


F. No. 6/6/2009-EP (Agri. IV)
Government of India
Ministry of Commerce & Industry
Department of Commerce

Udyog Bhawan, New Delhi
Dated 16th May, 2013

To

Shri S. K. Saxena
Director (I&Q/C), Export Inspection Council of India,
IIIrd Floor - NDYMCA Cultural Centre Building,
1, Jaisingh Road, New Delhi - 110 001.


17/05/2013
→ DG (CCBK)
Pm n-9.

Subject: Issue of Health Certificate for export of Peanut and Peanut Products (PPP) to EU and Malaysia by EIC - reg.

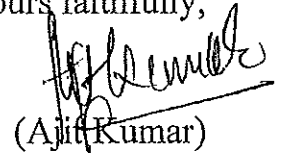
Sir,

As you are aware the EC had issued a Regulation No.19/2013 dated 31.01.2013 imposing requirement of Health Certificate of all consignment of Peanut and Peanut Products from India to comply with maximum level of aflatoxin. It is also informed that similar Regulation has been imposed by Malaysia.

2. In view of these developments, it has been decided that EIC will be authorized to issue Health Certificates for export of Peanut and Peanut Products to EU and Malaysia as per their requirements/proforma.

3. Further, you may also be aware that APEDA has issued a trade Notice No. APEDA/PPP/Q/2011, Amendment III DATED 09.01.2013 subsequent to the Notification No. 28(RE-2012)/2009-2014 dated 03.01.2013 issued by DGFT on the above issue, you are requested to suggest improvement in the quality system enforced vide aforesaid notice for export of Peanut and Peanut Products to non EU countries in collaboration with IOPEPC.

Yours faithfully,



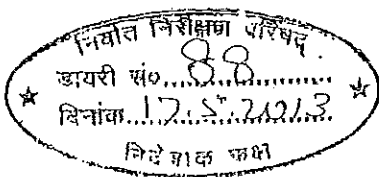
(Ajit Kumar)

Section Officer

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दूरभाष/Phone : 23748025 (D), 23365540

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भारतीय निर्यात निरीक्षण परिषद्

(आई एस ओ 9001:2008 प्रमाणित संस्थान)

(वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार)

तीसरी मंजिल, एन.डी.वाई.एम.सी.ए. कल्चरल सेंटर बिल्डिंग)

1 जय सिंह रोड, नई दिल्ली-110 001

EXPORT INSPECTION COUNCIL OF INDIA

(An ISO 9001:2008 Certified Organisation)

(Ministry of Commerce & Industry, Govt. of India)

3rd Floor, NDYMCA Cultural Centre Building,

1 Jai Singh Road, New Delhi - 110001

Dr. S. K. Saxena
Director

No. EIC/D (Q/C) T-4/Peanuts / 5932

Date :
29.10.2013

To,

All Commissioner of Customs (Exports)
(As per List enclosed)

Sub: Export of Peanut and Peanut Products without health certificates issued by EIC/EIAs - reg.

Sir,


Off late, it has been brought to our notice that consignment of peanut and peanut products are being exported to EU and Malaysia without health certificate issued by any one of the Export Inspection Agencies (EIAs) located at Mumbai, Kolkata, Chennai, Kochi and Delhi, which were being allowed by customs.

It is pertinent to mention that Government of India has authorized Export Inspection Council (EIC) and its field organization Export Inspection Agencies to issue Health Certificate for export of peanut and peanut products to EU and Malaysia as per their requirements/ Proforma with effect from 16.05.2013.

It is once again reiterated that EIC/EIAs has been recognized as the Competent Authority (CA) for issuance of health certificate for European Union and Malaysia

In view of the above, you may like to issue necessary instructions to all concerned offices at exit point, to ensure that consignments of peanut and peanut products for export to EU and Malaysia are accompanied by Health Certificate issued by EIC/EIAs, the Competent Authority in order to implement the responsibilities assigned by Government of India.

Yours faithfully,


Dr . S. K Saxena
Director (Insp.&Q/C)

Copy to

1. Shri Sanjog Kapoor, Director-EI, DOC
2. EIA- Mumbai, Delhi, Chennai, Kochi, Kolkata- to follow up.

List of Custom Commissioners

(Reference EIC letter no. T-4(Peanuts) Dated: 29.10.2013)

Shri Rajeev Tandon
Commissioner of Customs (Exports)
New customs house, Near IGI airport
New Delhi-110037
Ph. : 011- 25655385
F: 011- 25655385

Shri P.V.N. Suresh Babu
Addl. Commissioner of Customs(E.P.),
3rd Floor, New Custom House,
Ballard Estate,
Mumbai-400 001.
Ph :022- 22612452

Shri S. K. Das
Commissioner of Customs (Ports)
PRO, Custom House,
15/1, Strand Road, Kolkata
Ph: 033- 2242-1173

Shri. R Ajith Kumar,
Addl. Commissioner,
Central Revenue Building,
I.S. Press Road,
Cochin - 682018
Ph.:0484-2391352
Email:ajithkumar_2006@rediffmail.com

Shri. B.A.V. SRINIVASA RAO
Addl. Commissioner of Customs
Chief Commissioner's Office
Krishna Block No.60, Rajaji salai,
Custom House,
Chennai - 600001.
Tel:044-25222646

SCHEME FOR ISSUANCE OF HEALTH CERTIFICATE FOR EXPORT OF PEANUT AND PEANUT PRODUCTS TO EUROPEAN UNION (EU) AND MALAYSIA

1. INTRODUCTION:

Export Inspection Council of India (EIC), the official export-certification body of the Govt. of India, was established under the Export (Quality Control and Inspection) Act, 1963 for the sound development of export trade of India through quality control and inspection.

In order to facilitate the smooth functioning of the export from India in the present scenario of the international trade, a general scheme for issuance of Health Certificate of Peanut and Peanut Products (PPP) for food and feed has been developed. This scheme allows for issuance of Health Certificate on i) Consignment Wise Inspection(CWI) and ii) Food Safety Management System based Certification (FSMSC) for approved Peanut and Peanut Products processing establishment.

2. DEFINITIONS

Unless the context otherwise requires:

1. "Agency" or "EIA" means anyone of the Export Inspection Agency established at Chennai, Delhi, Kochi, Kolkata and Mumbai under section 7 of the the Export (Quality Control and Inspection) Act, 1963;
2. "Competent Authority" means any one of the Export Inspection Agency at Mumbai , Kolkatta, Kochi, Delhi and Chennai established under section 7 of the Export (Quality Control and Inspection) Act, 1963.
3. "Council" means the Export Inspection Council of India established under section 3 of Export (Quality Control & Inspection) Act 1963 (22 of 1963);
4. "Peanuts" means Peanuts, either in the pod or in the form of kernels (raw or processed), are obtained from varieties of the species *Arachis hypogaea L.* This includes groundnuts.
5. "Peanut Products" means products exclusively derived from peanut, it being accepted that substances necessary for their manufacture may be added, wholly or partially as constituents and of which peanut is an essential part either in terms of quality or for characterization of the product.
6. "Sub-Office" means any of the sub-office working under the jurisdiction of an EIA;

3. BACKGROUND

Higher levels of aflatoxins in peanut and peanut products have been major concerns of the importing countries. Therefore, it is essential to establish adequate controls to minimize the possibilities of presence of aflatoxins in peanut and peanut products in excess of prescribed levels.

In view of this, Government of India has authorized Export Inspection Council (EIC) to issue Health

Proforma.

4. BASIS OF ISSUANCE OF HEALTH CERTIFICATE

4.1 General

Health Certificate will be issued for consignment which conform to Importing Country's requirements with regard to prescribed aflatoxin limits and other related parameters.

4.2 Criteria for conformity

4.2.1 Consignment wise Inspection (CWI)

- Samples shall be drawn by EIA officials/ technical representative of EIC approved labs as per sampling plans of EU/ Codex/importing country.
- Test carried out in the EIA laboratory or any other EIC approved laboratory with regard to prescribed aflatoxin limits and other quality and safety related parameters.
- Self declaration (Annexure I)

4.2.2 Food Safety based Management System Certification (FSMSC)

- HACCP Documentation
- Implementing GHP, GMP and HACCP in Processing, Packaging or Storage, as applicable.
- Test report of peanut and peanut products conforming to importing country's requirement with regard to prescribed aflatoxin limits and other quality and safety related parameters
- The traceability needs to be ensured at least to the supplier/vendor level.

4.3 Packing

The commodity intended for export shall be packed in food grade packing material under controlled conditions to avoid any moisture and air with following information given on cartons:

- 1) Variety & grade (if any)
- 2) Lot No. / Batch No.
- 3) Quantity
- 4) Shipping Mark
- 5) Q Mark/ Approval No.
- 6) Type of Packaging
- 7) No. of packages
- 8) Manufacturing date
- 9) Invoice No. and date

5. PROCEDURE

The exporter/ processor shall submit the following documents in the prescribed proforma for issuance of the Health Certificate for the peanut and peanut products consignment meant for export.

Application for issuance of Health Certificate along with copy of Invoice/ Purchase Order/Letter of Credit, along with a bank draft of the requisite fee (as per clause 6) shall be submitted to the nearest Export Inspection Agency or its sub-office, under whose jurisdiction the exporter / manufacturer/ processor is situated.

5.1 Issuance of Health Certificate & attestation under CWI

5.1.1 Under the consignment wise inspection (CWI), the export consignments shall be inspected by Export Inspection Agencies (EIAs) prior to dispatch.

5.1.2 The samples shall be drawn by EIA officer/ technical representative of EIC approved labs, as per sampling plan of EU/Codex/Importing country, for verifying the conformity of the consignment to the requirement of the importing country with regard to prescribed aflatoxin limits and other quality and safety related parameters.

5.1.3 Tests will be carried out in the EIA laboratories or any other EIC approved laboratory.

5.1.4 The exporter/processor/manufacturer shall provide self declaration as per Annexure I

5.1.4 The Health Certificate (HC) will be issued by Export Inspection Agency only after the consignment clears the laboratory test report for aflatoxin and other quality and safety related parameters.

5.1.5 The primary responsibility of the establishment shall include the material is produced, sorted, handled, processed, packaged transported and stuffing in line with good hygiene practices, good manufacturing practices and under controlled environmental conditions as required for the product.

5.2 Issuance of Health Certificate & attestation under FSMSC

5.2.1 The application received from the applicant shall be scrutinized and the discrepancies /shortcomings observed shall be communicated to the applicant for rectification.

5.2.2 The processing establishment, application complete in all respects, shall be assessed by a panel comprising of nominated members by Competent Authority (CA).

5.2.3 The Assessment Panel (AP) shall submit its report to the EIA- Head. The recommendations of the AP shall clearly state whether the establishment is to be approved or not.

5.2.4 In case the establishment is recommended for approval, CA will allot an approval number with a validity of two years from the date of approval.

5.2.5 It is the primary responsibility of the establishment to ensure compliance to the requirements and to ensure safety and wholesomeness of the peanut and peanut products based on HACCP principles, Good Manufacturing Practices (GMP) & Good Hygienic Practices (GHP).

5.2.6 The establishment shall conduct routine laboratory testing of peanut and peanut products in the laboratory of

- 5.2.7 EIAs shall carry out monitoring by deputing an officer at a frequency of minimum once in three months depending upon the performance of the establishment.
- 5.2.8 The primary responsibility of sampling as per EU/Codex/importing country sampling plan and testing of aflatoxin and other quality and safety related parameters in their establishment laboratory or EIA laboratory or EIC approved laboratory lies with the establishment.
- 5.2.9 EIA shall issue Health Certificate based on continuous satisfactory performance of the establishment and satisfactory laboratory test reports with regard to prescribed aflatoxin limits and other quality and safety related parameters.
- 5.2.10 The primary responsibility of the establishment shall include the material is produced, sorted, handled, processed, packaged transported and stuffing in line with good hygiene practices, good manufacturing practices and under controlled environmental conditions as required for the product.
- 5.2.11 The establishment seeking renewal shall submit an application at least 60 days before expiry of the earlier approval to the concerned EIA in the prescribed format.

6. CERTIFICATION FEE

6.1 Certification fee shall be paid by the exporter/processing establishment to the EIA by bank draft at the following rates :

A) Consignment Wise Inspection (CWI) : @ 0.4 % of FOB value of consignment.

B) FSMSC : @ 0.2 % of FOB value of consignment

In addition to above a fee of Rs. 100/- will be charged for each Health Certificate.

6. VALIDITY OF HEALTH CERTIFICATE

The Health Certificate shall be valid for a period of 90 days from the date of its issuance.

7. ENCLOSURES

Relevant enclosures as detailed below:

1. Schedule I : Requirements
2. Annexure I : Undertaking by establishment
3. Annexure II: Health Certificate for the importation into the European Union
4. Aneexure III: Health certificate for Malaysia

Schedule I

Requirements for Aflatoxin Limits

Product	Country	Parameter	Requirements(u g/kg)	Sampling methods	
Groundnuts, nuts and dried fruit and processed products thereof, intended for direct human consumption or as an ingredient in foodstuffs	EU	Aflatoxin B1	2	Commission directive Directive 98/53/EC Commission Regulation No. 178/2010	
		Aflatoxin (B1+B2+G1+G2)	4		
Groundnuts to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs		Aflatoxin B1	8		
		Aflatoxin (B1+B2+G1+G2)	15		
Nuts and dried fruit to be subjected to sorting, or other physical treatment, before human consumption or use as an ingredient in foodstuffs		Aflatoxin B1	5		
		Aflatoxin (B1+B2+G1+G2)	10		
Groundnuts as bird feed		Aflatoxin B1	20	Commission regulation No. 152/2009	
		Aflatoxin (B1+B2+G1+G2)	20		
Groundnuts for further processing		Malaysia	Total Aflatoxin	15	Not Specified
Other food			Total Aflatoxin	5	

(to be typed on the letter head of the exporter)

Ref. no.

Date

I the undersigned Mr. / Mrs _____ Aged _____ Yrs,
Sex _____ Resident Indian, residing at _____
is authorized as signatory for and on behalf of M/s _____ (name of
organization) undertake and declares for the material mentioned in the invoice no _____ dated
_____ as under:

The material is produced, sorted, handled, processed, packaged and transported in line with good hygiene practices, good manufacturing practices and under controlled environmental conditions as required for the product. The product complies with the buyers specifications, importing country regulatory authorities standards and national standard.

The material is prepared following good hygienic practices,

Due care is taken while preparing, storing and transport of the material.

Only the material for which the sample is drawn and tested will be exported.

I hereby declare that I will abide by the rules and regulations as notified by the Govt of India for export.

I / my organization is responsible for the quality of the consignment under consideration. The material is not yet shipped.

My application may be cancelled if I fail to collect the health certificate within 30days of submission of application. I will apply afresh with all the documents and applicable fee and follow all the procedure.

I also undertake that myself / my organization as mentioned above, will not claim for refund of the fee submitted to your office under any circumstances.

All the above said undertaking & declarations are true and correct and I take all the responsibility if anything is found incorrect or faulty. I accept that in the event of giving wrong information in the above said undertaking & declarations, myself and my organization will be responsible and punishable by all clauses of Indian Penal Code as well as all Laws and Acts, of India and the importing country.

Authorized Signatory

Seal

Health Certificate for the importation into the European Union of

.....⁽¹⁾
ConsignmentCode.....CertificateNumber

According to the provisions of Commission Implementing Regulation (EU) No 91/2013 laying down specific conditions applicable to the import of groundnuts from India and amending Commission Regulations (EC) No 669/2009 and (EC) No 1152/2009, the

.....
..... (competent authority referred to in Article 5(2) of Implementing Regulation (EU) No 91/2013)

CERTIFIES that the

..... (insert feed and food referred to in Article 1 of Implementing Regulation (EU) No 91/2013)

Of this consignment composed of:

.....
..... (description of consignment, product, number and type of packages, gross or net weight)

embarked at (embarkation place)

by (identification of transporter)

going to (place and country of destination)

which comes from the establishment

..... (name and address of establishment)

have been produced, sorted, handled, processed, packaged and transported in line with good hygiene practices.

From this consignment, samples were taken in accordance with the Union legislation

- Commission Regulation (EC) No 401/2006
- Commission Regulation (EC) No 152/2009
- Commission Directive 2002/63/EC

on.....(date), subjected to laboratory analysis on (date)

in the (name of laboratory).

The details of sampling, methods of analysis used and all results are attached.

This certificate is valid until

.....

Done aton

Stamp and signature of
Authorized representative of competent authority referred to in Article 5(2) of Implementing
Regulation (EU) No 91/2013

⁽¹⁾ Product and country of origin.

HEALTH CERTIFICATE FOR MALAYSIA
For Peanut and Peanut Products originated in India and intended for export to Malaysia

Sl. No. _____

Country of Despatch: **India**

Competent Authority: **Export Inspection Agency- Chennai/Delhi / Kolkata/ Kochi/ Mumbai**

Reference No.:

Test Report issued by.....

1. Details identifying the peanut and peanut products

Description

1. Variety & grade (if any)
2. Lot No. / Batch No.
3. Quantity
4. Shipping Mark
5. Q Mark/ Approval No.
6. Type of Packaging
7. No. of packages
8. Manufacturing date
9. Invoice No. and date

2. Provenance of products

Name & Address of the exporter / processor

3. Destination of the products

a. The products are to be despatched

From.....

(Place of despatch)

To.....

(Country and place of destination)

By the following means of transport

.....

Name of address of consignor

Name of consignee and address at place of destination

LC Details

4. Health Attestation

It is hereby certified that the peanut and peanut products described above have been processed as per the specification of Malaysia, stored and transported under hygienic conditions and found confirming to laid down standards and fit for human consumption.

Place of issue:

Date of issue

Seal

Signature of authorised officer

Name:

Designation: