased material 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 test to be carried out shall be based on the recorded investigations.

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

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

(ii) Process control.-

(a) Detailed process specifications shall be laid down by the manufacturer for different processes of manufacture.

(b) Equipment and instrumentation facilities shall be adequate to control the processes as laid down in the process specification.

(c) Adequate records shall be maintained by the manufacturer to ensure the possibility of verifying the control exercised during the process of manufacture.

(iii) Product control.-

(a) The manufacturer shall have either his own testing facilities or

shall have access to such testing facilities existing elsewhere to check up whether the product conforms to specifications recognised under Sec. 6 of the Act.

(b) Sampling for test and inspection to be carried out shall be based on the recorded investigation.

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

(d) The minimum levels of control to check the products shall be as specified in Sen. I and Sch. II.

(iv) Preservation control. - The product shall be well preserved both during the storage and the transit.

(v) Packing control.- (a) Packing specifications shall be laid down with a view to satisfying controls mentioned in Sch. I and Sch. 11 for packing of the products.

(b) The inspection of ultramarine blue intended for export shall be carried out with a view to ensuring that the quality control in accordance with this rule has been exercised at the relevant levels satisfactorily and the ultramarine blue conform to the specifications recognised for the purpose.

4. Procedure of inspection :-

(1) The exporter intending to export a consignment of ultramarine blue shall give intimation in writing of his intention to do so to the agency and submit alongwith such intimation a declaration that the consignment of ultramarine blue has been or is being manufactured by exercising quality control measures laid down in rule 3 and that the consignment conforms to the requirements of the specification recognised for the purpose.

(2) The exporter shall also furnish to the agency, the identification marks applied on the consignment.

(3) Every intimation and declaration under sub-rule (1) shall reach the office of the agency not less than seven days prior to the despatch of the consignment from the manufacturer.

(4) On receipt of the intimation and declaration under sub-rule (1) the agency, after satisfying itself that during the process of manufacture, adequate quality control as provided in rule 3, has been exercised, shall carry out the inspection of the consignment in

accordance with the instructions issued by the Export Inspection Council from time to time.

(5) If after inspection the agency is satisfied that the consignment of ultramarine blue to be exported complies with the requirements of rule 3, it shall within seven days of the receipt of intimation and declaration under sub rule (4) issue a certificate to the exporter declaring the consignment as exportworthy :

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

5. Place of inspection :-

Every inspection under these rules shall be carried out either-

- (a) at the premises of the manufacturer of such products, or
- (b) at the premises at which the goods are offered by the exporter provided adequate facilities for inspection exist therein.

6. Inspection fee :-

Subject to a minimum of rupees fifty for each consignment, a fee, at the rate of forty paise for every hundred rupees of f.o.b. value of each such consignment shall be paid by the exporter to the agency as 'inspection fee'.

7. Appeal :-

(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (5) 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 than three but not more than seven persons appointed for the purpose by the Central Government.

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

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

(4) The appeal shall be disposed of within fifteen days of the receipt.