

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

Minutes of the meeting of NC-VI held on 04.02.2010

Meeting No. 40/AM10 for the licensing year 2009-10 to consider cases under Duty Exemption Schemes (Chapter-4) of Foreign Trade Policy 2009-14 pertaining to Misc. & Food Products was held on 04.02.2010 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. A.K. Ojha,	AD	MSME
3.	Sh. T.M. Skaria	DDG	DGFT
4.	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	808	M/S. PUNJAB CHEMICALS & CROP PROTECTION LTD., C'GARH	M.No. 40/10 DT. 04.02.2010	Status: Approved
	HQ File :01/85/050/0054/AM10/	RLA File :03/95/40/00146/AM10	Lic.No/Date:0310525463 23.06.2009	
	The case was considered by the committee as per agenda. Committee considered submission made by applicant Firm vide their letter dated 25.01.2010. The Batch Product Report enclosed with the letter indicated that 25MT of Krill Meal imported vide Bill of Entry No. 604302 dated 27.07.2009 in Advance Authorisation No. 0310525463 dt. 23.06.2009 produced 4931.5Kg of Marine Oil, which contained 414Kg of Fish Oil, indicating that the output from 25MT was 4517.5Kg i.e. an output of 18.07%. On this basis, the output from import quantity of 98070Kg of Krill Meal works out to 17721.25Kg to which 5250Kg of imported fish lipid oil is added making a total of 22971.25Kg. Committee decided that the export obligation qty. and FOB value may be enhanced accordingly and ratified norms as under:-			
	Export Item	Qty.	FOB Value	Import Item
Marine Oil KM 2040	22971.25 Kg	Rs. 36310655.00	1. Krill Meal	98070.0Kg
			2. Covi-Ox T-70 EU	48.30Kg
			3. Stablenhance OSR 5%	84.00Kg

			US\$	4. Ascorbyl Palmitate FCC	48.00Kg
			758051.00	5. Acetone	115500.00Kg
				6. Fish Lipid Oil	5250.00Kg
			RA to take consequential action as per policy/procedure		

2	809		M/S. PUNJAB CHEMICALS & CROP PROTECTION LTD., C'GARH	M.No. 40/10 DT. 04.02.2010	Status: Approved																		
	HQ File :01/85/050/00159/AM10/		RLA File :03/95/40/00379/AM10	Lic.No/Date:0310544044 05.11.2009																			
	The case was considered by the committee as per agenda. Committee considered submission made by applicant Firm vide their letter dated 25.01.2010. The Batch Product Report enclosed with the letter indicated that 25MT of Krill Meal imported vide Bill of Entry No. 604302 dated 27.07.2009 in Advance Authorisation No. 0310525463 dt. 23.06.2009 produced 4931.5Kg of Marine Oil, which contained 414Kg of Fish Oil, indicating that the output from 25MT was 4517.5Kg i.e. an output of 18.07%. On this basis, the output from import quantity of 154110Kg of Krill Meal works out to 27847.68Kg to which 8250Kg of imported fish lipid oil is added making a total of 36097.68Kg. Committee decided that the export obligation qty. and FOB value may be enhanced accordingly and ratified norms as under:- <table border="1"> <tr> <th>Export Item</th> <th>Qty.</th> <th>FOB Value</th> <th>Import Item</th> <th>Qty.</th> </tr> <tr> <td rowspan="6">Marine Oil KM 2040</td> <td rowspan="6">36097.68 Kg</td> <td rowspan="6">Rs. 5,33,34,322.00 US\$1082930.4</td> <td>1. Krill Meal</td> <td>154110.00Kg</td> </tr> <tr> <td>2. Covi-Ox T-70 EU</td> <td>75.90Kg</td> </tr> <tr> <td>3.Stabilenhance OSR 5%</td> <td>132.00Kg</td> </tr> <tr> <td>4.Ascorbyl Palmitate FCC</td> <td>75.90Kg</td> </tr> <tr> <td>5. Acetone</td> <td>181500.00Kg</td> </tr> <tr> <td>6. Fish Lipid Oil</td> <td>8250.00Kg</td> </tr> </table>					Export Item	Qty.	FOB Value	Import Item	Qty.	Marine Oil KM 2040	36097.68 Kg	Rs. 5,33,34,322.00 US\$1082930.4	1. Krill Meal	154110.00Kg	2. Covi-Ox T-70 EU	75.90Kg	3.Stabilenhance OSR 5%	132.00Kg	4.Ascorbyl Palmitate FCC	75.90Kg	5. Acetone	181500.00Kg
Export Item	Qty.	FOB Value	Import Item	Qty.																			
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			2. Covi-Ox T-70 EU	75.90Kg																			
			3.Stabilenhance OSR 5%	132.00Kg																			
			4.Ascorbyl Palmitate FCC	75.90Kg																			
			5. Acetone	181500.00Kg																			
			6. Fish Lipid Oil	8250.00Kg																			
RA to take consequential action as per policy/procedure																							

3	810 Case No.:1/31/85-ALC3/2009	M/S. UB GLOBAL(A DIV.OF UNITED BREWERIES (HOLDINGS) LTD	M.No. 40/10 DT. 04.02.2010	Status: Approved
	HQ File :01/85/050/00164/AM10/	RLA File :07/21/040/00740/AM10/	Lic.No/Date:0710068400 19.11.2009	
	The case was considered by the committee as per agenda. The Committee decided to approve the case as per packing policy or applied for which ever is less.			

RA to take the consequential action as per policy provision.

4	811 Case No.:2/31/85-ALC3/2009	M/S. UB GLOBAL (A DIV.OF UNITED BREWERIES (HOLDINGS) LTD	M.No. 40/10 DT. 04.02.2010	Status: Approved
	HQ File :01/85/050/00165/AM10/	RLA File :07/21/040/00745/AM10/	Lic.No/Date:0710068401 19.11.2009	
	The case was considered by the committee as per agenda. The Committee decided to approve the case as per packing policy or applied for which ever is less by the applicant Firm.			
	RA to take the consequential action as per policy provision.			

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812 Case No.:5/34/85-ALC3/2009	M/S. JABS INTERNATIONAL PVT.LTD.	M.No. 40/10 DT. 04.02.2010	Status: Approved
HQ File :01/85/050/00177/AM10/	RLA File :03/94/040/00661/AM10/	Lic.No/Date:0310545805 16.11.2009	
The case was considered by the committee as per the agenda. It was noted that earlier NC had approved a similar case on 05.11.2009 in Lic. No.0310542510 dt. 26.10.2009 with 1% wastage. Committee decided to ratify the norms in the instant case also with 1 % wastage as under:-			
Export Item	Qty	Import Item	Qty
STERLIZED FENNEL SEEDS	250.000MT	RAW FENNEL SEEDS	252.5MT
RLA may take consequential action as per policy/procedure.			

6	813 Case No.:10/34/85-ALC3/2009	M/S. JABS INTERNATIONAL PVT.LTD.	M.No. 40/10 DT. 04.02.2010	Status: Approved.
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HQ File :01/85/050/00182/AM10/	RLA File :03/94/040/00624/AM10/	Lic.No/Date:0310543642 03.11.2009	
The case was considered by the committee as per the agenda. It was noted that, earlier, NC had approved a similar case on 05.11.2009 in Lic. No.0310542510 dt. 26.10.2009 with 1% wastage. Committee decided to ratify the norms in instant case also with 1 % wastage as under:-			
Export Item	Qty	Import Item	Qty MT
STERLIZED FENNEL SEEDS	150.00MT	RAW FENNEL SEEDS	151.5MT
RLA may take consequential action as per policy/procedure.			

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814 Case No.:11/34/85-ALC3/2009	M/S. JABS INTERNATIONAL PVT.LTD.	M.No. 40/10 DT. 04.02.2010	Status: Approved
HQ File :01/85/050/00183/AM10/	RLA File :03/94/040/00626/AM10/	Lic.No/Date:0310543828 04.11.2009	
The case was considered by the committee as per the agenda. It was noted that, earlier, NC had approved a similar case on 05.11.2009 in Lic. No.0310426360 dt. 11.4.2007 with 0.5% wastage. Committee decided to approve the instant case also on the same basis with 0.5% wastage as applied for as under:-			
Export Item	Qty	Import Item	Qty MT
STERLIZED CARAWAY SEEDS	200.000MT	RAW CARAWAY SEEDS	201.000MT
RLA may take consequential action as per policy/procedure.			

8	815 Case No.:10/40/85-ALC3/2009	M/S. HIMADRI CHEMICALS & INDS. LTD.	M.No. 40/10 DT. 04.02.2010	Status: Transferred
	HQ File :01/85/050/00213/AM10/	RLA File :02/24/040/00209/AM10/	Lic.No/Date:0210137014 27.01.2010	
	The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

9	816	M/S. HIMADRI CHEMICALS & INDS.	M.No. 40/10 DT. 04.02.2010	Status:
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Case No.:9/40/85-ALC3/2009	LTD.		Transferred
HQ File :01/85/050/00212/AM10/	RLA File :02/24/040/00206/AM10/	Lic.No/Date:0210136955 25.01.2010	
The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

10	817 Case No.:8/40/85-ALC3/2009	M/S. HIMADRI CHEMICALS & INDS. LTD.	M.No. 40/10 DT. 04.02.2010	Status: Transferred
	HQ File :01/85/050/00211/AM10/	RLA File :02/24/040/00204/AM10/	Lic.No/Date:0210136944 25.01.2010	
	The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

11	818 Case No.:7/40/85-ALC3/2009	M/S. HIMADRI CHEMICALS & INDS. LTD.	M.No. 40/10 DT. 04.02.2010	Status: Transferred
	HQ File :01/85/050/00210/AM10/	RLA File :02/24/040/00208/AM10/	Lic.No/Date:0210136888 22.01.2010	
	The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

12	819 Case No.:5/40/85-ALC3/2009	M/S. HIMADRI CHEMICALS & INDS. LTD.	M.No. 40/10 DT. 04.02.2010	Status: Transferred
			Lic.No/Date:0210136858	

	HQ File :01/85/050/00208/AM10/	RLA File :02/24/040/00205/AM10/	22.01.2010	
	The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

13	820 Case No.:4/40/85-ALC3/2009	M/S. HIMADRI CHEMICALS & INDS. LTD.	M.No. 40/10 DT. 04.02.2010	Status: Transferred
	HQ File :01/85/050/00207/AM10/	RLA File :02/24/040/00203/AM10/	Lic.No/Date:0210136855 22.01.2010	
	The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

14	821 Case No.:2/40/85-ALC3/2009	M/S. HIMADRI CHEMICALS & INDS. LTD.	M.No. 40/10 DT. 04.02.2010	Status: Transferred
	HQ File :01/85/050/00205/AM10/	RLA File :02/24/040/00201/AM10/	Lic.No/Date:0210136843 22.01.2010	
	The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

15	822 Case No.:1/40/85-ALC3/2009	M/S. HIMADRI CHEMICALS & INDS. LTD.	M.No. 40/10 DT. 04.02.2010	Status: Transferred
	HQ File :01/85/050/00204/AM10/	RLA File :02/24/040/00200/AM10/	Lic.No/Date:0210136835 21.01.2010	
	The case was considered by the committee as per agenda. It was noted that the export product falls under chapter 27 of ITC(HS) Code which is dealt by NC-IV. The committee decided to transfer the case to NC-IV.			

16	823 Case No.:3/35/85-ALC3/2009	M/S. SYNTHITE INDUSTRIES LIMITED	M.No. 40/10 DT. 04.02.2010	Status: Deferred
	HQ File :01/85/050/00191/AM10/	RLA File :10/24/040/00105/AM10/	Lic.No/Date:1010036490	

23.12.2009

The case was considered by the committee as per agenda. The Committee decided to call applicant Firm for PH alongwith technical representatives, with technical details, technical literature of the products and end use of the export product. To be re-listed on 4.3.10.

17	824	M/S. PUNJAB CHEMICAL AND CROP PROTECTION LTD., C'GARH	M.No. 40/10 DT. 04.02.2010	Status: Approved
	HQ File :01/85/050/0045/AM10/	RLA File :03/95/40/00123/AM10	Lic.No/Date:0310522261 02.06.2009	
The case was considered by the committee as per agenda. Committee considered submission made by applicant Firm vide their letter dated 25.01.2010. The Batch Product Report enclosed with the letter indicated that 25MT of Krill Meal imported vide Bill of Entry No. 604302 dated 27.07.2009 in Advance Authorisation No. 0310525463 dt. 23.06.2009 produced 4931.5Kg of Marine Oil, which contained 414Kg of Fish Oil, indicating that the output from 25MT was 4517.5Kg i.e. an output of 18.07%. On the basis of the output from import qty. of 107100Kg of Krill Meal works out to 19352.97Kg. Committee decided that the export obligation qty. and FOB value may be enhanced accordingly and ratified norms as under:-				
Export Item	Qty.	FOB Value	Import Item	Qty.
Marine Oil KM 2040	19352.97 Kg	Rs 31305364.00	1. Krill Meal	107100.00Kg
			2. Covi-Ox T-70 EU	45.00Kg

		US\$	3. Stablenhance OSR 5%	75.00Kg
		619295.04	4. Ascorbyl Palmitate FCC	45.00Kg
RA to take consequential action as per policy/procedure				

18	825	M/S. KASHMIR APPIARIES EXPORTS	M.No. 40/10 DT. 04.02.2010	Status: Rejected.
	Case No.:14/34/85-ALC3/2009			
	HQ File :01/85/050/00186/AM10/	RLA File :30/24/040/00018/AM10/	Lic.No/Date:3010063875 09.11.2009	
	The case was considered by the committee as per the agenda. It was noted that earlier NC had rejected a similar case on 03.12.2009 in Lic. No.3010059195 dt. 15.12.2008. Committee noted that the applicant has not indicated the type of Wax to be imported. In any case, the import item is not a direct input for production of Bees Wax. Further, ITC Code given in application for both import and export item is same. Committee is therefore not able to fix input output norms and rejected the case.			
	RA to take consequential action as per policy/procedure.			

19	826 Case No.:2/9/85-ALC3/2005	M/S. DEVI FISHERIES LIMITED	M.No. 40/10 DT. 04.02.2010	Status: Rejected
	HQ File :01/85/050/00352/AM05/	RLA File :26/80/040/00016/AM05/	Lic.No/Date:2610004560 02.03.2005	
	The case was considered by the committee as per agenda. It was noted that as per MPEDA comments vide their letter dated 17.01.2006, Frozen Fresh Water Shrimps (HL) gives an yield of 65 to 70%. Even with water retention as explained by applicant in their letter dated 29.01.2010, there may be weight increase by another 10%, implying that the total export product would be 77% of import product. In this case the export qty. is nearly 5000Kgs more than this limit. It would appear that the production as indicated in application is not technically feasible. Committee is therefore constrained to reject the case.			

RA to take consequential action as per policy/provision.

20	827 Case No.:3/40/85-ALC3/2009	M/S. LIMTEX (INDIA) LTD.	M.No. 40/10 DT. 04.02.2010	Status Approved.							
	HQ File :01/85/050/00206/AM10/	RLA File :02/24/040/00202/AM10/	Lic.No/Date:0210136853 22.01.2010								
	The case was considered by the committee a per agenda. The Committee decided to approve the case on net to net basis and ratified the norms as under :-										
	<table><tr><td>Export Item</td><td>Qty MT</td><td>Import Item</td><td>Qty MT</td></tr><tr><td>BLACK TEA IN BULK BLENDED 90 % IMPORTED TEA AND 10 % INDIAN TEA</td><td>210.000</td><td>BLACK TEA</td><td>189.000</td></tr></table>				Export Item	Qty MT	Import Item	Qty MT	BLACK TEA IN BULK BLENDED 90 % IMPORTED TEA AND 10 % INDIAN TEA	210.000	BLACK TEA
Export Item	Qty MT	Import Item	Qty MT								
BLACK TEA IN BULK BLENDED 90 % IMPORTED TEA AND 10 % INDIAN TEA	210.000	BLACK TEA	189.000								
RA to take consequential action as per policy/ provision.											

21	828 Case No.:13/19/85-ALC3/2009 828	M/S. UNICARE PHARMA LIMITED	M.No. 40/10 DT. 04.02.2010	Status: Deferred.
	HQ File :01/85/050/00100/AM10/	RLA File :04/24/040/00132/AM10/	Lic.No/Date:0410107471 01.09.2009	
	The case was considered by the committee a per agenda. The Committee decided to link similar case of M/s. Good Day. To be re listed on 4.3.2010.			

22	829 Case No.:16/34/85-ALC3/2009 829	M/S. ASSOCIATED CAPSULES PVT. LIMITED	M.No. 40/10 DT. 04.02.2010	Status: Deferred
	HQ File :01/85/050/00188/AM10/	RLA File :03/94/040/00439/AM10/	Lic.No/Date:0310542495 26.10.2009	
	The case was considered by the committee a per agenda. The Committee noted that the applicant has asked for more than 18 % wastage in flowchart whereas wastage sought in the application is 16%. It is seen that process flow chart is vague and does not give wastage at each stage			

of production. QC wastage indicated is, however, not process wastage. In order to consider the matter further, Committee decided to ask for the following information:-

1. Central Excise data regarding production/consumption for last two years.
2. Copies of earlier decision of NC referred in application.
3. Blending ratio since there are gelling aids in production.

To be re listed on 4.3.2010.

23	830 Case No.:4/35/85-ALC3/2009	M/S. JINDAL AGRO PROCESSING PVT LTD	M.No. 40/10 DT. 04.02.2010	Status: Rejected
	HQ File :01/85/050/00192/AM10/	RLA File :34/24/040/00163/AM10/	Lic.No/Date:3410025976 23.12.2009	
	The case was considered by the committee as per agenda.. The Committee noted that on the export side, net content of import items are not given. Therefore, it is not possible to quantify requirement of inputs. The Committee was constrained to reject the case. RA to take consequential action as per policy/provisions..			

24	831 Case No.:1/32/85-ALC3/2009 831	M/S. SHREE WARANA SAHAKARI DUDH UTPADAK PRAKRIYA SANGH	M.No. 40/10 DT. 04.02.2010	Status: Deferred
	HQ File :01/85/050/00167/AM10/	RLA File :03/95/040/00539/AM10/	Lic.No/Date:0310548022 27.11.2009	Defer Date:04.02.2010
	The case was considered by the committee a per agenda.. The Committee decided to link similar case of M/s. Unicare. To be re-listed on 04.03.2010.			

25	832 Case No.:21/28/85-ALC3/2009	M/S. ALKALOIDS CORPORATION	M.No. 40/10 DT. 04.02.2010	Status: Deferred

HQ File :01/85/050/00160/AM10/

RLA File :02/24/040/00150/AM10/

Lic.No/Date:0210133376

06.11.2009

The case was considered by the committee as per agenda.. The Committee decided to link previous decisions of NC in similar case. To be re-listed on 04.03.2010.

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833	M/S. GELTEC PVT. LTD., MUMBAI	M.No. 40/10 DT. 04.02.2010	Status: Approved
HQ File :01/85/050/00083/AM10/	RLA File :03/94/40/00390/AM10	Lic.No/Date:310533946 18.08.2009	
The case was considered by the committee as per agenda. The Committee considered the submission made by the applicant vide their letter dated 26.10.2009 and 20.01.2010 and in consultation with technical representatives present in the meeting decided to ratify norms as under:-			
Export Item	Qty.	Import Item	Qty.
SOFT GELATINE CAPSULES CONTAINING 1000MG FISH LIPID OIL (NLT 18%EPA, NLT 12%DHA), 3.85MG D-ALPHA TOCOPHEROL (NATURAL VITAMINE E)	45000 Thousand in Nos.	FISH LIPID OIL (NLT 18% EPA, NLT 12% DHA) The input Fish Lipid Oil is animal fat/oil and used in the manufacture of food supplement.	46426 KG
COVITOL F 1300 NET CONTENT: 1) FISH LIPID OIL 45000KG 2) COVITOL F 1300 173.25KG 3) GELATINE FOR SHELL 15750KG. THE ITEM OF EXPORT IS FOOD SUPPLEMENT.		COVITOL F 1300 (D-ALPHA TOCOPHEROL CONCENTRATE) The input COVITOL F 1300 (D-ALPHA TOCOPHEROL CONCENTRATE) is a natural vitamin/item of food and is used in the manufacture of food supplement	Disallowed
		GELATINE (FOR SHELL) The input Gelatine is animal glue and used in the manufacture of food supplement.	12051 KG
RA to take consequential action as per policy/ procedure.			

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