

ORDER

New Delhi, the 28th November, 2000

S.O. 2719 – Whereas, for the development of the export trade of India certain proposals for subjecting milk products to Quality Control and Inspection prior to export, were published as required by Sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules 1964 in the Gazette of India of Part II, Section 3, Sub-section (ii) dated 6-5-2000 vide order No. S.O. 939 dated 19-4-2000 of the Government of India in the Ministry of Commerce and Industry, Department of Commerce;

1. And, whereas, the objections and suggestions were invited from all persons likely to be affected thereby, within a period of forty five days of the copies of the said Gazette were made available to the public on 11-5-2000.
2. And, whereas, it is necessary to maintain the highest quality standards and stipulate health requirements that would encompass the standards prescribed in National/International level;
3. And, whereas, health requirements should be laid down for the production, storage and transport of milk products ;
4. And, whereas, in particular, it is important that rules be laid down governing the approval of establishments;
5. And, whereas, it is important also that the health requirements to be met by milk products be laid down;
6. And, whereas, it is the primarily responsibility of the processors to ensure that Milk products meet the health requirements laid down in this order;
7. And, whereas, the Competent Authority must be carrying out Quality Control Inspection and monitoring to ensure that processors comply with the above mentioned requirements;
8. And, whereas, the rules governing these Quality Control Inspections and Monitoring must take account of the demands of the international market;
9. And, whereas, a random check must be made to detect the presence of residues of substances liable to be harmful to human health;
10. And, whereas provisions should therefore, be made as a procedure for monitoring to ensure the above conditions of equivalence with reference to the requirements of the importing countries.
11. And, whereas Central Government nominated Authority to ensure the effective compliance of the quality standards in the country;

12. And, whereas, the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to be Export Inspection Council as required by sub-rule (2) of the rule 11 of the Export (Quality, Control and Inspection) Rules 1964;
13. Now, therefore in exercise of the powers conferred 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963). Central Government after consulting the Export Inspection Council being of the opinion that it is necessary and expedient to do so, for the development of the export trade of India, hereby;
- (a) notifies that milk products shall be subjected to quality control and inspection prior to export;
 - (b) specifies the type of quality control and inspection in accordance with Export of milk Products (Quality control Inspection and Monitoring) Rules, 2000 as the type of Quality Control, Inspection and Monitoring which shall be applied to such milk products prior to Export;
 - (c) recognises the specifications as set out in Schedule appended to this order as the standard specifications of milk products;
 - (d) Prohibits the export of milk products by a unit in the course of international trade unless it conforms to the standards applicable to it and is accompanied by a certificate stating that Such unit is approved and monitored by the Export Inspection agency established under Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
14. Nothing in this order shall apply to the export by land or sea or air of bonafide samples of milk products to prospective buyer, the value of which shall not exceed permissible limits as laid down in EXIM Policy from time to time where no such provisions exist the value limit of free sample(s) shall not exceed Rs. 10,000.
15. In this order, milk products means :-Milk products namely products exclusively derived from milk, it being accepted that substances necessary for their manufacture may be added, provided that these substances are not used to replace in part or in whole any milk constituents, and composite milk products of which not part replaces or is intended to replace any milk, constituents and of which milk or a milk products is an essential part either in terms of quality or for characterization of the product.

SCHEDULE

Specifications for Milk products recognized as per Clause of section 6 of the Export (Quality Control and Inspection) Act, 1963 shall be:

- (a) National Standard of the importing countries or codex standards of codex Alimentarius Commission.

OR

- (b) Contractual specifications to between the foreign buyer and the exporters provided the same is not below the national standards.
- (c) In the absence of (a) or (b) above, the National Standard Specifications as notified shall apply.
- (d) In case of any Milk Products for which no standard is available at (a), (b) and (c) above, the standard formulated for these products by the standing Committee of the following members shall be made applicable.

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| 1. Chairman, Agricultural and Processed Food Products Export Development Authority | Chairman |
| 2. Joint Commissioner (Dairy) Department of Animal Husbandry and Dairying, Ministry of Agriculture | Member |
| 3. Deputy Commissioner (Dairy Development) Ministry of Food Processing Industries | Member |
| 4. One representative of National Dairy Development Board | Member |
| 5. One representative of Dairy Association Of India | Member |
| 6. One representative of Dairy Association of India | Member |
| 7. Representative of Export Inspection Council | Member |

[F. No. 6/1/2000-EI & EP]
P.K. Das, Director