

EXPORT OF FISH AND FISHERY PRODUCTS (QUALITY CONTROL AND INSPECTION) RULES, 1977

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EXPORT OF FISH AND FISHERY PRODUCTS (QUALITY CONTROL AND INSPECTION) RULES, 1977

S.O. 4008, dated 31st December, 1977. - In exercise of the powers conferred by Sec. 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) and in supersession of the Export of Fish and Fish Products (Inspection) Rules, 1964 and the Export of Frozen Lobster Tails (Inspection) Rules, 1971, except as respects things done or omitted to be done, the Central Government hereby makes the following Rules, namely :-

1. Short title and commencement. :-

- (1) These rules may be called the Export of Fish and Fishery Products (Quality Control and Inspection) Rules, 1977.
- (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 of the agencies established or recognised under Sec. 7 of the Act;
- (c) "Fish and Fishery Products" means :- I. all types of frozen prawns (shrimps) (i) Whole - Head and shell on (ii) Headless-Head removed, shell-on (iii) Fantail round-Head and shell removed except on last segment and tail (iv) Fantail deveined-As in (iii)

above, but the alimentary canal removed (v) Fantail butterfly-As in (iv) above, but split open and arranged in required pattern (vi) Peeled, raw peeled or peeled undeveined-Head and shell removed completely. (vii) Peeled and deveined- As in (vi) above, but the alimentary canal also removed (viii) Cooked and peeled- As in (vi) above, but after cooking (ix) Peeled and cooked-As in (vi) above, but cooked (x) Peeled, deveined and cooked -As in (vii) above, but also cooked (xi) Whole, cooked- As in (i) above, but also cooked ;

II. All types of frozen lobster obtained from- (i) Rock lobster- (1) *Panulirus homarus* (2) *Panulirus ornatus* (3) *Panulirus polvohaous* (ii) Deep sea lobsters- *Peurulus sewelli* (iii) Sand lobsters- *Thunnus* sp.

(d) "Standard specifications" means the specifications of frozen prawns (shrimps), frozen lobsters, frozen pomfrets and frozen cuttle fish and squids as laid down in the Annexure to the order of the Government of India in the Ministry of Commerce, No. S.0.4007, dated the 31-12-1977.

3. Quality Control. :-

A. Requirements of processing units.-Only those of the processing units approved by the agency shall be eligible for processing Fish and Fishery Products for export and a unit to qualify for approval shall have the minimum facilities as specified below :-

(1) Surroundings, construction and layout.- ¹[(a) The surroundings of the processing unit which are under the physical control of the processor shall not have any swamps, dumps or animal housing nearby which might pose any sanitary problems.]

²[(b) All the immediate approaches of the processing areas shall be which are under the physical control of the processor concreted or tarred or turfed to prevent wind-blown dust.]

(c) The processing unit shall be housed in a building of permanent nature, affording sufficient protection from normal climatic hazards like wind-blown dust and rain.

(d) The layout of different sections shall be arranged in such a way as to facilitate the smooth flow of work and to prevent possible contamination from preprocessing section.

(2) Processing areas.- (a) The area in which the raw material is received and stored shall be so separated from the area in which

the final product preparation or packing is conducted so as to preclude contamination of the finished products.

(b) Areas and compartments used for the storage of edible products shall be separate and distinct from those used for inedible materials.

(c) The material handling areas shall be completely separated from the area used for residential purposes.

(3) Ceiling, wall and floor.- (a) The ceiling of the room, where the material is either processed or stored, shall be free from crevices and open joints and lend itself for easy cleaning.

(b) The ceiling shall not offer any facility for rodent harbourages.

(c) The walls of the processing area shall be smooth and free from pits and cracks and shall be washable upto a height of min. 1.3 metres.

(d) The floor shall be of impermiabile and non-corroding material, and shall have sufficient sloping to drain away all the waste water.

3[(e) The floor and wall junctions may be rounded off to facilitate easy cleaning.]

(4) Fly proofing, vermin and animal control.- (a) The processing area shall be provided with effective fly-proofing arrangements.

(b) Measures shall be adopted to protect against the entry of other insects, rodents, birds, cats, dogs and the like into the processing areas.

(5) Lighting and ventilation,-(a) All the working areas shall be well lighted.

4[(b) Light bulbs and fixtures shall not be directly suspended over the processing table or at any stage of the preparation of the product. These shall be of safety type to prevent contamination in case of breakage.]

(c) There shall be adequate facilities for natural or mechanical ventilation system to provide fresh air, remove undesirable odours, steam and smoke and prevent condensation in rooms where work is performed.

(6) Working tables and utensils.- (a) The tables used for processing

work shall be of non-corrodible, non-reacting material other than wood.

(b) The processing tables shall be constructed and installed in such a way that the areas underneath and around are accessible to easy cleaning.

(c) The table tops shall be of stainless steel, aluminium, or rust-free G.I. Sheets and shall be smooth and free from pits and crevices.

(d) The arrangement of working tables shall be such that smooth flow of work is ensured.

5[(e) All receptacles like trays, tanks, vats and utensils used for the processing shall be of non-corrodible material other than wood. These

(f) Enamelled utensils shall not be used.

6[(g) Wire mesh receptacles may be used only for handling the shell- on Crustacea provided these are not rusted.]

7[(A) Bamboo baskets when used may be permitted in areas other than the processing hall.]

(i) The equipments and utensils used for inedible and contaminated material shall be separately identifiable by a mark or shape or colour so that these are not used for handling edible products.

(j) Waste material shall be frequently removed from the working areas during processing operation, and adequate waste receptacles shall be provided for this purpose.

(7) Machinery.- **6**[(a) The freezing capacity shall be adequate to meet the production in peak season. However, spare capacity of other approved processing units may be utilised provided the onus of responsibility for such freezing will be that of the processor.]

6[(b) The type of freezing employed shall be specific to the nature of the product and type of pack. For this purpose, either the plate freezer or the blast freezer may be used depending upon the requirements of the product.]

(c) The materials shall be quick frozen.

6[(d) In the case of block freezing, the material shall attain a temperature around 40ZC within the period of 3« hours.]

(e) The freezing equipments shall be fitted with gauges to show the temperature and pressure.

7[(f) All cooking operations shall be carried out by steam.]

(8) Cold storage and warehousing.-(a) The location and design of the cold storage should be such that it is integrated into the general layout of the whole establishment and its operation incorporated into the flow pattern of the overall operation.

6[(b) Every freezing unit shall have cold storage of adequate capacity. However, common facility cold storage may be utilised subject to the following conditions :-

(i) the maintenance of proper temperature; (ii) transportation by insulated trucks; and (iii) stacking of cartons in an identifiable manner.]

6[(c) The ideal temperature of the cold storage shall be 18Z or less, preferably fitted with automatic temperature recording device. The product temperature shall however, be 16ZC at any time of checking.]

(d) In the absence of continuous recording thermometer the temperature of the cold storage shall be measured at least every 4 hours and suitable records maintained.

(e) The cold storage shall be well lighted and shall have suitable arrangements on the floors and sides to facilitate free circulation of air.

(f) The entry into the cold storage should be so designed that on opening the entry door, the temperature shall not rise appreciably, as otherwise it would affect the stored product

14[(g) An ante-room of suitable size shall invariably be provided. However, where air curtain with automatic switch-on device is provided, the provision of ante-room shall not be required]

(h) The cooling surfaces of the cold storage should be regularly defrosted in order to avoid excessive build up of ice or frost, which could seriously affect the efficiency of the cooling system

(i) During defrosting operation, care shall be taken to prevent any frost, ice or melt water falling on the stored product

(j) There shall be an efficient alarm system to render timely help to persons trapped inside

(k) The cold storage shall be subject to the same sanitary requirements as in other material handling establishments

(i) For this purpose, a regular cleaning schedule shall be maintained to ensure good hygienic conditions

15 [(m) In units where the raw material has to be stored overnight for want of adequate processing facilities, a chill room of suitable size, maintained at a temperature of 1 ZC or less, shall be provided However in the units where chill room facility is not available the material shall be permitted to be stored over-night adequately iced]

(n) **16** [***]

(o) **10** [***]

(P) **10** [***]

(q) **10** [* * *]

(9) Water and Ice -(a) There shall be plentiful supply of potable water (free from harmful chemical and bacteria)

(b) If the water used for processing is from sources other than a protected water supply scheme, a certificate of potability of the same from the agency or other approved institutions by the agency shall be produced

(c) If non-potable water is supplied for boiler and other auxiliary services, there shall be no cross-connection between the auxiliary water system and the system carrying potable water

(d) The storage tanks, if used, shall be sufficiently protected from extraneous contamination, and shall be of sufficient capacity

(e) The storage tanks shall be properly cleaned, at least once in 6 months

(f) The consumption of potable water shall not be less than 12 Its for every kilogram of raw material processed

(g) The minimum available chlorine content in water used for processing shall be maintained at 3 ppm level

(h) The water used for glazing and reglazing shall be chlorinated to a level of 10 ppm.

(0 Ice made from potable water only shall be used and if ice from external sources is used, it shall be ensured that the same is made from potable water and is not contaminated.

(j) Ice crushing machines, if used, shall be kept in good sanitary conditions.

(10) Sanitary facilities and control.- (i) Cleaning- (a) All the utensils, trays and table surfaces, which come in contact with the material, except packaged material, shall be washed initially with a cleansing agent, and finally with water having a minimum concentration of 50 ppm. chlorine.

(b) The processing hall shall be cleaned before the day's work starts and then at the end of each working shift.

(c) In addition, the cleaning and washing shall be done as frequently as necessary.

(ii) Washing facility.- (a) Soap and adequate hand washing facilities shall be provided in each processing hall near the entrances.

(b) Arrangements to sanitise the feet shall also be made near the entrances.

(iii) Sewage and waste disposal.- (a) There shall be adequate drainage facilities for carrying away water used in the processing premises and to discharge it into a channel at least 3 metres from the unit.

1[(b) The drainage system inside the processing unit shall be properly covered and easily cleanable.]

(c) The openings of open drains, which pass through walls, shall be fitted with metal grills to prevent the entry of rodents.

(d) The arrangements for disposal of sewage, waste water and offal shall be such that it shall not cause any sanitary problem to the unit and the neighbourhood.

(c) The sewage from the toilet shall be disposed of in such a manner that the water shall not be accessible to flies and the unit's water supply not contaminated.

(f) On no account there shall be accumulation of water including waste or rain water in the premises.

(iv) Toilet facility.- (a) Adequate toilet facilities of sanitary type shall be provided as per the legal requirements applicable in this regard.

(b) The toilets shall be located well isolated from the processing area.

(c) The toilets shall be provided with self-closing doors, and with wash basin and soap.

(d) Potable water shall be used for washing purposes. (11) Personnel health and hygiene.-²¹[(a) Plant management shall take care to ensure that no person, while known to be affected with a communicable

(b) In order to facilitate the detection of such disease, the management shall conduct at least yearly medical examination of the personnel permitted to work in any area of the unit.

(c) All persons working in the processing area shall maintain a high degree of personnel cleanliness while on duty.

(d) The management shall provide sanitised aprons and head gears to the employees working in the processing and packing areas.

(e) The workers shall wash their hands and feet with potable water and soap as often as necessary, and specially before entering the processing hall after each absence.

(f) Spitting and use of tobacco in any form shall be prohibited in the processing premises.

(g) A separate eating place shall be provided, and eating at other places shall be prohibited.

(12) Transportation facilities .- (a) It is ideal that the raw material as also the finished product are transported only in insulated or refrigerated vehicles.

(b) Under no circumstances finished product shall be carried in non-insulated vehicles.

(13) Maintenance of records.- Necessary registers and records, as prescribed by the Council from time to time, shall be maintained by the processor in order to ensure effective control on the processing

of fish and fishery products, and these shall be made available to the agency officers as and when required.

B. Approval of processing units .-(1) (a) A processor intending to process fish and fishery products for export shall inform of his intention to do so in writing, in the proforma prescribed by the Council, to the nearest office of the agency.

(b) On receipt of such information, the agency officers shall visit the processing unit in order to adjudge the facilities for processing available in the unit.

(c) If the unit is found to have the minimum facilities as specified in Cl. (A) the agency shall approve the unit and permit it to carry out processing of fish and fishery products for export.

(a) If the unit is found not to have the minimum facilities the processor shall not be allowed to process fish and fishery products for export.

(2) (a) The approval accorded may be withdrawn in respect of a processor for the following reasons, after giving a notice of minimum period of 7 days namely :-

(i) if the equipments, machinery and storage facilities are not in good working condition;

(ii) if the sanitary and hygienic condition of the unit is not maintained satisfactorily;

(iii) if samples drawn for counterchecks fail to meet the laid down standards;

(iv) if the processor has violated or deliberately attempted to violate the provisions of these rules or instructions issued by the Council from time to time.

(b) Such withdrawal of approval shall be intimated in writing to the processor.

(3) (i) Any processor aggrieved by the decision to withdraw approval may file an appeal before the panel of experts referred to in rule 5 and in such case he shall be allowed to continue processing. (ii) In the event of an adverse decision by the said panel of experts, the processor shall not be allowed to export the entire material processed during the intervening period.

(4) A unit, whose approval has been withdrawn, may, after rectifying the defects make a fresh application to the agency for getting fresh approval.

(5) (a) If at any time there is any difficulty in maintaining the conformity of the products to the specifications for any reason the processing for export shall be suspended under intimation to the agency.

(b) The processing for export shall be resumed only after the same is approved by the agency in writing.

C. Processing.-²²[(1) The processor shall carry out processing only in approved units under the supervision of the competent personnel.]

(2) (a) The raw material arriving in the processing unit shall be inspected for its quantity, quality and foreign matter and the observations recorded in the manner prescribed by the Council from time to time.

(b) It shall be ensured that only fresh and wholesome raw materials are used for processing.

²³[(3) The selection of raw materials and its subsequent processing, packing and storage, till export shall be carried out under the supervision of competent personnel as per directives given by the agency officers from time to time.]

(4) (a) The aforesaid operations shall be subject to further check by the agency officers as often as found necessary.

(b) The material at any stage of processing or packing, not approved by the agency officers, shall be removed from the processing premises or defects rectified, as the case may be.

(c) The rejected material shall be disposed of in a way satisfactory to the agency.

(5) In case of dispute, the concerned raw materials shall be either kept adequately iced, or processed with a separate identity tag or mark, and kept separately for final disposal, which shall be decided by a panel of officers of the agency.

D. Procedure of inspection.- (1) (a) For the purpose of inspection under these rules, a day's production shall constitute a control unit.

24 [(b) A control unit may have more sub-units depending upon the species of the product], (c) Samples shall be drawn from raw materials, different processing stages and the final product in accordance with the instructions laid down by the Council, (d) Those of the lots which meet the laid down standards shall be treated as approved lots.

(2) An exporter intending to export a consignment of fish and fishery products shall give intimation to the agency in writing, in the proforma prescribed by the Council, and submit alongwith such intimation a declaration to the effect that the consignment of fish and fishery products has been processed exercising the in-process quality control measures as prescribed in this regard and is from approved lot.

(3) Such intimation shall reach the agency office not less than 3 working days prior to the date of despatch of the consignment from the processing premises for shipment.

(4) On receipt of such intimation, the agency shall normally draw samples for organoleptic tests only, and if the agency is satisfied that the consignment to be exported complies with the notified standards, and if the results of recorded regular checks conducted as per sub-clause (4) of Cl. (c) are satisfactory, it shall, within 3 working days of receipt of such intimation, issue a certificate to the exporter declaring the consignment export worthy.

(5) (a) In case the results of the recorded checks so warrant, or if the agency feels that further detailed checks are necessary, additional samples shall be drawn from the consignment for detailed testing including bacteriology.

(b) In such cases, the certificate of exportworthiness shall be issued only after satisfactory completion of the tests.

(6) Where the agency is not so satisfied, it shall refuse to issue such certificate and communicate such refusal in writing to the exporter, alongwith the reasons therefor soon after the completion of the tests.

(7) A separate record shall be maintained giving information relating to the rejection and mode of disposal of the control units or sub-units which do not conform to the specifications.

(8) (a) For the purpose of inspection, the agency officer shall have

access to the relevant records and premises where processing, packing and storage of fish and fishery products are carried out.

(b) The processor shall provide a separate inspection room with necessary facilities, adjacent to the processing area.

1. Subs by S.O 2720, dated 11th August, 1979.
2. Subs by SO 2720, dated 11th August, 1979
3. Substituted by S.O. 2720, dated 11th August, 1979.
4. Subs by S.O. 2720, dated 11th August, 1979.
5. Substituted by S.O. 2720, dated 11th August, 1979.
6. Substituted by S.O 2720, dated 11th August, 1979.
7. Substituted by S.O 2720, dated 11th August, 1979
14. Subs by SO 2720, dated 11th August 1979
15. Subs by SO 2720 dated 11th August, 1979
16. Omitted by S O 2720, dated 11th August, 1979
21. Substituted by S.O. 2720, dated 11th August, 1979.
22. Substituted by SO. 2720, dated 11th August, 1979
23. Substituted by S O 2720, dated 11th August, 1979
24. Subs by SO 2720, dated 11th August, 1979.

4. Inspection fee. :-

Subject to a minimum of Rs. 30/ - for each consignment a fee at the following rates shall be paid by the exporters to the agency as inspection fee namely:-

(1) Frozen Prawns-all type :-12 Paise per Kg. or part thereof. (2) Frozen Lobsters :- 40 Paise per Kg. or part thereof. (3) Frozen Pomfrets :-15 Paise per Kg. or part thereof.

(4) Frozen Cuttle fish and squids :-15 Paise per Kg. or part thereof.

5. Appeal. :-

(1) Any person aggrieved by- (i) the refusal of the agency to accord approval for his unit under sub-clause (1) of Cl. B of rule 3 or to issue a certificate of exportworthiness under sub-clause (6) of Cl. D of rule 3.

(ii) the decision of the agency to withdraw the approval accorded to a unit under sub-clause (2) of Cl. B of rule 3, may, within 10 days of the receipt of the communication of such refusal by it, prefer an appeal to panel of experts consisting of not less than three, but not more than seven persons, appointed for the purpose by the Central Government.

(2) At least two-third of the total membership of the panel of experts shall consist of non-officials.

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

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