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Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
Directorate General of Foreign Trade  
Udyog Bhavan

Notification No. 29/2015-2020  
New Delhi, dated: 21 September, 2017

**Subject: Amendment in Appendix 3 (SCOMET items) to Schedule- 2 of ITC (HS)  
Classification of Export and Import Items, 2012**

S.O.(E) In exercise of the powers conferred by Section 5 and Section 14A of the Foreign Trade (Development and Regulation) Act, 1992, as amended, read with Para 1.02 of the Foreign Trade Policy 2015-2020, the Central Government hereby makes the following amendment, with immediate effect, in the Appendix 3 to Schedule -2 of ITC (HS) Classifications of Export and Import Items as notified in DGFT Notification No. 5/2015-20 dated 24<sup>th</sup> April 2017 and No. 13/2015-20 dated 28.06.2017 : -

A. Under the heading "Items on the SCOMET List are organized in the following categories" :

(i) **Category 2: Micro-organisms, toxins:** The entry under Category 2H shall be substituted with the following:

**Genetic Elements and Genetically-modified Organisms'**

(ii) **Category 7 : Electronics, computers, and information technology including information security:** The entry against Category 7 containing sub-categories 7A, 7B, 7C, 7D and 7E and the entries relating thereto shall be substituted with the following:

**'[Reserved]'**

B. In the SCOMET Glossary after the definition of "**Microprogram**" and the entry relating thereto, the following expression shall be inserted:-

‘ “**Military use**” shall mean incorporation into military items listed in SCOMET Categories 5D or 6 or for the use, development, or production of military items listed in these categories’.

C. For SCOMET entry “2H Genetically Modified Organisms” and the entry “2H001”, the following shall be substituted:-:-

**‘2H Genetic Elements and Genetically-modified Organisms:**

**2H001** Any genetically-modified organism which contains, or genetic element that codes for:

- (1) Gene(s) specific to virus, bacterium, fungus, parasites or plant pathogens listed in Categories 2A, 2B, 2C, 2D and 2G and which



- a. in itself or through its transcribed or translated products represents a significant hazard to human, animal or plant health, or
- b. could endow or enhance pathogenicity

(2) Toxin(s) or their sub-unit(s) listed in Category 2F.

***Technical note:***

(1) Genetically-modified organisms include organisms in which the nucleic acid sequences have been created or altered by deliberate molecular manipulation.

(2) Genetic elements include, inter alia: chromosomes, genomes, plasmids, transposons, vectors, and inactivated organisms containing recoverable nucleic acid fragments, whether genetically modified or unmodified, or chemically synthesized in whole or in part. For the purposes of the genetic elements control, nucleic acids from an inactivated organism, virus, or sample are considered recoverable if the inactivation and preparation of the material is intended or known to facilitate isolation, purification, amplification, detection, or identification of nucleic acid(s).

(3) Endow or enhance pathogenicity is defined as when the insertion or integration of the nucleic acid sequence(s) are likely to enable or increase a recipient organism's ability to be used to deliberately cause disease or death. This might include alterations to (not limited to) inter alia: virulence, transmissibility, stability, route of infection, host range, reproducibility, ability to evade or suppress host immunity, resistance to medical countermeasures, or detectability.'

**D.** In SCOMET entry **3D001(1)**, the following shall be inserted after entry 3D001(1)(ii)(h):-

' (iii) Prefabricated repair assemblies and their specially designed components, that:

- a. are designed for mechanical attachment to glass-lined reaction vessels or reactors that meet the parameters above; and,
- b. have metallic surfaces that come in direct contact with the chemical(s) being processed which are made from tantalum or tantalum alloys'.

**E.** Existing SCOMET entry 3D001(2) shall be re-numbered **3D001(2)(i)** and thereafter the following shall be inserted:-

' (ii) Prefabricated repair assemblies and their specially designed components, that:

- a. are designed for mechanical attachment to glass-lined reaction vessels or reactors that meet the parameters above; and,
- b. have metallic surfaces that come in direct contact with the chemical(s) being processed which are made from tantalum or tantalum alloys '.



F. SCOMET entry 3D004 shall be substituted as follows:-

‘ **3D004** Toxic gas monitors and monitoring systems, and their dedicated detecting components as follows: detectors; sensor devices; replaceable sensor cartridges; and dedicated software for such equipment;

- a. designed for continuous operation and usable for the detection of chemical warfare agents or Category 1 chemicals at concentrations of less than 0.3 mg/m<sup>3</sup>; or
- b. designed for the detection of cholinesterase-inhibiting activity.’

G. SCOMET entry 3D006 shall be substituted as follows:-

‘ **3D006 Fermenters**

- (1) Fermenters capable of cultivation of micro-organisms or of live cells for the production of viruses or toxins, without the propagation of aerosols, having a total internal volume of 20 litres or greater;
- (2) Components designed for such fermenters, as follows:-
  - a. cultivation chambers designed to be sterilized or disinfected in situ;
  - b. cultivation chamber holding devices; or
  - c. process control units capable of simultaneously monitoring and controlling two or more fermentation system parameters (e.g. temperature, pH, nutrients, agitation, dissolved oxygen, air flow, foam control).

**Technical Note:**

Fermenters include bioreactors (including single-use (disposable) bioreactors), chemostats and continuous-flow systems.’

H. In SCOMET 3D014, the following shall be inserted:-

‘**3D014** Nucleic acid assemblers and synthesizers, which are partly or entirely automated, and designed to generate continuous nucleic acids greater than 1.5 kilobases in length with error rates less than 5% in a single run.’

I. SCOMET entry **4A007** shall be substituted as follows:-

‘Vacuum or other controlled atmosphere metallurgical melting and casting furnaces and related equipment, as follows:-

- a. Arc remelt furnaces, arc melt furnaces and arc melt and casting furnaces having both of the following characteristics:-
  - 1. Consumable electrode capacities between 1000 and 20000 cm<sup>3</sup>; and
  - 2. Capable of operating with melting temperatures above 1973 K (1700 °C);
- b. Electron beam melting furnaces, plasma atomisation furnaces and plasma melting furnaces, having both of the following characteristics:
  - 1. A power of 50 kW or greater; and
  - 2. Capable of operating with melting temperatures above 1473 K (1200 °C);



c. Computer control and monitoring systems specially configured for any of the furnaces specified in 4A007.a. or 4A007.b;

d. Plasma torches specially designed for the furnaces specified in 4A007.b.having both of the following characteristics:-

1. Operating at a power greater than 50kW; and
2. Capable of operating above 1473 K (1200°C);

e. Electron beam guns specially designed for the furnaces specified in 4A007.b.operating at a power greater than 50kW. '

**J.** After the SCOMET entry 4A031 and the entry relating thereto, the following entry shall be inserted :-

**'4A032** Target assemblies and components for the production of tritium as follows:-

a. Target assemblies made of or containing lithium enriched in the lithium-6 isotope specially designed for the production of tritium through irradiation, including insertion in a nuclear reactor;

b. Components specially designed for the target assemblies specified in 4A032.a.

***Technical Note:***

Components specially designed for target assemblies for the production of tritium may include lithium pellets, tritium getters, and specially-coated cladding.'

**K.** SCOMET entry 5C013 shall be substituted as follows:-

**' 5C013**

a. Radiation Hardened microcircuits usable in protecting rocket systems, unmanned aerial vehicles and cruise missiles against nuclear effects (e.g. electro-magnetic pulse (EMP), X-rays, combined blast and thermal effects);

b. Analogue-to-digital converters, usable in the systems specified in 5A, having any of the following characteristics:

1. Designed to meet military specifications for ruggedised equipment; or
2. Designed or modified for military use and being any of the following types:

(i) Analogue-to-digital converter "microcircuits", which are "radiation hardened" or have all of the following characteristics:



- a. Rated for operation in the temperature range from below -54°C to above +125°C; and
- b. Hermetically sealed;

**or**

(ii) Electrical input type analogue-to-digital converter printed circuit boards or modules, having all of the following characteristics:

- a. Rated for operation in the temperature range from below -45°C to above +80°C; and
- b. Incorporating "microcircuits" specified in 5C013.b.2.(i)'

- L.** The SCOMET entry against Category 7 containing sub-categories 7A, 7B, 7C, 7D and 7E and the entries relating thereto shall be substituted with the with the following:

‘[Reserved]’

- M.** SCOMET entry 8A301 b shall be substituted as follows:-

‘ 8A301 b Microwave or millimetre wave items, as follows:-

***Technical Notes***

1. For purposes of 8A301.b, the parameter peak saturated power output may also be referred to on product data sheets as output power, saturated power output, maximum power output, peak power output, or peak envelope power output.
2. For purposes of 8A301.b 1, 'vacuum electronic devices' are electronic devices based on the interaction of an electron beam with an electromagnetic wave propagating in a vacuum circuit or interacting with radio-frequency vacuum cavity resonators. 'Vacuum electronic devices' include klystrons, travelling-wave tubes, and their derivatives.
3. 'Vacuum electronic devices' and cathodes, as follows:-

**Note 1:** 8A301.b 1 does not apply to 'vacuum electronic devices' designed or rated for operation in any frequency bands and having all of the following:-

- a. Does not exceed 31.8 GHz; and
- b. Is "allocated by the ITU" for radio-communications services, but not for radio-determination.

**Note 2:** 8A301.b.1 does not apply to non-"space-qualified" 'vacuum electronic devices' having all of the following:

- a. An average output power equal to or less than 50 W; and

b. Designed or rated for operation in any frequency band and having all of the following:-

1. Exceeds 31.8 GHz but does not exceed 43.5 GHz; and
2. Is "allocated by the ITU" for radio-communications services, but not for radio determination."

2. **Effect of this Notification:-**

Appendix 3 (SCOMET items) to Schedule - 2 of ITC (HS) Classification of Export and Import Items, 2012 has been amended.



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