

# CALCUTTA TEA TRADERS ASSOCIATION

Circular Letter No. 24-BR/2024

15th May 2024

To: All Broker Members

## SALE NOS.15, 16 AND 17 OF 2024 CLAIMS LODGED BY C I LIMITED, D DAYALBHAI & CO AND KESARIA & CO

With reference to the claims lodged by C I Limited, D Dayalbhai & Co and Kesaria & Co for cancellation of 25 lots purchased in Sale Nos.15, 16 and 17, the following decisions have been taken by the CTTA General Committee and Claims Sub-Committee on 13th May 2024:

If the Seller accepts the Test Report provided by the Buyer as valid, then the Seller should immediately inform the Broker to go ahead with the cancellation of the contract.

The prompt paid by the Buyer should be refunded within 7 days of receipt of this Circular Letter.

**If the Seller concerned is not satisfied with the Test Report provided by the Buyer**, the Seller should have the teas tested in any NABL accredited Laboratory within 7 (seven) days from the date of receipt of this Circular Letter. The sample should be drawn by a representative of the NABL Laboratory appointed by the Seller.

If on testing by the Seller it is found that the **teas are not in accordance** with Food Safety and Standards Regulations, then the contract should be cancelled and the prompt paid by the Buyer should be refunded to the Buyer by the Broker.

This refund should be made within 21 (twenty-one) days from the date of receipt of this Circular Letter.

If there is a delay in settlement of the Buyer's claim, then interest will be payable @ 18% per annum. If the delay in settlement of the Buyer's claim is attributable to the Seller, then the Broker will recover the interest, if claimed by the Buyer, from the Seller.

If on testing by the Seller, it is found that **teas are in accordance** with Food Safety and Standards Regulations, the Seller should provide the Test Report to the Buyer, the Broker and CTTA.

The Test Report must be provided by the Seller within 14 (fourteen) days from the date of receipt of this Circular Letter.

CTTA will then advise the Broker to arrange for testing of the teas by another NABL Laboratory.

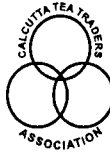
The testing charges will be borne by the Buyer if the teas are in accordance Food Safety and Standards Regulations.

The testing charges will be borne by the Seller if the teas are not in accordance with the Food Safety and Standards Regulations.

if the teas are not in accordance with the Food Safety and Standards Regulations, the Broker should settle the Buyer's claim within 7 days of receipt of the Test Report.

If the teas are in accordance with the Food Safety and Standards Regulations, the contract will not be cancelled.

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The Brokers should verify whether the Lots for which the contracts are being cancelled are available in the original registered warehouse.

If there is a delay in settlement of the Buyer's claim, then interest will be payable @ 18% per annum. If the delay in settlement of the Buyer's claim is attributable to the Seller, then the Broker will recover the interest, if claimed by the Buyer, from the Seller.

## **Sale No.18 onwards**

If any claim is lodged by a Buyer for teas purchased in Sale No.18 or in subsequent Sales on the grounds the teas are not in accordance with Food Safety and Standards Regulations and the Buyer furnishes the Test Report from an NABL accredited Laboratory, then the Broker should refer the claim to the CTTA Claims Sub-Committee by email.

## **Drawal of samples by Buyers who wish to test teas purchased by them for pesticide residues**

To expedite matters, from Sale No.19 onwards Buyers may draw samples from the lots purchased by them on lodgement of the Broker's Contract Note with the Warehouse concerned.

Any sample for the purpose of testing for pesticide residues should be drawn by a representative of the NABL Laboratory appointed by the Buyer.

The sample should be drawn by the in the presence of the representative of the Seller concerned.

If on testing by the buyer it is found that the **teas are not in accordance** with Food Safety and Standards Regulations, then the Buyer should lodge his claim with the Broker and the claim will be dealt with as per the procedure given above.

The Buyers must pay the prompts for the lots concerned on or before the prompt date, otherwise it will be treated as a failure of prompt.

## Copy to:

CTTA General Committee and Claims Sub-Committee  
C I Limited  
D Dayalbhai & Co  
Kesaria & Co

  
Secretary