

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Voluntary Public

Date: 2/18/2016

GAIN Report Number: IN6026

India

Post: New Delhi

WTO Notified – GOI’s New Standards for Proprietary Food

Report Categories:

Sanitary/Phytosanitary/Food Safety

Food Processing Ingredients

Exporter Guide

Food and Agricultural Import Regulations and
Standards - Narrative

Approved By:

Jonn Slette

Prepared By:

Radha Mani

Report Highlights:

The Government of India (GOI) recently notified to the World Trade Organization (WTO) changes in India’s standards for proprietary foods. The comment period for trading partners expires on March 8, 2016.

General Information:

DISCLAIMER: The information contained in this report was retrieved from the GOI and WTO websites: <http://www.fssai.gov.in/> and www.wto.org. The Office of Agricultural Affairs and/or the U.S. Government make no claim of accuracy or authenticity.

On January 15, 2016, the GOI published [Food Safety and Standards \(Food Products Standards and Food Additives\) Amendment Regulations, 2016](#), in the official gazette relating to new standards for proprietary food. Although the new standards were implemented immediately, the GOI notified the amended standards to the WTO and are accepting comments from member countries. The comment period for trading partners expires on March 8, 2016. Readers may refer to GAIN report [IN6016](#) for more details on the amendment.

The full text of the FSSAI notice is pasted below at the end of this report and can also be accessed on FSSAI's website: <http://www.fssai.gov.in/>

Comments should be sent to:

The Chief Executive Officer
Food Safety and Standards Authority of India
3rd Floor, Food and Drug Administration Bhawan, Kotla Road
New Delhi – 110002
Email: baranip@yahoo.com

Details of Notification: F.No.11/12/Reg/Prop/FSSAI-2016

- Publication in the Official Gazette: January 15, 2016
- Publication on the FSSAI website: January 25, 2016
- Date of Implementation: January 15, 2016
- Final date for comments: March 8, 2016

Products Affected: All proprietary food products

Agency in Charge: Food Safety and Standards Authority of India, Ministry of Health and Family Welfare, GOI.

Notice Calling for suggestions, views, comments etc from WTO- SPS Committee members within a period of 30 days on the draft notification related to Standards for Proprietary Food.

In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in regulations 2.12 relating to 'Proprietary Food', for the sub-regulations 2.12.1, the following shall be substituted, namely: -

"2.12.1: For the purpose of these regulations, -

1) Proprietary food means an article of food that has not been standardized under these regulations, but does not include any novel food, food for special dietary use, functional food, nutraceutical, health supplement and such other articles of food which the Central Government may notify in this behalf.

2) Proprietary food shall contain only those ingredients other than additives which are either standardised in these Regulations or permitted for use in the preparation of other standardised food under these Regulations.

3) Proprietary food shall use only such additives as specified for the Category to which the food belongs and such category shall be clearly mentioned on the label along with its name, nature and composition.

4) Proprietary food product shall comply with the food additives provisions as prescribed in Appendix A and the microbiological specifications as prescribed in Appendix B of these Regulations and all other Regulations made under this Act.

5) The Food Business Operator shall be fully responsible for the safety of the proprietary food."