

## **EXPORT OF BECHE-DE-MER (INSPECTION) RULES, 1978**

### CONTENTS

1. Short title and commencement
2. Definitions
3. Basis of inspection
4. Procedure of inspection
5. Inspection fee
6. Appeal

## **EXPORT OF BECHE-DE-MER (INSPECTION) RULES, 1978**

S.O.2136, dated 22nd July, 1978.'-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 Beche-de-mer (Inspection) Rules, 1978.

(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 at Bombay, Calcutta, Cochin, Delhi and Madras under Section 7 of the Act;

(c) "Beche-de-mer" means edible, pre-cooked, dried fish prepared from the species *Holothuria scabra*.

### **3. Basis of inspection :-**

Inspection of Beche-de-mer for export shall be carried out with a view to seeing that Beche-de-mer conforms to the specifications recognised by the Central Government under Section 6 of the Act (hereinafter referred to as the recognised specifications).

#### **4. Procedure of inspection :-**

(1) An exporter intending to export Beche-de-mer shall submit an application to the nearest office of the agency giving particulars of the consignment intended to be exported to enable it to examine such consignment or cause the same to be examined to see whether the same conforms to the recognised specifications and he shall at the same time endorse a copy of such intimation for inspection to the nearest office of the Export Inspection Council.

(2) Every application under sub-rule (1) shall reach the office of agency not less than 7 days before the anticipated time of despatch of the consignment from the exporters premises.

(3) On receipt of the the application referred to in sub-rule (2) the agency shall inspect the consignment of Bache-de-mer as per the instructions issued by the Export Inspection Council, in this behalf, from time to time, with a view to seeing that the same conforms to the requirements of the recognised specifications.

(4) The exporter shall provide all necessary facilities to the agency to enable it to carry out such inspection.

(5) If, after inspection, the agency is satisfied that the consignment of Beche-de-mer to be exported complies, with the requirements of the recognised specifications, the agency shall within seven days of the receipt of the application issue a certificate declaring that the consignment of Beche-de-mer satisfies the conditions relating to quality control and inspection and is export worthy :

Provided that where 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 along with the reasons therefor.

(6) The agency may exercise such supervision of the inspected consignment at any place of storage, in transit, or at wharves before its actual shipment, as it may consider necessary for satisfying the purpose of the compulsory preshipment inspection scheme.

#### **5. Inspection fee :-**

Subject to minimum of Rs. 50.00 for each consignment, a fee at the rate of 0.5 per cent. of F.O.B. value shall be paid by the exporter to the agency as inspection fee.

## **6. Appeal :-**

Any exporter aggrieved by the refusal of the agency to issue a certificate under sub-rule (5) of rule 4, may within three 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 as may be appointed for the purpose by the Central Government. (i) At least two-thirds of the total membership of the panel of experts shall consist of non-officials. (ii) The quorum for the panel shall be three. (iii) The appeal shall be disposed of within fifteen days of its receipt.