

MEDICINAL PLANTS IN NEGATIVE LIST

TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY

PART II SECTION 3, SUB-SECTION (ii)

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE

NOTIFICATION NO. 2(RE-98)/1997-2002

NEW DELHI, DATED THE 13TH APRIL, 1998

S.O. (E): Attention is invited to Schedule 2 Appendix 1 of the book titled "ITC (HS) Classifications of Export and Import Items 1997-2002" specifying the terms and conditions for export of items indicated therein. Attention is also invited to Schedule 2 Appendix 2 of the book titled "ITC (HS) Classifications of Export and Import Items 1997-2002" relating to export of plants, plant portions and their derivatives and extracts obtained from the wild.

2. In exercise of the powers conferred under Section 5 of the Foreign Trade Development & Regulation Act, 1992 (No. 22 of 1992) read with Paragraph 4.1 of the Export and Import Policy 1997-2002, the Central Government hereby makes the following amendment in Schedule 2 Appendix 1 and Schedule 2 Appendix 2 of the book titled "ITC (HS) Classifications of Export and Import Items 1997-2002":-
3. The entries appearing at following Serial Numbers of Schedule 2 Appendix 1 of the book titled "ITC(HS) Classifications of Export and Import Items 1997-2002" shall be amended as under:-
 - a. The entry appearing at Sl. No. 3 relating to Black Pepper (Asta)
 - b. Quality MG-1) shall be deleted;
 - c. The word "DGFT" appearing in condition No. (i) against the entry at Sl. No. 6 relating to Cotton Yarn shall be amended to read as "Government";
 - d. The condition No. (ii) against the entry at Sl. No. 12 (i) & (ii) relating to wheat and wheat products and grain and flour of Barley, Maize, Bajra, Ragi and Jower (excluding Hybrid Jower grown as Kharif crop) shall be deleted;
 - e. The condition against the entry at Sl. No. 21 relating to Samples shall be amended to read as:

"Samples of goods including those in Parts II & III of the Negative List of Exports and this Appendix, except items at Sl. No. 1,2,17&19 of this Appendix and items at Sl. No. 2,5,24, 28,30&31 of Part II of the Negative List of Exports, may be exported without a licence if the value of the samples so exported, taken together does not exceed US\$ 2000 (two thousand) in any

licensing year. However export of physician samples not for sale/free samples of medicines or pharmaceutical formulations by a firm, whether accompanying the commercial quantity or being exported separately, shall be permitted upto 1% of their export of medicines/pharmaceutical formulations in the preceding licensing year. DGFT shall be the licensing authority in this behalf".

- f. The condition No. (i) against the entry at Sl. No. 30 relating to export of Tea to Russia under the Rupee Debt Repayment Mechanism shall be deleted; and
- g. The entry at Sl. No. 33 relating to Sandalwood Oil shall be amended to read as under:

"Sandalwood Oil Quantitative ceilings may be notified by the Director
General of Foreign Trade from time to time".

- 4. The Schedule 2 Appendix 2 of the book titled "ITC(HS) Classifications of Export and Items 1997-2002" relating to export of plants, plant portions and their derivatives and extracts obtained from the wild shall be amended as under:-

"The export of Plants, Plant portions and their derivatives and extracts obtained from the wild as under is prohibited:-

- 1. *Beddomes cycad (Cycas beddomei)*.
- 2. *Blue vanda (Vanda coerulea)*.
- 3. *Saussurea costus*.
- 4. *Ladies slipper orchid (Paphiopedilium species)*.
- 5. *Pitcher plant (Nepenthes khasiana)*.
- 6. *Red vanda (Renanthera imschootiana)*.
- 7. *Rauvolifia serpentina (Sarpagandha)*.
- 8. *Ceropegia species*.
- 9. *Frerea indica (Shindal Mankundi)*.
- 10. *Podophyllum hexandurm (emodi)(Indian Podophyllum)*.
- 11. *Cyatheaceae species (Tree Ferns)*.
- 12. *Cycadacea species (Cycads)*.
- 13. *Dioscorea deltoidea (Elephant's foot)*.
- 14. *Euphorbia species (Euphorbias)*.
- 15. *Orchidaceae species (Orchids)*.
- 16. *Pterocarpus santalinus (Redsanders)*.
- 17. *Taxus Wallichiana (Common Yew or Birmi leaves)*.
- 18. *Aquilaria malaccensis (Agarwood)*.
- 19. *Aconitum species*.
- 20. *Coptis teeta*.
- 21. *Coscinium fenestrum (Calumba wood)*.
- 22. *Dactylorhiza hatagirea*.
- 23. *Gentiana kurroo (Kuru, Kutki)*.
- 24. *Gnetum species*.
- 25. *Kampheria Galenga*.
- 26. *Nardostachys grandiflora*.

27. *Panax pseudoginseng*.
 28. *Picrorhiza kurrooa*.
 29. *Swertia chirata* (Charayatah).
- i. Plant and Plant portions, derivatives and extracts (including value added herbal formulations) of the cultivated varieties of the above species (excluding Sl. No. 16) will be allowed for export subject to production of a Certificate of Cultivation from the Regional Deputy Director (Wildlife), or Chief Conservator of Forests or Divisional Forest Officers of the State concerned from where these plants and plant portions have been procured. However in respect of the cultivated varieties of the species as covered by Appendix 1 (Sl. No. 1 to 6 of Paragraph 2 above) and Appendix 2 (Sl. No. 7 to 18 of Paragraph 2 above) of CITES, a CITES Permit for export will also be required.
 - ii. The value added herbal formulations made out of imported species of plants and plant portions as specified in Paragraph 2 above will be allowed freely without any restriction subject to furnishing of an affidavit to the Customs authorities at the time of export that only the imported plant species as above have been used for the manufacture of value added herbal formulation being exported. In the event of affidavit proving to be false, on the basis of random sample tests, action would be initiated against the firm under the Foreign Trade (Development & Regulation) Act, 1992
 - iii. Exports allowed only through the ports of Mumbai, Calcutta, Cochin, Delhi, Chennai, Tuticorin and Amritsar.

5. This issues in public interest.

(N.L. LAKHANPAL)
DIRECTOR GENERAL OF FOREIGN TRADE

Copy to all concerned;

By orders etc;

(ASHUTOSH MISHRA)

DY. DIRECTOR GENERAL OF FOREIGN TRADE FOR DIRECTOR GENERAL OF
FOREIGN TRADE

(Issued from F. No. 23/1/97-PC.III)