

**ORDER**  
**New Delhi,**  
**the 28th**  
**November,**  
**2000**

**S.O. 2720** – In exercise of the powers conferred by 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 –(a) These rules may be called the Export of Milk Products (Quality Control, Inspection and Monitoring) Rules, 2000.  
(b) They shall come into force on the date of their publication in the official Gazettee.
2. Definition. – In this notification unless the context other – wise requires, the following definitions shall be applicables :
  - a. “Act” means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
  - b. “agency” means any one of the Export Inspection Agencies at Mumbai, Calcutta, Chchin, Delhi and Madras established under section 7 of the Act ;
  - c. “Batch” means a quantity of milk products which have been prepared under the same conditions and in particular treated in single continous operation:
  - d. “Certificate” means certificate issued under sub-section (3) of Section 7 of the Act stating that the commodity conforms to the conditions regarding Quantity Control and Inspection.
  - e. “Collection” Centre” means an establishment where raw milk may be collected and possibly cooled and filtered.
  - f. “Competent Authority” means any one of the Export Inspection Agencies at Bombay , Calcutta, Cochin, Delhi and Madras established under section 7 and Inspection of the Act.
  - g. “Composite Milk Products” Composite Milk Product is a product of which the milk, milk products or milk constituents are an essential part either in term of quantity or for the characterisation of the product.

Provided that the constituents not derived from milk are not intended to take the place in part or in whole of any milk constituent.

- h. “Consignment” means a quantity of milk products for a signle delivery to one destination for further processing by the food industry or intended for direct human consumption;
- i. “Council” means the export Inspection Council established under section 3 of the Act;

- j. "Country of Dispatch" means India;
- k. "Country of Destination" means the country to which milk products are dispatched from India;
- l. "Heat Treatment" any treatment involving heating that causes, immediately after it has been applied, a negative reaction to the phosphates test.
- m. "Hermetically sealed container" means container which, when sealed, is intended to protect the contents against the entry of micro-organisms during and after heat treatment and which is impervious;
- n. "Holding" means an establishment at which one or more dairy animals and their followers are kept.
- o. "Milk Products" means Milk products, namely 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 product is an essential part either in terms of quantity or for characterization of the product.
- p. "Packing" means the placing of milk products in any form of package.
- q. Packaging means the placing of one or more wrapped or unwrapped products as in a container, as well as the container itself.
- r. "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.
- s. "Plant" means any premises where milk products are processed and manufactured.
- t. "Potable water" means water that has been approved by State Health Authority or other Agency or Laboratory acceptable to the Competent Authority as safe for drinking and suitable for food processing.
- u. "Raw Milk" means the milk products by secretion of the mammary glands of one or more, cows, ewes, goats or buffaloes, which has not been heated beyond 40°C or undergone any treatment that has an equivalent effect.
- v. "Thermisation" is a heat treatment applied to raw milk aimed at reducing the number of organisms in milk and permitting longer storage of the milk prior to further processing. The heating conditions are 62 to 65°C for 15 to 20 seconds. Thermized milk must be phosphates positive.
- w. "Treatment establishment" means an establishment or production holding where milk and/or products are treated, processed and packed;

- x. “UHT (Ultra High Temperature) Treatment” treatment of milk of cream is a high-temperature/short time heat treatment aimed at producing a commercially sterile product, which can be stored at room temperature. The process aims to destroy all micro organisms; any residual micro organisms are unlikely to cause spoilage under normal storage conditions. UHT-treated milk and cream are packaged aseptically into sterilized, hermetically sealed containers. The total heat treatment is equivalent. In terms of its effectiveness against heat-resistant spores, to a minimum F0 value of 3 min.

The temperature for UHT treatment is in the range of 135 degree – 150 degree C in combination with appropriate holding times such as 140V for 2-3 seconds.

\*A hermetically sealed container is a container that is designed and intended to be secure against the entry of micro organisms.

- y. “Wrapping” is the protection of the products by the use of an initial wrapping or initial container in direct contact with the products concerned as well as the initial wrapper or initial container itself.

### 3. BASIS OF COMPLIANCE:

a) It shall be the responsibility of the processors to ensure that the milk products intended for exports are handled processed at all stages of production, storage and transported under proper hygienic conditions so as to meet the health requirement laid down under these rules and that the product conforms to the specifications given in the order by the Central Government under section 6 of the Act.

b) The Competent Authority shall ensure that all the processors comply with the requirement by regular monitoring of the plant as per the control measures prescribed in the Para of this part. For effective monitoring of the scheme, Council shall issue necessary instructions in this regard from time to time.

4. The milk products for Exports shall be subjected to the following conditions:

4.1 Any statutory restriction imposed by any State/ Central Government with respect to commercial/environment conservation measures from time to time shall strictly be adhered.

4.2 They must have been obtained from milk of dairy animals which meet the requirements given in items 1 to 4 of Annexure A.

4.3 They must contain only the permissible food additives/processing aids, other than milk, which are fit for human consumption.

4.4 They must have been treated and prepared in an approved plant which complies with Chapter 1 and II, V and VI of the Annexure B and satisfy the requirements of these rules.

4.5 They must have been processed and/or manufactured under hygienic conditions complying with Items 2 and 5 of Annexure B from milk meeting the requirements laid down in Annexure C.

4.6 They must have undergone a processing treatment which enables them to meet inter alia the analytical specifications laid down in item 3 of the Annexure C.

4.7 They must have undergone a health marking and levelling in accordance with item 5 of the Annexure C.

4.8 They must have been packed in accordance with item 4 of Annexure C.

4.9 They must be stored and transported in accordance with item 6 of the annexure C.

4.10 The period during which the milk products are fit for human consumption and storage shall be indicated by the processor.

4.11 The results of the various checks and tests are recorded and kept for presentation to the competent authority for a period of two years.

4.12 To detect any residues of substances having a pharmacological or hormonal action, and of antibiotics, pesticides, detergents and other substances should not be present in milk which might alter the sensory characteristics of milk products or make their consumption dangerous or harmful to human health.

4.13 If the milk products examined show traces of residues in excess of the permitted levels fixed, they must not be allowed either for the manufacture of foodstuffs or for direct human consumption.

4.14 Tests for residues must be carried out in accordance with National/Internationally recognised methods.

4.15 Having satisfied itself that the plant meets the requirements with regard to the nature of the activities if carries out, the competent authority shall accord approval to such plant for a period of one year.

4.16 The Competent Authority may take the assistance of a representative each from EIC, APEDA, Ministry of Food Processing Industries, National Dairy Development Board, and Representative of Industry and Co-operatives and experts from National Dairy Research Institute etc. in the matter of approval of processing plants.

4.17 The competent authority shall draw up a list of the approved plants, each of which have an official number and the competent authority shall furnish to appropriate authorities the list of approved plants and subsequent change thereof.

4.18 The inspection and monitoring of plant and packaging centres shall be carried out regularly by the competent authority, which shall at all times have free access to all parts of the plants, in order to ensure that these rules are being observed. The health checks and supervision of production shall be carried out as per the elements given in Annexure D.

## 5. Certification

(a) On request from the plant, the competent authority shall issue health certificate in the prescribed proforma after satisfying itself that the milk products are processed in approved processing plants having valid approval number and after satisfying the relevant requirement.

(b) The Competent Authority shall also issue vague certificates on request from the processor or exporter after satisfying itself that the requirements of the relevant standards are met;

## 6. Free

a) A fee of Rs. 5,000 shall be paid by the processor along with the application for approval of the milk processing plant.

b) A fee at the rate of 0.2 percent of F.O.B. value shall be paid by the processor or exporter to the Competent authority:

### Note :

The amount of fee for each consignment payable by the processor/exporter shall be rounded off to the nearest rupee and, for this purpose, where such amount contains a part of a rupee then if such a part is 50 paise or more, it shall be increased to one rupee and, if such part is less than 50 paise, it shall be ignored.

7. Competent Authority shall take actions, if the requirement cease to be met.

## 8. APPEAL

### 8.1 Any person aggrieved by the

- i. Decision of the competent authority not according the approval as per rule 4.15
- ii. Refusal of competent authority to issue veterinary Health Certificate as per rule 5 of this notification;
- iii. Decision of the competent authority to denotify processor/exporter as per rule 7 of the notification;

8.2 Any person aggrieved by the decision of the competent Authority may prefer an appeal within 10 days of receipt of such decision to an appellate authority appointed by the Central Government.8.3 The appellate Authority shall consist of five members appointed for the purpose by the Central government;

8.4 The appeal shall be deposited within 15 days of its receipt and its decisions shall be final.