Trade Notice dated July 28, 2015 is uploaded on APEDA website inviting applications for allocation of quota quantity of 1895 MT of raw sugar to USA under TRQ. The last date for receiving the applications was August 14, 2015. No application has been received against this trade notice. Therefore, quantity of 1895 MT of raw sugar for export to USA under TRQ to reach ports by September 30, 2015 is available and exporters may submit applications for obtaining this quota as per the procedure given in the trade notice.

Agricultural and Processed Food Products Export Development Authority
(Ministry of Commerce & Industry, Govt. of India)

Trade Notice
July 28, 2015
Balance Quantity for Export of Sugar to USA under TRQ

As per Notification No 3/2015-2020 dated April 20, 2015 issued by Directorate General of Foreign Trade, Department of Commerce, Govt. of India, New Delhi (DGFT) the export of Sugar to USA under TRQ is allowed subject to the following conditions:

1. The quota will be operated by Agricultural and Processed Food Products Export Development Authority (APEDA), New Delhi.

2. This will be subject to quantitative ceiling notified by DGFT from time to time.

3. The exporters shall be required to furnish the details of actual exports (viz. quantity, value, destination, name and address of foreign buyers etc.) to APEDA, New Delhi.

4. Certificate of Origin, if required, shall be issued by additional DGFT, Mumbai.

For the US fiscal year 2015 ending on September 30, 2015, a quantity of 8424 MT (eight thousands four hundred and twenty four MT) of raw sugar (at 98 degree pol) was notified by DGFT vide Public Notice No. 9/2015-2020 dated May 1, 2015. This quantity has already been allocated based on the applications received in APEDA in accordance with Trade Notice dated May 5, 2015.

DGFT vide Public Notice No. 26/2015-20 dated July 7, 2015 notified allocation of additional quantity of 2095 MT (two thousand ninety five metric ton) of raw cane sugar (at 98 degree pol), out of non-levy (Free Sale) quota for export under TRQ to USA for the fiscal year ending
September 30, 2015. Out of this quota for 200 MT has been allocated on the basis of applications received against APEDA Trade Notice dated July 8, 2015. Therefore, balance quantity of 1895 MT is available under TRQ for the current fiscal.

Accordingly, applications are invited from exporters for allocation of quota of 1895 MT for export of raw sugar (at 98 degree pol) to USA under TRQ. The following are the guidelines for applying/obtaining quota for export of sugar to USA under TRQ:

(i) Applications for obtaining quota, as per format in Annexure I, would be received at APEDA New Delhi upto 3.00 p.m. on August 14, 2015. The applications are to be submitted, in sealed cover, super scribed as, “Application for Obtaining Quota for Export of Sugar to USA under TRQ,” addressed to Mr. Umesh Kumar, Assistant General Manager, APEDA, NCUI Auditorium Building, August Kranti Marg, Hauz Khas, New Delhi-110016.

(ii) The applications received upto 3.00 p.m. on August 14, 2015 will be opened at 4.00 p.m. on the same day in the presence of representatives of applicants who wish to attend. The decision after scrutiny will be taken and Registration-cum-Allocation-Certificate (RCAC) issued in 3 working days. In case the quantity allocated on the basis of applications received is lower than total quantity available for the sugar year ending September 30, 2015, the balance available quantity would be announced on APEDA website: www.apeda.gov.in by August 18, 2015, inviting applications for the same.

(iii) The application would be accompanied by a Bank Guarantee in the format as per Annexure II, in Indian Rupees for an amount equivalent to 5% of the value of the quota quantity at the FOB price applied for.

(iv) Processing charges of Rs. 11.40 per MT (inclusive of service tax) for the quantity applied for shall be paid by the applicants. This amount shall be paid by Demand Draft/pay Order drawn in favour of APEDA payable at New Delhi. All applications for obtaining quota should be accompanied by Demand Draft/Pay Order of requisite amount.

(v) The available quota quantity will be allocated to the applicants on the basis of highest FOB price for export in USD per MT. In case the quantity applied for by the applicant quoting the highest FOB price is less than the available quota, balance
quantity will be allocated to other applicants in order of price quotations. In case more than one applicant submits the same FOB price the allocation of available quota will be made on pro rata basis.

(vi) No request for change in the name of exporter/importer and FOB price will be entertained once the application has been submitted and Registration-cum-Allocation-Certificate (RCAC) has been issued.

(vii) RCAC shall be issued with validity period upto September 30, 2015.

(viii) The exporter would be required to submit, as per format in Annexure III, details of actual export against each RCAC within 15 days from the expiry of the validity of a particular RCAC in respect of full quantity issued. Inability to complete export of full quantity of the RCAC would invite penalty in the form of invocation of Bank Guarantee by APEDA. The quantity surrender, if any, would be added to the balance available quota quantity to be announced on APEDA website by First day of the next month as per clause (ii) above.

Krishan Kumar
Chairman

New Delhi
July 28, 2015
Annexure – I

Application for Obtaining Quota for Export of Raw Sugar(at 98 degree pol) to USA under TRQ

1. Name /Address of the Applicant
   Telephone/Fax
   Email address

2. APEDA/FIEO Registration NO:

3. I .E. Code No:

4. Quantity Applied for in MT:

5. FOB Price USD/MT:

6. Performance Guarantee: Rs
   Amount (5% of total FOB value of quantity applied for)

7. Date & Validity of Performance Guarantee (minimum 180 days from the date of application)

8. Name and address of Importer

9. Port of Shipment In India:

10. Port of Destination:

Declaration:

(i) We certify that all information furnished in our application is true to our knowledge.

(ii) We undertake to effect export of the quantity allocated to us within the validity of the RCAC issued by APEDA.

(iii) We certify that we are aware of the quality requirements of USA in respect of the Sugar which we have undertaken to export to USA under the TRQ and will ensure that no substandard product is exported by us.

(iv) We understand that in case of non-shipment of quota quantity allocated by APEDA as per RCAC within the validity period, APEDA shall have the right to forfeit the performance bank guarantee submitted by us.

Signature
Name & Designation
Authorised Signatory of the Exporter.
Format for Performance Bank Guarantee (on Rs. 100/- Stamp Paper)

Subject: Performance Bank Guarantee for Export of Raw Sugar to USA under TRQ

WHEREAS the Agricultural and Processed Food Products Export Development Authority mentioned as APEDA hereinafter, through its Trade Notice dated _____________ has invited applications from the exporters for obtaining quota for export of sugar to USA under TRQ as per the conditions prescribed in the said Trade Notice, which terms and conditions we are fully aware and in know of, and whereas M/s. ______________________, the exporter, having their office at ........... have undertaken to export ......MT of raw sugar to USA under TRQ at the FOB India price of USD ...... per MT.

AND WHEREAS the exporter is required to furnish alongwith the application. Performance Bank Guarantee equivalent to 5% of the total FOB value of the quantity applied for in Indian Rupees in terms of the above said Trade Notice.

AND WHEREAS the exporter is required to export of raw sugar within period of the validity given in the Registration-cum-Allocation Certificate (RCAC) to be issued by APEDA.

1. We (name and address of a Scheduled Indian Bank) hereinafter called “THE BANK” do hereby undertake and promise to pay the APEDA, New Delhi an amount of Rs.__________ (Rupees __________________________) in the event of failure of the exporter (i) to fulfill any condition of the RCAC or (ii) to fulfill the obligation to export the quantity allocated to M/s. ______________________ within the stipulated time or according to the prescribed terms and conditions whether the shipment is in part or full.

2. Our liability under this guarantee shall fall due immediately on a demand made in this regard by APEDA within the prescribed period and notwithstanding any dispute or objection raised by the exporter regarding their liability to pay for non performance of the commitments made by the said exporter. We do hereby undertake and promise to pay without demur and on demand by APEDA, New Delhi, the sum of Rs.__________ (Rupees __________________________) in respect of which the said exporter fails to fulfill these commitments and that such claim
will be restricted upon the full value of this guarantee i.e. Rs. 

(Rupees ___________________________) if the export 
shipment is not completed in full.

3. We, the ___________________________ Bank further agree that this 
guarantee shall remain in full force and effect for 180 days from the 
date of date of application by exporter for issue of the RCAC by 
APEDA and that it shall continue to be enforceable till all the 
amounts due to APEDA have been fully paid, discharged and 
Chairman, APEDA or his any authorised representative certifies that 
the terms and conditions of the said Order have been fully and 
properly carried out by the said exporter. Unless a demand or claim 
under this guarantee is made on us in writing upto 6 months from the 
date of expiry of this guarantee in respect of non-performance 
regarding export of Sugar to USA under TRQ, we shall be discharged 
from all liabilities under this guarantee further.

4. We, the ___________________________ Bank further agree that the APEDA 
shall have the fullest liberty without consent and without affecting in 
any manner our obligation hereunder, to vary any of the terms and 
conditions of the said Trade Notice from time to time to postpone for 
any time or from time to time any of the powers exercisable by the 
APEDA against the said exporter and to forebear or enforce any of the 
terms and conditions of the said Order and we shall not be relieved 
from our liability by reasons of any such variation or extension being 
granted to the said exporter or forbearance act of omission on the part 
of the APEDA to the said exporter or by any such matter or thing 
whatsoever which under the law relating to sureties but for the said 
reservation would relieve us from the liability.

5. We, the ___________________________ Bank further agree that the decision 
of Chairman, APEDA as to the default on the part of the exporter and 
the amount payable by us shall be final and binding on us and on 
demand made by the APEDA we shall immediately and without demur 
within 10 days pay the same to the Agriculture and Processed Food 
Products Export Development Authority, 3rd Floor, NCUI Building, 3 
Siri Institutional Area, August Kranti Marg, Hauz Khas, New Delhi – 
110 016 , by way of Demand Draft/Pay Order drawn in its favour.

6. We shall be relieved of and discharged from all liabilities under this 
guarantee only on the exporter having fulfilled all his obligations and 
exported the entire quantity of RCAC by the last day of shipment as 
prescribed by the APEDA in this particular case and submitted 
satisfactory proof of shipment and realization of export value by the 
Bank to the full satisfaction of the APEDA in this regard within the
prescribed time whose decision in this connection shall be final and binding.

7. This guarantee will not be revoked by any change in the constitution of the Bank and/or the exporter.

8. Dated at _______________ this ______________ day of _______________2015.

In presence of ______________________________

(Signature of the Guarantor)

Signature of Applicants
(to be signed by the
Proprietor/Managing
Director/Authorised
Signatory/Managing Partner
of the unit showing his
Designation as such)

Date :

Seal :
Annexure III

Format for Submission of Details of Export of Raw Sugar to USA under TRQ

Name of the Exporter : 

APEDA/ FIEO Registration No : 
RCAC No.and Date

<table>
<thead>
<tr>
<th>Quantity in MT</th>
<th>Consignee/ Importer</th>
<th>Date of Bill of Lading</th>
<th>FOB Value USD</th>
<th>Port of Shipment</th>
<th>Port of Destination</th>
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Authorised Signatory
Name and Designation
Date
Place