

EXPORT OF CASHEW KERNELS (QUALITY CONTROL AND INSPECTION) RULES, 1966

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EXPORT OF CASHEW KERNELS (QUALITY CONTROL AND INSPECTION) RULES, 1966

S.O.1023, dated 26th March, 1966.-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 :-

These rules may be called the Export of Cashew Kernels (Quality Control and Inspection) Rules, 1966,

(2) They shall come into force on the 1 st April, 1966.

2. Definitions :-

In these rules, unless the context otherwise requires,-

1 [(a) "Agency" means any one of the Export Inspection Agencies established at Cochin, Bombay, Madras and Calcutta under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).]

(b) "Grade designation label" means the label showing the particular grade of the Cashew Kernels in accordance with the specifications recognised under Sec. 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the design of which is approved by the Director of Inspection and Quality Control appointed under Section 4 of the said Act.

(c) "Cashew Kernels" mean scorched and unscorched cashew kernels, whole and pieces.

1. Renumbered by S.O. 410, dated 29th January, 1977.

3. Basis of Inspection :-

Inspection of Cashew Kernels shall be carried out with a view to seeing that the same conform to the specifications recognised by the Central Government under Sec. 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and that the proper grade designation label has been affixed.

4. Preparation of consignment for export :-

(1) Any person desiring to export Cashew Kernels shall prepare a consignment of Cashew Kernels by roasting, peeling, drying and grading in hygienic premises so as to make the consignment conform to any one of the grade specifications referred to in rule 3.

(2) After preparing the Cashew Kernels in the manner specified in sub-rule (1), the exporter shall pack the same in new, clean, dry and leak-proof tins and each tin shall be securely closed and sealed in such manner as may be specified by the Agency from time to time.

1[(3). The tin shall thereafter be marked with grade designation labels and packed in corrugated fibre-board cartons.

(4) The tin containers used for packing cashew kernels shall be fabricated of prime quality tin sheets of 30 SWG (0.3150 mm), and each container shall weigh not less than 1 kg.

(5) The corrugated fibre-board carton used for packing sealed tins shall be of 5-ply and also satisfy the following requirements namely :-

1. Published in the Gazette of India, Extraordinary, 1966 Part II, Sec. 3(ii), p. 629 (w.e.f. 1st April, 1966). 2. Substituted by S.O. 1785, dated 17th May, 1967. 3. Substituted by S.O. 410, dated 29th January, 1977.

(6) In case a foreign buyer desires to obtain the product in wooden boxes, such wooden boxes shall satisfy the following requirements, namely:-

(i) The boxes shall be clean and dry;

(ii) The boxes shall be treated with suitable chemicals against

insect infestation, and be free from mould growth; and

(iii) The wooden planks used for making boxes shall have a thickness of 12 mm. for the head plank, and 6 mm. for other planks.]

2 [(7)] Cashew Kernels of only one grade shall be packed in a box.

2 [(8)] Exporters intending to use grade designation labels may obtain their requirements of such labels from the Director of Inspection and Quality Control, Export Inspection Council, 14/1 B, Ezra Street, Calcutta or from any of the Agencies.

1. Substituted by S.O. 1628, dated 9th June, 1973.

2. Renumbered by S.O. 410, dated 29th January, 1977.

5. Procedure for inspection :-

(1) Any exporter intending to export Cashew Kernels shall submit an application to the Agency, or an Officer of the Agency authorised in this behalf by the Agency, giving particulars of the consignment intended to be exported.

(2) An application under sub-rule (1) shall be made not less than twenty four hours before the date of commencement of loading for export.

1 [(3) On receipt of the application referred to in sub-rule (2) the Agency shall inspect the consignment of cashew kernels as per the instructions issued by the Export Inspection Council in this behalf from time to time, with a view to satisfying itself that the consignment has been graded, labelled and packed in accordance with the rules referred to in rule 3 above. The exporter shall provide all necessary facilities to the Agency to enable it to carry out such inspection.

(4) If after inspection the Agency is satisfied that the consignment of cashew kernels to be exported complies with the requirements of the specifications referred to in rule 3, it shall, within seven days of the receipt of intimation, issue a certificate declaring the consignment as export-worthy: Provided that where the 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.]

1. Substituted by S.O. 1628, dated 9th June, 1973.

6. Place of inspection :-

Inspection for the purpose of these rules shall be carried out at the premises of the exporter where the goods are offered for inspection provided adequate facilities exist therein for inspection.

7. Inspection Fee :-

1 A fee of twenty paise for every 11.34 kg. (25 Ibs.) or fraction thereof, of all grades of cashew kernels excluding the grade "Baby Bits (BB)" and for every 12-70 kg. (28 Ibs), or fraction thereof, of the grade "Baby Bits (BB)" and a fee often paise for every 5 kg. (11.02 Ibs), or fraction thereof, all grades of cashew kernels shall be charged for labelling and inspection under these rules.]

1. Substituted by S.O. 329, dated 17th January, 1976.

8. Appeal :-

1 Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (4) of rule 5, may, within ten 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, appointed for the purpose, by the Central Government.

(2) The panel will consist of at least two-third of non-officials of the total membership of the panel of experts.

(3) The quorum for the panel shall be three.

(4) The decision of the panel on such appeal shall be final.

(5) The appeal shall be disposed of within 15 days of its receipt.]

1. Substituted by S.O. 1893, dated 21st June, 1975.