

File No. L-110109(4)/4/2017-Trade (E-3212)  
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 18<sup>th</sup> December, 2024.

**OFFICE MEMORANDUM**

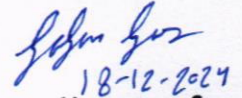
**Subject: Submission of filled in proforma for notifying new NTMs-reg.**

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 amendment in the notification of the Government of India in the Ministry of Agriculture, Department of Animal Husbandry, Dairying and Fisheries number S.O. 3926 (E), dated the 22<sup>nd</sup> September, 2021, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii).

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.

**Enclosure: As above.**

  
18-12-2024

(डॉ गगन गर्ग)

(Dr. Gagan Garg)

उप-आयुक्त (व्यापार)

Deputy Commissioner (Trade)

Email: gagan.garg@nic.in

To,

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

Copy to;

- PPS to the Additional Secretary (VJ).
- 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>	18.12.2024														
<b>#</b>	<b>Question</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 section 3 read with clause (b) of section 2 of the Live-stock Importation Act, 1898 (9 of 1898), the Central Government hereby makes the following amendment in the notification of the Government of India, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 3926 (E), dated the 22<sup>nd</sup> September, 2021, namely:-</p> <p>In the said notification, in the Form-I, for paragraph II relating to sanitary information, after sub-paragraph (viii), the following sub-paragraph shall be inserted, namely:-</p> <p>“(ix) If the dog and cat food products also contain probiotics, the following shall be additionally certified;</p> <p>(a) the dog and cat food products contain active probiotics approved by the importing country, as under;</p> <table border="1" style="width:100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="width:25%;">dog and cat food products (containing animal origin material)</th> <th style="width:45%;">Name of bacteria being used as probiotics along with its source</th> <th style="width:15%;">Concentration</th> <th style="width:15%;">Expiry Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> <p>(b) the probiotics are tested free from other facultative aerobic micro-organisms (including pathogenic) and other contaminants;</p>		dog and cat food products (containing animal origin material)	Name of bacteria being used as probiotics along with its source	Concentration	Expiry Date								
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		<p>(c) the finished dog and cat food products is tested and the facultative aerobic micro-organisms are less than <math>5 \times 10^3</math> per gram or per milliliter of sample (excluding the concentration of used probiotics) by a random sampling of at least five samples from each processed batch taken during or after storage at the processing plant;</p> <p style="text-align: center;">OR</p> <p>in case the concentration of micro-organisms is higher, a process demonstrated to be of equivalent efficacy (to be approved by Indian authority in advance);</p> <p>(d) The probiotics are not intended to be used as drug/medicinal purpose.</p> <p>Bills of Entry filed after date of Notification into Gazette of India, for which the proposed amended NTM has been annexed with Sanitary Import Permits, to be issued by DAHD.</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.	Dog and cat food products (containing animal origin material) under the ITC-HS Code 23091000.
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	Sanitary compliance by the exporters

	<p>legal compliance required of traders (importers or exporters) to be in compliance with the measure?</p>	
8	<p>How is compliance with the measure verified? Please explain the entire procedure, including each step?</p>	<p>Exporting country will issue the Veterinary Health Certificate for Import of Dog and Cat Food Products into India (Form-I of appended draft Notification) duly certified by the official authority of exporting country, along with each consignment. Same has to be uploaded on Custom's Ice Gate by the importers while filing Bill of Entry.</p> <p>Regional Officer / Quarantine Officer, Animal Quarantine and Certification Services will verify the certificate for compliance.</p>
9	<p>Is there a risk management at the border, which allows your agency to selectively interdict incoming/ outgoing cargo?</p>	<p>Yes.</p>
10	<p>Is a breach by the trader under the appended NTM remediable? For e.g.: <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></p>	<p>In the absence of Veterinary Health Certificate for Import of Dog and Cat Food Products into India issued by official authority of exporting country with the consignment, the consignment shall be deported or destroyed.</p>
11	<p>How long, on an average, is it proposed to take to be granted a permit (if applicable)? Is there a transparent,</p>	<p>Sanitary Import Permit to be issued by DAHD (approx. 15 days).</p>

	publicly available timeline?	
12	Was there a consultation process followed prior to entry into force?	N.A.
13	Does the measure have a sunset clause?	N.A.
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. It will facilitate the import of Dog and Cat Food Products with probiotics.

[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, December, 2024.

**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 amendment in the notification of the Government of India, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), *vide* number S.O. 3926 (E), dated the 22<sup>nd</sup> September, 2021, namely:—

In the said notification, in the Form-I, for paragraph II relating to sanitary information, after sub-paragraph (viii), the following sub-paragraph shall be inserted, namely:—

“(ix) If the dog and cat food products also contain probiotics, the following shall be additionally certified;

(a) the dog and cat food products contain active probiotics approved by the importing country, as under;

dog and cat food products (containing animal origin material)	Name of bacteria being used as probiotics along with its source	Concentration	Expiry Date

(b) the probiotics are tested free from other facultative aerobic micro-organisms (including pathogenic) and other contaminants;

(c) the finished dog and cat food products is tested and the facultative aerobic micro-organisms are less than  $5 \times 10^3$  per gram or per milliliter of sample (excluding the concentration of used probiotics) by a random sampling of at least five samples from each processed batch taken during or after storage at the processing plant;

OR

in case the concentration of micro-organisms is higher, a process demonstrated to be of equivalent efficacy (to be approved by Indian authority in advance);

(d) The probiotics are not intended to be used as drug/medicinal purpose.

[[F.No. L-110109(4)/4/2017-Trade (E-3212)]]

Varsha Joshi,  
Additional 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. 3926 (E), dated the 22<sup>nd</sup> September, 2021.