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MINISTRY OF AGRICULTURE
(Department of Agriculture & Cooperation)

NOTIFICATION
New Delhi, the 18th November, 2003.

S.O.1322 (E). — 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, for the purpose of prohibiting and regulating the import into India of agricultural articles mentioned herein, namely:-

CHAPTER I Preliminary

1. Short title and commencement. —

- (1) This order may be called the Plant Quarantine (Regulation of Import into India) Order, 2003.
- (2) Sub-clause (22) of clause 3 shall come into force on the 1st day of April, 2004 and all other provisions of this Order shall come into force on the 1st day of January, 2004.

2. Definitions. — In this Order, unless the context otherwise requires. —

- (i) "additional declaration" means a statement that is required by an importing country to be entered in a phytosanitary certificate and which provides specific additional information pertinent to the phytosanitary condition of a consignment;
- (ii) "bio-control agent" means any biological agent such as parasite, predator, parasitoid, microbial organism or self replicating entity that is used for control of pests;
- (iii) "consignment" means a quantity of seeds, plants and plant products or any regulated article consigned from one party to other at any one time shipment and covered by a phytosanitary certificate, bill of entry of customs, shipping/airway bill or invoice;

soil or escape of any pest, and subject to the condition that the package or container shall not be opened or seals are broken any where in India

- (20) No consignment shall be permitted import unless accompanied by a Phytosanitary Certificate issued by an authorized officer at the country of origin in the form PQ 21 or at the country of re-export in form PQ 22;

Provided that cut flowers, garlands, bouquets, dry fruits/nuts etc., weighing not more than two kilograms imported for personal consumption may be allowed to be imported without a Phytosanitary Certificate or an import permit.

- (21) No consignment packed with the packaging material specified in clause 2(xiii) of this order shall be permitted import unless appropriately treated. The treatments shall include heat-kiln treatment at 56° C for a minimum of 30 hrs or Methyl Bromide fumigation at 48 g/cum for 32 hours or chemical impregnation of wood with wood preservatives such as copper chrome arsenic or any other approved treatment as per international standards and the treatment shall be endorsed in phytosanitary certificate.

- (22) No article packed with packaging materials shall be released by the proper officers of customs unless the consignment is accompanied by a phytosanitary certificate in respect of said packing material;

Provided that if no phytosanitary certificate is furnished in respect of said packaging material, the proper officer of customs shall grant out of charge only after clearance is obtained from local plant quarantine authorities, who shall grant clearance from the quarantine angle and may, if deemed fit, subject the said packaging material to treatment at the expense of importer.

Provided further nothing contained in this clause shall be applicable to packaging materials in respect of bonafide passenger baggage containing goods other than plants and plant products.

4. **Import of soil, etc.** - No import of soil, earth, compost, sand, plant debris along with plants, fruits and seeds shall be permitted except under the following conditions: -

- (i) The consignments of soil, earth, clay and similar material for any microbiological, soil-mechanics, or mineralogical investigations and peat for horticultural purposes may be permitted through specified air or sea ports or land custom station, on applications made for that purpose;
- (ii) The application for the purpose referred to in (i) above shall be made to the Plant Protection Adviser, at least one month in advance, in form PQ 06 along with a registration fee of Rs. 200/- by a bank draft drawn in favour of Accounts Officer, Directorate of Plant Protection, Quarantine & Storage, N.H.IV., Faridabad-121001.
- (iii) The Plant Protection Adviser may, after scrutiny of the application, and if satisfied of the purpose, for which such consignment is being imported, issue special permit in Form PQ 07