

Circular No.14/2009-Customs dated 6.5.2009

Subject: Implementation of Phytosanitary requirements in import or export of goods - regarding.

As you are aware, the sanitary (relating to food safety) and phytosanitary (animal and plant health) measures are enforced in the course of international trade by various countries to prevent the spread and introduction of any pests of plants, plant products or insect, fungus and for protection of human, animal or plant life or health. In this regard, your attention is invited to the Board's Circular No.39/2004-Customs dated 3.6.2004 and Board's instructions of even number dated 2.4.2009, wherein Customs officers have been instructed to release the goods imported in wood packaging material, only in cases where the wood packaging material are appropriately treated as per international standards (ISPM-15) or is accompanied by a phytosanitary certification with the treatment endorsed.

2. In the international trade, every consignment accompanied with solid wood packaging materials (SWPM) needs to be treated and marked in accordance with the provisions of International Standards for Phytosanitary Measures (ISPM) No.15. In case of non-compliance of the ISPM-15, the importing countries issue notices to the National Plant Protection Organisation of the exporting country for non-compliance, and initiate necessary action against the exporter. Of late, the Government of India had received a number of non-compliance notifications from various countries particularly European Union countries regarding violation of ISPM-15 standards, in respect of goods exported from India. Most of these cases relate to non-treatment of wood packaging material or no treatment mark on wood packaging material used in packaging of goods exported from India. Exports to most countries including Canada, USA, Australia, Japan etc. require that all wood packaging materials used in packaging of export consignments are required to be rendered free from all pests either by heat treatment or by fumigation with Methyl Bromide by the treatment providers recognized by the Directorate of Plant Protection, Quarantine & Storage (DPPQ&S) under the Department of Agriculture and Cooperation (DAC). The list of such accredited fumigation agencies for Methyl Bromide Fumigation and certified Heat Treatment Facilities for wood packaging material as per ISPM-15, can be accessed at the DAC's website i.e. <http://agricoop.nic.in/>. Detailed information on plant quarantine activities may also be accessed from the official website of DPPQ&S at www.plantquarantineindia.org.

3. In view of the above, I am directed to say that all the Customs field formations should verify whether the export goods packed with raw or solid wood packaging material comply with the ISPM No. 15 or are accompanied by a phytosanitary certificate with the treatment endorsed issued by the agencies which are accredited / certified by DAC. In case of non-compliance, the matter may be referred to the Plant Quarantine authorities for proper treatment of export goods before their release.



F.No. 119-36/2008-PQD

Government of India
Ministry of Agriculture

(Department of Agriculture & Cooperation)

DIRECTORATE OF PLANT PROTECTION, QUARANTINE & STORAGE
NH IV, FARIDABAD - 121 001 (Haryana)

Dated: 9.04.2009

To

The President,
Indian Pest Control Association
Corporate Office, Flat No. 11, 1st Floor, 40, DLF Industrial
(Alishan Banquet Complex), Kirti Nagar, New Delhi -15

Received
today
16/4/09

Subject: Adoption of provisions of ISPM-15 by the exporters under International Plant Protection Convention (IPPC) - reg.

Sir,

I have the honour to bring to your notice that Ministry of Agriculture, Department of Agriculture & Cooperation (DAC), Govt. of India is receiving too many non-compliance notifications from different countries for non-observance of the provisions of International Plant Protection Convention (IPPC) and International Standard for Phytosanitary Measures-15 (ISPM-15) regarding Solid Wood Packaging Material by the Indian exporters. In most of the cases treatment marks are not according to ISPM-15 or are missing. As you are well aware that as per provisions of IPPC & ISPM-15 all wood packaging material used in packaging of consignments is to be rendered free from pests either by hot treatment or by fumigation with methyl bromide. After treatment, wood packaging material is required to be stamped with a permanent mark by registered treatment providers authorized by NPPO / Directorate of Plant Protection Quarantine & Storage. However, some of the treatment providers / exporters are not following proper procedures; hence inviting non-compliance notifications besides resulting in off-shore treatment at high costs / delayed clearance / deportation/destruction of consignments. You may be aware that such non-compliances are highlighted in different International and bilateral fora of International Plant Protection Convention / Meetings which cause humiliation to Indian representatives.

In view of increased number of non-compliances in the recent past, a delegation of representatives from EU countries is likely to visit India to discuss the matter pertaining to non-compliances with NPPO of India. This will question the credibility of Govt. of India.

Therefore, you are requested to advise to the members / Exporters to abide by the provisions of IPPC and ISPM-15 to avoid such recurrence in future. The action taken in this regard is highly appreciated.

Yours faithfully,

Chandurkar
(P.S. CHANDURKAR)
Plant Protection Adviser
to the Govt. of India

Copy endorsed to all Members for their information and
Strict compliance of Govt. instructions.

Sachdeva
(P.C. Sachdeva)
For President, IPCA
16.4.09

4. Similarly, in respect of import consignments, it is reiterated that the provisions of sub-clause 20A prescribing compliance of ISPM-15 standards by wood packaging material may be enforced in terms of Plant Quarantine (Regulation of import into India) Order, 2003.

Consignments that are found to be non-compliant or not carrying prescribed treatment mark on the wood packaging materials shall be referred to the Plant Quarantine Authorities for proper treatment or destruction or deportation to the country of export. The details of such non-compliance shall also be informed in the prescribed format for reporting of non-compliance to the DPPQ&S.

5. The field formations as well as trade and industry may be suitably informed.

Yours faithfully,
(M.M. Parthiban)
Director (Customs)