

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

Minutes of the meeting of NC-VI held on 06.08.2009

Meeting No. 14/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 06.08.2009 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	Shaish Kumar	I.A.	DIPP
2	Sh. Y.P. Dhingra	US	P&NG
3	Sh. A.K. Ojha	AD	MSME
4	Sh. T.M. Skaria	DDG	DGFT
5	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.

1	317 Case No.:4/30/85-ALC3/2008	M/s. ESSAR OIL LTD.,	M.No. 14 dt. 06.08.2009	Status: Withdrawn
	HQ File :01/85/050/00201/AM09/	RLA File :03/94/040/00734/AM09/	Lic.No/Date:0310495475 25.11.2008	
	Ratification of advance authorization No. 0310495475 Dt. 25.11.2008 under para 4.7 of HBP 2004-2009.			
	The case was considered by the committee as per agenda. Committee noted that the applicant firm has surrendered the advance licence to RLA, Mumbai for cancellation. The case was withdrawn.			

2	318	M/s. Innovative Foods Ltd., Allappuzha	M.No. 14 dt. 06.08.2009	Status: Deferred.
	HQ File :01/85/050/00242/AM06/	RLA File :10/81/40/0083/AM06	Lic.No/Date:1010022791 dt. 13.02.2006	
Request to allow of 5% wastage in advance authorization for export of Frozen Spring roll Seafood/Vegetable/chicken.				
	The case was considered by the committee as per agenda. Representative of the company did not attend the meeting for PH given to them. Committee deferred the case. To be re-listed on 03.09.2009.			

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319 Case No.:1/38/85-ALC3/2008	M/s. IMSOFER MANUFACTURING (INDIA) PRIVATE LIMITED,	M.No. 14 dt. 06.08.2009	Status: Approved
HQ File :01/85/050/00268/AM09/	RLA File :31/24/040/00314/AM09/	Lic.No/Date:3110037409 19.02.2009	

The case was considered by the committee as per agenda. Representatives of Firm were present in the meeting to explain the case. Kinder Joy is a food product consisting of a non-edible toy in a plastic valve, which is integral to the product, and Chocolate in another plastic value, both valves thermo welded. Manufacturing in process was explained. Committee perused the documents and also Shipping Bills where import qty. is reflected including wastage. The wastages are indicated as under:-

S.No.	Import item	Wastage
1	KJ White Cream Ind/Poland	6%
2	KJ Black Cream Ind/Poland	8.41%
3	KJ Tartufino Ind/Poland	6.82%
4	Kinder Joy Edible side Nynoc 40my+SLKJM 325 my PETRO SalidoNR 173B0BINE (Packing Film)	5.18%
5	Diaframma Lato Prodotto T 16K Joy2Col (Side Seating Laminate)	4.65%
6	Kinder Joy India film in white PA/PVC/PE 312 Microns in thickness 160 MM in Width Printed 5 colours (Plastic Film)	4.92%
7	Kinder Joy Surprise Side Prezzo Riferito A 1000 N Coloured Plastic Film in Rolls (Plastic Film)	4.65%
8	Mix Toys Kinder India	Net to net.

Taking into account the manufacturing process, wastages etc, the Committee decided to approve the case as applied for. RLA to take consequential action as per policy/procedure.

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320 Case No.:4/2/85-ALC3/2009	M/s. IMSOFER MANUFACTURING INDIA PRIVATE LIMITED,	M.No. 14 dt. 06.08.2009	Status: Approved
HQ File :01/85/050/00004/AM10/	RLA File :31/24/040/00335/AM09/	Lic.No/Date:3110038041 08.04.2009	

The case was considered by the committee as per agenda. Representatives of Firm were present in the meeting to explain the case. Kinder Joy is a food product consisting of a non-edible toy in a plastic valve, which is integral to the product, and Chocolate in another plastic value, both valves thermo welded. Manufacturing in process was explained. Committee perused the documents and also Shipping Bills where import qty. is reflected including wastage. The wastages are indicated as under:-

S.No.	Import item	Wastage
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6	Kinder Joy India film in white PA/PVC/PE 312 Microns in thickness 160 MM in Width Printed 5 colours (Plastic Film)	4.92%
7	Kinder Joy Surprise Side Prezzo Riferito A 1000 N Coloured Plastic Film in Rolls (Plastic Film)	4.65%
8	Mix Toys Kinder India	Net to net.

Taking into account the manufacturing process, wastages etc, the Committee decided to approve the case as applied for. RLA to take consequential action as per policy/procedure.

5	321	M/s. ESSAR OIL LTD., GUJARAT	M.No. 14 dt. 06.08.2009	Status: Approved
	HQ File :01/(83)/85/50/1343/AM08	RLA File :03/94/040/00703/AM08	Lic.No/Date:0310446137 dt. 12.10.2007	
	Correction in quantity of import item			

	The case was considered by the committee as per agenda. Committee noted that there was computation error in the minutes of meeting on 15.05.2009. Representatives of firm who were present in the meeting provided a calculation sheet according to which out of 100MT of Condensate 95.70MT of export item and 2.10MT of LPG, which is not exported, is produced. The input output ratio works out to 1.0225. According to calculation submitted by representative of M/o P&NG, 184411.66MT of Condensate is required for export of 180353.710 HSD, ATF & Gasoline (i.e. $180353.710 \times 1.0225 = 184411.66\text{MT}$). Committee accordingly ratified the input output norm as under:-			
	Export Item	Qty.	Import Item	Qty.
	High Speed Diesel, Aviation Turbine Fuel Gasoline	180353.710MT	Condensate	184411.66MT
	RLA to take consequential action as per policy/procedure.			

6	322	M/s. ESSAR OIL LTD., GUJARAT	M.No. 14 dt. 06.08.2009	Status:
	HQ File :01/(83)/85/50/1569/AM08	RLA File :03/94/40/00821/AM08	Lic.No/Date:0310450437 dt. 16.11.2007	
	Correction in quantity of import item			
	The case was considered by the committee as per agenda. Committee noted that there was computation error in the minutes of meeting on 15.05.2009. Representatives of firm who were present in the meeting provided a calculation sheet according to which out of 100MT of Condensate 95.70MT of export item and 2.10MT of LPG, which is not exported, is produced. The input output ratio works out to 1.0225. According to calculation submitted by representative of M/o P&NG, 184411.66MT of Condensate is required for export of 180353.710 HSD, ATF & Gasoline (i.e. $180353.710 \times 1.0225 = 184411.66\text{MT}$). Committee accordingly ratified the input output norm as under:-			
	Export Item	Qty.	Import Item	Qty.
	High Speed Diesel ,Aviation Turbine Fuel Gasoline	180353.710MT	Condensate	184411.66MT
	RLA to take consequential action as per policy/procedure.			

7	323	M/s. Vallabh Das Kanji Ltd., Alleppey	M.No. 14 dt. 06.08.2009	Status: Approved
	HQ File :01/85/050/0188/AM05/	RLA File :10/81/40/0010/AM05	Lic.No/Date:1010017927 dt. 12.10.2004	
	The case was considered by the committee as per agenda. Representative of the firm was present to explain the case. She stated that export & import has been already completed. Committee observed that export product is not a ready-to-use item. It is an ingredient for preparation of chicken dishes by KFC. The product is a Marinade, production of which involves grinding and sieving with 5% wastage. The product includes nearly 30% of MSG in each packet. Accordingly, there will be 19.00MT of MSG in the export, product-Hot & Spicy Marinade, 63.33MT with 5% wastage. Import qty. of 20MT MSG is allowed. End users would adhere to relevant PFA Rules in the country where ready-to-eat product would be sold.			
	RLA to take consequential action as per policy/procedure.			

8	324	M/s. Vallabh Das Kanji Ltd., Alleppey	M.No. 14 dt. 06.08.2009	Status: approved
	HQ File :01/85/050/00004/AM05/	RLA File :10/81/40/0031/AM04	Lic.No/Date:1010015614 dt. 05.04.2004	

The case was considered by the committee as per agenda. Representative of the firm was present to explain the case. She stated that export & import has been already completed. Committee observed that export product is not a ready to use item. It is an ingredient for preparation of chicken dishes by KFC. The product is a Marinade, production of which involves grinding and sieving with 5% wastage. The product includes nearly 30% of MSG in each packet. Accordingly, there will be 19.00MT of MSG in the export product-Hot & Spicy Marinade, 63.33MT with 5% wastage. Import qty. of 20MT MSG is allowed. End users would adhere to relevant PFA Rules in the country where ready to eat product would be sold.

RLA to take consequential action as per policy/procedure.

9	325	M/s. Vallabh Das Kanji Ltd., Alleppey	M.No. 14 dt. 06.08.2009	Status: Approved
	HQ File :01/85/050/0139/AM05/	RLA File :10/81/40/0091/AM05	Lic.No/Date:1010017226 dt. 13.08.2004	
	The case was considered by the committee as per agenda. Representative of the Firm present in the meeting to explain the case. She stated that the import item is not Aluminium Phosphate. It is Sodium Aluminium Phosphate which is permitted as per PFA. She further stated that the export product, Hot & Spicy Breeding Mix is not a ready to eat product, but it is only an ingredient for the final product of the Overseas buyer, namely KFC. Grinding and sieving process is involved in the production. Export/Import has been completed. Committee after consideration decided that 952.38 Kgs of Sodium Aluminium Phosphate is to be accounted in the export product whose qty. is 4343Kgs. Import qty. is 1000Kgs. RLA to take consequential action as per policy/procedure.			

10	326	M/s. PUNJAB CHEMICALS AND CROP PROTECTION LTD.,	M.No. 14 dt. 06.08.2009	Status: Deferred
	Case No.:3/9/85-ALC3/2009			
	HQ File :01/85/050/00054/AM10/	RLA File :03/95/040/00146/AM10/	Lic.No/Date:0310525463 23.06.2009	
The case was considered by the committee as per agenda. Committee decided to seek comments from Sea Food Exports Association. In case they are not in a position to give comments, an appropriate technical body for this may be suggested. To be re-listed on 03.09.2009.				

11	327	M/s. PUNJAB CHEMICALS AND CROP PROTECTION LTD.,	M.No. 14 dt. 06.08.2009	Status: Deferred
	Case No.:1/7/85-ALC3/2009			
	HQ File :01/85/050/00045/AM10/	RLA File :03/95/040/00123/AM10/	Lic.No/Date:0310522261 02.06.2009	
The case was considered by the committee as per agenda. Committee decided to seek comments from Sea Food Exports Association. In case they are not in a position to give comments, an appropriate technical body for this may be suggested. To be re-listed on 03.09.2009.				

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328 Case No.:16/13/85-ALC3/2008	M/s. SIETZ TECHNOLOGIES INDIA PVT. LTD.	M.No. 14 dt. 06.08.2009	Status: Approved
HQ File :01/85/050/00106/AM09/	RLA File :05/24/040/00070/AM09/	Lic.No/Date:0510220508 13.05.2008	
The case was considered by the committee as per agenda. Committee decided that RA may call for PU content in the export product and ratify licence as per M/o C & F letter No. 46011/96/2008-PC-II dt. 22.04.2009 as under:-			
Export Item	Qty.	Import Item	Qty.
Seat Assy (Two Wheeler Selia Complete NRG Power)	1 No.	Rexine (PVC Coated)	1.40Sq Mtr/Sq. Mtr content in the export product.
		For 1Kg PU content in the export product.	
		(i) Polyol	0.825Kg
		(ii) Isocyanate	0.305Kg
		PVC Beading	Net to net
		Sealing Tape PU Coated	Net to net
Silicone Spray	Net to net		
RLA to take consequential action as per policy/procedure.			

13	329 Case No.:9/10/85-ALC3/2009	M/s. ESSEM TECNOPINZ PVT. LTD	M.No. 14 dt. 06.08.2009	Status: Approved
	HQ File :01/85/050/00063/AM10/	RLA File :31/24/040/00049/AM10/	Lic.No/Date:3110039029 01.07.2009	
	The case was considered by the committee as per agenda. Committee decided to approve the case on repeat basis as per norm approved in M.No. 7/10 dated 11.06.2009 in Adv. Lic. No. 3110038006 dt. 02.04.2009 of the same firm.			

RLA to take consequential action as per policy/procedure.

14	330	M/s. GILLETTE INDIA LTD	M.No. 14 dt. 06.08.2009	Status: Rejected
	Case No.:2/14/85-ALC3/2009			
	HQ File :01/85/050/00073/AM10/	RLA File :04/24/040/00094/AM10/	Lic.No/Date:0410106396 27.07.2009	
	The case was considered by the committee as per agenda. Committee noted that applicant firm is importing Brush in bulk and packed for export which can be done under Customs Act under bond process. Committee is of the view that this process can not be operated under Advance Licence Scheme. Therefore, committee decided to reject the case. RLA to take consequential action as per policy/procedure.			

15	331	M/s. GELTEC PRIVATE LIMITED	M.No. 14 dt. 06.08.2009	Status: Deferred
	Case No.:4/14/85-ALC3/2009			
	HQ File :01/85/050/00075/AM10/	RLA File :03/94/040/00344/AM10/	Lic.No/Date:0310531081 28.07.2009	
	The case was considered by the committee as per agenda. Committee noted that Gelatine has four codes in ITC(HS) namely 300670, 391390, 350300 & 960200. Firm may, therefore, indicate how the product is covered under the code 2106. Firm may also provide copy of DML for this product, if any technical specification, manufacturing process with details of wastage. Case to be re-listed on 03.09.2009			

16	332	M/s. PANAMA PETROCHEM LTD.	M.No. 14 dt. 06.08.2009	Status: Deferred
	Case No.:1/14/85-ALC3/2009			
	HQ File :01/85/050/00072/AM10/	RLA File :03/95/040/00202/AM10/	Lic.No/Date:0310530617 24.07.2009	
	The case was considered by the committee as per agenda. Committee decided to defer the case. To be re-listed on 03.09.2009.			

17	333 Case No.:3/14/85-ALC3/2009	M/s. NEWBY TEAS OVERSEAS PVT.LTD.,	M.No. 14 dt. 06.08.2009	Status: Deferred
	HQ File :01/85/050/00074/AM10/	RLA File :02/24/040/00065/AM10/	Lic.No/Date:0210129606 28.07.2009	
	The case was considered by the committee as per agenda. Committee decided to call for the information from the applicant firm as under:			
	1. Blend ratio of Tea. 2. GSM of Filter Paper 3. Thickness of Aluminium foil and BOPP Film. Case to be re-listed on 03.09.2009.			

18	334	M/s. RAJ PETRO SPECIALITIES PVT. LTD., MUMBAI	M.No. 14 dt. 06.08.2009	Status: Deferred
	HQ File :01/85/050/00074/AM10/		RLA File :03/95/040/00131/AM10	
	Issue of advance licence on ad-hoc basis under Para 4.7 of HBP Vol. I			
	The case was considered by the committee as per agenda. Committee observed that the applicant has indicated that this is long pending case for export to Nigeria and that earlier ALC had approved adhoc norms different from the norms under SION A-3346 for White Petroleum Jelly in meeting No. 46/06 held on 08.03.2006. In this regard Committee observed that normally adhoc norms are valid for one year. In view of this it will be required to examine the issue afresh. Therefore, a fresh reference to Administrative Ministry concerned may be made seeking their comments. Case to be re-listed on 03.09.2009.			

19	335 Case No.:1/23/85-ALC3/2008	M/s. JINDAL DRUGS LIMITED	M.No. 14 dt. 06.08.2009	Status: Approved
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HQ File :01/85/050/00166/AM09/	RLA File :03/94/040/00580/AM09/	Lic.No/Date:0310486755 17.09.2008	
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The case was considered by the committee as per agenda. Committee noted that applicant has been able to prove that quantity applied is after deducting/offsetting quantity of recoverable by product. Accordingly, the Committee decided to allow 2.61Kg of Cocoa Beans –Dried & Fermented for 1Kg of Cocoa Butter for export in all nine licences, namely

1. 1. 0310486755 dt. 17.09..2008.	4. 0310491369 dt. 21.10.2008	7.0310498345 dt. 17.12.2008
2. 2. 0310483858 dt. 26.08.2008	5. 0310497161 dt. 10.12.2008	8. 0310501738 dt. 07.01.2009
3. 3. 0310486975 dt. 19.09.2008	6. 0310496785 dt. 08.12.208	9. 0310501722 dt. 07.01.2009

RLA to take consequential action as per policy/procedure.

20	336 Case No.:5/36/85-ALC3/2008	M/s. PUNJAB CHEMICALS AND CROP PROTECTION LTD.,	M.No. 14 dt. 06.08.2009	Status: Deferred
	HQ File :01/85/050/00251/AM09/	RLA File :03/95/040/00835/AM09/	Lic.No/Date:0310504447 29.01.2009	
	The case was considered by the committee as per agenda. Committee decided to seek comments from Sea Food Export Association and in case they are not in a position to offer comments, to suggest a suitable technical body for this purpose. To be re-listed on 03.09.2009			

21	337 Case No.:5/14/85-ALC3/2009	M/s. DRYTECH PROCESSES (I)PVT.LTD;	M.No. 14 dt. 06.08.2009	Status: Deferred
	HQ File :01/85/050/00076/AM10/	RLA File :03/94/040/00341/AM10/	Lic.No/Date:0310531366 30.07.2009	
	The case was considered by the committee as per agenda. Committee decided to defer the case. To be re-listed on 03.09.2009			