

Dear Australian Representative.

We apologise for the lateness of this submission and our inability to attend the Free Trade Agreement Negotiations between Australia and India, Wednesday 29 February 2012 at DFAT, Level 10, Angel Place, 123 Pitt St, Sydney.

We are exporters of a limited amount of Pure Australian Tea Tree Oil to India.

Tea Tree Oil is distilled from the *Melaleuca alternifolia* plant. **Australia is the only place in the World where *Melaleuca alternifolia* trees grow naturally.**

Unfortunately as the proven effectiveness of *pure Australian Tea Tree Oil* has become more widely recognized and used, a market has developed for either adulterated oil consisting of tea tree oil cut with synthetic components (*usually created from other plant based compounds such as sabinene from pine oil*) or by creating what is described as “*Nature Identical tea tree oil*”. “Nature Identical” oil is created synthetically from only 15 of the 113+ components of tea tree oil as listed in the Australian¹⁵ and International¹⁶ Standards for tea tree oil.

These adulterated or synthetic products masquerading as *Melaleuca alternifolia* tree oil have no scientific evidence to support their safety and effectiveness. Furthermore, they are not supported by the centuries of years of use by an Indigenous population. Synthetic and adulterated oils possibly place consumers at risk as well as the reputation and good will of Farmers and the supply chain of *pure Australian tea tree oil*.

Other than for a limited number of Essential Oils that have their individual international HS code Essential oils including pure Australian TTO's International (other than Australia) HS code is 330129. Last year Australian Customs and ABS have allocated an Individual Tea Tree Oil code 33012960 for recording export of TTO from Australia.

Pure Australian Tea Tree Oil is not being produce in India at all but India Customs do not distinguish Pure Australian TTO from other essential oils that attract a very high duty of 30%.

India's import duty on Synthetic Tea Tree Oil is only 7.5%.

There for Australia's natural occurring TT Industry is unfairly disadvantaged and our distributor unable to compete in India and the Indian consumer are denied the real benefits of pure Australian Tea Tree Oil.

This is in our view is an anomaly that the Indian Government should address if not deliberately wishing to exclude Australian products from Indian consumers in favour of the products of other Nations.

We submit that representation be made to the Indian Government that it considers and adopt the Australian Custom code 33012960 for identifying the importation of Pure Australian Tea Tree Oil and that such be classified as a DUTY FREE product on importation in to India.

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