

Orders & Notifications

NEW DELHI, THE 30.12.2002

ORDER

S. O. 1378 (E) :- In the exercise of the powers conferred by sub-section (2) of Section 17 of Section 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**

- a) These rules may be called the Export of Fresh poultry meat and poultry meat Products (Quality Control, Inspection and Monitoring) Rules, 2002.
- b) 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, the following definition shall be applicable:

- a) **"Act"** means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- b) **"Agency"** means any agency for quality control or inspection or both established or recognized under section 7 of the Act.
- c) **"Carcass"** means the whole body of a bird of species domestic fowl, turkeys, guinea-fowl, ducks and geese after bleeding, plucking and evisceration, wherein, removal of the heart, liver, lungs, gizzard, crop and kidneys, sectioning of the legs at the tarsus and removal of the head, oesophagus or trachea shall be optional;
- d) **"Certificate"** means certificate issued under sub-section (3) of section 7 of the Act stating that the commodity conforms to the conditions regarding quality control and inspection;
- e) **"Competent Authority"** means any one of the Export Inspection Agencies at Bombay, Calcutta, Cochin, Delhi and Madras established under section 7 of the Act;
- f) **"Consignment"** means a quantity of fresh poultry meat and poultry meat products for a single delivery to one destination for processing by the food industry or intended for direct human consumption;
- g) **"Council"** means the Export Inspection Council established under section 3 of the Act;
- h) **"Country of Despatch"** means India;
- i) **"Country of Destination"** means the country to which Fresh poultry meat and Poultry meat products are dispatched from India;
- j) **"Establishment"** means an approved slaughterhouse or an approved cutting plant or an approved cold store or an approved rewrapping centre or a unit grouping together several such establishments;

- k) **"Means of Transport"** means the freight carrying parts of motor vehicles, rail vehicles and aircraft and the holds of ships or containers for transport by land, sea or air;
- l) **"Offals"** means fresh poultry meat other than that of the carcass as defined in c, even if it remains naturally connected to the carcass, as well as the head and feet where these are presented separately from the carcass;
- m) **"Official Veterinarian"** means the veterinarian designated by the Competent Authority;
- n) **"Packing"** the placing of Fresh poultry meat and poultry meat products in any form of package;
- o) **"Pre-slaughter health inspection"** means inspection of live poultry carried out in accordance with Annexure V.
- p) **"Post mortem health inspection"** means inspection of the slaughtered poultry, after slaughter, in a slaughterhouse, carried out in accordance with Annexure VII.
- q) **"Fresh Poultry meat"** means poultry meat, including meat which is vacuum-wrapped or wrapped in a controlled atmosphere, which has not undergone any preserving process other than chilling or freezing;
- r) **"Poultry meat products"** means any poultry meat products further processed by means of drying, curing, smoking, cooking, frying, seasoning, flavouring or by any other method of processing poultry meat akin to any of the above method.
- s) **"Potable water"** means water that has been approved by State Health Authority or other Agency or Laboratory acceptable to the Competent Authority as safe for drinking and suitable for food processing.
- t) **"Viscera"** means offal from the thoracic, abdominal and pelvic cavities and also, where appropriate the trachea, oesophagus and crop.

3 **Basis of compliance**

- a) It shall be the primary responsibility of the processors to ensure that the fresh poultry meat and poultry meat products intended for exports are handled, processed at all stages of production, storage and transported under proper hygienic conditions so as to meet the health requirement laid down under these rules and that the product conforms to the specifications given in the Order by the Central Government under section 6 of the Act.
- b) The Competent Authority shall ensure that all the processors comply with the requirements by regular monitoring of the plant as per the control measures prescribed in the Rule 4. For effective monitoring of the scheme, Council shall issue necessary instructions in this regard from time to time.

4 **The Fresh Poultry Meat and Poultry Meat Products for exports shall be subjected to the following conditions:**

- a) Any statutory restriction imposed by any State/Central Government with respect to commercial/environmental conservation measures from time to time shall strictly be adhered.
- b) They must come from live poultry inspected before slaughter in accordance with **Annexure V**.
- c) They must have been prepared in an approved plant, which complies with **Annexure I, II, III and IX**.

- d) They must have been prepared under hygienic conditions complying with **Annexure IV, VI and X.**
- e) They must have been inspected post-mortem in accordance with **Annexure VII** and have not been found unfit for human consumption in accordance with **Annexure VIII.**
- f) They must have given a health marking and labelling in accordance with **Annexure XI** on the understanding that such marking is not necessary for carcasses that are to be cut in the same establishment.
- g) They must have been packed in accordance with **Annexure XIII.**
- h) They shall be stored and transported in accordance with **Annexure XII** and **Annexure XIV.**
- i) The results of the various checks and tests are recorded and kept for presentation to the Competent Authority for a period of two years.
- j) They shall meet animal health conditions for fresh poultry meat and poultry meat products in accordance with **Annexure XVI.**
- k) The plant technologist shall have the professional qualifications in accordance with **Annexure XV.**
- l) Shall not have any residues of substances having a pharmacological or hormonal action, and of antibiotics, pesticides, detergents and other substances in excess of the permitted levels fixed so as to make it harmful or which might alter its organoleptic characteristics or make their consumption dangerous or harmful to human health.
- m) Tests for residues must be carried out in accordance with proven and scientifically recognized methods and following Good Laboratory Practices.
- n) The Competent Authority may take the assistance of a representative each from Agricultural and Processed Food Products Export Development Authority (APEDA), Department of Food Processing Industries, Directorate of Marketing and Inspection (DMI), Bureau of Indian Standards (BIS), Export Inspection Council (EIC) and representative of industry in the matter of approval of processing plants.
- o) Having satisfied itself that the plant meets the requirements with regard to the nature of the activities it carries out, the Competent Authority shall accord approval to such plant for a period of one year.
- p) The Competent Authority shall draw up a list of the approved plants, each of which have an official number and the Competent Authority shall furnish to appropriate authorities the list of approved plants and subsequent change thereof.
- q) The Competent Authority shall draw up a list of the approved plants, each of which have an official number and the Competent Authority shall furnish to appropriate authorities the list of approved plants and subsequent change thereof.
- r) Models for Health Attestation and Health Certificates are given at **Annexure XVII** and **XVIII.**

5 **Certification**

- a) On request from the plant unit, the competent authority shall issue health certificate in the prescribed proforma after satisfying itself that the fresh poultry meat and poultry meat products are processed in approved processing plant having valid approval number and after satisfying the relevant requirement.
- b) The Competent Authority shall also issue any other certificate on request from the processor or exporter after satisfying itself that the requirements of the relevant standards are met;

6 **FEE**

- a) A fee of Rs.5000/- shall be paid by the processor alongwith the application for approval of the poultry meat processing plant.
- b) 6.2 A fee at the rate of 0.2% of free on board. value shall also be paid by the processor or exporter to the Competent Authority;

NOTE : The amount of fee for each consignment payable by the processor / exporter shall be rounded off to the nearest rupee and, for this purpose, where such amount contains a part of a rupee then if such a part is 50 paise or more, it shall be increased to the rupee and, if such part is less than 50 paise, it shall be ignored.

7 **Withdrawal of Approval**

Competent Authority shall take appropriate action including withdrawal of approval, prescribed above if the requirements cease to be met.

8 **Appeal**

- 1) Any appeal shall be against
 - a) Decision of the Competent Authority which is not according the approval under sub- rule (16) of rule 4;
 - b) Refusal of Competent Authority to issue Health Certificate under Rule 5;
 - c) decision of the Competent Authority including withdrawal of approval under Rule 7; Any person aggrieved by the decision of the Competent Authority may prefer an appeal within 10 days of receipt of such decision to an Appellate Authority appointed by the Central Government.
- 2) The Appellate Authority shall consist of five members appointed for the purpose by the Central Government.
- 3) At least two-thirds of the total membership of the Appellate Authority shall consist of non-officials.
- 4) The quorum for any meeting of the Appellate Authority shall be three.
- 5) The Appellate Authority shall endeavor to dispose of the appeal within fifteen days from the date of receipt of appeal.