

**GOVERNMENT OF INDIA  
COMMERCE AND INDUSTRY  
LOK SABHA**

UNSTARRED QUESTION NO:1364

ANSWERED ON:02.08.2010

IMPORT OF FAKE PRODUCTS

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**Will the Minister of COMMERCE AND INDUSTRY be pleased to state:**

- (a) whether number of fake, substandard and cheap products including toys are being imported from foreign countries particularly from China;
- (b) if so, the details thereof along with the reasons therefor;
- (c) whether Government has taken or proposes to take action against the firms that are importing such products including hazardous toys;
- (d) if so, the details thereof; and
- (e) if not, the reasons therefor?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI JYOTIRADITYA M. SCINDIA)

(a) to (e) : All imported goods in India are subject to domestic laws, rules, orders, regulations, technical specifications, environment and safety norms. These regulations are also notified in ITC (HS) Classification of export and import items. The Government acts in case goods imported from any source are found to violate these regulations and threaten human, animal or plant life or health.

As per the information from the Customs' field formations, the import of fake/ substandard products has been noticed at Chennai Sea Port / Air Port, Nhava Sheva, Mumbai and ICD Ballabgarh, Faridabad. In such specific cases the goods are seized and penal action is initiated under the provisions of Customs Act, 1962 read with Allied Acts. Details of 27 such cases are at Annexure-I. The details of individual cases of import of substandard and unsafe Chinese toys as given by concerned field formations of Customs is at Annexure - II.

Based on growing concerns relating to safety of Chinese toys and their likely adverse impact on children in India, the Government banned import of Chinese toys on 23.1.2009. Subsequently, the matter was examined by the Government and presently, the import of toys from all sources is subject to the following conditions :-

- (i) Certificate of conformation to the standards prescribed in ASTM F963 or ISO 8124 (Parts I-III) or IS 9873 (Parts I-III) or EN 71.
- (ii) Certificate of conformance from the manufacturer that the toys being imported have been tested by an independent lab which is accredited under ILAC, MRA and found to meet the specifications indicated above.

Due to concerns regarding melamine contamination in milk and milk products from China, on the recommendation from Food Safety and Standard Authority of India, the Government has prohibited import of milk and milk products including chocolate and chocolate products and candies/ confectionery/ food preparations with milk or milk solids as ingredient, from China. This prohibition is valid for a period of six months from 24th June, 2010 and until further orders.

To curb the import of fake and substandard Mobile Handsets, the import of 'Mobile Handsets' without International Mobile Equipment Identity (IMEI) Number or with all Zeroes IMEI and 'CDMA mobile phones' without Electronic Serial Number (ESN) / Mobile Equipment Identifier (MEID) or with all Zeroes as ESN / MEID has been prohibited.