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Preamble

Development of this Document: The Roundtable on Responsible Soy Standard for Responsible Soy Production, version 1.0 (RTRS Standard) is the result of a multi-stakeholder development process, which involved representatives from the three RTRS membership constituencies, and included several public consultation periods.

A two year multi-stakeholder process led to the publication of the RTRS Principles and Criteria for Responsible Soy Production: Field Testing Version, in May 2009. This version was used by National Technical Groups (NTGs) in five countries to initiate national interpretation processes, and by producers and auditors for field trials carried out in a variety of soy producing countries.

In March 2010 the RTRS convened an International Technical Group (ITG) to review the Field Trial principles and criteria and produce a set of auditable Principles and Criteria for use with a certification scheme. As a part of their work the multi-stakeholder group reviewed and took into account changes proposed by NTGs, public consultation comments on draft National Interpretations, guidance from the RTRS Executive Board on the issue of land clearance and feedback from field trials and diagnosis audits. This group, made up of representatives from the three RTRS member constituencies, concluded their work at a meeting in São Paulo, Brazil, 24-27 March, 2010

Review: The standard will be reviewed not less than once every five years and not more than once every three years unless exceptions are identified or unless the RTRS Executive Board or General Assembly determines otherwise. In Version 1.0 of this standard, one criterion (criterion 4.4) needs to be reviewed within 2 years.

National Interpretation: Each soy-producing country is encouraged to make a national interpretation of the standard which, once endorsed by the RTRS, will become the basis for certification in that country. National interpretation processes are required to meet the RTRS requirements for national interpretation related to process and content. When considering how to interpret this standard for national use, the Guidance for National Interpretation (Annex 6) must be followed. Groups carrying out national interpretation may not create requirements which are less stringent than the International RTRS Standard.

Scope of application: This standard applies to all kinds of soybeans, including conventionally grown, organic, and genetically modified (GM). It has been designed to be used for all scales of soy production and all the countries where soy is produced.

Transparency: This standard has been designed to be used within a voluntary certification system. All those seeking certification should do so with a commitment to transparency with respect to the requirements of this standard, including a spirit of constructive engagement with stakeholders and sharing of non-commercially sensitive information. A publicly-available summary of information about the performance of each certified organization with respect to each criterion will be produced. This will not contain commercially-sensitive information.

Monitoring: Where indicators require monitoring to be undertaken, a baseline should be established at the time of certification with monitoring and review of trends over time. Producers are expected to commit to a process of continual improvement. For group certification, monitoring at the group level should be used where appropriate.

Principle 1: Legal Compliance and Good Business Practice

1.1 There is awareness of, and compliance with, all applicable local and national legislation.

Note: For group certification of small farms - group managers should provide training for group members on applicable laws and legal compliance.

1.1.1 Awareness of responsibilities, according to applicable laws can be demonstrated.

1.1.2 Applicable laws are being complied with.

1.2 Legal use rights to the land are clearly defined and demonstrable.

Note: Land use rights of traditional land users are considered in Criterion 3.2 which should be cross-referenced with this criterion.

1.2.1 There is documented evidence of rights to use the land (e.g. ownership document, rental agreement, court order etc.).

1.3 There is continual improvement with respect to the requirements of this standard.

Note: For group certification - continual improvement should be recorded and monitored at the group level.

1.3.1 A review process is carried out which identifies those social, environmental and agricultural aspects of the operation (on and off farm) where improvement is desirable.

Note: The producer is expected to be aware of the social and environmental context in which he/she is operating and the existing and possible future impacts of the operation.

1.3.2 A number of indicators are selected and a baseline is established to be able to monitor continual improvement on those aspects where desired improvements have been identified.

Note: Producers are free to choose the continual improvement indicators that are relevant to them to demonstrate continual improvement with respect to the requirements of this standard; e.g. Soil carbon content, use of agrochemicals, state of riparian vegetation etc. The baseline year is the year of first certification assessment.

1.3.3 The results of monitoring are reviewed and appropriate action is planned and taken when necessary to ensure continual improvement.

Principle 2: Responsible Labor Conditions

Note 1: The requirements of Principle 2 apply to both direct employees and to workers supplied by third parties.

Note 2: The principle applies also to migrant, seasonal and other contract labor.

2.1 Child labor, forced labor, discrimination and harassment are not engaged in or supported.

2.1.1 No forced, compulsory, bonded, trafficked or otherwise involuntary labor is used at any stage of production.

2.1.2 No workers of any type are required to lodge their identity papers with anyone and no part of their salary, benefits or property is retained, by the owner or any 3rd party, unless permitted by law.

2.1.3 Spouses and children of contracted workers are not obliged to work on the farm.

2.1.4 Children and minors (below 18) do not conduct hazardous work or any work that jeopardizes their physical, mental or moral well being.

2.1.5 Children under 15 (or higher age as established in national law) do not carry out productive work. They may accompany their family to the field as long as they are not exposed to hazardous, unsafe or unhealthy situations and it does not interfere with their schooling

2.1.6 There is no engagement in, support for, or tolerance of any form of discrimination.

2.1.7 All workers receive equal remuneration for work of equal value, equal access to training and benefits and equal opportunities for promotion and for filling all available positions.

2.1.8 Workers are not subject to corporal punishment, mental or physical oppression or coercion, verbal or physical abuse, sexual harassment or any other kind of intimidation.

2.2 Workers, directly and indirectly employed on the farm, and sharecroppers, are adequately informed and trained for their tasks and are aware of their rights and duties.

2.2.1 Workers (including temporary workers), sharecroppers, contractors and subcontractors have a written contract, in a language that they can understand.

Note: The requirements of indicator 2.2.1 are recommended in all cases. However, for small farms where there are high illiteracy rates group managers may implement alternative mechanisms to make collectively known and verify valid working relationships.

2.2.2 Labor laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g. working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc.) are available in the languages understood by the workers or explained carefully to them by a manager or supervisor.

2.2.3 Adequate and appropriate training and comprehensible instructions on fundamental rights at work, health and safety and any necessary guidance or supervision are provided to all workers.

2.3 A safe and healthy workplace is provided for all workers.

2.3.1 Producers and their employees demonstrate an awareness and understanding of health and safety matters.

2.3.2 Relevant health and safety risks are identified, procedures are developed to address these risks by employers, and these are monitored.

2.3.3 Potentially hazardous tasks are only carried out by capable and competent people who do not face specific health risks.

2.3.4 Adequate and appropriate protective equipment and clothing is provided and used in all potentially hazardous operations such as pesticide handling and application and mechanized or manual operations.

2.3.5 There is a system of warnings followed by legally-permitted sanctions for workers that do not apply safety requirements.

2.3.6 Accident and emergency procedures exist and instructions are clearly understood by all workers.

2.3.7 In case of accidents or illness, access to first aid and medical assistance is provided without delay.

2.4 There is freedom of association and the right to collective bargaining for all workers.

2.4.1 There is the right for all workers and sharecroppers to establish and/or join an organization of their choice.

2.4.2 The effective functioning of such organizations is not impeded. Representatives are not subject to discrimination and have access to their members in the workplace on request.

2.4.3 All workers have the right to perform collective bargaining.

2.4.4 Workers are not hindered from interacting with external parties outside working hours (e.g. NGOs, trade unions, labor inspectors, agricultural extension workers, certification bodies).

2.5 Remuneration at least equal to national legislation and sector agreements is received by all workers directly or indirectly employed on the farm.

2.5.1 Gross wages that comply with national legislation and sector agreements are paid at least monthly to workers.

2.5.2 Deductions from wages for disciplinary purposes are not made, unless legally permitted. Wages and benefits are detailed and clear to workers, and workers are paid in a manner convenient to them. Wages paid are recorded by the employer.

2.5.3 Normal weekly working hours do not exceed 48 hours. Weekly overtime hours do not exceed 12 hours.

2.5.4 If additional overtime hours are necessary the following conditions are met:

- a) It only occurs for limited periods of time (eg. peak harvest, planting).
- b) Where there is a trade union or representative organization the overtime conditions are negotiated and agreed with that organization.
- c) Where there is no trade union or representative organization agreement the average working hours in the two-month period after the start of the exceptional period still do not exceed 60 hours per week.

2.5.5 Working hours per worker are recorded by the employer.

2.5.6 Overtime work at all times is voluntary and paid according to legal or sector standards. In case overtime work is needed, workers receive timely notification. Workers are entitled to at least one day off following every six consecutive days of work.

2.5.7 Salaried workers have all entitlements and protection in national law and practice with respect to maternity. Workers taking maternity leave are entitled to return to their employment on the same terms and conditions that applied to them prior to taking leave and they are not subject to any discrimination, loss of seniority or deductions of wages.

2.5.8 If workers are paid per result, a normal 8 hour working day allows workers, (men and women), to earn at least the national or sector established minimum wage.

2.5.9 If employees live on the farm, they have access to affordable and adequate housing, food and potable water. If charges are made for these, such charges are in accordance with market conditions. The living quarters are safe and have at least basic sanitation.

Principle 3: Responsible Community Relations

3.1 Channels are available for communication and dialogue with the local community on topics related to the activities of the soy farming operation and its impacts.

- 3.1.1 Documented evidence of communication channels and dialogue is available.
- 3.1.2 The channels adequately enable communication between the producer and the community.
- 3.1.3 The communication channels have been made known to the local communities.

3.2 In areas with traditional land users, conflicting land uses are avoided or resolved.

- 3.2.1 In the case of disputed use rights, a comprehensive, participatory and documented community rights assessment is carried out.
- 3.2.2 Where rights have been relinquished by traditional land users there is documented evidence that the affected communities are compensated subject to their free, prior, informed and documented consent.

3.3 A mechanism for resolving complaints and grievances is implemented and available to local communities and traditional land users.

Note: For group certification - the complaints and grievances mechanism can be managed by the group manager and records of complaints and grievances can be maintained at the group level.

- 3.3.1 The complaints and grievances mechanism has been made known and is accessible to the communities.
- 3.3.2 Documented evidence of complaints and grievances received is maintained.
- 3.3.3 Any complaints and grievances received are dealt with in a timely manner.

3.4 Fair opportunities for employment and provision of goods and services are given to the local population.

- 3.4.1 Employment opportunities are made known locally.

Note: Not applicable for small farms.

- 3.4.2 There is collaboration with training programs for the local population.

Note: Small farms may participate in training programs where they exist. For groups the collaboration with training programs may occur at the group level.

3.4.3 Opportunities for supply of goods and services are offered to the local population.

Note: Not applicable for small farms.

Principle 4: Environmental Responsibility

4.1 On and off site social and environmental impacts of large or high risk new infrastructure have been assessed and appropriate measures taken to minimize and mitigate any negative impacts.

Note: For group certification – this also applies to large new infrastructure projects developed by the entity holding the group certificate, where the infrastructure is used by certified group members or the certified soy they produce.

4.1.1 A social and environmental assessment is carried out prior to the establishment of large or high risk new infrastructure.

4.1.2 The assessment is carried out by someone who is adequately trained and experienced for this task.

4.1.3 The assessment is carried out in a comprehensive and transparent manner.

4.1.4 Measures to minimize or mitigate the impacts identified by the assessment are documented and are being implemented.

4.2 Pollution is minimized and production waste is managed responsibly.

Note: Chemical use and disposal is dealt with under Principle 5.

4.2.1 There is no burning on any part of the property of crop residues, waste, or as part of vegetation clearance, except under one of the following conditions:

- a) Where there is a legal obligation to burn as a sanitary measure;
- b) Where it is used for generation of energy including charcoal production and for drying crops;
- c) Where only small-caliber residual vegetation from land clearing remains after all useable material has been removed for other uses.

4.2.2 There is adequate storage and disposal of fuel, batteries, tires, lubricants, sewage and other waste.

4.2.3 There are facilities to prevent spills of oil¹ and other pollutants.

4.2.4 Re-use and recycling are utilized wherever possible.

4.2.5 There is a residue management plan including all areas of the property.

4.3 Efforts are made to reduce emissions and increase sequestration of Greenhouse Gases (GHGs) on the farm.

Note: Other issues which are relevant to GHG emissions are covered in other principles including: Use of fertilizers (Criterion 5.5), Land-use change (Criterion 4.4).

4.3.1 Total direct fossil fuel use over time is recorded, and its volume per hectare and per unit of product for all activities related to soy production is monitored.

4.3.2 If there is an increase in the intensity of fossil fuel used, there is a justification for this. If no justification is available there is an action plan to reduce use.

4.3.3 Soil organic matter is monitored to quantify change in soil carbon and steps are taken to mitigate negative trends.

Note: For group certification of small farms - the monitoring of soil carbon can be done using samples.

¹ Oil refers to motor oil

4.3.4 Opportunities for increasing carbon sequestration through restoration of native vegetation, forest plantations and other means are identified.

4.4 Expansion of soy cultivation is responsible.

Note: This criterion will be revised after June 2012 if RTRS-approved maps and system are not available.

4.4.1 After May 2009 expansion for soy cultivation has not taken place on land cleared of native habitat except under the following conditions:

4.4.1.1 It is in line with an RTRS-approved map and system (see Annex 4.)

or

4.4.1.2 Where no RTRS-approved map and system is available:

- a) Any area already cleared for agriculture or pasture before May 2009 and used for agriculture or pasture within the past 12 years can be used for soy expansion, unless regenerated vegetation has reached the definition of native forest (see glossary).
- b) There is no expansion in native forests (see glossary)
- c) In areas that are not native forest (see glossary), expansion into native habitat only occurs according to one of the following two options:

Option 1. Official land-use maps such as ecological-economic zoning are used and expansion only occurs in areas designated for expansion by the zoning. If there are no official land use maps then maps produced by the government under the Convention on Biological Diversity (CBD) are used, and expansion only occurs outside priority areas for conservation shown on these maps.

Option 2. An High Conservation Value Area (HCVA) assessment is undertaken prior to clearing and there is no conversion of High Conservation Value Areas.

Note: Where neither official land use maps nor CBD maps exist, Option 2 must be followed.

4.4.2 There is no conversion of land where there is an unresolved land use claim by traditional land users under litigation, without the agreement of both parties.

4.5 On-farm biodiversity is maintained and safeguarded through the preservation of native vegetation.

4.5.1 There is a map of the farm which shows the native vegetation.

4.5.2 There is a plan, which is being implemented, to ensure that the native vegetation is being maintained (except areas covered under Criterion 4.4)

4.5.3 No hunting of rare, threatened or endangered species takes place on the property.

Principle 5: Good Agricultural Practice

5.1 The quality and supply of surface and ground water is maintained or improved.

5.1.1 Good agricultural practices are implemented to minimize diffuse and localized impacts on surface and ground water quality from chemical residues, fertilizers, erosion or other sources and to promote aquifer recharge.

5.1.2 There is monitoring, appropriate to scale, to demonstrate that the practices are effective.

5.1.3 Any direct evidence of localized contamination of ground or surface water is reported to, and monitored in collaboration with local authorities.

5.1.4 Where irrigation is used, there is a documented procedure in place for applying best practices and acting according to legislation and best practice guidance (where this exists), and for measurement of water utilization.

Note: For group certification of small farms - Where irrigation is used for crops other than soy but is not done according to best practice, a plan is in place and is being implemented to improve practices. The group manager is responsible for documentation.

5.2 Natural vegetation areas around springs and along natural watercourses are maintained or re-established.

5.2.1 The location of all watercourses has been identified and mapped, including the status of the riparian vegetation.

5.2.2 Where natural vegetation in riparian areas has been removed there is a plan with a timetable for restoration which is being implemented.

5.2.3 Natural wetlands are not drained and native vegetation is maintained.

5.3 Soil quality is maintained or improved and erosion is avoided by good management practices.

5.3.1 Knowledge of techniques to maintain soil quality (physical, chemical and biological) is demonstrated and these techniques are implemented.

5.3.2 Knowledge of techniques to control soil erosion is demonstrated and these techniques are implemented.

5.3.3 Appropriate monitoring, including soil organic matter content, is in place.

Note: For group certification - Monitoring of soil fertility and soil quality should be part of the internal control system and can be carried out on a sampling basis within the group.

5.4 Negative environmental and health impacts of phytosanitary products are reduced by implementation of systematic, recognized Integrated Crop Management (ICM) techniques.

Note: See Annex 5 for further information on ICM.

5.4.1 A plan for ICM is documented and implemented which addresses the use of prevention, and biological and other non-chemical or selective chemical controls.

Note: For group certification of small farms - (particularly those who are not literate) the development and documentation of the ICM plan should be undertaken by the group manager, together with support for implementation.

5.4.2 There is an implemented plan that contains targets for reduction of potentially harmful phytosanitary products over time.

5.4.3 Use of phytosanitary products follows legal requirements and professional recommendations (or, if professional recommendations are not available, manufacturer's recommendations) and includes rotation of active ingredients to prevent resistance.

5.4.4 Records of monitoring of pests, diseases, weeds and natural predators are maintained.

5.5 All application of agrochemicals² is documented and all handling, storage, collection and disposal of chemical waste and empty containers, is monitored to ensure compliance with good practice.

5.5.1 There are records of the use of agrochemicals, including:

- a) products purchased and applied, quantity and dates;
- b) identification of the area where the application was made;
- c) names of the persons that carried out the preparation of the products and field application;
- d) identification of the application equipment used;
- e) weather conditions during application.

5.5.2 Containers are properly stored, washed and disposed of; waste and residual agrochemicals are disposed in an environmentally appropriate way.

5.5.3 Transportation and storage of agrochemicals is safe and all applicable health, environmental and safety precautions are implemented.

² Note: Agrochemicals refers to all chemicals used including fertilizers and pesticides

5.5.4 The necessary precautions are taken to avoid people entering into recently sprayed areas.

5.5.5 Fertilizers are used in accordance with professional recommendations (provided by manufacturers where other professional recommendations are not available).

5.6 Agrochemicals listed in the Stockholm and Rotterdam Conventions are not used.

Note: During the next 3 years, the RTRS will review the use of other chemicals, particularly the following 3 chemicals: Endosulfan (WHO Class II), Paraquat (Class II), Carbofuran (Class Ib)

5.6.1 There is no use of agrochemicals listed in the Stockholm and Rotterdam Conventions.

5.7 The use of biological control agents is documented, monitored and controlled in accordance with national laws and internationally accepted scientific protocols.

5.7.1 There is information about requirements for use of biological control agents.

5.7.2 Records are kept of all use of biological control agents that demonstrate compliance with national laws.

5.8 Systematic measures are planned and implemented to monitor, control and minimize the spread of invasive introduced species and new pests.

5.8.1 Where there are institutional systems in place to identify and monitor invasive introduced species and new pests, or major outbreaks of existing pests, producers follow the requirements of these systems, to minimize their spread.

5.8.2 Where such systems do not exist, incidences of new pests or invasive species and major outbreaks of existing pests are communicated to the proper authorities and relevant producer organizations or research organizations.

Note: For group certification - the group manager is responsible for communicating to the authorities and relevant organizations.

5.9 Appropriate measures are implemented to prevent the drift of agrochemicals to neighboring areas.

5.9.1 There are documented procedures in place that specify good agricultural practices, including minimization of drift, in applying agrochemicals and these procedures are being implemented.

5.9.2 Records of weather conditions (wind speed and direction, temperature and relative humidity) during spraying operations are maintained.

5.9.3 Aerial application of pesticides is carried out in such a way that it does not have an impact on populated areas. All aerial application is preceded by advance notification to residents within 500m of the planned application.

Note: 'Populated areas' means any occupied house, office or other building.

5.9.4 There is no aerial application of pesticides in WHO Class Ia, Ib and II within 500m of populated areas or water bodies.

5.9.5 There is no application of pesticides within 30m of any populated areas or water bodies.

Note: See definition in the glossary of 'Water bodies'.

5.10 Appropriate measures are implemented to allow for coexistence of different production systems.

5.10.1 Measures are taken to prevent interference in production systems of neighboring areas.

5.11 Origin of seeds is controlled to improve production and prevent introduction of new diseases.

5.11.1 All purchased seed must come from known legal quality sources.

5.11.2 Self-propagated seeds may be used, provided appropriate seed production norms are followed and legal requirements regarding intellectual property rights are met.

Annex 1: Guidance

The guidance contained in this annex must be followed by all users of the standard, including:

- i) auditors, evaluating compliance against the RTRS Standard for Responsible Soy Production Version 1.0
- ii) soy growers using the RTRS Standard for Responsible Soy Production Version 1.0 to implement good practice, and achieve certification.
- iii) Group managers using the RTRS Standard for Responsible Soy Production Version 1.0 and Group and Multi-site standard to achieve certification of a group of soy growers.

Criterion	Guidance
1.1	<p>Producers need to have access to information which enables them to know what the law requires them to do. Examples include having a register of laws, or access to relevant advice on legislation.</p> <p>Legal compliance should be verified through:</p> <ul style="list-style-type: none"> • checking publicly available data on compliance where available; • interviews with staff and stakeholders; and • field observations <p>Guidance for Group Certification: The Producer group needs to train its member producers on applicable laws.</p> <p>For indicator 1.1.2 the Group Manager is responsible for keeping the list and required documents related to applicable laws.</p> <p>The list of applicable laws, regulations (references/links) are available in Annex 6</p>
1.2	<p>Either of following land documents needs to be available at producer level A) Bhu Adhikaar Patra and Rinn Pustika (Land Ownership Document and Loan booklet) Or, B) Form B-1 (release on yearly basis) Or, C) Electronic print out from website (State Govt.-Revenue Department) like www.mpbhuabhilekh.nic.in for Madhya Pradesh Similar state Govt. websites of soy growing provinces are: For Maharashtra: http://164.100.111.5:8080/mahabhulekh/ For Andhra Pradesh: http://apland.ap.nic.in For Rajasthan: http://india.gov.in/landrecords/rj/rjlandrecords.php For Karnataka: www.bhoomi.karnataka.gov.in</p> <p>If the land is in parent/spouse's name and the legal administrators/users are the producers seeking certification; then they need to procure an authorization document that proves this concession from parent/spouse to establish the current land use/cultivation. The copy of the original document should be available with the current producer. In case of Sharecropper the notarized agreement is acceptable as a legal document.</p>
1.3	<p>1.3.2 Guidance for producers: The Producers can freely identify the indicators to monitor continual improvement, some indicators for example could be: improvement on soil carbon content, use of agrochemicals, state of riparian vegetation and improvement, fuel consumption reduction, recycling of crop residues, crop diversification, measures of soil and water conservation, social and environmental aspects, etc</p> <p>Suggestion: at group level, it is recommended that producers of a group share indicators to facilitate monitoring, and monitor them at Group Level, however producers have the freedom to choose their own indicators.</p> <p>It is recognized that sometimes there may not be improvement for specific continual</p>

Criterion	Guidance
	improvement indicators due to circumstances beyond the control of the certificate holder.
2	In relation to compliance of these requirements by third parties (Note 1): Operations are expected to have a mechanism in place which enables them to adequately verify the compliance of their service providers. Auditors should evaluate the verification mechanism of the operations, to determine whether a sample of service providers should also be assessed by the auditors.
2.1	<p>Documented evidence of relevant personal data of workers should be verified (e.g. sex and date of birth). The data collected should be locally appropriate and legal (eg. it may not be appropriate or legal to ask for the religion of employees in some countries).</p> <p>2.1.1-2.1.3 Personnel should be free to leave their work place after their hours of work have been completed, and be free to terminate their employment provided that they give reasonable notice.</p> <p>2.1.1-2.1.3 Reference: ILO Convention 29 on Forced Labor and 105 on Abolition of Forced Labor.</p> <p>2.1.4-2.1.5 Children and minors (below 18) do not work in dangerous locations, in unhealthy situations, at night, or with dangerous substances or equipment, nor do they carry heavy loads. They are not exposed to any form of abuse and there is no evidence of trafficked, bonded or forced labor.</p> <p>2.1.4-2.1.5 Reference: ILO Convention 138 on Minimum Age and 182 on Worst Forms of Child Labor.</p> <p>2.1.4 Children between 13 and 15 years of age, may carry out light productive activities during the peak season, do not work over 14 hours per week and this does not interfere with their schooling. Also the requirements of the Child Labour Act (prohibition and regulation) Act number 61, 1986 are followed.</p> <p>Guidance for auditors regarding indicators 2.1.4 and 2.1.5: In case of doubt about the age of workers the auditor can establish evidence from any of the following documents: NREGA Job card, PDS/Ration Card, School leaving certificate, voter ID</p> <p>2.1.6-2.1.7 Discrimination includes, but is not limited to: any distinction, exclusion, restriction or preference based on race, color, social class, nationality, religion, disability, sex, sexual orientation, pregnancy, HIV status, union membership or political association, with the purpose or effect of annulling, affecting or prejudicing the recognition, fruition or equal exercise of rights or liberties at work, be it in the process of contracting, remuneration, access to training, promotion, lay-offs or retirement.</p> <p>Divergence in salary is not considered discriminatory when the company has a policy, which is fully known to the employees, which specifies different pay scales for different levels of qualifications, length of experience etc.</p> <p>2.1.6-2.1.7 Reference: ILO convention 100 on Equal Remuneration, and ILO Convention 111 on Discrimination.</p>
2.2	<p><i>'Workers indirectly employed on the farm'</i> refers here to employees of service providers who carry out services directly related to the production process (see also definition in the glossary), these services are seed bed preparation, sowing, fertilization, weeding, spraying, harvesting, threshing and storage. .</p> <p>Guidance for producers and auditors: As per Indian law ,those producers who employs 20 or more than 20 workers (including temporary workers) are required to have a written contract, as per THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970 ACT NO. 37 OF 1970 see annex 6</p> <p>For those cases when the law does not require a written contract, the farmer shall keep a record of all the workers including temporary workers.</p>
2.3	References: ILO convention 155 on Occupational Safety and Health; ILO Convention 184 on Safety and Health in Agriculture; ILO Recommendation 192 on Safety and Health in

Criterion	Guidance
	<p>Agriculture.</p> <p>The means of verification used should be appropriate to the size and scale of the operation. E.g. (2.3.1) For operations with permanent employees there should be a documented health and safety policy. For small farms this can be demonstrated through verbal explanations.</p> <p>2.3.6 Accident and emergency procedures should include taking immediate steps to stop any operation where there is an imminent and serious danger to safety and health, and to evacuate as appropriate.</p> <p>2.3.7 Availability of and/ or access to the First-Aid-Kit /initial medical help at Village level need to be ensured.</p>
2.4	<p>2.4.1 Reference: ILO Convention 87 on Freedom of Association and Protection of the Right to Organize.</p> <p>2.4.3 Reference: ILO Convention 98 on Right to Organize and Collective Bargaining.</p>
2.5	<p><i>Workers</i> indirectly employed on the farm' refers here to employees of service providers who carry out services directly related to the production process, these are seed bed preparation, sowing, fertilization, weeding, spraying, harvesting, threshing and storage.</p> <p>2.5 Guidance for the auditors: The minimum wages stipulated by national legislation or sector agreements are adequate to meet basic needs</p> <p>2.5.3 Normal daily working hours do not exceed 8 hours excluding lunch/rest hours.</p> <p>2.5.5 and 2.5.6 Reference: ILO Convention 1 on Hours of Work.</p> <p>2.5.5 This requirement is not mandatory for nuclear family, see glossary and cross reference indicator 2.1.5</p> <p>2.5.8 If workers are paid as per result, a normal 8 hours working day allows workers (men and women), to earn at least the state (province) level minimum wage to agriculture sector (http://paycheck.in/main/officialminimumwages/madhya-pradesh).</p>
3.1	<p>Communication channels need to use local languages and appropriate mediums (eg. the internet is not an appropriate mechanism for communication with communities that have no access to the internet).</p> <p>The communication requirements must be adequate to identify any disputes with traditional land users as referred to in Criterion 3.2</p> <p>Where people on or adjacent to the property are demonstrated to be illegal (for example illegal squatters), producers should try to engage in communication, but they are not obliged to maintain a dialogue.</p> <p>Local communities may be represented by legitimate representatives in communication or negotiation or in audit situations. Where this is the case, this does not exempt the producer or the auditor from the responsibility of communicating with other members of the community, especially groups such as the poor, illiterate, youth, women or indigenous groups.</p> <p>In the case of small farms documented evidence is not required and is substituted by verbal evidence.</p> <p>It is important to include interviews with members of the community to evaluate the existence of the communication channels and their appropriateness.</p> <p>Guidance for indicator 3.1.1 for producers and Group managers:</p> <p>Non- members, workers & co-villagers need to be encouraged to participate in the awareness, training events at village and cluster level. This communication can be done for example thru public announcements (written/verbal)</p>
3.2	<p>When applying for certification the producer will identify traditional land users. Traditional land users will provide reasonable proof that they have been exercising use or access rights on the area of the property over the 10 years prior to May 2009 (the 'cut-off date') . In the case of traditional indigenous communities, articles 14-18 of ILO convention 169 also apply.</p> <p>Traditional land users may be represented by legitimate representatives in communication,</p>

Criterion	Guidance
	<p>negotiation or audit situations. Where this is the case, this does not exempt the producer or the auditor from the responsibility of communicating with other members of the community.</p> <p>3.2.1 The community rights assessment should aim to:</p> <ul style="list-style-type: none"> a) identify the individual and collective uses and rights of traditional land users; and b) identify the places and landscape conditions needed to satisfy these rights. c) identify the places/issues where there is conflict between the property rights and the traditional land use rights d) reach a solution to resolve possible conflicting land uses and/or agree proposals for compensation. <p>Where a legal judgment has been reached the terms of this judgment will be respected. If there is litigation in process, while this is <i>sub judice</i> (under litigation; decision pending) this will not prejudice access to certification provided that guidance provided by the judge is followed. In the absence of such guidance, the traditional land user can continue to exercise the claimed rights until the case is resolved.</p>
3.3	<p>Interviews with members of local communities and their representatives are important in verifying compliance with this criterion.</p> <p>3.3.3 Clarification for the expression “timely manner”: Producers should attend complaints, grievances or doubts in a reasonable term according to their degree of seriousness and/or complexity</p>
3.4	<p>3.4.1 Evidence may include records kept of the proportion of local employees</p> <p>3.4.1 Not mandatory for small farmers</p> <p>3.4.3 This refers to goods and services which are central to the production activities.</p> <p>3.4.3 Evidence includes quotations for services from local suppliers.</p>
4.1	<p>The assessment should be appropriate to the scale of the operation and the new infrastructure.</p> <p>Guidance for 4.1.1</p> <p>The Environmental impact assessment in India is under the purview of Ministry of Environment and Forests.</p> <p>The main laws that govern the impact assessment are:</p> <p>Water Act (1974): www.moef.nic.in/legis/water/wat1.html</p> <p>The Indian Wildlife (Protection) Act (1972) : www.moef.nic.in/legis/wildlife/wildlife1.html</p> <p>The Air (Prevention and Control of Pollution) Act (1981): www.moef.nic.in/legis/air/air1.html</p> <p>The Environment (Protection) Act (1986):</p> <p>moef.nic.in/downloads/rules-and-regulations/eprotect_act_1986.pdf</p> <p>Details available at: http://moef.nic.in/divisions/iass/eia/Cover.htm</p> <p>The EIA has to be done by Consultant registered details available at http://moef.nic.in/downloads/public-information/0m-30-07-2011.pdf</p> <p>The NTG considers that new or risk infrastructure could be (at individual producer level or group level) the silos of 2000 tons or more, storage area, processing plants, highways, bridges and dams.</p>
4.2	<p>4.2.4 Examples for auditors and farmers on recycling</p> <ul style="list-style-type: none"> A) The used oil is utilized for termite management in wooden articles B) Crop residues are directly utilized for recycling C) Crop residues are also animal feed, which in turn provide facility for producing manure/compost

Criterion	Guidance
	<p>4.2.5 For large and medium producers this should be documented. For small farms it is sufficient that the producer knows what residues are produced and what will be done with each one.</p>
<p>4.3</p>	<p>On farms which produce multiple crops an estimate of the use of fossil fuel for soy production should be calculated.</p> <p>'Activities related to soy production' include: field operations and on-farm transport, whether this is done by the producer or by third parties.</p> <p>An example of a justification for an increase in the intensity of fossil fuel use may be if a planting was lost due to drought and had to be replanted.</p> <p>The use of renewable energy (biofuels, biogas, solar and wind energy etc) on the farm is encouraged. In the case of renewable energy replacing electricity, quantify the equivalent fossil fuel saving.</p> <p>4.3.1 Where operations by machine on a farm is outsource, the farmers needs to keep the record of the fuel use in the production activities.</p> <p>4.3.2 There may be annual fluctuations in the intensity of fossil fuel use, due to natural yield variations. The trend should be monitored over a period of several years.</p> <p>4.3.3 Guidance for producers and auditors: The changes in soil organic carbon content under Indian Conditions are not that radical, consider this factor in the trend as it takes some years to show improvement</p> <p>4.3.4 Guidance for producers: as an example the activity to plant vegetation in the form of kitchen/nutritional garden or bund plantation on farm boundary can be promoted</p>
<p>4.4</p>	<p>4.4.1.2 c) Options 1 and 2 only apply for areas which are not native forest (as stated in 4.4.1.2 b and c). Therefore native forest cannot be deforested even if an official land use map (Option 1) permits this.</p> <p>4.4.1.2 c) Option 1: Maps used for this purpose have been subject to adequate and effective public consultation.</p> <p>4.4.1.2 c) Option 2: HCVA assessment should be undertaken using the existing guidance e.g. HCV Toolkit. The assessors should be recognized by RTRS or the HCV network.</p> <p>4.4.2 Traditional land users will provide reasonable proof that they have been exercising use or access rights on the area of the property over the 10 years prior to May 2009.</p> <p>RTRS Definition of native forest: areas of native vegetation of 1ha or more with canopy cover of more than 35 % and where some trees (at least 10 trees per hectare) reach 10m in height (or are able to reach these thresholds in situ (ie. in that soil/climate combination)).</p> <p>The RTRS definition of native forest has to be complement with the local definition of Native Forest that in the case of India is more restrictive.</p> <p>Indian Definition of Native Forest:</p> <p>Forest includes natural forests and forest plantations. The term is used to refer to land with a tree canopy cover of more than 10 percent and area of more than 0.5 ha. Forests are determined both by the presence of trees and the absence of other predominant land uses. The trees should be able to reach a minimum height of 5 m. Young stands that have not yet reached, but are expected to reach, a crown density of 10 percent and tree height of 5 m are included under forest, as are temporarily un-stocked areas. The term includes forests used for purposes of production, protection, multiple use or conservation (i.e. forest in national parks, nature reserves and other protected areas), as well as forest stands on agricultural lands (e.g. windbreaks and shelterbelts of trees with a width of more than 20 m) and rubberwood plantations and cork oak stands. The term specifically excludes stands of trees established primarily for agricultural production, for example fruit tree plantations. It also excludes trees</p>

Criterion	Guidance
	<p>planted in agroforestry systems (FAO).</p> <p>On the basis of consultation made with different stakeholders throughout the country, the possible options for the definition of Forests are as under, “an area owned by Government and notified as forest under any act or recorded as a forest in any Government record functioning as ecological, biological, livelihood-support and/or social resource” Source: envfor.nic.in/divisions/fp/Evo_def.doc</p> <p>Types of forests in India as per administrative guidelines:</p> <p>a. Reserved forests— Section 20 of the Indian Forest Act, 1927 [Act 16 of 1927] Reserve Forests are those forests where rights to all activities like grazing, collection of Non-Wood Forest Produce(NWFP) etc are banned unless specific orders are issued.</p> <p>b. Protected forests--Section 29 of the Indian Forest Act, 1927 Protected forests are those forests where rights to activities like grazing, collection of NWFP etc are given to local communities.</p> <p>c. Village Forest--Section 28 of the Indian Forest Act, 1927 The Government may assign to any village community the rights over a land which may be a part of a reserved forest for use of the community. Usually, forested community lands are constituted into Village Grazing Reserve [VGR]. Parcels of land so notified are marked on the settlement revenue maps of the villages.</p> <p>Data capture requirements for future Payment for Environmental Services (PES) schemes: The date of registration of the producer for certification is recorded by the certification body. During the certification audit, the area and type of vegetation of all voluntary reserves of native vegetation (above the legal requirement) are recorded. Following certification, details of the date of registration for certification and the area and type of vegetation of voluntary reserves are added to an RTRS register. When an RTRS PES scheme is developed, payments are available retroactively to the date of registration for certification to all producers on the register.</p> <p>Guidance for producers and auditors regarding the criterion: The information on forest in India and its states, coverage and classification is available In “India State of Forest Report 2009, Ministry of Environment and Forests, Government of India”. Detailed information is available on web site- http://www.fsi.org.in</p>
4.5	<p>The map and plan should be appropriate to the size of the operation.</p> <p>In group certification the group manager can maintain the map centrally and can be responsible for maintaining and developing a plan for conservation.</p>
5.1	<p>5.1.2 Where appropriate there should be monitoring of parameters such as pH, temperature, dissolved oxygen, turbidity, total soluble salts and electrical conductivity. Monitoring should be considered at watershed level, for this reason the monitoring process may consider the identification of representative areas for taking the samples and also periodicity of the monitoring These parameters can be identified and also be monitored by Group Manager in case of group certification.</p> <p>5.1.2 Where there are wells these should be used to monitor ground water.</p> <p>5.1.4 When using irrigation, attention should be paid to other potential uses such as household use or use by other food crops and if there is a lack of water priority should be given to human consumption.</p>
5.2	<p>Guidance for 5.2.1</p> <p>Guidance for the Group Manager and producers:</p> <p>In cases of perennial streams the size of the riparian strip should be double the width of stream.</p> <p>Guidance for 5.2.2</p> <p>When the indicators 5.2.2 applies, appropriate measures (like plantation, guide bund, vegetative barrier) need to be suggested by the Group Manager to producers that need to</p>

Criterion	Guidance
	<p>comply with this indicator, and the producer needs to have a plan for its implementation.</p> <p>Where natural vegetation in riparian areas has been removed, a plan has been implemented and after 5 years at least 30 % has been recovered.</p>
<p>5.3</p>	<p>Guidance for 5.3.2, techniques to maintain soil quality may include: Conservation agriculture Conservation tillage practices need to be adopted. (Crop rotation, balanced fertilization (utilizing Integrated nutrient management approach), recycling of crop residues and use of bio fertilizers when possible, organic manure and need based fertilization</p> <p>Techniques to control soil erosion may include: Management of on-farm roads (not relevant for small farms) Management of sloppy land/ areas (ploughing & planting against the slope, conserve /reduce the speed of runoff water, bank stabilization by plantation/grass, provision for wind barriers).</p> <p>Guidance for 5.3.3, analysis and monitoring of soil may include for example, organic matter; available nitrogen (N), phosphorous (P), and Potash (K)</p>
<p>5.4</p>	<p>Surface and ground water includes lakes, rivers, lagoons, marshes, swamps, ground water sources, aquifers/water tables.</p> <p>Take into account scale and context especially for small farms – this relates to both the level of ICM expected and the records maintained.</p> <p>5.4.1 Guidance for the Group Manager: The ICM Plan needs to be prepared by Group manager and implemented by the group members. The group Manager needs to support individual producers by providing appropriate training etc.</p> <p>5.4.2 The parameters that are monitored include the number of applications of phytosanitary products per crop cycle, volume of phytosanitary product used per hectare and toxicological class of product.</p> <p>5.4.2 The level of potential harmfulness of a phytosanitary product can be determined from its WHO class for the purposes of this criterion.</p> <p>5.4.2 Where targets are not met, documented evidence is presented to justify this.</p> <p>5.4.4 Both local and national legislation should be taken into account.</p>
<p>5.5</p>	<p>5.5.1 Records are maintained for at least 5 years. This does not apply to records from years prior to certification.</p> <p>5.5.1 In case of Group certification awareness and training programs need to be organized for producers by the Group Manager.</p> <p>5.5.1 Individual producer and/or Producer group need to keep the records and record the data/information.</p> <p>5.5.2 Washing of containers should be carried out using triple rinsing principles (including re-use of the rinse water in the tank mix) or using high-pressure techniques associated with mechanical application.</p> <p>5.5.3 Areas used for the storage and distribution of agrochemicals, flammable and toxic substances are designed, constructed and equipped to reduce the risks of accidents and negative impacts on human health and the environment</p> <p>5.5.3 See Insecticide Rules, CHAPTER VII Transport and storage of Insecticides in transit by rail, road or water, , 1971 (GSR 1650, DT. 9-10-1971 (Annex 6)</p>
<p>5.6</p>	<p>Guidance for auditors and producers: Rotterdam Convention: http://www.pic.int/home.php?type=t&id=29&sid=30 Stockholm Convention on Persistent Organic Pollutants (POPs): http://chm.pops.int/Convention/ThePOPs/tabid/673/language/en-US/Default.aspx</p> <p>In addition to the Stockholm and Rotterdam banned pesticides local banned pesticides should be consider, list of banned Agrochemicals in India is available at</p>

Criterion	Guidance
	<p>http://cibrc.nic.in/list_pest_bann.htm</p>
<p>5.7</p>	<p>Records of use of biological control agents should be used as evidence of compliance with this criterion</p> <p>5.7.1 Guidance for producers:</p> <p>The biological control agents use in India are controlled by plant quarantine order and regulation of import into India, 2003 (Annex 6. PLANT QUARANTINE ORDER (REGULATION OF IMPORT INTO INDIA), 2003, AND INCLUDES AMENDMENTS ISSUED THERETO FROM TIME TO TIME), that basically requires the following:</p> <ol style="list-style-type: none"> 1- No consignment of plants and plant products shall be imported without a valid Permit. 2- A fee is payable along with the application for the import 3- After approval the Plant Protection Adviser shall issue guidelines for carrying out Pest Risk Analysis 4- The import Permit issued shall be valid for 6 months, and can be extended, this Permit is non transferable 5- All consignments of seeds and plants for propagation and regulated articles such as live insects, microbial cultures, bio-control agents and soil shall only be imported into India through regional plant quarantine. <p>5.7.2 Records must be kept</p>
<p>5.8</p>	<ol style="list-style-type: none"> a) 5.8.1 National legislation, The Plant Quarantine (Regulation of Import into India) Order 2003 regulates and prohibits entry of invasive-introduced species in the country (Annex 6) b) 5.8.2 If the producer or group manager identify a new pest or invasive species they must communicate this to the State Agriculture Department
<p>5.9</p>	<p>5.9.1 Factors that influence drift include among others wind speed and direction, temperature, equipment utilized and topography.</p> <p>5.9.1 Definition of Good Agricultural Practices for Agrochemical Application is attached as Annex 7.</p> <p>5.9.2 For small producers to keep records of weather conditions is not a mandatory requirement however, they must demonstrate they have a procedure for this, or follow a procedure developed by Group manager in case of group certification.</p> <p>5.9.1 and 5.9.2 For group certification of small farms - group managers may provide documented procedures and maintain records of weather conditions.</p> <p>5.9.3 Aerial application is not practiced in soy farms in India. However, the directives on aerial spray are available in Insecticides Rules, 1971 (GSR 1650, DT. 9-10-1971(Annexure IV) and are required to be followed.</p> <p>5.9.4 WHO Class Ia, Ib and II list attached (Annex 6): There may be an exception for manual application of chemicals not classified as WHO Ia, Ib, or II, if adequate measures are taken to prevent drift (e.g. use of backpack applicators with shields) and it is permitted by the law and manufacturer's recommendations.</p> <p>5.9.5 In case of non perennial streams and surface water harvesting structure (see glossary), the producer takes appropriate measures to avoid drifts, the distance for manual applications should be 6 meters.</p>
<p>5.10</p>	<p>When a change in soybean production practices is introduced which could impact on neighboring production systems, it is the responsibility of the producer making the change to implement a buffer strip of 30 m (e.g. in areas where production is generally GM, it is the responsibility of an organic or non-GM farmer to maintain the buffer around his own production. In areas where production is mainly non-GM or organic, a farmer planting GM or using</p>

Criterion	Guidance
5.11	chemicals should maintain a buffer). 5.11.2 Producers can use their own seed. This provision has been made in PPV&FR Act 2001 of Government of India (http://agricoop.nic.in/PP&FR Act, 2001.pdf)

Annex 2: List of Acronyms

GM	Genetically Modified
HCV	High Conservation Value
HCVA	High Conservation Value Area
ICM	Integrated Crop Management
ILO	International Labour Organization
ITG	International Technical Group
NGO	Non Governmental Organization
NTG	National Technical Group
P&C	Principles and Criteria
PES	Payments for Environmental Services
RTRS	Round Table on Responsible Soy
SA8000	Social Accountability International (SAI) international standard on workers' rights, working conditions and management systems.
WHO	World Health Organization

Annex 3: Glossary of Terms

Biological Control	A method of controlling pests that relies on predation, parasitism, herbivory, or other natural mechanisms, rather than agrochemicals.
Criteria	The 'content' level of a standard. Conditions that need to be met in order to achieve a Principle.
Continual Improvement	The on-going process of improving performance through establishment of objectives, the use of monitoring, audit findings and management reviews; analyzing information and implementing corrective and preventive actions.
Endemic species	A species which is found exclusively in a particular region or location and not found naturally anywhere else.
The Equator Principles	A financial industry benchmark developed by private sector banks for determining, assessing and managing social and environmental risk in project financing. The Principles apply to all new project financings globally with total project capital costs of US\$10 million or more, and across all industry sectors.
The Equator Principles' Social and Environmental assessment	An assessment that determines the social and environmental impacts and risks (including labour, health, and safety) of a proposed project in its area of influence. It is an adequate, accurate and objective evaluation and presentation of the issues, whether prepared by the producer, consultants or external experts. The Assessment should also propose mitigation and management measures relevant and appropriate to the nature and scale of the proposed project. See Principle 2 and Exhibit II of the Equator Principles at www.equator-principles.com for further details.
Forest	See Native forest
High Conservation Value Areas	<p>High Conservation Value Areas are critical areas in a landscape which need to be appropriately managed in order to maintain or enhance High Conservation Values (HCVs). There are six main types of HCV Area. Based on the definition originally developed by the Forest Stewardship Council for certification of forest ecosystems, but now increasingly expanded to apply to other credible assessments of other ecosystems.</p> <p>HCV1. Areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species, refugia).</p> <p>HCV2. Globally, regionally or nationally significant large landscape-level areas where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.</p> <p>HCV3. Areas that are in or contain rare, threatened or endangered ecosystems.</p> <p>HCV4. Areas that provide basic ecosystem services in critical situations (e.g. watershed protection, erosion control).</p> <p>HCV5. Areas fundamental to meeting basic needs of local communities (e.g. subsistence, health).</p> <p>HCV6. Areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities).</p>
Indicators	The 'operational' level of a standard expressed in measurable statements which allow assessment of conformance.
Indirectly employed workers	<p>Workers indirectly employed on the farm refers in this standard to employees of service providers who carry out services directly related to the production process.</p> <p>Further definition of those '<i>services directly related to the production process</i>' should be carried out by national interpretation processes.</p>
Integrated Crop Management	A system of crop production which conserves and enhances natural resources while producing a crop on an economically viable and sustainable foundation. A whole-farm, long-term strategy incorporating both new technologies and traditional knowledge and practices. See Annex 5 for further details.

Local Communities	Groups of people and families legitimately living or working on or near to the property to be certified, or between properties in case of multiple or group certification, and influenced by or influencing the activities of the property.
Native forest	Areas of native vegetation of 1ha or more with canopy cover of more than 35 % and where some trees(at least 10 trees per hectare) reach 10m in height (or are able to reach these thresholds in situ (ie. In that soil/climate combination)).
Non-perennial streams	Those streams which have non-continuous flow of water all year round. The water flows in these streams during different rain storms during the rainy season (July to October).
No-tillage	A way of growing crops from year to year without disturbing the soil through ploughing. Also known as direct drilling, zero tillage and conservation tillage.
Nuclear Family	Father, mother and kids above 13 years old (see limitations in indicator 2.1.5) that work in the field.
Pesticides	Pesticides include herbicides, fungicides, rodenticides and insecticides.
Phytosanitary products	Agrochemicals used for controlling pests and weeds including herbicides, fungicides and pesticides.
Principles	The 'intent' level of the standard, expressed in fundamental statements about a desired outcome.
Services directly related to the production process	Seed bed preparation, sowing, fertilization, weeding, spraying, harvesting, threshing and storage.
Sharecroppers	A type of tenant farmer who is allowed by the owner to use the land in return for a share of the crop produced on the land.
Small producers	Indian National Technical Group defined as a small producer for the RTRS standard, as a producer having landholding up to 4 ha.
Standard	Standards are documents containing technical specifications or other precise criteria which are used as rules, or guidelines and form the requirements to be met.
Surface water harvesting structures	Structures created to conserve rain water in situ and include trenches, furrows and very small ponds (5% of plot size) to collect run-off water to be used for irrigating crops
Traditional land users	Communities (or individuals where population is very sparse) that have been exercising use or access rights on the property being certified for an extended period of time.
Water Body	Ponds excluding surface water harvesting structures, potable water body, water courses, lagoons, springs, reservoirs, ditches, rivers, perennial streams and lakes.
Wetlands	Areas of marsh, fen, peatland, or water - whether natural or artificial, permanent or temporary- with water that is static or flowing, brackish or salt (Ramsar convention).
Workers	Where used in this document 'workers' includes permanent, temporary and seasonal workers and sharecroppers.
Zoning	The classification of allowable or preferred land use.

Annex 4: RTRS Approach to Responsible Conversion

There will be two phases:

- For the short term, an interim approach will be used. This is set out in criterion 4.4 of the RTRS Standard for Responsible Soy Production Version 1.0.
- For the medium term, the RTRS will develop official RTRS approved macro-scale maps which will provide biodiversity information and a system which will orient responsible expansion of RTRS soy. This work will be carried out as described below and should be completed before 31st December 2012 for Argentina, Brazil, Bolivia and Paraguay.

RTRS-approved maps and System

1. Summary

National level macro-scale maps will be created through a multi-stakeholder process, which will provide guidance on responsible expansion. These maps will indicate four categories of area:

- Category I Areas = areas which are critical for biodiversity (hotspots), where stakeholders agree there should not be any conversion of native vegetation to responsible soy production.
- Category II Areas = areas with high importance for biodiversity where expansion of soy is only carried out after an HCVA assessment which identifies areas for conservation and areas where expansion can occur.
- Category III Areas = areas where existing legislation is adequate to control responsible expansion (usually areas with importance for agriculture and lower conservation importance).
- Category IV Areas = areas which are already used for agriculture and where there is no remaining native vegetation except legal reserves and so no further expansion is occurring.

Guidance will also be produced on how to undertake the HCVA assessments required for expansion in Category II areas.

2. Development of generic global methodology

2.1 RTRS will convene an international multi-stakeholder group to develop the generic global methodology to be used to develop the national macro-scale maps.

- c) The group should include representatives of each RTRS constituency and country.
 - i. Note: the group should aim to include 1 person per constituency from each of Argentina, Brazil, Bolivia and Paraguay plus at least 3 representatives (1 representative per constituency) from other main soy producing countries.
- d) The group should include technical experts.
- e) The group should work by consensus.

2.2 The group will review existing methodologies and produce a methodology for the RTRS which addresses:

- a) The minimum criteria which need to be considered in developing national maps.
- b) The important data layers which should be included and other optional layers.
- c) Possible sources of data which should be used.
- d) Develop criteria on how to assign different categories.
- e) Any other necessary issues.

2.3 The group will review existing methodologies for undertaking on-farm HCVA assessments required for farms in Category II areas and develop generic guidance for RTRS.

3. Production of national macro-scale maps

3.1 Establish a national multi-stakeholder group in each country (as a sub-group of the RTRS National Technical Group) to oversee the map development process. The group should include both representation of each RTRS constituency and technical expertise.

Note: for Argentina, Brazil, Bolivia and Paraguay this group will include the 3 national members of the global multi-stakeholder group.

3.2 The national multi-stakeholder group interprets the global methodology and agrees on the work to be undertaken at a national level including:

- a) National interpretation of criteria to be used.
- b) Sources of information and data to be used including all official maps, conservation maps etc which provide consistent information including sub-national maps.
- c) Definitions of important areas for conservation and for agricultural expansion in the country.
- d) Any additional information required.
- e) Agreement on criteria for assignment of categories.
- f) Any other issues.

3.3 A technical group is assigned to undertake the mapping in line with the national level guidance developed by the multi-stakeholder group.

3.4 The multi-stakeholder group reviews the maps and agrees on the mapping of the categories.

3.5 The multi-stakeholder group reviews the generic methodology for on-farm HCVA assessments for expansion in Category II areas and produces a national version.

3.6 The national map and methodology, once agreed by the national multi-stakeholder group, is submitted to the RTRS National Technical Group for approval and once approved is submitted to RTRS for endorsement.

4. Implementation

Once national maps and methodologies are endorsed they replace any interim approach to managing responsible expansion.

Annex 5: Integrated Crop Management (ICM) Measures and Practices in Soy Production

The approach of RTRS towards Integrated Crop Management (ICM) is the voluntary adoption of an increasing number of ICM measures and sub-measures over time, according to a plan that is devised with professional guidance, which in the case of group certification may be provided by the group manager to individual group members. The table below presents a non-exhaustive list of measures and practices that can be used in the development and auditing of the ICM plan developed by the producer or producer group.

Measure	Practices
1. Prevention	1a. Conservation tillage (including zero tillage, zero tillage sowing, contour ploughing, etc.) 1b. Mechanical control practices to prevent weed seeds from germinating or spreading 1c. Maintaining vegetative or residue soil cover in between crops 1d. Crop rotation (including 1c.) 1e. Choice of seed variety: choose resistant variety against the main pest 1f. Monitor and record harmful and beneficial organisms 1g. Buffer zones and refuges for biodiversity (for example hedges, riparian vegetation, etc.)
2. Technical measures for cultivation	2a. Sowing date / timing 2b. Scouting in field to assess damage-threshold for all pests (proven by daily record keeping) 2c. Use of fertilizer with evidence of need provided by professional soil/fertilization specialist 2d. Manual weed removal / intercultural operations 2e. mechanical weed removal / intercultural operations which are not detrimental to soil structure, organic matter content or other soil and water values
3. Systems for early warning and advise	3a. Use of weather information to determine applications 3b. Use of pest traps 3c. Use of decision support systems or manuals 3d. Use of warning systems or services for pests and diseases such as soy bean rust
4. Non-chemical crop protection	4a. Use of naturally occurring beneficial insects by maintenance of buffer zones / natural vegetation 4b. Use of biological control agents 4c. Use of crop protection substances of natural origin 4d. Use of inoculants (symbiotic bacteria) to promote Nitrogen uptake
5. Chemical crop protection and application techniques	5a. Rotation of active ingredient 5b. Application of phytosanitary products only when the economical damage threshold is exceeded 5c. Use of selective and low human toxicity and low ecotoxicity phytosanitary products 5d. Use of narrow spectrum phytosanitary products 5e. Use of spot wise / precision application
6. Emission reduction	6a. Use of adequate and well calibrated equipment 6b. Spray-free zone towards principal water courses in accordance with

Measure	Practices
	professional agrochemical specialist's advice 6c. In the use of aerial spraying there is no application where a temperature inversion or other unfavorable meteorological condition (high wind speed, etc.) occurs.

Annex 6: Applicable Laws identified by the Indian National Technical Group

Workers health and safety	<p>Rule 1971,chapter VIII http://cibrc.nic.in/insecticides_rules.htm</p>
Child labour	<p>Child labour (Prohibition and regulation) Act, 1986, www.labour.nic.in/cwl/childlabouract.doc <i>includes definition of child and laws governing employment of children.</i></p>
Contract Labour	<p>The contract labour (regulation and abolition) ACT, 1970 ACT NO. 37 OF 1970 CHAPTER I PRELIMINARY</p> <p>1. Short title, extent, commencement and application: (1) This Act may be called the Contract Labour (Regulation and Abolition) Act, 1970. (2) It extends to the whole of India. (3) It shall come into force on such date 1* as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act. (4) It applies-- (a) To every establishment in which twenty or more workmen are employed or were employed on any day of the preceding twelve months as contract labour; (b) To every contractor who employees or who employed on any day of the preceding twelve months twenty or more workmen: Provided that the appropriate Government may, after giving not less than two months' notice of its intention so to do, by notification in the Official Gazette, apply the provisions of this Act to any establishment or contractor employing such number of workmen less than twenty as may be specified in the notification. (5) (a) It shall not apply to establishments in which work only of an intermittent or casual nature is performed. (b) If a question arises whether work performed in an establishment is of an intermittent or casual nature, the appropriate Government shall decide that question after consultation with the Central Board or, as the case may be, a State Board, and its decision shall be final.</p> <p>Explanation.-- For the purpose of this sub-section, work performed in an establishment shall not be deemed to be of an intermittent nature-- (i) if it was performed for more than one hundred and twenty days in the preceding twelve months, or (ii) If it is of a seasonal character and is performed for more than sixty days in a year.</p> <p>Received assent of the President on 5.9.1970; Published in Gazette of India on 7.9.1970</p>
Equal Remuneration at work	<p>The Equal remuneration Act, 1976, http://pblabour.gov.in/pdf/acts_rules/equal_remuneration_act_1976.pdf</p>
Bonded Labour	<p>The Bonded Labour System(Abolition)Act, 1976 http://ncpcr.gov.in/Acts/Abolition_of_Bonded_Labour_System_Act_1976.pdf</p>
Minimum wages	<p>The Minimum wage act, 1948, section -3 deals with fixing of minimum rate of wage by appropriate government and Section-5 deals with procedure for fixing and revising minimum wage rate by State Govt. http://www.paycheck.in/main/officialminimumwages</p>
Indian Forest	<p>Forest Definition: <i>Source: envfor.nic.in/divisions/fp/Evo_def.doc</i></p> <p>Types of forests in India as per administrative guidelines:</p> <p>a. Reserved forests— Section 20 of the Indian Forest Act, 1927 [Act 16 of 1927] Reserve Forests are those forests where rights to all activities like grazing, collection of Non- Wood</p>

	<p>Forest Produce(NWFP) etc are banned unless specific orders are issued.</p> <p>b. Protected forests--Section 29 of the Indian Forest Act, 1927 Protected forests are those forests where rights to activities like grazing, collection of NWFP etc are given to local communities.</p> <p>c. Village Forest--Section 28 of the Indian Forest Act, 1927 The Government may assign to any village community the rights over a land which may be a part of a reserved forest for use of the community. Usually, forested community lands are constituted into Village Grazing Reserve [VGR]. Parcels of land so notified are marked on the settlement revenue maps of the villages.</p>
Forest Regulations	<p>"India State of Forest Report 2009, Ministry of Environment and Forests, Government of India". Detailed information is available on web site- http://www.fsi.org.in</p>
Tree felling and transit regulations	<p>Source: http://planningcommission.nic.in/reports/articles/ncsxna/agroannx.htm</p>
Seeds	<p>Ensuring seed quality : PPV(Plant Variety Projection) and FR (Farmers right)--Claim for compensation under section 2 of 39---A Producer may ask for compensation from seed supplier/dealer if seed variety has not performed under a particular set of condition. Under PPV&FP Act 2001 under Chapter VI, Farmer's Rights point 39 (2), http://agricoop.nic.in/PPV&FR%20Act,%202001.pdf</p>
Environmental Impact assessment	<p>The Environmental impact assessment in India is under the purview of Ministry of Environment and Forests.</p> <p>The main laws that govern the impact assessment are:</p> <p>Water Act (1974): www.moef.nic.in/legis/water/wat1.html</p> <p>The Indian Wildlife (Protection) Act (1972) : www.moef.nic.in/legis/wildlife/wildlife1.html</p> <p>The Air (Prevention and Control of Pollution) Act (1981): www.moef.nic.in/legis/air/air1.html</p> <p>The Environment (Protection) Act (1986): moef.nic.in/downloads/rules-and-regulations/eprotect_act_1986.pdf</p> <p>Details available at: http://moef.nic.in/divisions/iass/eia/Cover.htm</p> <p>The EIA has to be done by Consultant registered details available at http://moef.nic.in/downloads/public-information/0m-30-07-2011.pdf</p>
Banned pesticides list in India	<p>http://cibrc.nic.in/list_pest_bann.htm & Rotterdam Convention: http://www.pic.int/home.php?type=t&id=29&sid=30 Stockholm Convention on Persistent Organic Pollutants (POPs): http://chm.pops.int/Convention/ThePOPs/tabid/673/language/en-US/Default.aspx</p> <p>Storage of banned pesticide not allowed as per Insecticide act 1968, Article 18 http://cibrc.nic.in</p>
Awareness on the extent of toxicity of pesticides	<p>Toxicity classification http://cibrc.nic.in/insecticides_rules.htm, chapter V - Packing and labeling</p>

WHO Classification of agro chemicals	http://whqlibdoc.who.int/hq/2002/a76526.pdf				
	WHO Classification of pesticides (http://www.wpro.who.int/hse/pages/wholistpertype.html)				
	WHO Extremely hazardous (Class 1a) technical grade active ingredients of pesticide				
	Aldicarb [ISO]	Chlorethoxyfos [ISO]	Parathion [ISO]	Bromethalin [ISO]	
	Bradifacoum [ISO]	Chlormephos [ISO]	Parathion-methyl [ISO]	Calcium cyanide [C]	
	Bromadiolone [ISO]	Disulfoton [ISO]	Phorate [ISO]	Captafol [ISO]	
	Difenacoum [ISO]	EPN	Phosphamidon	Chlorophacinone [ISO]	
	Flocoumafen	Ethoprophos [ISO]	Sulfotep [ISO]	Difethialone [ISO]	
	Mercuric chloride [ISO]	Fonofos [ISO]	Tebupirimfos[ISO*]	Diphacinone [ISO]	
	Phenylmercury acetate[ISO]	Mevinphos [ISO]	Terbufos [ISO]	Sodium fluoroacetate[C]	
	Hexachlorobenzene [ISO]				
	WHO Highly hazardous (Class 1b) technical grade active ingredients of pesticides				
	Lead arsenate [C]	Warfarin [ISO]	Heptenophos [ISO]	Vamidithion [ISO]	
	Paris green [C]	Mercuric oxide [ISO]	Isazofos [ISO]	Zeta-cypermethrin [ISO]	
	Sodium arsenite [C]	Dinotreb [ISO]	Isofenphos [ISO]	Flucythrinate [ISO]	
	Calcium asenate [C]	DNOC [ISO]	Isoxathion [ISO]	Tefluthrin	
	Butocarboxim [ISO]	Azinphos- ethyl [ISO]	Mecarbam [ISO]	Acrolein [C]	
	Butoxycarboxim [ISO]	Azinphos-methyl [ISO]	Methamidophos [ISO]	Allyl alcohol [C]	
	Carbuforan [ISO]	Cadusafos [ISO]	Methidathion [ISO]	Blasticidin-S	
	Ethiofencarb [ISO]	Chlorfenvinphos [ISO]	Monocrotophos [ISO]	3-chloro-1,2-propanediol[C]	
	Formetanate [ISO]	Coumaphos [ISO]	Omethoate [ISO]	Fluoroacetamide [C]	
	Furathiocarb	Demeton-S-methyl [ISO]	Oxydemeton-methyl [ISO]	Nicotine [ISO]	
	Methiocarb [ISO]	Dichlorvos [ISO]	Pirimiphos-ethyl [ISO]	Pentachlorophenol [ISO]	
	Methomyl [ISO]	Dicrotophos [ISO]	Propaphos	Pindone [ISO]	
	Oxamyl [ISO]	Edifenphos [ISO]	Propetamphos [ISO]	Sodium cyanide [C]	
	Thiofanox [ISO]	Famphur	Thiometon [ISO]	Strychnine [C]	
	Coumatetralyl [ISO]	Fenamiphos [ISO]	Triazophos [ISO]	Thallium sulfate [C]	
				Zinc phosphide [C]	
	WHO Moderately hazardous (Class II) technical grade active ingredients of pesticides				
	Diquat [ISO]	Butamifos [ISO]	Fentin hydroxide [ISO]	Azaconazole	Ioxynil octanoate
	Paraquat [ISO]	Chlorpyrifos [ISO]	2,4- D [ISO]	Bensulide [ISO]	Metaldehyde [ISO]
	Alanycarb [ISO]	Cyanophos [ISO]	Bifenthrin	Bilanafos [ISO]	Metam-sodium [ISO]
	Bendiocarb [ISO]	Diazinon [ISO]	Bioallethrin [C]	Bromoxynil [ISO]	Methasulfocarb [ISO]
Benfuracarb [ISO]	Dimethoate [ISO]	Cyfluthrin [ISO]	Bromuconazole	Methyl isothiocyanate	
Carbaryl [ISO]	Ethion [ISO]	Beta-cyfluthrin [ISO]	Bronopol	Metribuzin [ISO]	
Carbosulfan [ISO]	Etrimfos [ISO]	Cyhalothrin [ISO]	Butylamine [ISO]	Nabam [ISO]	
Fenubocarb [ISO]	Fenitrothion [ISO]	Cypermethrin [ISO]	Cartap [ISO]	Propiconazole [ISO]	
Isoprocarb [ISO]	Fenthion [ISO]	Alpha-cypermethrin [ISO]	Chloralose [ISO]	Pyrazophos [ISO]	
Metolcarb [ISO]	Formothion [ISO]	Cyphenothrin[(1R)-isomers]	Chlorfenapyr [ISO]	Pyrethrins [ISO]	

	Pirimicarb [ISO]	Methacrifos [ISO]	Deltamethrin [ISO]	Chlorphonium chloride [ISO]	Pyroquilon [ISO]
	Propoxur	Naled [ISO]	Esfenvalerate [ISO]	Clomazone [ISO]	Quinalofop-p-tefuryl [ISO]
	Thiodicarb [ISO]	Phenthoate [ISO]	Fenprothrin [ISO]	Difenzoquat [ISO]	Rotenone [C]
	Xylcarb	Phosalone [ISO]	Fenvalerate [ISO]	Endothal-sodium [ISO]	Sodium fluoride [ISO]
	Copper sulfate [ISO]	Phosmet [ISO]	Lambda-cyhalothrin	Fenazaquin [ISO]	Sodium hexafluorosilicate
	Cuprous oxide [ISO]	Phoxim [ISO]	Permethrin [ISO]	Fenpropidin [ISO]	Spiroxamine [ISO]
	Mercurous chloride [C]	Piperophos [ISO]	Prallethrin [ISO]	Fipronil	TCA [ISO] (acid)
	Dinobuton [ISO]	Profenofos [ISO] LD 50 358	Cyanazine [ISO]	Fluxofenim [ISO]	Tetraconazole [ISO]
	Chlordane [ISO]	Prothiofos [ISO]] LD 50 925	Terbumeton [ISO]	Fuberidazole [ISO]	Thiacloprid
	DDT [ISO]	Pyraclifos [ISO]	EPTC [ISO]	Guazatine	Thiocyclam [ISO]
	Endosulfan [ISO]	Quinalphos [ISO]	Molinate [ISO]	Haloxypop	Triazamate [ISO]
	Gamma-HCH [ISO]	Sulprofos [ISO]	Pebulate [ISO]	Imazalil [ISO]	Tricyclazole [ISO]
	HCH [ISO]	Trichlorfon [ISO]	Prosulfocarb [ISO]	Imidacloprid [ISO]	Tridemorph [ISO]
	Heptachlor [ISO]	Azocyclotin [ISO]	Thiobencarb [ISO]	Iminoctadine [ISO]	
	Anilofos [ISO]	Fentin acetate [ISO]	Vernolate [ISO]	loxynil [Iso]	

Insecticides Rules, 1971 (GSR 1650, DT. 9-10-1971)

In exercise of the powers conferred by section 36 of the Insecticides Act, 1968 (46 of 1968), the Central Government, after consultation with the Central Insecticides Board, hereby makes the following rules, namely :-

CHAPTER I

PRELIMINARY

1. Short title and commencement

1. These rules may be called the Insecticides Rules, 1971/
2. They shall come into force on the 30th day of October, 1971.

2. Definition

In these rules, unless the context otherwise requires :-

- a. "Act" means the Insecticides Act, 1968 (46 of 1968);
- b. [***]
- c. "expiry date" means the date that is mentioned on the container, label or wrapper against the column 'date of expiry';]
- d. "form" means a form set out in the First Schedule;
- e. "laboratory" means the Central Insecticides Laboratory;]
- f. "schedule" means a schedule annexed to these rules;
- g. [***]
- h. "pests" means any insects, rodents, fungi, weeds and other forms of plant or animal life not useful to human beings;]

- i. "primary package" means the immediate package containing the insecticides;
- j. "principal" means the importer or manufacturer of insecticides, as the case may be;
- k. "registration" includes provisional registration;
- l. "rural area" means an area which falls outside the limits of any Municipal Corporation or Municipal Committee or a Notified Area Committee or a Notified Area Committee or a Cantonment;
- m. "Schedule" means a Schedule annexed to these ruled;
- n. "secondary package" means a package which is neither a primary package nor a transportation package;
- o. "section" means a section of the Act;
- p. "testing facility" means an operational unit where the experimental studies are being carried out or have been carried out in relation to submission of data on product quality or on safety or on efficacy, or on residues or on stability in storage of the insecticides for which the application for registration is made.
- q. "Transportation package" means the outermost package used for transportation of insecticides.)
- r. 'Commercial Pest Control Operation' means any application or dispersion of Insecticide(s) including fumigants in household or public or private premises or land and includes pest control operations in the field including aerial applications for commercial purposes but excludes private use;
- s. 'Pest Control Operators'; means any person who undertakes pest control operations and includes the person or the firm or the company or the organization under whose control such a person(s) is operating.

CHAPTER II

FUNCTIONS OF THE BOARD, REGISTRATION COMMITTEE AND LABORATORY

3. Functions of the Board

The Board shall, in addition to the functions assigned to it by the Act, carry out the following functions, namely:

- a. advise the Central Government on the manufacture of insecticides under the Industries (Development and Regulation) Act, 1951 (65 of 1951);
- b. specify the uses of the classification of insecticides on the basis of their toxicity as well as their being suitable for aerial application;
- c. advise tolerance limits for insecticides, residues and an establishment of minimum intervals between the application of insecticides and harvest in respect of various commodities;
- d. specify the shelf-life of insecticides;
- e. suggest colourisation, including colouring matter which may be mixed with concentrates of insecticides, particularly those of highly toxic nature;
- f. Carry out such other functions as are supplemental, incidental or consequential to any of the functions conferred by the Act or these rules.

4. Functions of Registration Committee

The Registration Committee shall, in addition to the functions assigned to it by the Act, perform the following functions namely :

- a. specify the precautions to be taken against poisoning through the use or handling of insecticides;
- b. Carry out such other incidental or consequential matters necessary for carrying out the functions assigned to it under the Act or these rules.

5. Functions of Laboratory

The functions of the Laboratory shall be as follows :

- a. to analyse such samples of insecticides sent to it under the Act by any officer or authority authorized by the Central or State Governments and submission of certificates of analysis to the concerned authority;
- b. to analyse samples of materials for insecticide residues under the provisions of the Act;
- c. to carry out such investigations as may be necessary for the purpose of ensuring the conditions of registration of insecticides;
- d. to determine the efficacy and toxicity of insecticides;
- e. to carry out such other functions as may be interested to it by the Central Government or by a State Government with the permission of the Central Government and after consultation with the Board.

CHAPTER III

REGISTRATION OF INSECTICIDES

6. Manner of registration

1. a. An application for registration of an insecticide under the Act shall be made in Form I and the said Form including the verification portion, shall be signed in case of an individual by the individual himself or a person duly authorized by him; in case of Hindu Undivided Family, by the Karta or any person duly authorized by him; in case of partnership firm by the managing partner; in case of a company, by any person duly authorized in that behalf by the Board of Directors; and in any other case by the person in-charge or responsible for the conduct of the business. Any change in members of Hindu Undivided Family or partners or the Board of Directors or the person in charge, as the case may be, shall be forthwith intimated to the Secretary, Central Insecticides Board and Registration Committee and the Licensing Officer.
- b. The Registration Committee may, if necessary, direct inspection of the 'testing facility' for establishing the authenticity of the data.
2. An application form duly filled together with a bank draft, drawn in favor of the Accounts Officer, Directorate or Plant Protection, Quarantine & Storage, payable at Faridabad towards registration fee shall be sent to the Secretary, Registration Committee, Directorate of Plant Protection, Quarantine & Storage, NH-IV, Faridabad-121001, Haryana. The fee shall be payable as follows:-
 - i. rupees five thousand each in case of application for registration under Sections 9(3) and 9(3B) of the Insecticides Act, 1968;
 - ii. rupees two thousand five hundred in case of application for registration under Section 9(4) of the Insecticides Act, 1968.
3. The registration fee payable shall be paid by a demand draft drawn on the State Bank of India, Faridabad, in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine and Storage, Faridabad, Haryana.
4. The certificate of registration shall be in Form II or Form II-A, as the case may be and shall be subject to such conditions as specified therein.

6A. Issue of duplicate certificate of registration

A fee of rupees one hundred shall be paid in the form of demand draft drawn on the State bank of India, Faridabad in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine & Storage, Faridabad, Haryana for a duplicate copy of a Certificate of Registration if the original is defaced, damaged or lost.

6B. Addition, deletion or alteration on the Certificate of Registration including labels and leaflets

A Fee of rupees one hundred shall be paid in the form of demand draft drawn on the State Bank of India, Faridabad, in favour of the Accounts Officer, Directorate of Plant Protection, Quarantine and Storage, Faridabad, Haryana on each occasion for each Certificate of Registration for addition, deletion, alternation on the Certificate of Registration including labels and leaflets.

7. Appeal

1. An appeal against any decision of the Registration Committee under section 9 shall be preferred in writing [in Form II-B, in duplicate] to the Central Government in the Department of Agriculture.
2. The appeal shall be in writing and shall set out concisely and under distinct heads the grounds on which the appeal is preferred.
3. Every appeal shall be accompanied by a demand draft of rupees one thousand towards fee and a copy of the decision appealed against.

4. The fee payable for preferring an appeal shall be paid by a demand draft drawn on the State Bank of India, New Delhi in favor of the Pay and Accounts Officer, Department of Agriculture & Cooperation, New Delhi.]
8. Manner of publication of refusal to register or cancellation of certificate of registration
A refusal to register an insecticide or a cancellation of the certificate of registration of an insecticide shall also be published in any two English and Hindi newspapers which have circulation in a substantial part of India and in any of the journals published by the Department of Agriculture of the Government of India.

CHAPTER IV

GRANT OF LICENCES

9. Licences to manufacture insecticides
 1. Application for the grant or renewal of a licence to manufacture any insecticide shall be made in Form III or Form IV, as the case may be, to the licensing officer and shall be accompanied by a fee of rupees two thousand for every insecticide and a maximum of rupees twenty thousand for all insecticides for which the licence is applied.
 2. If an insecticide is proposed to be manufactured at more than one place, separate applications shall be made and separate licences shall be issued in respect of every such place.
 3. A licence to manufacture insecticides shall be issued in Form V and shall be subject to the following conditions, namely:
 - i. The licence and any certificate of renewal shall be kept on the approved premises and shall be produced for inspection at the request of an Insecticide Inspector appointed under the Act or any other officer or authority authorized by the licensing officer.
 - ii. Any change in the expert staff named in the licence shall forthwith be reported to the licensing officer.
 - iii. If the licensee wants to undertake during the currency of the licence to manufacture for sale of additional insecticides, he shall apply to the licensing officer for the necessary endorsement in the licence on payment of the prescribed fee for every category of insecticides.
 - iv. An application for the renewal of a licence shall be made as laid down in rule 11.
 - v. The licensee shall comply with the provisions of the Act and the rules made there under for the time being in force.
 - vi. The licensee shall obtain ISI Mark Certificate from Bureau of Indian Standard within three months of the commencement of the manufacture.
 - vii. No Insecticides shall be sold or distributed without ISI Mark Certification.
 4. A licensing officer may, after giving reasonable opportunity of being heard, to the applicant, refuse to grant any license.
 - 4A. No license to manufacture an insecticide shall be granted unless the licensing officer is satisfied that necessary plant and machinery, safety devices and first-aid facilities, etc., exist in the premises where the insecticide is proposed to be manufactured.
 5. A fee of rupees one hundred shall be paid for a duplicate copy of a licence issued under this rule, if the original is defaced, damaged or lost.
10. Licence for sale, etc., of insecticides
 1. Applications for the grant or renewal of a licence to sell, stock or exhibit for sale or distribute insecticides shall be made in Form VI or Form VII, as the case may be, to the licensing officer and shall be accompanied by the fees specified in sub-rule (2).
 2. The fee payable under sub-rule (1) for grant or renewal of a licence shall be rupees five hundred for every insecticide for which the licence is applied subject to maximum rupees seven thousand five hundred. There shall be a separate fee for each place, if any insecticide is sold, stocked or exhibited for sale at more than one place:

PROVIDED that the maximum fee payable in respect of insecticides commonly used for household purposes and registered as such shall be rupees seven thousand five hundred for every place:

PROVIDED further that, if the place of sale is established in the rural areas, the fee shall be one fifth of the fee specified in this rule.

3. If any insecticide is proposed to be sold or stocked for sale at more than one place, separate applications shall be made and separate licences shall be issued in respect of every such place [and for every insecticides.]

- 3A. Pest Control Operators—
- i. Any person who desires to undertake pest control operations, with the use of Aluminum Phosphide, Methyl bromide, Ethylene dibromide or as notified shall apply for a licence in Form VI-A with a fee of rupees one thousand for each place of operation. The licence granted for such operations shall be valid for a period of five years provided that the licence shall be renewed after verification or inspection at the expiry of this period on application in Form VI-B for a further period of five years with an application fee of rupees one thousand.
 - ii. A licence to stock and use insecticides for pest control operators will be issued in Form VI-C.
 - iii. Any person who applies for grant of licence for undertaking pest control operations should be at least a graduate in Agriculture or in Science with Chemistry as a subject with a certificate of minimum 15 days training from any of the following Institutions- Central Food Technological Research Institute, Mysore; Indian Grain Storage Institute, Hapur and National Plant Protection Training Institute, Hyderabad.
 - iv. For undertaking fumigation, the pest control operators shall have to obtain special permission from the Plant Protection Adviser to the Government of India in addition to obtaining licence. The Plant Protection Adviser will grant such permission as per procedure or guide lines approved by the Registration Committee.
 - v. The commercial pest control operators shall adhere to the prescribed guidelines or procedures as laid down by the Plant Protection Adviser to the Government of India in regard to the fumigation operations undertaken by them.
4. A licence to sell, stock or exhibit for sale or distribute insecticides shall be issued in Form VIII and shall be subject to the following conditions, namely:
- i. The licence shall be displayed, in a prominent place in the part of the premises open to the public.
 - ii. The licence shall comply with the provisions of the Act, and the rules made there under for the time being in force.
 - iii. Where the licensee wants to sell, stock or exhibit for sale or distribute any additional insecticides during the currency of the licence, he may apply to the licensing officer for necessary endorsement on the licence on payment of fees specified in sub-rule (2).
 - iv. If the licensing officer is satisfied that a particular insecticide is harmful to human beings, animals or environment, he may after recording reasons and referring the Insecticide to the Insecticide analyst, prohibit temporarily its sale for a period of thirty days or till he obtains the report of the Analyst, whichever is earlier.
- 4A. i. Every person shall along with his application for grant or renewal of a licence to undertake operation or sell, stock or exhibit for sale or distribute Insecticides, file a certificate from the principal whom he represents or desires to represent the Form VI-D.
- ii. The certificate to be issued by the principal shall be addressed to the licensing officer of the concerned area and shall contain full particulars of the principal including their registration and manufacturing licence numbers, full name and address of the person proposed to be authorized and also the type of formulations to be used in commercial pest control operations, sold, stocked or exhibited, for sale or distribution.
 - iii. In order to verify the genuineness or otherwise of the certificate, principal shall send to the licensing officer of the State where he intends to sell his products an adequate number of copies of the specimen signature or the specimen signatures of the persons authorized in writing to issue the principal's certificate.
 - iv. In case of suspension, revocation or cancellation of the certificate, the principal shall forthwith intimate the licensing officer having jurisdiction.
5. A licensing officer may, after giving a reasonable opportunity of being heard to the applicant refuse to grant any licence.
6. A fee of rupees one hundred shall be payable for a duplicate copy of a licence issued under this rule if the original is defaced, damaged or lost.
- 10A. Segregation and disposal of date-expired pesticides
- a. Immediately after the date of expiry all such stocks after being segregated and stamped 'not for sale' or 'not for use' or 'not for manufacture', as the case may be, shall be kept by the licensee in a separate place specially demarcated for the purpose with a declaration, date-expired insecticide, to be exhibited on the conspicuous part of the place.
 - b. All such stocks then shall be disposed of in an environment friendly manner as may be specified from time to time by the Central Government in consultation with the Central Insecticides Board and shall not be used for remanufacture.
- 10B. Special provision with regard to sulphur
- With regard to insecticide sulphur and its formulations, all licensees shall,--

- a. observe all precautions to prevent its theft;
- b. report any such theft to the nearest police authorities promptly; and
- c. maintain a separate register showing names and addresses of all the persons to whom it has been sold or distributed and the quantities to be sold or distributed.

10C. Prohibition against sale or storage of insecticides in certain places

No person shall manufacture, store or expose for sale or permit the sale or storage of any insecticide in the same building where any articles consumable by human beings or animals are manufactured, stored or exposed for sale.

Explanation : Nothing contained in this rule will apply to the retail sales of household insecticides from the building wherefrom other articles consumable by human beings or animals are usually sold provided such household insecticides have been registered as such and are packed and labelled in accordance with these rules.

11. Duration of licences

- a. Any licence issued or renewed under this chapter shall, unless sooner suspended or cancelled, be in force for a period of two calendar years:

PROVIDED that the licence to manufacture insecticides, if any, issued on the basis of provisional registration granted under sub-section (3-B) of section 9, shall expire on the date of expiry of the provisional registration:

PROVIDED further that the licence granted by endorsement on the main licence under clause (iii) of sub-rule (8) of rule 9 or under clause (iii) of sub-rule (4) of rule 10 or under sub-rule (3) of rule 10-A shall expire or be renewable along with the main licence.

- b. An application for the renewal of a licence shall be made before its expiry and if such an application is made after the date of expiry but within three months from such date, a late fee of—
 - i. rupees five hundred for the first month or part thereof, rupees one thousand for the second month or part thereof and rupees one thousand and five hundred for the third month or part thereof, in case of licence to manufacture insecticides or to carry pest control operations;
 - ii. rupees one hundred for the first month or part thereof, rupees two hundred for the second month or part thereof and rupees three hundred for the third month or part thereof, in case of any other licence shall be paid along with the application for renewal:

PROVIDED that where the main pest control operation unit or the place of sale is located in the rural areas, the late fee shall be one-fifth of the said late fee:

PROVIDED further that in case of death or disability of the licensee, the Licensing Officer may after recording reasons in writing, exempt the applicant from payment of the late fee.

Explanation: (1) Where an application for renewal is made before the expiry of the licence and the order regarding refusal or renewal is passed after the expiry of the licence, the applicant shall be deemed to have been carrying on his business in accordance with the expired licence till the date of communication of the final order on that application.

- 2. Where an application for renewal is made after the expiry of the licence with late fee, the applicant shall be deemed to have been carrying on his business in accordance with the expired licence (from the date of expiry) till the date of communication of the final order on that application.
- c. The licence shall continue to be in force until it is renewed or revoked. Where an appeal is preferred under Section 15, the licence shall continue to be in force until disposal of appeal or as ordered by the appellate authority pending disposal of the appeal.
- d. A licensing officer may, after giving an opportunity of being heard, refuse to renew the licence [for reasons to be recorded in writing].

12. Conditions of licence

- a. Subject to conditions laid down in sub-rule (3) of rule 9, under sub-rule (4) of rule 10, a licence shall not be granted to any person under this chapter unless the licensing officer is satisfied and the premises in respect of which licence is to be granted are adequate and equipped with proper storage accommodation for avoiding any hazards for preserving the properties of insecticides in respect of which the licence is granted.
- b. In granting a licence, the licensing officer shall have regard, among other things to—

- i. the number of licences granted in the locality during any year; and
 - ii. the occupation, trade or business carried on by the applicant.
13. Varying or amending a licence
 1. The licensing officer may either on an application made by the licensee or if he is satisfied that the conditions under which a licence has been granted under this chapter have been changed that it is necessary so to do, vary or amend a licence, [after satisfying himself that the Registration Committee has amended the registration certificate and after giving an opportunity of being heard to the person holding the licence].
14. Transfer of licence
 1. The holder of a licence may, at any time, before the expiry of the licence, apply for permission to transfer the licence to any other person.
 2. The application under sub-rule (1) shall be accompanied by a fee of rupees one hundred.
 3. The licensing officer may, after such inquiry as he thinks fit, accord permission to transfer the licence and on such permission being given, an endorsement to that effect shall be made in the licence.
 4. If the permission to transfer a licence is refused, the fee paid therefore shall be refunded to the applicant.
15. Issuing cash memo and maintenance of records
 1. All sales of insecticides shall be made by a bill or cash memo in the form prescribed under any law.
 2. All sales of insecticides made to a licensed manufacturer (formulator or packer), stockist, distributor, dealer, retailer or to a bulk consumer shall be entered insecticide wise, in a register in Form XIII and a state wise monthly return of all sales to actual consumers shall be sent to the licensing officer, in Form XIV within 15 days from the close of the month.
 3. Every importer or manufacturer of insecticide shall maintain a stock register in Form XV for technical grade insecticides and in Form XVI for formulated insecticides.
 4. Without prejudice to the foregoing, the Central Government or the State Government or any other person authorized by it may, by notice in writing require any importer or manufacturer or any other person dealing in insecticides to furnish within the time specified in the notice, such information with respect of any insecticides or any batch thereof, including the particulars of all persons to whom it has been sold or distributed, as it may consider necessary.

CHAPTER V

PACKING AND LABELLING

16. Prohibition of sale or distribution unless packed and labelled

No person shall stock or exhibit for sale or distribute [or cause to be transported] any insecticide unless it is packed and labelled in accordance with the provisions of these rules.
17. Packaging of insecticides
 1. Every package containing the insecticides shall be of a type approved by the Registration Committee.
 2. Before putting any insecticide into the primary package, every batch thereof shall be analysed as per the relevant specifications of the manufacture thereof, in accordance with the approved methods of analysis and the result of such an analysis shall be recorded in the register maintained for the purpose. If any insecticide is put in the package it shall be presumed that it is fit and ready for sale, distribution or use for which it is intended, notwithstanding the fact that any further steps are still required to be taken to make it marketable.
18. Leaflet to be contained in a package
 1. [The packing of every insecticides shall include a leaflet containing the following details, namely
 - a. the plant disease, insects and noxious animals or weeds for which the insecticide is to be applied, the adequate direction concerning the manner in which the insecticide is to be used at the time of application;
 - b. particulars regarding chemicals harmful to human beings, animals and wild life, warning and cautionary statements including the symptoms of poisoning suitable and adequate safety measures and emergency first-aid treatment where necessary;
 - c. cautions regarding storage and application of insecticides with suitable warnings relating to inflammable, explosive or other substance harmful to the skin;
 - d. instructions concerning the decontamination or safe disposal of used containers;
 - e. a statement showing the antidote for the poison shall be included in the leaflet and the label;

- f. if the insecticide is irritating to the skin, nose, throat or eyes, a statement shall be included to that effect.
- g. Common name of the insecticide as adopted by the International Standards Organisation and where such a name has not yet been adopted such other name as may be approved by the Registration Committee.]
- 2. Two copies of the leaflets duly approved by the Registration Committee and signed by the Secretary, Registration Committee, shall be returned to the manufacturer and one copy to the State-licensing officer.
- 19. Manner of labelling
 - 1. The following particulars shall be either printed or written in indelible ink on the label of the innermost container of any insecticide and on the outer most covering in which the container is packed:
 - i. Name of the manufacturer (if the manufacturer is not the person in whose name the insecticide is registered under the Act, the relationship between the person in whose name the insecticide has been registered and the person who manufactures, packs or distributes or sells shall be stated)
 - ii. Name of insecticide (brand name or trade mark under which the insecticide is sold).
 - iii. Registration number of the insecticide.
 - iv. Kind and name of active and other ingredients and percentage of each. (Common name accepted by the International Standards Organisation or the Indian Standards Institutions of each of the ingredients shall be given and if no common name exists, the correct chemical name which conforms most closely with the generally accepted rules of chemical nomenclature shall be given).
 - v. Net content of volume. (The net contents shall be exclusive of wrapper or other material. The correct statement of the net content to terms of weight, measure, number of units of activity, as the case may be, shall be given. The weight and volume shall be expressed in the metric system).
 - vi. Batch number.
 - vii. Expiry date, i.e. up to the date the insecticide shall retain its efficiency and safety.
 - viii. Antidote statement.
 - 2. The label shall be so affixed to the containers that it cannot be ordinarily removed.
 - 3. The label shall contain in a prominent place and occupying not less than one-sixteenth of the total area of the face of the label, a square, set at an angle of 45° (diamond shape). The dimension of the said square shall depend on the size of the package on which the label is to be affixed. The said square shall be divided into two equal triangles, the upper portion shall contain the symbol and signal word specified in sub-rule (4) and the lower portion shall contain the colour specified in sub-rule (5).
 - 4. The upper portion of the square, referred to in sub-rule (3) shall contain the following symbols and warning statements—
 - i. Insecticides belonging to Category I (Extremely toxic) shall contain the symbol of a skull and cross-bones and the word "POISON" printed in red;
The following warning statements shall also appear on the label at appropriate place, outside the triangle,
 - a. "KEEP OUT OF THE REACH OF CHILDREN"
 - b. "IF SWALLOWED, OR IF, SYMPTOMS OF POISONING OCCUR CALL PHYSICIAN IMMEDIATELY";
 - ii. insecticides in Category II (highly toxic) will contain the word "POISON" printed in red and the statement "KEEP OUT OF THE REACH OF CHILDREN"; shall also appear on the label at appropriate place, outside the triangle,
 - iii. insecticides in Category III (moderately toxic) shall bear the word "DANGER" and the statement "KEEP OUT OF THE REACH OF CHILDREN"; shall also appear on the label at suitable place outside the triangle;
 - iv. insecticides in Category IV (Slightly toxic) shall bear the word "CAUTION".
 - 5. The lower portion of the square referred to in sub-rule (4) shall contain the colour specified in column (4) of the table below, depending on the classification of the insecticides specified in the corresponding entry in column (1) of the said table.

TABLE

Classification of the	Medium lethal dose	Medium lethal dose by the dermal route	Medium lethal dose by the dermal route	Colour of identification band on the label
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Insecticides	by the oral route acute toxicity LD 50 mg/kg.. body weight of test animals	toxicity LD 50 mg/kg. Body weight of test animals	
1	2	3	4
1. Extremely toxic	1-50	1-200	Bright red
2. Highly toxic	51-500	201-2000	Bright yellow
3. Moderately toxic	501-5000	2001-20000	Bright blue
4. Slightly toxic	More than 5000	More than 20000	Bright green

6. In addition to the precautions to be undertaken under sub-rules (3), (4) and (5) the label to be affixed in the package containing insecticides which are highly inflammable shall indicate that it is inflammable or that the insecticides should be kept away from the heat or open flame and the like.
7. The label and leaflets to be affixed or attached to the package containing insecticides shall be printed in Hindi, English and in one or two regional languages in use in the areas where the said packages are likely to be stocked, sold or distributed.
8. Labeling of insecticides must not bear any unwarranted claims for the safety of the producer or its ingredients. This includes statements such as, "SAFE", "NON-POISONOUS", "NON-INJURIOUS" or "HARMLESS" with or without such qualified phrase as "when used as directed".
20. Prohibition against altering inscriptions, etc. on containers, labels or wrappers of insecticides -
No person shall alter, obliterate or deface any inscription or mark made or recorded by the manufacturer on the container, label or wrapper of any insecticide:

Provided that nothing in this rule shall apply to any alteration of any inscription or mark, made on the container, label or wrapper of any insecticide at the instance, direction or permission of the Registration Committee.

CHAPTER VI

INSECTICIDE ANALYSTS AND INSECTICIDE INSPECTORS

21. Qualifications of Insecticide Analyst

A person shall be eligible for appointment as an insecticide analyst under the Act only if he possesses the following qualifications, namely :

- a. A graduate in Agriculture or a graduate in Science with Chemistry as special subject; and
- b. adequate training in analysing insecticides in a recognized laboratory.

22. Powers of Insecticides Analyst

The Insecticides Analyst shall have the power to call for such information of particulars or do anything as may be necessary for the proper examination of the samples sent to him either from the Insecticide Inspector or the person whom the sample was obtained.

23. Duties of Insecticides Analyst

1. The Insecticides Analyst shall analyse or cause to be analysed or test or cause to be tested such samples of insecticides as may be sent to him by the Insecticide Inspector under the provisions of the Act and shall furnish report or results of such tests or analysis.
2. An insecticides analyst shall, from time to time, forward to the State Government reports giving the result of analytical work and investigation with a view to their publication at the discretion of the government.

24. Procedure on receipt of sample

1. On receipt of a package from an Insecticide Inspector containing a sample for test or analysis, the Insecticides Analyst shall compare the seals on the packet with the specimen impression received separately and shall note the condition of the seals on the packet.
2. In making the test or analysis of insecticides, it shall be sufficient if the insecticides analyst follows that specifications and the months of examination of samples as approved by the Registration Committee.

3. After the test or analysis has been carried out under sub-rule (2), the Insecticides Analyst shall forthwith supply to the Insecticides Inspector a report in triplicate in Form IX of the result of test or analysis.
25. Fees payable for testing or analysis
 1. The fees payable for testing or analyzing insecticides under sub-section (5) of section 24 of the Act shall be as specified in the Second Schedule.
 2. The fee payable for testing or analyzing samples received from the Insecticides Inspector shall also be as specified in the Second Schedule:

Provided that the Central Government may, after taking into consideration the genuine difficulties, of any particular State Government, exempt from payment of the fee for such period as it may consider reasonable.

26. Qualifications of Insecticides Inspector

A person shall be eligible for appointment as an Insecticides Inspector under the Act only if he possesses the following qualifications, namely:

- a. graduate in Agriculture, or graduate in Science with Chemistry as one of the subjects;
- b. adequate field experience.

27. Duties of Insecticides Inspector

The Insecticides Inspector shall have the following duties, namely:

1. to inspect not less than three times in a year all establishments selling insecticides within the area of his jurisdiction;
2. to satisfy himself that the conditions of licence are being complied with;
3. to procure and send for test and analysis, samples of insecticides which he has reason to suspect are being sold, stocked or accepted for sale in contravention of the provisions of the Act or rules made there under;
4. to investigate any complaint in writing which may be made to him;
5. to institute prosecution in respect of breaches of the Act and the rules made there under;
6. to maintain a record of all inspections made and action taken by him in the performance of his duties including the taking of samples and seizure of stocks and to submit copies of such record to the licensing officer;
7. to make such inquiries and inspections as may be necessary to detect the sale and use of insecticides in contravention of the Act.]

28. Duties of Inspectors specially authorized to inspect manufacture of Insecticides

It shall be the duty of any Inspector authorized to inspect the manufacture of Insecticides—

1. to inspect not less than twice a year all premises licensed for the manufacture of insecticides within the area of his jurisdiction and to satisfy himself that the conditions of the licence and the provisions of the Act or the rule made there under are being observed;
2. to send forthwith to the licensing officer after each inspection, a detailed report indicating the conditions of the licence and the provisions of the Act or rules made thereunder which are being observed and the conditions and provisions, if any, which are not being observed;
3. to draw samples of insecticides manufactured on the premises and send them for test or analysis in accordance with these rules;
4. to report to the government all occurrences of poisoning.

29. Prohibition of disclosure of information

Except for the purpose of official business or when required by a court of law, an Insecticides Inspector shall not disclose to any person any information acquired by him in the performance of his official duties.

30. Form of order not to dispose of stock

An order by the Insecticides Inspector requiring a person not to dispose of any stock in his possession shall be in Form X.

31. Prohibition of sale

No person in possession of an insecticide in respect of which an Insecticides Inspector has made an order under rule 30 shall, in contravention of that order, sell or otherwise dispose of any stock of such insecticide.

32. Form of receipt for seized insecticides

A receipt by an Insecticides Inspector for the stock of any insecticide seized shall be in Form XI.

33. Form of intimation for purposes of taking samples

Where an Inspector takes a sample of an insecticide for the purpose of test or analysis he shall intimate such purpose in writing in Form XII to the person from whom he takes it.

34. Dispatch of samples for test or analysis

1. Samples for test or analysis under the Act shall be sent by registered post or by hand in a sealed packet together with a memorandum in Form XII in an outer cover addressed to the Insecticide Analyst.
2. The packet as well as the outer cover shall be marked with a distinct mark.
3. A copy of the memorandum in Form XIII together with a specimen, impression of the seals of the inspector and of the seals, if any, of the person from whom he takes such samples, shall be sent separately by registered post or by hand to the Insecticides Analyst.

CHAPTER VII

TRANSPORT AND STORAGE OF INSECTICIDES IN TRANSIT BY RAIL, ROAD OR WATER

35. Manner of packing, storage while in transit by rail

1. Packages containing insecticides, offered for transport by rail, shall be packed in accordance with the conditions specified in the Red Tariff, issued by the Ministry of Railways.
2. No insecticide shall be transported or stored in such a way as to come into direct contact with foodstuffs or animal feeds.
3. No foodstuffs or animal feeds which got mixed up with insecticides as a result of any damage to the packages containing insecticides during transport or storage shall be released to the consignees unless it has been examined for possible contamination by competent authorities, as may be notified by the State Government.
4. If any insecticide is found to have leaked out in transport or storage it shall be the responsibility of the transport agency or the storage owner to take such measure urgently to prevent poisoning and pollution of soil or water, if any.

36. Conditions to be specified for storage of insecticides

1. The package containing insecticides shall be stored in separate rooms or premises away from the rooms or premises used for storing other articles or shall be kept in separate almirahs under lock and key depending upon the quantity and nature of the insecticides.
2. The rooms or premises means for storing insecticides shall be well built, dry, well-lit and ventilated and of sufficient dimension.

CHAPTER VIII

PROVISIONS REGARDING PROTECTIVE CLOTHING, EQUIPMENT, AND OTHER FACILITIES FOR WORKERS DURING MANUFACTURE, ETC. OF INSECTICIDES

37. Medical Examination

1. All persons who are engaged in the work of handling, dealing or otherwise coming in contact with the insecticides during manufacture/formulation of insecticides or being engaged during spraying operation shall be examined medically before their employment and at least quarterly in the case of those engaged in manufacturing / formulation units and yearly in any other cases including operators while in service by a qualified doctor who is aware of risks to which such persons are exposed. Particulars of all such persons, including the particulars of their medical examination, shall be entered in a register in Form XVII. Where the insecticide in question is an organo phosphorous compound or a carbonate compound, the blood cholinesterase's level shall be measured at least once a month of all persons working in the manufacturing units. The blood residue estimation shall be done once in a year in the case of persons working with organo chlorine group of insecticides in a manufacturing / formulation unit. In the case of spraying people working with the pest-control operators, the estimation of cholinesterase level (if working with organo phosphorous or carbonate compounds) and blood residue (if working with organo chlorine group) shall be conducted as and when advised by the doctor as part of the general medical test.
2. Any person showing symptoms of poisoning shall be immediately examined and given proper treatment.

38. First aid measures

In all cases of poisoning first-aid treatment shall always be given before the physician is called. The Indian Standard Guide for handling cases of insecticide poisoning-Part I First-Aid Measures [IS : 4015 (Par I)—1967] and Part II Symptoms, diagnosis and treatment [IS : 4015 (Par II)—1967] shall be consulted for such first-aid treatment in addition to any other books, on the subject. The workers also should be educated regarding the effects of poisoning and the first-aid treatment to be given.

39. Protective clothing

1. Persons handling insecticides during its manufacture, formulation, transport, distribution or application, shall be adequately protected with appropriate clothing.
2. The protective clothing shall be used wherever necessary, in conjunction with respiratory devices as laid down in rule 40.
3. The protective clothing shall be made of materials which prevent or resist the penetration of any form of insecticides formulations. The materials shall also be washable so that the toxic elements may be removed after each use.
4. A complete suit of protective clothing shall consist of the following dresses, namely :-
 - a. protective outer garment/overalls/hood/hat.
 - b. rubber gloves or such other protective gloves extending half-way up to the fore-arm, made of materials impermeable to liquids;
 - c. dust-proof goggles;
 - d. boots.

40. Respiratory devices

For preventing inhalation of toxic dusts, vapours of gases, the workers shall use any of the following types of respirators or gas-masks suitable for the purpose, namely :

- a. Chemical Cartridge Respirator;
- b. Supplied-air Respirator;
- c. Demand flow type respirator;
- d. Full-face or half-face gas-masks with canister.

In no case shall the concentrates of insecticides in the air where the insecticides are mixed exceed the maximum permissible values.

41. Manufacturers, etc. to keep sufficient quantities of antidotes and first-aid medicines

The manufacturers and distributors of insecticides and persons who undertake to spray insecticide on a commercial basis (hereafter in these rules referred to as operators) shall keep sufficient stocks of such first-aid tools, equipments, antidotes, injections and medicines as may be required to treat poisoning cases arising from inhalation, skin, contamination, eye contamination and swallowing.

42. Training of workers

The manufacturers and distributors of insecticides and operators shall arrange for suitable training in observing safety precautions and handling safety equipment provided to them.

43. Aerial spraying operations

The aerial application of insecticides shall be subject to the following provisions, namely :

- a. making of the area shall be the responsibility of the operators;
- b. the operators shall use only approved insecticides and their formulations at approved concentration and height;
- c. washing decontamination and first-aid facilities shall be provided by the operators;
- d. All aerial operations shall be notified to the public not less than twenty-four hours in advance through competent authorities;
- e. Animals and persons not connected with the operations shall be prevented from entering such areas for a specific period; and
- f. The pilots shall undergo specialization training including clinical effects of the insecticides.

44. Disposal of used packages, surplus materials and washings of insecticides

1. It shall be the duty of manufacturers, formulators of insecticides and operators to dispose packages or surplus materials and washing in a safe manner so as to prevent environmental or water pollution.
2. The used packages shall not be left outside to prevent their re-use.
3. The packages shall be broken and buried away from habitation.

CHAPTER IX

MICELLANEOUS

45. Places at which the insecticides may be imported

No insecticides shall be imported into India except through one of the following places, namely :

Ferozepore Cantonment and Amritsar railway stations in respect of insecticides imported by rail

across the frontier with West Pakistan.

Ranaghat, Bongaon and Mahiassan railway stations in respect of insecticides imported by rail across the frontier with the East Pakistan.

Madras, Calcutta, Bombay, Cochin and Kandla – in respect of insecticides imported by sea into India.

Madras, Calcutta, Bombay, Delhi and Ahmedabad – in respect of insecticides imported by air into India.

46. Traveling and other allowances payable to the members of the Board, etc.

The members of the Board, Registration Committee and any other Committee appointed by the Board shall be entitled to such traveling and other allowances for attending meetings of the Board shall be entitled to such traveling and other allowances for attending meetings of the Board, Registration Committee or other Committee, as the case may be, as are for the time being admissible to Grade I officers of the Central Government.

PLANT QUARANTINE ORDER (REGULATION OF IMPORT INTO INDIA), 2003, AND INCLUDES AMENDMENTS ISSUED THERETO FROM TIME TO TIME

THIS IS AN UPDATED AND CONSOLIDATED VERSION OF THE

PLANT QUARANTINE ORDER (REGULATION OF IMPORT INTO INDIA), 2003, AND

INCLUDES AMENDMENTS ISSUED THERETO FROM TIME TO TIME

Introductory Note

Plant Quarantine (Regulation of Import into India) Order, 2003 regulates import and prohibition of import of plants and plant products into India. The Order was published in the Gazette of India, vide, S.O.1322 (E), dated 18th November, 2003 and has been subsequently amended vide following notifications:

1. S.O. 167(E), dated 6th February, 2004
2. S.O. 427(E), dated 29th March, 2004
3. S.O. 644(E), dated 31st May, 2004;
4. S.O. 263 (E), dated 25th February, 2005
5. S.O. 462 (E), dated 31st March, 2005
6. S.O. 1121(E), dated 14th July, 2006
7. S.O. 1353, dated 31st July, 2006
8. S.O. 1873(E), dated 31st October, 2006
9. S.O. 2074(E), dated 6th December, 2006
10. S.O. 2069 (E), dated 3rd December, 2007
11. S.O. 3(E), dated 31st December 2007
12. S.O. 2847 (E), dated 8th December, 2008

13. S.O. 2888(E), dated 15th December, 2008
14. S.O. 2286(E), dated 9th September, 2009
15. S.O. 2390(E), dated 16th September, 2009
16. S.O. 3269(E), dated 23rd December, 2009
17. S.O. 3298(E), dated 24th December, 2009
18. S.O. 907(E), dated 21st April, 2010
19. S.O. 2095(E), dated 27th August, 2010
20. S.O. 2284(E), dated 15th September, 2010
21. S.O. 2516(E), dated 11th October, 2010
22. S.O. 2711(E), dated 4th November, 2010
23. S.O. 3052(E), dated 28th December, 2010
24. S.O.887(E), dated 28th April,2011

The Plant Quarantine Order has 15 clauses describing various aspects and conditions of import of agricultural articles (plants and plant products) into India. There are 22 forms for various plant quarantine regulatory functions. The Order has following Schedules:

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Schedule I Points of Entry for Imports of plants/plant materials and other articles

Schedule II List of Inland Container Depots and Container Freight Stations for import of plants and plant products

Schedule III List of Foreign Post Offices for import of plants and plant products

Schedule IV List of plants/planting materials and countries from where import is prohibited along with justification

Schedule V List of plants and plant materials imports of which are restricted and permissible only by authorized institutions with additional declarations and subject to special conditions

Schedule VI List of plants/plant materials permitted import with additional declarations and special conditions

Schedule VII List of plants/planting materials where imports are permissible on the basis of phytosanitary certificate issued by the exporting country, the inspection conducted by

Inspection Authority and fumigation, if required, including all other general conditions Schedule VIII List of Quarantine Weed Species

Schedule IX A- Inspection Fees; B- Fumigation/disinfection/disinfestation/supervision charges

Schedule X List of Permit Issuing Authorities for Import of Seeds, Plants and Plant Products and other articles

Schedule XI List of Inspection Authorities for Certification of Post Entry Quarantine facilities and inspection of growing plants

Schedule XII Quantities of seeds permitted for trial purpose/accession to gene bank of National Bureau of Plant Genetic Resources

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PLANT QUARANTINE (REGULATION OF IMPORT INTO INDIA) ORDER, 2003

(Updated and consolidated version)

In exercise of the powers conferred by sub-section (1) of Section 3 of the Destructive Insects and Pests Act, 1914 (2 of 1914), the Central Government hereby makes the following Order, for the purpose of prohibiting and regulating the import into India of agricultural articles mentioned herein, namely:-

CHAPTER I

Preliminary

1. Short title and commencement. –

(1) This order may be called the Plant Quarantine (Regulation of Import into India) Order, 2003.

(2) Sub-clause (22) of clause 3 shall come into force on the 1st day of April, 2004 and all other provisions of this Order shall come into force on the 1st day of January, 2004.

2. Definitions. – In this Order, unless the context otherwise requires. –

(i) “additional declaration” means a statement that is required by an importing country to be entered in a phytosanitary certificate and which provides specific additional information pertinent to the phytosanitary condition of a consignment;

(ii) “bio-control agent” means any biological agent such as parasite, predator, parasitoid, microbial organism or self replicating entity that is used for control of pests;

(iii) “consignment”- means a quantity of seeds, plants and plant products or any regulated article consigned from one party to other at any one time shipment and covered by a phytosanitary certificate, bill of entry of customs, shipping/airway bill or invoice;

(iv) “cotton” includes ginned cotton, cotton linters and dropping, tripping, fly and other waste products of cotton mill other than yarn waste, but does not include cotton seed or un-ginned cotton;

(v) “form” means a form appended to this Order

(vi) “fruit” means any fleshy portion of the plant, that contains seeds, which is used for consumption, including seedless fruit both fresh and dry but does not include preserved or pickled or frozen fruits.

(vii) “grain” means seeds intended for processing or consumption and not for sowing or propagation.

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(viii) “germplasm” means plants in whole or in parts and their propagules including seeds, vegetative parts, tissue cultures, cell cultures, genes and DNA based sequences that are held in a repository or collected from wild as the case may be and are utilized in genetic studies or plant breeding programmes for crop improvement;

(ix) “import” means an act of bringing into any part or place of territory of Republic of India any kind of seed, plant or plant product and other regulated article from a place outside India either by sea, land, air or across any customs frontier;

- (x) “import permit” means an official document authorizing importation of a consignment in accordance with specified phytosanitary requirements;
- (xi) “Inspection Authority” means an authority specified in Part I of Schedule XI or an officer of the Directorate of Plant Protection, Quarantine and Storage duly authorized by the Plant Protection Adviser for the purpose of approval and certification of Post-Entry Quarantine facilities and inspection of growing plants in such facilities in accordance with the guidelines issued by the Plant Protection Adviser and for any specified purpose, an authority specified in Part II of the said Schedule.
- (xii) “Irradiation” means the treatment of food or agricultural products with any type of processing of ionized radiation such as gamma irradiation or micro-electron acceleration processing.
- (xiii) “issuing authority” means an authority as envisaged under Schedule-IV of this order or duly notified by the Central Government from time to time either generally or specifically for issuance of import permit;
- (xiv) “notification” means a notification published in the official Gazette and the expression “notifies” shall be construed accordingly;
- (xv) “noxious weeds” mean any weed harmful or hazardous or unwholesome to human beings, animal life or parasitic on plant species;
- (xvi) “packing material” means any kind of material of plant origin used for packing of goods;
- (xvii) “pest” means any species, strain or biotype of plant, animal or pathogenic agent injurious to plants and plant products;
- (xviii) “pest risk analysis” means the process of evaluating biological or other scientific and economic evidence to determine whether a pest should be regulated and strength of any phytosanitary measures to be taken against it;
- (xix) “phytosanitary certificate” means a certificate issued in the model format prescribed under the International Plant Protection Convention of the Food & Agricultural Organization and issued by an authorized officer at the country of origin of consignment or re-export;
- (xx) “plant” means a living plants and parts thereof including seed and germplasm;
- (xxi) “plant product” means an un-manufactured material of plant origin including grain and those manufactured products that, by their nature or that of their processing, may create risk for the introduction and spread of a pest.
- (xxii) “Plant Protection Adviser” means the Plant Protection Adviser to the Government of India, Directorate of Plant Protection, Quarantine and Storage;
- (xxiii) “point of entry” means any sea port, airport, or land-border check-post or rail station, river port, foreign post office, courier terminal, container freight station or inland container depot notified as specified in Schedule-I or Schedule-II or Schedule-III as the case may be;
- (xxiv) “post-entry quarantine” means growing of imported plants in confinement for a specified period of time in a glass house, screen house, poly house or any other facility, or isolated field or an off-shore island that is established in accordance with guidelines/standards and are duly approved and certified by an inspection authority notified under this order;
- (xxv) “quarantine pest” means a pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled;
- (xxvi) “regulated article” means any article the import of which is regulated by this order;
- (xxvii) “schedule” means a Schedule to this Order;
- (xxviii) “seeds” means seeds intended for sowing or propagating and not for consumption or processing;.

(xxix) “soil” means earth, sand, clay, silt, loam, compost, manure, peat or sphagnum moss, litter, leaf waste or any organic media that support plant life and shall include ship ballast or any organic medium used for growing plants.

(xxx) “timber” means a form of dead wood, log and lumber cut from plants, with or without bark or sawn and sized, which is used for manufacturing veneer, plywood, particle or chip board and making building material, furniture, packages, pallets, sports goods and handicrafts;.

(xxxi) “tissue cultured plant” means any part of a plant or plant tissue or plantlet grown under aseptic or sterile conditions in flasks or other suitable container on appropriate media and shall include ex-agar washed plant lets;

(xxxii) “dunnage” means wood packing material used to secure or support a commodity but which does not remain associated with the commodity [FAO, 1009; revised ISPM Pub. No. 15, 2002]

(xxxiii) “wood packing material” means wood or wood products (excluding paper products) used in supporting, protecting or carrying a commodity (includes dunnage) [ISPM Pub. No.15, 2002]

(xxxiv) “article” means any kind of movable property including any goods and stores consigned from one party to another as a shipment and covered by a bill of entry of customs, shipping or airway bill and/ or invoice in the course of international trade.

CHAPTER II

General conditions for import

3. Permits for Import of plants, plant products etc.

(1) No consignment of plants and plant products and other regulated articles (hereinafter referred to as „consignments“) shall be imported into India without a valid permit issued under this Order. Provided that no such permit shall be required for the articles mentioned in Schedule VII.

(2) No categories of plant materials in respect of the plant species or variety mentioned in Schedule- IV shall be allowed to be imported into India from the countries mentioned against each in column (4) of the said Schedule.

(3) Every application for a permit under this clause shall be made at least seven days in advance to the Issuing Authority as listed in Schedule-X, in Form PQ 01 for the import of plants and plant products for consumption and processing and in form PQ 02 for import of seeds and plants for propagation covered under Schedule-V and VI.

(4) Import of consignments of seeds of coarse cereals, pulses, oil seeds and fodder seeds and seeds/stock material of fruit plant species for propagation shall only be permitted based on the recommendations of EXIM Committee of Department of Agriculture & Cooperation, except the trial material of the same as specified in Schedule-XII of Plant Quarantine Order.

(5) A fee of Rs.150/- shall be payable along with the application for the import of seeds, fruits and plants for consumption and Rs.300/- for application for the import of seeds and plants for sowing or planting and the fee shall be payable in the form of Demand Draft payable to the Competent Authority having jurisdiction.

(6) The Issuing Authority as listed in Schedule-X shall issue permit in quadruplicate in form PQ 03 for import of plants and plant products for consumption and in form PQ 04 for import of seeds and plants for sowing or planting, if he is satisfied that the applicant meets all the necessary conditions. One copy of import permit shall be forwarded to the exporter in advance to facilitate incorporation of import permit number in the phytosanitary certificate issued by the exporting country. The import permit shall be issued subject to such restrictions and conditions prescribed under Schedule-V and VI.

(7) The Plant Protection Adviser shall, after obtaining the approval of the Central Government in the Department of Agriculture and Cooperation and based on International Standards established by the International Plant Protection Convention (IPPC) under Food and Agriculture Organization, issue the guidelines for carrying out Pest Risk Analysis (PRA). No import shall be permitted for the consignment other than those

listed in Schedule-V, VI and VII unless the Pest Risk Analysis is carried out in accordance with such guidelines and subject to such restrictions and conditions as specified in such permit. For this purpose the importer shall file an Import PRA request form with PPA. The process of PRA involves the categorization of pests associated with the commodity into quarantine pests; evaluation of their introduction potential; critical assessment of economic and environmental impact of their introduction; and specification of risk mitigating measures against them. The completion of PRA process may involve the visit of phytosanitary experts to the country of export to carry out pre-shipment inspections, evaluate post-harvest treatment technologies and quarantine inspection and certification facilities. In the event of interception of a quarantine pest in imported consignment, further import of consignments shall be suspended until earlier PRA in respect of the consignment is reviewed and the risk mitigating measures are evaluated.

(8) The issue of permit may be refused or withheld by the issuing authority after giving reasonable notice to the applicant and for reasons to be recorded in writing.

(9) The Import Permit issued shall be valid for six months from the date of issue and valid for multiple port access and multiple part shipments provided the exporter, importer and country of origin are the same for the entire consignment. The issuing authority may, on request, extend the period of validity for a further period of six months after charging Rs. 200/- and Rs. 100/- as revalidation fee for propagation and consumption plant material respectively provided such request for extension of validity is made to the issuing authority before the expiry of the permit with adequate reasons to be recorded in writing. The quantity mentioned in the import permit if exceeds by up to 10% maybe allowed by charging additional inspection fee and import permit fee provided the excess quantity reflected in the phytosanitary certificate from the country of exporting. The import permit will become invalid if quantity exceeds more than 10% of the quantity of import permit. Suppression of the facts or any material information while issue of import permit is liable to be cancelled or with drawn.

(10) The import permit issued shall not be transferable and no amendments to the permit shall be issued except for change of point of entry subject to reasons to be recorded in writing.

(11) An orange and green colour tag shall be issued in form PQ 05 in the case of permits issued for import of seeds and plants for sowing or planting so as to facilitate the identification of consignments at the time of their arrival at the point of entry.

(12) No consignment of seed or grain shall be permitted to be imported with contamination of quarantine weeds, which are listed in Schedule-VIII unless the said consignment has been devitalized by the exporting country and a certificate to that effect has been endorsed in the phytosanitary certificate issued by the exporting country. Every application for quarantine inspection and clearance shall be made in Form PQ 15.

(13) All the consignments of plants and plant products and other regulated articles shall be imported into India only through ports of entry as specified in Schedule-I and Inland Container Depots/Container Freight Stations and foreign post offices falling within the jurisdiction of concerned plant quarantine station operating here under or those notified by the Government from time to time in this behalf

(14) All consignments of seeds and plants for propagation and regulated articles such as live insects, microbial cultures, bio-control agents and soil shall only be imported into India through regional plant quarantine stations of Amritsar, Chennai, Kolkata, Mumbai or New Delhi or through any other points of entry as may be notified from time to time for this purpose, provided that no import of germplasm/transgenic plant material and genetically modified organisms shall be permitted through New Delhi Airport.

(15) On arrival, at the first point of entry the consignment shall be inspected by the Plant Protection Adviser or any other officer duly authorized by him in this behalf and appropriate samples shall be drawn for laboratory testing, in accordance with the guidelines issued by Plant Protection Adviser from time to time.

(16) The Plant Protection Adviser or the officer authorized by him may, after inspection and laboratory testing, fumigation, irradiation, disinfection or disinfestation, as may be considered necessary by him, accord quarantine clearance for the entry of a consignment or grant provisional clearance for growing under post-entry quarantine, as the case may be in form PQ 16 and or order deportation or destruction of the consignment in form PQ 17 in the event of noncompliance with the restrictions and conditions specified in this Order.

(17) Where fumigation or disinfestation or disinfection is considered necessary in respect of a consignment of plants, seeds and fruits the importer shall on his own and at his cost arrange for the fumigation, disinfection or disinfestation of the consignment, through an agency approved by the Plant Protection Adviser under the supervision of an officer duly authorized by the Plant Protection Adviser in that

behalf. "Provided that where irradiation is necessary in respect of any consignment of fresh fruits or vegetables or other plant products, the same shall be carried out by the importer at his own cost, at an irradiation facility, established as per the regulations of the "Atomic Energy Regulatory Board" and duly approved by the "Plant Protection Adviser" to the Government of India (PPA) under the International Standards established under the "International Plant Protection Convention" and at the scheduled dosage approved by the Plant Protection Adviser under supervision of an officer authorized by him, where necessary"

(18) It shall be the responsibility of the importer or his authorized agent. –

(i) to file an application for the quarantine inspection of imported seeds, plants and plant products or other regulated articles in the form PQ 15 along with copies of relevant documents and fees as prescribed under Schedule-IX payable by a demand draft to the competent authority

(ii) to provide information on any plant and plant product and other articles covered under this Order and which are imported by him/her or are in his/her possession, to Plant Protection Adviser or any officer duly authorised by him;

(iii) to bring the consignments to the concerned plant quarantine station or to place of inspection, fumigation or treatment as directed by Plant Protection Adviser or any officer duly authorised by him.;

(iv) to permit drawing of appropriate samples for inspection and laboratory investigation and extend necessary facilities towards the same;

(v) to open, repack and load into or unload from the fumigation chamber and seal the consignment;

(vi) to remove them after inspection and treatment according to the directions issued by the Plant Protection Adviser or any officer authorised by him;

(vii) to arrange deportation or destruction of the consignment at the cost of importer as may be deemed necessary by Plant Protection Adviser or an officer authorized by him

(19) No consignment or container carrying plants and plant products intended for other countries shall be allowed transit through or transshipment at air or sea ports or land customs stations, unless they are packed in such a manner so as not to permit spillage of material or contamination with soil or escape of any pest, and subject to the condition that the package or container shall not be opened or seals are broken any where in India

(20) No consignment shall be permitted import unless accompanied by a original copy of the Phytosanitary Certificate issued by an authorized officer at the country of origin in the form PQ 21 or at the country of re-export in form PQ 22; Provided that cut flowers, garlands, bouquets, dry fruits/nuts etc., weighing not more than two kilograms imported for personal consumption may be allowed to be imported without a Phytosanitary Certificate or an import permit.

(20A) No article, packed with raw / solid wood packing material shall be released by the proper officer of Customs unless the wood packaging material has been appropriately treated and marked as per ISPM-15 or is accompanied by a phytosanitary certificate with the treatment endorsed. The treatment of raw / solid wood packing material prior to export shall include either Methyl bromide (MB) @ 48 g/m³ for 16 hrs at 21°C and above or any equivalent thereof or heat treatment (HT) at 56°C for 30 min (core temperature of wood) or Kiln Drying (KD) or Chemical Pressure Impregnation (CPI) or any other treatments provided that these meet the HT specification of the ISPM-15. Any, article, if found packed with raw / solid wood packaging material without specified treatment and without marking as per ISPM-15 or if not accompanied by Phytosanitary Certificate with treatment endorsed, as the case may be, shall be considered untreated and shall be referred by the proper officer of the Customs to Plant Quarantine Officer. The proper officer or Customs shall grant release of such articles packed with untreated wood packaging material only after ensuring that the wood packaging material has been appropriately treated at the point of entry under the supervision of Plant Quarantien Officer.

Provided that above conditions shall not be applicable to wood packaging material wholly made of processed wood products such as ply wood, particle board, oriental strand board or veneer that have been created using glue, heat and pressure or combination thereof. Also the above conditions shall not be applicable to wood packaging material such as veneer peeler cores, saw dust, wood wool and shavings and thin wood pieces (less than 6 mm thickness), unless they are found to be harboring any regulated pests specified in this order.

Provided further that nothing contained in this clause shall be applicable to wood packaging materials used for packaging of bona-fide passenger baggage containing goods other than plant and plant products.

(20 B) No article packed with hay or straw shall be allowed to be imported unless such hay or straw, as the case may be is treated prior to export and the article shall accompany the treatment certificate.

Explanation: In this sub-clause, the word “treated” shall mean treated by Methyl bromide fumigation @ 48 gm/m³ for 24 hours at normal atmospheric pressure at 21oC or above or equivalent thereof; or steam sterilization under pressure 56oC for 30 minutes; or any other treatment approved by the Plant Protection Adviser.

(21) Deleted vide Amendment 3 of 2004, vide S.O.644(E), dated 31st May, 2004

(22) Deleted vide Amendment 3 of 2004, vide S.O.644(E), dated 31st May, 2004

4. Import of soil, etc. - No import of soil, earth, clay, compost, sand, peat or sphagnum moss shall be permitted except under the following conditions, namely:-

(i) The consignments of soil, earth, clay and similar material for any microbiological, soilmechanics, or mineralogical investigations and peat for horticultural purposes may be permitted through specified air or sea ports or land custom station, on applications made for that purpose;

(ii) The application for the purpose referred to in (i) above shall be made to the Plant Protection Adviser, at least one month in advance, in form PQ 06 along with a registration fee of Rs. 200/- by a bank draft drawn in favour of Accounts Officer, Directorate of Plant Protection, Quarantine & Storage, N.H.IV., Faridabad-121001.

(iii) The Plant Protection Adviser may, after scrutiny of the application, and if satisfied of the purpose, for which such consignment is being imported, issue special permit in Form PQ 07

(iv) The consignments soil, peat or sphagnum moss etc., shall be inspected, fumigated, disinfected or disinfested by the importer from an agency approved by the Plant Protection Adviser under the supervision of an officer duly authorized by Plant Protection Adviser.

5. Fees for inspection, fumigation, etc. -The importer of the consignment or his agent shall pay to the Plant Protection Adviser or any other officer duly authorized by him in this behalf, the fees prescribed in Schedule-IX towards inspection, fumigation, disinfestation, disinfection of consignment.

6. Permits required for import of Germplasm, Transgenic or Genetically Modified Organisms

(1) No consignment of germplasm/transgenics/Genetically Modified Organisms (GMOs) shall be imported into India for the purpose of agricultural research or experimentation purpose without valid permit issued by the Director, National Bureau of Plant Genetic Resources, New Delhi -110012.

Explanation: In this sub-clause, “purpose of agricultural research or the purpose of experimentation” shall not include commercial imports which are governed by separate guidelines issued by the Genetic Engineering Approval Committee, or as the case may be by the Review Committee on Genetic Manipulation (RCGM)”.

(2) Every application for import of plant germplasm/ transgenics/genetically modified organisms for research/experimental purpose by the public/private organizations will be made to the Director, National Bureau of Plant Genetic Resources, New Delhi in form PQ 08 and the permit shall be issued in form PQ 09 in triplicate and a red/green tag in PQ 10 for germplasm and a Red/White tag in PQ 11 for transgenic/Genetically Modified Organisms. Such permits for import of transgenic/Genetically Modified Organisms shall be issued subject to the approval of Genetic Engineering Approval Committee (GEAC) or as the case may be, the Review Committee on Genetic Manipulation (RCGM) set- up by Department of Biotechnology under the provisions of sub-rule (2) of rule 4 of the Rules for the manufacture, use, import, export and storage of hazardous micro-organisms, Genetically engineered organisms or cells made under Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and subject to such restrictions and conditions prescribed thereof.

(3) No imported consignments of plant germplasm/ transgenics/ genetically modified pests shall be opened at the point of entry and it shall be forwarded to the Director, National Bureau of Plant Genetic Resources, New Delhi.

7. Permit required for import of live insects and microbial cultures -

(1) No Consignment of live insects, microbial cultures or bio-control agents shall be permitted into India without valid import permit issued by the Plant Protection Adviser.

(2) Every application for permit to import insects or microbial cultures including algae or bio-control agents, shall be made in the form PQ12 at least thirty days in advance to Plant Protection Adviser along with a fee of Rs. 200/- towards registration in the form of bank draft issued in favour of the Accounts Officer, Directorate of Plant Protection Quarantine and Storage, Faridabad-121001.

(3) The Plant Protection Adviser shall issue the permit in Form PQ13 in triplicate, if satisfied of the purpose for which import is made and subject to such conditions imposed thereon. A yellow-green colour tag or label in the form PQ14 shall be issued which shall be affixed on the parcel at the time of export.

(4) All the consignments of insects, microbial cultures and bio-control agents shall be permitted only through specified points of entry. The consignment of beneficial insects shall be accompanied by a certificate issued by National Plant Protection Organisation at the country of origin with additional declarations for freedom from specified parasites and parasitoids and the bio-control agents free from hyper-parasites. The consignment of beneficial insects/bio-control agents shall be subjected to post-entry quarantine as may be prescribed by the Plant Protection Adviser.

(5) Nothing contained in the clause shall apply to import of microbial cultures intended for non-agricultural purposes.

8. Permit required for import of plants and plant products –

(1) No consignment of plants and plant products, if found infested or infected with a quarantine pest or contaminated with noxious weed species shall be permitted to be imported.

(2) Every vessel carrying out bulk shipment of grains shall be inspected on board by an officer duly authorized by Plant Protection Adviser before the same accorded permission to offload the grain at the notified port of entry. On inspection, if found free from quarantine pests and noxious weed species, permission shall be accorded to off-load the grain at the port or order fumigation/treatment of grain on board or immediately upon unloading at the port, as the case may be, before such permission is granted for movement outside the port and subject to such conditions as imposed thereon.

(3) The bulk shipment (s) of transgenic plants or plant products or genetically modified organisms shall be dealt as per the provisions of the Rules for manufacture, use, import, export and storage of hazardous micro-organisms, Genetically engineered organisms or cells made under Sections 6, 8 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) or under the mechanism established as per the provisions of Biosafety Protocol by the Ministry of Environment and Forests.

9. Requirement of Import of Wood and Timber:

(1) Notwithstanding that no import permit is required under these rules in respect of any consignment of wood or timber of plant specified in Schedule VII, no such consignment shall be brought into India unless such consignment fulfils the following conditions, namely:-

(i) the wood with bark shall be fumigated prior to export with methyl bromide at 48 g/m³ for 24 hrs at 21oC or above or equivalent thereof or any other treatment duly approved by the Plant Protection Adviser and the treatment shall be endorsed on the Phytosanitary certificate issued thereof at the country of export; or

(ii) the timber or sawn or sized wood (without bark) prior to export shall be either fumigated as above or kiln dried or heat treated at 56oC for 30 min (core temperature of wood) and appropriately marked as „KD“ or „HT“, as the case may be, and in such instances no Phytosanitary certificate shall be required, but a treatment certificate issued by the approved agency shall be required to be produced before the Plant Protection Adviser.

(2) All the consignments of timber shall be inspected on board prior to unloading at the port of arrival by an officer duly authorized by Plant Protection Adviser and, if necessary, fumigated or treated on board before unloading: Provided that no such inspection shall be necessary in case of containerized cargo.

(3) The containerized cargo of timber or sawn or seized wood without bark shall be inspected by an authorized Plant Quarantine Officer after unloading of the containers from the ship at the port of container freight station or Inland Container Depots under the jurisdiction of concerned Plant Quarantine Station.

(4) The provision of this Order shall not apply to consignments of processed wood material such as plywood, particleboard, oriental strand board or veneer that have been manufactured by using glue, heat and pressure or combination thereof.

CHAPTER III

Special conditions of Import

10. Special conditions for import of plant species –

(1) In addition to the general conditions listed above in Chapter-II, the plant species herein after mentioned in Schedule-V and VI shall not be permitted to be imported except when specifically authorized or covered under import permit issued by an appropriate issuing authority and subject to such restrictions and conditions specified in this Chapter.

(2) Every consignment of plant species herein specified in Schedule-V and VI shall be accompanied by a Phytosanitary Certificate issued by the authorized officer at country of origin or Phytosanitary Certificate–reexport issued by the country of re-export along with attested copy of original phytosanitary certificate, as the case may be, with the additional declarations being free from pests mentioned under Schedule-V and VI of this order or that the pests as specified do not occur in the country or state of origin as supported by documentary evidence thereof.

(3) General conditions shall apply to all consignments including in respect of those mentioned in Schedule V, VI and VII.

CHAPTER IV

Post-entry Quarantine

11. Post-entry Quarantine –

(1) Plants and seeds, which require post-entry quarantine as laid down in Schedule V and VI of this order, shall be grown in post-entry quarantine facilities duly established by importer at his cost, approved and certified by the Inspection Authority as per the guidelines prescribed by the Plant Protection Adviser.

(2) The period for which, and the conditions under which, the plants and seeds shall be grown in such facilities shall be specified in the permit granted under clause 3.

(3) Nothing contained in Sub-clause (1) shall apply to the import of tissue-cultured plants that are certified virus-free as per Schedule-V and VI, but such plants, shall be subjected to inspection at the point of entry to ensure that the phytosanitary requirements are met with.

(4) Every application for certification of post-entry quarantine facilities shall be submitted to the inspection authority in Form PQ 18. The inspection authority if satisfied after necessary inspection and verification of facilities shall issue a certificate in Form PQ 19.

(5) At the time of arrival of the consignment, the importer shall produce this certificate before the Officer-in-Charge of the Quarantine Station at the entry point along with an undertaking in form PQ 20.

(6) If the Officer-in-Charge of the Quarantine Station, after inspection of the consignment is satisfied, shall accord quarantine clearance with post-entry quarantine condition on the production, by an importer, of a certificate from the inspection authority with the stipulation that the plants shall be grown in such post-entry quarantine facility for the period specified in the import permit.

(7) After according quarantine clearance with post-entry quarantine conditions to the consignments of plants and seeds requiring post-entry quarantine, the Officer-in-Charge of the Quarantine Station at the entry point shall inform the inspection authority, having jurisdiction over the post-entry quarantine facility, of their arrival at the location where such plants would be grown by the importer.

(8) It shall be the responsibility of the importer or his agent -

(i) to intimate the inspection authority in advance about the date of planting of the imported plant or seed.

(ii) not to transfer or part with or dispose the consignment during the pendency of postentry quarantine except in accordance with a written approval of inspection authority.

(iii) to permit the inspection authority complete access to the post-entry quarantine facility at all times and abide by the instructions of such inspection authority.

(iv) to maintain an inspection kit containing all requisite items to facilitate nursery inspection and ensure proper plant protection and upkeep of nursery records.

(v) to extend necessary facilities to the inspection authority during his visit to the nursery and arrange destruction of any part or whole of plant population when ordered by him in the event of infection or infestation by a quarantine pest, in a manner specified by him.

(9) The inspection authority of concerned area of jurisdiction or any officer authorized by the Plant Protection Adviser in this behalf, in association with a team of experts shall inspect the plants grown in the approved post-entry quarantine facility at such intervals as may be considered necessary in accordance with the guidelines issued by the Plant Protection Adviser, with a view to detect any pests and advise necessary phytosanitary measures to contain the pests.

(10) The inspection authority shall permit the release of plants from post-entry quarantine, if they are found to be free from pests and diseases for the period specified in the permit for importation.

(11) Where the plants in the post-entry quarantine are found to be affected by pests and diseases during the specified period the inspection authority shall:-

(i) order the destruction of the affected consignment of whole or a part of the plant population in the post-entry quarantine if the pest or disease is exotic, or

(ii) advise the importer about the curative measures to be taken to the extent necessary, if the pest or disease is not exotic and permit the release of the affected population from the post-entry quarantine only after curative measures have been observed to be successful. Otherwise, the plants shall be ordered to be destroyed.

(12) Where destruction of any plant population is ordered by the inspection authority, the importer shall destroy the same in the manner as may be directed by the inspection authority and under his supervision

(13) At the end of final inspection, the inspection authority shall forward a copy of the report of post-entry quarantine inspection duly signed by him to the Plant Protection Adviser under intimation to officer-in-charge of concerned plant quarantine station.

(14) The importer shall be liable to pay the prescribed fee for inspection of plants in the Post-entry Quarantine facility as laid down in Schedule-IX

CHAPTER V

Appeal and Revision

12. Appeal –

(1) If an importer is aggrieved by the decision of the inspection authority regarding the destruction of any plant population, he may appeal to the Plant Protection Adviser within 7 days from the date of communication of the decision giving the grounds of appeal.

(2) It shall be lawful for the Plant Protection Adviser to rely on the observations of the inspection authority and such other expert opinion, as he may deem necessary, for deciding the appeal.

(3) The memorandum of appeal under sub-clause (1) shall set out the grounds in successive paragraphs on which the decision is challenged and shall be accompanied by a bank draft in favour of the Plant Protection Adviser and payable at Faridabad, evidencing the payment of fee of Rs. 100/-

13. Revision –

The Plant Protection Adviser may, at any time, call for the records relating to any case pending before the inspection authority for the purpose of satisfying itself as to the legality or propriety of any decision passed by that authority and may pass such order in relation thereto, as it thinks fit:

Provided that no such order shall be passed after the expiry of three months from the date of the decision;

Provided further that the Plant Protection Adviser shall not pass any order prejudicial to any person, without giving him a reasonable opportunity of being heard.

CHAPTER VI

Power of Relaxation

14. Relaxation conditions of Import Permit and Phytosanitary Certificate in certain cases –

(1) The Central Government may, in public interest, relax any of the conditions of this Order relating to the import of any consignment. The Joint Secretary in-charge of Plant Protection in the Department of Agriculture & Cooperation shall be the competent authority for according the relaxation. Further the powers of relaxation has been delegated (vide DAC Lt. No. 8-5/2004-PPI(pt) dated 2nd February 2005) to officers in charge of the Plant Quarantine Stations for relaxing the conditions of Import permit and phytosanitary certificate required as per Plant Quarantine (Regulation of Import into India) Order, 2003 as a one-time exception in favour of a single party and not for repeated violations by that party. All second or subsequent cases of violation of requirement of Import Permit and Phytosanitary certificate by any party shall be forwarded to Joint Secretary (Plant Protection), Department of Agriculture & Cooperation

(2) In the event of grant of relaxation by competent authority, the consignment shall be released after charging the fee for import permit and fee for plant quarantine inspection at five times of normal rates.

(3) The provisions of this Order shall apply without prejudice to the Customs Act, 1962 (52 of 1962) or any other Acts or Order related to imports.

Chapter VII

Repeal and Savings

15. Repeals and Savings –

(1) The following orders and notifications are hereby repealed, namely: -

(i) Rules for regulating the import of insects into India notified under F-193/40 A dated 3.2.1941

(ii) Rules for regulating the import of fungi into India notified under F.16-5(I)/43A dated 10.5.43

(iii) Import of cotton into India Regulations, 1972

(iv) Plants, Fruits & Seeds (Regulation of Import into India) Order, 1989

(2) Not with standing such repeal, an import permit issued by any competent authority, which is in force immediately before the commencement of this Order and shall continue in force till the 31st day of March, 2004 and all appointments made and fees levied under the repealed Rules, Regulations and Orders, and in force immediately before such commencement shall likewise continue in force and be deemed to be made or levied in pursuance of this Order until revoked

Annex 7: Defining GAP on use of agrochemicals

The agro-chemicals used for soybean or any other crop can be categorized in following groups:

Those utilized in providing nutrition to the crop

Those needed for the crops to protect from biotic stresses

Those utilized to ameliorate the soil

Those utilize to boost up the crop growth

The category good agricultural practices for these categories are as follows

Those utilized in providing nutrition to the crop

These include manures, biofertilizers and fertilizers

For ICM we have to use them in an integrated manner. This involves (i) application of manures/crop residues to crop regularly to sustain soil and provide nutrients to certain extent, (ii) application of biofertilizers; *Bradyrhizobium japonicum* and PSB through seed treatment to facilitate availability of atmospheric nitrogen and making fixed phosphorus available to crop plants in greater amounts, and (iii) application of need based nutrients through fertilizer in a balanced manner based on nutrients contained in soil. To follow this integrated approach to provide balanced approach, above steps in order to be followed.

In deficient areas for micronutrients, there application is to be made. Since most of the soybean area is deficient in zinc, this nutrient will form a constituent of fertilizer programme and supplementation to be done @ 25 kg zinc sulphate per hectare at the time of field preparation along with other fertilizers.

The cultural practices which aids to nutrition to be followed are interculture in the crop, management of weeds, varietal diversification, following cropping sequences and non-burning of crop residues.

Those needed for the crops to protect from biotic stresses

These involves use of pesticides which should be judicious and need based

For weed management, if possible and manual labour is available, the weeding should be done manually or using 'dora'. If done at right time (before flowering of weeds), the weed biomass can be used as mulch to conserve water.

In case of non feasibility of managing weeds either manually or by mechanical means, the recommended herbicides should be used in right quantities, right time and using recommended method, particularly using at least 700-800 litres of water.

For insect pest and disease management, the cultural and mechanical means to be adopted at first instance. These include (i) keeping crop plant healthy by providing balanced nutrition, mechanical removal and destroying them at gregarious phase (tobacco caterpillar, girdle beetle, Bihar hairy caterpillar etc), using resistant varieties, using trap crops, using light or pheromone traps)

Cultural management and use of pesticides are not mutually exclusive. Integrated approach is to be followed for pest management. Once the cultural management is not adequate, the recommended biopesticides may be used. Use of chemical pesticides has to be last priority, but no hesitation has to be shown if other measures fail and pest is likely to at outbreak stage.

If the use of pesticide is inevitable, these should be pest specific only when pest population is likely to cause economic loss i.e. only after their number crossed threshold value prescribed.

The care is needed to use appropriate pesticide for a particular pest at right time, i.e. at most vulnerable stage

The application of pesticides should be done in morning or evening hours to protect the population of friendly insects, which show maximum activity in the noon.

The pesticide container should be appropriately handled: (i) keep them away from the reach of the children, (ii) After use the paper container should be deformed and burnt, the metal/plastic containers to be reshaped and buried in waste land, and (ii) in no case these containers to be reused.

Those utilized to ameliorate the soil

These chemicals are normally used to correct the problem soils. If soybean is to be grown in acidic soils, lime application to be made based on lime requirement and if saline/alkali soils are utilized, measures like percolating salts before sowing and application of gypsum is to be resorted to,

Regular use of organic manures like FYM, Compost, Gobar gas slurry, Vermicompost takes care of micronutrient need of crop apart from other advantages and save expenditure on use of chemical sources for amending these micronutrients

Those utilize to boost up the crop growth

A number of growth promoting molecules have been tried in soybean, but no advantage on yield or quality could be observed and hence not recommended.

Annex 8: Progressive Entry Level Approach for India

1. Introduction

In order to involve a broader range of producers into the P&C certification scheme, RTRS developed a progressive entry level that includes a continuous improvement approach.

All the indicators of the P&C were weighted to categorize them by their relevance, having into account: the opinion of the three constituencies of RTRS, other sustainability certification schemes approach to similar issues, analysis of evidence gathered during the field tests period, small farmers inclusion, international legislation, to determine a realistic, credible and pragmatic approach of the RTRS scheme.

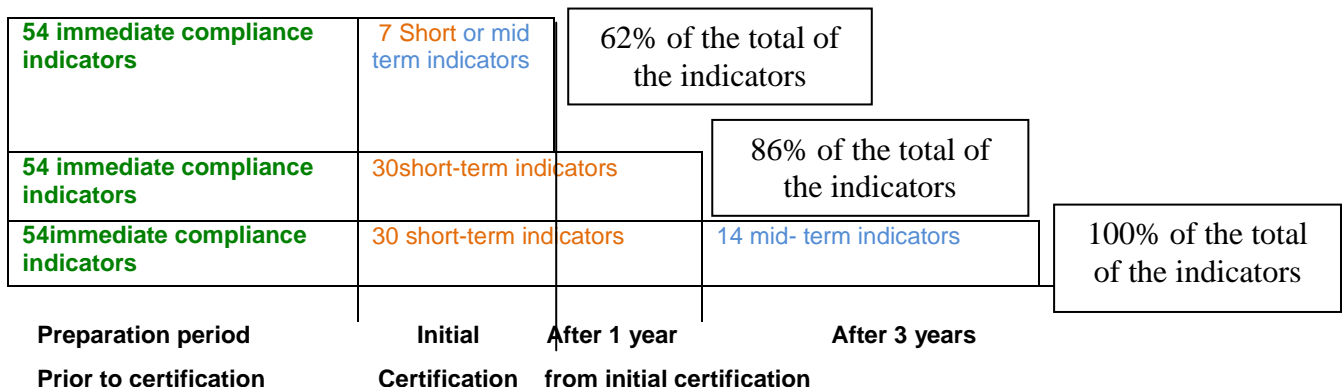
2. Classification of the indicators within each criteria

The RTRS has classified the indicators in 3 different categories: See content of table below

Category
Immediate Compliance Indicators
Short – Term Compliance Indicators
Mid- Term Compliance Indicators

3. Progressive approach

- The first year of the initial certification assessment:** A producer will be granted with a positive certification decision when he meets all the indicators that were classified in this document as “immediate compliance indicators” and additionally 7 indicators of the total short term compliance indicators or mid-term compliance indicators. This represents approximately a compliance with the 62% of the RTRS standard.
- After one year from the date of the initial certification assessment** (first annual surveillance assessment) the producer shall meet in addition all the short term compliance indicators. This represents approximately a compliance with the 86% of the RTRS standard.
- After 3 years from the date of the initial certification assessment:** the producer shall comply with 100% of the indicators (immediate + mid-term + short term compliance indicators). The compliance of all the indicators will be assessed against the classification of majors and minors stated in the accreditation and verification system.



1. National Interpretation of the Classification.

The current approach was considered based on the RTRS Principles and Criteria Indicators and the Indian legislation. Where Indian legislation requires the compliance with one indicator that under the RTRS approach is considered a short or mid-term compliance indicator, this indicator is categorized as an immediate compliance indicator in India.

The National Technical Group of India found the following indicators as legal obligations, therefore those became in Immediate Compliance Indicators.

Indicators	National Reference	Legislation
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Indicators	National Legislation Reference
2.5.2 Deductions from wages for disciplinary purposes are not made, unless legally permitted. Wages and benefits are detailed and clear to workers and workers are paid in a manner convenient to them. Wages paid are recorded by the employer	Minimum Wage (Central) Rules,1950
5.5.3 Transportation and storage of agrochemicals is safe and all applicable health, environmental and safety precautions are implemented	Insecticide Rule,1971

Note: It is important to highlight that the group also identified 2 additional indicators that might be considered as immediate compliance indicators category if for indicator 2.3.2 the farmer has more than 100 workers and for indicator number 2.2.1 the farmer has more than 20 employees. Under these conditions these 2 indicators have to be considered also as immediate compliance indicators.

Indicators	National Legislation Reference
2.3.2 Relevant health and safety risks are identified, procedures are developed to address these risks by employers, and these are monitored.	Group level, Provisions in CHAPTER V of The Contract Labour (Regulation and Abolition) Act 1970 has detailed out "Welfare and Health of Contract labour". This provision is applicable in case 100 or more works are employed.
2.2.1 Workers (including temporary workers), sharecroppers, contractors and subcontractors have a written contract, in a language that they can understand.	THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970 Applicable in case of employing 20 or more workers.

1. National Classification and references:

54 Indicators	Immediate Compliance Indicators
30 Indicators	Short-term Compliance indicators (1 year)
14 Indicators	Mid-term minor Compliance Indicators (3 years)
	Not applicable

Principle	Criteria	Indicator	Weight
Principle 1: Legal Compliance and Good Business Practice	1.1 There is awareness of, and compliance with, all applicable local and national legislation.	1.1.1 Awareness of responsibilities, according to applicable laws can be demonstrated.	
		1.1.2 Applicable laws are being complied with.	
	1.2 Legal use rights to the land are clearly defined and demonstrable.	1.2.1 There is documented evidence of rights to use the land (e.g. ownership document, rental agreement, court order etc.).	
	1.3 There is continual improvement with respect to the requirements of this standard.	1.3.1 A review process is carried out which identifies those social, environmental and agricultural aspects of the operation (on and off farm) where improvement is desirable.	
		1.3.2 A number of indicators are selected and a baseline is established to be able to monitor continual improvement on those aspects where desired improvements have been identified.	

		1.3.3 The results of monitoring are reviewed and appropriate action is planned and taken when necessary to ensure continual improvement.	
Principle 2: Responsible Labour Conditions	2.1 Child labour, forced labour, discrimination and harassment are not engaged in or supported.	2.1.1 No forced, compulsory, bonded, trafficked or otherwise involuntary labour is used at any stage of production.	
		2.1.2 No workers of any type are required to lodge their identity papers with anyone and no part of their salary, benefits or property is retained, by the owner or any 3rd party, unless permitted by law.	
		2.1.3 Spouses and children of contracted workers are not obliged to work on the farm.	
		2.1.4 Children and minors (below 18) do not conduct hazardous work or any work that jeopardizes their physical, mental or moral well being.	
		2.1.5 Children under 15 (or higher age as established in national law) do not carry out productive work. They may accompany their family to the field as long as they are not exposed to hazardous, unsafe or unhealthy situations and it does not interfere with their schooling	
		2.1.6 There is no engagement in, support for, or tolerance of any form of discrimination.	
		2.1.7 All workers receive equal remuneration for work of equal value, equal access to training and benefits and equal opportunities for promotion and for filling all available positions.	
		2.1.8 Workers are not subject to corporal punishment, mental or physical oppression or coercion, verbal or physical abuse, sexual harassment or any other kind of intimidation.	
	2.2 Workers, directly and indirectly employed on the farm, and sharecroppers, are adequately informed and trained for their tasks and are aware of their rights and duties.	2.2.1 Workers (including temporary workers), sharecroppers, contractors and subcontractors have a written contract, in a language that they can understand.	
		2.2.2 Labour laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g., working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc) are available in the languages understood by the workers or explained carefully to them by a manager or supervisor.	
		2.2.3 Adequate and appropriate training and comprehensible instructions on fundamental rights at work, health and safety and any necessary guidance or supervision are provided to all workers.	
	2.3 A safe and healthy workplace is provided for all workers.	2.3.1 Producers and their employees demonstrate an awareness and understanding of health and safety matters.	
		2.3.2 Relevant health and safety risks are identified, procedures are developed to address these risks by employers, and these are monitored.	

	2.3.3 Potentially hazardous tasks are only carried out by capable and competent people who do not face specific health risks.	
	2.3.4 Adequate and appropriate protective equipment and clothing is provided and used in all potentially hazardous operations such as pesticide handling and application and mechanized or manual operations.	
	2.3.5 There is a system of warnings followed by legally-permitted sanctions for workers that do not apply safety requirements.	
	2.3.6 Accident and emergency procedures exist and instructions are clearly understood by all workers.	
	2.3.7 In case of accidents or illness, access to first aid and medical assistance is provided without delay.	
2.4 There is freedom of association and the right to collective bargaining for all workers.	2.4.1 There is the right for all workers and sharecroppers to establish and/or join an organization of their choice.	
	2.4.2 The effective functioning of such organizations is not impeded. Representatives are not subject to discrimination and have access to their members in the workplace on request.	
	2.4.3 All workers have the right to perform collective bargaining.	
	2.4.4 Workers are not hindered from interacting with external parties outside working hours (e.g. NGOs, trade unions, labour inspectors, agricultural extension workers, certification bodies).	
2.5 Remuneration at least equal to national legislation and sector agreements is received by all workers directly or indirectly employed on the farm.	2.5.1 Gross wages that comply with national legislation and sector agreements are paid at least monthly to workers.	
	2.5.2 Deductions from wages for disciplinary purposes are not made, unless legally permitted. Wages and benefits are detailed and clear to workers and workers are paid in a manner convenient to them. Wages paid are recorded by the employer.	
	2.5.3 Normal weekly working hours do not exceed 48 hours. Weekly overtime hours do not exceed 12 hours.	
	2.5.4 If additional overtime hours are necessary the following conditions are met:	
	a) It only occurs for limited periods of time (e.g.. peak harvest, planting).	
	b) Where there is a trade union or representative organization the overtime conditions are negotiated and agreed with that organization.	
c) Where there is no trade union or representative organization agreement the average working hours in the two-month period after the start of the exceptional period still do not exceed 60 hours per week.		
	2.5.5 Working hours per worker are recorded by the employer.	

		2.5.6 Overtime work at all times is voluntary and paid according to legal or sector standards. In case overtime work is needed, workers receive timely notification. Workers are entitled to at least one day off following every six consecutive days of work.	
		2.5.7 Salaried workers have all entitlements and protection in national law and practice with respect to maternity. Workers taking maternity leave are entitled to return to their employment on the same terms and conditions that applied to them prior to taking leave and they are not subject to any discrimination, loss of seniority or deductions of wages.	
		2.5.8 If workers are paid per result, a normal 8 hour working day allows workers, (men and women), to earn at least the national or sector established minimum wage.	
		2.5.9 If employees live on the farm, they have access to affordable and adequate housing, food and potable water. If charges are made for these, such charges are in accordance with market conditions. The living quarters are safe and have at least basic sanitation.	
Principle 3: Responsible Community Relations	3.1 Channels are available for communication and dialogue with the local community on topics related to the activities of the soy farming operation and its impacts.	3.1.1 Documented evidence of communication channels and dialogue is available.	
		3.1.2 The channels adequately enable communication between the producer and the community.	
		3.1.3 The communication channels have been made known to the local communities.	
	3.2 In areas with traditional land users, conflicting land uses are avoided or resolved.	3.2.1 In the case of disputed use rights, a comprehensive, participatory and documented community rights assessment is carried out.	
		3.2.2 Where rights have been relinquished by traditional land users there is documented evidence that the affected communities are compensated subject to their free, prior, informed and documented consent.	
	3.3 A mechanism for resolving complaints and grievances is implemented and available to local communities and traditional land users.	3.3.1 The complaints and grievances mechanism has been made known and is accessible to the communities.	
		3.3.2 Documented evidence of complaints and grievances received are maintained.	
		3.3.3 Any complaints and grievances received are dealt with in a timely manner.	
	3.4 Fair opportunities for employment and provision of goods and services are given to the local population.	3.4.1 Employment opportunities are made known locally.	
		3.4.2 There is collaboration with training programs for the local population.	
		3.4.3 Opportunities for supply of goods and services are offered to the local population.	

Principle 4: Environmental Responsibility	4.1 On and off site social and environmental impacts of large or high risk new infrastructure have been assessed and appropriate measures taken to minimize and mitigate any negative impacts.	4.1.1 A social and environmental assessment is carried out prior to the establishment of large or high risk new infrastructure.	
		4.1.2 The assessment is carried out by someone who is adequately trained and experienced for this task.	
		4.1.3 The assessment is carried out in a comprehensive and transparent manner.	
		4.1.4 Measures to minimize or mitigate the impacts identified by the assessment are documented and are being implemented.	
	4.2 Pollution is minimized and production waste is managed responsibly.	4.2.1 There is no burning on any part of the property of crop residues, waste, or as part of vegetation clearance, except under one of the following conditions:	
		a) Where there is a legal obligation to burn as a sanitary measure;	
		b) Where it is used for generation of energy including charcoal production and for drying crops;	
		c) Where only small-caliber residual vegetation from land clearing remains after all useable material has been removed for other uses.	
		4.2.2 There is adequate storage and disposal of fuel, batteries, tires, lubricants, sewage and other waste.	
		4.2.3 There are facilities to prevent spills of oil and other pollutants.	
	4.3 Efforts are made to reduce emissions and increase sequestration of Greenhouse Gases (GHGs) on the farm.	4.2.4 Re-use and recycling are utilized wherever possible.	
		4.2.5 There is a residue management plan including all areas of the property.	
		4.3.1 Total direct fossil fuel use over time is recorded, and its volume per hectare and per unit of product for all activities related to soy production is monitored.	
		4.3.2 If there is an increase in the intensity of fossil fuel used, there is a justification for this. If no justification is available there is an action plan to reduce use.	
	4.4 Expansion of soy cultivation is responsible.	4.3.3 Soil organic matter is monitored to quantify change in soil carbon and steps are taken to mitigate negative trends.	
		4.3.4 Opportunities for increasing carbon sequestration through restoration of native vegetation, forest plantations and other means are identified.	
		4.4.1 After May 2009 expansion for soy cultivation has not taken place on land cleared of native habitat except under the following conditions:	
		4.4.1.1 It is in line with an RTRS-approved map and system (see Annex 4.)	
		or	

		4.4.1.2 Where no RTRS-approved map and system is available:	
		a) Any area already cleared for agriculture or pasture before May 2009 and used for agriculture or pasture within the past 12 years can be used for soy expansion, unless regenerated vegetation has reached the definition of native forest (see glossary).	
		b) There is no expansion in native forests (see glossary)	
		c) In areas that are not native forest (see glossary), expansion into native habitat only occurs according to one of the following two options:	
		Option 1. Official land-use maps such as ecological-economic zoning are used and expansion only occurs in areas designated for expansion by the zoning. If there are no official land use maps then maps produced by the government under the Convention on Biological Diversity (CBD) are used, and expansion only occurs outside priority areas for conservation shown on these maps.	
		Option 2. An High Conservation Value Area (HCVA) assessment is undertaken prior to clearing and there is no conversion of High Conservation Value Areas.	
		4.4.2 There is no conversion of land where there is an unresolved land use claim by traditional land users under litigation, without the agreement of both parties.	
4.5 On-farm biodiversity is maintained and safeguarded through the preservation of native vegetation.	4.5.1 There is a map of the farm which shows the native vegetation		
	4.5.2 There is a plan, which is being implemented, to ensure that the native vegetation is being maintained (except areas covered under Criterion 4.4)		
	4.5.3 No hunting of rare, threatened or endangered species takes place on the property.		
Principle 5: Good Agricultural Practice	5.1 The quality and supply of surface and ground water is maintained or improved.	5.1.1 Good agricultural practices are implemented to minimize diffuse and localized impacts on surface and ground water quality from chemical residues, fertilizers, erosion or other sources and to promote aquifer recharge.	
		5.1.2 There is monitoring, appropriate to scale, to demonstrate that the practices are effective.	
		5.1.3 Any direct evidence of localized contamination of ground or surface water is reported to, and monitored in collaboration with, local authorities.	
		5.1.4 Where irrigation is used, there is a documented procedure in place for applying best practices and acting according to legislation and best practice guidance (where this exists), and for measurement of water utilization.	
	5.2 Natural vegetation areas around springs and along natural watercourses are	5.2.1 The location of all watercourses has been identified and mapped, including the status of the riparian vegetation.	

	maintained or re-established.	5.2.2 Where natural vegetation in riparian areas has been removed there is a plan with a timetable for restoration which is being implemented.	
		5.2.3 Natural wetlands are not drained and native vegetation is maintained.	
5.3 Soil quality is maintained or improved and erosion is avoided by good management practices.		5.3.1 Knowledge of techniques to maintain soil quality (physical, chemical and biological) is demonstrated and these techniques are implemented.	
		5.3.2 Knowledge of techniques to control soil erosion is demonstrated and these techniques are implemented.	
		5.3.3 Appropriate monitoring, including soil organic matter content, is in place.	
5.4 Negative environmental and health impacts of phytosanitary products are reduced by implementation of systematic, recognized Integrated Crop Management (ICM) techniques.		5.4.1 A plan for ICM is documented and implemented which addresses the use of prevention, and biological and other non-chemical or selective chemical controls.	
		5.4.2 There is an implemented plan that contains targets for reduction of potentially harmful phytosanitary products over time.	
		5.4.3 Use of phytosanitary products follows legal requirements and professional recommendations (or, if professional recommendations are not available, manufacturer's recommendations) and includes rotation of active ingredients to prevent resistance.	
		5.4.4 Records of monitoring of, pests, diseases, weeds and natural predators are maintained.	
5.5 All application of agrochemicals is documented and all handling, storage, collection and disposal of chemical waste and empty containers, is monitored to ensure compliance with good practice.		5.5.1 There are records of the use of agrochemicals, including:	
		a) products purchased and applied, quantity and dates;	
		b) identification of the area where the application was made;	
		c) names of the persons that carried out the preparation of the products and field application;	
		d) identification of the application equipment used;	
		e) weather conditions during application.	
		5.5.2 Containers are properly stored, washed and disposed of; Waste and residual agrochemicals are disposed in an environmentally appropriate way.	
		5.5.3 Transportation and storage of agrochemicals is safe and all applicable health, environmental and safety precautions are implemented.	
		5.5.4 The necessary precautions are taken to avoid people entering into recently sprayed areas.	
	5.5.5 Fertilizers are used in accordance with professional recommendations (provided by manufacturers where other professional recommendations are not available).		

5.6 Agrochemicals listed in the Stockholm and Rotterdam Conventions are not used.	5.6.1 There is no use of agrochemicals listed in the Stockholm and Rotterdam Conventions.	
5.7 The use of biological control agents is documented, monitored and controlled in accordance with national laws and internationally accepted scientific protocols.	5.7.1 There is information about requirements for use of biological control agents.	
	5.7.2 Records are kept of all use of biological control agents that demonstrate compliance with national laws.	
5.8 Systematic measures are planned and implemented to monitor, control and minimize the spread of invasive introduced species and new pests.	5.8.1 Where there are institutional systems in place to identify and monitor invasive introduced species and new ones, or major outbreaks of existing pests, producers follow the requirements of these systems, to minimize their spread.	
	5.8.2 Where such systems do not exist, incidences of new pests or invasive species and major outbreaks of existing pests are communicated to the proper authorities and relevant producer organizations or research organizations.	
5.9 Appropriate measures are implemented to prevent the drift of agrochemicals to neighboring areas.	5.9.1 There are documented procedures in place that specify good agricultural practices, including minimization of drift, in applying agrochemicals and these procedures are being implemented.	
	5.9.2 Records of weather conditions (wind speed and direction, temperature and relative humidity) during spraying operations are maintained.	
	5.9.3 Aerial application of pesticides is carried out in such a way that it does not have an impact on populated areas. All aerial application is preceded by advance notification to residents within 500m of the planned application.	
	Note: 'Populated areas' means any occupied house, office or other building	
	5.9.4 There is no aerial application of pesticides in WHO Class Ia, Ib and II within 500m of populated areas or water bodies.	
	5.9.5 There is no application of pesticides within 30m of any populated areas or water bodies.	
5.10 Appropriate measures are implemented to allow for coexistence of different production systems.	5.10.1 Measures are taken to prevent interference in production systems of neighboring areas.	
5.11 Origin of seeds is controlled to improve production and prevent introduction of new diseases.	5.11.1 All purchased seed must come from known legal quality sources.	
	5.11.2 Self-propagated seeds may be used, provided appropriate seed production norms are followed and legal requirements regarding intellectual property rights are met.	

Annex 9: National Technical Group

The Indian National Technical Group was formed by the following representatives of the 3 RTRS constituencies:

1. Mr. O P Goel	Industry,member	Krishna Oil Extractions,Indore & India Soy Foundation,Indore
2. Mr. Yoegsh Dwivedi	Civil Society,member	Action for Social Advancement(ASA),Bhopal
3. Mr. Sarvesh Sharma	Civil Society,member	Indian Grameen Services(IGS),Dewas
4. Mr. Sanjay Pandya/Ram Singh	Producer,member	Samarth Kisan Producer Company,Agar,shajapur Khajuraho Crop Producer Company,Chattarpur
5. Mr. Susheel Pathak	Producer,member	Directorate of Soy Reasearch,Indore
6. Dr. o.P. Joshi	Emertius Scientist,Observer	Control Union Certification,Mumbai
7. Mr. Naresh Nachappa	Civil Society,Observer	India Soy Forum,Bhopal

Under the general coordination of the RTRS Technical Unit, local Coordinator: Ashok Kumar from the India Soy Forum and moderators, Mr. Ashok Kumar and Cecilia Gabutti from the RTRS.

The GTN held 3 meetings, one in October 2009 and a second one held in August 2010 and the third one in July 2011. The draft document of the NI was also submitted for public consultation for more than 60 days. RTRS Executive Board approved the document on October 31st, 2011.