

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

Minutes of the meeting No. 16/14 of NC-VI held on 31.10.2013

Meeting No. 16/14 for the licensing year 2013-14 to consider cases under Duty Exemption Schemes (Chapter-4) of Foreign Trade Policy 2009-14 pertaining to Misc. & Food Products was held on 31.10.2013 under the Chairmanship of Sh. S.K.Samal. Jt. DGFT. Following members were present in the meeting.

S.N	Name of the Officer	Designation	Department
1.	Sh. J.P. Maurya	A.I.A	MFPI
2.	Sh. A.K.Ojha	A.D	MSME
Officers in attendance			
1.	Sh. Yoginder Singh	DDG	DGFT

The minutes of the meeting No. 15/14 held on 17.10.2013 sent by e mail to all members of the committee, were ratified by the members. 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 2 years as per para4.7.1(b) of Hand book of procedure (vol-1) 2009-14 updated as on 5.6.2012.

1	598 Case No.:12/5/85-ALC3/2013	Party Name:TATA COFFEE LIMITED,	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/00033/AM14/	RLA File :07/24/040/00512/AM13/	Lic.No/Date:0710094512 27.03.2013	Deferred
	The case was discussed and noted that the comments are awaited from MFPI. Committee decided to remind MFPI to expedite their comments. The case is deferred and to be placed before NC on 28.11.2013			

2	599	Party Name:SIGNATURE ESATES	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/040/AM12	RLA File :02/24/040/034/am12	Lic.No/Date:0210159359 23.05.2011	Deferred
	The case was discussed and noted that the comments are awaited from MFPI. Committee decided to remind MFPI to expedite their comments. The case is deferred and to be placed before NC on 28.11.2013			

3	600	Party Name:MORDE FOODS	Meet No/Date:16/85-ALC3/2013	Status:
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Case No.:4/16/85-ALC3/2013	PVT.LTD.	31.10.2013	
HQ File :01/85/050/00103/AM14/	RLA File :03/95/040/00396/AM14/	Lic.No/Date:0310745593 16.08.2013	Deferred
It was decided to remind MFPI to expedite their comments. Also decided to call for a copy of export order pertaining to this case including 3 years manufacturing and export of this specific item duly certified by a C.A. The case is deferred and to be placed before NC on 28.11.2013.			

4	601	Party Name:KAMLA INTERNATIONAL	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/067/AM13	RLA File :09/24/040/0574/AM12	Lic.No/Date:0910051777 15.03.2012	Deferred
	The input out put norms against this advance authorisation has already been ratified by the norms committee in its meeting No. 3 held on 02.5.2013 . The firms request for review of norms was discussed in the meeting and it was noted that ;- First of all, the indigenous inputs are not indicated in the appropriate column of the application Secondly, MFPI representatives is of the view that in such items quantity to quantity match between imports & exports is not acceptable argument as some of the ingredients required for the end – products are neither incorporated in the list of the imported inputs nor in the indigenous items column. However written comments were invited from the MFPI. The case is deferred and to be placed before NC on 28.11.2013.			

5	602	Party Name:KAMLA INTERNATIONAL	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/065/AM13	RLA File :09/24/040/0573/AM12	Lic.No/Date:0910051782 16.03.2012	Deferred
	The input out put norms against this advance authorisation has already been ratified by the norms committee in its meeting No. 3 held on 02.5.2013 . The firms request for review of norms was discussed in the meeting and it was noted that ;- First of all, the indigenous inputs are not indicated in the appropriate column of the application Secondly, MFPI representatives is of the view that in such items quantity to quantity match between imports & exports is not acceptable argument as some of the ingredients required for the end – products are neither incorporated in the list of the imported inputs nor in the indigenous items column. However written comments were invited from the MFPI. The case is deferred and to be placed before NC on 28.11.2013.			

6	603	Party Name:RAVI	Meet No/Date:16/85-	Status:
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		FOODS PVT. LTD	ALC3/2013 31.10.2013	
	HQ File :01/85/050/025/AM13	RLA File :09/24/040/429/AM12	Lic.No/Date:0910051657 09.03.2012	Deferred
	The input out put norms against this advance authorisation has already been ratified by the norms committee in its meeting No. 3 held on 02.5.2013 . The firms request for review of norms was discussed in the meeting and it was noted that ;- First of all, the indigenous inputs are not indicated in the appropriate column of the application Secondly, MFPI representatives is of the view that in such items quantity to quantity match between imports & exports is not acceptable argument as some of the ingredients required for the end – products are neither incorporated in the list of the imported inputs nor in the indigenous items column. However written comments were invited from the MFPI. The case is deferred and to be placed before NC on 28.11.2013.			
	604 Case No.:2/33/85-ALC3/2012	Party Name:MAGHIRAM AND SONS	Meet No/Date:16/85- ALC3/2013 31.10.2013	Status:
7	HQ File :01/85/050/00149/AM13/	RLA File :30/24/040/00041/AM13/	Lic.No/Date:3010090091 23.11.2012	Deferred
	The case was discussed and it was noted that the comments are awaited from MSME. Committee decided to remind MSME to expedite their comments. The case is deferred and to be placed before NC on 28.11.2013			

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605 Case No.:14/5/85-ALC3/2013	Party Name:NATURAL & ESSENTIAL OILS PVT.LTD.,	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
HQ File :01/85/050/00035/AM14/	RLA File :07/24/040/00012/AM14/	Lic.No/Date:0710094962 22.04.2013	Approved
The case was discussed and noted the comments furnished by MFPI vide their OM No. 4(13)/2013-DGFT dated 13.08.2013 and decided to approve the case as per the written comments of MFPI, subject to change in the description of export product from Green coffee extracts (chlorogenic Acid) to Green Coffee Robusta Cherry extracts (Chlorogenic Acid 100%)as under:-			
Export Item	Qty.	Import Item	Qty
Green Coffee Robusta Cherry extracts (Chlorogenic Acid 100%)	1260.00Kg	Green Coffee Beans Robusta Cherry Beans	10080.00Kg
RA may take consequential action as per policy/procedures.			

9	606	Party Name:MITTULAUL LALAH AND SONS	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	Case No.:13/5/85-ALC3/2013			
	HQ File :01/85/050/00034/AM14/	RLA File :04/24/040/00013/AM14/	Lic.No/Date:0410145202 16.04.2013	Referred back to RA.
The case was discussed and it was noted that SION is fixed for this item at E-56. In such cases, NC will not fix any ad-hoc norms under para 4.7 of HBP, Vol.I. RA to take consequential action as per policy provision. The Advance Authorisation to be revised as per SION.				

10	607	Party Name:REF. FROM MPEZ (M/S. NESTLE INDIA LTD-an EOU UNIT).	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status: Deferred
	F.No.:01/85/161/176/AM13	Fixation of wastage norms for export product 'Rooibos Instant Tea'.		
	The case was discussed and it was noted that the comments are awaited from MFPI. Committee decided to remind MFPI to expedite their comments. The case is deferred and to be placed before NC on 28.11.2013			

11	608	Party Name:TEESTA VALLEY EXPORTS LTD	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/50/186/AM07	RLA File :02/24/40/253/AM07	Lic.No/Date:0210096424 18.12.2006	Approved
	The case was discussed in the meeting and it was noted that the case was rejected by NC on following two ground :-. (1) The party is not meeting the criteria of 100% value addition for export of Tea in terms of provision of para 4.1.6 of the then FTP (2) The value of import item packing material is too high As regard ground (1), the applicant now claims vide their letter dated 26.08.2013 to have fulfilled Value Addition of more than 100% required in this case. As regard ground No. (2) high value of import item is not the concern of NC. Hence, it was decided to ratify the ad-hoc norms for import of packing material as per policy governing import of packing material subject to 100% VA to be verified by RA.			

12	609	Party Name:ICON DESIGNS	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/162/153/AM12	RLA File :06/24/040/002/AM123/	Lic.No/Date:0610021574 13.04.2011	Deferred
	The case was discussed and it was noted that the information are awaited from the firm. The committee decided to send the second reminder to the applicant to expedite the information sought by MSME(Mechanical division). The case is deferred and to be placed before NC on 28.11.2013			

13	610	Party Name:KF BIOPLANTS PRIVATE LIMITED	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	Case No.:8/10/85-ALC3/2013			
	HQ File :01/85/050/00066/AM14/	RLA File :31/83/040/00031/AM14/	Lic.No/Date:3110058561 31.05.2013	Approved
	Committee decided to ratify the ad-hoc norms as per the written comments of Deptt of Biotechnology vide theirOM No. BT/IL/05/318/2010-PID dated 14.10.2013 as under:-			

Export Item	Qty.	Sl. No.	Import Item	Qty.
Tissue Culture Plants	1.00 Million	1	Ammonium nitrate	40.00Kg
		2	Potassium nitrate	47.50Kg
		3	Potassium di hydrogen ortho phosphate	4.5Kg
		4	Magnesium Sulphate H ₂ O	11.25Kg
		5	Calcium chloride dihydrate	11.00Kg
		6	Manganese Sulphate	0.15Kg
		7	Zinc sulphate Heptahydrate	0.2Kg
		8	Boric acid	0.15Kg
		9	Potassium iodide	20gm.
		10	Ferric Sodium Salt EDTA	0.85Kg
		11	Sodium Molybdate Dehydrate	10gm.
		12	Copper Sulphate	12.5gm..
		13	Cobalt Chloride hexahydrate	1.25gm.
		14	Pyridoxine	25gm.
		15	Nicotinic Acid	25gm.
		16	Glycine	0.15Kg
		17	Myo- Inositol	2.00Kg
		18	Sodium Dihydrogen Ortho phosphate	0.5Kg
		19	Benzyl Aminopurine-6	05gm.
		20	Kinetin	25gm.
		21	Indole Acetic Acid	25gm.
		22	Indole Butyric Acid	2.5gm.
		23	Dimethylallylamino Purine	2.5gm.
		24	Meta Topolin	1.25gm.
		25	Crystal Sugar	1050Kg
		26	Gerlite	15.00Kg
		27	Adenine sulphate	0.1Kg
		28	2-4 Dichlorophenoxyacetic acid 2-4	5.00gm.
		29	Gibrellic acid 4+7	1gm.
		30	Absisic Acid	1.25gm.
		31	Carrageenan Iota type	0.25Kg

RA may take consequential action as per policy/procedures.

	611	Party Name: REF FROM COMMISSIONER OF CUSTOMS, MUMBAI	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	F.No. 01/85/162/046/AM14			Clarified
14	Clarification whether the letter dated 30.07.2007 issued by DGFT Authority, Hyderabad in respect of DFRC Licence indicating that Wheat Gluten Flour is a Wheat Flour with specific technical characteristics, is applicable to 'Wheat Gluten Amygluten 160' as alternative inputs against import list item i.e. Wheat Flour under DFIA Scheme AND Whether DGFT Circular No. 13 dated 31.01.2011 is applicable to the Duty Free Import Authorisation prior to the date of issuance of this Circular dated 31.01.2011.			
	The case was discussed in the meeting and Committee noted the written comments of MFPI furnished vide their letter No. 4(3)/2013-DGFT dated 30.10.2013 quoting references of technical literature some of which are as under:- i) "Gluten Flour is milled to have a high level gluten and a low starch content and is used primarily by bakers for dietectic breads, or mixing with other flours of a lower protein content"(Kirk-Othmer Encyclopedia of Chemical Technology- 5th Edition- Volume 26- Page No. 284). ii) "Gluten Flour also high-gluten flour. Hard-wheat flour treated to remove much of the starch, leaving a high amount of protein (often 40 to 80 per cent used for adding extra rising power to bread recipes that call for a large amount of lower-gluten flour, such as rye. It is considered too high in protein to be used on its own in bread recipes". (The Food Encyclopaedia – Jacques L. Rolland and Carol Sherman – Page No. 269). iii) "Bakery Product: Biscuits:- including wafer biscuits shall be made from Maida, vanaspati or refined edible oil or table butter or desi butter or margarine or ghee or their mixture containing any one or more of the following ingredients namely-Edible common salt, butter, milk powder, cereals and their products, cheese, cocoa, coffee extract, edible desiccated cocoanut, dextrose, fruit and fruits products, dry fruit and nuts, egg, edible vegetable products, ginger, gluten, groundnut flour, milk and milk products, honey, liquid glucose, malt products, edible oilseeds, flour and meals, spices and condiments, edible starches such as potato starch and edible flours, sugar and sugar products, invert sugar, jiggery, protein concentrates, oilgo fructose (max 15%) vinegar and other nutrients and vitamins. (The Food and Safety Standards Act-2006- Page No. 275). iv) "Vital Wheat Gluten Flour also called 'gluten flour'. Instant gluten flour" and "vital wheat gluten, depending on vendor and manufacturer. This is flour with the starch and bran removed. Gluten is the natural protein of the wheat endosperm which, when combined with water, forms a tasffy like dough. This retains the gas and steam from baking. MFPI in their said letter stated that in view of the technical book references, Food and Safety Standard Act, 2006 and technical opinion given by the MSME-Development Institute, Mumbai,(Letter No. Chem/ Gen 07-08/331 dated 28.9.07 enclosed by MFPI) shows that Vital Wheat Gluten /Gluten Flour is used in the manufacturing of biscuits or protein enrich biscuits.The representative of MFPI clarified that " wheat gluten Amygluten 160 "is also a type of " wheat gluten flour " The committee also perused the file and letter of M/s Uni Colloids Impex Pvt. Ltd. dated 14.10.2013 The said letter enclosed appeal order No. 164/Mumbai III/2011 dated 12.9.2011 passed by the Commissioner of Customs , Mumbai (Appeals) in the case of M/s. Uni Colloids Impex Pvt. Ltd).The said appellate order allowed benefit of treating the wheat gluten in powder form as input under the category Flour. In view of the above, Committee decided to convey the aforesaid written comments furnished by MFPI along with the appellate order of Customs to PC-4 Section for necessary action at their end.			

15	612 Case No.:4/7/85-ALC3/2013	Party Name:DINESH SARAOGI	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/00041/AM14/	RLA File :02/24/040/00021/AM14/	Lic.No/Date:0210189909 23.05.2013	Deferred
	The case was discussed in the meeting and it was noted that the firm has furnished the reply along with sample of raw material. The committee decided to forward the firm's reply with sample to MSME(Chem) for their comments.. The case is deferred and to be placed before NC on 28.11.2013.			

16	613 Case No.:2/16/85-ALC3/2013	Party Name:WESTERN INDIA CASHEW COMPANY (P) LTD.,	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/00101/AM14/	RLA File :32/24/040/00014/AM14/	Lic.No/Date:3210068302 09.10.2013	Referred back to RA
	. The case was discussed in the meeting and noted that the item of import is not permissible for Advance Authorisation under para 4.7 of HBP, Vol.I. RA concerned may be informed of this and requested to take consequential action. R A may also be requested to clarify as to how Advance Authorisation was issued for this import item under para 4.7 od HBP Vol –			

17	614 Case No.:3/16/85-ALC3/2013	Party Name:WESTERN INDIA CASHEW COMPANY (P) LTD.,	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/00102/AM14/	RLA File :32/21/040/00068/AM14/	Lic.No/Date:3210065197 24.07.2013	Referred back to RA
	The case was discussed in the meeting and noted that the item of import is not permissible for Advance Authorisation under para 4.7 of HBP, Vol.I. RA concerned may be informed of this and requested to take consequential action. R A may also be requested to clarify as to how Advance Authorisation was issued for this import item under para 4.7 od HBP Vol –I			

18	615 Case No.:12/10/85-ALC3/2013	Party Name:SABARIGIRI EXPORTS	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/00070/AM14/	RLA File :53/24/040/00002/AM14/	Lic.No/Date:5310016878 21.06.2013	Deferred
	The case was discussed and decided to refer the case to MSME. The case is deferred and to be placed before NC on 28.11.2013.			

19	616 Case No.:1/16/85-ALC3/2013	Party Name:STAR VET CHEM PVT LTD	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/050/00100/AM14/	RLA File :32/24/040/00004/AM14/	Lic.No/Date:3210064990 11.07.2013	Deferred
	The case was discussed in the meeting. The committee noted that under para 4.7(b) of HBP, Vol-I, any feed ingredients containing Vitamins has to be applied for under para 4.4.2 of HBP, Vol-I . Hence, RA concerned may be requested to clarify as to how subject AA was issued under para 4.7 of HBP V.I. Applicant may also be informed about this. The case is deferred and to be placed before the committee on 28.11.2013.			

20	617	Party Name:CRI Ltd	Meet No/Date:16/85-ALC3/2013 31.10.2013	Status:
	HQ File :01/85/162/126/AM13	RLA File :02/24/040/010/AM13	Lic.No/Date:0210178029 30.05.2012	Deferred
	Committee decided to call for the following information from the firm as per DIPP letter No. 12/87/2013-TSW/617 dated 31.10.2013 as under:- 1. Quantity of import item has been allowed taking blank size as “2 mm (dia) x 9.6 mm (length)” and after taking 50 % recovery from scrap generated during the manufacturing process. 2. Accordingly to the firm , resale value of brass scrap generated during the manufacturing process is practically “Nil “. Firm may be asked to submit documentary evidence like sale invoice etc. in support of the sale price of brass scrap.			

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