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# GAIN Report

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## India

**Post:** New Delhi

### **Draft Amendment of Beverage Regulations**

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

FAIRS Subject Report

Exporter Guide

Beverages

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**Report Highlights:**

The Food Safety and Standards Authority of India (FSSAI) has published a third draft amendment to the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 relating to beverages. The FSSAI has invited comments/suggestions from stakeholders by June 7, 2013.

**General Information:**

**DISCLAIMER:** The information contained in this report was retrieved from the following Government of India website [www.fssai.gov.in](http://www.fssai.gov.in) . The U.S. Government makes no claim of accuracy or authenticity.

**Introduction:** This report summarizes the proposed draft amendment to the Food Safety and Standards (Food Product Standards and Food Additives) Regulations 2011 established under the Food Safety and Standards Act, 2006, relating to beverages. Interested stakeholders must submit comments/suggestions by June 7, 2013.

The full text of this notification can be accessed at [Notification](#) on FSSAI website.

**Type of Regulation:** Draft

**Details of Notification:** F.No.5/15015/30/2011

**Publication Date:** April 18, 2013

- **Copy of notification made public on:** May 6, 2013
- **Time period for receiving Comments/Suggestions:** 30 days from the date when copies were made public (June 7, 2013).
- **WTO notification Date:** Not notified (as of May 17, 2013)

**Comments/suggestions should be addressed to:**

The Chairperson  
Food Safety and Standards Authority of India  
Food and Drug Administration Bhawan  
Kotla Road, New Delhi - 110002  
Email: [bvgs.fssai@gmail.com](mailto:bvgs.fssai@gmail.com)

**Products Affected:** Beverages

**Agency in Charge:** Food Safety and Standards Authority of India, Ministry of Health and Family Welfare, GOI

The full text of the proposed amendment as given in the notification is also given below.

1. Short Title and commencement- (1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Second Amendment Regulations, 2013.

(2) They shall come into force on the dates of their final publication in the Official Gazette.

2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in regulation 2.10 relating to “BEVERAGES, (Other than dairy and Fruits and Vegetables)”,-

(a) in sub-regulation 2.10.6, relating to BEVERAGES NON ALCOHOLIC-CARBONATED” after clause 1, the following clause shall be inserted, namely:-

“2. Water-based non alcoholic flavored drinks.

(a) Caffeinated Beverage –

The following are the standards for caffeinated Beverages:

- i. Essential Composition: It shall contain not less than 145 mg per liter and not more than 320 mg per liter total caffeine from whatever sources it may be derived in the formulation of the product.
- ii. Optional ingredients: It may contain the following:  
Any of the substance listed in column (1) of the table given below provided that the amount of that substance is not more than the amount specified in relation to that substance in column (2) of the table subject to the following conditions:
  - A. Any additional item or ingredient proposed to be added, including herbal ingredients will be subject to approval by the Food Authority after safety assessment and substantiating scientific evidence.
  - B. Where any of the substances as mentioned in column 1 is used in the product, a declaration of the one day consumption shall be made namely: “Use not more than two cans”.
  - C. Number of cans that will cumulatively bring each substance mentioned in Column 1 to the level mentioned in column 2 will be calculated and the advised quantity will be the smallest of these number of cans that can be consumed per day. For example, if taurine is used at 1000mg per serve (250 ml) and D-glucurono-Y-lactone 300 mg, the respective ceilings will be reached by consuming two cans and four cans respectively. However, the one day advised quantity shall be the lower of the two numbers i.e. not more than 2 cans where the package is 250 ml.

Column (1)	Column (2)
Substance	Maxiumum amount per day consumption
Taurine	2000mg
D-glucurono-Y-lactone	1200mg
Inisitol	100mg
Thiamin	B vitamins may be added at one recommended dietary allowance level (100% recommended dietary allowance) with overages
Riboflavin	
Niacin	
Vitamin B6	

Vitamin B12	
Pantothenic Acid	10 mg

(iii) In respect of sweeteners, food additives, contaminants and microbiological requirements the product shall conform to the standards for carbonated water.

(iv) Labeling: The product shall comply with all provisions of General Labeling requirements of Food Safety and Standards (packaging and labeling) regulations, 2011 for pre-packaged foods, with the following additional provisions:

- A. High Caffeine: “X mg/serving size” (where X is the amount of caffeine in milligrams per stated serving size (per can or per volume e.g. 250 ml);
- B. Prominent display of caution “Not recommended for children, pregnant or lactating women, persons sensitive to caffeine;
- C. The declaration “Use not more than two cans a day”
- D. Advice to the consumers that “The ingredients of this product consumed through other sources may also be kept in view”,
- E. No health claims or enhanced functional claims will be made on the label unless specific approval has been granted;

(v) Packaging: To be packed in not more than 250 ml containers.”

(b) in sub regulation 2.10.7, after clause 3, the following clause shall be inserted, namely:

“4. Blue tint may be allowed to an extent of thirty three percent in plastic container of five liter and above made of poly carbonate and Poly Ethylene Terephthalate (PET) used for Packaging mineral water:

Provided the overall migration of pigment/color used in container should not exceed 60 mg/liter as per IS 9845.”

(c) in sub-regulation 2.10.8, at the end, the following shall be inserted, namely:

“Blue tint may be allowed to an extent of thirty three percent in plastic container of five liter and above made of poly carbonate and Poly Ethylene Terephthalate (PET) used for Packaging packaged drinking water:

Provided the overall migration of pigment/color used in container should not exceed 60 mg/liter as per IS 9845.”

K. CHANDRAMOULI, Chief Executive Officer  
[ADV.T.III/4/Exty/187-O/13]