

File No. L-110110/17/2017-Trade (E-15243)  
भारत सरकार  
Government of India  
मत्स्य पालन, पशुपालन और डेयरी मंत्रालय  
Ministry of Fisheries, Animal Husbandry and Dairying  
पशुपालन और डेयरी विभाग  
Department of Animal Husbandry and Dairying

कृषि भवन, नई दिल्ली -110 001,  
Krishi Bhawan, New Delhi-110 001,  
दिनांक / Dated the 28<sup>th</sup> May, 2021.

**OFFICE MEMORANDUM**

**Subject: Submission of filled in proforma for notifying new NTMs-reg.**

The undersigned is directed to refer to the Standard Operating Procedures for non-tariff measures issued by the National Committee on Trade Facilitation (NCTF) and to enclose filled in proforma for new NTMs: the further amendment in the notification of the Government of India in the Ministry of Agriculture, Department of Animal Husbandry, Dairying and Fisheries number S.O. 2666, dated the 16<sup>th</sup> October, 2014, published in the Gazette of India, Extraordinary, part-II, Section 3, Sub-section (ii), dated the 17<sup>th</sup> October, 2014. The attached draft Notification has already been vetted by the Ministry of Legal Affairs.

2. The comments, if any may please be forwarded to the undersigned within 15 days from the date of issuance of this letter. In absence of receipt of any comments, the said NTM may be notified by publication in the Gazette of India for implementation.

3. This issues with approval of the competent authority.

**Enclosures: As above.**

*Gagan Garg*

(डॉ गगन गर्ग)

(Dr. Gagan Garg)

सहायक आयुक्त (व्यापार)

Assistant Commissioner (Trade)

Email: gagan.garg@nic.in

To,

1. Director (Customs),  
Department of Revenue ([dircus@nic.in](mailto:dircus@nic.in))
2. Director, Trade Policy Division (TPD),  
Department of Commerce ([d2tpd-doc@nic.in](mailto:d2tpd-doc@nic.in)).

Copy to;

- PS to the Joint Secretary (GNS)
- NIC, DAHD with a request to upload on the Department website.

### Proforma for submission of new NTMs

Note: This proforma to be appended with each NTM identified for customs enforcement individually.

<b>Name of issuing agency:</b>		MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING (DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING)
<b>NTM classification per UNCTAD Standard:</b>		Chapter A on Sanitary and Phytosanitary Measures
<b>Submitted date to Director (Customs)/ NCTF:</b>		28 May 2021
<b>#</b>	<b>Questions</b>	<b>Answers by PGAs</b>
1.	<p>Please give (or append) the text of the measure. When is it to enter into force?</p> <p>Please note enforcement of the NTM shall apply only to Bills of Entry filed on the date indicated or subsequent period.</p>	<p>In exercise of the powers conferred by clause (d) of section 2 and section 3A of the Livestock Importation Act, 1898 (9 of 1898), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Agriculture, Department of Animal Husbandry, Dairying and Fisheries number S.O. 2666, dated the 16<sup>th</sup> October, 2014, published in the Gazette of India, Extraordinary, part-II, Section 3, Sub-section (ii), dated the 17<sup>th</sup> October, 2014, namely:-</p> <p>In the said notification, in the Schedule, in paragraph (3), in sub-paragraph (viii), after the proviso, the following proviso shall be inserted, namely:—</p> <p>"Provided further that for the livestock products listed at serial numbers (xix), (xx) and (xxi) of paragraph 1 which are excluded under the first proviso herein, and for the livestock products listed at serial numbers (xxii) and (xxiii)</p>

		<p>of that paragraph, no objection certificate from the concerned Quarantine Officer shall not be required if the authorized officer of manufacturer in exporting country gives a declaration on invoice along with each consignment stating that 'the product has undergone the irreversible process of tanning'.".</p> <p>Date enforcement of the NTM: Only to Bills of Entry filed after date of Notification into Gazette of India.</p>
2	Please identify the NTM category of the measure (Refer Annexure II)	<b>Chapter A on sanitary and phytosanitary measures</b>
3	Please specify as precisely as possible what product or category of products are concerned, using the HS system.	Varieties of leather included in tariff lines under HS 4104 to 4115 which were not considered in amendment notification S.O. 5758 (E), dated 16.11.2018.
4	What is the legal nature of the measure? (regulation, executive order etc.)?	Regulation
5	Is the information contained in the NTM confidential in nature, barring its publication prior entry into force?	No
6	Is the measure accessible to users? How? Is it intended to be available online? If yes, please provide the specific web address.	Regulation will be published on the Departmental website; <a href="http://dahd.nic.in/trade">http://dahd.nic.in/trade</a>
7	What is the legal compliance required of traders (importers or exporters) to be in compliance with the measure?	Sanitary compliance by the exporters
8	How is compliance with the measure verified? Please explain the entire procedure, including each step?	For the purpose, the concerned Department will create a provision / window on Custom's Ice Gate wherein importers could self declare that the authorized officer of manufacturer in exporting country has given a declaration on invoice along with consignment stating that 'the product has undergone the irreversible process of tanning'.".

		Accordingly, the Custom will not refer such Bill of Entries to the concerned Partner Government Agencies (PGAs) i.e. AQCS.
9	Is there a risk management at the border, which allows your agency to selectively interdict incoming/outgoing cargo?	On the basis of above declaration, the Custom will not refer such Bill of Entries of imported cargo to the concerned Partner Government Agencies (PGAs) i.e. AQCS.
10	Is a breach by the trader under the appended NTM remediable? <i>For e.g.:</i> <i>If a good is not labelled, can labelling be allowed pre- clearance?</i> <i>If a registration with some authority was required to be obtained and it is not available at the time of import, could Customs allow the goods to be warehoused pending such registration?</i>	In case of breach by traders, the Custom will refer such Bill of Entries of imported cargo to the concerned Partner Government Agencies (PGAs) i.e. AQCS for examining the veterinary health certificate issued by official authority of exporting country with the consignment, if available.  In the absence of declaration on invoice or veterinary health certificate issued by official authority of exporting country with the consignment, the consignment shall be deported or destroyed.
11	How long, on an average, is it proposed to take to be granted a permit (if applicable)? Is there a transparent, publicly available timeline?	N.A.
12	Was there a consultation process followed prior to entry into force?	Consultation with stakeholders within the country considering OIE Terrestrial Animal Health Code in this regard.
13	Does the measure have a sunset clause?	No
14	Does the NTM, impact an existing measure which is in force? If yes, please identify such measure and explain the impact on the existing measure?	Yes. Presently, the veterinary health certificate issued by official authority of exporting country with each consignment is required for issuance of no objection from AQCS on IceGate Portal.  The self declaration by the importers on IceGate that the authorized officer of

		<p>manufacturer in exporting country has given a declaration on invoice along with consignment stating that 'the product has undergone the irreversible process of tanning.' will facilitate the early clearance of consignments by the Custom itself without referring to the Bill of Entries of imported cargo to the concerned Partner Government Agencies (PGAs) i.e. AQCS. Thereby facilitating the trade for "<b>Ease of Doing Business</b>".</p>
--	--	---

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

GOVERNMENT OF INDIA  
MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING  
(DEPARTMENT OF ANIMAL HUSBANDRY AND DAIRYING)

**DRAFT NOTIFICATION**

New Delhi, the May, 2021.

**S.O. (E).** — In exercise of the powers conferred by clause (d) of section 2 and section 3A of the Livestock Importation Act, 1898 (9 of 1898), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Agriculture, Department of Animal Husbandry, Dairying and Fisheries number S.O. 2666, dated the 16<sup>th</sup> October, 2014, published in the Gazette of India, Extraordinary, part-II, Section 3, Sub-section (ii), dated the 17<sup>th</sup> October, 2014, namely:-

In the said notification, in the Schedule, in paragraph (3), in sub-paragraph (viii), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that for the livestock products listed at serial numbers (xix), (xx) and (xxi) of paragraph 1 which are excluded under the first proviso herein, and for the livestock products listed at serial numbers (xxii) and (xxiii) of that paragraph, no objection certificate from the concerned Quarantine Officer shall not be required if the authorized officer of manufacturer in exporting country gives a declaration on invoice along with each consignment stating that 'the product has undergone the irreversible process of tanning'."

**[F. No. L-110110/17/2017-Trade]**

GIRJA NAND SINGH,  
Joint Secretary

**Note:** The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), *vide* notification number S.O. 2666(E), dated the 17<sup>th</sup> October, 2014 and subsequently amended *vide* notification numbers S.O. 3356(E), dated the 10<sup>th</sup> December, 2015, S.O. 2640(E), dated the 3<sup>rd</sup> August, 2016, S.O. 3112(E), dated the 30<sup>th</sup> September, 2016, S.O. 948(E), dated the 22<sup>nd</sup> March, 2017, S.O. 2486(E), dated the 4<sup>th</sup> August, 2017, S.O. 5758(E), dated the 16<sup>th</sup> November, 2018, S.O. 2679(E), dated the 10<sup>th</sup> August, 2020 and S.O. 4559(E), dated the 16<sup>th</sup> December, 2020.