

F.No.495/2/2011-Cus.VI

**Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs**

North Block, Room No. 253-A,
New Delhi, the 5th April, 2011.

Subject: Duty free export of samples as personal baggage of the exporter - regarding.

References have been received in the Board that export of samples in the passenger baggage are not being allowed while provisions of Foreign Trade Policy allow for the same. It is therefore represented that necessary clarification be issued

2. In this regard it is stated that Para 2.31 of the Foreign Trade Policy which relates to export of passenger baggage does not specifically provide that samples could be part of the bonafide personal baggage. Whereas Para 2.20 provides that "Bonafide household goods and personal effects may be imported as part of passenger baggage as per limits, terms and conditions thereof in Baggage Rules. Samples of such items that are otherwise freely importable under FTP may also be imported as part of passenger baggage without an Authorization". Thus it is seen that Para 2.31 of FTP relating to export of baggage does not provide for any expansion to include samples as bonafide baggage unlike FTP provisions in case of import of baggage. However the provisions contained in para 2.27 of Handbook of Procedure, Foreign Trade Policy makes it explicit that export of samples are allowed freely.

3. Accordingly, in order to ameliorate the problem faced by the passengers it is clarified by Board that bonafide trade samples should be part of export baggage in terms of para 2.31 of the Policy read with para 2.20 of the Policy and 2.27 of Handbook of procedures. While the matter of suitable amendment in para 2.31 of FTP has been taken up with DGFT, in the interim, I am directed to inform that liberal view based upon status of exporter, nature and quantity of sample and certification if any from Export Promotion Council may be taken in the matter.

(Vikas)
Under Secretary (Customs-III/VI)