

General Notes to Export Policy

ITC (HS), 2022 – EXPORT POLICY

ITC (HS), 2022 – Export Policy contains the following:

- **General Notes to Export Policy**
- **Appendix 1: List of Wildlife Entries in WildLife (Protection) Act, 1972**
- **Appendix 2: List of flora included in Appendix I (Prohibited Species) & Appendix II (endangered species) of CITES**
- **Appendix 3: List of SCOMET items**
- **Appendix 4: Definition of Finished Leather**

General Notes to Export Policy

A. Free Goods

Goods listed as 'Free' in the Schedule-II(Export Policy) may be exported without a Restricted export authorisation as such, but they are subject to conditions laid out against the respective entry. The fulfillment of these conditions can be checked by authorized officers during export.

B. Restricted Goods

Goods listed as 'Restricted' may be permitted for export against a restricted export authorisation. The procedures / conditionalities wherever specified against the restricted items shall also be complied with, in addition to the general requirement of restricted export authorisation in all cases of restricted items.

C. Prohibited Goods

The prohibited items are not permitted to be exported. Restricted Export Authorisation will not be issued in the normal course for goods in the prohibited category.

D. State Trading Enterprises

Export through STE(s) is permitted without a Restricted Export Authorisation through designated STEs only and shall be subject to conditions as specified under Para 2.21 of Foreign Trade Policy 2023.

E. Special Chemicals, Organisms, Materials, Equipment & Technologies (SCOMET)

SCOMET Items shall be governed by the specific provisions under –

- i. Chapter IVA of the Foreign Trade (Development & Regulation) Act, 1992 as amended from time to time;
- ii. Appendix-III of Schedule-II(Export Policy) of ITC(HS) 2022
- iii. Chapter 10 of Foreign Trade Policy (FTP)
- iv. Chapter 10 of Handbook of Procedures HBP) and,
- v. Any other provisions of FTP and HBP governing Export Authorizations.

Category 0 of the SCOMET list shall be governed by the extant provisions of the Atomic Energy Act 1962 as amended from time to time, and rules, regulations, guidelines and resolutions issued under the said Act. Unless otherwise prohibited, export may be permitted against an authorization granted by the Department of Atomic Energy.

F. Export of Samples and Exhibits

Samples/exhibits of goods, except 'Prohibited' and 'Restricted' items, all items specified under Appendix-III(SCOMET) of Schedule-II (Export Policy), and items under Chapter 29, 93 and 97 are Free for Export. The given provisions may be read

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together with Para 2.43 of FTP 2023 (Export of Samples) and Para 2.63 of HBP 2023 (Exports of Samples / Exhibits)

G. Export of goods including plant & plant products using wood packaging material

Export of goods including plant & plant products using wood packaging material such as pellets, dunnage, crating, packing blocks, drums, cases load boards, pellet collars and skids etc. shall be allowed subject to compliance of International Standards for Phytosanitary Measures [ISPM].

H. Restrictions on Countries of Export

Prohibitions (Country, Organisations, Groups, Individuals etc. and Product Specific) will be regulated as per provisions contained in Chapter 2 (from para 2.16 to para 2.20) of Foreign Trade Policy 2023, as amended from time to time.

I. Exemptions granted for export to Bhutan

Export of (i) Milk powder; (ii) Wheat; (iii) Edible oil; (iv) Pulses; and (v) non-Basmati rice to Bhutan will be exempted from any ban and without any quantitative restrictions.

[Refer Notification No. 81(RE-2013)/2009-2014 dated 13.06.2014]

J. Special condition for export of processed and/or value-added agricultural products

Export of following processed and/or value-added agricultural products will be exempted from any restriction / ban even in the event of restriction / ban on the export of basic farm produce:

Sl. No.	Name of Product	HSN Code
1.	Cereal flours other than of wheat or meslin (Maize, Oats etc.)	1102
2.	Cereal groats, meal pellets	1103
3.	Cereal grains otherwise worked except rice of heading no. 1006; germ of cereals, whole, rolled, flaked or ground	1104
4.	Other Cereals items	1901 to 1905
5.	Milk products including casein and casein products etc.	3501
6.	Butter and other fats derived from milk; dairy spread etc.	0405
7.	Cheese and Curd	0406
8.	Value added products of onion	0712
9.	Peanut Butter	

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[Notification No. 31(RE-2012)/2009-2014 dated 04.02.2013]

[Wheat & Muslin Flour under HSN 1101 were removed from above-mentioned exemption vide Notification 29/2015-20 dated 27.08.2022]

K. Exemption granted to organic food items from any ban and quantitative restrictions [Refer Notification No. 03/2015-2020 dated 19.04.2017]

Exemption from the application of quantitative ceiling and bans on export of organic agricultural products (wheat, non-Basmati rice) and organic processed products (edible oils and sugar) -

a. Export of following items from Custom EDI ports have been exempted from all quantitative ceilings and irrespective of any existing or future restriction/ prohibition on export of their basic product (non-organic), subject to due certification by APEDA as being organic under the National Program for Organic Production (NPOP):

- i. organic wheat
- ii. organic non-Basmati Rice (excluding rice in husk – paddy or rough)
- iii. organic edible oils

[Organic sugar under HSN 1101 were removed from above-mentioned exemption vide Notification 36/2023 dated 18.10.2023]

b. The quantitative ceiling in respect of export of organic pulses and lentils has been increased from 10,000 MT per annum to 50,000 MT per annum, subject to certification by APEDA as being organic pulses and lentils, subject to following conditions

- i. Export contracts should be registered with APEDA, New Delhi prior to shipment; and
- ii. Export shall be allowed only from Custom EDI Ports.

L. Exemption granted for export of specified quantities of essential food items to Maldives

Exemption is provided from any existing or future restriction / prohibition on export of the following quantities of potato, onion, rice, wheat flour, sugar [Notification No. 12 dated 27.06.2017], pulses and eggs [Notification No. 20 dated 14.08.2017] to the Republic of Maldives under bilateral trade agreement between Government of India and Government of Maldives. The specific quantities exempted shall be notified yearly or as required from time to time.
