

USDA Foreign Agricultural Service

GAIN Report

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Voluntary - Public

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India

Post: New Delhi

FSSAI seeks comment on Revised Draft on Regulation of Energy Drinks

Report Categories:

Beverages

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Report Highlights:

The Food Safety and Standards Authority of India (FSSAI) is seeking comments from stakeholders and the public on the "Revised Draft on Regulation of Energy Drinks and Caffeine" by June 07, 2010. The proposed draft notification is intended to regulate caffeine content(s) in energy drinks.

General Information:
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On May 17, 2010, the Food Safety and Standards Authority of India (FSSAI), a statutory regulatory authority of the Ministry of Health and Family Welfare, Government of India (GOI), posted on its website the "Revised Draft on Regulation of Energy Drinks and Caffeine" for comments by stakeholders and the public. The final date for submission of comments is June 7, 2010, and should be addressed to:

Dr.Dhir Singh, ADG (PFA),
FSSAI, 3rd floor, FDA Bhawan,
Kotla Road,
New Delhi-110002
Ph: +91-011-23237418
Fax No: +91-11-23220994
E-mail to adgpfa@nb.nic.in

The full text of the draft rules and regulations can be accessed from the FSSAI website:

[Draft rules and regulations of energy drinks](#)

Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests.

Type of Regulation: Draft Food Safety

Details on the draft notification:

- **Publication Date:** May 17, 2010
- **Date of receiving comments:** June 7, 2010
- **WTO Notification Date:** Not notified to the WTO (as of May 25, 2010).
- **Products/Affected:** Energy drinks

Agency in Charge: Food Safety and Standard Authority of India, Ministry of Health and Family Welfare, Government of India (GOI)

Note:

India's FSSAI proposes that energy drinks have a caffeine limit of 320 ppm, and include a warning note on the label stating that consumption of caffeine can be harmful to health. The

FSSAI proposes that the term "energy drink" is a misnomer and this category of beverages must be termed as "caffeinated beverages."

There are, at present, no CODEX standards for soft drinks or non- alcoholic carbonated beverages. Under India's Prevention of Food Adulteration (PFA) act there are no specifications for energy drinks, although a maximum limit for caffeine in carbonated water was set at 145 ppm and notified by notification GSR 431 (E) dated 19.06.2009. (Reference GAIN Report No. IN9088)