



ROTTERDAM CONVENTION

CASE STUDY ON THE CUSTOMS-RELATED ASPECTS OF THE ROTTERDAM CONVENTION

SWITZERLAND'S EXPERIENCE



SECRETARIAT OF THE ROTTERDAM CONVENTION

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1. BACKGROUND

The Pesticides Control Authority (PCA) is the governing body mandated through the Pesticides Act of 1975 to regulate pesticides Jamaica. The Board meets monthly and sets the policies for the control and regulation of the industry. The PCA is a statutory body with staff compliment of ten (10).

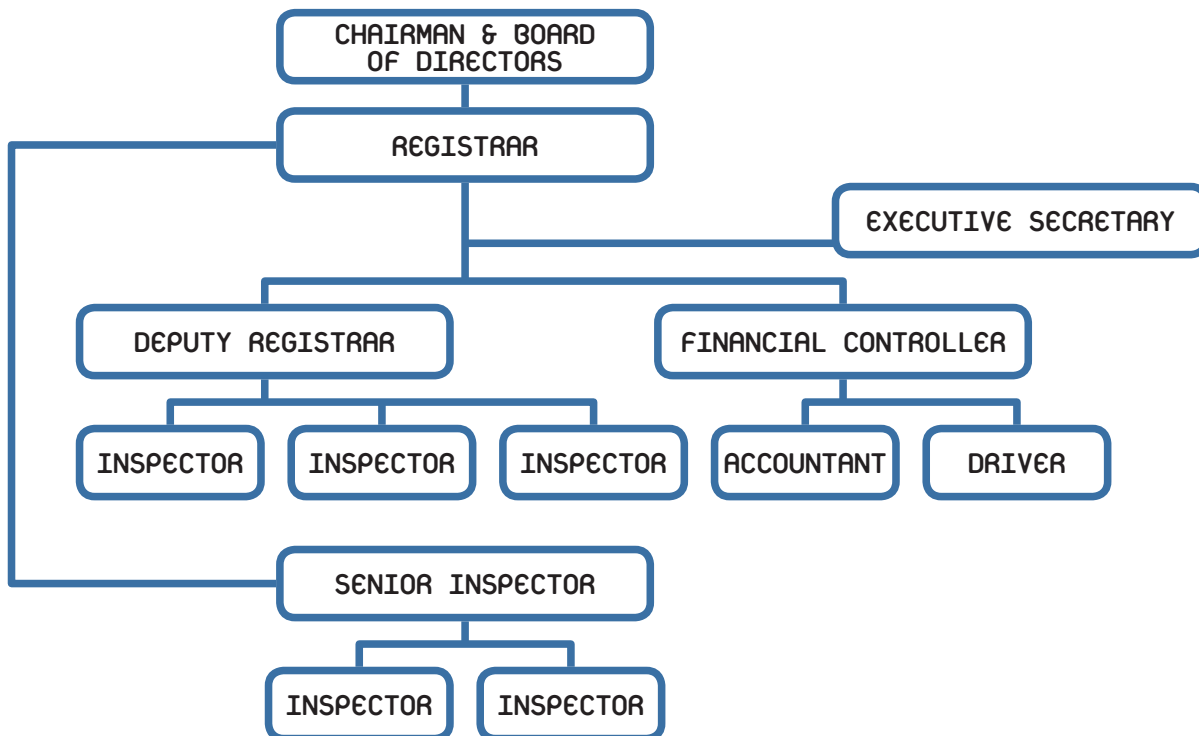
The Ministry of Health has portfolio responsibility for the Pesticides Control Authority (PCA). The functions as outlined in the Pesticides Act are:

- To register pesticides;
- To licence persons to import or manufacture registered pesticides;
- To authorize persons to sell restricted pesticides;
- To register premises in which a restricted pesticide may be sold;
- To licence pest control operators;
- To consider and determine applications made pursuant to this Act and to deal with all aspects of the importation, manufacture packaging, preparation for sale, sale, disposal and use of pesticides and to advise the Minister on all matters in relation thereto; and
- To do such other things as may be expedient or necessary for the proper performance of its functions under this Act.

PCA also has responsibility for implementing the Rotterdam Convention on the Prior Inform Consent Procedure for certain Hazardous Chemicals and pesticides in international trade. Hazardous Chemicals that are listed in Annex III of Rotterdam have been prohibited and should not be imported or exported from Jamaica without PCA's permit. However, the Convention is binding only on parties, as it is possible that non-parties could attempt to export these prohibited chemicals to Jamaica.

There is currently no legislation or registration process for importing chemicals. These are being developed and will be supported by this notification process for greater efficiencies.

THE ORGANIZATIONAL CHART



2. CURRENT METHODS AND PROCEDURES FOR IMPORT LICENSING

SUBMIT APPLICATION

The Importer applies to PCA for an Import Licence via an application form.

1. The application is submitted to the PCA.
2. A member of the Inspector group at PCA analyses the application to ensure all required data are submitted.
3. A member of the Registrar group, a supervisory group, analyses the application and gives an initial stamp of approval once he or she is satisfied that it is in order
4. The PCA informs the importer that permission is granted to place an order for the pesticide to the overseas supplier.
5. The importer, after placing order for pesticide, must then submit the invoice, which states the CIF value or FOB value of the pesticides to be imported. This may be submitted by fax.
6. Once the invoice is submitted, a member of the inspector group must verify that products on the invoice are the same products granted on the licence.
7. A member of the accounting group calculates the cost of the license using the CIF value or the FOB value. This value is a set percentage of the CIF value.
8. A payment advice is generated and given to the importer.
9. A supervisory member of the accounting group verifies the cost of the license.
10. The PCA informs the importer of the cost of the import licence
11. The importer visits the Ministry of Health and submits payment advice along with fee to the cashier.
12. The importer returns to the PCA and shows receipt of payment.
13. The application form is given a second approval and the licence is now valid for use.

Customs Officers are trained by PCA how to recognise approved licenses. There are no registration processes nor legislation for industrial chemicals. However import permits are granted on a case by case basis by Pharmaceutical Division

3. CURRENT METHODS AND PROCEDURES FOR NOTIFICATION

PRODUCTS (PESTICIDES AND INDUSTRIAL CHEMICALS)

1. If representatives from the Jamaica Customs suspects that an import requires a PCA import licence and the importer cannot produce the import licence then the agency would inform PCA (by phone) to send an Inspector
2. The importer may also be sent to PCA for Pesticides and Pharmaceutical Division for industrial chemicals in the event that Customs is certain that the import requires a PCA import licence.

4. PROPOSED METHODS AND PROCEDURES - IMPORT LICENSING

This chapter outlines the steps involved in the proposed system for import licensing for pesticides. The proposed system takes into account the need for communication between PCA users and importers/brokers with the use of electronic messaging systems.

The proposed system will conform to the various user groups within the PCA and the privileges of each user group.

IMPORTER APPLIES VIA PCA TRADE SYSTEM WEBSITE

1. The importer will login to application via a web browser and complete an application form 4
2. The System will:
 - a. Generate the application date
 - b. Search for and display user TRN
 - c. Search for and display corresponding item tariff code
 - d. Upon submission of application generate an application tracking number.
3. Email sent to the Inspector group indicating that an application was submitted for processing.

INSPECTION BY INSPECTOR GROUP

1. An inspector logs in and vets applications that are submitted.
2. The inspector assigns a hold, inspector pass/fail status to the application.
3. If the status is pass/fail the application is sent to the registrar group.

INSPECTION IN BY REGISTRAR GROUP

1. A registrar logs in and reviews the application.
2. The registrar assigns a hold, registrar pass/fail status to the application
3. Once the status is registrar pass/fail the system sends an email to the importer stating that pre-approval has been granted to order goods.

SUBMISSION OF INVOICE

1. Once the importer has ordered goods, then the invoice must be submitted (fax allowed) to the PCA to calculate applicable fees.
2. The inspector will first vet the invoice to ensure consistency of items ordered with items approved.

CALCULATION OF FEES BY ACCOUNTING GROUP

1. The accounting officer will, upon verification of the invoice by the inspectors, submit the CIF or FOB value of pesticides in the invoice.
2. The system will then calculate the import licence fee.

APPLICATION OF IMPORT LICENCE FEE WAIVER

1. The system will automatically apply waiver to certain application based on specific criteria such as the importer TRN and the quantity of goods to be imported.
2. The Senior Accountant will be able to maintain the required criteria via the application.

VERIFICATION OF FEES BY SENIOR ACCOUNTING STAFF

1. Senior accounting staff logs into application and verifies the import licence fees and waivers granted.
2. Upon verification the importer will be notified of the cost of the import licence.

PAYMENT OF IMPORT LICENCE FEES

1. The importer will log into application and view applications that require payment.
2. The importer has the option to pay for import licence via the application using a credit card.
3. The importer may also visit the MOH office and pay import licence fee.
4. Once import licence application fee is paid the application is now a valid import licence.

PRINTING OF IMPORT LICENCE

1. Inspector can now print the import licence.

APPLICATION VIA C78 BROKER APPLICATION

Import licence application can be triggered via the C78 Broker Application. Steps are as follows:

1. The Broker creates a C78 Entry on behalf of the importer using the C78 Broker Application
2. The C78 system will then notify the broker if a PCA import licence is required for importing an item based on the tariff classification.
3. This information entered on the C78 entry will then be passed electronically to the PCA Trade System.

5. PROPOSED METHODS AND PROCEDURES - NOTIFICATION PESTICIDES AND BANNED OR SEVERELY RESTRICTED CHEMICALS

It is being proposed to implement the following solution for improving the current PCA notification process. In summary the proposed steps will involve:

1. Customs Broker completes and submits C78 entry declaration
2. C78 Error Analysis identifies PCA sensitive HS Codes and informs broker that "This consignment may require a Pesticide Control Authority inspection"
3. Customs Supervisor assigns passed status to entry declaration
4. Electronic Notification sent to PCA
5. PCA Inspector indicates whether interested or not interested in examination
 - i. If interested then message is changed to "This consignment must be inspected by the Pesticides Control Authority"
 - ii. If not interested then message is changed to "This consignment does not require a PCA inspection"
 - iii. Otherwise the default message is not changed
6. Customs cashing system prints default or edited PCA message as apart of C78 entry endorsement once payment is made

SUMMARY OF IMPROVEMENTS

The proposed notification system will allow PCA:

1. To receive an electronic notification for PCA sensitive imports
2. To have access to relevant shared data on PCA sensitive imports
3. To utilize electronic records of previous analysis results to assist with the future imports of similar criteria
4. To intervene in the import process in a more timely and effective manner

User Operational Impacts

The users will access the system using a web browser on their computers. (The pages will be designed to support Netscape Navigator/Communicator Versions 6.0 and higher, and Microsoft Internet Explorer Versions 5.0 and higher).

Access to the application will be available via login name and password. The application will provide a facility for reviewing and updating import notifications.

The PCA inspector will be required to maintain¹ an online database consisting of the HS code ranges for items that require PCA inspection when being imported.

PCA and Customs broker will be notified when specified conditions are detected. This will also provide an effective communication mechanism for the broker and Jamaica Customs as to whether a consignment will have to undergo PCA inspection.

Timing

Notification Process

PCA and Customs broker will be automatically notified when specified conditions are detected.

Once a C78 entry is passed by the Customs Supervisor, and if this entry requires a Pesticides Control Authority check based on the PCA sensitive checks, a message would be sent to the Customs Broker and PCA Officer. A default message would be tagged to this entry. This message would indicate the items that may require PCA checks at the point of release. This message to PCA will constitute the import inspection notification.

PCA modifications to this import inspection notification shall immediately update the Jamaica Customs database.

The import inspection notification shall be printed as part of the Customs New Cash Remittance System and EPayment endorsements at the point where import duty payments are made.

1. PCA Inspector (using PCA Trade System)
 - i. Retrieves notification based
 - a. Importer Number
 - b. Import date range
 - c. Import notification status
 - ii. Completes examination sheet to indicate whether interested or not interested in examination
 - a. If the PCA inspector indicates that the shipment should be inspected before the import is released, the message printed on the receipt will read "This consignment must be inspected by the Pesticides Control Authority"
 - b. If the PCA inspector determines that the shipment does not have to be inspected (before the import is released), the message printed on the receipt read, "This consignment does not require a Pesticides Control Authority inspection"
2. Customs Cashier (using Customs New Cash Remittance System at Customs House)
 - i. Prints default or edited PCA message as apart of C78 entry endorsement once payment is made

¹ Maintenance will involve: adding, deleting and modifying import sensitive items. That is, tariff codes of items that require PCA inspection when being imported.

REPORTS

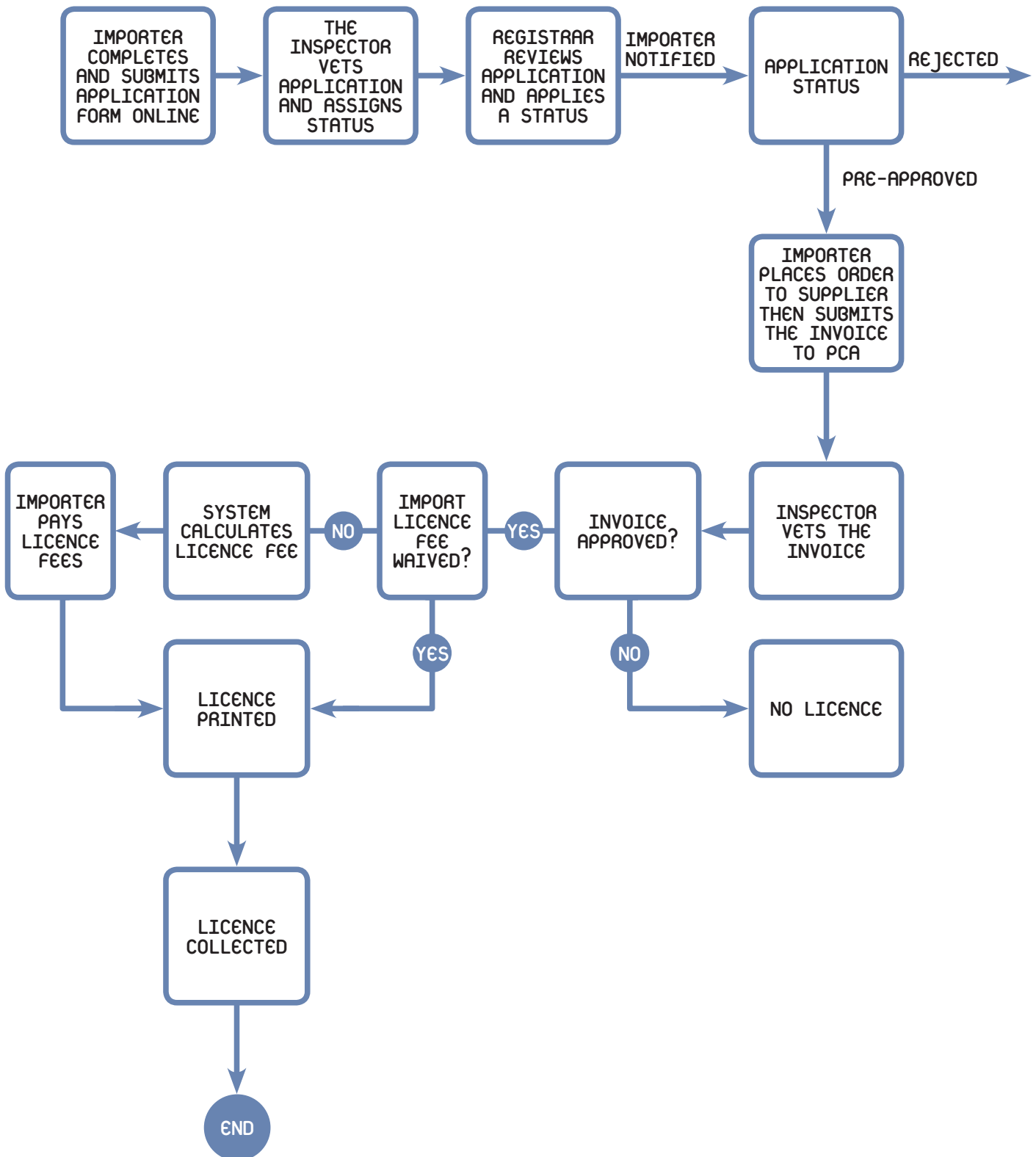
The PCA user will be allowed to generate the following reports:

1. Number of import licences issued over a specific period
2. Notifications per importer over a period
 - a. Importer name, TRN and Date range as header information
 - b. Item description, tariff code, entry number, statistical unit, net weight, CIF, consignor value and notification status
3. Notifications per tariff over a period
 - a. Date and tariff range as header information
 - b. Importer name, TRN, item description, tariff code, entry number, statistical unit, net weight, CIF value, consignor and notification status
4. Notifications per status over a period
 - a. Date range and status as header information
 - b. Importer name, TRN, item description, tariff code, entry number, statistical unit, net weight, CIF value, consignor and notification status

The system will rely on the master records to execute relevant business processes. These master records include:

1. List of registered pesticides
2. List of internal users and privileges
3. List of registered importers of pesticides
4. List of importers who qualify for waiver on import licence fee.
5. List of Harmonized System Codes of interest to PCA

FLOW CHART FOR IMPORT LICENSING



C78 IMPORT ENTRY

IMPORT ENTRY CUSTOMS ACT				C78		1. BUSINESS ENTERPRISE NO.		2. INTERNAL NO.		3. PAGE OF										
COPY NO. 2	4. CONSIGNOR NAME AND ADDRESS					5. TYPE OF ENTRY				CODE		DATE OF LODGEMENT								
						7. DATE OF REPORT		8. RATE OF EXCHANGE		9. ENTRY NO.										
						10. NAME OF WAREHOUSE				NO.										
						11. IMPORTER NAME AND ADDRESS		12. IMPORTERS NO.		13. SECTOR *		14. WAREHOUSE REGISTER NO.		FOLIO		15. PREVIOUS CUSTOMS PROCEDURE		CODE*		
						NAME OF SIGNATORY AND STATUS					16. EXCISE NO.		17. TCC NO - EXP. DATE							
											18. IMPORT LICENCE NO.		19. AIR ☐ CRF ☐ NO.		EXP. DATE		CODE*			
						20. AGENT NAME AND ADDRESS		21. CODE		22. COUNTRY OF CONSIGNMENT		CODE		24. OTHER LICENCES - NAME - NO. - EXP. DATE						
						NAME OF SIGNATORY AND STATUS					23. COUNTRY OF ORIGIN		CODE					25. TERMS OF PAYMENT*		CODE*
											27. MODE OF TRANSPORT AND IDENTITY					CODE		28. INVOICE(S) AMOUNT		CURRENCY
						29. NATIONALITY		CODE		30. PORT OF ENTRY		CODE		31. TERMS OF DELIVERY		32. FREIGHT ETC FOREIGN CURR		33. B.L./AWS NO.		34. ITEMS
35. MARKS, NUMBERS, NUMBER AND KINDS OF PACKAGES					36. TOTAL VALUE CIF		37. NUMBER OF PACKAGES IN WORDS		38. GROSS WEIGHT											
					39. VALUE		40. RATE		41. AMOUNT CALCULATED		42. FREE CODE*		43. AMOUNT PAYABLE							
ITEM 1	44. DESCRIPTION OF GOODS AND SPECIAL DECLARATIONS				50. DUTY		CODE		01											
					CODE*															
					CODE*															
					CODE*															
45. TARIFF CODE		46. VALUE CIF FOREIGN CURRENCY		CODE*																
47. NET WEIGHT		48. STATISTICAL UNIT		49. END USE*		CODE*														
ITEM 2	44. DESCRIPTION OF GOODS AND SPECIAL DECLARATIONS				50. DUTY		CODE		01											
					CODE*															
					CODE*															
					CODE*															
45. TARIFF CODE		46. VALUE CIF FOREIGN CURRENCY		CODE*																
47. NET WEIGHT		48. STATISTICAL UNIT		49. END USE*		CODE*														
51. DECLARATION OF IMPORTER					SUPPORTING DOCUMENTS					52. BROUGHT FORWARD FROM PAGE		53. CALCULATED		PAYABLE						
DATE SIGNATURE					INVOICE ☐ COPIES ☐ C 70 A ☐ C 70 B ☐ TCC ☐ PSD ☐ AIR ☐ CRF ☐ B.L. ☐ AWS ☐ B/S ☐ OTHER: ☐					TOTAL AMOUNT		REMITTED/EXEMPTED								
54. EXAMINED BY AND DATE OF ACCEPTANCE OF ENTRY					55. PASSED FOR PAYMENT					56. RECEIVED THE TOTAL AMOUNT PAYABLE										
DATE SIGNATURE NUMBER					FOR COMMISSIONER OF CUSTOMS AND EXCISE					DATE SIGNATURE NUMBER										

* SEE THE MANUAL

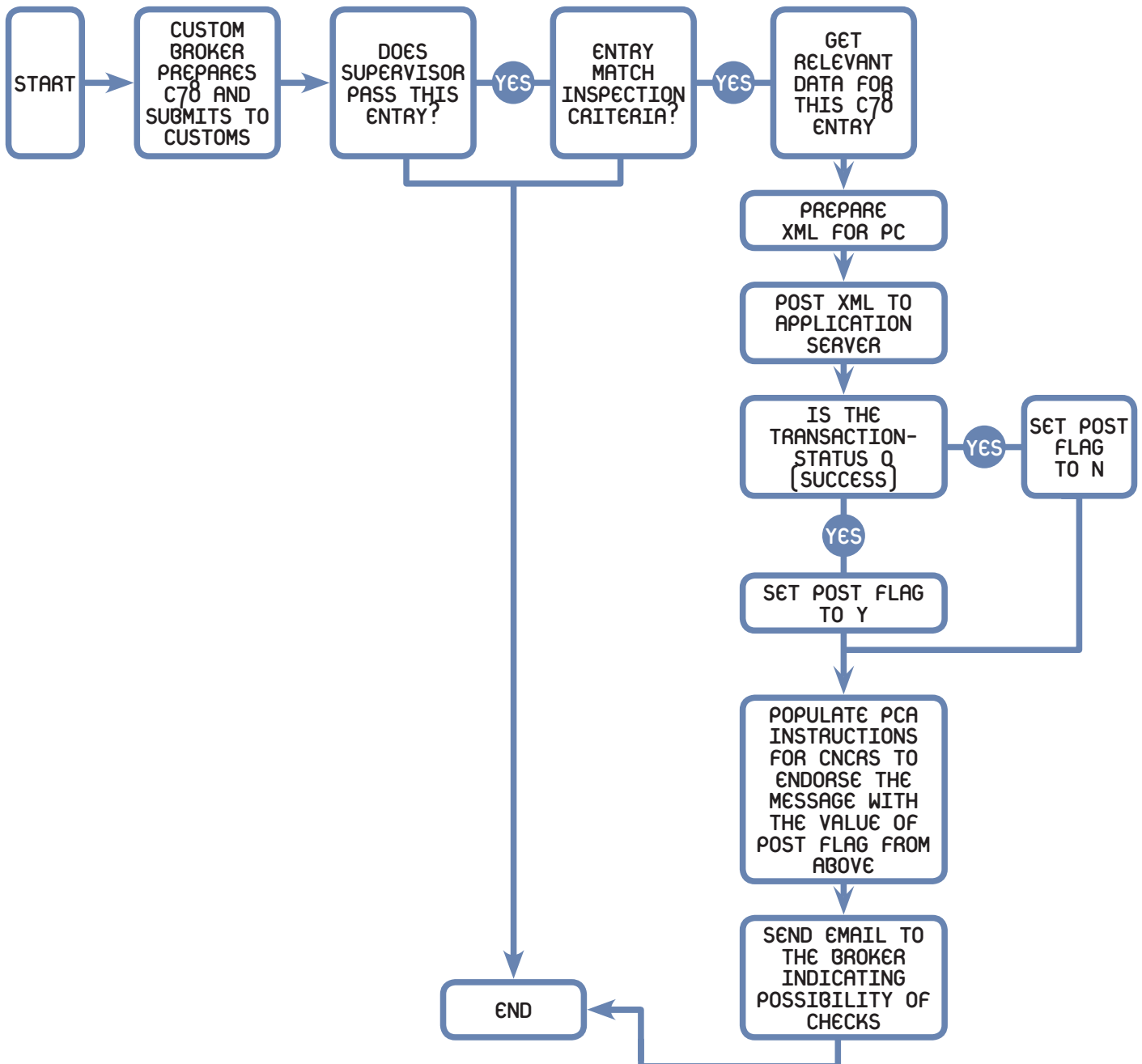
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6. PROCESSING C78 SYTEM FOR PCA SENSITIVE ENTRIES

Based on the criteria defined using the Master Maintenance, once it is established that a C78 entry is sensitive to PCA inspection, (has HS Codes related to restricted or banned chemicals) a default message will be attached to this C78 entry.

Relevant information from the sensitive C78 entry will be posted to the PCA Server to facilitate **PCA Officer Message Edits**.

FLOW CHART FOR C78 PROCESSING FOR PCA SENSITIVE ENTRIES



The shaded portion in the figure above shows the C78 process for entries that may require PCA inspection. The following section describes the steps involved in this process.

STEPS

- i. Once the Supervisor passes a C78 entry, and if the information on this entry makes it susceptible to PCA checks at the port, relevant C78 entry information will be retrieved for the entries sensitive to PCA checks.
- ii. This information will be converted into XML format. XML Design phase of the Design Phase of the project will indicate the sample fields that will be required in this XML
- iii. A database table would be created on the Customs servers to store instructions specific to PCA for each entry. This table will be named PCA instructions. Once an entry is found sensitive to PCA checks, the PCA instructions table will be populated with the default message and to indicate if the post was successful
- iv. The Customs Broker is sent a notification indicating the same instructions that were populated in the PCA instructions table

PCA OFFICER MESSAGE EDITS

PCA Officer will be able to edit the default message associated with a C78 entry that requires PCA inspection at the examination ports. The PCA Officer will be able to pick up from a list of remarks maintained as a part of Remarks Maintenance screen above.

As a part of this option, PCA officers will be able to view the C78 entry details relevant to make an appropriate decision.

FLOW CHART FOR PCA OFFICER MESSAGE

