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India

Food and Agricultural Import Regulations and Standards Report

FAIRS Export Certificate Report 2018

Approved By:

Daniel Alvarado

Prepared By:

FAS New Delhi Staff

Report Highlights:

In calendar year (CY) 2018, the Government of India (GOI) granted access to U.S. poultry and poultry products into the Indian market, following an eleven-year absence. Additionally, the Department of Animal Husbandry, Dairying and Fisheries (DAHDF) revised its guidelines for export/import of bovine germplasm. On July 16, 2018, the Indian Directorate of Plant Protection, Quarantine and Storage (DPPQS) published a memorandum listing low-phytosanitary risk processed food items, easing processed food imports into India.

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Disclaimer

This report was prepared by U.S. Embassy New Delhi’s Office of Agricultural Affairs (OAA) to serve as a reference guide for stakeholders wishing to export food and agricultural products to India. Only updates from CY 2018 and CY 2017 are listed in this report. OAA New Delhi highly recommends readers use the [USDA Global Agriculture Information Network \(GAIN\) search engine](#) to find relevant GAIN FAIRS Export Certification 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 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 product entry.

SECTION I. LIST OF ALL EXPORT CERTIFICATES REQUIRED BY GOVERNMENT (MATRIX):

| Products | Title of Certificate | Attestation required on Certificate | Purpose | Requesting Ministry |
|-----------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Plants and Plant Products | Phytosanitary Health Certificate | Both special conditions and additional declarations for the majority of the commodities per the specific conditions mentioned in the Plant Quarantine Order (PQ Order)/import permit. | To prevent the introduction of exotic pests and diseases. | Ministry of Agriculture and Farmers' Welfare (MAFW), formerly known as the Ministry of Agriculture) |
| Animals and Animal Products | Sanitary Health Certificate | Import requirements per the specific conditions mentioned in the import permit. | To prevent the introduction of exotic pests and diseases, and minimize human health risks due to microbial or chemical contamination. | MAFW |
| Food Products | Certificate of Origin | Country of Origin | Traceability | Ministry of Health and Family Welfare |

Notes:

- For conditions imposed on specific plant products, please refer to the PQ Order 2003 (Regulation of Imports into India), as amended:
<http://plantquarantineindia.nic.in/pqispub/pdf/files/pqorder2015.pdf>
- For conditions imposed on specific animal products, please refer to the MAFW's Department of Animal Husbandry, Dairying and Fisheries (DAHDF) website, under the "Trade" section: <http://dahd.nic.in/>. Interested U.S. exporters may also access the [USDA Animal and Plant Health Inspection Service \(APHIS\) website](#) to get required information on India's import requirements for U.S. livestock and livestock products to India. A list of links to import procedures for specific animal products is at the end of this section.
- A certificate of origin issued by the relevant authority of the exporting country's government, state government, industry association, or manufacturer/supplier should accompany the export consignment of all food and agricultural products, including processed and packaged food. This certificate should mention the order number, container number, port of discharge, buyer's name, and product description. The certificate also must include a declaration along the following lines: "The undersigned for (relevant organization) declares that the following mentioned goods as

consigned above (or below) are products from the United States (or any country of origin). We hereby certify the goods to be of U.S. (or any country) origin.”

- On September 17, 2018, DAHDF revised its guidelines for export/import of bovine germplasm. Readers can access the guidelines from the DAHDF website at [Guidelines for Export/Import of Bovine Germplasm](#). The revised guidelines were not notified to the World Trade Organization (WTO).
- On June 4, 2018, the GOI's Food Safety and Standards Authority of India (FSSAI) published a notification to invite comments from the WTO member countries on its new draft standards for a wide range of meat products. The range included canned /retort pouch, comminuted/restructured, cured/pickled and/or smoked, dried/dehydrated, cooked/semi-cooked, fermented, marinated meat products, and fresh/chilled/frozen rabbit meat ([GAIN IN8065](#)). The comment period for trading partners expired on August 18, 2018 per WTO notification [G-SPS-N-IND-217](#).
- In March 2018, the GOI granted access to U.S. poultry and poultry products into the Indian market, following an eleven-year absence. The poultry exporting requirements for India can be accessed from the export library page of the USDA Food Safety and Inspection Service (FSIS) website at: [FSIS Export Library](#).
- In January 2017, the DAHDF notified the standard operating procedure (SOP) for traceability of imported bovine germplasm. The SOP notification provides a detailed procedure for traceability of imported bull semen doses produced from imported bulls and imported embryos.
- On February 17, 2017, the GOI published a Gazette of India notification to amend the requirements for poultry and poultry product imports from countries reporting avian influenza. The amendment was 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 previous amendment for the import requirements for the poultry and poultry product from countries reporting avian influenza was made on September 21, 2016 (please see [IN6122](#)). The GOI had also published a procedure for the recognition of zones/compartments free from avian influenza; this procedure can be accessed at [Guidelines for recognition of zones and compartments](#) and [Questionnaire to ascertain the AI situation in a zone](#) (GAIN [IN7038](#)).
- Effective June 15, 2017, the GOI DPPQS started issuance of a digital phytosanitary certificate, (e-phyto) to all countries. This initiative intends to facilitate the ease of doing business in India (GAIN [IN7092](#)).

List of import procedures for specific animals and animal products:

- [Procedure for Import of Livestock notified under clause \(b\) of Section 2 of Livestock](#)

Importation Act, 1898

- Procedure for import of live-stock products notified under Section 2(d) and section 3A of the Live-stock Importation Act
- Sanitary Requirement (veterinary health certificate) for Import of Various Livestock Products
- Guidelines for Export/Import of Bovine Germplasm
- Procedure for recognition of zones/compartment:-
 - o Guidelines for recognition of zones and compartments
 - o Questionnaire to ascertain the AI situation in a zone
- Proforma for submitting proposals for introduction of live Aquatic Organisms
- Veterinary Certificate for Import of Pet Dog(s) into India
- Animal Health Certificate for Import of in-vivo Bovine Embryo into India
- Veterinary Certificate for Import of Skin/Hides into India
- Veterinary Certificate for Import of Milk and Milk Products
- Veterinary Certificate for Import of Pork and Pork Products
- Veterinary Certificate for Import of Canine Semen into India
- Veterinary Certificate for Import of Equine Semen into India
- Veterinary Certificate for Import of Ovine/Caprine Semen into India
- Animal Health Certificate for Import of Porcine Semen into India
- Veterinary Certificate for Import of Bovine Serum into India
- Veterinary Certificate for Import of Various Live Animals into India
- Veterinary Certificate for Import of Live Bovines into India
- Veterinary Certificate for Import of Horns/Hooves into India
- Veterinary Certificate for Import of Fish and Fishery Product into India
- Veterinary Certificate for Import of Rodents into India
- Veterinary Certificate for Import of Live Goats (Caprine) into India
- Veterinary Certificate for Import of Live Sheep (Ovine) into India

Processed Food Products

India does not currently require specific import certificates for processed food products. However, meat and livestock products do require export certificates from the country of origin. On August 5, 2011, the GOI enforced its Food Safety and Standards Regulations (FSSR) 2011. The FSSR 2011 is administered by FSSAI, which oversees implementation of the [The Food Safety and Standards Act, 2006](#).

Accordingly, all imported processed food and beverage products must meet the requirements established by the FSSR 2011. Further information on these requirements will be detailed in the Food and Agricultural Import Regulations and Standards (FAIRS) – Annual Country Report.

Notes:

- On July 6, 2018, the Indian DPPQS published on its website a memorandum listing low-phytosanitary risk processed food items. The memorandum repealed the clearance requirement from Plant Quarantine authorities and stated that effective immediately, no phytosanitary inspection would be required for these listed items (GAIN [IN8113](#)).
- On April 11, 2018, FSSAI published draft notification on the Food Safety and Standards

(Labeling and Display) Regulations 2018. The draft notification invited comments from WTO member countries' and the comment period expired 60 days from the time it was published on the WTO website. Major revisions in the draft regulation are summarized in GAIN [IN8043](#).

- On June 23, 2017, the GOI Department of Consumer Affairs published amendments to the [Legal Metrology \(packaged commodities\) Rules 2011](#) in the official Gazette of India. 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 was extended until January 1, 2018 in the Gazette of India 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.
- A successive notification on the same subject was published on July 4, 2017, relating to the change in the maximum retail price and its display on the labels of packaged commodities. The notification allowed the manufacturers, packers or importers of pre-packaged commodities to declare the changed retail sales prices on the unsold stock of products manufactured, packed or imported before the goods and services tax (GST) implementation date of July 1, 2017. This included the increased amount of tax due to GST if any, in addition to the existing retail sales price, for three months starting July 1, 2017, until September 30, 2017. For details, please refer to GAIN [IN7086](#).

Foods with Genetically Modified (GM) Ingredients

On April 7, 2006, the Ministry of Commerce and Industry (MOCI) Directorate General of Foreign Trade (DGFT) announced amendments to the Foreign Trade Policy (2004-2009) regulations, which included new requirements on imports of GM foods, food additives, or any food products that contain GM ingredients. The DGFT mandates that importers of GM food and ingredients submit a declaration stating that the imported consignment contains GM products. The importer has to provide a reference to prior approval by India's Genetic Engineering Appraisal Committee (GEAC); the reference should indicate a specific authorization number and date of the specified GM event in the consignment declaration. There is no official prescribed format for this declaration. Importers can be prosecuted for failure to properly declare a GM product. Currently, the only biotechnology food product officially allowed for import is soybean oil derived from glyphosate-resistant soybeans, which was approved by the GEAC on June 22, 2007. For more information on India's biotechnology import policy, please see GAIN [IN8129](#) "Agricultural Biotechnology Annual 2018". Also, please refer to notification [Number 2\(RE-2006\) / 2004-2009](#) from MOCI and the related GAIN Report [IN6030](#).

Notes:

- On January 1, 2013, the Ministry of Consumer Affairs, Food, and Public Distribution formally implemented the Legal metrology (Packaged Commodities) Amendment Rules 2012 as published in the Gazette of India Notification No. G.S.R. 427(E), which stipulates that every package containing food derived from products of biotechnology shall bear at the top of its principal display panel the letters "GM" (GAIN [IN3003](#)).

SECTION II. PURPOSE OF SPECIFIC EXPORT CERTIFICATE(S)

On July 19, 2016 the MAFW released a final notification S.O. 2453 E. One of the amendments introduced through this notification included waiving of the requirement of import permits for a majority of plant commodities under PQ Order 2003. For phytosanitary requirements specific to any commodity, the exporter/shipper may refer to the said notification at:

http://plantquarantineindia.nic.in/PQISPub/html/PQO_amendments.htm#

Imports of animals and animal products (including meat and meat products) are subject to a "Sanitary Import Permit" issued by MAFW's DAHDF, per the conditions of the amended Livestock Importation Act 1898. The relevant authority in the country of export must issue a sanitary certificate based on the specific conditions as stated on the import permit. The import of live animals, germplasm, and other livestock products that are categorized as restricted items under GOI import policy also requires an import license from the MOCI's DGFT.

Several key trade restrictions limit market access for U.S. food products. Imports of most animal and livestock-derived food products are effectively banned because of established Indian import requirements. This includes dairy products classified in Chapters 2-5, 16 and 21 of the Harmonized Tariff Schedule, seafood, goat and pork products, and even pet foods. Imports of beef are banned due to religious concerns. Imports of alcoholic beverages are constrained by high import tariffs, state and local taxes, state-level labeling requirements, and a complex licensing system for distribution and sales.

SECTION III. SPECIFIC ATTESTATIONS REQUIRED ON EXPORT CERTIFICATE(S)

The attestations for both of the export certificates mentioned under Section I of this report must meet all the specific conditions, which vary from commodity to commodity, and can change over time.

SECTION IV. GOVERNMENT CERTIFICATE'S LEGAL ENTRY REQUIREMENTS

Original export certificates must accompany each individual export consignment at the time of entry into India. The GOI does not accept export self-declarations by suppliers or manufacturers as proof of compliance. However, in certain cases, the GOI may allow export certificates containing additional declarations on the import permit by organizations accredited by the government of the exporting country. The government of the exporting country must petition the MAFW to get this special approval. Effective June 15, 2017, the DPPQS have started issuing digital phytosanitary certificates (e-phyto) to all countries in order to facilitate the ease of doing business in India, DPPQS issued a [Circular](#) on July 18, 2017 to this effect.

SECTION V. OTHER CERTIFICATION/ACCREDITATION REQUIREMENTS

Apart from export certificates, products imported into India must also meet a number of other requirements. Details of above mentioned requirements are contained in the FAIRS report updated each year by this office, as well as situational reports, which can be accessed online at:

<https://gain.fas.usda.gov/Pages/Default.aspx>.