

## **EXPORT OF ROASTED AND SALTED CASHEW KERNELS (INSPECTION) RULES, 1978**

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## **EXPORT OF ROASTED AND SALTED CASHEW KERNELS (INSPECTION) RULES, 1978**

S.O. 276, dated 21st January, 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 Roasted and Salted Cashew Kernels (Inspection) Rules, 1978
- (2) They shall come into force on the date of their publication in the Official Gdzette

### **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 Export Inspection agencies established at Bombay, Calcutta, Cochin, Delhi and Madras under Sec 7 of the Act,
- (c) "Roasted and Salted Cashew Kernels" mean cashew kernels scorched, unscorched, whole or pieces prepared through roasting in any recognised cooking medium and salting, or thorough the dryroasting process and salting

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

<sup>1</sup> Inspection of roasted and salted cashew kernels for export shall be carried out with a view to ensuring that they conform to the standard specifications recognised by Central Government as being applicable to them under Sec 6 of the Act and contained in the Order of the Government of India in the Ministry of Commerce No S 0 275 dated the 21st January, 1978, published in the Gasette of India, Part II, Sec 3, sub- section (u), dated 28th January, 1978 ]

1. Subs by S 0 6th January 1978

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

(1) An exporter intending to export roasted and salted cashew kernels 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 and the exporter shall at the same time endorse a copy of such application for inspection to the nearest office of the Council

(2) Every application under sub-rule (1) shall reach the office of the agency not less than 15 days before the anticipated time of despatch of the consignment from the exporter's premises

(3) On receipt of the application under sub-rule (2), the agency shall inspect the consignment of roasted and salted cashew kernels as per the instructions issued by the Council in this behalf from time to time with a view to seeing that the same complies with the requirements of the recognised specifications

(4) The exporter shall provide all necessary facilities to the agency to enable them to carry out such inspection

(5) If, after inspection, the agency is satisfied that the consignment of roasted and salted cashew kernels to be exported complies with the requirements of the recognised specifications the agency shall, within 15 days of the intimation, issue a certificate declaring that the consignment of roasted and salted cashew kernels satisfies the conditions relating to quality control and inspection and is 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 communicate such refusal to the exporter along with the reasons therefor.

(6) The agency may exercise such supervision to the inspected

consignment at any place of storage or transit prior to its shipment as it may consider necessary for satisfying the purposes of these rules.

**5. Inspection fee. :-**

Subject to a minimum of Rs. 30 for each consignment, a fee at the rate of 30 paise for every Rs. 100 of f.o.b. value or part thereof for each consignment shall be paid as inspection fee.

**6. Appeal. :-**

(1) Any person aggrieved by the refusal of the agency to issue certificate under sub-rule (5) of rule 4, may, within 10 days of the receipt of the communication of such refusal by it, prefer an appeal to such panel of experts consisting of not less than 3 but not more than 7 persons as may be constituted by the Central Government for the purpose.

(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 of experts shall be 3.

(4) The appeal shall be disposed of by the panel of experts within 15 days its receipt.