

Instruction No. 06/2023

F. No. 401/04/2023-Cus-III
 Government of India
 Ministry of Finance
 Department of Revenue
(Central Board of Indirect Taxes & Customs)

North Block, New Delhi
 Dated February 13th, 2023

To

All Principal Chief Commissioner/ Chief Commissioner,
 Principal Director General /Director General,
 Pr. Commissioners/Commissioners,
 Pr. Addl. DG/ Addl. Director Generals, under CBIC

Subject: Compliance of Bureau of Indian Standards (BIS) standards for toys or parts of toys during import - reg.

Madam/Sir,

Board is in receipt of references, on the above subject, for strengthening compliance with the prescribed BIS standards. In this regard, your attention is drawn to Toys (Quality Control) Order, 2020 dated 25.02.2020 effective from 01.01.2021 which, *inter-alia*, mandates conformity with the corresponding Indian Standard(s) for toys (including import), and further stipulates that it shall bear the Standard Mark under a license from BIS). These standards are mentioned in column (2) of the Table below:

Goods or articles	Indian Standard	Title of Indian Standard
(1)	(2)	(3)
Toys	IS 9873 (Part 1) : 2018	Safety of Toys Part I Safety Aspects Related to Mechanical and Physical Properties.
	IS 9873 (Part 2) : 2017	Safety of Toys Part 2 Flammability.
	IS 9873 (Part 3) : 2017	Safety Requirements for Toys Part 3 Migration of Certain Elements.
	IS 9873 (Part 4) : 2017	Safety of Toys Part 4 Swings, Slides and Similar Activity Toys for Indoor and Outdoor Family Domestic Use.
	IS 9873 (Part 7) : 2017	Safety of Toys Part 7 Requirements and Test Methods for Finger Paints.
	IS 9873 (Part 9) : 2017	Safety of Toys Part 9 Certain Phthalates Esters in Toys and Children's Products.
	IS 15644: 2006	Safety of Electric Toys.

2. The field formations and Directorates may take necessary steps to prevent violation of the Toys QCO and ensure that officers handling the assessment of these goods have a clear understanding of the requirements under these Orders and how the satisfaction of those requirements is to be verified.
3. To facilitate the verification to prevent violation of the Toys QCO, the BIS has made available the list of BIS licensees of domestic manufacturers and foreign suppliers of toys as per their Website and Mobile App. The flowchart to access these details is given at Annexure-1 to this Instruction.
4. Further, it is important to note that Toys QCO defines “toys” as “*Product or material designed or clearly intended, whether or not exclusively, for use in play by children under 14 years of age or any other product as notified by the Central Government from time to time*”. Thus, not only do the toys as per Toys QCO have a wider definition than what is generally perceived in the HSN, but also the toys definition applies to toy parts including in a completely knocked down (CKD) or semi-knocked down (SKD) condition, if the said parts retain the essential character of toy defined above. Moreover, if any such toy parts are regulated through any other Quality Control Order/Technical Regulations, then the provisions of respective Quality Control Order/Technical Regulations shall apply.
5. It may be noted that even when toy parts are imported for manufacturing toys under IGCRS, 2022 in terms of exemption Notification No. 50/2017-Customs dated 30.06.2017, there is a requirement to ensure, that the manufacturer possesses valid BIS certificate for such manufacturing, by verifying on BIS portal / App as specified in said Annexure-I.
6. Moreover, to facilitate risk management, verification and avoid queries during clearance, the importers must be sensitized to enter the manufacturer details and their BIS license at the appropriate place at the item level in the Bill of Entry. DG Systems shall shortly also issue a suitable advisory in this regard.
7. The difficulties, if any, in the implementation of this Instruction may be brought to the notice of the Board.

Hindi version follows.

Encl: Annexure 1.

Yours faithfully,



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FLOWCHART TO ACCESS DETAILS OF LICENCES FROM BIS WEBSITES

ACCESSING DOMESTIC LICENCES DETAILS

STEP 1: Go to www.manakonline.in

STEP 2: Click on the tile "Conformity Assessment (Manakonline)"

STEP 3: Click on the tile "Search a licence"

STEP 4: In the "Search IS Number" field enter the IS no i.e. if you are accessing the list of non-electric toys enter "9873" and then IS 9873 Part 1 will appear in the next field. Then enter the captcha and click "Generate Report"

(you can access the list of electric toys in the same way by entering "15644" in the search IS number field)

STEP 5: You can access/download the list now

NOTES

You can also access :

1. The details of a specific licence using the licence number (CM/L-) or the Name of the licensee from the tab "Status of Licence"
2. The details of expired/cancelled licences from the tab "Licences Expired/Cancelled"

ACCESSING FOREIGN LICENCE DETAILS

STEP 1: Go to www.bis.gov.in

STEP 2: Mouse over "Conformity Assessment" at the top of the screen

STEP 3: Under the "FMCS" column, click on "Licensee"

STEP 4: Click on the link (click here) for the "List of BIS licensees (IS wise)"

STEP 5: In the "IS Number" field enter the IS no i.e. if you are accessing the list of non-electric toys enter "9873" and then select IS 9873 Part 1:2019 from the dropdown menu. Then click search.

(you can access the list of electric toys in the same way by entering "15644" in the IS number field and then selecting IS 15644:2006)

STEP 5: You can access the list now

BIS CARE APP

BIS care app can be used to verify the details of any licence

STEP 1: Download the BIS Care App from Android/Apple app store to your device

STEP 2: Click on "verify licence details"

STEP 3: Enter the licence number, and click "Go"

Details of the licence can now be accessed.