
Pet Food Products of Animal Origin (Import into India) Order, 2005

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Pet Food Products of Animal Origin (Import into India) Order, 2005

In exercise of the powers conferred by Sec. 3-A of the Live-stock Importation Act, 1898 (9 of 1898) the Central Government hereby prohibits, restricts or regulates the import of pet food products of animal origin into India in the manner specified herein and for the said purpose makes the following Order, namely

1. Short title and commencement :-

- (1) This Order may be called the Pet Food Products of Animal Origin (Import into India) Order, 2005.
- (2) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions :-

In this Order, unless the context otherwise requires

- (a) "consignment means any quantity of pet food products of animal origin consigned from one party to another at one time shipment and covered by a Sanitary Import Certificate, bill of entry of custom or shipping or airways bill or invoice;
- (b) "Designated Competent Authority" means the Joint Secretary

(Trade), Government of India, Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture;

(c) "Form" means a form appended to this Order;

(d) "import" means an act of bringing into a designated place in the territory of India any kind of pet food product;

(e) "Import Risk Analysis" means the process of evaluating biological or other scientific and economic evidence to determine for regulating the import of the pet food product of animal origin and the sanitary and phyto-sanitary measures to be taken against it;

(f) "Inspection Authority" means the Incharge of animal quarantine certification centre at Delhi, Mumbai, Kolkata or Chennai or any other officer specified by the Government by notification in the Official Gazette;

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(g) "laboratory" means any laboratory approved and notified by the Government of India in the Ministry of Agriculture for testing the products;

(h) "pet food product of animal origin" means any food containing all kinds of edible ingredient from animal origin from nutritional point of view used for feeding the dog or cat and covered under the ITC-HS Code 2309.10.00 relating to dog or cat food put up for retail sale;

(i) "port of entry" means any sea port, airport or land border check post or any other port as specified by the Central Government notification in the Official Gazette, from time to time;

(j) "regulated article" means any article, the import of which is regulated by this Order;

(k) "Risk Analysis Committee" means the committee of experts functioning under the chairmanship of the Animal Husbandry Commissioner of the Department of Animal Husbandry, Dairying and Fisheries in the Ministry of Agriculture;

(l) "sanitary conditions" means the conditions laid down by the Risk Analysis Committee after conducting the risk analysis for the specified product;

(m) "Sanitary Import Permit" means an official document

authorizing importation of a consignment in accordance with specified sanitary requirements;

(n) "Schedule" means a schedule appended to this Order.

1. Corrected by Corrigendum No. F. No. 109-6/2001-Trade, dt. 4.1.2006, published in the Gazette of India, Extraordinary, Part-II-Sec. 3(ii), No. 9, dt. 4.1.2006, at page 4 vide S.O. 10(E).

3. General conditions for Import pet food product of animal origin :-

Any pet food product of animal origin shall be permitted by the Central Government to be imported into India subject to the following conditions, namely:

(i) No consignment of pet food product of animal origin shall be imported into India without a valid sanitary import permit issued under sub-clause (iv).

(ii) All applications for grant of permit to import consignments of pet food product of animal origin by land, air or sea, shall be sent in five copies in Form A or Form B, whichever is relevant, at least one month in advance to the Designated Competent Authority and the application for the import of each item shall be made separately in Form A or B, as the case may be, in the manner laid down in this Order.

(iii) The sanitary import permit shall be issued for import of pet food product of animal origin if, after a detailed import risk analysis, the concerned authorities are satisfied that the import of the consignment shall not adversely affect the health of the animal or human beings or both in India."

(iv) The import of the products shall be allowed against a Sanitary Import Permit to be issued by the Department of Animal Husbandry, Dairying and Fisheries subject to the sanitary conditions as specified in Schedule I on the basis of Import Risk Analysis.

(v) The issue of permit may be refused or withheld by the issuing authority after giving a reasonable notice to the applicant to represent against and for reasons to be recorded in writing.

(vi) The import permit shall lay down the specific sanitary conditions as specified in Schedule I to be fulfilled on the basis of import permit.

(vii) The import of the pet food product of animal origin shall be prohibited from the countries as specified in Schedule II.

(viii) The permit shall also specify the post-import requirements with regard to quarantine inspections, sampling and testing.

(ix) The import permit issued under this clause shall be valid for a period of six months.

(x) The import permit shall not be transferable and no amendment to the import permit shall be issued except for those changes for which reasons are recorded in writing and subject to the approval of the Central Government.

(xi) Pet food product of animal origin shall be imported into India through the land, seaports or airports located at Delhi, Mumbai, Kolkata or Chennai or any other place as may be specified by the Central Government by notification in the Official Gazette.

4. Inspection and testing of Pet food product of animal origin :-

(1) On arrival at the entry point, the consignment of pet food product of animal origin shall be inspected by the Officer-in-charge of the Animal Quarantine and Certification Services Station or any other veterinary officer duly authorised by the Government of India in the Department of Animal Husbandry, Dairying and Fisheries, wherever required, in accordance with the specific conditions laid down in the sanitary import permit and the general guidelines issued by that Department from time to time.

(2) The applicant shall be liable to get the consignment tested by a laboratory as may be approved by the designated Competent Authority.

(3) After inspection and testing, wherever required, the concerned Quarantine or veterinary authority shall accord quarantine clearance for the entry of the pet food product of animal origin into India or, if required in public interest, order its destruction or its return to the country of origin.

(4) Wherever disinfection or any other treatment is considered necessary in respect of pet food product of animal origin, the importer shall, on his own or at his cost through an agency approved by the Government of India in the Department of Animal Husbandry, Dairying and Fisheries, arrange for disinfection or other

treatment of the consignment, under the supervision of a duly authorised quarantine or veterinary officer.

5. Responsibilities of importer :-

It shall be the responsibility of the importer

(i) to bring the pet food product to the concerned Animal Quarantine and Certification Services Station, or to the place of inspection, disinfection or treatment or testing as directed by the Quarantine or veterinary officer duly authorized on this behalf;

(ii) to open, repack and load into or unload from the Animal Quarantine Station and seal the consignment; and

(iii) to remove the consignment after inspection and treatment or testing; as the case may be, in accordance with the directions of the Quarantine or veterinary officer duly authorized by the Government of India in the Department of Animal Husbandry, Dairying and Fisheries.

6. Power of Central Government to relax conditions :-

The Central Government may, in public interest, and for reasons to be recorded in writing relax any of the conditions specified in this Order relating to all or any permit granted in relation to the import of pet food product of animal origin into India.

7. Post entry quarantine requirement :-

(1) On arrival of the consignment of pet food product of animal origin in India and the documents shall be examined by the Inspection Authority, nominated by the Central Government.

(2) On arrival of the consignment of pet food product of animal origin in India, samples shall be drawn for testing for risk analysis pertaining to diseases, pesticides and the like before the consignment is released for sale.

(3) In case of positive findings of any disease, pesticide or other risk factor, appropriate action shall be taken by the Government of India in the Department of Animal Husbandry, Dairying and Fisheries, at the cost of the importing agency.

(4) On arrival of the consignment of pet animal product of animal origin in India, the importing agency shall give an undertaking to the Central Government that at no point of time.

(a) the imported product shall not find way to animal food chain

other than dogs and cats;

(b) left-over of the product shall be disposed off through incineration; and

(c) the labeling of the pet food product of animal origin shall be done in the local or regional language of destination.

SCHEDULE 1

Sanitary Conditions

SCHEDULE I

[See clause 3 (iv) and (vi)]

Sanitary Conditions

1. The country of export is free from Highly Pathogenic Avian Influenza (HPAI).

2. No ingredient of ruminant origin is incorporated into the pet food product of animal origin except for the following, namely:

(i) milk or milk products;

(ii) Protein - free tallow of ovine or caprine origin; and

(iii) The ovine or caprine materials or ingredients imported from the countries free from TSE group of diseases have been incorporated in the pet food and the following information shall have to be provided; namely.

(a) details of ingredients;

(b) certificate number;

(c) country of origin;

(d) name of animal health authority Issuing Certificate for the ingredient;

and

(e) date of endorsement of the certificat.

3. The certified materials or the animal origin components of the pet food product of animal origin has been processed at temperature to attain an internal temperature of not less than 70 C for 30 minutes or been processed through an alternative method offering equivalent guarantees with regard to icrobiological safety approved by the Government of India in the Department of Animal Husbandry, Dairying and Fisheries.

SCHEDULE 2

List of the countries prohibited for import of pet food of animal origin

SCHEDULE II

[See clause 3(vii)]

List of the countries prohibited for import of pet food of animal origin.

1. In case the pet food product of animal origin contains the meat or its products, edible

or non-edible organ or tissue from poultry or any other kind of bird origin, originates from countries positive for Highly Pathogenic Avian Influenza.

2. In case the pet food product of animal origin contains the meat or its products, edible or non-edible organ or tissue from ruminant origin originates from countries positive from Transmissible Spongiform Encephalopathy.

FORM A

[See clause 3(ii)]

APPLICATION FOR PERMIT TO IMPORT OR LIVE-STOCK PRODUCTS FOR PERSONAL CONSUMPTION

To

The Joint Secretary

Trade Division

Government of India

Department of Animal Husbandry, Dairying and Fisheries

Ministry of Agriculture,

Krishi Bhawan,

New Delhi - 110001. [the Designated Competent Authority]

The undersigned hereby applies for a permit authorizing the import of pet food products of animal origin as per details given below

(Please write/type in block letters)

1. Name and exact description of Livestock Products along with ITC (HS) code to be imported:

2. Description of the consignment and quantity:

3. Name and address of the consignor:

4. Name and address of the importer:

5. Country and locality in which produced:

6. Country from which imported into India:

7. Foreign port of shipment:

8. Approximate date of arrival of the consignment in India:

9. Name of (airport/sea port port/land customs station) point of entry in India:

DECLARATION

I declare that the information furnished herein above is correct to the best of my knowledge and belief:

I undertake to produce all documents and certificates, if any, as specified in the sanitary import permit applied for herein.

Signature of the importer or his authorized agent.

Name:

Postal address

Place:

Date:

FORM B

[See clause 3(ii)]

APPLICATION FOR PERMIT TO IMPORT LIVE-STOCK PRODUCTS FOR TRADING/MARKETING

To

The Joint Secretary

Trade Division

Government of India

Department of Animal Husbandry, Dairying and Fisheries

Ministry of Agriculture,

Krishi Bhawan,

New Delhi-110001. [the Designated Competent Authority]

The undersigned hereby applies for a permit authorizing the import of pet food products of animal origin as per details given below:

1. Name and full postal address of Importers

2.

S.No.	Exact description of livestock products with Indian Trade Classification (Harmonised System)-ITC(HS) Code	Details of livestock from whom it is produced	Quantity	
			Number of packages	Total weight/ Volume
1	2	3	4(a)	4(b)

3. Catalogue of livestock products producer establishing identify of the livestock products/material to be imported.

4. Name and address of the producer:

5. Name and address of the consignor:

6. Country and locality in which livestock products produced:

7. Country from which imported into India:

8. Foreign port of shipment:

9. Approximate date of arrival of the consignment in India:

10. Name of (airport/sea port/land customs station) point of entry in India:

DECLARATION

I declare that the information furnished is correct to the best of my knowledge and belief.

I undertake to produce an official Sanitary-phytosanitary certificate with additional declaration, if any, as specified in the permit.

Signature of the importer or his authorized agent.

Name:

Postal address:

e-mail address (if any)

Place:

Date: