

DIRECTORATE GENERAL OF FOREIGN TRADE
DES-VI (FOOD & MISC)

Minutes of the meeting of NC-VI held on 23..7.2009

Meeting No.12/AM10 for the licensing year 2009-10 to consider cases under Duty Exemption Schemes (Chapter-4) of Foreign Trade Policy 2004-09 pertaining to Misc. & Food Products was held on 23.07.2009 under the Chairmanship of Shri A.K. SINGH, Jt. DGFT. Following officers were present in the meeting.

S.No.	Name of the Officer	Designation	Department
1.	Sh. A.K.Ojha	AD	MSME
2.	Sh. T.M. Skaria	DDG	DGFT
3.	Sh. Raghu Nath	FTDO	DGFT

The Committee ratified the minutes of meeting held on 9.7.2009 & 16.7.2009. Thereafter, agenda for individual cases was taken up for discussion. Decision taken in each case is enumerated below. Ad-hoc norms fixed in this meeting are valid for a period of 12 months as per Public Notice 37 dated 23.08.2007.

286	M/S. PANAMA PETROCHEM LTD., MUMBAI	M.No.12/10 Dt. 23.7.2009	Status: Approved
HQ File:01/85/50/0029/AM10	RLA File :03/95/040/878/AM09	Lic.No/Date: 0310511438 DT. 13.03.2009	
The case was considered by the Committee as per agenda. It was noted that description of import input appearing at Sl. No. 2 has a spelling mistake "Emulsifier (Ethoxylated Monyl Phenol)" The Committee decided to correct the spelling to be read as "Emulsifier (Ethoxylated Nonyl Phenol)". RLA to take consequential action as per policy provision.			

287	M/S. SRI TOOLS INDUSTRIES, LUDHIANA	M.No.12/10 Dt. 23.7.2009	Status: Rejected
HQ File :01/(81)/85/50/292/AM08	RLA File 30/21/40/0021/AM08	Lic.No/Date 3010051813 DT. 16.05.2007	
The case was considered by the Committee as per agenda. It was noted by the Committee that the Firm was asked to furnish information on 8.4.2008, reply to which has not been received so far. In the absence of this, Committee decided to reject the case. RLA to take consequential action as per policy provision.			

288	M/S. ACE INTERNATIONAL, N. DELHI	M.No.12/10 Dt. 23.7.2009	Status:
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			Approved.
HQ File :01/85/50/0025/AM08	RLA File :05/24/40/0021/AM08	Lic.No/Date:0510204047 DT. 24.05.2007	
The case was considered by the Committee as per agenda. It was felt by the technical representative present in meeting that composition of end product to be exported was in the ratio of 60:40 imported and indigenous inputs. Protein contents in Whey Protein Concentrate works out 34%. Committee decided to approve the case as applied for on net to net basis and no wastage is allowed. RLA to take consequential action as per policy provision.			

289	M/S. CHARBHUJA INDUSTRIES (P) LTD., MUMBAI	M.No.12/10 Dt. 23.7.2009	Status: Rejected
HQ File :01/85/162/000047/AM10			
Request for modification of SION E-125			
The case was considered by the Committee as per agenda. It was noted that firm has not furnished industrial data and the request for modification of SION is not routed through the concerned Export Promotion Council alongwith production data of two or three companies duly certified by Central Excise authority. The Committee decided to reject the case. RLA to take consequential action as per policy provision.			

290	REF. FROM PC-4	M.No.12/10 Dt. 23.7.2009	Status: Approved
HQ File :01/85/162/0036/AM10			
Reference from Policy-4, F.No. 01/94/180/Chapter 4/AM10/PC-4 regarding reduction in minimum value addition under advance authorization scheme of imported Tea.			
The case was considered by the Committee as per agenda. Regarding reduction in value addition under advance authorization scheme from 100% to 50 % of imported tea, Committee noted that Department of Commerce vide their OM No. T-35034/8/1997-Plant(A) dated 06.07.2009 has supported the recommendation of Tea Board. NC felt that there would be No Objection to reduce the minimum value addition of imported tea to 50%. The case may be reverted to Policy Division.			

291 139/23/85-ALC3/20077	M/S. WEIKFFIELD PRODUCTS CO. (INDIA) PVT. LTD., PUNE	M.No.12/10 Dt. 23.7.2009	Status: Rejected.
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HQ File 01/85/50/282/AM05	RLA File :31/24/40/210/AM05	Lic.No/Date:3110018702 DT. 21.12.2004	
The case was considered by the Committee as per agenda. The Committee noted that the qty. of export product is given as 3100 cartoons, but it has not been indicated how much Aspartame is there in each cartoon. Further it was also noted that there was no computation in total quantity (in kgs) of import item in export product. Accordingly, the Committee was constrained to reject the case. RLA to take consequential action as per policy provision.			

292 1/38/85-ALC3/2007	M/S. SYMEGA SAVOURY TECHNOLOGY PVT. LTD., ERNAKULAM	M.No.12/10 Dt. 23.7.2009	Status: Rejected
HQ File :01/85/050/00133/AM08	RLA File :10/24/40/0159/AM08	Lic.No/Date:1010028324 DT. 02.01.2008	
The case was considered by the Committee as per agenda. It was noted that different percentage of fat powder is used in Cheese Seasonings in three different flavours without specifying its quantity in export product. Therefore, Committee is not in a position to compute the wastage in this case. Committee was constrained to reject the case. RLA to take consequential action as per policy provision			

293 1/12/85-ALC3/2009	M/S. FASHION ACCESSORIES, GURGAON	M.No.12/10 Dt. 23.7.2009	Status: Deferred.
HQ File 01/85/50/0067/AM10	RLA File No. 05/24/40/219/AM10	Lic.No/Date: 0510245786 DT. 14.07.2009	
The case was considered by the Committee as per agenda. It was decided by NC meeting to seek comments from DES-V to process the case further. To be re-listed on 20.08.2009			

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294 10/36/85-ALC3/2007	M/S. SYMEGA SAVOURY TECHNOLOGY PVT. LTD., ERNAKULAM	M.No.12/10 Dt. 23.7.2009	Status: Approved.
HQ File :01/85/50/00126/AM08	RLA File 10/24/40/0144/AM08	Lic.No/Date:1010028017 DT. 28.11.2007	
The case was considered by the Committee as per agenda. Committee decided to allow 45000 kgs of import item without wastage to be accounted for in the export product.			
RLA to take consequential action as per policy provision			

295 16/13/85-ALC3/2008	M/S. SIETZ TECHNOLOGIES INDIA PVT. LTD., FARIDABAD	M.No.12/10 Dt. 23.7.2009	Status: Deferred.
HQ File :01/85/50/00106/AM09	RLA File 05/24/40/0070/AM09	Lic.No/Date:0510220508 DT. 13.0.5.2008	
The case was considered by the Committee as per agenda. The Committee decided to seek comment from DIPP and defer the case. To be re listed on 6.8.2009.			

296 3/38/85-ALC3/2008	M/S. INDO GERMAN ALKALOIDS, MUMBAI	M.No.12/10 Dt. 23.7.2009	Status: Withdrawn
HQ File :01/85/50/270/AM09	RLA File :03/94/40/1045/AM09	Lic.No/Date 0310509053 DT. 24.02.2009	
The case was considered by the Committee as per agenda. It was decided in NC meeting that the case may be decided by RA under para 4.7.1 of HBP-2004-2009, based on earlier decision of NC in meeting No. ALC4/2008 dated 14.10.2008 in Licence No. 0310483213 dt. 21.08.2008 of the same firm. In such cases RA to guide applicant to file application under norms fixed category on EDI instead of under no norms category. RLA to take consequential action as per policy provision			

297	M/S. K. PATEL PHYTO EXTRACTIONS PVT. LDT	M.No.12/10 Dt. 23.7.2009	Status: Deferred.
HQ File :01/85/162/1006/AM07	RLA File 03/94/40/644/AM07	Lic.No/Date:0310400865 DT. 25.09.2006	
The case was considered by the Committee as per agenda It was noted that the case was earlier decided in NC meeting No.08/AM10 held on 18.6.2009. The Firm has represented to revise the qty. of export obligation. The Committee decided to call firm for PH on 20.8.2009. To be relisted on 20.8.2009.			

298	M/S. NORONHA IMPEX INTERNATIONAL, KANPUR	M.No.12/10 Dt. 23.7.2009	Status: Approved
HQ File :01/85/50/0153/AM09	RLA. 06/81/40/0004/AM09	Lic.No/Date:0610014095 DT. 01.09.2008	
The case was considered by the Committee as per agenda. It was noted that NC has ratified the case in the meeting held on 18.06.2009 on net to net basis without wastage. Firm has represented that out of 123800 pieces imported for repairs, 122800 pieces were repaired & exported. Remaining 1000 pieces were damaged. Firm has requested that the 1000 damaged pieces be permitted as wastage. Committee further considered the matter and felt that in the process of repairing the Ladies hair pins, which is normally done by hand, there is likelihood of imported item getting damaged. Committee therefore decided to allow 1000 pieces (less than 1%) as wastage, as requested for. RLA to take consequential action as per policy provision			

299	REF. FROM PC-4(B)	M.No.12/10 Dt. 23.7.2009	Status: Clarified
HQ File : 01/85/162/0124/AM10			
CLARIFICATION REGARDING DEPB RATE FOR EXPORT OF SALF UNDER DEPB SL. NO. 6 OF PRODUCT GROUP “FOOD”.			
The case was considered by the Committee as per agenda. RA, Mumbai vide letter No. 03/84/51/279/AM10 daetd 11.06.2009 has sought a clarification whether DEPB can be granted to M/s. Dadi Impex Pvt. Ltd., for the following description of salt on shipping bills: (a) White crude Salt Preliminary Treatment. (b) Raw Sea Salt. (c) Refined Salt Undried. (d) Ground Salt all packed in 50Kgs PP Bags. Committee felt that salt as per description in SBs as per RA's letter dated 11.06.2009 are definitely 'Salt' in various stage of refinement. Committee also felt that if any of above 4 types of salt is exported in HDPE or LDPE or PP Woven Bags, then same would be covered under DEPB entry 67/6. Case may be referred back to Policy division with reference to their letter dated 15.07.2009.			

300	M/S. BANGALORE CHAMBER OF INDUSTRY AND COMMERCE	M.No.12/10 Dt. 23.7.2009	Status: Clarified & Transferred
HQ File :01/85/162/00123/AM10			
DEPB benefit on export of Cigarette Filter Rods			
The case was considered by the Committee as per agenda. Committee considered the representation from Bangalore Chamber of Industry & commerce(referred by DES.I) for amending product description of Cigarette filter rods in DEPB Schedule, so as to claim DEPB benefit for Cigarette of other specification also. Committee noted that in terms of General Notes under SION K2, flexibility of the size of Acetate Filter rods is already provided in SION. Accordingly there is no logic in prescribing a particular size of Acetate Cigarette filter rods in DEPB Schedule. Committee is of the view that size specification (i.e. 24.5mm X 120mm) may be deleted from description given in DEPB Schedule. No other changes are necessary in order to cover different sizes of Acelate Filter Rods. Case may be referred to DES.I alongwith copy of representation from Bangalore Chamber of Industry & Commerce.			

301	M/S. PARLE PRODUCTS PVT. LTD., MUMBAI	M.No.12/10 Dt. 23.7.2009	Status: Deferred
HQ File 01/85/162/00135/AM10			
INCLUSIION OF IMPORT ITEM DRY FRUITS UNDER TRANSFERABLE DFIA AGAINST EXPORT OF BISCUITS			
The case was considered by the Committee as per agenda. The contention of the Firm is that during the period from 16.01.2006 to 07.01.2009 dry fruits were available for imports as an 'option' as per SION E-5 and that in terms of Policy Circular No. 72 dated 24.03.2009, Dry Fruits should be allowed without accountability condition as an alternative input for production of Biscuits under DFIA. Committee, however, decided to call the firm for PH before taking a final view in the matter. To be re-listed on 20.08.2009.			