

## **EXPORT OF DRIED SHARK FINS AND DRIED FISH MAWS (INSPECTION) RULES, 1969**

### CONTENTS

1. Short title and commencement
2. Definitions
3. Basis of inspection
4. Procedure of inspection
5. Packing and marking for export
6. Place of inspection
7. Inspection fees
8. Appeal

## **EXPORT OF DRIED SHARK FINS AND DRIED FISH MAWS (INSPECTION) RULES, 1969**

S.O. 5055, dated 29th December, 1969 1.- In exercise of the power 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 Dried Shark Fins and Dried Fish Maws (Inspection) Rules, 1969.

(2) They shall come into force on the 12th January, 1970.

### **2. Definitions :-**

In these rules, unless the context otherwise requires-

(i) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(ii) "Agency" means the Export Inspection Agencies established at Bombay, Calcutta, Cochin, Delhi and Madras, under Section 7 of the Act.

(iii) "dried fish maws" means the dried air bladder of fishes of the following species: 1. Muraemesox talabonoides (Eel/Vilanku/Vam); 2. Pseudosciaena sp. (Jew/Kathalai/Ghol); 3. Polynemus indicus (Thread fin/Kala/Dara); 4. Otolithoides brunneus (Giant Croaker/Panna/Kote); 5. Areus sp; Tachysures sp. (Cat

fish/Kelru/Petara); 6. Lates sp;Pasmoperca sp. (Bekti); 7. Saurida sp. (Lizard fish).

(iv) "dried shark fins" means the dorsal fins, ventral fins, pectoral fins or the caudal (tail) fins of edible sharks.

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

Inspection of dried shark fins and dried fish maws intended for export shall be carried out with a view to seeing that the dried shark fins and dried fish maws conform to the specifications recognised by the Central Government under Sec. 6 of the Act.

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

(1) An exporter intending to export dried shark fins and dried fish maws 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 specifications, referred to in rule 3.

(2) Every application under sub-rule (1) shall be made not less than five days before , the anticipated time of dispatch of the consignment from the exporter's premises.

(3) <sup>1</sup>[On receipt of the intimation referred to in sub-rule (2), the Agency shall inspect the consignment of dried shark fins and dried fish maws as per the instructions issued by the Export Inspection Council in this behalf from time to time, with a view to seeing that same complies with the requirements of the specifications referred to in rule 3 above. The exporter shall provide all necessary facilities to the Agency to enable it to carry out such inspections.]

(4) <sup>2</sup> [If after inspection, the Agency is satisfied that the consignment of dried shark fins and dried fish maws to be exported, complies with the requirements of the specifications referred to in rule 3, it shall, within five days of the date of 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 five days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.

1. Substituted by S.O. 1627, dated 9th June, 1973

2. Subs by S.O. 1627, dated 9th June, 1973.

**5. Packing and marking for export :-**

(1) The dried shark fins and dried fish maws shall be packed in a manner as agreed to between exporter and the foreign buyers. In the absence of any agreement, the material shall be packed in sound gunny bags.

(2) Each package shall be marked with indelible ink or labeled with the following particulars:-

(a) Name of the material,

(c) Shipping marks, and

(d) Port of destination.

**6. Place of inspection :-**

(1) Inspection for the purpose of these rules shall be carried out at the exporter's premises.

(2) In addition to the inspection at the premises mentioned in sub-rule (1), the Agency may exercise such supervision of inspected consignment at any place of storage or transit before its actual shipment as it may consider necessary to carrying out the purposes of these rules.

**7. Inspection fees :-**

A fee at the rate of fifty paise for every one hundred rupees or fraction thereof the F.O.B. value of the consignment subject to a minimum of ten rupees per consignment shall be paid to the Agency as inspection fee under these rules.

**8. Appeal :-**

(1) Any person aggrieved by the refusal of the Agency to issue a certificate under sub-rule (4) of rule 4, any, 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.]