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GAIN Report

Global Agricultural Information Network

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POLICY

Voluntary Public

Date: 7/19/2016

GAIN Report Number: IN6095

India

Post: New Delhi

GOI Notification for Poultry and Poultry Product Imports

Report Categories:

Poultry and Products

Sanitary/Phytosanitary/Food Safety

FAIRS Subject Report

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Report Highlights:

On July 8, 2016, the Department of Animal Husbandry, Dairying and Fisheries notified requirements for poultry and poultry product imports from countries reporting an outbreak of Highly Pathogenic Avian Influenza or Low Pathogenic Avian Influenza. To date, this notification has not been notified to the World Trade Organization.

General Information:

Disclaimer: The information contained in this report was retrieved from the Government of India (GOI) website: <http://dahd.nic.in/dahd/trade.aspx>. The Office of Agricultural Affairs and/or the U.S. Government make no claim of accuracy or authenticity. The summary below is based on a *cursory* review of the subject announcement and, therefore, should not under any circumstances be viewed as a definitive interpretation of the regulation in question, or of its implications for U.S. agricultural trade interests.

On April 21, 2016, the Department of Animal Husbandry, Dairying and Fisheries (DAHDF) notified draft requirements for poultry and poultry product imports from countries reporting an outbreak of Highly Pathogenic Avian Influenza (HPAI) or Low Pathogenic Avian Influenza (LPAI) to the WTO (Please see [IN6059](#)). After reviewing comments, on July 8, 2016, the Department of Animal Husbandry, Dairying, and Fisheries (DAHDF) published a gazette notification for poultry and poultry product imports from countries reporting avian influenza. The final notification introduces some new language and modifies texts in comparison to the draft notification. For example, the final notification modifies text for the definition of ‘poultry products’ in paragraph 1 (f) and inserts an additional criteria for determination of avian influenza status in paragraph 2-2(d). To date, this notification has not been notified to the World Trade Organization.

The final notification is available online at <http://dahd.nic.in/dahd/trade.aspx> or can be directly accessed at [Import of Poultry and Poultry Products into India in view of Outbreak of Avian Influenza](#).

Final details on the Notification:

Type of Regulation: Final

Date of Notification: July 8, 2016 (Date of publication of Gazette Notification)

Date of Implementation: July 8, 2016 (Date of publication of Gazette Notification)

WTO Notification Date: Not notified (as of July 18, 2016)

Products Affected: Poultry and Poultry Products

Agency in Charge: Department of Animal Husbandry, Dairying and Fisheries, GOI

MINISTRY OF AGRICULTURE AND FARMERS WELFARE

(Department of Animal Husbandry, Dairying and Fisheries)

NOTIFICATION

New Delhi, the 8th July, 2016

S.O. 2337(E).—In exercise of the power conferred by sub-section (1) of section 3 and Section 3A of the Livestock Importation Act, 1898 (9 of 1898) and in supersession of the notification of the Government of India in the Ministry of Agriculture (Department of Animal Husbandry, Dairying and Fisheries) published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 1663(E), dated the 19th July, 2011, except of respect things done or omitted to be done before such supersession, the Central Government taking into consideration the requirements under the World Trade Organization Agreement on Sanitary and Phytosanitary Measures and the Terrestrial Animal Health Code of World Organization for Animal Health, hereby makes the following provisions to regulate the import of poultry and poultry products ; namely, -

1. Definitions- In this notification, unless the context otherwise regulates-

- (a) “avian influenza” means avian influenza as defined in the Terrestrial Animal Health Code of World Organization for Animal Health.
- (b) “country, zones and compartment” means the country, zones and compartments as defined in the Terrestrial Animal Health Code of World Organization for Animal Health.
- (c) ‘notifiable avian influenza’ means avian influenza as defined in the Terrestrial Animal Health Code of World Organization for Animal Health.
- (d) “pest- or disease-free areas and areas of low pest or disease prevalence” means the pest or disease free areas as defined in the World Trade Organization Agreement on Agreement on Sanitary and Phytosanitary Measures;
- (e) “poultry” means all domesticated birds, including backyard poultry, used for the production of meat or eggs for consumption, for the production of other commercial products, for restocking supplies of game, or for breeding these categories of birds, as well as fighting cocks used for any purposes.
- (f) “poultry products” means the produce of the poultry as defined in clause (e) and includes hatching eggs, eggs for human consumption, egg products, poultry semen, meat and meat products of poultry, feathers and down of poultry, except processed poultry and poultry products in accordance with the Terrestrial Animal Health Code of World Organization for Animal Health.

2. Import of poultry and poultry products upon occurrence of avian influenza-

- (1) The import of poultry and poultry products into India shall be allowed from the country, zone or compartment free from avian influenza in accordance with the Terrestrial Animal Health Code of World Organization for Animal Health and subject to fulfilment of requirements in paragraph 3 of this notification.
- (2) The avian influenza status of a country, zone or compartment shall be determined on the basis of the following criteria, namely:-
 - (a) Avian influenza is notifiable in the whole country; an ongoing avian influenza awareness programme is in place; and all notified suspect occurrences of avian influenza are subjected to field and, where applicable, laboratory investigations;
 - (b) appropriate surveillance is in place to demonstrate the presence of infection in the absence of clinical signs in poultry, and the risk posed by birds other than poultry; which may be achieved through an avian influenza surveillance programme maintained in accordance with the Terrestrial Animal Health Code of World Organization for Animal Health; and
 - (c) considering all epidemiological factors for avian influenza occurrence and their historical perspective.
 - (d) most recent status of the exporting country/ zone/ compartment as reported in World Organization for Animal Health.
- (3) A country, zone or compartment may be considered free from avian influenza when it has been shown that infection with avian influenza viruses in poultry has not been present in the country, zone or compartment for the past twelve months, based on surveillance in accordance with the Terrestrial Animal Health Code of World Organization for Animal Health.
- (4) If infection has occurred in poultry in a previously free country, zone or compartment, avian influenza free status can be regained,-
 - (a) In the case of infections with high pathogenicity avian influenza viruses, three months after a stamping-out policy (including disinfection of all affected establishments) is applied, provided that surveillance in accordance with the provisions of the Terrestrial Code of World Organization of Animal Health has been carried out during that three-month period.
 - (b) In the case of infections with low pathogenicity avian influenza viruses, poultry may be kept for slaughter for human consumption subject to conditions specified in the Terrestrial Code of World Organization of Animal Health or a stamping-out policy may be applied and in either case, three months after the disinfection of all affected establishments, providing that surveillance in accordance with the Terrestrial Code has been carried out during that three-month period.

3. Recognition of Pest or Disease-Free Areas and Areas of Low Pest or Disease Prevalence-

- (i) The adaptation to the sanitary and phytosanitary characteristics of the area of the exporting country and the determination of pest or disease free areas and areas of low pest or disease prevalence shall be made in accordance with the requirements of the World Trade Organization Agreement on Sanitary and Phytosanitary Measures and the guidelines issued by the Central Government.
 - (ii) For recognition of pest or disease free areas and areas of low pest or disease prevalence, the appropriate authority of the exporting country shall make a written request along with necessary evidence to the Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture and Farmers Welfare in the Government of India.
4. This notification shall come into effect from the date of its publication in the Official Gazette.

[F. No. 109-33/2009-Trade]

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