

GHEE (GRADING AND MARKING) RULES, 1938

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GHEE (GRADING AND MARKING) RULES, 1938

In exercise of the powers conferred by sec. 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government is pleased to make the following rules, the same having been previously published as required by the said section, namely :

1. Short title and application :-

(1) These Rules may be called the Ghee (Grading and Marking) Rules, 1938.

(2) They shall apply to ghee produced in India.

2. Grade designations :-

Grade designations to indicate the quality of ghee are set out in column I of Schedule 1.

3. Definition of quality :-

The quality indicated by the grade designation is set out against such designation in columns 2 to 4 of Schedule I and in Schedule III-A or III-B or III-C, provided that whenever the Agricultural Marketing Adviser to the Government of India is satisfied that the ghee produced in any particular area, district or season, though pure, does not correspond to the normal physical and chemical constants of ghee as set out in Schedule III-A or III-B or III-C, he may fix such special characteristics as may be considered necessary after suitable examination of the ghee of the particular area, district or season and incorporate the same in the Certificate of Authorisation issued under the General (Grading and Marking) Rules, 1937.

4. Grade designation marks :-

The grade designation mark shall consist in the case of ghee packed in tin containers of the coloured design as set out in Schedule II, and in the case of the ghee packed in glass bottles of the coloured design as set out in Schedule II-A.

5. Marking provisions :-

1 (1) The grade designation mark shall be securely affixed to each sealed container of ghee : Provided that if the Agricultural Marketing Adviser to the Government of India is satisfied that the quality of ghee packed by any person in any refinery with the aid of automatic filling and packing machines conforms to the provisions of rule 3 and that the requirement of affixture of the grade designation mark under this sub-rule may cause undue hardship to such person, the said Agricultural Marketing Adviser may, by order, in writing permit such person to print the number of the Certificate of Authorisation issued to him under the General (Grading and Marking) Rules, 1937

(1A) In cases where the containers had been printed as aforesaid, such person shall be deemed to have complied with the provisions of this sub-rule (1).

(1B) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser to the Government of India.

(1C) In addition to the grade designation mark, each container shall be clearly marked with the following particulars, and in such manner as may from time to time be specified by the Agricultural

Marketing Adviser to the Government of India, namely :-

(i) Name of packer.

(ii) Place of packing.

(iii) Melt No.

(iv) Date of packing

(v) Net weight

(vi) Sale price.

(1D) Net weight of ghee contained in a container at the time of packing shall be in the following standard packages, namely:

(i) 200 grams and 500 grams, in case of glass bottles or tins;

(ii) 1 kg., 2 kg., 5 kg. and thereafter in Multiples of 5 kg. in

(2) Where the characteristics of the ghee in any package do not correspond with the normal physical and chemical constants of ghee set out in Schedule III-A but correspond with the normal physical and chemical constants of ghee set out in Schedule III-B or III-C or with certain special characteristics applicable to ghee of the particular season and district where it is produced, as set out in the Certificate of Authorisation issued under the General (Grading and Marking) Rules, 1937, each container shall, in addition to the grade designation mark, be clearly marked with the month and place of production.

(3) Tins or glass bottles containing ghee either of the "Hathras quality" or of the "Mahara quality" which possess certain physical characteristics with regard to texture and other colour differing from those laid down in Schedule I shall, in addition to the grade designation mark, be clearly marked with the name of the quality of ghee such as "Hathras quality" or "Mahara quality". Distinction between repeal and amendment.- It is a matter of legislative practice to provide while enacting an amending law, that an existing provision shall be deleted and a new provision substituted. Such deletion has the effect of repeal of the existing provision. Such a law may also provide for the introduction of a new provision. There is no real distinction between 'repeal' and ('amendment'). Amendment is in fact, a wider term and it includes abrogation or deletion of a provision in an existing statute. If the amendment of an existing law is small, the Act professes to amend;

if it is extensive, it repeals a law and re-enacts it. An amendment of substantive law is not retrospective unless expressly laid down or by necessary implication inferred.'

1. Subs. by S.O.1101 dated 17th March 1981.

6. Method of packing :-

(1) Either clean new tins or clean bottles shall be used for packing and they shall be securely closed or stoppered and sealed, and where glass bottles are so used, they may, if returned by the consumers, be used again for packing after proper cleaning and disinfection.

(2) The tins or glass bottles shall be filled in one operation and only with ghee pertaining to one melt.

7. Special conditions of certificate of authorisation :-

In addition to the conditions specified in Rule 4 of the (General Grading and Marking) Rules, 1937, the conditions set out in Schedule IV shall be conditions of every Certificate of Authorisation issued for the purposes of these Rules.

SCHEDULE 1
SCHEDULE

(See rule 2 and rule 3) Grade designation and definition of quality of ghee			
		Definition of quality	
Grade			
Designation	Texture*	Colour	General
1	2	3	4
Special	The solid	White, with or with	The ghee shall be pure, clarified milk
	phase shall	out yellowish or gre	fat only and shall have a natural, sweet,
	be of well defined	enish tint; and shall	pleasant odour; agreeable taste and
	granular structure.	be uniform throughout.	free from rancid or other objectionable
			flavour. The ghee shall be free from
			excess moisture and on melting it shall
			be clear, transparent and free from
			sediment or foreign colouring matter.

1	2	3	4
			The phenorpathalein test, the
			phythosterl Acetate test and the tests
			for the presence of animal fats (other
			than milk fats) shall be negative. The
			chemical and physical constants of the
			ghee shall be characteristic of the type
			of milk (cow, buffalow or mixed) from
			which it is produced and of the season
			of the year and the place or district
			where it is produced.
General	Do.	Do.	Do.
Standard.- The definition of quality shall be the same as laid down under the prevention of Food			
Adulteration Rules, 1955 as amended from time to time.			

SCHEDULE 2

SCHEDULE

(See rule 4) Grade designation marks for the ghee packed in tins

Grade designation	Design of label	Colour of lettering showing the grade	Colour of the circular border of the label
1	2	3	4
Special..	*	Red	Red
General..	**	Green	Green
Standard..	***	Chocolate	Chocolate

SCHEDULE 2A

SCHEDULE

(See rule 4) Grade designation marks for the ghee packed in glass bottles

Grade designation	Design of the label	Colour of lettering of grade	Colour of the circular border of the label
1	2	3	4
Special..	*	Red	Red
General..	**	Green	Green

Standard..	**	Chocolate	Chocolate
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SCHEDULE 3A

SCHEDULE

(See rule 5) Normal physical and chemical constants of ghee produced in areas other than those specified in schedule III-B to which grade designation marks may be applied

	Grade designation	
	Special	General
1	2	3
1. Baudouin test.....	Negative	Negative
2. Butyro-refractometer reading at 40 C . .	40.0-43.0	40.0-43.0
3. Reichert Meissi value	Not less than 28.0	Not less than 28.0
4. Polenske value	1.0 - 2.0	1.0-2.0
5. Moisture content....	Not more than 0.3 per cent.	Not more than 0.3 per cent.
6. Percentage of Free Fatty Acids . .	Not more than 1.4	Not more than 2.5
(as oleic acid)		

SCHEDULE 3B

SCHEDULE

(See rule 5) Normal physical and chemical constants of ghee produced in recognised cotton tracts '(of Saurashtra and Madhya Pradesh) to which grade designation marks may be applied

		Grade designation			
		special	General		
		Winter	Summer	Winter	Summer
		(Sep.-Feb.)	(Mar.-Aug.)	(Sep.-Feb.)	(Mar.-Aug.)
1	2	3	4	5	6
1. Baudouin test . . .	Negative	Negative	Negative	Negative	Negative
2. Butyro-refractometer reading at 40°C . . .	41.5 - 44.0	42.5-45.0	41.5-44.0	42-5-45.0	
3. Reichert Meissi value .	Not less than 23.0	Not less than 21.0!	Not less than 23.0	Not less than 21.0!	
4. Polenske value	0.5 -1.2	0.5 -1.0	0.5 -1.2	OS -1.0	
5. Moisture content . . .	Not more than 0.3 per cent	Not more than 0.3 per cent	Not more than 0.3 per cent	Not more than 0.3 per cent	

6.	Percentage of Free Fatty	Not more than	Not more than	Not more than	Not more than
	Acids (as oleic acid)	1.4	1.4	2.5	2.5

SCHEDULE 3C

SCHEDULE

(See rule 5) Normal physical and chemical constants of ghee to which "Standard" grade designation mark may be applied Normal physical and chemical constants of ghee produced in different areas to which 'Standard' grade designation mark may be applied shall be the same as laid down for the respective areas under the Prevention of Food Adulteration Rules, 1955 , as amended from time to time.

SCHEDULE 4

SCHEDULE

(See rule 7) Special Conditions of Certificate of Authorisation (a) The factory and laboratory at the authorised premises must be clean, well ventilated and sanitary. All ghee stored on the premises must be kept in covered containers. (b) There shall be no fat or oil other than ghee or any artificial flavouring or colouring matter on the premises. (c) The process of manufacture shall be such as to retain the essential characteristics of ghee which shall not be heated at any time over 110°C. (d) A sample from each melt shall be forwarded to such Central Control Laboratory as may be notified from time to time. (e) The grade designation mark labels shall be securely affixed on the bung by means of an approved method. (f) The containers used for the ghee of each melt shall, as soon as filled, be marked (plainly or in code) with (i) melt number; (ii) name of packing station; (iii) date of packing; and (iv) the place of production in plain letters, or, in the case of blended ghee, the place of packing in plain letters. (g) For the purpose of analysing samples of ghee purchased or packed, an authorised packer shall arrange to provide laboratory equipment and staff as approved by the Agricultural Marketing Adviser and shall maintain proper records (on approved forms) regarding the analysis of ghee samples and the number of grade designation labels used. The Agricultural Marketing Adviser to the Government of India will, in such cases, as he consider necessary, provide the services of a Chemist to an authorised packer. In such cases the authorised packer shall pay such amount as may be determined in each case by the Agricultural Marketing Adviser to the Government of India towards the expenditure incurred in connection with providing him with the services of a Chemist and control on quality. (h) All instructions regarding methods of sampling and analysis, etc., which may be issued from time to time by the Agricultural Marketing Adviser shall be strictly observed. (i) At the authorised premises stated in this certificate, grade designation marks may be applied to any ghee having characteristics corresponding with the normal chemical and physical constants set out in Schedules, III-A, III- B and III-C of the Ghee (Grading and Marking) Rules, 1938, but in respect of the authorised premises located at - a grade designation mark may only be applied to ghee having the characteristics as set out below - (j) Grade designation marks may also be applied to ghee known as "Hathras quality ghee"

at specially authorised premises at Hathras or other suitable places and to ghee known as "Mahara quality ghee" at specially authorised premises in the State of Bihar.