

No.8-34/2021-PP.II
Government of India
Ministry of Agriculture & Farmers Welfare
Department of Agriculture & Farmers Welfare

Krishi Bhawan, New Delhi
Dated : 23rd August, 2022

OFFICE MEMORANDUM

Subject : Notification to be made in the SPS Committee of WTO regarding Plant Quarantine (Regulation of import into India) (Sixth Amendment), Order, 2022.

The undersigned is directed to enclose herewith the text of the draft notification (in WTO format) of the Plant Quarantine (Regulation of import into India) (Sixth Amendment), Order, 2022 proposing certain amendments to the phytosanitary conditions governing the import of certain plants and plant materials into India. The notification includes import of *Echinacea purpurea/ Echinacea hybrid (cone flower)* from Netherlands and *Diospyros kaki (Persimmon)* from Spain. The justification for this notification may be seen at Annexure-1.

2. It is requested that further necessary action to notify the same to the WTO Secretariat may be taken by Department of Commerce (TPD Division) at the earliest and WTO notification number allotted by WTO Secretariat may please be intimated to this Department. The text of the notification containing the Plant Quarantine (Regulation of import into India) (Sixth Amendment), Order, 2022 will be available at www.agricoop.nic.in under the Head "Circulars and Notifications" – Plant Protection – WTO Notifications.

3. This issues with the approval of Joint Secretary (Plant Protection), Department of Agriculture, Cooperation & Farmers Welfare.

Kamini Tandekar

(Kamini Tandekar)
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(Joint Secretary)
Department of Commerce,
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Copy for information to :

1. Plant Protection Adviser, Dte. Of PPQ&S, Faridabad enclosing herewith the text of the complete notification containing the draft 'Plant Quarantine (Regulation of import into India) (Sixth Amendment), Order, 2021' with the request to arrange to provide the hindi translation.
2. Joint Director(PP), Dte. of PPQ&S, Faridabad with a similar request.
3. IT Division, DAC&FW, Krishi Bhawan, with the request to post the said draft notification as well as the WTO-SPS format on website www.agricoop.nic.in under the head "Circulars and Notifications"- Plant Protection - 'WTO Notifications' as "Draft Plant Quarantine (Regulation of import into India) (Sixth Amendment), Order, 2020'.
4. Deputy Director General of Foreign Trade, Department of Commerce, Room No. 221, Udyog Bhawan, New Delhi, E-mail-us5tpd-doc@nic.in

Justification for the Draft Notification**I) *Echinacea purpurea* from Netherlands:**

- Pest Risk Analysis (PRA) has been completed and five potential quarantine pests have been identified.
- Netherlands proposed mitigation measures for the identified pests viz. testing the mother plants of the Echinacea in vitro plants (by ELISA test) and including the pests in the additional declaration.
- DPPQ&S has examined the mitigation measures proposed by Netherlands and found them to be satisfactory
- Further, the comments of Trade, MIDH & EXIM divisions were also sought on the draft notification and the comments are reproduced below:

S.No.	Division	Comments	Remarks of PP Division
1.	Trade	<ul style="list-style-type: none"> • As per trade policy, the import of this commodity is under "Free category". • Production data is not available. 	NIL
2.	MIDH (Horticulture)	<ul style="list-style-type: none"> • Subject to report of ICAR and fulfilling the Post-Entry Quarantine requirements. 	<ul style="list-style-type: none"> • However, since the commodity is tissue culture plants and further Netherlands proposed to test the mother plants of the Echinacea in vitro plants (by ELISA test) and certify freedom from pests in additional declaration, DPPQ&S has not specified Post-Entry Quarantine requirement for this commodity.
3.	EXIM/ Seed	<ul style="list-style-type: none"> • The commodity is under free/ OGL category as per New Policy of Seed Development (NPSD), 1988. • Therefore, the division has No Objection for market access. 	NIL

- Further, there are no pending phytosanitary issues of interest to India with Netherlands.

II) Persimmon (*Diospyros kaki*) from Spain through In-transit cold treatment (ITCT)

- Fresh fruits of Persimmon (*Diospyros kaki*) from Spain are already allowed in PQ Order, 2003 through pre-shipment cold treatment and MBr treatment.
- However, Spain has requested for 'In-transit cold treatment (ITCT)' as an alternative treatment measure.
- Therefore this is not a new market access.
- Further Spain has successfully completed the trial shipments.
- Further, there are no pending phytosanitary issues of interest to India with Spain.

Committee on Sanitary and Phytosanitary Measures

G/SPS/N/

NOTIFICATION

1.	Member of Agreement notifying : INDIA
2.	Agency responsible : DEPARTMENT OF AGRICULTURE & FARMERS WELFARE MINISTRY OF AGRICULTURE & FARMERS WELFARE, GOVERNMENT OF INDIA
3.	Products covered (provide tariff item number(s) as specified in national scheduled deposited with the WTO; ICS numbers should be provided in addition where applicable): Plants and Plant materials and other regulated articles as per Plant Quarantine (Regulation of import into India) Order, 2003 and its Amendments. <i>Echinacea purpureal Echinacea</i> hybrid (cone flower) from Netherlands and <i>Diospyros kaki</i> (Persimmon) from Spain
4.	Regions or countries likely to be affected, to the extent relevant or practicable: <input type="checkbox"/> All trading partners <input checked="" type="checkbox"/> Specific regions or countries - Netherlands and Spain
5.	Title, language and number of pages of the notified document: Title – Draft Plant Quarantine (Regulation of Import into India) Order, 2003 (Sixth Amendment) 2022. Language – English Number of pages – 3
6.	Description of content : The Draft Plant Quarantine (Regulation of Import into India) (Sixth Amendment) Order, 2022 seeks to further liberalize provisions governing import of <i>Echinacea purpureal Echinacea</i> hybrid (cone flower) from Netherlands and <i>Diospyros kaki</i> (Persimmon) from Spain
7.	Objective and rationale : <input type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input checked="" type="checkbox"/> plant protection <input checked="" type="checkbox"/> protect humans from animal/ plant pest or disease. <input checked="" type="checkbox"/> protect territory from other damage from pests.
8.	Is there a relevant International standard ? if so, identify the standard: <input type="checkbox"/> Codex Alimentarius Commission, <input type="checkbox"/> World Organization for Animal Health, (OIE) <input checked="" type="checkbox"/> International Plant Protection Convention: The contents of this notification are based on Pest Risk Analysis (PRA) conducted as per International Standards on Phytosanitary Measures (ISPM) Numbers 2 and 11 of International Plant Protection Convention (IPPC) of FAO. <input type="checkbox"/> None

Does this proposed regulation conform to the relevant international standard?

Yes No

If no, describe, whenever possible, how and why it deviates from the international standard

9. **Other relevant documents and language(s) in which these are available:**
ENGLISH; www.agricoop.nic.in (Circulars and Notifications – Plant Protection – WTO Notifications)

10. **Proposed date of adoption:** Yet to be decided
Proposed date of publication: Yet to be decided

11. **Proposed date of entry into force : This shall come into force on the date of their publication in the official gazette.**

Six months from the date of publication

Trade facilitating measure

12. **Final date of comments :** Sixty days from the date of circulation of the notification and/or : 5th November, 2022 (tentative)

Agency or authority designated to handle comments : **National Notification Authority,** **National Enquiry Point. Address, fax number and e-mail of the authority:** Sh. Parmod Kumar Meherda, Joint Secretary, Plant Protection, Department of Agriculture & Farmers Welfare, Ministry of Agriculture & Farmers Welfare, Room No.299 C, Krishi Bhawan, New Delhi-110011, INDIA. Tele : 91-11-.2338 8756 E-mail : jspp-dac@gov.in

13. Text available from : **National Notification Authority,** **National Enquiry Point. Address, fax number and e-mail of the authority:**

The details can be seen in the website of the Plant Protection Division of the Department of Agriculture, Cooperation & Farmers Welfare Ministry of Agriculture & Farmers Welfare, Government of India viz. www.agricoop.nic.in (Circulars and Notifications – Plant Protection – WTO Notifications- Draft Plant Quarantine (Regulation of import into India) Order, 2003 (Sixth Amendment) 2022 and www.plantquarantineindia.nic.in
Or can be obtained from the National Enquiry Point – Sh. Parmod Kumar Meherda, Joint Secretary, Plant Protection, Department of Agriculture & Farmers Welfare, Ministry of Agriculture & Farmers Welfare, Room No.299 C, Krishi Bhawan, New Delhi-110011, INDIA. Tele : 91-11-.2338 8756 E-mail : jspp-dac@gov.in

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION -3, SUB-SECTION (ii)]

GOVERNMENT OF INDIA
MINISTRY OF AGRICULTURE & FARMERS WELFARE
(DEPARTMENT OF AGRICULTURE & FARMERS WELFARE)

NOTIFICATION

New Delhi, the August, 2022

S.O. (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 further to amend the Plant Quarantine (Regulation of Import into India) Order, 2003, namely:-

1. Short title and Commencement.-
 - (1) This Order may be called the Plant Quarantine (Regulation of Import into India) (Sixth Amendment) Order, 2022.
 - (2) It shall come into force on the date of its publication in the Official Gazette.
2. Amendment of Schedule VI.- In the Schedule VI to the Plant Quarantine (Regulation of Import into India) Order, 2003-

(i) Against serial number 359, relating to *Echinacea purpurea*/ *Echinacea* hybrid (cone flower), the entries in column (4) shall be renumbered as (i) thereof and after the item (i) so renumbered and the entries relating to, the following entries relating to column (4), (5) and (6) shall be inserted namely:

(4)	(5)	(6)
(ii) Netherlands	Certified that the tissue cultured plants were obtained from mother stock tested and maintained free from: 1. Broad bean wilt virus, 2. Cucumber mosaic virus, 3. Impatiens necrotic spot virus, 4. Tomato spotted wilt virus and 5. Tobacco rattle virus	Nil

- (ii) Against serial number 461, relating to *Diospyros kaki* (Persimmon) in column (3) against entry (iii) regarding 'Fresh fruits for consumption, in column (4) against item (i) 'Spain' and entries relating thereto, the existing entries in column (6) shall be substituted, namely:

(6)
a) Pest free area status for <i>Ceratitis spp.</i> as per international standards or b) Pre shipment/ In-transit cold treatment at 0°C or below for 10 continuous days; 0.55°C or below for 11 continuous days; 1.1°C or below for 12

continuous days plus in-transit refrigeration against fruit flies

or

c) Methyl Bromide fumigation @ 32 g/cubic metre for 2 hrs at 21°C or above at NAP or equivalent thereof.

The treatment should be endorsed on Phytosanitary Certificate issued at the country of origin/re-export.

[F.No.8-34/2021-PP.II]

(Pramod Kumar Meherda)

Joint Secretary to the Government of India

Note : The Plant Quarantine (Regulation of Import into India) Order, 2003 was published in the Gazette of India, vide, number S.O. 1322 (E) dated 18th November, 2003, and subsequently amended vide number S.O.167(E), dated 6th February 2004, S.O. 427(E), dated 29th March, 2004, S.O. 644(E), dated 31st May 2004, S.O. 263(E), dated 25th February 2005, S.O. 462 (E), dated 31st March 2005, S.O. 1121 (E), dated 14th July 2006, S.O. 1353 (E), dated 31st July 2006, S.O. 1873 (E), dated 31st October 2006, S.O. 2074 (E), dated 6th December 2006, S.O. 2069 (E), dated 3rd December, 2007, S.O. 3(E), dated 1st January, 2008, S.O. 2847 (E), dated 8th December, 2008, S.O. 2888 (E), dated 15th December, 2008, S.O. 2286 (E), dated 9th September, 2009, S.O. 2390 (E), dated 16th September, 2009, S.O. 3269 (E), dated 23rd December, 2009, S.O. 3298 (E), dated 24th December, 2009, S.O. 907 (E), dated 21st April, 2010, S.O. 2095(E), dated 27th August, 2010, S.O. 2284 (E), dated 15th September, 2010, S.O. 2516 (E), dated 11th October, 2010, S.O. 2711 (E) dated 4th November, 2010, S.O. 3052(E) dated 28th December, 2010, S.O. 887 (E) dated 28th April, 2011, S.O. No. 2845 (E) dated 21st December, 2011, S.O. No.296 (E) dated 17th February, 2012, S.O. 2775(E) 23rd November, 2012 S.O.799(E) dated 21st March, 2013, S.O.1378(E) dated 28th May, 2013, S.O.1531(E) dated 14th June, 2013, S.O.2919(E) dated 26th September, 2013, S.O.1508(E) dated 13th June, 2014, S.O. No.1632(E) dated 27th June, 2014, S.O. No.2320(E) dated 12th September, 2014,S.O. No.2542(E) dated 29th September, 2014, S.O. No.2879(E) dated 11th November, 2014, S.O. No.3114(E) dated 10th December, 2014, S.O. No. 1413(E) dated 26th May, 2015, S.O. No. 2496(E) dated 15th September, 2015, S.O. No. 101(E) dated 13th January, 2016, S.O. No. 608(E) dated 7th March, 2016 S.O. No.1873(E) dated 25th May, 2016, S.O. No.2192(E) dated 20th June, 2016, S.O. No. 2248(E) dated 29th June, 2016, S.O. No.2453(E) dated 5th July, 2016, S.O. No.2614(E) dated 5th August, 2016 and S.O. No.264(E) dated 12th January, 2017, S.O. No. 364(E) dated 3rd February, 2017, S.O. 1344 (E) dated 27th April, 2017, S.O. 1475 (E) dated 8th May, 2017, S.O. 2019 (E) dated 21st June, 2017 and S.O. 2152 (E) dated 6th July, 2017 and S.O. No. 2752 (E) dated 23rd August, 2017, S.O. No. 3293(E) dated 6th October, 2017, S.O. No.3556(E) dated 7th November, 2017 and S.O. No. 4082(E) dated 27th December, 2017, S.O. No. 1248(E) dated 20th March, 2018, S.O. No. 1873(E) dated 10th May, 2018, S.O. No.1930 dated 15th May, 2018, S.O. No. 2059(E) dated 24th May, 2018, S.O. No. 2286(E) dated 4th June, 2018 and S.O. No. 3194(E) dated 29th June, 2018, S.O. No. 3392(E) dated 10th July, 2018, S.O. No. 3998(E) dated 16th August, 2018, S.O. No. 5158(E) dated 3rd October, 2018 and S.O. No. 5830(E) dated 22nd November, 2018 and S.O. No. 6224(E) dated 18th December,

2018, S.O. No.941(E) dated 19th February, 2019 and S.O. No. 1728(E) dated 6th May, 2019, S.O. No. 1817(E) dated 24th May, 2019 ,S.O. No.1954(E) dated 11.06.2019, S.O. No. 2525(E) dated 15th July, 2019 and S.O. No.2603 (E) dated 18th July, 2019 and S.O. No. 3141(E) dated 29th August, 2019; S.O. No. 3594(E) dated 1st October, 2019 and S.O. No.3845(E) dated 24th October,2019 and S.O. No. 4083(E) dated 8th November, 2019 and S.O. 4615 (E) dated 21st December, 2019 and S.O. 352 (E) dated 24th January, 2020 81. S.O. 488 (E) dated 31st January, 2020 82. S.O. 953 (E) dated 2nd March, 20202020 and S.O. No. 1404(E) dated 27th April, 2020, S.O. No.2390(E) dated 20th July, 2020; S.O. No.3646(E) dated 14th October, 2020 and S.O. No.4243(E) dated 17th November, 2020 and S.O. No.681(E) dated 10th February, 2021, , S.O.No.1491(E) dated 7th April, 2021, S.O. No.2511(E) dated 10th June, 2021, S.O. No.2512(E) dated 10th June, 2021, S.O. No.4265(E) dated 13th October, 2021 and S.O.No.1885(E) dated 5th April, 2022 and S.O.No.3777(E) dated 3rd August, 2022.

To

The Manager,
Government of India Press,
Mayapuri, New Delhi.