

CIRCULAR NO 41/2010-Customs

Dated: November 03, 2010

Subject: Enforcement of statutory measures (Phytosanitary requirement) for import of food grains before release of consignments by the Customs authorities - regarding

The import of food grains to India is regulated under the Destructive Insects and Pests Act, 1914 and Plant Quarantine (Regulation of Import into India) Order, 2003 issued thereunder. As per this Order, it is mandatory to conduct the pest risk analysis of each commodity before allowing clearance into the country. The import consignments of food grains are required to comply with certain phytosanitary norms as prescribed under Plant Quarantine (Regulation of Import into India) Order, 2003.

2. Instances have come to notice of the Board where phytosanitary requirements are not being implemented properly in respect of import of food grains into India by field formations. The matter was also taken up with Ministry of Agriculture and Food Safety and Standards Authority of India (FSSAI) in order to put in place various statutory standards and also ways to enforce them strictly and more effectively.

3. In this regard, detailed statutory phytosanitary requirements for import of food grains are enclosed as Annexure A to this Circular. The process of phytosanitary inspection and release of consignments are also detailed in the Annexure.

4. Board desires that these requirements should be scrupulously implemented by the field formations. All consignments of food grains may be referred to Plant Quarantine authorities at respective point of entry for phytosanitary inspection before release by Customs. These consignments of food grains will be allowed clearance only after getting NOC from Plant Quarantine Authorities.

5. Suitable instructions may be issued to the field formation for strict compliance.

6. Difficulty faced, if any, may be brought to the notice of the Board.

F. No.401/207/2010-Cus.III

(R . P. Singh)

Director (Customs)

Encl: Annexure A.
Internal circulation: As usual.
Annexure A

Phytosanitary Requirement for Import of Food Grains

1. The exporting country has to issue a phytosanitary certificate for each of the consignment. The National Plant Protection Organization of the exporting country has to give following additional declaration and comply with the special conditions of import and endorse the additional declaration and special condition on the Phytosanitary Certificate accompanying the consignment.

++ The additional declaration pertains to freedom of the commodity from the pests, and

++ Special conditions refer to the phytosanitary treatment given to the commodity for ensuring pest freedom.

2. General condition for import-of food grains:

As per Section 3 (12) No consignment of food-grain is permitted to import with contamination of quarantine weeds, listed in Schedule-VIII of PQ Order, 2003 unless the said consignment has been devitalized by the exporting country and a certificate to that effect has been endorsed in the phytosanitary certificate issued by the exporting country.

Specific commodity-wise requirements are as under:

i / The import of wheat (*Triticum* spp.) grains for consumption is allowed from any country with the following conditions.

The wheat consignment should be free from -

1. Granary weevil (*Sitophilus granaries*)

2. Ergot (*Claviceps purpurea*)

3. Dwarf bunt (*Tilletia contraversa*)

Fumigation with Methyl bromide @ 32g/cu. m at 21oC and above for 24 hrs under NAP and the treatment shall be endorsed on phytosanitary certificate.

The phytosanitary conditions for import of wheat for public distribution system were relaxed vide this Department's letter No. 18-7/2006-PP.II dated 3 rd July, 2006 and 11 th July, 2006 upto 31-12.2008.

ii / The import of rice (*Oryza sativa*) grains for consumption is allowed from any country with the following conditions.

Free from Granary weevil (*Sitophilusgranarius*)

Fumigation with Methyl bromide @ 32g/cu. m at 21oC and above for 24 hrs under NAP and the treatment to be endorsed on phytosanitary certificate .

iii / The import of peas (*pisum* spp.) grains for consumption is allowed from any country with the following conditions.

Free from:

(a) Stem and bulb nematode (*Ditylenchusdipsaci*)

(b) Pea cyst nematode (*Heteroderagoettingiana*)

(c) Bruchids (*Bruchidius* spp. *Specularisimpressithorax*)

Fumigation with Methyl bromide @ 32g/cu. m at @ 21oC and-above under NAP and the treatment to be endorsed on phytosanitary certificate.

Keeping into view the scarcity of peas and pulses, an interim arrangement of fumigation of pulses at port of arrival in India with Methyl Bromide has been granted to USA , Canada and France and is extended from time to time.

iv / The import of chickpea (*Cicer arietinum*) grains for consumption is allowed from any country with the following conditions

Additional declaration - Not prescribed

Fumigation with Methyl bromide @ 32g/cu. m at @ 21oC and above under NAP and the treatment to be endorsed on phytosanitary certificate.

v / The import of Pigeon pea (*Cajanus cajan*) grains for consumption is allowed from the country as per details given below with the following conditions:

Name of the country	Additional declaration	Special condition of import
(i) Australia (ii) Mozambique	Free from <i>Richardia brasiliensis</i>	i) Free from soil contamination. (ii) Fumigation by Methyl.
(iii) Myanmar (iv) Nepal		Bromide at 32g per cubic meter for 24hrs at 21 ° C or equivalent.
(v) China	Free from <i>Heterodera Glycines</i> (Cyst nematode)	(i) Free from soil contamination. (ii) Fumigation by Methyl bromide at 32g per cubic meter for 24 hrs at 21° C.
(vi) Iran	Free from <i>Apomyelois ceratoniae</i> (carob moth)	(i) Free from soil contamination. (ii) Fumigation by Methyl bromide at 32g per cubic meter for 24 hrs at 21° C.
(vii) Kenya	Free from: (a) <i>Melanagromyza chalcosoma</i> (pod fly) (b) <i>Richardia brasiliensis</i>	(i) Free from soil contamination. (ii) Fumigation by Methyl bromide at 32g per cubic meter for 24 hrs at 21° C or equivalent.
viii) Pakistan (ix) Tanzania (x) Malawi (xi) Uganda	Nil	(i) Free from soil contamination. (ii) Fumigation by Methyl Bromide at 32g per cubic meter for 24 hrs. at 21° C and above or equivalent.

Process of phytosanitary inspection and release of the consignments

On receipt of application for quarantine inspection and clearance of food grain importer or his clearing agent, the application is registered. Documents viz., original import permit, original phytosanitary certificate, bill of entry, certificate of origin, bill of lading, invoice etc. are checked. After scrutiny of the application, inspector is deputed for drawing samples as per laid down procedure.

No. of Containers sampled depends on size of the consignment, as under:

01 - 10 containers - Minimum 2 containers

11 - 25 containers - One in every five containers but not less than four.

Above 25 containers - One in every eight Containers but not less than six containers.

Two samples of one Kg each are drawn from each container for inspection / testing.

Each sample is examined for freedom from the quarantine pest. If the consignment has live insect infestation the importer is advised to fumigate the consignment with Methyl Bromide under the supervision of Plant Quarantine Officer. The consignment is again inspected and if found to have no live insect infestation, it is approved for release