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India

Food and Agricultural Import Regulations and Standards - Narrative

FAIRS Country Report - 2017

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Report Highlights:

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) issued multiple amendments for regulations related to food imports, food additives, standards, contaminants, toxins, labeling, and packaging in calendar year (CY) 2017. The Ministry of Agriculture (MinAg) notified Standard Operating Procedure (SOP) for traceability of import bovine germplasm, amended the import requirements for poultry and poultry products, and initiated the issuance of digital phyto-sanitary certificates. The Ministry of Commerce and Industry amended the import policy of various animal products classified in chapters 41 and 43 of the Harmonized Tariff Schedule.

Disclaimer

This report was prepared by U.S. Embassy New Delhi's Office of Agricultural Affairs (OAA) to serve as reference guide for stakeholders wishing to export food and agricultural products to India. Only updates from CY 2016 and CY 2017 are listed in this report. OAA New Delhi suggests readers use the [GAIN search engine](#) to find similar reports for previous years. While OAA New Delhi makes every effort to accurately describe existing regulations, exporters are strongly advised to always verify import requirements with their Indian customers prior to shipment. This report has not been officially endorsed by the GOI. Import approval for any product is subject to local rules and regulations, as interpreted by Indian Border Officials at the time of entry.

Executive Summary:

Laws pertaining to food and agricultural products imported into India are under the jurisdiction of multiple GOI authorities: FSSAI of the Ministry of Health; the Office of Legal Metrology of the Ministry of Consumer Affairs, Food, and Public Distribution; the Directorate General of Foreign Trade of the Ministry of Commerce and Industry; and two MinAg departments, the Department of Animal Husbandry, Dairying and Fisheries (DAHDF) and the Department of Agriculture and Cooperation (DAC). Exporters are advised to thoroughly research the laws and regulations applicable to their products across all relevant regulatory agencies.

In CY 2017, FSSAI was actively engaged in issuing multiple draft and final amendments and/or regulations related to food safety for imported and domestic food products. FSSAI published the 2017 Organic Food Regulations and proceeded to implement them. Additionally the MinAg notified SOP for traceability of imported Bovine Germplasm; amended the import requirements for poultry and poultry products; and initiated the issuance of digital phyto-sanitary certificates.

Section I. Food Laws:

A. FSSAI's Law, Rules and Regulations

Food safety in India is governed by law, rules, and regulations. The Food Safety and Standards Act, 2006 is the parent law related to food safety and standards. Rules are derived from the core objective of the Act for governing certain actions and decisions of concerned administrative authorities (e.g., qualifications of staff, fees, laboratory and sampling protocols), whereas regulations constitute implementing guidelines of the parent Act for use by officials at the end-user level (e.g., labeling requirements, food additive limitations).

Law: The 2006 Act formally repealed and replaced the prior regulatory framework, consolidating eight different prior food Act/orders into one legal mechanism under the FSSAI. The 2006 Act also adds key provisions to strengthen the implementation of food safety rules.

Rules: The full text of the Food Safety and Standards Rules (FSSR), 2011, can be accessed from the [FSSAI website](#). While useful to know, the Rules are not generally instructive to U.S. food and agricultural product exporters.

Regulations: The 2011 Food Safety and Standards (FSS) Regulations are available on the [FSSAI website](#) and should be consulted regularly for updates, which appear periodically and are published in the official gazette. The regulations govern *inter alia* packaging and labeling, food additives, product standards, licensing and registration of food businesses, and maximum residue levels of contaminants. The Regulations stipulate, "...all food business operators (FBOs), food processors, manufacturers, exporters, or importers shall ensure that the food s/he handles meets all the standards under the FSS Regulation 2011." All domestic food operators, including importers, are required to have an FSSAI license to conduct business in India. FSSAI does not require licensing of foreign companies to export food products to India. For further information, in addition to the FSSAI website, please use the [GAIN search engine](#) to find reports on India containing the term *FSSAI* in "Report Highlights". In 2013, FSSAI began an effort to harmonize its regulations with Codex Alimentarius and has since issued multiple draft amendments in regulations pertaining to food safety. FSSAI continues its efforts to harmonize standards and expect most of the standards required to ensure safe food to be set in the forthcoming months.

B. The Legal Metrology Act, 2009, and the Legal Metrology (Packaged Commodities) Rules, 2011

The Legal Metrology (LM) Act, 2009, establishes uniform standards of weights and measures regulating trade in weights, and other goods which are sold and/or distributed by weight, measure or number. As per the LM Packaged Commodities Rules, 2011 (which came into force on April 1, 2011), manufacturing, packing, selling or importing any pre-packaged commodity is prohibited unless it is in a standardized quantity and carries all prescribed declarations (please refer to Section 18(1) of the rules, 2011). The Department of Consumer Affairs, Ministry of Consumer Affairs, Food, and Public Distribution (commonly and more simply called the Ministry of Food), is the regulatory authority for the LM Act, 2009, and the LM Packaged Commodities Rules, 2011. The full text can be accessed on the website of the Department of Consumer Affairs at [Legal Metrology Act, 2009, the Legal Metrology \(Packaged Commodities\) Rules, 2011](#), and the [Legal Metrology Packaged Commodities Rules \(Amendment\) 2011](#). The Legal Metrology Act, 2009, imposes standard pack sizes for certain commodities as a consumer protection measure (see Section III. Packaging and Container Regulations, below).

C. Livestock Importation Act, 1898

Under the Livestock Importation Act, 1898, the GOI has established procedures for the importation of livestock and related products to India, which are implemented by DAHDF, MinAg. These procedures are available at: http://dahd.nic.in/sites/default/files/gazette_27June2014%20%201.pdf

Procedures for import of various livestock products are available on the website <http://dahd.nic.in/>. In addition you may use the [GAIN search engine](#) to find relevant GAIN FAIRS export certification reports.

The DAHDF notified the Standard Operating Procedure (SOP) for traceability of imported bovine germplasm. The notification provides detailed procedure for traceability of imported bulls, semen doses produced from imported bulls, imported semen doses, and imported embryos. The SOP can be accessed at: [Standard Operating Procedure \(SOP\) for Traceability of Imported Bovine Germplasm](#). The publication date of the notification is not specified in DAHDF's website (GAIN [IN7005](#))

On February 17, 2017 GOI published a gazette notification to amend the requirements for poultry and poultry product imports from countries reporting avian influenza. The amendment is issued in order to rectify the inadvertent omission of the term “the areas of low pest or disease prevalence” in the paragraph 1(d) of the earlier notification (Please see [IN6095](#) and [IN6105](#)). The amended text should now be read as “Pest-or disease-free areas and areas of low pest or disease prevalence means the pest- or disease-free areas and areas of low pest or disease prevalence as defined in the World Trade Organization Agreement on Sanitary and Phytosanitary Measures.” The regulation was not notified to the World Trade Organization (WTO) to date (GAIN [IN7038](#)).

In April, 2016, DAHDF revised the Guidelines for Export/Import of Bovine Germplasm. The new guidelines modify text and/or revise the import requirements for semen, embryos, young bulls and young heifers. For example, the new guidelines include import requirements for sexed semen from genomically tested sires, embryos from genomically tested heifers and genomically tested young bulls. The revised guidelines also mention additional requirements for the eligibility of importers. Although not notified to the WTO, the new guidelines were published on the DAHDF website (GAIN [IN6090](#)).

On February 4, 2016, the GOI notified a draft veterinary health certificate for dog and cat food (containing animal origin material) imports to the WTO. This revised draft certificate introduces some new language and requirements in comparison to the earlier protocol. Other modifications or additions include new heat treatment processing guidelines, the identification of ports that can accept imported pet food, new testing requirements for sulphite reduced clostridium for canned and moist pet food, and manufacturer/exporter declarations. The new draft certificate removed the earlier requirement that a processing facility needed to be located at least 25 kilometers radius from an avian influenza infected area. More details on the draft veterinary health certificate are provided in GAIN [IN5157](#) and GAIN [IN6035](#). The health certificate is accessible online at <http://dahd.nic.in/trade> or can be directly accessed at [Veterinary Certificate for Import of Dog and Cat Foods into India](#).

D. Plant Quarantine (Regulation of Import into India) Order, 2003

Plant import regulations are governed by the Plant Quarantine (Regulation of Import into India) Order, 2003, under the Destructive Insects and Pests Act, 1914. The Order was published on November 18, 2003, with “the purpose of prohibiting and regulating the imports into India of agricultural articles,” and became effective January 1, 2004. The implementing agency is the Directorate of Plant Protection, Quarantine, and Storage, under the MinAg-DAC. The Order, as amended, is available on India’s [Plant Quarantine website](#).

Section II. Labeling Requirements:

Three GOI authorities regulate labeling of food and agricultural products. They are the FSSAI (Ministry of Health and Family Welfare), Office of Legal Metrology (Department of Consumer Affairs, Ministry

of Consumer Affairs, Food and Public Distribution), and the Department of Commerce (Ministry of Commerce and Industry).

Food Safety and Standards Authority of India:

Exporters are strongly encouraged to read Chapter 2 of the [FSS Packaging and Labeling Regulation, 2011](#) before designing labels for products to be exported to India. The labeling regulations cover approximately 20 pages, in more detail than can be included in the summary descriptions of this report.

A. General requirements: All labeling declarations must meet the following requirements:

Product information must be printed on a label securely affixed to the package or printed on the package itself,

The label must be printed in the English or Hindi languages (Hindi must be in Devanagari script),

Products exhibiting only a standard U.S. label will not be allowed to enter,

No false or misleading or deceptive representation shall be made which can create an erroneous impression of the pre-packaged food in any respect, and

Content of the label shall be clear, prominent, indelible, and readily legible by the consumer.

B. Labeling requirements for pre-packaged and wholesale foods:

Pre-packaged Foods:

According to the FSS Packaging and Labeling Regulation, 2011, “Prepackaged” or “Pre-packed food” means food which is placed in a package of any nature in such a manner that the contents cannot be changed without tampering with the package and also which is ready for sale to the consumer.

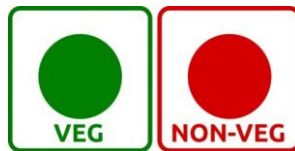
Overview:

Pre-packaged food or pre-packed food including multi-piece packages should carry the following mandatory information on the label:

1. The name of the food,
2. List of ingredients, except for single ingredient foods,
3. Nutritional information,
4. Declaration regarding vegetarian and non-vegetarian,
5. Declaration of food additives,
6. Name and address of the manufacturer,
7. Net quantity,
8. Lot/code/batch identification,
9. Date of manufacture or packing,
10. Best before date or use by date or date of expiry,
11. Country of origin,
12. Instructions for use, if applicable.

Further detail:

1. Name of food: The name of food shall include trade name or description of food contained in the package.
2. List of ingredients: Except for single ingredient foods, a list of ingredients shall be declared on the label, in descending order of their composition by weight or volume.
3. Nutritional information: All nutritional facts per 100 gram or 100 ml or per serving of the product shall be given on the label containing
 - i. Energy value in Kcal;
 - ii. The amount of protein, carbohydrates (specify quantity of sugar) and fat in grams or milliliters;
 - iii. The amount of any other nutrient for which a nutritional or health claim is made.
Note: Nutritional information for alcoholic beverages is not required.
4. Declaration regarding vegetarian or non-vegetarian:
 - i. Vegetarian food must have a symbol consisting of green color-filled circle inside a square with a green outline prominently displayed on the package, contrasting against the background on the principal display panel, in close proximity to name or brand name of the food.
 - ii. Non-vegetarian food (any food which contains whole or part of any animal including birds, marine animals, eggs, or products of any animal origin as an ingredient, excluding milk or milk products), must have a symbol of a brown color-filled circle inside a square with a brown outline prominently displayed on the package, contrasting against the background on the principal display panel, in close proximity to the name or brand name of the food.
Note: Declaration of veg/non-veg logo shall not apply for alcoholic beverages



5. Declaration regarding food additives: This declaration shall be made in accordance with FSS (Packaging and Labeling) Regulation, 2011.
6. Name and complete address of manufacturer: The label shall carry the name and complete address of the manufacturing or packing or bottling unit and also the name and complete address of the manufacturer or the company for and whose behalf it is manufactured or packed or bottled.
 - i. Where an article of food is imported into India, the package of food shall also carry the name and complete address of the importer in India.
 - ii. Provided further that where any food article manufactured outside India is packed or bottled in India, the package containing such food article shall also bear on the label, the name of the country of origin of the food article and the name and complete address of the importer and the premises of packing or bottling in India.
7. Net quantity: By weight or volume or number, shall be declared on every package of food.
8. Lot/code/batch identification: A mark of identification by which the food can be traced in the manufacture and identify in the distribution shall be given on the label. FSSAI has advised verbally that this information may be inkjetted or stamped on the product label or carton.
9. Date of manufacture or packing: The date, month and year in which the commodity is manufactured, packed or pre-packed, shall be given on the label. FSSAI has advised verbally that this information may be inkjetted or stamped on the product label or carton.

10. Best before and use by date: The month and year in capital letters up to which the product is best for consumption. FSSAI has advised verbally that this information may be inkjetted or stamped on the product label or carton.
11. Provided further that the declaration of best before date for consumption shall not be applicable to:
 - i. *Wines and liquors,*
 - ii. *Alcoholic beverages containing 10 percent or more by volume of alcohol.*
12. Country of origin for imported food:
 - A. *The country of origin of the food shall be declared on the label of the food imported into India.*
 - B. *When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labeling.*
13. Instructions for use: If necessary, instructions for use shall be included on the label to ensure correct utilization of the food.

Wholesale food packages:

According to the FSS Packaging and Labeling Regulation, 2011, “Wholesale package” means a package containing

- (a) A number of retail packages, where such first mentioned package is intended for sale, distribution or delivery to an intermediary and is not intended for sale direct to a single consumer; or
- (b) A commodity of food sold to an intermediary in bulk to enable such intermediary to sell, distribute or deliver such commodity of food to the consumer in smaller quantities.

On March 23, 2012, FSSAI published “guidelines related to food import clearance process by FSSAI’s Authorized Officer,” on its website. These guidelines elaborated the labeling requirements of different kinds of packages of food consignments imported into India. The different categories of packages mentioned in the guidelines were: (1) Pre-packaged food or pre-packed food including multi-piece packages; (2) Wholesale packages (including semi-finished/intermediary food products which will be further processed to make final product and packed as pre-packaged or pre-packed food); (3) Primary food like food grains, pulses, fruits, dry fruits, whole spices, etc., imported in package; and (4) Primary food like food grains, pulses, fruits, whole spices, etc. imported in loose in bulk. For more details on the guidelines, please refer to GAIN [IN2055](#).

The new guidelines, as published on FSSAI website on August 9, 2016, modified the labeling requirements for category 3 above. Specifically, the new guidelines state that for all primary food products, such as food grains, pulses, fruits, dry fruits, whole spices, etc. imported in package, the name and address of the importer can be verified from the documents that accompany the consignment. The labeling requirements for such products have been revised and will now require the following details:

- Name of Food
- Name and complete address of the manufacturer/packer
- Date of Manufacture/packing
- Net weight
- Lot number/Code number/Batch number
- Best before or use by date or date of expiry

- Country of Origin
- FSSAI logo and license number (as a rectifiable label, which can also be applied upon arrival)

The new FSSAI guidelines allow a timeline of six months to comply with the modified labeling requirements (GAIN [IN6108](#)). In continuation to the guidelines dated August 9, 2016, a new guideline was issued on December 13, 2017 to extend the compliance date for modified labeling requirements until the time the revised Food Safety and Standards (Labeling) Regulations are published and notified (GAIN [IN7157](#)).

India specifies that imported pre-packaged food products must meet India's country of origin food labeling requirements at the port of entry. Imported bulk food items sold in loose or unpackaged form (almonds, apples, grapes, peas and lentils, etc.) must have an accompanying certificate that specifies country of origin. However, there is currently no requirement to label imported loose or unbranded products at the retail point of sale.

Raw agricultural commodities, spice mixes, condiments, non-nutritive products, alcoholic beverages, fruits and vegetables, processed pre-packaged vegetables and fruits are exempted from nutritional labeling requirements.

Original manufacturer's labels on wholesale packages, applied in the country of origin, that fulfill the labeling requirements of FSSAI's regulations may be allowed. However, tampering of labels and pasting of one label over the other are not permitted.

A wholesale package may show the best before date, expiry date, or use by date. In the case of wholesale packages, if both a best before date and an expiry date are given, then the two must be different and must be clearly specified.

Rectifiable and Non-Rectifiable Labeling:

Absences of vegetarian/non-vegetarian logo, name and address of importer, FSSAI logo and license number on the label are considered "rectifiable labeling deficiencies", which may be dealt with via sticker labels in the custom bonded warehouse at the port. However, absence of name and address of manufacturer, list of ingredients, manufacture date, packing date, best-before or expiry date; batch or code or lot number; net weight or volume; or nutritional information, when required, is not rectifiable with sticker labels. All exporters and importers are responsible for ensuring that the food products entering India from the United States are in full compliance with Indian food laws. Effective December 31, 2015, the compliance on FSSAI logo and license number began. Interested readers may use the [GAIN search engine](#) to find reports on India containing the term *FSSAI* in "Report Highlights" to access background details on the extension of compliance date for logo and license number.

Additionally, the [Modified 2016 Food Import Regulations](#) (Chapter 3, clause 3.7) also allows an Authorized Officer to issue an order for directing the food importer or his authorized agent to carry out permissible labeling rectifications, within a prescribed time in the Customs bonded area without altering or masking the original labeling information in any manner. When such a rectification is done by the importer, the Authorized Officer shall re-inspect the food, and if satisfied, draw a sample, subject to all other conditions met by the importer.

FSSAI is also working on a regulation that makes it mandatory for FBOs to specify dietary ingredients on the front-of-pack (FOP) of packaged food products. These food products will be benchmarked against the permissible or healthy limits of their consumption. With this FOP approach, FSSAI expects to help consumers make an informed choice on what they are consuming (GAIN [IN7103](#)).

Office of Legal Metrology, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution

Labeling requirements:

Per Indian law, most food labeling requirements of the Office of Legal Metrology are superseded by FSSAI's regulations. However, two regulations of this office apply, to wit:

1. The retail sale price of the package: When discounting from the Maximum Retail Price (MRP), a sticker with the revised lower MRP (inclusive of all taxes) may be affixed but the same shall not cover the MRP declaration on the label of the package.
2. If a product is genetically modified, it must include on the label the initials "GM" (GAIN [IN3003](#)).

For detailed information and proviso on labeling, please refer to [Legal Metrology \(Packaged Commodities\) Rules, 2011](#).

On June 23, 2017, the GOI amended the Legal Metrology (LM) (packaged commodities) Rules, 2011; they were published in the Official Gazette of India. This was 2017's first amendment to the Legal Metrology Rules. A consecutive notification related to the same subject was also published on July 4, 2017 to explain the impact of goods and service tax (GST) on the unsold stock of pre-packaged commodities (GAIN [IN7086](#)). Earlier on December 19, 2016, the same amendments were published as draft and comments were invited from stakeholders. The enforcement date mentioned in the December notification has been extended until January 1, 2018, in the current Gazette notification of June, 2017. There are no major revisions between the draft and final amendment. The primary amendments of the LM Rules were listed in GAIN [IN7001](#). It is recommended that interested parties who reviewed the December draft document should also review the June, 2017 final notification.

Ministry of Commerce and Industry

As per [Notification No. 44 \(RE-2000\)/1997-2002](#), issued by the Department of Commerce (DC), Ministry of Commerce and Industry, on November 24, 2000, all packaged commodities, including prepackaged food, imported into India must bear the following declarations:

1. Name and complete address of the importer in India.
2. Generic or common name of the commodity packed.
3. Net quantity using standard units of weights and measures. If the net quantity of the imported package is given in any other unit, its equivalent terms of standard units shall be declared by the importer.
4. Month and year in which the commodity was manufactured/packed, or imported.
5. The maximum retail price (MRP) at which the commodity, in packaged form, may be sold to the

ultimate consumer. This price shall include all taxes, local or otherwise, freight, transport charges, commission payable to dealers, and all charges towards advertising, delivery, packing, forwarding, and any other relevant charges.

The full notification is available on the [DGFT](#) website.

Please see following packaged food label samples:



FSSAI requirements:

1. The name of the food (proprietary chocolate)
2. List of Ingredients
3. Nutritional Information
4. Vegetarian/non-vegetarian logo
5. Declaration of food additives
6. Name and address of the manufacturer
7. Net quantity
8. Lot/code/batch identification
9. Date of manufacture or packing
10. Best before date or use by date or date of expiry
11. Country of origin
12. Instructions for use
13. License Number

Commerce requirements:

1. Name and address of importer in India
2. Name of the commodity packed
3. Net quantity
4. Month and year of manufacture, packing, or import
5. The maximum retail price (MRP)

Ⓢ Instructions for use are not necessary for a product ready to eat from the package.



① Importer information is not applicable to domestically produced products.

Section III. Packaging and Container Regulations:

On October 13, 2017 FSSAI published draft packaging Regulations and invited comments from the WTO member countries. The comment period for trading partners expires 60 days beyond the notification date as listed on the WTO's website (www.wto.org). All Other Information Remains Unchanged from [2015 FAIRS Narrative](#)

Section IV. Food Additives Regulations:

Information regarding permitted food colorings and preservatives is published in various sections of FSS Regulation, 2011. For detailed information, please refer to [Food Safety and Standards \(Food Product Standards and Food Additives\) Regulation, 2011](#) and [Compendium of Food Safety and Standards \(Food Product Standards and Food Additives\) Regulation](#). Amendments related to food product standards and additives published by FSSAI in CY 2017 are detailed in the "Chronology of FSSAI Notifications/Regulations" at the end of this report.

Section V. Pesticides and Other Contaminants:

FSSAI has set maximum residue levels (MRLs) for pesticides, toxins and other contaminants. Please refer to [FSS \(Contaminants, Toxins and Residues\) Regulation, 2011](#), Chapter 2, Regulation 2.3, for the complete list.

A list of banned/restricted pesticides/pesticide formulations that have been refused registration or face restricted use in India is available at http://cibrc.nic.in/list_pest_bann.htm. The Ministry of Agriculture has discontinued pesticide registration through the Pesticide Registration Committee when no MRLs are established.

For additional information on approved pesticides and the procedures for registration of new pesticides, please refer to the Central Insecticide Board and Registration Committee website: <http://cibrc.nic.in/>.

Section VI. Other Regulations and Requirements:

Product Approval:

On September 11, 2017, India implemented its [Food Safety and Standards \(Approval for Non-Specified Food and Food Ingredients\) Regulations, 2017](#). The Regulation has been finalized after incorporating comments received from the stakeholders on the draft Regulation. Earlier on January 31, 2017, FSSAI published a draft regulation on new product approval procedures in the Official Gazette of India and invited a 30-day comment period only from the domestic stakeholders. The comment period expired on March 11, 2017. FSSAI termed these categories of food or food ingredients as "non-specified food and food ingredients." The draft regulation outlines new product approval procedures for the following food and/or food ingredients:

- Novel foods or food containing novel ingredients with no history of human consumption in India;
- Food ingredients with a history of human consumption in India, but are not specified under any other regulations made under the Food Safety and Standards Act, 2006;

- New additives and processing aids; and
- Foods manufactured or processed through novel technologies.

(GAIN [IN7026](#)).

Product Sampling:

On November 14, 2017, the FSSAI published an order to revise the inspection and sampling fees for imported food products. The revised rates were implemented immediately upon publication (GAIN [IN7133](#)).

On November 8, 2017, FSSAI published '[Food Import Clearance Manual](#)' and provided a region-wise list of 142 FSSAI notified laboratories. In the same manual, list of 16 FSSAI notified referral laboratories is also covered under Annexure-VIII.

For details on the procedure of sampling, please refer to the latest 'Manual for Food Imports' FSSAI has also published manuals for its requirements on test methods and analysis by laboratories which pertain to a variety of milk and milk products, oils and fats, fruit and vegetable products, cereal and cereal products, food additives, mycotoxins, spices and condiments, metals, meat and fish, antibiotics and hormones residues, pesticide residues and water analysis. Apart from these manuals, FSSAI has also published a manual to provide general guidelines on sampling methodologies. Readers' can access the manuals on FSSAI's website at: <http://www.fssai.gov.in/home/food-testing/food-testing-manual.html>

Shelf Life:

Notification No. 22 (RE-2001) 1997-2002, dated July 30, 2001, issued by the Department of Commerce, Ministry of Commerce and Industry, states:

Imports of all such edible/food products, domestic sale and manufacture of which are governed by the FSSAI shall also be subject to the condition that, at the time of importation, these products are having a valid shelf life of not less than 60 percent of its original shelf life. Shelf life of the product is to be calculated, based on the declaration given on the label of the product, regarding the date of manufacture and the due date of expiry.

[http://dgft.gov.in/Exim/2000/NOT/itc\(hs\)/GeneralNotes.pdf](http://dgft.gov.in/Exim/2000/NOT/itc(hs)/GeneralNotes.pdf)

FSSAI's [2017 Amendments in the Food Import Regulations](#) mandates that the Indian Custom officials shall clear any imported food product only if it has valid shelf life of not less than sixty percent, or three months before expiry, whichever is less, at the time of import. The amendments also include the requirement of the food importers' to register with the Directorate General of Foreign Trade, possess a valid import-export code; create a profile of the importer, custom house agents, imported product, manufacturer of the imported products, country of origin, source country of the consignment, port of entry, compliance history and any other parameters required to line up the risk associated with the food product; and lastly submit certificate of sanitary export from authorized agencies in exporting countries for the categories of food as may be specified by the Food Authority from time to time. These amendments have become effective as of December 6, 2017 (GAIN [IN7076](#), [IN7097](#) and [IN7158](#)).

Miscellaneous Requirements:

There is no requirement to register products formally. Export certification requirements for imports of food products in India are summarized in FAIRS Export Certification Report 2017(GAIN [IN7146](#)).

The import of product samples via express mail or parcel post (such as FedEx, UPS, DHL) is allowed, subject to obtaining prior permission from the DGFT. (See <http://www.cbec.gov.in/>). Mail order imports are not allowed. Contact information to arrange sample shipments is provided in Appendix I. Once the products enter the domestic market, they are subject to random monitoring at the retail and wholesale levels by the relevant regulatory authorities.

The Genetic Engineering Approval Committee (GEAC) under the Ministry of Environment and Forests is the decision-making authority for the approval of genetically engineered products. Food ingredients and additives containing bioengineered organisms may not be produced, used, or imported without prior GEAC approval.

Since July 8, 2006, the GOI Foreign Trade Policy (2004-2009) specified that all imports containing products of modern biotechnology must have prior approval from GEAC, Ministry of Environment and Forests. The policy also stipulates a mandatory biotech declaration. The only biotech food product officially permitted for commercial importation is soybean oil derived from Roundup Ready Soybeans. For more information on India's biotech import policy, please refer to GAIN [IN7135](#) "Agricultural Biotechnology Annual 2017".

Section VII. Other Specific Standards:

Department of Commerce Notification No. 44 (RE-2000)/1997-2002, dated November 24, 2000, requires imports of certain products, including some food products (milk powder, condensed milk, infant milk foods, milk-cereal based weaning foods) and food additives, to comply with mandatory Indian quality standards. All manufacturers and exporters to India of products listed in this notification are required to register with the Bureau of Indian Standards. Please refer to the official [DGFT Notification](#) for the list of affected products.

Section VIII. Copyright and/or Trademark Laws:

The Indian Copyright Act of 1957 is based on the Bern Convention on Copyrights, to which India is a party. The May 1995 and December 1999 amendments increased protection and introduced stiff mandatory penalties for copyright infringement. On paper, Indian copyright law is now on par with the most modern laws in the world. Trademarks are protected under the Trade Marks Act, 1999 and the Trade Marks Rules, 2002 (in force since September 2003), which repealed the Trade Mark and Merchandise Marks Act, 1958. The changes introduced by the Act include protection of well-known trademarks, as well as service and collective marks; extension of the period of protection from seven to ten years; establishment of an Appellate Board; and increased penalties for infringement of trademarks. GOI enforcement of intellectual property rights has been very weak; however, the situation is slowly improving, as the courts and police are becoming more responsive to domestic stakeholders concerned with the broad effects of piracy.

Foreign firms can register trademarks through a local agent by applying at the Office of the Registrar of Trademarks (www.ipindia.nic.in). However, the registration process can take up to three to five years for

the trademark to be officially accepted and notified.

In order to protect the intellectual property of imported products, the Central Board of Excise and Customs (CBEC), Ministry of Finance, has issued the Intellectual Property Rights (Imported Goods) Enforcement Rules, 2007 (<http://www.cbec.gov.in/htdocs-cbec/customs/cs-act/formatted-htmls/ipr-enforcementrules>).

Instructions regarding the implementation of the Rules are available on the CBEC website: <http://www.cbec.gov.in/htdocs-cbec/customs/cs-circulars/cs-circulars-2007/circ41-2k7-cus>

Section IX. Import Procedures:

Documentation: Importers must provide an import declaration in the prescribed Bill of Entry format, disclosing the value of the imported goods. This declaration must be accompanied by the relevant import license and phytosanitary certificate (in the case of agricultural commodities), along with supporting documentation such as sales invoices and freight and insurance certificates. There is no need to translate the import documents into the local language as English is an official language. All consignments are required to be inspected prior to clearance. FSSAI has also authorized its officers at Mumbai, Nhava Sheva, Haldia, Kolkata, Chennai and Cochin seaports, and at the international airports of Mumbai, Kolkata, Chennai, Cochin and New Delhi, to oversee the clearance process of imported food products. FSSAI's authorized officer overseeing import clearance at New Delhi's Indira Gandhi International Airport also oversees the import clearance process at Inland Container Depots in Tuglaqabad and Patparganj areas of New Delhi.

Procedure for Clearance:

On November 8, 2017, FSSAI published [Food Import Clearance Manual](#) in order to explain the step-by-step procedure for food imports and their clearance process. It is important that exporters maintain close contacts with their agents on import procedures (GAIN [IN7144](#)).

The procedures for product sampling and laboratory analysis are well defined in [2017 Food Import Regulations](#). Prior to sampling a product, the FSSAI port officer will ascertain whether the imported food item is in compliance with the labeling provisions under FSSAI rules so as to ensure that adequate and accessible information is available to the handler, processor or consumer to enable them to handle, store, process, prepare, and display the food products safely, and that the lot or batch can be easily traced and recalled if necessary. If labeling is found deficient, the product will be rejected without further inspection or sampling.

For additional information please contact:

Office of Agricultural Affairs
Embassy of the United States of America
Shantipath, Chanakyapuri
New Delhi - 110 021, India
Ph: (+91-11) 2419-8000, Fax: (+91-11) 2419-8530
E-Mail: agnewdelhi@fas.usda.gov

Appendix I. Government Regulatory Agency Contacts:

A. Overall Food Safety: Food Safety and Standards Regulations, 2011 (as amended)

Chairperson
Food Safety and Standards Authority of India
FDA Bhavan, Kotla Road
New Delhi-110 002
Phone: (91-11) 23220991/92
E-mail: chairperson@fssai.gov.in
Website: <http://www.fssai.gov.in>

B. The Legal Metrology Act, 2009 (as amended)

Department of Consumer Affairs, Ministry of Consumer Affairs, Food, and Public Distribution

Director (Legal Metrology)
Department of Consumer Affairs
Krishi Bhawan, New Delhi – 110 001
Phone: (91-11) 23389489
Fax: (91-11) 23385322
Email: dirwm-ca@nic.in
Website: <http://fcamin.nic.in/index.asp>

C. Phytosanitary Issues

Department of Agriculture and Cooperation, Ministry of Agriculture

Joint Secretary - Plant Protection and Quarantine
Department of Agriculture and Cooperation
Ministry of Agriculture
Krishi Bhawan, New Delhi – 110 001
Phone: (91-11) 23070306
Fax: (91-11) 23070306
Website: www.plantquarantineindia.org

D. Livestock and Products Imports

Department of Animal Husbandry, Dairying, and Fisheries, Ministry of Agriculture

Joint Secretary
Department of Animal Husbandry and Dairying
Ministry of Agriculture
Krishi Bhawan, New Delhi - 110 001

Phone: (91-11) 23387804
Fax: (91-11) 23386115
E-mail: jsadd@nic.in
Website: <http://dahd.nic.in/>

E. Foreign Trade Notifications
Department of Commerce, Ministry of Commerce and Industries

Director General of Foreign Trade
Ministry of Commerce
Udyog Bhawan, New Delhi - 110 011
Phone: (91-11)23062777
Fax: (91-11)23061613
E-mail: dgft@nic.in
Website: <http://dgft.delhi.nic.in/>

F. Registry of Trademarks
Department of Commerce, Ministry of Commerce and Industries

Controller General of Patents, Designs and Trade Marks and
Geographical Indication Registry
Bhoudhik Sampada Bhavan
S.M. Road, Antop Hill, Mumbai – 400 037
Phone: (91-22)24144525/24132735
Fax: (91-22)24132735
E-mail: Mumbai-patent@nic.in
Website: www.ipindia.nic.in

G. Central Board of Excise and Customs
Ministry of Finance

Chairman
Central Board of Excise and Customs
Ministry of Finance
North Block, New Delhi – 110 001
Phone: (91-11) 23092849
Fax: (91-11) 23092890
E-mail: chairman@cbec.gov.in
Website: <http://www.cbec.gov.in/>

H. Pesticide Registration
Department of Agriculture and Cooperation, Ministry of Agriculture

Secretary
Central Insecticides Board and Registration Committee
C.G.O. Complex, N.H. IV

Faridabad – 121 001, Haryana
Phone: (91-129) 2413002
E-mail: cibsecy@nic.in
Website: <http://cibrc.gov.in/>

**I. Genetic Engineering Approval Committee (GEAC)
Ministry of Environment and Forests**

Chairman, GEAC
Ministry of Environment and Forests
Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi – 110 003
Phone/Fax: (91-11) 24363967, 24361308
Email: parsheera-mef@nic.in
Website: <http://envfor.nic.in/>

Appendix II. Other Import Specialist Contacts:

Director
Confederation of Indian Food Trade and Industry
Federation of Indian Chambers of Commerce and Industry
Federation House, Tansen Marg
New Delhi – 110 001
Phone: (91-11) 23738760-70
Fax: (91-11) 23311920
E-mail: ficci@ficci.com
Website: www.ficci.com

Senior Technical Advisor
Confederation of Indian Industry
The Mantosh Sondhi Center
23, Institutional Area, Lodhi Road
New Delhi – 110 003
Phone: (91-11) 2463 3461
Fax: (91-11) 2462 6149
Website: www.cii.in

Author Defined:

Appendix III: Important Commodity-Specific Reports Submitted Since Last Fairs Country Report

IN7158	First Amendment of 2017 Food Import Regulation is Operational
IN7157	Compliance Timeline Extended for Modified Labeling Requirements
IN7154	India Notifies Adoption of 46 Standards of BIS for Food Additives

IN7146	Food and Agricultural Import Regulations and Standards-Certification
IN7144	FSSAI Publishes Manual for Food Imports
IN7143	FSSAI Publishes FAQs on Health Supplements and Specialty Foods
IN7142	FSSAI Publishes Guidelines on Food Recall
IN7141	Modified List of Permissible Import of Medical and Therapeutic Foods
IN7140	Food Fortification Regulations Re-Operationalized
IN7139	FSSAI Organic Standards Operationalized
IN7134	Timeline Extended to Declare Class Title and Trans Fat Content
IN7133	Revised Inspection and Sampling Fees for Imported Food Products
IN7132	Draft Standards for Varied Food Products Invites WTO Member Comments
IN7131	Advertisements and Claims Regulations Invite WTO Member Comments
IN7129	GOI amends Standards for Milk and Dairy Products
IN7128	Draft Packaging Regulations Invite Comments
IN7122	GOI Notifies Vertical Standards for Fish and Fish Products
IN7121	Timeline to Display Revised MRP Due to GST Implementation Extended
IN7116	Final Standards for Cereal and Cereal Products in the Indian Gazette
IN7115	India Notifies Standards for Non-Carbonated Water Based Beverages
IN7114	Amendments in Provisions for Non-Alcoholic Carbonated Beverages
IN7110	WTO Notified Draft Standards for Colostrum and Colostrum Products
IN7109	WTO Notified Draft Standards for Meat-Fish-Proprietary Foods
IN7105	Draft Amendments in Contaminants Toxins and Residues Regulations
IN7104	Amendments in Food Additives Regulation Invite Comments
IN7103	Nutritional Labeling Requirement on Front of Packaged Foods Soon
IN7102	GOI Draft Standards for Colostrum and Colostrum Products
IN7101	GOI Draft Standards for Meat-Fish-Proprietary Foods
IN7100	WTO Notified-Amendments in Tolerance Limit of Antibiotics
IN7099	WTO Notified-Amendments Relating to Purity of Steviol Glycosides
IN7098	WTO Notified-FSSAI Draft Standards for Cereal and Cereal Products
IN7097	WTO Notified-Amendments in Indian Food Import Regulations
IN7091	WTO Notified Plant Quarantine Ninth Amendment 2017
IN7090	Amendments Relating to Sale of Vegetable Oil and Fat Invite Comments
IN7089	Food Import Regulations Supersede Certain Advisories and Guidelines
IN7088	FSSAI Implements Standards for Non-Carbonated Beverages
IN7086	2017 Amendments to Legal Metrology Rules
IN7085	Compliance Timeline Extends for Certain Provisions of Food Additives
IN7083	Draft Amendment on Artificial Sweetener Invites WTO Member Comments
IN7082	FSSAI Notification on the Use of Yeast in Bakery Products
IN7080	FSSAI Publishes Its Permissible List of Imported Specialty Foods
IN7079	Class Title and Trans Fat Content Declaration Gets Further Extension
IN7076	Amendments in Food Import Regulations
IN7071	FSSAI Notifies Compliance Directions for Caffeinated Beverages

IN7070	FSSAI Standards of Table Olives Now in Effect
IN7068	FSSAI Publishes Draft Amendment in Food Additive Regulation
IN7063	India Implements Food Fortification Regulation
IN7061	WTO Notified—Draft Regulations for Organic Foods
IN7057	Amendments to the Food Additives List Invites WTO Member Comments
IN7055	FSSAI Publishes FAQs on Products for Inborn Errors of Metabolism
IN7051	Additional Guidance on Food Import Clearance System
IN7047	FSSAI Invites Comments for Organic Food Regulations
IN7046	WTO Notified-Regulation on Ready to Drink Infant Milk Substitute
IN7042	Timeline for Declaration of Trans Fat Food Labels Gets Extension
IN7041	WTO Member Comments Invited on Ready to Drink Infant Milk Substitutes
IN7038	GOI Amends Import Requirements for Poultry and Poultry Products
IN7036	GOI Notifies Microbiological Standards for Fish and Fishery Products
IN7033	FSSAI Publishes Guidelines for Operations of E-Commerce FBOs
IN7032	India Publishes Final Standards for Malt and Malt Based Foods
IN7027	Final Standards for Oats-Pasta-Fats-Oils Published in Indian Gazette
IN7026	Draft Regulation on Product Approval Published in Indian Gazette
IN7024	India Invites WTO Member Comments on Banned List of Pesticides
IN7023	India Invites WTO Member Comments on Non-Alcoholic Beverage Standards
IN7022	GOI Notifies Standards for Histamine Level in Fish and Fish Products
IN7020	FSSAI Publishes FAQs on Food Import Clearance Process
IN7019	Standards for Special Dietary Foods Invite WTO Comments
IN7018	Revised Standards for Sweetening Agents Invite WTO Comments
IN7017	FSSAI Publishes FAQs on Regulatory Compliance
IN7016	WTO Comments Invited on New Standards for Cereal and Cereal Products
IN7015	New Standards for Edible Fats Invite WTO Comments
IN7014	WTO Comments Invited on New Standards for Complementary Foods
IN7013	India Notifies New Standards for Various Ingredient Products at WTO
IN7012	Draft Guidelines for Food Business Operators
IN7011	FSSAI Publishes Final Regulations on Food Recall Procedures
IN7010	Draft Food Import Regulations Re-Operationalized
IN7009	Regulations on Functional Foods Published in the Indian Gazette
IN7008	Comments Invited from WTO Members on Standards for Dairy Proteins
IN7007	India-Import Policy Update for Animal Products
IN7006	FSSAI-Draft Notification on Standards for Milk and Dairy Products
IN7005	GOI Notifies SOP for Traceability of Imported Bovine Germplasm
IN7004	Draft Notification on Food Fortification Published in Indian Gazette
IN7003	Declaration of Class Title of Edible Oil and Fats Gets Extension
IN7002	FSSAI Adopts Vertical Standards for food Additives
IN7001	Comments Invited for Amendments in Legal Metrology Rules

Appendix IV: Chronology of FSSAI Regulations/Notifications (2017)

- On November 8, 2017, FSSAI published ‘Manual for Food Imports’ in order to explain the overall import clearance process (GAIN [IN7144](#)).
- On November 27, 2017, FSSAI published a list of FAQs covering information related to health supplements, nutraceuticals, food for special dietary and medical purpose, functional foods and novel foods (GAIN [IN7143](#)).
- On November 28, 2017, FSSAI published food recall guidelines on its website. The guidelines not only explain the role of FSSAI and the industry in food recall but also step by step procedures a food business operator has to be follow to recall a food product. Earlier in January 2017, FSSAI published its Regulation on food recall procedures in the Indian Gazette (GAIN [IN7142](#)).
- On November 22, 2017, FSSAI published a modified list of medical and therapeutic foods permissible to be imported. The current [November 22 Notification](#) provides the allowable and non-allowable list of such categories of foods in two Annexures. Only the products listed from serial number 1 to 27 in Annexure I is in the permissible list and for which license may be issued under the Food Safety and Standards Act, 2006. However, the product in serial number 28 listed as “Balance metanutrition LPS (for infants and nutrition & children)” will neither be approved nor a license issued for imports. The licenses shall be granted only for a period of two years only from the date of the [earlier notification](#) dated November 2, 2016 (published on FSSAI’s website on November 24, 2016) or until the time the standards for medical and therapeutic foods are developed, whichever is earlier (GAIN [IN7141](#)).
- On November 9, 2017, FSSAI operationalized Food Safety and Standards (Organic Food) Regulation, 2017. The Regulations have been finalized after incorporating comments received from the stakeholders on the draft Regulation, which was notified to the WTO stakeholder on May 4, 2017 (GAIN [IN7139](#), [IN7061](#) and [IN7047](#)).
- On November 14, 2017, the FSSAI published an order to revise the inspection and sampling fees for imported food products. The revised rates were implemented immediately upon publication (GAIN [IN7133](#)).
- On July 31, 2017, India notified amendments in Food Import Regulations to the WTO and invited comments from the member countries. The comment period, as listed on the WTO website, expired on September 29, 2017. The major amendment of the subject notification related to the requirement of a sanitary export certificate from authorized agencies in exporting countries for certain food categories as may be specified by the Food Authority from time to time. This requirement was not specified earlier in the 2016 Food Import Regulations. Other amendments relate to (i) validity of shelf life of food products; (ii) requirement of the food importers’ to register with the Directorate General of Foreign Trade and possess a valid import-export code; and (iii) creating a profile of the importer, custom house agents, imported product, manufacturer of the imported products, country of origin, source country of the consignment,

port of entry, compliance history and any other parameters required to line up the risk associated with the food product (GAIN [IN7097](#) and [IN7076](#)).

- On July 13, 2017, FSSAI issued an order to list certain advisories and guidelines previously issued over the years' on imported food products as invalid. The 2017 Food Import Regulations include the subject matter of these advisories/guidelines and therefore supersede them (GAIN [IN7089](#)).
- On June 16, 2017, FSSAI published list of specialty food products that can be imported to treat infants and children suffering from special medical conditions (GAIN [IN7080](#)).
- On May 4, 2017, FSSAI published a list of FAQs covering information related to IEM food products. Among other details, the FAQs also cover labeling and import requirements for such products (GAIN [IN7055](#)).
- In an effort to make the Food Import Clearance System (FICS) timelier, more user-friendly, and avoid delays in clearing of imported food consignments, FSSAI published additional guidance related to fee penalties for sample testing and appointment date/time for visual inspection of the imported food products consignment (GAIN [IN7051](#)).
- On February 2, 2017, FSSAI published on its website guidelines for FBOs involved in the e-commerce sector, which came in effect from the date of publication. The draft notification for said guideline was published on September 20, 2016 (GAIN [IN7033](#)).
- On September 11, 2017, India implemented its [Food Safety and Standards \(Approval for Non-Specified Food and Food Ingredients\) Regulations, 2017](#). The Regulations have been finalized after incorporating comments received from the stakeholders on the draft Regulation. Earlier on January 31, 2017, FSSAI published a draft regulation on new product approval procedures in the Official Gazette of India and invited a 30-day comment period only from the domestic stakeholders (GAIN [IN7026](#)). The comment period expired on March 11, 2017. FSSAI termed these categories of food or food ingredients as “non-specified food and food ingredients.”
- On February 3, 2017, FSSAI published FAQs covering a range of topics related to food import clearance process. The link to the document is: http://www.fssai.gov.in/dam/jcr:44352794-e42e-44ea-a06d-595a71f49008/FAQs_Imports_AO_03_02_2017.pdf. The full text of the document is also accessible on FSSAI's website <http://www.fssai.gov.in/> (GAIN [IN7020](#)).
- On January 23, 2017, FSSAI published a comprehensive list of FAQs covering information related to regulatory compliance issues. The link to the document is: <http://www.fssai.gov.in/home/compliance/FAQs.html> (GAIN [IN7017](#)).
- On January 16, 2017, FSSAI published a notification to include new draft standards for complementary foods for toddlers (specifically ages 18 to 24 months) and young children (specifically ages 24 months to five years). FSSAI invited the WTO member countries to

comment on this notification. The comment period for trading partners expired 60 days from the date notified on the WTO website (GAIN [IN7014](#)).

- On January 25, 2017, FSSAI published its regulation on food recall procedures in the Indian Gazette. The regulations include detailed procedures to recall food from the market at any stage of the food chain, including the food possessed by consumers (GAIN [IN7011](#)).
- FSSAI published a draft Food Safety and Standards (Food Import) Regulations, 2017, and implemented the updated standards on January 14, 2017. According to guidance from FSSAI, the Food Import Regulations operationalized earlier in September 2016, required modifications to incorporate comments received from various stakeholders. Until the final notification of the regulation was issued, the draft Food Import Regulations 2017, along with FSSAI's new directive dated January 13, 2017 was operational (GAIN [IN7010](#)).
- On December 23, 2016, FSSAI published regulations in the Indian Gazette pertaining to new standards for nutritional supplements, nutraceuticals, special foods, and medical or therapeutic food products. Earlier, in November 2016, FSSAI issued a notice to operationalize its functional food standards, but it also granted a one-year implementation period to allow businesses to adjust. Full enforcement of these standards is expected roughly on and around January 1, 2018 (GAIN [IN6145](#)). Industry sources report that the private sector will have sufficient time to adjust and come into full compliance by then (GAIN [IN7009](#)).

[Amendments to the Food Safety and Standards \(Food Product Additives and Food Standards\) Regulation, 2011](#)

- In its latest directive published on November 22, 2017, FSSAI has decided to re-operationalize the food fortification Regulations with effect from October 18, 2017, as the final notification will take time to be published (GAIN [IN7140](#)).
- On November 13, 2017, FSSAI published a notice to postpone its compliance date for declaring class title, trans-fat content, and saturated fat content in food products until December 31, 2017 (GAIN [IN7134](#)).
- On November 15, 2017, FSSAI amended the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, and invited the WTO member countries to offer their comments on the amendments. Major amendments relate to the insertion of standards for rice, basmati rice, chia seeds, gari (cassava product), edible cassava flour, roasted Bengal gram flour, ragi flour, almond kernels, coconut milk powder (non-dairy), mixed masala powder, spice Oleoresins, bay leaf, star anise and phytostanol. The comment period expires 60 days from the date it is published on the WTO website (GAIN [IN7132](#)).
- On November 24, 2017, India notified to the WTO a draft regulation on advertisements and claims and invited comments from its member countries. The deadline to provide comments was January 21, 2018 (GAIN [IN7131](#)).

- On October 13, 2017, FSSAI amended the standards of milk and dairy products. FSSAI promulgated the draft standards of milk and dairy products notified earlier to the WTO in December, 2015 for comments. The regulation comes into effect from October 13, 2017 (GAIN [IN7129](#)).
- On September 19, 2017, FSSAI published official gazette notification for Food Safety and Standards (Food Products Standards and Food Additives) Eleventh Amendment Regulations 2017; these regulations pertain to vertical standards of fish and fish products. The new regulations amend regulation 2.6.1 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations 2011 and provide new or revised standards for fish and fish products. The fish and fish products included in the new regulations are frozen shrimp, frozen finfish, frozen fish fillets, canned fishery products, frozen cephalopods, smoked fishery products, ready-to-eat finfish or shell fish curry in retortable pouches, sardine oil, edible fish powder, fish pickles, frozen minced fish meat, freeze dried prawns (shrimps), and frozen clam. The draft standards for the same were earlier notified to the WTO on October 10, 2016 for comments (GAIN [IN6143](#)). The final regulation has not been notified to the WTO to date (GAIN [IN7122](#)).
- On September 21, 2017, the final notification on standards for Durum wheat *maida*, quinoa, instant noodles and pearl millet flour was published in the Official Gazette of India. These standards are in addition to the existing standards of cereal and cereal products in the Food Safety and Standards (Food Product Standards and Food Additives) Regulation, 2011. FSSAI notes the implementation date as September 18, 2017 (GAIN [IN7116](#)).
- On September 20, 2017, FSSAI notified their final Regulation relating to standards for non-carbonated non-alcoholic water based beverages such as flavored water, herbal water, etc., in the Official Gazette of India. The implementation of this Regulation, however, began earlier from July 6, 2017 (GAIN [IN7115](#)).
- FSSAI notified its amendment in the official Gazette of India relating to “Beverages Non-Alcoholic-Carbonated” of the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011. The provisions on declaration of added sugar for non-alcoholic carbonated beverages have been amended in order to resolve duplication and overlapping issues. In the recent amendment, only one provision exists in clause 1 of sub-regulation 2.10.6 relating to ‘carbonated water’. Accordingly, the earlier existing first and second provisions have been deleted. The implementation has begun from the date of its publication in the Official Gazette of India, i.e., September 11, 2017 (GAIN [IN7114](#)).
- On August 16, 2017, FSSAI notified standards for Colostrum and Colostrum Products for comments to the WTO. The notification amends Food Safety and Standards Regulations 2011 (Food Products Standards and Food Additives) to provide new definitions and standards for Colostrum and Colostrum Products. The deadline for comments is October 15, 2017 (GAIN [IN7110 and IN7102](#)).
- On August 16, 2017, the GOI notified to the WTO Draft Food Safety and Standards Amendment

Regulations 2017 (Food Products Standards and Food Additives) related to meat and meat products, fish and fisheries products, and proprietary foods. The Draft Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations 2017 amended Food Safety and Standards Regulations 2011 (Food Products Standards and Food Additives) to modify text and/or provide new or revised definitions and standards for meat and meat products, fish and fisheries products, and proprietary foods. The deadline for comments was October 15, 2017 (GAIN [IN7109](#) and [IN7101](#)).

- On August 8, 2017, FSSAI published a draft notification related to the inclusion of provision for additional additives in various food categories. The amendments relate to the list of additives in Appendix 'A' of the [Food Safety and Standards \(Food Product Standards and Food Additives\) Regulation, 2011-Part II](#). The draft notification invited comments from the WTO member countries, which would expire 60 days from the date published on the WTO website (GAIN [IN7104](#)).
- On July 31, 2017, India notified amendments in Food Product Standards and Food Additives Regulations to the WTO and invited comments from the member countries. The amendments were mainly related to the purity of steviol glycosides. The comment period, as listed on the WTO website expired on September 29, 2017 (GAIN [IN7099](#)).
- On June 22, 2017, FSSAI amended the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, to update standards for all pulses, whole and decorticated pearl millet grains, degermed maize flour and maize grit, couscous, tempe, textured soy protein, and sago flour in Chapter 2 of the Regulations dealing with "Cereals and Cereal Products." On July 31, 2017, the draft regulation was notified to the WTO for comments. The trading partner comment period deadline was September 29, 2017 (GAIN [IN7098](#)).
- On July 6, 2017, FSSAI implemented Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulation, 2017, for non-carbonated water based beverages (GAIN [IN7088](#)).
- On June 30, 2017, FSSAI has issued a notice to provide exceptions to the FBOs to comply with the enforcement date for certain provisions of the food additives published in its Gazette notification of September 5, 2016. The exceptions will remain effective only until the final notification of the amendments to the food additive is published (GAIN [IN7085](#)).
- On June 20, 2017, FSSAI amended the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, related to the purity of steviol glycosides and invited comments from the WTO member countries (GAIN [IN7083](#)).
- On June 30, 2017, FSSAI published a notification relating to the use of yeast in bread and cookies. As per the notification, yeast was to be considered as an approved ingredient in breads and cookies until the amendments to the vertical standards are finalized by FSSAI (GAIN [IN7082](#)).

- On June 15, 2017, FSSAI issued a notice to postpone its compliance date for declaring class title, trans-fat content and saturated fat content in food products until September 30, 2017 (GAIN [IN7079](#)).
- On December 2, 2016, FSSAI notified standards for caffeinated beverages and use of blue tint in plastic container via [notification no. P. 15025/93/2011-PFA/FSSAI](#). FSSAI had stated that FBOs must comply with provisions of the said regulations by July 1, 2017. In response to industry requests, however, on June 15, 2017 FSSAI announced on its website that it has extended the time period allowed for compliance by the FBOs till December 31, 2017 (GAIN [IN7071](#)).
- On June 5, 2017, FSSAI standards for table olives came into effect. The guidelines specify regulatory requirements pertaining to table olives. On November 24, 2016, FSSAI had published new standards for table olives and allowed a grace period of 180 days (GAIN [IN7070](#)).
- On May 26, 2017, FSSAI published a draft notification on Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2017. Comments and suggestions are invited from the stakeholders for a period of 30 days from the date of publication of the notification on FSSAI's website (GAIN [IN7068](#)).
- On May 19, 2016, FSSAI published a draft regulation related to food fortification. As of April 17, 2017, FSSAI fully implemented its new Food Safety and Standards (Fortification of Foods) Regulations, 2017 (GAIN [IN7063](#)).
- On May 3, 2017, FSSAI issued a notification which updated the list of food additives in the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011. The notification informed that comments from trading partners would be solicited for a period of 60 days following the publication of the changes on the WTO's website (GAIN [IN7057](#)).
- On April 4, 2017, India notified to the WTO a draft regulation related to ready-to-drink infant milk substitute. The deadline to provide comments was June 3, 2017 (GAIN [IN7046 and IN7041](#)).
- On March 2, 2017, FSSAI issued a notification to extend the compliance date only for declaration of class title, trans fat content and saturated fat content on the labels of all food products. The new date for compliance is June 30, 2017. The notification also states that the compliance date for limits of trans fat levels not more than 5 percent by weight will continue to remain effective February 28, 2017 (GAIN [IN7042](#)).
- On February 14, 2017, FSSAI notified Food Safety and Standards (Food Products Standards and Food Additives) Third Amendment Regulations, 2017 to amend the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011. The new regulation defines the microbiological standards for fish and fish products. The draft microbiological standards for the same were earlier notified to the WTO on January 4, 2016 for comments (GAIN [IN7036](#)).

- On February 17, 2017, the Food Safety and Standards (Food Product Standards and Food Additives) Second Amendment Regulations, 2017, for malt and malt-based foods was finalized and published by FSSAI on their website. FSSAI implemented the new standards, as per the date it was notified in the Gazette of India on February 13, 2017 (GAIN [IN7032](#)).
- On February 9, 2017, FSSAI published the final version of the Food Safety and Standards (Food Product Standards and Food Additives) First Amendment Regulations, 2017, related to standards for oats, pasta, fats and oils. According to FSSAI, the implementation of the notification commenced as of July 1, 2017 (GAIN [IN7027](#)).
- On February 3, 2017, FSSAI published a notification inviting comments from the WTO member countries regarding new standards pertaining to sugar in nonalcoholic and carbonated beverages. The comment period expired 60 days following the notification's publication on the WTO's website (GAIN [IN7023](#)).
- On February 3, 2017, FSSAI published a draft notification for low-sodium content special dietary foods standards in the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011. The major highlights of the standards proposed in this draft notification related to (a) special dietary foods with low sodium content; and (b) salt substitutes and their composition. The notification invited comments from the WTO member countries, which expired 60 days from the date it was notified on the WTO website (GAIN [IN7019](#)).
- On January 10, 2017, FSSAI published a draft notification to include revised draft standards for sugarcane jaggery, sodium saccharin and calcium saccharin, and invited comments from the WTO member countries. The comment period for trading partners expired 60 days from the date it was published on the WTO's website (GAIN [IN7018](#)).
- On January 16, 2017, FSSAI published a notification for new draft cereal and cereal product standards in the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011. The notification invited comments from the WTO member countries, which expired 60 days from the date it was notified on the WTO website (GAIN [IN7016](#)).
- On January 16, 2017, FSSAI published a notification to include new draft standards for certain edible fats such as shea butter and borneo tallow. The notification also included a table on the fatty acid composition for various edible vegetable oils. Comments were invited from the WTO member states. The comment period for trading partners expired 60 days from the date it was notified on the WTO's website (GAIN [IN7015](#)).
- On January 16, 2017, FSSAI published a draft notification to revise standards for date paste, fermented soybean paste, cocoa mass or cocoa/chocolate liquor and cocoa cake, vegetable protein products, thermally processed fruit salad/cocktail/mix, harrisa (red chili paste), and cocoa powder. The notification invites the WTO member countries to comment on the draft notification for a period of 60 days following the date of publication on the WTO's website (GAIN [IN7013](#)).

- On January 16, 2017, India notified its draft standards for milk protein concentrate (MPC) and whey protein concentrate (WPC) to the WTO and invited comments. The comment period for trading partners expires 60 days beyond the notification date as listed on the WTO's website (GAIN [IN7008](#)).
- FSSAI published official gazette notification for Draft Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2016 that modified text and/or provided new or revised definitions and standards for milk and dairy products. Affected products include milk, flavored milk, evaporated or concentrated milk, sweetened condensed milk, *khoya*, cream and *malai*, milk fats including anhydrous milkfat, anhydrous butter oil, butter oil and *ghee*, butter, milk powder and cream powder, dairy whitener, whey powder, fermented milk products, ice-cream, *kulfi*, chocolate ice cream, soft ice cream, milk ice or milk lolly, dried ice cream mix, frozen dessert or confections, *chhana* and *paneer*, cheese and cheese products, and edible casein products (GAIN [IN7006](#)).
- On January 3, 2017, FSSAI published a draft regulation on food fortification in the Official Gazette of India. The draft Regulation pertains to standards for fortified food products under the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011. The fortified food products include salt, vanaspati, wheat flour (*atta*), vegetable oil, milk, refined wheat flour (*maida*), and rice with essential micronutrients. A logo for fortified foods has been added as a packaging and labeling requirement in the draft Regulation (GAIN [IN7004](#)).

Amendments to the Packaging and Labeling Regulation, 2011

- On October 13, 2017, FSSAI published draft packaging Regulations and invited comments from the WTO member countries. The comment period for trading partners expired 60 days beyond the notification date as listed on the WTO's website (GAIN [IN7128](#)).
- On September 29, 2017, the GOI's Department of Consumer Affairs, Legal Metrology Division, published a notification to extend the timeline provided to the manufacturers, packers or importers of pre-packaged commodities to declare the changed retail sales prices on the unsold stock of product manufactured, packed or imported before the GST implementation date of July 1, 2017. The earlier timeline of September 30, 2017 has been extended until December 31, 2017 (GAIN [IN7121](#)).
- FSSAI is working on a regulation that makes it mandatory for FBOs to specify dietary ingredients on the front-of-pack (FOP) of packaged food products. These food products will be benchmarked against the permissible or healthy limits of their consumption. With this FOP approach, FSSAI expects to help consumers make an informed choice on what they are consuming (GAIN [IN7103](#)).
- On June 23, 2017, the GOI amended the Legal Metrology (packaged commodities) Rules, 2011 and published in the Official Gazette of India. This was 2017's first amendment to the Legal Metrology Rules. A consecutive notification related to the same subject was also published on July 4, 2017 to explain the impact of GST on the unsold stock of pre-packaged commodities

(GAIN [IN7086](#)).

- On December 19, 2016, the Ministry of Consumer Affairs, Food and Public Distribution's Department of Legal Metrology invited comments on its Legal Metrology (Packaged Commodity) (Second Amendment) Rules, 2016, which was scheduled to come into force as of July 1, 2017 (GAIN [IN7001](#)).

Amendments to the Licensing and Registration of Food Businesses Regulation, 2011

- On January 16, 2017, FSSAI published draft guidelines for all food manufacturers, importers, distributors, storage units, marketers, retailers, and suppliers. These guidelines include FBO registration and license requirements, liability and other requirements, handling of consumer complaints, responsibility of direct selling FBOs towards recall, and other obligations of direct selling FBOs (GAIN [IN7012](#)).

Amendments to the Contaminants, Toxins and Residues Regulations, 2011

- On August 8, 2017, FSSAI issued amendments to the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011. The amendments pertain to Chapter 2 and include updates to the restriction on the use of insecticides (GAIN [IN7105](#)).
- On July 31, 2017, amendments relating to the tolerance limit of antibiotics and pharmacology active substances were notified to the WTO for comments from the member countries. The comment period expired on September 29, 2017 (GAIN [IN7100](#)).
- On January 20, 2017, FSSAI notified Food Safety and Standards (Contaminants, toxins and Residues) First Amendment Regulations, 2017 to amend the Food Safety and Standards (Contaminants, toxins and Residues) Regulations, 2011. The new regulation defined the list of histamine forming fishes and standards for histamine level in fish and fishery products (GAIN [IN7022](#)).
- On February 3, 2017, FSSAI published a draft notification on the list of banned pesticides as per the Indian Insecticides Act, 1968. The draft notification invited comments from the WTO member countries, which expired 60 days from the date published on the WTO website (GAIN [IN7024](#)).

Amendments to the Prohibition and Restrictions on Sales Regulations, 2011

- On July 31, 2017, FSSAI published a notification to amend the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011, and invited comments from the WTO member countries. The amendments relate to the removal of 'Boudouin test' requirement for blended edible vegetable oil and revision of provisions on the sale of Vanaspati oil. The

comment period for trading partners expired 60 days from the date notified on the WTO website (GAIN [IN7090](#)).

Appendix V: Chronology of Ministry of Agriculture, Directorate of Plant Protection, Quarantine and Storage Actions

On June 29, 2015, the MinAg issued a draft notification proposing phytosanitary requirements for the import of hay from the United States (see [Draft Notification on the Import of Hay from the U.S.](#) for details). This will be implemented when officially published in the Gazette of India.