

## CUSTOMS Tariff Database Online Released by Chief Eco Advisor on 21 July 2009

The first ever "Customs Tariff Database Online" for India was released by the Chief Economic Adviser (CEA) Dr. Arvind Virmani, on 21 July 2009. This endeavour is a result of the research programme initiated by the Economic Division, Department of Economic Affairs and was prepared by the Academy of Business Studies for the Ministry of Finance under the guidance of Advisers of the Department of Economic Affairs.

Speaking on the occasion, the Chief Economic Adviser said that the database will help in analysing the issues related to customs tariff very quickly and in a user friendly way. This will help in the customs reforms process and help businessmen, researchers and those interested in this to get reliable

data online without referring to bulky books. A beginning of identifying reform plans was made in the Economic Survey of this year and last year. This database will help the government in carrying out customs duty reforms, said Mr. Virmani.

Customs Tariff of India is a complex subject with 11,000 tariff codes, 328 exemption notifications along with 591 entries in the Jumbo notification giving effective duties

against specific tariff codes under exemption. Apart from this, there are about 150 amending notifications issued during the course of the year. The database consists of two sections:

Dr H.A.C. Prasad, the trade expert and Sr Economic Advisor in Dept of Economic Affairs who has led the team behind the database told that in this year's Economic Survey

this database was used for the boxes on customs duty exemptions and revenue loss and specific customs duties. It can also be linked with other databases like WTO commitments which can be useful even in negotiations at WTO, he said.



The database is the first in India and the world. The European Union was the pioneer in developing Tariff Databases for all important countries in world including India. However, this database is the first comprehensive database covering both tariff and non tariff measures and import values in a single database with provision for monthly and daily updation.

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| <ul style="list-style-type: none"> <li>• Main database (updated till Budget 2009-10) on 11,000 plus covers:<br/>All customs duties (including the major ones basic<br/>CVD of Excise<br/>CVD of VAT<br/>Education Cess<br/>182 Anti-dumping + 8 Safeguards Actions</li> </ul> | <ul style="list-style-type: none"> <li>Import Policy Restrictions by DGFT<br/>NTBs like Labeling, BIS Standards<br/>Country Preferences<br/>Import and Export Values and Quantity from DGCIIS)</li> <li>• Line wise Tariff for the 13 RTAs and BTAs such as Sri Lanka, Nepal, Thailand, China (APTA) giving effective preferential duties for specific countries/country groups.</li> </ul> |
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## G8+G5 Call for Doha Conclusion in 2010

Heads of state from 13 major world economies vowed last week "to seek an ambitious and balanced conclusion to the Doha Development Round in 2010," just as trade officials at WTO headquarters in Geneva prepared to ramp up their negotiations before the organisation's annual summer break.

But such high-level promises have been made before. The recent statement from the G8+G5 countries has been preceded by dozens of political vows for a quick end to the global trade talks, which were launched in 2001 to help developing countries prosper through trade. But after nearly eight years of slow progress and missed deadlines in the negotiations, the ongoing economic slump has made a world trade deal - a deal that the WTO's director-general says would save the global economy more than US\$ 130 billion each year - appear more pressing than ever.

The call for a push to conclude the talks emerged from a summit of the G8 countries - Canada, France, Germany, Italy, Japan, Russia, the United Kingdom and the United States - that was held in L'Aquila, Italy last week. The G8 were joined by the G5 major emerging economies - Brazil, China, India, Mexico and South Africa - for talks on the second day of the three-day summit. The declaration was signed by both groups.

But the Doha talks will not have to start from scratch. The leaders said that the negotiations should build "on the progress already made, including with regard to modalities" - the WTO's term for the framework deals on tariff and subsidy cuts - that officials have been negotiating over the past several years. But the statement also stressed the need to enhance "the transparency and understanding of the negotiating results to date," a nod to recent calls from Washington, which has insisted that its exporters need greater clarity on how they might be affected by a deal.

The heads of state also called on their trade ministers "to explore immediately all possible avenues for direct engagement within the WTO" and to meet in advance of the next G20 summit, which will be held in the industrial city of Pitts-

burgh in the US in September. India has already begun preparations to host such a meeting; the gathering is set to take place in New Delhi on 3 and 4 September.

The Doha Round aside, the world leaders vowed to "reject all protectionist measures in trade and investment" and to "rectify promptly" any such measures already incorporated into domestic policy. But that promise, an almost verbatim reiteration of a pledge made by the G20 leaders in London in April, may be difficult to keep, given that many leaders are facing strong domestic pressures to protect local industries. The G8+G5 statement also renewed a call for the WTO and other international bodies to "report publicly" on any slides toward protectionism, a task that the secretariat of the global trade body has already taken up.

### Lamy pushing for new texts in October

WTO Director-General Pascal Lamy, who attended the three-day summit last week, is pushing hard for progress in the technical aspects of the negotiations. After several months of relative quiet, the talks are picking up in the final weeks before the WTO breaks for its annual summer holiday: industrial goods negotiations are taking place this week, and the agriculture talks are set to pick back up next week, WTO sources said. An informal meeting of the entire Membership has been scheduled for the morning of Friday, 24 July. Negotiations in the rules group are set to begin soon after delegates return from their holidays.

In an effort to "inject momentum" into the negotiations, in the words of one WTO official, Lamy has called on the chairs of the various negotiating committees to produce new texts or reports by October, sources said. But one trade delegate acknowledged that this deadline would pose a significant challenge, as "no substantial progress" has been made since the last draft texts were released in December 2008. But another WTO source called the October deadline "a reasonable timeline," especially if the talks are going to be wrapped up next year.

Israel; Japan; Korea; Liechtenstein; the Kingdom of the Netherlands with respect to Aruba; Norway; Singapore; Switzerland; Chinese Taipei; and the United States.

Other WTO Members that are in the process of negotiating their accession to the Agreement on Government Procurement are Albania, Armenia, China, Georgia, Jordan, the Kyrgyz Republic, Moldova, Oman and Panama. A further five WTO Members, namely Croatia, the Former Yugoslav Republic of Macedonia, Mongolia, Saudi Arabia and the Ukraine, have provisions committing them eventually to seek accession to the Agreement in their respective Protocols of Accession to the WTO.

## Russia to Resume Unilateral WTO Bid - Drops Belarus and Kazakhstan

In a second about-face in fewer than five weeks, Russia indicated on Thursday that it intends to resume its bid to join the WTO as a single member state. Moscow appeared ready to drop the 16-year-long effort last month, when Russian Prime Minister Vladimir Putin made a surprise announcement that the country would only seek WTO Membership as a customs union with Belarus and Kazakhstan.

But now the country appears to have reverted to its earlier position.

The customs union idea does not appear to have been completely cast aside, however. In remarks on Tuesday, Medvedev said that Russia could join the WTO "in one of two ways." One way, via a customs union "would be nice but quite difficult," the leader acknowledged.

Russia is by far the world's largest economy that remains outside the WTO, which counts 152 states plus the European Union as Members.

## EU, South Korea Conclude FTA Talks

Officials from South Korea and the European Union said on Monday that they had concluded free trade talks and that they expect to finalise the deal before the end of 2009. The pact - which analysts say could be worth up to US\$ 100 billion - would be Seoul's largest bilateral trade agreement to date and would mark Brussels' first such deal with a major Asian economy.

The two sides have been working toward a trade deal since 2007, but the negotiations hit a few stumbling blocks along the way. Particularly controversial topics included the discussions on auto imports and rules of origin. Officials predicted breakthroughs in the talks both in 2008 and earlier this year, but, until Monday, the conclusion of the talks remained elusive.

## Government Procurement

### Chinese Taipei becomes a Party to the WTO Government Procurement Agreement

The Separate Customs Territory of Taiwan, Phengku, Kinmen and Matsu ("Chinese Taipei") formally became, on 15 July 2009, a full Party to the WTO Agreement on Government Procurement, one month after notifying to the Director-General its acceptance of an accession package negotiated within the Committee on Government Procurement.

Chinese Taipei commenced negotiations to become a Party to this plurilateral Agreement in March 1995, even before it became a member of the WTO on 1 January 2002. On 9 December 2008, the Committee on Government Procurement adopted a decision inviting Chinese Taipei to accede to the Agreement after the completion

of the negotiations.

The aim of the Agreement is to open up to international competition as much of the government procurement of its Parties as possible. It is designed to make laws, regulations, procedures and practices regarding government procurement that is covered by the Agreement more transparent and to ensure that they do not discriminate against products, services or suppliers from other Parties to the Agreement.

With today's accession, the Agreement now covers forty-one WTO Members, namely: Canada; the European Communities, with its 27 member States; Hong Kong, China; Iceland;

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### APTA Rules of Origin

79-Cus(NT) In exercise of the powers  
09.07.2009 conferred by sub-section (1) of  
(DoR) section 5 of the Customs Tariff  
Act, 1975 (51 of 1975), the

Central Government hereby makes the following amendment in the Rules of Determination of Origin of Goods under the Asia-Pacific Trade Agreement (formerly known as the Bangkok Agreement) Rules, 2006, namely: -

In the said rules, -

(a) for rule 8, the following rule shall be substituted namely:-

tuted namely:-

“RULE 8. Certificate of origin. - Products eligible for preferential concession shall be supported by a Certificate of Origin in the form specified in Annexure A and issued by an authority designated by the Government of the exporting Participating State and notified to the other Participating States, in accordance with the provisions specified in Annexure B.”

(b) after Annexure A, the following Annexure shall be inserted, namely:-

“Annexure-B

#### Procedure Regarding Claim of Preferential Concessions and Certificate of Origin of Goods under the Asia-Pacific Trade Agreement

The following provisions shall be complied with for preferential concessions under the Asia-Pacific Trade Agreement (hereinafter referred to as “APTA”):

##### 1. Issuing Authorities

An authority or authorities designated by the Government of the exporting APTA Participating State (hereinafter referred to as “Issuing Authority”) shall issue the Certificates of Origin.

##### 2. Certificate of Origin

(1) The Certificates of Origin -

1. shall be on an ISO A4 size paper in conformity with the specimen text set out in Annexure A, which shall be printed in English.

2. shall bear a unique reference number separately given by each place of office of issuance.

3. shall be issued manually or electronically by the Issuing Authority of the exporting APTA Participating State at the time of exportation or within three working days from the date of shipment.

4. shall be valid for one year from the date of issuance.

5. shall be without erasures and superimposition and unused spaces shall be crossed out to prevent any subsequent addition.

6. shall have the relevant rules and applicable percentage of regional content in Box 8.

(2) In the event of theft, loss or destruction of a Certificate of Origin, a certified true copy of the original, issued by the Issuing Authority, bearing the words “Certified True Copy” in Box 3, and the date of issuance of the original Certificate of Origin, shall be accepted and the certified true copy of a Certificate of Origin shall be issued within the validity period of the original Certificate of Origin.

##### 3. Presentation of the Certificate of Origin

(i) An original Certificate of Origin shall be submitted for preferential treatment to the Customs authority at the time of lodging the import entry for the products concerned.

(ii) The Certificate of Origin shall be submitted to the Customs authority at the port or place of

importation within its validity period.

(iii) Where a Certificate of Origin is submitted to the relevant Customs authority at the port or place of importation after the expiration of its validity, such Certificate is still to be accepted when failure to observe the time limit results from *force majeure* or other valid causes beyond the control of the exporter.

(iv) In all cases, the relevant Customs authority may accept such Certificate of Origin provided that the products were imported before the expiration of the validity of the Certificate of Origin.

(v) Where the origin of a product is not in doubt, the discovery of minor discrepancies between the statements made in the Certificate of Origin and those made in the documents submitted to the Customs authority at the port or place of importation for the purpose of carrying out the formalities for importing the products shall not *ipso-facto* invalidate the Certificate of Origin, if it does in fact correspond to the said products.

##### 4. Supporting documents of direct transportation

Under sub-rule (b) of rule 6 of the said rules, where the goods are transported through the territory outside the APTA Participating States, the following documents shall be presented to the Customs authorities at the port of import, namely:-

1. the through Bill of Lading issued in the exporting APTA Participating State;

2. the Certificate of Origin issued by the Issuing Authority of the exporting APTA Participating State;

3. the original commercial invoice in respect of the goods; and

4. supporting documents which prove the compliance with sub-rule (b) of rule 6 of the said rules.

##### 5. Origin verification

(i) The Customs authority may request the Issuing Authority of the exporting APTA Participating State for a retroactive random check and/or when it has reasonable doubt as to the authenticity of the documents or as to the accuracy of the origin status of the goods in question.

(ii) The request shall be accompanied by the

Certificate of Origin concerned and shall specify the reasons and any additional information suggesting that the particulars given on the said Certificate of Origin may be inaccurate.

(iii) The Customs authority may suspend the preferential treatment while awaiting the result of the verification:

Provided that it may release the goods to the importer subject to any administrative measures deemed necessary:

Provided further that the goods are not held to be subject to import prohibition or restriction and there is no suspicion of fraud.

(iv) (a) The Issuing Authority receiving a request for verification shall respond to the request promptly and reply within three months after receipt of the request.

(b) The verification process, including the actual process and the determination of whether the subject goods are originating or not, should be completed and the result should be communicated to the Issuing Authority within six months.

(c) While the process of the verification is being undertaken, the provisions of sub-paragraph (iii) shall be applied.

(v) In the cases where the Customs authority in India does not receive any reply within four months after the making of the request, the Customs authority may deny the claim for preferential treatment and in case the reply does not supply enough information to confirm the authenticity of the documents or the origin of the goods, the concerned authorities shall resolve the issue through bilateral consultation within three months, failing which the preferential treatment may be denied.

##### 6. Change in destination

The following procedures shall be complied with when the destination of all or parts of the products exported to a specified port is changed, before or after their arrival in India, namely:-

(a) If the products have already been submitted to the Customs authority in India, the Certificate of Origin shall, following a written application by the importer, be endorsed to this effect for all or parts of products by the said authorities and the original returned to the importer.

(b) If the change of destination occurs during transportation to India as specified in the Certificate of Origin, the exporter shall apply in writing, accompanied by the issued Certificate of Origin, for the issuance of new Certificate of Origin for all or parts of products.

##### 7. Imports for exhibition

(i) Products imported for exhibition and sold during or after the exhibition shall benefit from the preferential tariff treatment provided in the APTA, on the condition that the products meet the requirements of the said rules and provided it is shown to the satisfaction of the relevant customs authorities in India that:-

(a) the exporter has dispatched those products from the territory of the exporting Participating State to India where the exhibition is held and has exhibited them there;

(b) the exporter has sold the goods or transferred them to a consignee in India; and

(c) the products have been sold during the exhibition or immediately thereafter in the state in which they were sent for the exhibition.

(ii) For the purposes of implementing the above provisions, the Certificate of Origin must be produced to the relevant customs authorities in India.

(iii) The sub-paragraph (i) shall apply to exhibitions, fairs or similar shows or displays where the products remain under Customs control during the events.

## 8. Operational procedures for the certification and verification of origin and other related administrative matters

The operational procedures for the certification and verification of origin and other related administrative matters agreed under APTA shall be applicable for implementing the said rules under APTA including the following matters, namely:-

1. Communication of names, addresses and

specimen official seals and signatures of the Issuing Authority.

2. Manner of application for issuance of Certificate of Origin and procedure to be followed by the Issuing Authority.

3. Requirement of keeping the records by the Issuing Authority.

4. Cooperation of the APTA Participating States in case of fraudulent acts and disputes concerning origin determination, classification, goods or other matters.”

[F. No. 467/63/2006-Cus.V]

## Anti-dumping Duty on Viscose Rayon Filament Yarn from China and Ukraine – Final Findings

### Number of Entries Increased to 45 in Mid Term Review from the 5 in the Final Findings Issued in 2006

Ntfn 81 Whereas in the matter of  
13.07.2009 import of viscose rayon  
(DoR) filament yarn upto 150 deniers including monofilament yarn of less than 67 decitex falling under Chapter heading 5403 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), (hereinafter referred to as the subject goods), originating in, or exported from, the People's Republic of China (hereinafter referred to as the subject country) and Ukraine, the designated Authority in its final findings *vide* notification No. 14/23/2004-DGAD, dated the 4<sup>th</sup> April 2006, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 4<sup>th</sup> April 2006, had come to the conclusion that –

(i) the subject goods had been exported to India from the People's Republic of China below its normal value;

(ii) the domestic industry had suffered material injury and is facing threat of material injury;

(iii) the injury had been caused by the dumped imports from the People's Republic of China; and

(iv) the anti-dumping investigations were terminated with regards to Ukraine, as imports from that country had been found to be negli-

gible;

and had recommended imposition of definitive anti-dumping duty, on all imports of the subject goods originating in or exported from the People's Republic of China.

And whereas on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on the subject goods *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 45/2006–Customs, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R.308 (E), dated the 24th May, 2006

And whereas the designated authority, in its final findings in mid-term review, *vide* notification No. 15/8/2007-DGAD, dated the 22nd May, 2009, published in the Gazette of India, Extraordinary, Part I, section 1, dated the 22nd May, 2009, had come to the conclusion that-

1. the subject goods were entering the Indian market at dumped prices and dumping margins of the subject goods imported from the People's Republic of China was substantial and above de-minimis; and the product continued to be exported to India at dumped prices.

“Table

S.No	Heading	Description of goods	Specification (denier)	Country of origin	Country of export	Producer	Exporter	Amount	Unit of measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	5403	Viscose rayon filament yarn upto 150 deniers (and +/- 4% permissible variation thereof)  including monofilament yarn of less than 67 decitex, also known as viscose filament yarn or VFY, rayon filament yarn, art silk yarn, cellulose yarn or rayon yarn, and includes all yarn made of 100% viscose yarns such as dyed yarn, flat yarn, microfilament micro yarn, twisted yarn (excluding embroidered yarn), doubled/ multiple ply yarn etc. of VFY, excluding embroidered yarn, sewing thread, fur yarn, fire retardant yarn, engineered yarn, and air texturised yarn	30	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	10.10	KG	US dollar

2	5403	-do-	40	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	9.68	KG	US dollar
3	5403	-do-	50	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	9.71	KG	US dollar
4	5403	-do-	60	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	8.08	KG	US dollar
5	5403	-do-	75	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	6.28	KG	US dollar
6	5403	-do-	100	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	4.72	KG	US dollar
7	5403	-do-	120	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	4.77	KG	US dollar
8	5403	-do-	150	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	4.74	KG	US dollar
9	5403	-do-	Any other	People's Republic of China	People's Republic of China	Yibin Hiest Fibre Limited Corporation.	Yibin Hiest Fibre Limited Corporation.	11.38	KG	US dollar
10	5403	-do-	30	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	10.10	KG	US dollar
11	5403	-do-	40	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	9.68	KG	US dollar
12	5403	-do-	50	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	9.71	KG	US dollar
13	5403	-do-	60	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	8.08	KG	US dollar
14	5403	-do-	75	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	6.28	KG	US dollar
15	5403	-do-	100	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	6.07	KG	US dollar
16	5403	-do-	120	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	5.20	KG	US dollar
17	5403	-do-	150	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	5.61	KG	US dollar
18	5403	-do-	Any other	People's Republic of China	People's Republic of China	Xinxiang Chemical Fibre Co. Ltd.	Xinxiang Chemical Fibre Co. Ltd.	11.38	KG	US dollar
19	5403	-do-	30	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S.No. 1 or 10		11.28	KG	US dollar
20	5403	-do-	40	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 2 or 11		10.88	KG	US dollar
21	5403	-do-	50	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 3 or 12		9.71	KG	US dollar
22	5403	-do-	60	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 4 or 13		9.55	KG	US dollar
23	5403	-do-	75	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 5 or 14		6.28	KG	US dollar
24	5403	-do-	100	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 6 or 15		6.07	KG	US dollar
25	5403	-do-	120	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 7 or 16		5.20	KG	US dollar
26	5403	-do-	150	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 8 or 17		5.61	KG	US dollar
27	5403	-do-	Any other	People's Republic of China	People's Republic of China	Any combination of producer and exporter other than at S. No. 9 or 18		11.38	KG	US dollar
28	5403	-do-	30	People's Republic of China	Any other than People's Republic of China	Any	Any	11.28	KG	US dollar
29	5403	-do-	40	People's Republic of China	Any other than People's Republic of China	Any	Any	10.88	KG	US dollar
30	5403	-do-	50	People's Republic of China	Any other than People's Republic of China	Any	Any	9.71	KG	US dollar
31	5403	-do-	60	People's Republic of China	Any other than People's Republic of China	Any	Any	9.55	KG	US dollar
32	5403	-do-	75	People's Republic of China	Any other than People's Republic of China	Any	Any	6.28	KG	US dollar
33	5403	-do-	100	People's Republic of China	Any other than People's Republic of China	Any	Any	6.07	KG	US dollar

34	5403	-do-	120	People's Republic of China	Any other than People's Republic of China	Any	Any	5.20	KG	US dolla
35	5403	-do-	150	People's Republic of China	Any other than People's Republic of China	Any	Any	5.61	KG	US dollar
36	5403	-do-	Any other	People's Republic of China	Any other than People's Republic of China	Any	Any	11.38	KG	US dollar
37	5403	-do-	30	Any	People's Republic of China	Any	Any	11.28	KG	US dollar
38	5403	-do-	40	Any	People's Republic of China	Any	Any	10.88	KG	US dollar
39	5403	-do-	50	Any	People's Republic of China	Any	Any	9.71	KG	US dollar
40	5403	-do-	60	Any	People's Republic of China	Any	Any	9.55	KG	US dollar
41	5403	-do-	75	Any	People's Republic of China	Any	Any	6.28	KG	US dollar
42	5403	-do-	100	Any	People's Republic of China	Any	Any	6.07	KG	US dollar
43	5403	-do-	120	Any	People's Republic of China	Any	Any	5.20	KG	US dollar
44	5403	-do-	150	Any	People's Republic of China	Any	Any	5.61	KG	US dollar
45	5403	-do-	Any other	Any	People's Republic of China	Any	Any	11.38	KG	US dollar

[F. No. 354/48/2006-TRU (pt)]

## Commerce Minister Sharma to be Chairman of Board of Trade

119-Ntfn(RE) In exercise of powers conferred under Section 5 of the Foreign Trade (Development & Regulation) Act, 1992 ( No 22 of 1992) and read with Para 1.3 of the Foreign Trade Policy, 2004-2009, the Central Government hereby makes the following amendment in Para 1C.3 of the Foreign Trade Policy 2004-2009 (updated as on 11.04.2008):

"Commerce & Industry Minister will be the

Chairman of the Board of Trade (BOT). Government shall also nominate upto 25 persons, of whom at least 10 will be experts in trade policy. In addition, Chairmen of recognized Export Promotion Councils and President or Secretary-General of National Chambers of Commerce will be ex-officio members. BOT will meet at least once every quarter."

3. This issues in Public interest.

## Safeguard Duty of 15% Applicable on Phthalic Anhydride for the Period of 1 July to 31 Dec 2009

Ntfn 75 Whereas, in the matter of import of Phthalic anhydride (hereinafter referred as the subject goods), falling under

tariff item 2917 35 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the said Act), the Director General (Safeguard), in preliminary findings *vide* number G.S.R.3 (E), dated the 1<sup>st</sup> January, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 1<sup>st</sup> January, 2009, had come to the conclusion that increased imports of Phthalic anhydride into India had caused and threatened to cause further serious injury to the domestic producers of Phthalic anhydride and it had necessitated for imposition of provisional safeguard duty on imports of Phthalic anhydride into India;

And whereas, on the basis of the aforesaid findings of the Director General (Safeguard), the Central Government had imposed provisional safeguard duty on imports of the subject goods *vide* notification of the Government of India in the Ministry of Finance (Department of Rev-

enue), No. 9/2009-Customs, dated the 29th January, 2009, published in the Gazette of India *vide* number G.S.R.55(E), dated the 29th January, 2009;

And whereas, the Director General (Safeguard) in its final findings *vide* number G.S.R. 366(E), dated the 28th May, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 28th May, 2009 has come to the conclusion that increased imports of Phthalic anhydride into India has caused and threatened to cause further serious injury to the domestic producers of Phthalic anhydride and it necessitates to impose provisional safeguard duty on imports of Phthalic anhydride into India, and has recommended the imposition of safeguard duty on imports of the subject goods into India;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 8B of the said Act, read with rules 12 and 14 of the Customs Tariff (Identification and Assessment of Safeguard Duty) Rules, 1997, the Central Government after considering the said findings of

## Provisional Safeguard Duty Notification Rescinded

Ntfn 76 In exercise of the powers conferred by sub-section (2) of section 8B of the said Act of the Customs Tariff Act,

1975 (51 of 1975), read with rules 10 and 14 of the Customs Tariff (Identification and Assessment of Safeguard Duty) Rules, 1997, the Central Government hereby rescinds the Government of India in the Ministry of Finance (Department of Revenue) notification No. 9/2009- Customs, dated the 29th January, 2009, published in the Gazette of India *vide* number G.S.R.55(E), dated the 29th January, 2009, except as respects things done or omitted to be done before such rescission.

the Director General (Safeguards), hereby imposes on Phthalic anhydride, falling under tariff item 2917 35 00 of the First Schedule to the said Act, when imported into India, a safeguard duty at the rate of -

(a) 25% *ad valorem*, when imported from the 29th day of January, 2009 to 30th day of June, 2009 (both days inclusive); and

(b) 15% *ad valorem*, when imported from the 1st day of July, 2009 to 31st day of December, 2009 (both days inclusive).

2. Nothing contained in this notification shall apply to imports of Phthalic anhydride from countries notified as developing countries under clause (a) of sub-section (6) of section 8B of the said Act, other than Pakistan, Indonesia and Thailand.

[F. No.354/10/2009-TRU]

## Tariff Value on Brass Scrap Up by \$64 MT

### Poppy Seeds Tariff Value Cut by \$1172 MT

91-Cus(NT) In exercise of the powers conferred by sub-section (2) of section 14 of the Customs Act, 1962 (52 of 1962), the Board, being satisfied that it is necessary and expedient so to do, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Cus (N. T.), dated, the 3<sup>rd</sup> August 2001, namely: -

In the said notification, for the Table, the following Table shall be substituted namely:-

Table			
SNo.	Chapter/ heading/ sub-heading/ tariff item	Description of goods	Tariff value US \$ (Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	447 (i.e. no change)
2	1511 90 10	RBD Palm Oil	476 (i.e. no change)
3	1511 90 90	Others – Palm Oil	462 (i.e. no change)
4	1511 10 00	Crude Palmolein	481 (i.e. no change)
5	1511 90 20	RBD Palmolein	484 (i.e. no change)
6	1511 90 90	Others – Palmolein	483 (i.e. no change)
7	1507 10 00	Crude Soyabean Oil	580 (i.e. no change)
8	7404 00 22	Brass Scrap (all grades)	2918
9	1207 91 00	Poppy seeds	3990"

[F. No. 467/14/2009-Cus.V]

## Refrigerant Gases

*Subject: Disposal of seized/confiscated cylinders filled with refrigerant gases*

20-CBEC Attention is invited to the Board's letter vide F. No. 19.06.2009 711/79/2000-Cus(AS), dated 26<sup>th</sup> December, 2001, on (DoR) the above subject. It has been brought to the notice of the Board that the field formations are facing certain difficulties with regard to disposal of seized/confiscated cylinders filled with refrigerant gases. Accordingly, the matter was taken up with Chief Controller of Explosives, Petroleum & Safety Organization, Nagpur.

2. As per Rule 3 of the Gas Cylinder Rules, 2004 (in supersession of the Gas Cylinders Rules, 1981), framed under the Explosives Act, 1884, no person shall fill any cylinder with any compressed gas or import, possess or transport any cylinder so filled or intended to be filled with such gas unless – (a) such cylinder and its valve have been constructed to a type and standard specified in Schedule 1 as amended from time-to-time by an order issued by the Chief Controller, (b) the test and inspection certificates issued by the inspecting authority in respect of cylinder and its valve are made available to the Chief Controller and prior approval of the said

## Customs Valuation Exchange Rates

July 2009	Imports	Exports	
<b>Schedule I</b>			
1 Australian Dollar	39.40	38.20	
2 Canadian Dollar	42.60	41.50	
3 Danish Kroner	9.25	8.95	
4 EURO	68.55	66.90	
5 Hong Kong Dollar	6.30	6.20	
6 Norwegian Kroner	7.60	7.35	
7 Pound Sterling	80.80	78.80	
8 Swedish Kroner	6.25	5.35	
9 Swiss Franc	44.95	43.70	
10 Singapore Dollar	33.70	32.85	
11 U.S. Dollar	48.95	48.05	
<b>Schedule II</b>			
1 Japanese Yen	51.20	49.80	

Rate of exchange of one unit of foreign currency equipment to Indian Rupees

Rate of exchange of 100 units of foreign currency equivalent to Indian rupees

(Source: Customs Notification 68(NT)/26.06.2009)

## Commodity Spot Prices in India – 18-21 July 2009

*These commodity prices are taken from Multi Commodity Exchange of India (Mumbai) at 6 pm every day. The weekly prices of commodities from different cities of India will be given in the order of Harmonized System classification.*

*Commodity Spot Prices covers price movements of 55 commodities (agricultural products and metals) provided on Multi Commodity Exchange of India on a daily basis. This Commodity Spot Prices Table focuses on price movements from 18-21 July.*

(Rs.)					
Commodity	Unit	Market	18-Jul	20-Jul	21-Jul
CER (Carbon Trading)	1 MT	Mumbai	882	882	883
Chana	100 KGS	Delhi	2385	2420	2432
Masur	100 KGS	Indore	4819	4753	4750
Potato	100 KGS	Agra	995.2	993.8	994.4
Potato TKR	100 KGS	Tarkeshwar	1045.3	1045	1045.1
Areca nut	100 KGS	Mangalore	8002	7994	8059
Cashewkern	1 KGS	Quilon	305	306	306
Cardamom	1 KGS	Vandanmedu	802.75	804.5	806
Coffee ROB	100 KGS	Kushalnagar	70.9	73.4	72.3
Jeera	100 KGS	Unjha	11425	11419	11425
Pepper	100 KGS	Kochi	12538	12575	12621
Red Chili	100 KGS	Guntur	5488	5513	5597
Turmeric	100 KGS	Nzmbad	5786	5857	5992
Guar Gum	100 KGS	Jodhpur	4055	4167	4283
Maize	100 KGS	Nzmbad	925	927	927.5
Mentha Oil	1 KGS	Chandausi	515.1	510.2	505.9
Cotton Seed	100 KGS	Akola	1458	1452	1440
Castorsd RJK	100 KGS	Rajkot	2483.5	2469	2471.5
Guar Seed	100 KGS	Jodhpur	1862	1919	1963.5
Soya Bean	100 KGS	Indore	NA	NA	NA
Mustrdsd JPR	20 KGS	Jaipur	533.2	535	530.9
Sesame Seed	100 KGS	Rajkot	6475	6463	6463
Coconut Oil Cake	100 KGS	Kochi	1014	1014	1014
RCBR Oil Cake	1 MT	Raipur	5867	6000	6283
Kapaskhali	50 KGS	Akola	621.9	620	616.5
Coconut Oil	100 KGS	Kochi	4888	4992	4992
Refsoy Oil	10 KGS	Indore	458.1	456.85	455.35
CPO	10 KGS	Kandla	319.2	319.6	316.4
Mustard Oil	10 KGS	Jaipur	503.8	499.2	499.2
Gnutoilexp	10 KGS	Rajkot	632	642.5	645
Castor Oil	10 KGS	Kandla	503.8	507.7	508
Crude Oil	1 BBL	Mumbai	3144	3144	3162
Furnace Oil	1000 KGS	Mumbai	25963	26089	25875
Sourcrd Oil	1 BBL	Mumbai	3121.5	3071	3120
Brent Crude	1 BBL	Mumbai	3138	3138	3182
Gur	40 KGS	Muzngnr	1025.5	1030	1035
Sugars	100 KGS	Kolhapur	2365	2376	2381
Sugarm	100 KGS	Delhi	2572	2576	2600
Natural Gas	1 mmBtu	Hazirabad	178.6	178.6	178.7
Rubber	100 KGS	Kochi	9941	9920	9934
Cotton Long	1 Candy	Kadi	24030	24070	24120
Cotton Med	1 Maund	Abohar	2503	2513	2522
Jute	100 KGS	Kolkata	2768	2759	2747
Gold	10 GRMS	Ahmd	14750	14870	14857
Gold Guinea	8 GRMS	Ahmd	11800	11896	11886
Silver	1 KGS	Ahmd	21852	22155	22200
Sponge Iron	1 MT	Raipur	13095	13130	13370
Steel Flat	1000 KGS	Mumbai	30260	30160	29990
Steel Long	1 MT	Bhavnagar	21525	21555	21710
Copper	1 KGS	Mumbai	260.1	260.1	263.6
Nickel	1 KGS	Mumbai	773.1	792.4	761.6
Aluminium	1 KGS	Mumbai	81.4	81.5	81.7
Lead	1 KGS	Mumbai	78.05	82.25	80.8
Zinc	1 KGS	Mumbai	73.95	79.55	78.1
Tin	1 KGS	Mumbai	641.25	666	683

(Source: MCX Spot Prices)

authority is obtained. Further, as per Rule 29 of the said Rules, no person shall import any cylinder filled or intended to be filled with any compressed gas except under and in accordance with the conditions of a licence granted under these rules and the relevant provisions of Foreign Trade (Development & Regulations) Act, 1992. Also, as per Rule 43 of the said Rules, no person shall fill any cylinder with compressed gas and no cylinder filled with compressed gas shall be possessed by anyone except under and in accordance with the conditions of a licence granted under these rules.

3. In accordance with the provisions laid down under the Gas Cylinder Rules, 1981, Department of Explosives had earlier issued Circular No. G.3(17)/15/98/I, dated 24.08.2001 and listed four firms to which such cylinders could be disposed of. Accordingly these four firms were listed, vide Board's instruction F. No. 711/79/2000-Cus (AS), dated 26<sup>th</sup> December, 2001. The Chief Controller of Explosives, Nagpur, vide letter No. G-3(17)/15/98/I, dated 11.05.2009 has now forwarded a list of four additional firms. The firms have been advised by the Chief Controller of Explosives to extend necessary cooperation and guidance for disposal of refrigerant cylinders to the Customs authorities in the interest of public safety whenever any reference in this regard is received by them. The following is the complete list of firms along with addresses:

(1) M/s. SRF Ltd., A-16, Aruna Asaf Ali Marg, Qutab Institutional Area, New Delhi-67.

(2) M/s. Chemplast Sanmar Limited, 8, Cathedral Road, Chennai-600086.

(3) M/s. Gujarat Fluorochemicals Limited, A-

6, Connaught Place, New Delhi.

(4) M/s. Navin Fluorine Industries Ltd., 7<sup>th</sup> Floor, Mafatal Centre, Nariman Point, Mumbai-86.

(5) M/s. BOC India Ltd., T-25, MIDC Industrial Area Talaja-410208, Navi Mumbai.

(6) M/s. Praxair India Pvt. Ltd., 8, Ulsoor Road Praxair House, Bangalore-560042.

(7) M/s. Stallion Enterprises, No. 4, Orbit Industrial Estate, Chincholi Bunder Road Extn., Off Maland Link Road, Malad (W) Mumbai-400064.

(8) M/s. Refex Refrigerants Limited, 20, Mooker Nallamuthu Street, Chennai-600001.

4. Accordingly, it is hereby directed that seized or confiscated cylinders filled with refrigerant gases viz., CFC-11, CFC-12, HCFC-22 and other ozone depleting substances as given in Schedule 1 of the Ozone Depleting Substances (Control & Regulations) Rules, 2000, may be disposed of to one of the above mentioned eight approved refrigerant filling plants, provided they are specifically permitted in writing to decant such gases in approved cylinders by the Chief Controller of Explosives. The intimation to this effect may be given to the Director (Ozone), Ministry of Environment & Forest, who will ensure that the corresponding quantity is accordingly debited from the prescribed quota of the concerned manufacturer.

5. Any difficulty in the implementation of the aforesaid measures may be brought to the notice of the Board. All the previous circulars/references issued on the subject may be deemed to have been superseded.

## Lamy Presents Protectionism Report, Warns against 'Excessive Optimism'

WTO Director-General Pascal Lamy officially presented a report on Members' new trade-restricting measures at a meeting of the Trade Policy Review Body on Monday.

Lamy said that the report, which is the third in a series of such updates, "presents a mixed picture" of new trade policy developments. On one hand, there has been 'further slippage' toward protectionism since the last such review was released in March, Lamy said. But there has also been "some signs of improvement" as governments begin dismantling trade restrictions that were enacted in response to the onset of the economic crisis last year.

Lamy opened the meeting on Monday with words of warning on the state of the global economy.

The director-general has long maintained that "protectionism is not the answer," and that the free flow of international commerce will be one of the keys to global economic recovery.

Responding to Lamy's opening comments, most Members said they were satisfied with the report, and were happy to be working with the secretariat in providing the information necessary for its production. Bolivia, however, raised a dissenting opinion; the country reiterated its previous claim that the global trade body lacks an appropriate mandate to produce such reports. Other Members said that the report had mis-categorised some of their trade policies.

Several delegations responded directly to the report's prediction that anti-dumping activity - one of the ways that the WTO allows its Members to take remedial action against imports that are hurting their home economies - will become more frequent as the global economy continues to struggle.

The Friends of the Anti-dumping Negotiations group said that such an increase was to be expected and urged members to abide by WTO disciplines.

The US, however, cautioned against the report's 'dire predictions' of Members' use of trade remedies, and pointed out that anti-dumping levels will most likely remain below historic peaks, even with significant increases.

At the close of the meeting, Lamy told delegates that he intends to present a similar analysis of recent protectionist trends to G20 heads of state at their summit in Pittsburgh in September.

The secretariat is expected to produce an additional report in October that will provide an overview of all of the trade-restricting measures that have been put in place since the onset of the global economic crisis last year. That report will inform the work and discussions of the trade ministers who will meet from November 30 to December 2 in Geneva at the organisation's seventh full ministerial conference.

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