NCD/Ref: HQ/12/2021

NATIONAL CLASSIFICATION DECISION

Description of Commodity:

- IN -2-CROC startmix55 (in powder form)

Ingredients:

Meat and animal derivatives, processed cereals, fish and fish derivatives, plant protein products, fat and oils, amino acids, minerals, vitamins and approved anti-oxidants.

Product Composition

Moisture	Max	10%
Protein	Min	49%
Methionine	Min	1.5%
lysine	Min	2.7%
Fat	Min	13.5%
Fibre	Max	2.5%
Ash	Max	16.5%
Calcium	Max	4.5%
Phosphorus	Min	2.10%
Total		**100%**

Trade Name: IN -2-CROC startmix55

Common Name: Concentrate for crocodile starter feed

Scientific Name: nil

Tariff Decision: HS Code - 2309.90.20

Reasons:

- General Interpretative Rule (GIR) 1 which provides that the titles of sections, chapters and sub-chapters are provided for ease of reference only; for legal purposes classification, shall be determined according to the terms of the headings and any relative section or chapter notes.

- Rule 6, For legal purposes, the classification of goods in the sub-heading shall be determined according to the terms of those sub-heading and any related sub-headings notes and mutatis mutandis, to the above Rules, on the understanding that only sub-headings at the same level are comparable. For the purposes of this Rule the relative Section and Chapter Notes also apply, unless the context otherwise requires.

- Note to heading 23.09 on page IV-2309-1 of the Explanatory Notes Sixth edition (2017) states that: this heading covers sweetened forage and prepared animal feeding stuffs consisting of several nutrients designed:

  (1) To provide the animal with a rational and balanced daily diet(complete feed)

  (2) To achieve is suitable daily diet by supplementing the basic farm –produced feed with organic or inorganic substances(supplementary feed) or

  (3) For use in making complete or supplementary feeds.

  This heading includes products of a kind used in animal feeding, obtained by processing vegetable or animal materials to such an extent that they lost their essential characteristics of the original material, for example, in the case of products obtained from vegetable materials, those which have been treated to such an extent that the characteristic cellular structure of the original vegetable material is no longer recognisable under a microscope.

  Explanatory notes to heading 23.09 page IV-2309-1 of the Explanatory Notes Sixth edition (2017).

  (II) OTHER PREPARATIONS

  PREPARATIONS DESIGNED TO PROVIDE THE ANIMAL WITH ALL THE NUTRIENT ELEMENTS REQUIRED TO ENSURE A RATIONAL AND BALANCED DAILY DIET (COMPLETE FEEDS)

  The characteristic feature of these preparations is that they contain products from each of the three groups of nutrients described below:

  (1)" Energy " nutrients, consisting of high-carbohydrate (high-calorie) substances such as starch, sugar, cellulose, and fats, which are " burned up " by the animal organism to produce the energy necessary for life and to attain the breeders' aims. Examples of such substances include cereals, half-sugar mangolds, and tallow, straw.

  (2)" Body-building" protein-rich nutrients or minerals. Unlike energy nutrients, these nutrients are not “burned up” by the animal organism but contribute to the formation of animal tissues and of the various animal products (milk, eggs, etc.). They consist mainly of proteins or minerals. Examples of the protein rich substances used for this

purpose are seeds of leguminous vegetables, brewing dregs, oil cake, and dairy by-products.

The minerals serve mainly for building up bones and, in the case of poultry, making egg-shells. The most commonly used contain calcium, phosphorus, chlorine, sodium, potassium, iron, iodine, etc.

(3)" Function" nutrients. These are substances, which promote the assimilation of carbohydrates, proteins and minerals. They include vitamins, trace elements and antibiotics. Lack or deficiency of these nutrients usually causes disorders.

The above three groups of nutrients meet the full food requirements of animals. The mixing and proportions depend upon the animal production in view.

- (B) PREPARATIONS FOR SUPPLEMENTING (BALANCING) FARM-PRODUCED FEED (FEED SUPPLEMENTS)

Farm-produced feed is usually rather low in proteins, minerals or vitamins. The preparations devised to compensate for these deficiencies, so as to ensure a well-balanced animal diet, consist of proteins, minerals or vitamins plus additional-energy feeds (carbohydrates) which serve as a carrier for the other ingredients. Although, qualitatively, these preparations have much the same composition as those described in paragraph (A), they are distinguished by a relatively high content of one particular nutrient. This group includes:

(1)Fish or marine mammal solubles in liquid or viscous solutions or in paste or dried form, made by concentrating and stabilising the residual water (containing water-soluble elements, viz. proteins, vitamins B, salts, etc.), and derived from the manufacture of fish or marine mammal meal or oil.

(2)Whole green leaf protein concentrate and green fraction leaf protein concentrate, obtained from alfalfa (lucerne) juice by heat treatment.

- (C) PREPARATIONS FOR USE IN MAKING THE COMPLETE FEEDS OR SUPPLEMENTARY FEEDS DESCRIBED IN (A) AND (B) ABOVE

These preparations, known in trade as "premixes ", are, generally speaking, compound compositions consisting of a number of substances (sometimes called additives) the nature and proportions of which vary according to the animal production required. These substances are of three types:

(1)Those which improve digestion and, more generally, ensure that the animal makes good use of the feeds and safeguard its health: vitamins or provitamins, amino-acids, antibiotics, coccidiostats, trace elements, emulsifiers, flavourings and appetisers, etc.

(2)Those designed to preserve the feeding stuffs (particularly the fatty components) until consumption by the animal: stabilisers, anti-oxidants, etc.

(3)Those which serve as carriers and which may consist either of one or more organic nutritive substances (manioc or soya flour or meal, middlings, yeast, various residues of the food industries, etc.) or of inorganic substances (e.g., magnesite, chalk, kaolin, salt, phosphates).

The concentration of the substances described in (1) above and the nature of the carrier are determined so as to ensure, in particular, homogeneous dispersion and mixing of these substances in the compound feeds to which the preparations are added.

Provided they are of a kind used in animal feeding, this group also includes:

(a) Preparations consisting of several mineral substances.

(b) Preparations consisting of an active substance of the type described in (1) above with a carrier, for example products of the antibiotics manufacturing process obtained by simply drying the mass, i.e. the entire contents of the fermentation vessel (essentially mycelium, the culture medium and the antibiotic). The resulting dry substance, whether or not standardised by adding organic or inorganic substances, has an antibiotic content ranging generally between 8 % and 16 % and is used as basic material in preparing, in particular, “premixes ".

The preparations of this group should not, however, be confused with certain preparations for veterinary uses. The latter are generally identifiable by the medicinal nature and much higher concentration of the active substance, and are often put up in a different way

Commodity not a ready to use preparation, its added to other ingredients to make a complete feed.

This ruling is valid until **01 September 2024** and may be amended in part or wholly or withdrawn at any time by publication of a new ruling or a withdrawal notice.

If there is any amendment in the legislation that affects the content of this Ruling, such amendment overrides the information in this Ruling