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India Notifies Standards for Non-Carbonated Water Based Beverages

Report Categories:

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

Beverages

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Report Highlights:

India notified its final Regulation relating to standards for non-carbonated, non-alcoholic water based beverages such as flavored water, herbal water, etc., in the Official Gazette. The implementation of the Regulation however commenced earlier in July, 2017.

General Information:

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

On September 20, 2017, the Food Safety and Standards Authority of India (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 this year from July 6, 2017 (GAIN [IN7088](#)). The salient features of the Regulation, as defined by FSSAI in the press note, are given below.

- ✓ Specifies separate general and microbiological standards for specific characteristic non-carbonated, non-alcoholic water based beverages.
- ✓ Covers a range of novel beverages including flavored water, herbal water, etc.
- ✓ Allowing use of fruits and vegetables extractives, herbs, spices, salts and salt substitute in addition to sugar and non-sugar sweeteners such as honey, dextrose monohydrates etc. and flavorings to widen the scope of standards and encourage innovation.
- ✓ Allowing use of caffeine not exceeding 145 ppm in such beverages.
- ✓ Allowing use of herbs specified in Food Safety and Standards (Health supplements, nutraceuticals, food for special dietary use, food for special medical purpose, functional food and novel food) Regulations, 2016, other than these regulations; but, also mandated for providing toxicological data before use of any herbs in such beverages not specified in Food Safety and Standards Regulations to ensure the safety.

The full text of the press note as well as the final Regulation is pasted below and can also be accessed from FSSAI's website <http://www.fssai.gov.in/>

PRESS NOTE

Standards relating to Non-carbonated Water Based Beverages (Non-Alcoholic)

FSSAI has notified the Food Safety and Standards (Food Products Standards and Food Additives) Tenth Amendment Regulations, 2017. The principle regulations included standards for alcoholic and non-alcoholic-carbonated beverages, but, through this amendment, the scope of this regulation has been enlarged to cover up a whole new segment of non-carbonated non-alcoholic water based beverages such as flavoured water, herbal water etc. being introduced to Indian market.

❖ **Salient Features of these regulations:**

1. Specifies separate general and microbiological standards for specific characteristic non-carbonated, non-alcoholic water based beverages.
2. Covers a range of novel beverages- including Flavoured Water, Herbal Water etc.
3. Allowing use of fruits and vegetables extractives, herbs, spices, salts and salt substitute in addition to sugar and non-sugar sweeteners such as honey, dextrose monohydrates etc. and flavourings to widen the scope of standards and encourage innovation.
4. Allowing use of caffeine not exceeding 145 ppm in such beverages.
5. Allowing use of herbs specified in Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations, 2016, other than these regulations; but, also mandated for providing toxicological data before use of any herbs in such beverages not specified in Food Safety and Standards Regulations to ensure the safety.

The above regulations will come into force from the date of their publication in the official gazette.

MINISTRY OF HEALTH AND FAMILY WELFARE

(Food Safety and Standards Authority of India)

NOTIFICATION

New Delhi, the 15th September, 2017

No. Stds/SP(Water & Beverages)/Notif (1)/FSSAI-2016.—Whereas the draft of the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2016 were published, as required under sub-section (1) of Section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), vide notification of the Food Safety and Standards Authority of India number Stds/SP(Water & Beverages)/Notif (1)/FSSAI-2016 dated the

10th October, 2016 in the Gazette of India, Extraordinary, Part III, section 4 dated the 13th October, 2016, inviting objections and suggestions from the persons likely to be affected thereby, before the expiry of the period of thirty days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the 13th October, 2016;

And whereas the objections and suggestions received from the public in respect of the said draft regulations have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by clause (e) of sub-section (2) of Section 92 read with section 16 of the said Act, the Food Safety and Standards Authority of India hereby makes the following regulations further to amend the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, namely:—

1. Short title and commencement.- (1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Tenth Amendment Regulations, 2017.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011,—

(a) in regulation 2.10 relating to “BEVERAGES, (Other than Dairy and Fruits & Vegetables based)”, in sub-regulation 2.10.6, after clause 2 relating to “Caffeinated beverages”, the following shall be inserted, namely:—

‘3. Non-carbonated Water Based Beverages (Non-Alcoholic) means beverages containing water conforming to the standards prescribed for packaged drinking water under these regulations without added carbon dioxide and may contain ingredients as specified in sub-clause (i), singly or in combination:

(i) Ingredients.- Sugar, liquid glucose, dextrose monohydrate, invert sugar, fructose, honey, salt and salt substitutes, fruits or flowers or vegetables and their products including extractives, herbs, spices and their derivatives and permitted flavouring, singly or in combination and the non-carbonated water may contain caffeine not exceeding 145 parts per million from whatever sources it may be derived in the formulation of the product

Provided that added herbs shall comply with safety requirements as specified in the Food Safety and Standards Act, 2006 and the regulations made thereunder, and shall also be declared on the label.

(ii) Food Additives.- For products covered under this standard, specific food additives permitted in Appendix A may be used within the limits specified.

(iii) Hygiene.- The products shall conform to the microbiological requirements given in Appendix B.

(iv) Labelling.- The products shall comply with the packaging and labelling requirements as laid down under the provision of the Food Safety and Standards (Packaging and Labelling) Regulations, 2011.

Note:

1. Data of toxicological analysis to be provided for its approval for the herbs other than those specified in the Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations, 2016, and these regulations when added in the beverages.
2. No psychotropic substance, as defined in the Schedule to the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985) and the rules made thereunder, and substances listed in Schedules E and E1 of the Drugs and Cosmetics Rules, 1945, shall be included.;

(b) in APPENDIX B relating to "Microbiological Requirements", after Table 6, the following shall be inserted, namely: -

"Table 7

Microbiological Requirements for Non-Carbonated Water Based

Beverages (Non Alcoholic)

Sl. No.	Parameters	Limits
1.	Total plate count per ml	Not more than 50 cfu per ml.
2.	Yeast and mould count per ml	Not more than 2 cfu per ml.
3.	Coliform count	Absent in 100 ml.

Note:- Non-carbonated beverages shall be free from pathogens."

PAWAN AGARWAL, Chief Executive Officer

[ADVT.- III/4/Exty./229/17]

Note. - The principal regulations were published in the Gazette of India, Extraordinary, Part III, section 4, vide notification number 2-15015/30/2010, dated the 1st August, 2011 and subsequently amended vide the following notification numbers:-

- (i) F.No. 4/15015/30/2011, dated the 7th June, 2013;
- (ii) F.No. P.15014/1/2011-PFA/FSSAI, dated the 27th June, 2013;
- (iii) F.No. 5/15015/30/2012, dated the 12th July, 2013;
- (iv) F.No. P.15025/262/13-PA/FSSAI, dated the 5th December, 2014;
- (v) F.No. 1-83F/Sci-Pan-Noti/FSSAI-2012, dated the 17th February, 2015;
- (vi) F.No. 4/15015/30/2011, dated the 4th August, 2015;
- (vii) F.No P. 15025/263/13-PA/FSSAI, dated the 4th November, 2015;
- (viii) F.No. P.15025/264/13-PA/FSSAI, dated the 4th November, 2015;
- (ix) F.No. 7/15015/30/2012, dated the 13th November, 2015;
- (x) F.No. P.15025/208/2013-PA/FSSAI, dated the 13th November, 2015;
- (xi) F.No P.15025/261/2013-PA/FSSAI, dated the 13th November, 2015;