



कृषि और प्रसंस्कृत खाद्य उत्पाद  
निर्यात विकास प्राधिकरण  
(वाणिज्य एवं उद्योग मंत्रालय, भारत सरकार)

**Agricultural and Processed Food Products  
Export Development Authority**  
(Ministry of Commerce & Industry, Govt. of India)

### Circular

#### Grant of Market Access for Export of Pomegranate Arils to USA

FFV-2019-20-000095

Date: 07.09.2022

Ministry of Agriculture and Farmers Welfare, Government of India has informed that NPPO of USA has given the market access for pomegranate Arils from India to USA. MoA&FW has also informed that NPPO of USA –APHIS has lifted the suspension on the exports of pomegranate arils from India to USA. The approved system approach Operation Work Plan is attached as **Annexure I**.

The import requirements can also be accessed through the following weblink (Document Detail ([usda.gov](https://www.usda.gov))) for imports of pomegranate arils, which is located in APHIS' Agricultural Commodity Import Requirements (Home ([usda.gov](https://www.usda.gov))) website.. Briefly, following are the main import requirements:

1. No import permits are required.
2. The commodity is subject to the inspection at the U.S. Port of Entry and all general requirements of 7 CFR 319.56-3.
3. Admissible if accompanied by a Phytosanitary Certificate with an Additional Declaration stating the following : "The consignment was produced and prepared for export in accordance with the Operational Work Plan agreement between APHIS and India".

Interested Exporters are requested to avail the opportunity and comply with the requirement for export pomegranate arils to USA.

U.K. Vats  
General Manager




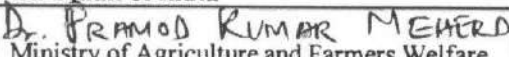

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## Systems Approach Operational Work Plan for the Export of Pomegranate Arils from India to the United States

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Date: *January 14, 2022*



Summary	
<p>This Operational Work Plan (OWP) was developed jointly by the United States Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS), and Ministry Of Agriculture and Farmers Welfare (MoA &amp; FW) of India.</p>	
<p>The OWP details the phytosanitary measures required for the production, packing, safeguarding, treatment (if applicable), export certification, and shipping in order to comply with regulations governing the importation of pomegranate arils from India into the United States and the Territories (the Commonwealth of Northern Mariana Islands, The commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, and any other territory or possession of the United States). It includes the duties and responsibilities of each participant; the pest mitigation measures necessary to ensure the phytosanitary integrity of commodities exported to the United States from India; and is intended to protect against the accidental introduction of quarantine significant pests via this pathway. Technical explanations will be provided, as appropriate, to ensure all partners understand the biological basis of the actions required.</p>	
<p>As signatories to this agreement, deviation from these guidelines is not authorized unless previous approval is given by APHIS PPQ. All deviations will be documented in writing. This OWP shall be in force when signed and until a new work plan is approved and signed by all parties. Exports may only occur after all requirements of this OWP have been met and after verification by the MoA &amp; FW of India and/or APHIS.</p>	
<p><b>On behalf of the United States:</b></p> <p>  Ms. Andrea B. Simao  Assistant Deputy Administrator,  Phytosanitary Issues Management,  Plant Protection and Quarantine  (PPQ), USDA, APHIS</p> <p>[Date] July 26, 2022</p>	<p><b>On behalf of India</b></p> <p>  Dr. PRAMOD KUMAR MEHERDA  Ministry of Agriculture and Farmers Welfare  MoA &amp; FW-Plant Protection Division  Joint Secretary (PP)</p> <p>[Date] 22/02/2022</p>
	<p>On behalf of the Cooperator (if applicable)</p> <p></p>
	<p>डॉ. प्रमोद कुमार मेहरडा / Dr. Pramod Kumar Meherda  संयुक्त सचिव / Joint Secretary  भारत सरकार / Government of India  कृषि एवं किसान कल्याण विभाग / Min. Agriculture &amp; Farmers Welfare  कृषि, एवं किसान कल्याण विभाग / Min. Agriculture &amp; Farmers Welfare  कृषि भवन, नई दिल्ली / Kisan Bhawan, New Delhi-110001</p>



## 1. Program Overview

### 1.1 Commodities included in this program:

POMEGRANATE ARILS, *Punica granatum* L., hereafter referred to as fresh pomegranate aril or pomegranate arils, pomegranate aril or pomegranate arils, or, fruit or fruits.

### 1.2. Regulated Pests:

Oriental fruit fly : *Bactrocera dorsalis* (Diptera: Tephritidae)

### 1.3. Participating Organizations

1.3.1 United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS)

1.3.2 Ministry of Agriculture and Farmers Welfare MoA & FW-Plant Protection Division

1.3.3 Producers, Packers and Exporters of approved articles, hereafter referred as exporters

1.3.4 APEDA

### 1.4. Relevant Authority & Agreements

1.4.1 Articles are subject to U.S port of entry document verification and may be subject to monitoring, inspection, and other actions at the ports of entry in the United States as deemed necessary by the Department of Homeland Security, U.S. Customs and Border Protection (CBP), U.S. Food and Drug Administration (FDA), and other Federal regulatory agencies.

1.4.2 Phytosanitary conditions for the import of dried, cured, or processed fruits, vegetables, nuts, and legumes are set forth in the United States Code of Federal Regulations (CFR), Title 7: Agriculture, Part 319 - Foreign Quarantine Notices, Subpart 56 - Fruits and Vegetables, Section 11. APHIS issued a Federal Order pursuant to the authority provided by the Plant Protection Act (PPA) of June 20, 2000, as amended, Section 412(a), 7 U.S.C. 7712(a) to require phytosanitary conditions for the import of pomegranate arils.

1.4.3. Articles accompanied by unmanufactured wood articles, or packaging materials, including wood packaging material, are subject to the International Plant Protection Convention's International Standards for Phytosanitary Measures (ISPM 15) and APHIS' regulations under 7 CFR, Part 319, Subpart 40 - Logs, Lumber, and other Unmanufactured Wood Products, and Subpart 69 - Packaging Materials. These articles may be subject to port of entry compliance verification.

1.4.4. Articles and conveyances are subject to inspection requirements as described in 7 CFR Part 330 - Federal Plant Pest Regulations; General; Plant Pests; Soil, Stone, And Quarry Products; Garbage and Part 352 - Plant Quarantine Safeguard Regulations. These and other applicable U.S. Regulations may be accessed at: <http://ecfr.gpoaccess.gov>

1.4.5 Importers must apply for and acquire a valid APHIS, Plant Protection and Quarantine (PPQ) Import Permit (IP).



<b>2. Roles and Responsibilities of Participants</b>
<b>2.1. The United States Department of Agriculture, Animal and Plant Health Inspection Service (APHIS) will:</b>
2.1.1. Support program operations by providing technical guidance to MoA & FW as needed or upon request.
2.1.2. Provide guidance and/or instructions to CBP for port of entry clearance of consignments.
2.1.3. In collaboration with MoA & FW maintain, review, and revise the work plan as necessary to accurately reflect program operations.
2.1.4. Verify that the responsibilities of all participants with regard to technical requirements have been properly executed and communicate any deficiencies to MoA & FW to investigate and take corrective action if warranted.
2.1.5. If necessary, based on noncompliance events or program audits conducted in accordance with APHIS' policy, provide qualified personnel to work cooperatively with MoA & FW and all other program participants to review and evaluate operations in the field and packinghouses, quarantine pest management and control activities, and other safeguarding measures. APHIS will provide audit reports to MoA & FW in a timely manner.
2.1.6. Provide guidance and/or instructions to CBP for port of entry clearance of consignments.
<b>2.2. Ministry of Agriculture and Farmers Welfare (MoA &amp; FW) will:</b>
2.2.1. Supervise program operations to ensure that program participants comply with the OWP and other phytosanitary standards established by APHIS and MoA & FW
2.2.2. Maintain documentation related to MoA & FW's program oversight for at least one year and provide to APHIS upon request.
2.2.3. In collaboration with APHIS, maintain, review, and revise work plan as necessary to accurately reflect program operations.
2.2.4. Register and individually approve for export only those registered production sites that meet conditions as indicated in this OWP.
2.2.5. Establish and maintain a fruit fly trapping, management, and control program to keep fruit fly population levels within thresholds of APHIS import requirements as described in the Fruit Fly Trapping Program Appendix to this OWP.
2.2.6. Maintain an APHIS-approved quality control program, including record keeping, to monitor or audit the fruit fly trapping program and provide records to APHIS upon request.
2.2.7. Ensure that only pomegranate arils originating from registered production sites that have met minimum trapping parameters established in the regulations and this OWP are presented for export inspection and phytosanitary certification.
2.2.8. Register and approve all packinghouses participating in this program.
2.2.9. Carry out inspection and approval of packinghouses, as well as their storage chambers and transport means, to verify they are clean, free of pests, and can maintain safeguarding requirements.



2.2.10	Maintain an up-to-date list of registered program participants, including production sites and packinghouses, and provide the list to APHIS upon request.
2.2.11.	Conduct export inspection and issue Phytosanitary Certificates (with appropriate Additional Declarations if applicable) only for consignments that pass export inspection and meet all other requirements of this OWP.
2.2.12.	Take immediate action to correct any noncompliance issue detected, and if necessary, suspend or revoke participant registration until noncompliance has been corrected, and immediately report any participant suspension to APHIS.
2.3.	Exporters will:
2.3.1	Maintain up-to-date knowledge of the phytosanitary requirements established by APHIS and MoA & FW and comply with the conditions of this work plan, APHIS regulations and policy, and MoA & FW's regulations and policies for the export of pomegranate arils to all United States including territories.
2.3.2	Cooperate with APHIS and the MoA & FW to maintain the phytosanitary integrity of the program and implementation of program requirements.
2.3.3	Notify MoA & FW of any irregularities detected during program operations which may pose a phytosanitary risk to export of pomegranate arils.
2.3.4	Allow access to the production, packing, warehouse, and facilities used for the production, processing, and export of pomegranate arils to all United States including territories and allow access to all records and documents relating to the operations of the program.
2.3.5	Register production sites and packinghouses with MoA & FW prior to the start of the export season.
2.3.6.	Comply with MoA & FW's fruit fly trapping program and APHIS' fruit fly trapping, management, and control requirements listed in the Fruit Fly Trapping Program Appendix to this OWP.
2.3.7.	Ensure that all boxes or packaging for export have information or codes for the production, packinghouse, and origin of the product.
2.3.8.	Provide assistance and resources to APHIS personnel auditing the pomegranate arils export program
2.4.	APEDA will perform the responsibilities as assigned by Ministry of Agriculture and Farmers Welfare (MoA & FW-Plant Protection Division).
3.	<b>Requirements for Entry into the United States</b>
3.1	Measures and Actions Applied in the Exporting Country (India)
3.1.1	Registered Production Unit
3.1.1.1	All production sites intending to export articles to the United States, must be individually registered and approved by MoA & FW.
3.1.1.2	Each production site will be issued by MoA & FW a unique and permanent Production Unit Code (PUC), which will serve as a traceability code for program articles.
3.1.1.3	Pest monitoring, management, and control strategies aimed at suppressing or maintaining low pest populations, including a fruit fly trapping program, must be

<p>implemented in all production sites. MoA &amp; FW will periodically visit production sites and audit records, which may be provided to APHIS upon request.</p>
<p>3.1.1.4 Harvest fruit (article) must be packed within 24 hours of harvest or safeguarded and placed in cold storage. Each bin or container must be marked to show origin of the article in a manner that enables trace-back to the field of origin.</p>
<p>3.1.1.5 Harvested fruit must be safeguarded against potential pest infestation with a pest-proof screen or plastic tarpaulin while in transit to the packinghouse and awaiting packing. This safeguard must remain intact while in transit and until arrival in the continental United States.</p>
<p>3.1.1.6 Comply with MoA &amp; FW's fruit fly trapping program and APHIS' fruit fly trapping, management, and control requirements listed in the Fruit Fly Trapping Program Appendix to this OWP.</p>
<p>3.1.1.7 If more than 0.07 <i>Bactrocera dorsalis</i> (Oriental fruit flies) per trap per day (FTD) are trapped, pesticide bait treatments must be applied in the affected place of production in order for the place of production to remain eligible to export fruit.</p>
<p>3.1.1.8 If more than 0.07 FTD are trapped for two or more consecutive weeks, the production site is ineligible for export under the systems approach until the rate of capture drops to less than 0.07 FTD.</p>
<p>3.1.1.9 The commodity must be safeguarded and protected from pest infestation while in transit from the registered production site to the registered packinghouse.</p>
<p>3.1.1.10 Fruit from the ground shall not be included in fruit harvested for processing into arils for export to the United States.</p>
<p>3.1.2. Fruit Fly Trapping Requirements:</p>
<p>3.1.2.1 The production sites of pomegranate production must be conducted with a minimum of four Jackson traps (Methyl Eugenol baited) per production site, with at least one additional Jackson trap (baited with Methyl Eugenol lure) for every additional 2 hectares.</p>
<p>3.1.3. Registered Packinghouse Safeguarding Measures and Actions</p>
<p>3.1.3.1 All the packinghouses intending to export pomegranate arils to the United States must be individually registered and approved by MoA &amp; FW.</p>
<p>3.1.3.2 Packinghouse must:</p> <ul style="list-style-type: none"> <li>▪ Maintain packing lines clean and in good working order;</li> <li>▪ Maintain processing and storage areas free of rubble, waste, and debris at all times;</li> <li>▪ Implement a general pest control program; and,</li> <li>▪ Remove discarded fruit daily.</li> </ul>
<p>3.1.3.3 MoA &amp; FW will issue each packinghouse code (PHC), which will serve as a traceability code for program articles.</p>
<p>3.1.3.4 Packing facilities must be equipped with a minimum of two protein baited traps. If <i>B. dorsalis</i> is detected in a packing facility, all packing of fruit destined for the United States at that facility must stop until MoA &amp; FW identifies the cause of the detection and corrects it.</p>
<p>3.1.3.5 Traceability must be maintained throughout the packing process.</p>
<p>3.1.3.6 Boxes in which pomegranate arils are packed must be labeled with traceability data that provides information about the registered production site where the pomegranate arils originated and packinghouse where the pomegranate arils were processed.</p>
<p>3.1.3.7 If the commodity is not packed within 24 hours of harvest, it must be held under cold storage, or placed inside a pest exclusionary packinghouse in a segregated area and covered by an insect-proof mesh screen or plastic tarpaulin while awaiting packing.</p>



3.1.3.8 While in storage, packaged pomegranate arils destined to the United States or its territories must be physically separated by a minimum of 3 feet (1 meter) from all other commodities destined to domestic markets or other countries.
3.1.4 Export Inspection and Phytosanitary Certification
3.1.4.1 Registered packinghouses are required to notify MoA & FW of their fruit packing schedules to plan for necessary phytosanitary export certification activities.
3.1.4.2 The MoA & FW inspector must inspect all consignments for export and verify that pomegranate arils have originated from and been processed at registered and approved production sites and packinghouses.
3.1.4.3 A consignment is defined as the shipment of a single commodity sent from a single production site to a packinghouse in one day.
3.1.4.4 The MoA & FW inspector will randomly select 150 individual pomegranate aril clamshells / punnets per consignment for a 95 percent confidence level of detecting a 2% pest population and visually inspect for the presence of pests or indications of pest damage, using a magnifying glass or other inspection tools if necessary.
3.1.4.5 Any insect pests must be identified to species level. Any organism found which either cannot be identified to species or whose quarantine significance is unknown will be considered quarantine significant for regulatory purposes and not allowed for export under this Work Plan.
3.1.4.6 Inspection results, including traceability information for the sample, sample size, number of clamshells/punnets inspected, and pest and disease findings, if any, must be recorded. Inspection records will be provided to APHIS upon request.
3.1.4.7 Only consignments passing inspection will be eligible for export and Phytosanitary Certificate issuance by MoA & FW (Refer to APHIS Miscellaneous and Processed Products manual for appropriate additional declarations).
3.1.4.8 The detection of live quarantine pests in or on fruit during inspection activities will result in rejection of the entire lot belonging to/associated with the inspected sample. Reconditioning and re-sampling is not permitted.
3.1.4.9 The detection of leaves, branches or other non-quarantine contaminants in consignments during export inspection activities are eligible for reconditioning, resampling, and re-inspection for export.
3.1.4.10 Fruit collected from the ground must not be included for processing into arils for export to United States.
3.1.4.11 Any damaged fruit must be culled at the packinghouse prior to processing.
3.1.4.12 Additional actions to take based on quarantine pest detections are detailed in Noncompliance, Suspension, and Termination.
3.1.4.15 Consignments rejected for export to the continental United States and its territories must be immediately removed. If removal cannot occur immediately, the lot must be covered with insect-proof mesh or tarpaulin or be stored in a dedicated cold chamber until disposal or removal arrangements are made.
3.1.5. Measures and Actions Applied in the United States
3.1.5.1 All consignments are subject to port of entry clearance, which may include physical inspection to verify freedom from quarantine pests, upon arrival in the United States Continental or Territories.
3.1.5.2 Any safeguards found not intact or paperwork errors may cause clearance delays and if not resolved, rejection of the consignment for entry.





3.1.5.3 Actions to take based on quarantine pest interceptions are detailed in Section 4. Noncompliance, Suspension, and Termination

#### **4. Noncompliance, Suspension, and Termination**

4.1 Any production site, registered packinghouse, or exporter found not in compliance with the conditions of this work plan as determined by MoA & FW and/or APHIS may be denied registration, approval, export certification services, and/or continued participation in this program depending on the infraction.

4.2 Actions to take based on detection of a quarantine pest(s) either during pre-harvest inspection or export inspection and phytosanitary certification activities in India:

4.2.1 Upon the first detection, MoA & FW will temporarily suspend the production site and packinghouse, from exporting fruit until an investigation has been conducted by MoA & FW and remedial actions have been effectively applied.

4.2.2 Upon multiple detections (on two or more separate lots from the same production site in the same shipping season):

4.2.2.1 MoA & FW will immediately suspend the production site from participation in the program and notify APHIS of the suspension.

4.2.2.2 An investigation must be conducted by MoA & FW to determine where/why infestation has occurred

4.2.2.3 APHIS may elect to participate in the investigation

4.2.2.4 The production site must implement any remedial actions to prevent recurrence as recommended by MoA & FW and/or APHIS prior to reinstatement.

4.2.2.5 MoA & FW will provide a report of findings, remedial action, and participant status to APHIS.

4.2.2.6 The suspension remains in effect until MoA & FW and APHIS jointly determine that the pest risk has been mitigated.

4.3 Actions to be taken based on noncompliance detected during U.S. port of entry clearance:

4.3.1 Interceptions of any live quarantine pest(s) may result in rejection of the consignment upon entry if no quarantine treatment or other mitigation measure is available.

4.3.2 APHIS will notify India via notice of noncompliance;

4.3.3 Upon the first detection of a quarantine pest, procedures in 4.2.1 above will apply.

4.3.4 Upon multiple detections (on two or more separate consignments from the same production site in the same shipping season), procedures in 4.2.2 will apply.

4.4 Repeated or recurring incidents of noncompliance based on the part of multiple program participants may be cause for program suspension pending a joint APHIS- MoA & FW program review, which may include a site visit.

4.5 Either signatory party reserves the right to voluntarily withdraw from this work plan. Withdrawal will result in temporary suspension of all exports of pomegranate arils from India to the Continental United States and its Territories until such time that new or revised work plan conditions are agreed to, documented, and signed by all parties.

#### **5. Program Audit, Review, and Implementation**



5.1 MoA & FW will periodically audit program operations to ensure that all activities are conducted effectively in accordance with this work plan and applicable APHIS and MoA & FW policies and regulations.
5.2 APHIS reserves the right to request program review, which may include a site visit.
5.3 Cooperator representatives may be included in the review which will be scheduled and coordinated with MoA & FW.
<b>6.Others</b>

*[Handwritten signature]*