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

Minutes of the meeting of NC-VI held on 30.07.2009

Meeting No. 13/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 30.07.2008 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. Shaish Kumar	I.A.	DIPP
2	Sh. T.M. Skaria	DDG	DGFT
3	Sh. Raghu Nath	FTDO	DGFT

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.

	302	M/S. MUSAJI TEA CO. PVT. LDT., BHARUCH	M.No.13/10 DT. 30.07.2009	**Status: Deferred**
	HQ File :01/85/162/731/AM06	RLA File :34/24/40/227/AM06	Lic.No/Date:3410016126 DT. 31.05.2006	

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The case was considered by the committee as per agenda. Committee observed that the decision taken in meeting No. 04/07 held on dated 04.05.2006 was as under:-

“The Committee deliberated upon the revised application sent by RLA on 21.04.2006, wherein the criteria of 100% value addition was certified by the Charter Engineer. The
Committee observed that the firm is exporting Blended Tea in Consumers Packing but Blend ration has not been given. After deliberations with the other members the Committee allowed the duty free import of CTC Black Tea to the tune of 33000Kgs. on net to net basis with the obligation to export 66000Kgs. of Blend Tea in consumer packing for an fob value of Rs. 1,62,62,400/- (US $2,90,400) with blend ratio 50% and 50% (50% imported tea and 50% indigenous tea). The firm shall indicate the blend ratio in the shipping bills.

RLA shall take the necessary action for issuance of an advance licence, as above, if the application is otherwise complete and in order”.

It is seen from the brief write up dated 15.05.2006 available in file that export product is indeed blended tea (it is also called CTC Black Tea). Applicant has sought import of 33000MT against export of 30000MT. As per SALC circular No. 10/98-99 dated 01.03.1999, although not quoted, in earlier ALC decision, it is required that for blended tea blend ratio should be 50:50. Applicant has represented that they have imported black tea and exported blended tea in consumer packing. They have stated that while they have exported blended tea in consumer packing they never anticipated blend ration 50:50 and is now seeking relaxation/waiver of this condition.

Export made by exporter in anticipation of licence is at his own risk. However, Committee is of the view that the blend ratio need not be so rigidly fixed. The intention is that the quantity of imported tea should get accounted in export product. Such accounting can be done only if blend ratio is mentioned in blended tea. Committee has seen the export documents (Invoices indicate export product is indeed blended tea; some of the shipping bills show that the export product is CTC Black tea in bulk whereas the invoices give the description Softy Gold Tea (Blended Tea)).. Accordingly even presuming that exported product is blended tea, it is difficult to compute the quantity of imported tea in export product without blend ratio, even where blend ratio is other the 50:50. Accordingly, Committee is unable to take a final view & would require specific details. Committee therefore decided to call Firm for PH to explain the matter alongwith Shipping Bill details of export with blend ratio and the test reports.

To be re-listed on 27.08.2009.

2	**303**	M/S. GLOBAL EXIM, MUMBAI	M.No.13/10 DT. 30.07.2009	**Status: Clarified**
	HQ File :01/85/162/128/AM10		Lic.No/Date:0310427645 23.04.2007	
	Clarification on import item “Vegetable Shortenings/Cream/Fats/Spray allowed under DFIA licence against export of Biscuits.			
	The case was considered by the committee as per agenda. Committee noted the written comment of MSME vide their letter No. 17(4)/18/2000-09 Food dated 16.07.2009 that the term “fat” would also include “Milk Fat” and anhydrous milk fat may be required for use in the manufacturing of Biscuits. The Committee decided to revert the matter back to Policy Division, with reference to their ID No. 01/94/180/883/AM09/PC-4 dated 26.06.2009.			

3	**304**	M/S. LACTOSE (INDIA) LTD., MUMBAI	M.No.13/10 DT. 30.07.2009	**Status: Rejected**
	HQ File :01/85/50/311/AM06	RLA File :03/95/040/00090/AM06		
	Fixation of SION for export product Lactose Monohydrate BP / Lactose BP / Lactose USP/ Lactose EP As Per International Pharmacopoia			
	The case was considered by the committee as per agenda. The Company has informed that they have given 3 company names to Pharmaexcil as far back as June’2008 so that Pharmaexcil can send industry data to NC for consideration. So far, no data is received from Pharmaexcil. For fixation of SION it is necessary that industry experience is taken into account so that norms can be fixed for industry as such. Fixation of SION for one company is possible only when export product is manufactured by a single company in India. Accordingly, the Committee is unable to finalize the norms and recommend it for publication			

4	**305** **Case No.:8/36/85-ALC3/2007**	M/S. ORGANIC INDIA PVT.LTD.	M.No.13/10 DT. 30.07.2009	**Status:** Deferred
	HQ File :01/85/050/00124/AM08/	RLA File :06/24/040/00014/AM08/	Lic.No/Date:0610012556 26.11.2007	

	The case was considered by the committee as per agenda. Committee observed that the blend ratio for export product is as per USDA standard. Accordingly packing label would be required as per importing country's regulation which will give the blend percentage/composition of all items including imported item. Firm may provide the same to Norms Committee. To be re-listed on 27.08.2009.

5	**306** **Case No.:10/42/85-ALC3/2007**	M/S. ORGANIC INDIA PVT.LTD.	M.No.13/10 DT. 30.07.2009	**Status:** **Deferred**
	HQ File :01/85/050/00146/AM08/	RLA File :06/24/040/00009/AM08/	Lic.No/Date:0610012144 23.07.2007	
	The case was considered by the committee as per agenda. Committee observed that the blend ratio for export product is as per USDA standard. Accordingly packing label would be required as per importing country's regulation which will give the blend percentage/composition of all items including imported item. Firm may provide the same to Norms Committee. To be re-listed on 27.08.2009.			

6	**307** **Case No.:3/10/85-ALC3/2009**	M/S. PANAMA PETROCHEM LTD.	M.No.13/10 DT. 30.07.2009	**Status:** **Deferred**
	HQ File :01/85/050/00057/AM10/	RLA File :03/95/040/00142/AM10/	Lic.No/Date:0310526178 29.06.2009	
	The case was considered by the committee as per agenda Committee observed that the earlier decision was taken by NC on 05.06.2009. The ad-hoc norms validity period is upto 04.06.2009. In this case license was issued on 29.06.2009. Accordingly, case has to be finalized as per para 4.7 for which applicant has to provide stage wise manufacturing process/wastage etc. RA may provide the details & documents. If not available, applicant may be requested to give these details. To be re-listed on 27.08.2009.			

7	**308** **Case No.:9/36/85-ALC3/2007**	M/S. ORGANIC INDIA PVT.LTD.	M.No.13/10 DT. 30.07.2009	**Status:** Deferred

	HQ File :01/85/050/00125/AM08/	RLA File :06/24/040/00015/AM08/	Lic.No/Date:0610012557 26.11.2007	
	The case was considered by the committee as per agenda. Committee observed that the blend ratio for export product is as per USDA standard. Accordingly packing label would be required as per importing country's regulation which will give the blend percentage/composition of all items including imported item. Firm may provide the same to Norms Committee. To be re-listed on 27.08.2009.			

8	**309** **Case No.:1/10/85-ALC3/2009**	M/S. PANAMA PETROCHEM LTD.	M.No.13/10 DT. 30.07.2009	**Status:** **Deferred**
	HQ File :01/85/050/00055/AM10/	RLA File :03/95/040/00177/AM10/	Lic.No/Date:0310525727 24.06.2009	
	The case was considered by the committee as per agenda. Committee observed that the earlier decision was taken by NC on 19.06.2009. The ad-hoc norms validity period is up to 18.06.2009. In this case license was issued on 24.06.2009, Accordingly case has to be finalized as per para 4.7 for which applicant has to provide stage wise manufacturing process/wastage etc. RA may provide the details/documents. If not available, applicant may be requested to give these details. To be re-listed on 27.08.2009.			

9	**310**	M/S. ROYAL EXPORTS,	M.No.13/10 DT. 30.07.2009	**Status:**

	Case No.:2/23/83-ALC1/2007			**Rejected**
	HQ File :01/83/050/00173/AM08/	RLA File :03/95/040/00057/AM08/	Lic.No/Date:0310427645 23.04.2007	
	The case was considered by the committee as per agenda. Committee observed that several letters have been sent to the firm since 2007 asking for more details for finalizing the case. Reply has not been received so far. Committee, is therefore, not in a position to decide the matter in absence of requisite details and was constrained to reject the case. RLA to take consequential action as per policy/procedure.			

10	**311** **Case No.:4/13/85-ALC3/2009**	M/S. AL KABEER EXPORTS PVT. LTD	M.No.13/10 DT. 30.07.2009	**Status:** Deferred
	HQ File :01/85/050/00071/AM10/	RLA File :03/94/040/00319/AM10/	Lic.No/Date:0310530445 24.07.2009	
	The case was considered by the committee as per agenda. Committee deferred consideration of the case. To be re-listed on 27.08.2009.			

11	**312** **Case No.:2/13/85-ALC3/2009**	M/S. CLASSIC MARBLE IMPEX PVT LTD	M.No.13/10 DT. 30.07.2009	**Status:** **Rejected**
	HQ File :01/85/050/00069/AM10/	RLA File :03/94/040/01097/AM09/	Lic.No/Date:0310511694 16.03.2009	
	The case was considered by the committee as per agenda. Committee noted that as per Policy Circular No. 16/96-97 dt. 30.09.1996 import of rough marble and other similar items in chapter 25 of ITC(HS) are not allowed under Advance Licence Scheme. Policy Division (PC-4) may alert all RLAs in this regard. Committee was constrained to reject the instant case.			

12	**313** **Case No.:1/13/85-ALC3/2009**	M/S. MARINE CHEMICALS,	M.No.13/10 DT. 30.07.2009	**Status: Approved**
	HQ File :01/85/050/00068/AM10/	RLA File :10/24/040/00034/AM10/	Lic.No/Date:1010034557 22.07.2009	
	The case was considered by the committee as per agenda. Consideration of the case was deferred. Case may be referred to MPEDA for comments. To be re-listed on 27.08.2009.			

13	**314** **Case No.:3/13/85-ALC3/2009**	M/S. S. M. HERBALS PVT.LTD.	M.No.13/10 DT. 30.07.2009	**Status: Deferred**
	HQ File :01/85/050/00070/AM10/	RLA File :05/24/040/00211/AM10/	Lic.No/Date:0510246634 27.07.2009	
	The case was considered by the committee as per agenda. The Committee deferred consideration of the case. To be re-listed on 27.08.2009.			

14	**315**	M/S. SRI TOOLS INDS., LDH	M.No.13/10 DT. 30.07.2009	**Status: Rejected**
	HQ File :01/85/162/201/AM09	RLA File :Adv-35/AM09/LIC/LDH	Lic.No/Date:3010056840 dt. 24.06.2008	
	The case was considered by the committee as per agenda. It was noted that the applicant has not furnished the information sought by the committee in the meeting held on 21.08.2008. Moreover, it was observed that the export product is Spark Lighter and definitely the weight of Light Flint in Spark Lighter would be very very small portion of spark lighter. Similar is the case for parts of spark lighter. Import quantity of lighter flints is 50Kgs & export items are also 50Kgs. In this case, total import quantity of lighter flints alone is 50Kgs. There appears to be a gross mismatch in these quantities as in 50Kgs of lighter or lighter parts, very small quantity of Lighter Flint would be required. Having regard to this, Committee is constrained to reject the request.			

15	**316**	M/S. VSL TECH PVT. LTD., SANDUR	M.No.13/10 DT. 30.07.2009	**Status: Deferred.**
	HQ File :01/85/050/00271/AM.09/	RLA File :07/24/40/00602/AM09	Lic.No/Date:0710063330 DT. 27.02.2009	
	The case was considered by the committee as per agenda. Committee had rejected the case earlier in the absence of full details. Committee noted that applicant firm has represented their case and has provided some information without informing in whose green house rose cut flowers will be produced. The applicant has still not provided justification for import item in quantitative terms. It is not clear whether the applicant has been using this product in the past and whether the item is a consumable or not. Production statistics for a period 3 to 5 years is also not available. In absence of such details, Committee is not in a position to quantify norms. Committee therefore, decided to ask the Firm to appear for PH along with their written submission and all relevant details. To be re-listed on 27.08.2009.			