

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE AND INDUSTRY
DEPARTMENT OF COMMERCE
NEW DELHI, DATED the 10th June 2003**

ORDER

Orders & Notifications

ORDER No. 667 dated 1st October, 2002

S.O. 667(E) Whereas, for the development of the export trade of India, certain proposals for subjecting Bivalve Molluscs to quality control and inspection prior to export not published as required by sub-rule (2) of Rule 11 of the Export (Quality Control and Inspection) Rules, 1964; in the extra ordinary Gazette of India of part II section 3 sub section 2(i) dated 1st October 2002 vide SO 1054 (E) dated 1st October 2002 of the Government of India in the Ministry of commerce & Industry, Department of Commerce;

And, Whereas, the objections and suggestions were invited from all persons likely to be affected their by, within the period of 30 days from the date of publication of the said notification in the official Gazette.

And, Whereas, the objection and suggestion were not received from the public on the said proposal by the Central Government;

And, Whereas it is necessary to maintain the highest quality standards and stipulated health requirements that would encompass the standards prescribed in unified Directive no 91/492/EEC dt. 15th July 1991 and subsequent related Directive;

And whereas, Bivalve Molluscs freshly caught are in principle, free of contamination and micro-organisms but contamination and subsequent decomposition may occur when handled at treated unhygienically ;

And therefore, the essential requirements should be laid down for correct hygienic handling of fresh Bivalve Molluscs at all stages of production and during harvesting, handling, storage, transport;

And whereas, it is the responsibility primarily of the fisheries industries to ensure that Bivalve Molluscs meet the health requirements laid down in the notifications;

And whereas, it is expedient that this control measures should be introduced to guarantee the uniform application and to ensure smooth operation of the provisions of this notification that the measures should apply in an identical manner;

And whereas, provision shall therefore be made for procedure for monitoring and to ensure that the above based conditions of equivalence;

And whereas, the competent authority nominated by Central Government shall ensure the effective compliance of the quality standards in the country;

Now, therefore, in exercise of the powers conferred by Section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government, after consulting the Export Inspection Council, is of the opinion that it is necessary and expedient to do so for the development of export trade of India, hereby:-

1. Notifies that Bivalve Molluscs shall be subject to quality control or inspection prior to export;
2. Specifies the type of quality control and inspection in accordance with the draft Export of Bivalve Molluscs (Quality Control, Inspection and Monitoring) Rules, 2003 as the type of inspection, which shall be applicable to such Bivalve Molluscs prior to export;
3. Recognises the specifications as set out in Schedule as appended to this Order as the standard specification for Bivalve Molluscs;
4. Prohibits the export of Bivalve Molluscs in the course of International trade of such bivalve molluscs unless they are produced and manufactured in a unit approved by the Export Inspection Agency at Mumbai, Kolkata, Kochi, Delhi and Chennai for the purpose under section 7 of the Export (Quality Control and Inspection) Act, 1963 to the effect that bivalve molluscs is exportworthy.
5. In this order " bivalve molluscs" means filter-feeding lamellibranch molluscs.

SCHEDULE

specification for Bivalve Molluscs recognised as per Section 6 of the Export (Quality Control and Inspection) Act, 1963 shall be –

National standards of the importing countries; or

Contractual specifications agreed to between the foreign buyer and the exporters provided the same is satisfying the health requirements of the importing countries;

In the case of any Bivalve Molluscs for which no standard is available at (a) and (b) above, the standard formulated by an Expert Committee consisting of the following members shall be made applicable :

- Representative from Export Inspection Agency (Convener)
- Representative from the Marine Products Export Development Authority. (MPEDA)
- Representative from the Central Institute of Fisheries Technology – Cochin (CIFT)
- Representative from the trade.

File No. 6/3/2002-EI&FP
M.V.P.C.SASTRY
Joint Secretary