

Instruction No. 25/2021-Customs

F.No. 401/88/2021-Cus-III

Government of India
Ministry of Finance
Department of Revenue
(Central Board of Indirect Taxes & Customs)

North Block, New Delhi
Dated 24th November, 2021

To

All Principal Chief Commissioner/ Chief Commissioner of Customs/ Customs (Preventive).
All Principal Chief Commissioner/ Chief Commissioner of Central Excise & Customs.
All Principal Chief Commissioner of Customs/ Customs (Preventive).
All Principal Commissioner/ Commissioner of Central Tax & Customs.

Subject: - Import of teas from the neighbouring country (Nepal) as "Darjeeling Tea" - reg

Madam/Sir,

Reference is invited to F.No. T-36013/1/2019-Plant (A) dated 3rd November, 2021, issued by the Department of Commerce (DoC), Ministry of Commerce & Industry, New Delhi, on the above-mentioned subject (copy enclosed).

2. It has been stated in the above-mentioned communication, that Darjeeling Tea is recognised for its unique flavour and qualities and has acquired tremendous domestic and international reputation. The DoC is in receipt of various communications raising concerns regarding import of tea from Nepal and the domestic sale of such imported teas as "Darjeeling Tea", thereby adversely impacting the interests of the domestic Darjeeling Tea Planters.

3. **It is clarified that as per the Food Safety Standards (FSS) (Import) Regulations, 2017, clearance is required for import of food items into India. Further, the present trade treaty between India and Nepal allows mandatory sanitary and phytosanitary certificates, before products are allowed into each other's country. As per the provisions of the Tea (Distribution & Export) Control Order, 2005, any importer importing tea from Nepal needs to have a license, as mandated under this order, and should also have a clearance certificate issued by the Tea Council.**

4. It is requested that necessary action may accordingly be taken to ensure strict and mandatory compliance of the above mentioned FSS(Import) regulations and to also insist on a valid certificate issued by the Tea Board under the Tea (Distribution & Export) Control Order, 2005, besides the clearance certificate issued by the Tea Council of India, prior to allowing import of tea from Nepal.

5. The difficulties, if any, in the implementation of this Instruction may be please brought to the notice of the Board.

6. Hindi version follows.

Encl: as above

Yours faithfully,

 24/11/2024

(Kevin Boban)

Under Secretary to the Government of India

Copy for information and necessary action to:

The Additional Director General,
NCTC, Mumbai.

F.No.T-36013/1/2019-Plant(A)
Government of India
Ministry of Commerce & Industry
Department of Commerce

Udyog Bhawan, New Delhi

Dated: 03.11.2021

OFFICE MEMORANDUM

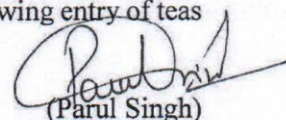
Subject: Import of teas from the neighbouring country (Nepal) as "Darjeeling Tea" – reg.

I am to refer to the subject noted above and to endorsement of this department's letter of even No. dated 16.09.2020. In this regard it is stated that Darjeeling Tea is recognized for its unique flavour and qualities and has acquired tremendous domestic and international reputation. Various communications have been received in Department of Commerce raising concerns regarding import of teas from the neighbouring country and sale of such imported teas as "Darjeeling Tea" thereby adversely impacting the Darjeeling Tea Planters.

2. During the last three years (2017-18 to 2019-20), 60.35 M.kgs of teas have been imported into India out of which only 23.43 M.kgs have been re-exported which underlines the fact that the rest 36.92 M.kgs of imported teas have been sold in India. Such imported tea, majority of which is coming from Nepal, is sold in India as if produced in India.

3. Under Chapter-III of the FSS (Import) Regulations, 2017, clearance is required for import of food items into India. The basic purpose of the statutory clearance is to prevent sub-standard food items entering into India. Further, the present trade treaty between India and Nepal allows mandatory sanitary and phytosanitary certificates before products are allowed into each other's country. In addition, as per the provisions of the Tea (Distribution & Export) Control Order, 2005, any importer importing teas from Nepal needs to have a license as mandated under this order and should have a clearance certificate issued by the Tea Council.

4. In view of the above, it is requested to issue necessary directives to the concerned officials to ensure strict and mandatory compliance of the FSSAI regulations and to insist on valid certificate issued by the Tea Board under the Tea (Distribution & Export) Control Order, 2005 and clearance certificate issued by the Tea Council of India prior to allowing entry of teas from Nepal.



(Parul Singh)

Deputy Secretary(Plantations)

To

Shri Gaurav Masaldan
JS (Customs)
Central Board of Indirect Taxes and Customs
Department of Revenue
North Block New Delhi
Email: jscus@nic.in

Copy to:

The Deputy Chairman, Tea Board, Kolkata