

**Scheme on Issuance
of
Certificate of Origin (*Non Preferential*)
for “Tea”**



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Scheme on Issuance of Certificate of Origin (CoO) (Non Preferential) for Export of tea.

1. INTRODUCTION

Tea Board, India has authorised Export Inspection Agencies (EIAs), set up by the Ministry of Commerce & Industry, Government of India under Section (7) of the Export (Quality Control and Inspection) Act, 1963 and located at Chennai, Delhi, Kolkata, Kochi, Mumbai along with their 41 sub offices, spread country wide, to act as Inspection Agencies as per Tea (Distribution & Export) Control Order, 2005 dated 1 April, 2005, SO: 486(E), for issuance of *Non-Preferential Certificate of Origin* for export-worthy consignments of tea.

In order to facilitate the smooth issuance of *Non-Preferential Certificate of Origin (NP – CoO)* for export of tea from India in the present scenario of the international trade, it has decided to formulate a scheme including instructions to be followed while issuing such non preferential certificates of origin by the EIAs.

2. SCOPE

The scheme covers all varieties of tea. Tea means any product manufactured from the leaves of *Camellia sinensis (L) O Kuntze* including green tea, instant tea and value added products, commercially known as tea, namely packed tea, tea bags, flavoured tea, quick brewing black tea and ready to drink tea (RTD) conforming to the specifications of black tea, green tea, kangara tea and instant tea provided in Tea (Distribution & Export) Control Order, 2005.

3. PROCEDURE OF ISSUANCE (NP-CoO)

Interested parties/processors/exporters who are desirous of getting the *Non-Preferential Certificate of Origin* issued by EIA's or its sub offices are requested to approach the nearest EIA or its sub office as per contact details given on the official website (<http://www.eicindia.org>) of Export Inspection Council of India

An exporter desiring to obtain a non-preferential certificate of origin in respect of each consignment of tea, shall make an application in duplicate as per **Annexure I** to concerned Export Inspection Agency (EIAs) or any of its sub office along with following documents in support of the consignment:

- a) Two copies of invoice.
- b) Details of quantum/origin of inputs/consumable used in the export product.
- c) Certification fee of Rs. 100/- (through Demand Draft in favour of concerned EIA)
- d) Filled in *Non-Preferential CoO* as per profoma given at **Annexure II** leaving blank box no. 4,8 &11 for official use.

On receipt, the application completed in all respect shall be forwarded to In-charge CoO section to examine the documents submitted with application to ensure eligibility of consignment for issuance of *Non-Preferential CoO* .

3.1 ELIGIBILITY CRITERIA TO OBTAIN CoO

(I) Every exporter, desiring to obtain a Non-Preferential Certificate of Origin shall, prior to export, ensure conformity with the following rules of origin of teas meant for export and shall submit a declaration alongwith documents as specified in the notes attached to the Certificate of Origin in **Annexure II**.

Any exporter of tea from India shall be eligible for obtaining a Certificate of Origin from concerned EIA, if such tea conforms to origin requirement under any of the following conditions:

- i) tea wholly produced or obtained in India as defined in sub-paragraph (II) below;
- or
- ii) tea not wholly produced or obtained in India provided that the said tea is eligible under sub-paragraph (III) of this paragraph.

(II) Wholly produced or obtained:- Within the meaning of clause(i) of sub-paragraph (I) of this paragraph, tea shall be considered as wholly produced or obtained in India if the said tea is manufactured from the leaves of *Camellia Sinensis (L) O Kuntze* grown only in India.

(III)Not wholly produced or obtained:- Within the meaning of clause(ii) of sub-paragraph (I) of this paragraph, tea shall be considered as not wholly produced or obtained in India if any portion of the said tea has been manufactured from the leaves of *Camellia Sinensis (L) O Kuntze* grown outside the geographical limits of India, but the final process of manufacture or production, including mixing (blending), has been performed within India.

3.2 ENTRIES TO BE MADE IN BOX 8 OF THE CERTIFICATE OF ORIGIN

Entries in box. no. 8 of *Non-Preferential CoO* would be filled by the certification officer of EIA conforming to criteria mentioned below:

- (a) For tea *wholly produced* or obtained as per para 3.1, (II) above, words **“India Tea”** in box no. 8 would be entered.
- (b) For tea *not wholly produced* or obtained as per para 3.1, (III) above, **“India Tea (not less than 90%by weight of tea)”** would be entered, in case Indian tea content in the export is not less the 90% by weight and if this condition is not fulfilled, then the words **“Blended Tea of different origin and packed in India”** would be entered in box no.8 along with the detail of consignment of tea in a separate sheet as per format below:

- 1) Name of the Exporter with Registered/Head Office address.
- 2) Name of the Importer with Registered/Head office address.
- 3) IEC Code no.
- 4) Gross weight of tea (in Kgs) in the consignment.
- 5) Net weight of tea (in Kgs) in the consignment.
- 6) Details of inputs used in Export product.

Courtiers of Origin	Details of quantity of tea of different origin and origin of other inputs /consumables used in the export product.	Description of export product i.e. whether bulk or packet or tea bags or instant tea or flavored tea.	Packing details

After being satisfied that the application is in conformity with the rules of origin as per paragraph 3.1, above and contractual obligation which the exporter has with an importer of such tea, authorized certifying officer of concerned EIA may issue a Certificate of Origin of tea to the exporter in respect of the consignment in **Annexure II**. Certifying officer would sign and stamp in box. no. 11 of the certificate.

Whenever the EIAs issue a CoO to any exporter who is holder of a business license under Tea (Distribution & Export) Control Order, 2005, a duplicate copy of the certificate along with all other supporting documents shall be furnished to the nearest office of the Tea Board, India within 24 hour from the time of issue of such certificate of origin.

The certification by EIAs towards non- preferential certificate of origin would be done on the basis of inspection of the documents furnished by the exporter. **There is no provision for testing of tea by the EIAs to issue *Non-Preferential Certificate of Origin***. The testing of tea is required to ensure the conformity of tea exported with the specification laid down in the said order. The testing of tea can be under taken by EIAs if it is asked for by any oversease buyer or exporter or Tea Board,India on the expense of exporter/processor. **EIAs are required to issue *Non-Preferential Certificate of Origin without testing tea***.

4. REFUSAL OF ISSUANCE OF CERTIFICATE OF ORIGIN

EIA, for reasons to be recorded in writing can refuse to grant a NP-CoO to any exporter and in such a case, it shall also furnish him with the copy of the order so passed. However that before passing an order of refusal, an opportunity of being heard shall be granted to the applicant.

The applicant/exporter/processor may at his discretion further resubmit application rectifying the shortcomings, if possible, for issuance of CoO, along with the required fee.

5. PERIOD OF VALIDITY OF CERTIFICATE OF ORIGIN

Certificate of Origin shall be valid *till the expiry of validity* of exporter's business license or *sixty days* which ever earlier.

6. SUSPENSION OR CANCELLATION OF CoO

EIAs, may after giving the holder of a NP-CoO an opportunity of being heard, cancel the certificate on any of the following grounds, namely:

- a) that the certificate has been obtained by misrepresentation as to material particular;
- b) that the holder of the certificate has not observed or performed his contractual obligations to a foreign buyer relating to any contract for export or distribution of tea, the label or container whereof bears any statement or marks which makes false claim for such tea or which is false or misleading and deceptive in any material particular; and
- c) that any of the provisions of the Act or this Order or any other Order under the Act has been contravened.

Every order suspending or cancelling a CoO shall be in writing and shall specify the reasons for the suspension or cancellation and shall be communicated to the holder of the certificate within *fifteen days* of passing of such order.

Where a certificate is suspended or cancelled under Tea (Distribution & Export) Control Order, 2005, the holder of the certificate shall not be entitled to claim from the EIA or Tea Board, India any compensation or refund of any fee damaged so occurring for such suspension or cancellation.

7. APPEAL

Any applicant/exporter aggrieved by the decision of the Export Inspection Agency, in any respect may, within *10 days* of the receipt of the communication of refusal of issuance of Non Preferential CoO, prefer an appeal which will be referred by the Agency to the Director (I&QC). The appeal will be disposed of within *30 days* from its receipt. The decision of the Director (I&QC), EIC in such an appeal will be final.

ANNEXURE – I

Letter No.

Date:

To

The Joint Director,
Export Inspection Agency-
Chennai/Delhi/Kolkata/Kochi/Mumbai

Sir,

I/We* apply for grant of Non Preferential Certificate of Origin in respect of Export of tea from India as per the following particulars:

- 1) Name of the Exporter with
Exporter's business license No: and date of issue.
- 2) Name of the Consignee.
- 3) Name of the Country of destination.
- 4) Name of the Port of destination.
- 5) Probable date of shipment from the Port in India.
- 6) Name of the Port in India from which
shipment is to take place.
- 7) Shipping Bill No. & Date (if available)

The following document are also enclosed

- 1) Two copies of invoice
- 2) Details of quantum/ origin of inputs /
consumables used in the export product
- 3) Format for Certificate of Origin duly filled in
- 4) Admissible fee of Rs.....

I/We* hereby declare the I/We* have carefully read and understood the provision of Tea Act 1953, Tea (Distribution & Export) Control Order 2005, Tea (Waste) Control Order 1959 and the Tea (Marketing) Control Order 2003. I/We*also declare that the aforesaid information given be me/us are true to the best of my/our knowledge, belief and information.

Date: -----

Yours faithfully,

Place: -----

Signature(s) of the applicant.

ANNEXURE – II

Format of the Certificate of Origin (Non Preferential)

1. Goods consigned from (Exporter's business name, address, country)			Reference No.:		
2. Goods consigned to (Consignee's name, address, country)			CERTIFICATE OF ORIGIN (NON PREFERENTIAL) (Combined declaration and certificate) Issued in India		
3. Means of transport and route (as far as known)					
4 For official use					
5. Item No.	6. Marks and number of packages	7. Number and kind of packages, description of goods	8. Origin criteria (see notes)	9. Gross weight or other quantity	10. Number and date of invoices.
11. Certification It is hereby certified, on the basis of inspection carried out, that the declaration by the exporter is correct.			12. Declaration by the exporter The undersigned hereby declares that the above details and statements are correct; that all the goods were produced in India and that they comply with the origin criteria as given below for exporters to (name of importing country)		
Place and date, signature and stamp of authorised signatory.			Place and date, signature and stamp of authorised signatory.		

NOTES

I) Eligibility criteria to obtain Certificate of Origin

1) Any tea exporter of from India shall be eligible for obtaining a Certificate of Origin, if such tea conforms to the origin requirement under any one of the following conditions:

- a) Tea wholly produced or obtained in India as defined in Para (2) below;
- or
- b) Tea not wholly produced or obtained in India provided that the said tea is eligible under Para (3) below.

2) Wholly produced or obtained:- Within the meaning para (1) (a) above, tea shall be considered as wholly produced or obtained in India if the said tea is manufactured from the leaves of *Camellia Sinensis (L) O Kuntze* grown only in India.

3) Not wholly produced or obtained:- Within the meaning of para 1(b) above, tea shall be considered as not wholly produced or obtained in India if any portion of the said tea has been manufactured from the leaves of *Camellia Sinensis (L) O Kuntze* grown outside the geographical limits of India, but the final process of manufacture or production, including mixing (blending), has been performed within India.

II) Entries to be made in box 8 of the Certificate of Origin.

- (a) For tea *wholly produced* or obtained as per para (2) above, enter the words **“India Tea”** in box no. 8.
- (c) For tea *not wholly produced* or obtained as per para (3) above, enter the words **“India Tea (not less than 90% by weight of tea)”** in case Indian tea content in the export is not less than 90% by weight and if this condition is not fulfilled, then enter the words **“Blended Tea of different origin and packed in India”** in box no.8 along with the details of consignment of tea in a separate sheet as per format below:

- 1) Name of the Exporter with Registered/Head Office address.
- 2) Name of the Importer with Registered/Head office address.
- 3) IEC Code no.
- 4) Gross weight of tea (in Kgs) in the consignment.
- 5) Net weight of tea (in Kgs) in the consignment.
- 6) Details of inputs used in Export product.

Courtiers of Origin	Details of quantity of tea of different origin and origin of other inputs /consumables used in the export product.	Description of export product i.e. whether bulk or packet or tea bags or instant tea or flavored tea.	Packing details