

NOTIFICATION

New Delhi, the 4th March, 2002

S.O. 277(E).—In exercise of the powers conferred by Clause (d) of sub section 2 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** – (1) These rules may be called the Export of Honey (Quality Control, Inspection and Monitoring) Rules, 2002.
(2) 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 –
 - (a) “**Act**” means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
 - (b) “**Agency**” means any of the Export Inspection Agencies established by the Central Government at Mumbai, Kolkata, Kochi, Delhi and Chennai under section 7 of the Act for inspection including its sub-offices located at various places of the region;
 - (c) “**Council**” means the Export Inspection Council established under section 3 of the Act;
 - (d) “**Batch**” means a quality of honey, which have been prepared under the same conditions and in particular treated in single continuous operation;
 - (e) “**Certificate**” means certificate issued under sub-section (3) of section 7 of the Act;
 - (f) “**Collection Centre**” means an establishment where honey is collected.
 - (g) “**Country of Dispatch**” means India;
 - (h) “**Country of Destination**” means the country to which honey is dispatched from India;
 - (i) “**Placing on the market**” means the stocking or display with a view to sale, offering for sale, delivery or any other manner of disposal with the exception of retail sale, which must be subject to the checks laid down by national rules for retail business;
 - (j) “**Competent Authority**” means any one of the Export Inspection Agencies at Mumbai, Kolkata, Kochi, Delhi and Chennai established under section 7 of the Export (Quality Control and Inspection) Act, 1963;
 - (k) “**Establishment**” means any premises where honey is prepared, processed, packaged or stored.

(Rule 2, after clause (k), the following has been inserted, as per S.O. 1581 (E) dated 16th July, 2012)

“(l) “Bee Keeper” means any individual or group of individuals, involved in and practicing beekeeping and having at least ten honey bee colonies, each of ten frames, of Apis mellifera / A. cerana / A. trigona (Stingless), in manmade / wooden beehives;

(m) “Beekeeping Company” means any company incorporated under the Companies Act 1956, involved in and practicing beekeeping and having at least ten honey bee colonies, each of ten frames, of Apis mellifera / A. cerana / A. trigona (Stingless), in manmade / wooden beehives;

(n) “Beekeeping Firm” means any enterprise run under proprietorship or partnership basis, involved in and practicing beekeeping and having at least ten honey bee colonies, each of ten frames, of Apis mellifera / A. cerana / A. trigona (Stingless), in manmade / wooden beehives;

(o) “Beekeeping Cooperative Society” means any Cooperative Society / Society registered under the Societies Act 1860, involved in and practicing beekeeping and having at least ten honey bee colonies, each of ten frames, of Apis mellifera / A. cerana / A. trigona (Stingless), in manmade / wooden beehives;

(p) “Registering Authority” means any authority recognised / authorised / designated by the Competent Authority to register Bee Keeper / Beekeeping Company / Beekeeping Firm / Beekeeping Cooperative Society.”

3. Basis of compliance. – The quality control and inspection of honey shall be carried out as follows:-

- (a) The honey intended for export shall be handled at all stages of production, storage and transport based on good manufacturing practices (GMP) and good hygienic practice (GHP) and the production shall conform to the specification given in the Order by the Central Government under section 6 of the Act. The Competent Authority shall conduct regular monitoring of the establishments to ensure that good manufacturing practices and good hygienic practices are adopted by the establishment at all stages of production, storage and transport of honey. For effective monitoring of the scheme, the Council shall issue necessary instruction in this regard.

(Sub-rule (a) of rule 3, the following word has been substituted as per S.O.1245 dated 14th May, 2004)

“the Council shall issue necessary instruction in this regard, or”

- (b) On the basis of inspection and testing carried out in the manner prescribed by the Council.

(Rule 3, the following has been substituted as per S.O. 1581 (E) dated 16th July, 2012)

“3. Basis of Compliance.-The quality control and Inspection of honey shall be carried out as follows:-

(a) The honey intended for export shall be procured from registered Bee Keeper and or Beekeeping Company and or Beekeeping Firm and or Beekeeping Cooperative Society and handled at all stages of production, storage and transport based on good manufacturing practices (GMP) and good hygienic practices (GHP).

(b) It is primary responsibility of the Bee Keeper, Beekeeping Company, Beekeeping Firm, Beekeeping Cooperative Society to ensure that honey intended for export is collected and handled at all stages of collection, storage and transportation following good hygienic practices and good beekeeping practices so as to meet the health requirements laid down under these rules.

(c) Inspection of Honey intended for export shall be carried out with a view to ensuring that the same conforms to the specifications recognized by the Central Government under section 6 of the Act either-

(i) by ensuring that during the process of production, measures stipulated under sub rule 4.1 of rule 4 are complied with;

or

(ii) on the basis of Inspection and testing carried out in accordance with sub rule 4.2 of rule 4.”

4. Procedure of Quality Control and Inspection

4.1 The procedure to be followed for compliance under clause (a) of rule 3 shall be as under:-

(1) It is the primary responsibility of the industry to ensure that honey intended for export is processed and handled at all stages of production, storage, and transport under proper hygienic and manufacturing conditions and that the product conforms to the specifications given in the order by the Central Government under section 6 of the Act.

(Sub-rule (4.1), the following has been substituted as per S.O.1581 (E) dated 16th July, 2012)

“4.1 The procedure to be followed for compliance under clause (i) of sub rule (c) of rule 3 shall be as under:-

(1) It is primary responsibility of the establishment to ensure that honey intended is processed and handled at all stages of production, storage and transport following good hygienic practices and good manufacturing practices so as to ensure that the same conforms to specifications given in the order by the Central Government under section 6 of the Act.”;

(2) Any statutory restrictions imposed by any State / Central Government with respect to commercial or environmental or conservation measures from time to time shall be strictly adhered to.

(3) Having satisfied itself that the establishments *(sub-rule (3), the word “establishments” has been substituted, as per S.O. 1581(E) dated 16th July, 2012* “Beekeeper, Beekeeping Company, Beekeeping Firm, Beekeeping Cooperative Society establishment”) meet the requirements with regard to nature of activities they carry out, the Competent Authority shall accord approval to such *(sub-rule (3), the word “establishments” has been substituted, as per S.O. 1581(E) dated 16th July, 2012* “Beekeeper, Beekeeping Company, Beekeeping Firm, Beekeeping Cooperative Society establishment”).

(4) The Competent Authority may take the assistance of representatives from Agricultural and Processed Food Export Development Authority (APEDA), Department of Food Processing Industry and Ministry of Agriculture in the matter of approval of establishments.

(5) The Competent Authority shall take necessary measures if the requirements cease to be met.

(6) The Council shall draw up a list of approved establishments, each of which shall have an official number.

(7) The inspection and monitoring of establishment shall be carried out regularly under the responsibility of Competent Authority which shall at all time have free access to all parts of the establishments and records pertaining to the control exercised by the establishment for hygienic handling and processing of honey during all stages of production, storage and transport.

(Sub-rule (7), the following has been substituted as per S.O. 1581(E) dated 16th July, 2013)

“(7) The Competent Authority shall conduct regular monitoring of the Bee Keeper, Beekeeping Company, Beekeeping Firm, Beekeeping Cooperative Society and Establishments to ensure that good hygienic practices and good beekeeping practices are adopted by Bee Keeper, Beekeeping Company, Beekeeping Firm, Beekeeping Cooperative Society and good manufacturing

practices and good hygienic practices are adopted by the establishment at all stages of production, storage and transport of honey. For effective monitoring of the scheme, the Council shall issue necessary instruction in this regard.”

(Rule 4, sub rule 4.1, after clause (7), the following clause has been inserted as per S.O. 1444 dated 19th December, 2003)

“(8) The Council may seek the assistance of the Agricultural and Processed Food Products Export Development Authority (APEDA) or any other organisation approved by it for residue monitoring.”

(After, sub-rule (8), the following has been inserted, as per S.O. 1581(E) dated 16th July, 2012)

“(9) For carrying out inspection and monitoring of Beekeeper, Beekeeping Company, Beekeeping Firm, Beekeeping Cooperative Society, and Establishment, the component Authority shall have free access, at all times, to all parts of the Beekeeper, Beekeeping Company, Beekeeping Firm, Beekeeping Cooperative Society, Establishment and records pertaining to application of this notification in order to ensure compliance with the requirement of this notification.”

4.2 The procedure of inspection under clause (b) of rule 3 shall be carried out as under:-

(Sub-rule 4.2, the following heading has been substituted, as per S.O. 1581(E) dated 16th July, 2012)

“The procedure of inspection under clause (ii) sub rule (c) of rule 3 shall be carried out as under:-“

- (1) An exporter intending to export a consignment of honey shall give intimation in writing to the Agency furnishing therein only the technical specifications alongwith a copy of the export contract blanking out pricing and other details.
- (2) Every intimation under sub-rule (1) shall be given not less than two days before the inspection is to be carried out at the premises situated at the same station where the offices of the Agency is located; and not less than five days before the inspection is to be carried out at the premises which are not situated at the same station where the office of the Agency is located.
- (3) On receipt of intimation under sub rule (1), the Agency shall carry out the inspection of honey meant for export by drawing samples for inspection and testing. The Agency, on satisfying itself that the consignment of honey conforms to the standard

specifications recognised for the purpose on the basis of inspection and testing carried out as laid down by the Council, shall, within two days or five days, as the case may be, issue certificate declaring the consignment of honey as exportworthy:

Provided that where the Agency is not satisfied, it shall refuse to issue a certificate to the exporter and shall communicate such refusal within two days if the inspection is carried out at the station where the Agency is situated or five days, if the premises are not situated in the same station where the Agency is located, as the case may be, to the exporter along with the reasons thereof.

(4) Subsequent to certification, the Agency shall have the right to re-assess the quality of the consignment at any place or storage, in transit or at the posts before its actual shipment.

(5) In the event of the consignment being found not conforming to the standard specifications at any of these stages, the certificate of inspection originally issued shall be withdrawn.

(5) Packing and Marking. An exporter intending to pack honey for export after preparing the consignment as per the rules shall pack in hygienically clean wide mouth, glass containers or in acids resistant lacquered tin containers. The screw caps for the glass container shall be non-corrosive and non-reactive material to honey and shall be provided with washers to avoid spilling.

Each container shall be legibly and indelibly marked with the following information, namely:-

1. Name and address of processor or manufacturer.
2. Name and address of the exporter.
3. Name of the material and grade designation.
4. Batch or Lot number.
5. Year, month and date of processing or manufacturing.
6. Gross mass and net mass.
7. Product of India.
8. Shipping mark.

(6) Inspection Fee:-

In the case of approval and monitoring system, inspection fee @ 0.2% of the freight on board (FOB) value and in the case of consignment wise inspection @ 0.4% of freight on board value subject to a minimum of Rupees 500/- per consignment, shall be paid by the exporter to the Agency.

(Rule 6, the following rule has been substituted as per S.O. 1518 dated 16th June, 2008)

“(6) Inspection Fee

In case of approval and monitoring system, inspection fee @ 0.20% of the free on board (F.O.B) value with a maximum of Rs. 15 Lakhs per annum per exporter or processor and in case of consignment wise inspection @ 0.40% of freight on board (F.O.B) value subject to a minimum of Rs. 500 per consignment shall be paid by the exporter or processor to the Agency.

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

- (7) **Appeal:-** (a) Any exporter aggrieved by the refusal of the Agency to issue the certificate of inspection may within 10 days of the receipt of the communication of such refusal may prefer an appeal which shall be referred by the Agency to a panel of experts consisting of not less than three, but not more than seven persons appointed for the purposes by the Central Government.
- (b) At least two-thirds of the total membership of the panel shall consist of non-officials.
- (c) The quorum of the panel shall be-
- (i) two, in case the panel consists of the three members.
 - (ii) three in case the panel consists of four or more members.
- (d) The decision of the panel on such appeal shall be final.

(In rule 7, for sub-rule (d) the following sub-rule has been substituted as per S.O. 1245 dated 14th May, 2004)

“(d) The appeal shall be disposed of within thirty days of its receipt”

[F. No.6/3/2000-EI&EP]
M.V.P.C. SASTRY, Jt. Secy.