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EXPORT & IMPORT – MISC.

Shakun Sl.No.5

-COPY OF-

NOTIFICATION

Dated 31st May, 2004

In exercise of the powers conferred by sub-section (1) of Section 3 of the Destructive Insects and Pests Act, 1914 (2 of 1914), the Central Government hereby makes the following Order further to amend the Plant Quarantine (Regulation of Import into India) Order, 2003 namely:-

1. (1) This Order may be called the **Plant Quarantine (Regulation of Import into India) Third Amendment Order, 2004.**

(2) Save as otherwise provided in this Order, this Order shall come into force on the **1st November, 2004.**

2. In the Plant Quarantine (Regulation of Import into India) Order, 2003,-

(a) in clause 2,-

(i) Sub-clause (xv) shall be omitted;

(ii) after sub-clause (xxx), the following sub-clause shall be inserted, namely:-

“(xxxi) “Dunnage” means wood packaging material used to secure or support a commodity but which does not remain associated with the commodity [FAO, 1990; revised ISPM Pub. No. 15, 2002];

(xxxii) “Wood packaging material” means wood or wood products (excluding paper products) used in supporting, protecting or carrying a commodity (includes dunnage) [ISPM Pub. No. 15, 2002];

(xxxiii) “Article” means any kind of movable property including any goods and stores consigned from one party to another as a shipment and covered by a bill of entry of customs, shipping or airway bill and/or invoice in the course of international trade.”

(b) In clause 3,-

after sub-clause (20), the following sub-clause shall be inserted, namely:-

“(20A). No article packed with raw/solid wood packaging material shall be released by the proper officer of Customs unless the wood packaging material has been appropriately treated and marked as per ISPM- 15 or is accompanied by a phytosanitary certificate with the treatment endorsed.

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The treatment of raw/solid wood packaging material prior to export shall include either methyl bromide (MB) @ 48 g/m³ for 16 hrs at 21° C and above or any equivalent thereof or heat treatment (HT) of 56°C for 30 min (core temperature of wood) or Kiln Drying (KD) or Chemical Pressure Impregnation (CPI) or any other treatments provided that these meet the HT specifications of the ISPM-15.

Any article, if found packed with raw/solid wood packaging material without specified treatment and without marking as per ISPM-15 or if not accompanied by phytosanitary certificate with treatment endorsed, as the case may be, shall be considered untreated and shall be referred by the proper officer of the Customs to Plant Quarantine Officer. The proper officer of customs shall grant release of such articles packed with untreated wood packaging material only after ensuring that the wood packaging material has been appropriately treated at the point of entry under the supervision of Plant Quarantine Officer:

Provided that above conditions shall not be applicable to wood packaging material wholly made of processed wood products such as plywood, particle board, oriental strand board or veneer that have been created using glue, heat and pressure or combination thereof. Also the above conditions shall not be applicable to wood packaging material such as veneer peeler cores, saw dust, wood wool and shavings and thin wood pieces (less than 6 mm thickness), unless they are found to be harbouring any regulated pests specified in this order:

Provided further that nothing contained in this clause shall be applicable to wood packaging materials used for packaging of *bona-fide* passenger baggage containing goods other than plant and plant products”;

(ii) Sub-clauses (21) and (22) shall be omitted with effect from the date of publication of this Order.

Sd/-
(Ashish Bahuguna)
Jt. Secy.

S.O. 644(E)
F.No.8-128/2004-PPI
Issued by
Ministry of Agriculture
(Department of Agriculture and Cooperation)
New Delhi.

Foot Note:- The Principal notification was published *vide* S.O. No. 1322(E) dated 18th November, 2003 and subsequently amended *vide* No. S.O. 167(E) dated 6th February, 2004 and No. S.O. 427 (E) dated 29th March, 2004.

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