

COCOA BEANS GRADING AND MARKING RULES

1. Short title, application and commencement. :-

- (1) These rules may be called the Cocoa Beans Grading and Marking Rules, 1996.
2. They shall apply to Cocoa Beans (*Theobroma cocoa* L.)
3. They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires._

- (a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
- (b) "Authorised Packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark the Cocoa Beans in accordance with the grade standards and procedure prescribed under these rules;
- (c) "Certificate of Authorisation " means a certificate issued under the provisions of the General Grading and Marking Rules, 1988 authorizing a person or body of persons to grade and mark Cocoa Beans with the grade designation marks;
- (d) "Schedule" means a Schedule annexed to these rules.

3. Grade designations- The grade designation to indicate the quality of Cocoa Beans shall be as laid down in column (1) of the Schedule-II.

4. Definition of quality.-The quality indicated by the grade designations shall be as laid down against each grade designation in columns (2) to (8) of the Schedule-II.

5. Grade designation Marks.- The grade designation mark shall consist of:

- (I) a label specifying name of the commodity, grade designation and bearing a design consisting of an outline map of India with the word 'AGMARK' and the figure of rising sun resembling the one as laid down in the Schedule I (a) or
2. "Agmark replica" consisting of a design incorporating the number of certificate of authorisation, the word "Agmark" name of the commodity and grade designation resembling the one as laid down in the Schedule -I (b);

Provided that the use of Agmark replica in lieu of Agmark labels shall, subject to the conditions prescribed under the General Grading and Making Rules 1988, be allowed only to such authorised packer who has been granted necessary permission by the Agricultural Marketing Adviser or an officer authorised by him in this regard.

SCHEDULE -I (a)

(see rule 5(1))

Design on AGMARK label)



SCHEDULE -I (b)

[See rule 5(2)]

Grade designation mark

(Design of AGMARK replica)



NAME OF COMMODITY

GRADE

6. Method of packing.-

- (1) Cocoa beans shall be packed in clean, sound and new bags of cartons or pouches with lining material or in such other packages as may be approved by the Agricultural Marketing Adviser, from time to time;
- (2) Bags and liners shall be made of only such materials which shall not contaminate the cocoa beans;
- (3) Each package shall be securely closed in the manner specified by the Agricultural Marketing Adviser;
- (4) Each package shall contain Cocoa beans of one grade only;
- (5) The net weight of the Cocoa beans packed in a container shall be 25gms, 50 gms, 100 gms, 200 gms, 500 gms, 1 kg and there after in multiples of 1 kg as per packaged commodities Rules, 1977 of Weight and Measures Act. 1976 as amended from time to time;
- (6) Suitable number of small packages containing cocoa beans of the same grade designation and from the same lot, may be packed in a master container.

7. Method of Marking.

- (1) The grade designation mark shall be securely affixed to or printed on each package in the manner approved by the Agricultural Marketing Adviser;
- (2) Following particulars shall also be clearly marked on the label or on the package.-

- (a) Name and address of the packer,
- (b) Date of packing in month and year,
- (c) Place of packing,
- (d) Year of harvest,
- (e) Net weight,
- (f) Price,
- (3) The ink used for marking shall be of such quality which does not contaminate the produce or food;
- (4) The Authorised packer may, after obtaining prior approval of the Agricultural Marketing Adviser or any other officer duly authorised by him in this regard mark his private trade marks on the packages, provided that the private trade mark does not represent a quality or grade of cocoa beans different from that indicated by the grade designation mark on the packages.

8. Special conditions for grant of certificate of authorisation.-

In addition to the general conditions specified in sub rule (8) of rule 3 of the General Grading and Marking Rules, 1988 the following shall be the additional conditions for grant of certificate of authorisation for grading and marking of Cocoa beans under these rules, namely:-

- (i) the premise for processing and packing shall be maintained in perfect hygienic and sanitary conditions; and
- (ii) the personnel engaged in these operations shall be in sound health and free from any contagious disease.

SCHEDULE II

(See Rules 3 and 4)

Grade designations and definition of quality of Cocoa beans (Theobroma Cocoa L.)

Definition of quality						
Special requirement						
Grade designations	Moldy beans, percent by count (Maximum)	Slatybeans, percent by count (Maximum)	Insect damaged, germinated and flat beans percent by count (Maximum)	Moisture content, percent by weight (Maximum)	Weight of 100 Beans in grams (Minimum)	Fermented beans by cut open, uniformly brown percent by count (Minimum)
1	2	3	4	5	6	7
Grade -I	3.0	3.0	3.0	7.5	100	80.0
Grade -II	4.0	8.0	6.0	7.5	90	70.0
Non specified*	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

General Requirements

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COCOA BEANS SHALL :-

- be properly fermented and dried whole seed of tree botanically known as "Theobroma cocoa linnaeus",
- be reasonably uniform in size and shape;
- be reasonably free from broken beans, fragments and small pieces;
- be free from foreign matter;
- be free from beans of abnormal odour or flavor;
- be free from admixture of any other seeds and impurities;
- conform to the provisions under Rules 57, 57A and 65 of the Prevention of Food Adulteration rules, 1955 in respect of metallic contamination, crop contaminants and pesticide residue.

*Non specified : This is not a regular grade but has been provided to meet such specific requirement of the buyer which are not covered under any of the regular grades. This grade shall be allowed for export only against a specific order from the foreign buyer indicating the quality and quantity of the produce desired.

EXPLANATIONS:

- Moldy Beans : include beans on internal parts of which mould is visible to the naked eyes.
- Slaty Beans : Include beans which show a Slaty colour over half or more of the surface exposed.
- Insect : Include beans the internal parts of which contain insects at any stage of development or which have been damaged beans attacked by insects causing damage visible to the naked eyes.
- Germinated Beans: Include beans shall of which has been pierced, slit or broken by the seed germ.
- Flat beans: means beans of which the cotyledons are so thin that it is not possible to obtain a cotyledons surface by cutting.
- Broken Beans: means beans of which a fragment equivalent to less than half the bean is missing.
- Fragments: Include pieces equal to or less than half bean.
- Foreign matter: include substances other than cocoa beans, broken beans, fragments and pieces of shell.

Note :- Principal rules were published in the Gazette of India, part II, section 3, sub-section (1) dated 05-04-1997 vide GSR 184 dated 13-03-1997