
EXPORT OF PESTICIDES AND THEIR FORMULATIONS (INSPECTION) RULES, 1970

CONTENTS

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

EXPORT OF PESTICIDES AND THEIR FORMULATIONS (INSPECTION) RULES, 1970

S.O.3311, dated 7th October, 1970.-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 Pesticides (Inspection) Rules, 1966, published with the notification of the Government of India in the late Ministry of Commerce No. S.O. 2149, dated the 19th July, 1966, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. :-

(1) These rules may be called the Export of Pesticides and their Formulations (Inspection) Rules, 1970.

(2) They shall come into force on the 7th November, 1970.

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 recognised under Section 7 of the Act;

(c) 'pesticides and their formulations' means the pesticides and their formulations specified in the Schedule to these rules.

3. Basis of inspection. :-

Inspection of pesticides and their formulations shall be carried out

with a view to seeing that the same conform to the specifications recognised by the Central Government under Section 6 of the Act.

4. Procedure of inspection. :-

(1) An exporter, intending to export pesticides and their formulations, shall give intimation in writing of his intention so to do and submit alongwith such intimation a declaration as to the agreed specifications of the export contract to any one of the agencies to enable them to carry out the inspection in accordance with rule 3.

(2) Every intimation and declaration under sub-rule (1) shall be given not less than 15 days before the expected date of shipment.

(3) On receipt of the intimation and declaration under sub-rule (2), the Agency shall carry out the inspection of pesticides and their formulations in accordance with rule 3 and the instructions issued in this behalf by the Export Inspection Council from time to time.

(4) If, after inspection, the agency is satisfied that the consignment of pesticides and their formulations to be exported complies with the requirements of rule 3, it shall, within 15 days of the receipt of the intimation and declaration under sub-rule (2), issue a certificate to the exporter declaring the consignment as export-worthy :

[Provided that where the agency is not so satisfied, it shall within the said period of 15 days refuse to issue such certificate and communicated such refusal to the exporter alongwith reason therefor.]

5. Place of inspection. :-

Every inspection under the rules shall be carried out either at the premises of the manufacturer or at the premises at which the goods are offered by the exporter provided in the opinion of the Agency adequate facilities for the purpose exist therein.

(2) The analysis of such common salt shall be conducted at the laboratory of the Agency.

6. Appeal. :-

(1) Any person aggrieved by the refusal of the Agency to issue a certificate under sub-rule (4) of rule 4 may, within ten days of receipt of the communication of such refusal by him, prefer an appeal to a panel of not less than three but not more than seven

such experts as may be 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 appeals shall be disposed of within fifteen days of its receipt.