India

Post: New Delhi

Draft Amendment on Naturally Occurring Toxic Substances

Report Categories:
FAIRS Subject Report
Sanitary/Phytosanitary/Food Safety
Exporter Guide

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Report Highlights:
The Government of India’s (GOI) Food Safety and Standards Authority of India (FSSAI) published updated draft regulations regarding naturally occurring toxic substances (NOTS) in some foods and beverages. The GOI is also seeking public comments for these regulations. The deadline for public comments is March 18, 2015.
Executive Summary:

FSSAI recently published Draft Food Safety and Standards (Contaminants, Toxins and Residues) Amendment Regulations, 2014, which primarily cites updated maximum limits for NOTS. To date, these draft regulations have not been notified to the World Trade Organization (WTO). However, FSSAI is seeking public comments from interested stakeholders through March 18, 2015.

General Information:

**DISCLAIMER:** The information contained in this report was retrieved from FSSAI’s website [http://www.fssai.gov.in/](http://www.fssai.gov.in/). The Office of Agricultural Affairs and/or the U.S. Government makes no claim of accuracy or authenticity.

The updated NOTS regulation supersedes the NOTS maximum limits established under 2.2.1 of the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011. The updated document also includes a new table with an additional column which specifies affected food items. This table is included below.

Comments in the format pasted below should be sent to:

Chief Executive Officer  
Food Safety and Standards Authority of India  
Food and Drug Administration Bhawan, Kotla Road  
New Delhi – 110002  
Email: regulation@fssai.gov.in

FSSAI’s notification is attached at the end of this report and is also available on FSSAI’s website: [http://www.fssai.gov.in/](http://www.fssai.gov.in/).
MINISTRY OF HEALTH AND FAMILY WELFARE  
(Food Safety and Standards Authority of India)  
NOTIFICATION  
New Delhi, the 5th December, 2014  

F.No. P.15025/264/13-PA/FSSAI.—The following draft of certain regulations further to amend the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, which the Food Safety and Standards Authority of India, with the previous approval of the Central Government, proposes to make, in exercise of the powers conferred by clause (j) of sub-section (2) of Section 92 read with section 20 and 21 of the Food Safety and Standards Act, 2006 (34 of 2006) is hereby published as required by sub-section (1) of the said Section 92, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft regulations shall be taken into consideration after the expiry of the period of thirty days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public;  

Objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, Food and Drug Administration Bhawan, Kotla Road, New Delhi-110002;  

The objections and suggestions, which may be received from any person with respect to the said draft regulation before the expiry of the period so specified, will be considered by the Food Authority.  

Draft regulations  

1. Short title and commencement:- (1) These regulations may be called the Food Safety and Standards (Contaminants, Toxins and Residues) (Amendment) Regulations, 2014.  
2. In the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, in regulation 2.2 relating to 'Crop Contaminants and naturally occurring toxic substances', -  
   (a) in sub-regulation 2.2.1, for clause (2) and the entries there under, the following shall be substituted, namely:-  
   "2. Naturally occurring toxic substances:

<table>
<thead>
<tr>
<th>SLNo</th>
<th>Name of naturally occurring toxic substances (NOTS)</th>
<th>Article of food</th>
<th>Maximum limits (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Agaric acid</td>
<td>Food containing mushrooms</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alcoholic beverages</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>Hydrocyanic acid</td>
<td>Nougat, marzipan or its substitutes or similar products</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Canned stone fruits</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alcoholic beverages</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Confectionery</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Stone fruit juices</td>
<td>5</td>
</tr>
<tr>
<td>3</td>
<td>Hypericin</td>
<td>Alcoholic beverages</td>
<td>1</td>
</tr>
<tr>
<td>4</td>
<td>Saffrole</td>
<td>Meat preparations and meat products, including poultry and game</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fish preparations and fish products</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Soups and sauces</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Non-alcoholic beverages</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Food containing mace and nutmeg</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Alcoholic beverages</td>
<td>10&quot;.</td>
</tr>
</tbody>
</table>

YUDHvir SINGH MALIK, Chief Executive Officer  
[ ADVT III/4/Exty./187-O/14/2]  
Note.- The principal regulations were published in the Gazette of India, Extraordinary vide notification number F. No. 2-15015/30/2010, dated the 1st August, 2011 and these have not been amended so far.
Subject: Draft Food Safety and Standard (Contaminants, Toxins and Residues) (Amendment) Regulations, 2014 related to limits of NOTS (Naturally occurring toxins) in various articles of foods.

FORMAT FOR SENDING THE COMMENTS AND SUGGESTIONS

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Name and Address of the organisation/person, contact number and E-mail</th>
<th>Relevant section in the draft notification on which comments are being provided</th>
<th>Comments/suggestion</th>
<th>Rationale</th>
<th>Remarks</th>
</tr>
</thead>
</table>

Date:
Place: 

Name and signature