

The Vegetable Oil Products Production and Availability (Regulation) Order 2011

UNION OF INDIA

India

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Rule

THE-VEGETABLE-OIL-PRODUCTS-PRODUCTION-AND-AVAILABILITY of 2011

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The Vegetable Oil Products Production and Availability (Regulation) Order 2011Published vide Notification New Delhi, the 7th September, 2011Ministry of Consumer Affairs, Food And Public Distribution(Department of Food and Public Distribution)G.S.R. 664(E). - In exercise of powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955) and in supersession of the Vegetable Oil Products (Regulation) Order, 1998, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following Order, namely:-

1. Short title, extent and commencement.

(1)This Order may be called the Vegetable Oil Products Production and Availability (Regulation) Order, 2011.(2)It shall come into force on the date of its publication in the Official Gazette.

2. Definitions.

- In this Order, unless the context otherwise requires -(a)"Act" means the Essential commodities Act, 1955 (10 of 1955);(b)"Appellate Authority" means the appellate authority designated for the purposes of this Order by the Central Government and referred to under clause 5;(c)"Chief Director" means such officer, or officers appointed by the Central Government to exercise any or all of the powers under this Order;(d)"de-oiled meal" means the residual material left over when oil is extracted by a solvent from any oil-bearing material;(e)"Directorate" means the Directorate of Vanaspati, Vegetable Oils & Fats;(f)"producer" means a person engaged in the business of producing any vegetable oil product or any solvent-extracted oil, or de-oiled meal, either in his own factory or

in the factory of any other person, acting on his behalf;(g)"vegetable oil" means oil produced from oilcake or oilseed or oil-bearing material of plant origin and containing glycerides;(h)'vegetable oil product' means any vegetable oil in its crude form, or subjected to any process like filtration, centrifugation, refining (including neutralisation, bleaching using bleaching earths and deodourisation), interesterification, hydrogenation, fractionation, winterisation, emulsification with water or any other process notified by the Government from time to time or oilcakes produced from mechanical expellers or rotary machines and de-oiled meal produced from solvent extraction of oil bearing materials.(i)"Schedule" means a Schedule appended to this Order;(j)"registration certificate" means the registration granted to a producer under clause 4;(k)Words and expressions used but not defined in this Order and defined in the Essential commodities Act, 1955 or the Food Safety and Standards Act, 2006 or rules or regulations made thereunder, shall have the meanings assigned to them in that Act or rules or regulations, as the case may be, respectively.

3. Registration.

(1)On and from the date of commencement of this Order, a producer who intends to produce, stock for sale or offer for sale vegetable oil, vegetable oil product, solvent extracted oil, de-oiled meal or edible flour shall make an application to the Chief Director as specified in the Schedule-I, and obtain a registration certificate as specified in Schedule (II).(2)the Chief Director may, after making necessary enquiries, as he deems fit, issue the registration certificate as specified in Schedule-II to the applicant; or reject the application, for reasons to be recorded in writing.

4.

Any person engaging in the business of producing, stocking for sale, selling, or offering for sale vegetable oil product or any solvent-extracted oil, de-oiled meal or edible flour in violation of Clause 3 shall be punishable with a fine under the provisions of the Act.

5. Cancellation of Registration.

- The Chief Director may, after giving the producer an opportunity of being heard, cancel any registration granted to him under this Order for any contravention of the provisions of this Order.

6. Appeal.

- Any person who is aggrieved by the order of fine under clause 4 or cancellation of registration under clause 5 may make an appeal to the Appellate Authority appointed by the Central Government against such order within a period of thirty days of the receipt of such order and the decision of the Appellate Authority shall be final.

7.

The Central Government may, in public interest, for reasons to be recorded in writing, in specific circumstances and for a specified period, relax any or all of the requirements specified in this order for such manufacture, stocking or sale of any variety of vegetable oil products.

8.

The Chief Director may, having regard to the availability of vegetable oils and all other relevant factors, prescribe the maximum or minimum limit of usage of any vegetable oil in the production of any or all of the vegetable oil products which may be subject to any condition as may be specified by the him from time to time.

9.

Every producer shall furnish monthly return to be furnished by the seventh day of the succeeding month to the Chief Director in respect of -(a)each vegetable oil received and consumed by the processing unit as raw material and each vegetable oil product manufactured, sold or imported, or exported during the past one month in a form specified by the Chief Director from time to time.(b)the stocks held, and the quantities and varieties of solvent-extracted oil, de-oiled meal or edible flour or all of them, as the case may be, manufactured or dispatched by him during the preceding one month;(c)the stocks held, and the quantities and varieties of oil-bearing materials and of solvent used during the preceding one month;(d)the names and addresses of the producer registered under this order to whom each variety of solvent extracted oil, that is "semi-refined", "raw grade 1", "raw grade 2", was dispatched during the period and the quantities so dispatched;

10. Power to call for information and entry and carry out inspection in that regard.

- The Chief Director may enter and inspect or cause to enter and inspect any premises, any record relating to the production, supply, distribution, import and export of vegetable oil products including the purchase of raw materials used in their production vehicles or vessels and seize the stocks of vegetable oil products, in respect of which he has reason to believe that the value of actual production or sale are not commensurate with the returns and the data filed with the Directorate and every producer shall be bound to furnish all such information to the Chief Director.

11.

(1)Every sale or movement of stocks of solvent-extracted oil by the producer thereof shall be a sale or movement of stocks directly to a producer registered under this Order or under any other law for the time being in force.(2)No person shall produce, stock for sale, or sell or offer for sale, de-oiled meal intended for use as a livestock feed, unless such de-oiled meal conforms to the standards of quality for the appropriate de-oiled meal specified in the Schedule-III and the requirements as

attached in the Table thereto.

12.

Every producer shall display a declaration, in a type-size of not less than 50 mm, for any oil not conforming to the standards of quality defined under any other law for the time being in force for "refined" grade solvent extracted oils in the following manner:-(a)"NOT FOR DIRECT EDIBLE CONSUMPTION", in the case of oils complying with the requirements for the "semi-refined" or "raw-grade 1" grades of oil specified under any other law for the time being in force(b)"FOR INDUSTRIAL NON-EDIBLE USES ONLY", in the case of oils not complying with the requirements under item (a);(c)the name and business particulars of the producer;(d)the license number held by the producer or the registration number of the registered user, as the case may be:(e)net weight of the contents in the container;(f)batch number, month and year of manufacture:[Provided that where solvent extracted oils is transported in bulk in rail tank-wagons or road tankers, or where de-oiled meal is transported in bulk either for storage in silos or transferred to ship for bulk shipment, it shall be sufficient if the aforesaid particulars are furnished in the accompanying documents:Provided further that every particular or declaration required under sub-clause (a) shall be either printed on the label affixed to the container or lithographed or stenciled thereon with indelible ink and, unless otherwise provided in this Order, shall be in a type-size of not less than 3 mm.]

I

[See Clause 3 (1)]Application for registration under the 'Vegetable Oil Products Production and Availability (Regulation) Order, 2011'.ToThe Chief Director,Directorate of Vanaspati, Vegetable Oils and Fats,

5th. Floor, Block 2, C.G.O. Complex,

Lodhi Road, New Delhi-110003.Sir,I/We

_____ (Name and address of the applicant) request that I/We may be registered under the Vegetable Oil Products Production and Availability (Regulation) Order, 2011.

1. Name and address (location) of the Unit:

District: State: PIN:

2. Item of manufacture and annual installed capacity:

S. No.	Vegetable Oil Product	Date of installation of Manufacturing unit	Annual installed capacity in metric tonnes
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3. Registration/License Number under Food Safety and Standards Act, 2006:

(Copy to be enclosed)

4. Details of plant and machinery : (Attach separate sheet if required)

I/we hereby certify that the above statement is true and correct to the best of my/our knowledge and belief. I/We hereby undertake to comply with all the provisions of the Vegetable Oil Produces Production and Availability (Regulation) Order, 2011. PlaceDateSignature of the applicant(Full particulars of the Applicant i.e.Name and designation etc. in block letters)

II

[See Clause 3 (2)]Government of IndiaMinistry of Consumer Affairs, Food and Public Distribution (Department of Food and Public Distribution) Directorate of Vanaspati, Vegetable Oils and FatsRegistration CertificateThis is to certify that M/s is hereby registered under 'Vegetable Oil Products Production and Availability (Regulation) Order, 2011' with this Directorate and is allotted the below mentioned Registration Number :-No. Datefor the factory located at for manufacture of the following products :-

Items Annual Installed capacity(in Metric Tonnes)

(i)

(ii)

(iii)

Dated:(.....)Chief Director

III

[See Clause 11 (2)]Standards of quality for de-roiled meal

1. The de-oiled meal shall be obtained by extraction of oil by means of a solvent from :

(a)one of the under-mentioned oilseeds, or the oilcake obtained by mechanical expression of oil from the said oilseeds,

namely:-(i)Coconut.(ii)Cottonseed.(iii)Groundnut.(iv)Linseed.(v)Nigerseed(vi)Safflower(vii)Sunflower seed(viii)Sesame seed(ix)Mustard/rapeseed, or(x)any other oil-bearing material or oilcake that may be notified by the Government from time to time;(b)soyabean;(c)rice bran, that is, the pericarp of bran layer of rice obtained by the process of milling of rice.

2. The de-oiled meal shall be subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and remove traces of solvent.

3. It shall be free from harmful constituents, castor cake or husk and mahua cake. It shall also be free from rancidity, adulterants, insect or fungus infestation and from musty odour.

4. It shall comply with the requirements specified against each in the Table given below:-

Table Requirements for de-oiled meals

De-oiled Meal	Moisture percent by weight maximum	Crude protein (nitrogen X 6.25) percent by weight, minimum	Crude fat or ether extract per cent by weight maximum	Crude fibre per cent by weight maximum	Acid insoluble ash percent by weight maximum
(i) Coconut	12	21	1.5	15	2.0
(ii) Cotton seed	10	40	2.0	18	2.5
(iii) Ground nut	10	47	1.5	12	2.5
(iv) Lin seed	10	29	1.5	11	2.5
(v) Rice-bran	10	14	1.5	16	10.0
(vi) Niger seed	9	35	1.0	18	1.5
(vii) Safflower-					
(a) decorticated	10	34	1.5	24	1.5
(b) Un-decorticated*	10	20	1.5	35	2.0
(viii) Sesame	10	47	1.5	7	1.5
(ix) Sunflower seed	10	30	1.5	30	2.5
(ix) Mustard/rapeseed	10	37	5.0	8	1.5
(xi) Soyabean	12	48	1.5	6	1.5

*On moisture free basis