

**Government of India
Ministry of Commerce and Industry
Department of Commerce**

Public Notice

New Delhi, Dated the 10th July, 2024

Sub: Procedure for control of contamination of residues of pesticides in sesame seeds for export to United States of America (USA).

Department of Commerce received a request from Indian Oil Seeds and Produce Export Promotion Council (IOPEPC) to introduce a procedure for export of sesame seeds as like the procedure introduced for the export of sesame seeds to European Union (EU) countries vide DGFT Notification No. 37/2015-20 dated 03rd February, 2016.

2. This Department intends finalize the procedure for control of contamination of residues of pesticides in sesame seeds for export to United States of America (USA) and introduce for the initial period of one year.

3. Suggestions/feedback are invited from the stakeholders and members of general public on the **draft procedure for control of contamination of residues of pesticides in sesame seeds for export to United States of America (USA)**. Comments/Suggestions may be shared to this Department through email at moc_epagri@nic.in on or before **12th August, 2024 at 4.00 pm**.



Shri M. Backiyavelu
Deputy Director General of Foreign Trade
Department of Commerce
E-4012, Vanijya Bhawan
New Delhi – 110001.

PROCEDURE FOR CONTROL OF CONTAMINATION OF RESIDUES OF PESTICIDES IN SESAME SEEDS FOR EXPORT TO UNITED STATES OF AMERICA (USA)

Preamble

Sesame is cultivated in over 60 countries of the world. Asian and African countries are the major producers of sesame. With an annual production of 0.6-0.8 million tonnes, India is the largest producer of sesame seeds on a global basis. By contributing nearly 25% to the international trade, India has also attained the status as one of the largest exporters of sesame seeds in the world.

Sesame is grown in several states of India. It is cultivated in both *kharif* and *rabi* seasons and accordingly the time of harvest and type/quality of seed varies with the states. All types i.e., off-white, black, yellow, brown-black are grown in India.

Out of the total export of oilseeds from India, in value terms Sesame seeds exports constitute about 31% which is a huge share.

While China is the largest importer of sesame seeds in the world, the Korean Republic, Vietnam, Taiwan, USA, EU, Malaysia, Russia, and Iran are the top ten export destinations for the Indian sesame seeds.

IOPEPC has the mandate for Export promotion of Oils & Oilseeds from India and is designated Export Promotion Council under Ministry of Commerce, Government of India notified vide its Public notice no 38/2015-20 dated 1st October 2015. IOPEPC acts as a Competent authority (CA) for Indian Sesame Seeds exported to EU. Presently, IOPEPC is responsible to implement Standard operating procedure (SOP) for sesame seeds intended for export to EU. All Sesame Seeds export consignments intended for EU must mandatorily get Certificate of Export (COE) issued from IOPEPC prior to export. IOPEPC also issues Health certificate for Sesame seeds intended for export to EU.

Recently, information was received by IOPEPC from its members that some Indian Sesame seeds consignments exported to United State of America (USA) were detected with pesticides residue at destination by US FDA. This resulted in India Sesame seeds cargoes being under detention at USA destination port for further action.

USA is an important export market for Indian Sesame seeds of around 25000 to 30000 mts. It is one of the most quality conscious markets in the world. Detection of pesticide residue in Indian Sesame seeds not only affects the brand image of India in the USA as a quality supplier of food products safe for human consumption but discourages other potential markets to associate with India for covering their requirements of food products.

As a safeguard measure in response to the above situation & to ensure that Indian sesame seeds complies with the Food safety requirement of USA in regard to Pesticides, IOPEPC proposed to frame and implement an SOP for sesame seeds intended for export to USA. The SOP covers the list of pesticides which the FBO has to mandatory test before exporting Sesame seeds to the USA.

ROLE OF IOPEPC

IOPEPC has been assigned the role of Development and Promotion of Export of Sesame seeds by Department of Commerce, Government of India vide its Public notice no 38/2015-20 dated 1st October 2015. All the sesame seed processing establishments including the merchant exporters engaged in the export of sesame seeds to the USA will be required to register themselves with the IOPEPC (competent authority) and follow the procedure prescribed by IOPEPC to ensure that the consignments intended for export to USA are tested for the pesticides mentioned in **Annexure A** and confirm that they are below the MRL prescribed by USFDA besides facilitating downstream traceability to the level of initial processing and or packaging establishments.

1. Objective

- 1.1 To frame and implement controls to ensure that Sesame seed exports to USA are free from residues of pesticides below the prescribed MRLs by US FDA

2. Scope

- 2.1 All the establishments in India where sesame seeds are intended to be processed packaged and then warehoused for export to the USA and the merchant exporters engaged in export of sesame seeds to USA. All such establishments including the merchant exporters will be referred to as Food Business Operators (FBO) hereinafter in this document.
- 2.2 The term 'sesame seed' for the purpose of this procedure refers to natural sesame seed, de-hulled sesame seed (commonly termed hulled sesame seed), roasted sesame seeds, w/n broken sesame seeds and any other value-added sesame seeds intended for export to USA
- 2.3 The procedure will apply to sesame seeds with the following HS codes:

ITC (HS) Code	Description of goods
12074010	Sesame seeds whether or not broken of seed quality
12074090	Other sesame seeds whether or not broken

- 2.4 To create a web-based monitoring system by establishing a 'Sesame.Net' portal to reduce the paperwork and to provide a 'single window clearance' besides facilitating tracking and downstream traceability.

3. Obligations of FBOs

- 3.1 To take all the measures to ensure that the residues of pesticides are below the prescribed MRLs set by USFDA in the sesame seeds intended for export originating from India.
- 3.2 To obtain a Certificate of Export (COE) prior to shipment in respect of each consignment from the IOPEPC- the competent authority.
- 3.3 To affix such label/markings on each packet, bag, box etc. which among others will display adequate information, code no. etc. required for easy identification of the FBO concerned and also enables downstream traceability.
- 3.4 To bring to the notice of IOPEPC any complaint received regarding non-compliance with USFDA Regulation in connection with pesticide residues along with the corrective measures taken, if any.

4. Criteria for recognition and registration of FBOs

- 4.1 The FBO should have a valid FSSAI License.
- 4.2 On receiving the application and after satisfying itself about the compliance with various requirements, the IOPEPC will issue a certificate of registration and recognition to the FBO. Application to be submitted by the FBO to IOPEPC for registration is given at the end of this document.
- 4.3 The certificate of registration and recognition will be valid for a period of two year.
- 4.4 If FBO is already registered with IOPEPC for export to EU then no new registration is required & the FBO can create export consignments on the online portal sesamum.net even for the exports to USA.

5. Recognition and Empanelment of laboratories with IOPEPC.

- 5.1 The IOPEPC will recognize certain laboratories after ascertaining the availability of adequate infra-structure and qualified personnel for conducting analysis of sesame seed samples for pesticide residue. The list of approved labs will be displayed on the website of IOPEPC and will be subject to review from time to time for additions and deletions.
- 5.2 The laboratory must be ISO/IEC 17025 NABL accredited for pesticides analysis.
- 5.3 All the registered FBOs will facilitate sampling of their consignments by the representatives of any of the recognized labs.
- 5.4 The format for submitting request for sampling will be as per **Annexure B**
- 5.5 Once sampled and sealed, the unit will not shift the consignment to another location or approved premises. In case of exigency, this may be done only under the supervision of the representative of the laboratory concerned. The format for submitting a request for shifting the sampled consignment is given in **Annexure E**.
- 5.6 The consignment which fails the test will be required to be treated appropriately within a reasonable time in consultation with IOPEPC and the FBO concerned will maintain all the related records.

For giving an impetus to the ongoing export of sesame seeds to USA, this notification is intended to address the immediate needs of the exporters and the laboratories concerned.

The general guidelines as articulated in CAC/GL50-2004 on sampling must be followed.

6. Sampling and Analytical procedures for analyzing possible pesticides residue in Sesame Seeds

6.1 Residues of pesticides

6.1.1 Sampling

As per EC no. 2002/63 dated 11 July 2002 for residues of pesticides. Accordingly, a 1000 g sample is to be drawn as detailed below:

Total no. of bags in the consignment/lot	No. of bags to be selected/no. of incremental sample	Weight of incremental sample	Weight of aggregate sample
1-25	1	1000 g	1000 g
26-100	5	200 g	
> 100	10	100 g	

The aggregate sample is to be divided into two halves of 500 g each, a laboratory sample and a reference sample.

In case a consignment comprises material from more than one processing lot, the material from different lots will be treated as different consignments and sampled accordingly.

6.1.2 Analytical procedures for residues of pesticides

6.1.3 Analysis of pesticides residues method based on GC-MS and LC-MS

6.1.4 Laboratories would issue test report in the format as mentioned in Annexure C

6.2 Protocols for sampling analysis shall be subject to review and refinement in consultation with the member laboratories.

7. Issue of Certificate of Export (COE)

- 7.1. The FBO will be required to apply within 3 days of receipt of lab test report to IOPEPC for issue of COE in respect of each consignment (Annexure F).
- 7.2. IOPEPC will issue the COE (Annexure G) by taking into consideration the test report certifying pesticides well within prescribed MRLs set by USFDA and the status of fulfilling other requirements, if any.
- 7.3. The validity of COE will be 45 days from the date of issue of the lab test report.
- 7.4. The COE will bear adequate information and code no. etc. for relating the certificate to the respective consignment.
- 7.5. The FBOs will be required to pay a fee of Rs. 50 per ton towards issue of COE to IOPEPC.

8. Stuffing

- 8.1. The stuffing of the containers will be done under supervision of a representative of the same laboratory which had drawn the samples.
- 8.2. The FBO will then request the laboratory for supervision of stuffing (Annexures H) and subsequent issue of stuffing certificate (Annexure I). This stuffing certificate will provide adequate information about the consignment and the container etc. in which the consignment was stuffed.

9. Rejection of consignments at the destination USA ports

- 9.1. In case of rejection of any consignment due to pesticides residue more than the prescribed MRL set by USFDA, the FBO concerned will be required to furnish a detailed explanation to IOPEPC clarifying that whether there was a lapse on the part of the FBO.
- 9.2. The IOPEPC will issue a NOC in respect of the rejected consignment to enable the exporter concerned to reimport the consignment.

- 9.2 A committee constituted by IOPEPC will examine the explanation submitted by the unit and issue advice to the FBO concerned on the measures required to be undertaken by the FBO to prevent recurrence of such complaints.
- 9.3 The consignment once rejected shall be stored separately in the designated area and will be diverted for appropriate treatment within a reasonable time and FBO will maintain the related records.

10. Role and responsibilities of IOPEPC

- 10.1 The IOPEPC will be responsible for developing an online system for regulating and monitoring the entire process of export of sesame seeds from India to USA.
- 10.2 The IOPEPC will be the competent authority for the issue of COE for the consignments of sesame seeds destined for the USA.
- 10.2 The IOPEPC will be empowered to issue amendments to the procedures, required if any.
- 10.3 The IOPEPC will constitute standing committees for dealing with rapid alerts and any technical issue requiring its consideration.
- 10.4 On the basis of the recommendation(s) of the committee(s), the IOPEPC will issue advice and directives to the FBO concerned for upgrading its infrastructure and/or amend its protocols to meet the requirements of USFDA.

LIST OF ANNEXURES

ANNEXURE A	LIST OF PESTICIDES WHICH ARE TO BE TESTED ALONG WITH THEIR MRLs PRESCRIBED BY US FDA
ANNEXURE B	REQUEST FOR SAMPLING OF CONSIGNMENTS
ANNEXURE C	TEST REPORT
ANNEXURE D	APPLICATION FOR SUPERVISION OF SHIFTING/RELOCATION OF CONSIGNMENT
ANNEXURE E	REQUEST FOR ISSUE OF CERTIFICATE OF EXPORT
ANNEXURE F	CERTIFICATE OF EXPORT
ANNEXURE G	APPLICATION FOR ISSUE OF STUFFING CERTIFICATE
ANNEXURE H	STUFFING CERTIFICATE
ANNEXURE I	APPLICATION FOR REGISTRATION WITH IOPEPC FOR EXPORT OF SESAME SEEDS TO USA

ANNEXURE- A

LIST OF PESTICIDES TO BE TESTED ALONG WITH THEIR MRLs PRESCRIBED BY USFDA.

Sr. No.	Pesticide Name	MRL (ppm)
1	Chlorpyrifos	0.01
2	Tebuconazole	0.01
3	Thiamethoxam	0.01
4	Carbendazim and benomyl	0.01
5	Malathion	0.01
6	Ethion	0.01
7	Fenvalerate	0.01
8	Acephate	0.01
9	Acetamiprid	0.01
10	Profenofos	0.01
11	Cymoxanil	0.01
12	Fenpropathrin	0.01
13	Metalaxyl and metalaxyl-M	0.05
14	Carboxin	0.01
15	Haloxypop including haloxypop-P	0.01
16	Imidacloprid	0.01
17	Dichlorvos	2
18	Endosulfan Sulfate	0.01
19	Dimethoate	0.01
20	Pirimiphos-Methyl	0.01

ANNEXURE-B

**FORMAT OF SUBMITTING REQUEST FOR SAMPLING OF CONSIGNMENTS OF
SESAME SEEDS INTENDED FOR EXPORT TO USA**

PART I: To be filled out by the exporter

Date of application	
Application letter No.	
Name and address of the exporter	
IOPEPC RCMC no.	
IOPEPC recognition no.	
Address of the FBO's establishment where the consignment is to be sampled	
Details of consignment to be sampled:	
Identification code (lot no./ batch no. etc).	
Number of packages/bags	
Type of packaging	
Total quantity (MT)	
Grade and variety of the product	

DECLARATION

It is hereby certified that to the best of my knowledge and belief, the information furnished above is true and correct in all respects.

Signature

Name

Designation

PART II: TO BE FILLED OUT BY THE REPRESENTATIVE OF LABORATORY

Sample details as per customer letter	Sample slip no.:
1. Name and address of the exporter	
2. IOPEPC recognition no. and validity	
3. FBO application no. and date	
4. Consignment code (lot/batch no)	
5. Product (sample description)	
6. Total no. of bags	
7. Type of packaging	
8. Total quantity (MT)	
Actual sampling details	
9. Place and address where sampling was done	
10. Marks on the bags if any	

11. Date and time of sampling		
12. Particulars of the consignment sampled	Consignment no. no.)	
	Type of packaging	
	Total no of bags/boxes	
	Weight of each bag/box	
13. No. of bags selected for sampling		
14. Hologram/sticker /seal no. affixed on sampled bags (if any)		
15. Quantity of sample drawn from each bag/box (g)		
16. Weight of laboratory sample (g)		
17. To be tested for		
18. Sampling procedure adopted		
19. Seal no. on laboratory sample		

To be filled out by the laboratory on receipt of the sample in the lab

Date and time of receipt of samples:
 Name of person receiving the samples:
 Sample identification numbers:
 Comments about samples' integrity and condition:

Label for sample container

Name of laboratory	
Sample slip no.	
Sample description	
Consignment (lot/batch no.)	
Address where sampling was done	
Test(s) requested	
Date of sampling	
Name and signature of sampler	
Name and signature of customer	

A completed copy of this form is to be returned to the FBO while the other copy is to be retained by the Laboratory for future reference, if needed.

ANNEXURE-C
Certificate of Analysis

Test Certificate no.:**Dated:****i) General Details:**

Exporter's name and address:
Request reference no. and date:
Date of receiving the sample(s):
Dates of start and completion of analysis:
Sample description:

ii) Sampling details (as per sample slip):

Sampled by (name of the sampler and sampling agency):
Sample Slip no.:
Address of place of sampling
Marking on the bags (if any)
Date and time of sampling
Consignment Details
Consignment Code (lot /batch no.)
Total no. of bags
Type of packaging
Total quantity (MT)
No. of bags sampled
Hologram /sticker /seal no. affixed on the sampled bags.
Total quantity of sample drawn (g)
Seal no. on laboratory sample
Sampling procedure adopted:
Other details as provided by the FBO:

iii) Test details:**1. Residues of pesticides:**

Particulars	Method of Analysis	Result
Pesticide residues listed *	Multi-residue methods based on GC-MS and LC-MS	=< MRL

*List attached

Remarks: Sample CONFORMS / DOES NOT CONFORM

Disclaimer: The analytical findings reported above reflect the quality of the sample at the time of testing. The lab cannot be made liable for the possible consequences of further development of microbes, which may depend upon storage, handling and weather conditions that may influence the results of the sample drawn at a later date/time.

Signature of the authorized person.
Name and designation
Date and place

Seal of lab

Pesticide residues *

Sr. No.	Pesticide Name	MRL (ppm)
1	Chlorpyrifos	0.01
2	Tebuconazole	0.01
3	Thiamethoxam	0.01
4	Carbendazim and benomyl	0.01
5	Malathion	0.01
6	Ethion	0.01
7	Fenvalerate	0.01
8	Acephate	0.01
9	Acetamiprid	0.01
10	Profenofos	0.01
11	Cymoxanil	0.01
12	Fenpropathrin	0.01
13	Metalaxyl and metalaxyl-M	0.05
14	Carboxin	0.01
15	Haloxypop including haloxypop-P	0.01
16	Imidacloprid	0.01
17	Dichlorvos	2
18	Endosulfan Sulfate	0.01
19	Dimethoate	0.01
20	Pirimiphos-Methyl	0.01

ANNEXURE-D

Application for supervision of shifting/relocation of consignment from sampling location to stuffing location

Date.

To

(Name of lab which had drawn sample for analysis)

This refers to your certificate of analysis no..... dated issued in the name of. (name of FBO) as per the IOPEPC procedure for export of sesame seeds intended for export to USA. Your representative had drawn the samples from the bags for analysis of pesticides residues. The seal no. is given by your authorized representative to the consignment is. The consignment concerned meets the requirements of pesticides residue for the list pesticides in Annexure A and we intend to shift/relocate the consignment/lot from sampling location to stuffing location as per details given below on (date).

Stuffing location:

We now request you to please depute your representative to supervise the activity of shifting/relocation. The details of consignment is given below,

1. Test certificate no. and date
2. Name and address of the FBO
3. IOPEPC recognition no. and validity
4. Name and address of the FBO where sampling was undertaken
5. Name and address of the processing unit where sample was drawn one
6. Name and address of the place where the lot is intended to be shifted
7. Consignment details:
 - No.
 - Number of bags/packages
 - Quantity (MT) /container
 - Date of packing
 - Grade and variety of the produce
8. Destination port and country

Date: Signature of the representative of FBO

Name and designation Place:

This is to certify that, I have supervised the shifting/relocation of the aforesaid lot from the sampling location to the stuffing location as mentioned above.

Date: Signature:

Name of the representative of lab: Seal of Lab

ANNEXURE-E
APPLICATION FORM FOR GRANT OF CERTIFICATE OF EXPORTS

To:
 IOPEPC

This is to certify that the representative of undermentioned laboratory has drawn and analyzed samples of sesame seeds from the consignment bearing the following details:

1	Name of the laboratory	
2	Lab Test Report no (<i>please enclose printed copy</i>)	
3	Name address of the Exporter	
5	IOPEPC Recognition certification no. and validity	
7	Destination port and country	
8	Consignment Details Lot No. Number of bags/ packages Quantity (MT)/container Date of sealing Seal No.	
9	HS code	

It is requested that Certificate of Export may please be issued to enable us effect shipment of the above consignment to _____ (country name).

Date:
 Place:

(Signature)
 Name and designation

ANNEXURE-F
CERTIFICATE OF EXPORT

This is to certify as follows:-

1. The under mentioned consignment of sesame seeds has been tested and found free/below the MRLs of pesticides residues as listed in **Annexure A**
2. The under mentioned consignment is also tested for pesticides mentioned in Annexure A and found to be below prescribed MRLs set by EU.

Certificate no. and date	
Validity (30 days from the issue of test report)	
Name and address of the FBO	
IEC Code number	
IOPEPC RCMC number	
IOPEPC recognition certificate number	
Name and address of FBO	
Destination port and country	
Details of consignment: Lot no. Number of bags Quantity (MT)/container Date of sealing Seal no.	
Lab test certificate no. and date	
Name and place of laboratory	
HS code	

This certificate is not valid if the seal numbers indicated above do not match with the seal numbers on the bags/packages/lots/pallet or if the seals are tampered.

Signature

Name and designation of authorized signatory

Date:

Place:

ANNEXURE - G**Application for Stuffing Supervision**

Date:

To,

(Name and address of the recognized lab)

This refers to your certificate of analysis no. dated issued against our request no. dated

Please depute your personnel for supervising the stuffing the container.

The details of the consignment are given below:

1. Name and Address of the Exporter	
2. IOPEPC recognition no. and validity	
3. Place and address where stuffing is to be carried out	
4. Details of consignment:	
Product details	
Consignment code (lot/batch no)	
Number of bags/packages	
Packaging size (weight)	
Total quantity (MT) in offered lot(s)	
Date of packing	
Grade and variety of the produce	
5. Port of dispatch	
6. Port of destination	
7. COE no. and date (copy to be attached).	

DECLARATION

This is certified that to the best of my knowledge and belief the information furnished is true and correct in all respects.

Signature of FBO representative:

Name of FBO representative:

Stamp/seal of the FBO:

ANNEXURE- H**STUFFING CERTIFICATE FOR EXPORT OF SESAME SEEDS TO USA**

This is to certify that the consignment of (name of product) with the following details is allowed to be shipped to (name of destination country)

1. Pre-shipment stuffing certificate	No. Dated
2. Name and address of the Exporter	
3. Details of consignment: Product details Consignment code (Lot / batch Nos). Number of bags/packages Packaging size Quantity (MT) (<i>gross</i>)	
4. Date of stuffing/loading into the container	
5. Address where stuffing/loading was carried out	
6. Container No.	
7. Name of the agency and stuffing supervisor	
8. Bill of lading no. and date	
9. Voyage/Vessel no./name	
10. Port of discharge	
11. Country of final destination	
12. Seal no. of the container	
13. Details of lab analysis certificate	No. Dated
14. Details of IOPEPC Certificate of Export	No. Dated

CERTIFICATE

This Pre-shipment/Stuffing Certificate is issued after verifying the Certificate of Quality issued by the authorized laboratory and Certificate of Export issued by IOPEPC.

It is certified that stuffing/loading of the packages/bags of the above consignment has been carried out at the place of sampling. In case of shifting/relocation of the goods, if any, has taken place, the same has been done with the prior consent of this laboratory.

1. The seal numbers of the lots are the same as those at the time of sampling.

2. Stuffing/loading of sesame seeds into the containers has been carried out under the supervision of the authorized official of this laboratory.
3. It is certified that after stuffing/loading, the container has been sealed by the authorized official of this laboratory.
4. It is certified that, to the best of my knowledge and belief, the above information is true and correct in all respects

Signature of the authorized person.

Name and designation:

Date and place

Seal of lab

ANNEXURE- I
APPLICATION FOR REGISTRATION WITH IOPEPC FOR EXPORT OF SESAME SEEDS TO
USA

To:
 Chairman, IOPEPC

I am an exporter exporting / intend to export sesame seeds to USA and want to register my establishment with IOPEPC as per the required procedure. I am already a member of IOPEPC. The desired information is submitted below for your needful.

1. Name of the FBO	
2. Address of the FBO	
3. Address of the Processing unit if owned by the FBO	
4. IEC Code No.	
5. IOPEPC RCMC no.	
6. FSSAI certificate no.	

Signature and Seal of the FBO

Name

Designation

Date and place

