

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## India

**Post:** New Delhi

### **First Amendment of 2017 Food Import Regulations is Operational**

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

Exporter Guide

Food and Agricultural Import Regulations and  
Standards - Narrative

**Approved By:**

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**Report Highlights:**

On December 13, 2017, the Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) published a notice to announce the implementation date for the Food Safety and Standards (Import) First Amendment Regulations, 2017.

## General Information:

**DISCLAIMER:** The information contained in this report was retrieved from FSSAI's website <http://www.fssai.gov.in/>. The Office of Agricultural Affairs and/or the U.S. Government make no claim of accuracy or authenticity.

India notified the Food Safety and Standards (Import) First Amendment Regulations, 2017 in the Official Gazette on November 30, 2017 and invited comments from domestic stakeholders within thirty days, before finalizing. In this case, however, FSSAI has announced they will not wait 30 days and instead will make the Regulations effective as of December 6, 2017.

The full text of the FSSAI's current notice is pasted below and can also be accessed on FSSAI's website: [www.fssai.gov.in](http://www.fssai.gov.in/)

**F.No. REG/Import amendment/Direction/FSSAI-2017**  
**Food Safety and Standards Authority of India**  
(A statutory Authority under the Ministry of Health and Family Welfare, Govt. of India)  
**FDA Bhawan, Kotla Road, New Delhi-110002**

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The 13<sup>th</sup> December, 2017

**Subject: Direction under Section 16(5) of Food Safety and Standards Act, 2006 regarding operationalization of Food Safety and Standards (Import) First Amendment Regulations, 2017.**

In exercise of the powers conferred under Section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), FSSAI has framed the Food Safety and Standards (Import) First Amendment Regulations, 2017 and the same were approved by the Food Authority in its meeting held on 25<sup>th</sup> May, 2017.

2. These regulations were notified in the Gazette of India on 30.11.2017 and uploaded on website for inviting comments/suggestions from the stakeholders. Since, the finalisation of these regulations is likely to take some more time, it has been decided to operationalize them with effect from 06.12.2017.

3. This issues with the approval of the Competent Authority in exercise of the powers vested under Section 18 (2) (d) read with Section 16 (5) of the Food Safety and Standards Act, 2006.



(Sunil Bakshi)  
Advisor (Codex/Regulations)

Enclosure: as above

To

1. All Authorized Officers, FSSAI

Copy for information to:

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. All Directors, FSSAI

**Notice for operationalization of Food Safety and Standards (Food Import) Amendment Regulations, 2017 with immediate effect.**

**1. In the Food Safety and Standards (Import) Regulations, 2017,-**

**(a). in regulation 3,-**

(i) sub-regulation (2) shall be omitted.

(ii) for sub-regulation (3), the following shall be substituted, namely:-

“(2) For the purposes of sub-regulation (1), the Food Importer shall register himself with the Directorate General of Foreign Trade and possess valid Import-Export Code.”

**(b). in regulation 5, after sub-regulation (5), the following sub-regulation shall be inserted, namely:-**

“(6) The custom shall not clear any article of food unless it has a valid shelf life of not less than sixty per cent. or three months before expiry whichever is less at the time of import.”

**(c). in regulation 11, for sub-regulation (2), the following shall be substituted, namely:-**

“(2) for the purposes of sub-regulation (1),-

(a) the Food Safety and Standards Authority of India shall profile the Importer, custom house agent, manufacturer of the imported product, imported product, country of origin, source country of the consignment, port of entry, history of compliance and any other parameters as it deems fit for assessing the risk associated with the commodity;

(b) the importer shall submit certificate of sanitary export from authorised agencies in exporting countries for the categories of food as may be specified by the Food Authority from time to time.”