

EXPORT OF FRUIT PRODUCTS (QUALITY CONTROL AND INSPECTION) RULES, 1978

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EXPORT OF FRUIT PRODUCTS (QUALITY CONTROL AND INSPECTION) RULES, 1978

S.O.1421, dated 13th May, 1978@1.- 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 Fruit Products (Quality Control and 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,-

- (i) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (ii) "agency" means the office of the Director of Fruit and Vegetables Preservation in the Ministry of Agriculture and Irrigation (Deptt. of Food) recognised as agency under Section 7 of the Act;
- (iii) "Fruit Products" means- 1. Synthetic beverages, syrups and sharbats; 2. Vinegar, whether brewed or synthetic; 3. Pickles; 4. Dehydrated fruits and vegetables; 5. Squashes, crushes, cordial, barley water, barreled juice and ready- to-serve beverage, fruit

nectar or any other beverages containing fruit juices or fruit pulp; 6. Jams, Jellies and marmalades; 7. Tomato products, ketchup and sauce; 8. Preserved, candied and crystallised fruits and peels; 9. Chutneys; 10. Canned and bottled fruits, juices and pulp; 11. Canned and bottled vegetables; 12. Frozen fruits and vegetables; 13. Aerated waters containing fruit juice and pulp; 14. Fruits cereal flakes; and 15. Any other unspecified items relating to fruits or vegetables;

(iv) "Licence Holder" means the person or body of persons who have been granted licence under the Fruit Products Order, 1955.

3. Basis of inspection. :-

Inspection of the Fruit Products shall be carried out with a view to seeing that the same conform to the standard specifications recognised by the Central Government under Section 6 of the Act.

4. Procedure of inspection. :-

(1) Fruit products meant for export shall be processed and packed only by a licence holder.

(2) A licence holder intending to export Fruit Products shall give intimation in writing to the nearest office of the agency to enable it to inspect the same and draw samples for analysis in accordance with rule 3

(3) The addresses of the offices of the agency are as follows (i) Office of the Deputy Director, Fruit and Vegetable Preservation, Jamnagar House, Block No 11, New Delhi (ii) Office of the Deputy Director, Fruit and Vegetable Preservation, 3rd Floor, New Marine Lines, Bombay (iii) Office of the Deputy Director, Fruit and Vegetable Preservation, 8, Esplanade (East), Calcutta-69 (iv) Office of the Deputy Director, Fruit and Vegetable Preservation, Shastri Bhawan, 4th Floor, Haddows Road, Madras

(4) Every intimation under sub-rule (2) shall be given-

(a) not less than 3 days before the samples are drawn for analysis at the headquarters of any office of the agency,

(b) not less than 10 days before the samples are drawn for analysis at other places which are not situated at the headquarters of any office of the agency

(5) On receipt of the intimation referred to in sub-rule (4) the

agency shall inspect consignments of fruit products with a view to check up that the same complies with the requirements of the recognised specifications referred to in rule 3

(6) The agency on finding that the consignment conforms to the prescribed specifications, shall arrange to issue the inspection certificate for the consignments tendered for inspection under sub-rule (4)

Provided that if the agency is not so satisfied it shall refuse to issue the inspection certificate and convey the fact in writing not later than 10 days from the date of receipt of intimation for inspection to the licence holder giving the reasons therefor

5. Places of inspection. :-

(1) Inspection for the purposes of these rules shall be carried out at the authorised premises of the licence holder or an approved store or godown of the licence holder, (2) Check sampling of the product may be done at any point before export

6. Re-examination of the test of check sample. :-

(1) If the licence holder is not satisfied with the results of examination by the agency, he shall be entitled to request the agency in writing to arrange for re-examination of the consignment and one more test sample or check sample shall thereafter be drawn and tested

(2) The result of analysis under sub-rule (1) shall be arranged with those of the previous samples and the average result shall be taken for determining the quality of the consignment

7. Appeal. :-

(1) Any person aggrieved by the refusal of the agency to issue an inspection certificate under sub-rule (6) of rule 4 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) At least two-thirds of the total membership of the panel of experts shall consist of non-officials

(3) The quorum for the panel shall be three

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