

The Vegetable Oil Products Control Order, 1947

UNION OF INDIA

India

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Rule THE-VEGETABLE-OIL-PRODUCTS-CONTROL-ORDER-1947 of 1947

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The Vegetable Oil Products Control Order, 1947Published vide Notification Gazette of India, (Extraordinary), vide Notification No. 2, V.P. (2) 41, dated 19.8.1947Last Updated 26th July, 2019In exercise of the powers conferred by sub-section (1) of Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) and in supersession of the Vegetable Oil Products Control Order, 1946, the Central Government is pleased to make the following Order:

1.

(i)This Order may be called the Vegetable Oil Products Control Order, 1947.(ii)It extends to the whole of India [* * *] [Words 'except the State of Jammu and Kashmir' shall be omitted by Notification No G.S.R. 885 (E), dated 12th December, 1983.](iii)It shall come into force at once.

2.

In this Order unless there is anything repugnant in the subject or context,-(a)"controller" means person appointed as the Vegetable Oil Products Controller for India by the Central Government and includes any person authorised by the Controller to exercise all or any of the powers of the Controller under this Order;(b)"dealer" means a person carrying on business in the purchase, or distribution of any vegetable oil product;(c)"produce" means a person carrying on the business of manufacturing any vegetable oil product;(d)"recognised dealer" means a dealer recognised as such by the Controller for the purposes of this Order;(e)["Vegetable Oil Product" means any vegetable oil subjected to a process of hydrogenation or interesterification or partial hydrogenation and winterisation in any form or an admixture thereof with any other substance for edible purposes or by any other process declared by the Central Government by notification meant for edible purposes.] [Substituted by Notification No. G.S.R. 138 (E), dated March 15, 1995.]

3. [[Substituted by Notification No. G.S.R. 138 (E), dated March 15, 1995.]

(1)After such date as the Controller may notify in this behalf, no producer shall produce any vegetable oil product unless such producer has made an application in the Form specified in the First Schedule appended to the Controller for obtaining registration certificate.(2)On receipt of the application the Controller may call for such other particulars as it may deem necessary for arriving at a decision and the applicant shall be bound to furnish the same within such period as may be specified by the Controller in this behalf.(3)After making such inquiries as it may deem fit, the Controller shall make the registration and issue the registration certificate to the applicant in the Form specified in the Second Schedule appended to the said Order.]

4.

(1)The Controller may, by general or special order prohibit or restrict the manufacture, stock or sale,-(a)of any variety or quality of vegetable oil product; or(b)of any vegetable oil product in excess of such, quantity as may be specified therein;and no person to whom such Order applies shall manufacture, stock or sell any vegetable oil product in contravention thereof.(2)Every producer shall, furnish the Controller with such details regarding,-(a)the quantities and varieties of vegetable oil products manufactured by him; and(b)the ingredients used in their manufacture and the sources from which the ingredients are obtained, as the Controller may require.

4A. [[Inserted by Notification No. G.S.R. 1340, dated 14.9.1971.]

The Controller may, by general or special order, direct any producer to manufacture or not to manufacture such qualities or varieties of vegetable oil products as may be specified in the Order, and prescribe the minimum quantity of any quality or variety of vegetable oil product which each such producer shall manufacture during such period as may be specified in the said Order;Provided that in making an order under this clause, the Controller shall have regard to,-(a)the capacity of the producer to manufacture vegetable oil products;(b)the availability of raw oils;(c)the need to maintain supplies of vegetable oil products, with reference to the requirements of such products in different parts of the country; and(d)any other relevant factor.]

4B. [[Inserted by G.S.R. 464 (E), dated 22.8.1972.]

(1)The Controller may, having regard to the availability of vegetable oil in any region and all other relevant factors, prescribe the maximum or minimum limits of usage of any vegetable oil in the manufacture of vegetable oil product in that region.Explanation. - For the purposes of this clause, "region" means a region specified in the Table appended to this Order.(2)No producer shall use any vegetable oil in respect of which maximum or minimum limits of usage have been prescribed under the maximum limit than the minimum limit, so prescribed.]

5.

(1)Every producer and every recognised dealer shall comply with such directions regarding the sales, stocks and distribution of vegetable oil products and the maintenance of records relating to the same] as may from time to time be given to him by the Controller.(2)[Every producer and every dealer shall furnish the Controller with such details regarding the quantities and varieties of vegetable oil products produced, stocked or sold by him with the price at which they were sold, during any period as the Controller may require.] [Substituted by Notification No. G.S.R. 463 (E), dated 31.7.1981.]

6.

(1)The Controller may from time to time by notification in the Official Gazette fix with the prior concurrence of the Central Government, the maximum prices at which vegetable oil products may be sold and the prices fixed may be different in different localities and for different classes of transactions.(2)No person shall buy or sell, or agree to buy or sell any vegetable oil product at a price exceeding the maximum fixed under sub-clause (1).(3)Where in respect of any vegetable oil product a maximum price has been fixed under sub-clause (1) no such vegetable oil product shall be delivered or accepted in pursuance of an agreement entered into before such fixing of maximum price and providing for the payment of a price higher than that maximum unless the agreement is so revised as to substitute for the price originally agreed a price not exceeding the maximum fixed under sub-clause (1).

7.

(1)The Controller may from time to time,-(a)allot, with the prior concurrence of the Central Government, quotas of vegetable oil products for the requirements of any specified Province, area or market;(b)issue directions to any producer or dealer to supply vegetable oil products to such Province, areas or markets, in such quantities of such types or varieties, at such times, at such prices and in such manner, as may be specified in the direction; and(c)require any producer or recognised dealer to keep in reserve stocks of vegetable oil products in such quantities and of such types and varieties as he may direct from time to time.(2)Every producer and every dealer shall, notwithstanding any pre-existing agreement, give priority to, and comply with, the directions issued to him under sub-clause (1).

8.

[* * *] [Omitted by G.S.R. 138 (E), dated March 15, 1995.]

8A.

The Controller may enter upon and inspect and search any premises, vehicles or vessels and seize any stocks of vegetable; oil products in respect of which he has reason to believe that a

contravention of any of the provisions of this Order has been or is being or is to be committed.

9.

Any Court trying a contravention of this Order may, without prejudice to any other sentence which it may pass, direct that any stock of vegetable oil produced in respect of which it is satisfied that this Order has been contravened, together with the receptacles in which the stock is contained.

10.

Notwithstanding the supersession of the Vegetable Oil Products Control Order, 1946, all notifications, orders and directions issued thereunder shall so far as they are not inconsistent with this Order, be deemed to have been made here under and they shall continue in force until rescinded or modified hereunder.

11.

Any law in force in any Part B State except the State of Jammu and Kashmir, corresponding to this Order by whatever name called, is hereby repeated.

12.

All Notifications, directions and orders issued under this Order which immediately before the 25th of November, 1950 were in force in certain parts of India are hereby extended to and shall be in force in the rest of India except the State of Jammu and Kashmir.

13.

The Controller may enter and inspect any place where Vegetable Oil Products are manufactured, stored or exposed for sale, and take samples of such articles for examination.

13A.

The Controller may, with a view to securing compliance with this Order, inspect or cause to be inspected any books, accounts or other documents relating to the production, supply and distribution of, or the trade and commerce in, vegetable oil products, including the purchase of raw materials used in the production thereof.

13B.

Every producer and every dealer shall, when so directed by the Controller, produce such books, accounts and other documents and furnish such information relating thereto as may be required by the Controller.

14.

(1)The Controller may, by general or special order-(i)prohibit the stock or sale (other than in loose form) of any vegetable oil product, unless such vegetable oil product is packed in containers of such type, size and description and in such net quantity, as may be specified therein;(ii)specify the ratio of the quantity of vegetable oil product to be packed by any producer in any specified size or sizes of tin containers to his total production of vegetable oil product during any calendar month.(2)Every container in which vegetable oil product is packed shall, at the time of sale by the producer or dealer, bear the following particulars in English or Hindi (Devnagri script)-(i)the name, trade name, if any, or description of the vegetable oil product;(ii)a declaration in the following words "made from vegetable oils only" in a type size of not less than 12.5 mm. with names of individual oils contained therein in type size of not less than 3 mm.: [Provided that the declaration regarding type-size of the words shall not be applicable in which vegetable oil products are packed in quantities of 500 gram, 200 gram and 100 gram. However these sizes shall have type-size of the word as specified in Clause 7 of the Standards of Weights and Measures (Packaged Commodities) Rules, 1977.] [Inserted by G.S.R. 138 (E), dated March 15, 1995.];(iii)the name and business particulars of the manufacturer,(iv)where any vitamin or permissible colouring or flavouring agent has been added in the product, a declaration to the effect that it contains the relevant vitamin, permissible colouring or flavouring agent, as the case may be: Provided that no such declaration shall be made in the case of Vitamin D, unless a minimum 2 I.U. of that vitamin has been added per gramme of the product;(v)where any antioxidant or synergist or emulsifying agent or any other substance has been added in the product, the name and percentage thereof;(vi)the net weight of the contents of the container;(vii)the batch number, month and year of manufacture;(viii)[Indian Standard Institution Certification Mark specified under the Indian Standard Institution (Certification Mark) Act, 1952 (Central Act 26 of 1952)] [Inserted by G.S.R. 551 (E), dated 4.7.1985.].(3)Every particular or declaration required under sub-clause (2) shall be either printed on the label affixed to the container or lithographed thereon and unless otherwise provided in this Order shall be in a type size of not less than 3 mm.: Provided that in the case of particulars relating to the batch number, month and year of manufacture it shall be sufficient if such particulars are affixed by means of a rubber stamp on the label or embossed or stamped with indelible ink on the top or bottom of the container.

15.

Every dealer in vegetable oil products shall display a signboard in a prominent place in the premises where the product is sold, so as to be clearly visible to the purchaser indicating in one or more languages commonly spoken in the locality where those premises are situated that vegetable oil product is sold in the premises.[The Table] [Inserted by G.S.R. 464 (E), dated 22.8.1972.](See Clause 4-B)The Region specified in column (1) shall comprise the territories specified in the corresponding entries in column (2)-

(1)	(2)
Northern Region	The States of Haryana, Punjab, Rajasthan and Uttar Pradesh, and the Union Territory of Delhi.

Southern Region The States of Andhra Pradesh. Kerala, Mysore, and Tamil Nadu.

Eastern Region The States of Bihar, Orissa and West Bengal.

Western Region The States of Gujarat. Madhya Pradesh and Maharashtra).

[First Schedule] [Inserted by G.S.R. 138 (E), dated March 15, 1995.][See Clause 3, sub-clause (1)]Application for registration under the Vegetable Oil Products Control Order, 1947To,The Controller,Directorate of Vanaspati, Vegetable Oils and Fats.....Sir,I/We..... (Name and address of the producer) request that I/we may be registered under the Vegetable Oil Products Control Order, 1947.

1. Name and address (location) of the unit.

2. IBM/Licence No. under IDR Act/SSI Regd. No.

3. Annual installed capacity in MT of Vegetable Oil Products.

4. (i) Whether the unit is equipped with equipments for manufacturing Vegetable Oil Products and an analytical laboratory to carry out the test specified in the schedules to the Vegetable Oil Products (Standards of Quality) Order, 1975.

(ii)If so, the details thereof.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 Products Control Order. 1947 as well as with any order or direction made under the said Order.

Place Signature of the Applicant

Date (Name and designation in block letters)

Second Schedule[See Clause 3, sub-clause (3)]Registration under the Vegetable Oil Products Control Order, 1947Registration No..... date.....Subject to the provisions of the Vegetable Oil Products Control Order, 1947 and to the terms and conditions specified below, Shri/Ms..... (Name and address of the producer) is hereby registered to manufacture..... (Particulars of Vegetable Oil Products) at..... (Location of the Unit).Terms and ConditionsThe holder of the registration shall-(1)comply with the provisions of the Vegetable Oil Products Control Order, 1947 as well as with any order or direction made under this Order;(2)render all necessary facilities to the Controller or any person authorised by the Controller to ensure compliance;(3)furnish periodic returns required under this Order;(4)comply with any other condition which may be imposed by the Controller.

Dated Signature of the Controller or anyperson authorised by the Controller.