

Voluntary Report – Voluntary - Public Distribution

Date: October 05,2020

Report Number: IN2020-0139

Report Name: Draft Amendments on Labeling for Packaged Foods Containing Sweeteners

Country: India

Post: New Delhi

Report Category: Exporter Guide, Sugar, Sanitary/Phytosanitary/Food Safety, FAIRS Subject Report

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Report Highlights:

On September 18, 2020, India notified to the World Trade Organization (WTO) a draft regulation related to new labeling requirements for packaged foods containing sweeteners. The deadline to provide comments is December 1, 2020.

DISCLAIMER: The information contained in this report was retrieved from the Government of India (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.

The GOI's Food Safety and Standards Authority of India (FSSAI) amended the [Food Safety and Standards \(Packaging and Labeling\) Regulations, 2011](#), to modify labeling requirements for packaged foods containing sweeteners. On October 2, 2020, India notified this draft amendment to the WTO for comment ([WTO Notification Number G/TBT/N/IND/171](#)). The deadline to provide comments is December 1, 2020.

The full text of the notification is pasted below and is also available online at [https://fssai.gov.in/upload/uploadfiles/files/Draft_Notification_Label_Sweetener_18_09_2020\(1\).pdf](https://fssai.gov.in/upload/uploadfiles/files/Draft_Notification_Label_Sweetener_18_09_2020(1).pdf)

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: spstbt.enqpt@fssai.gov.in

Details of Draft Regulation:

Publication date on the FSSAI website: September 18, 2020

Date of Implementation: To be determined

WTO Notification Number: G/TBT/N/IND/171

WTO Notification Date: October 2, 2020

Final date for comments: December 1, 2020

Products affected: All packaged foods containing sweeteners

MINISTRY OF HEALTH AND FAMILY WELFARE

(Food Safety and Standards Authority of India)

NOTIFICATION

New Delhi, the 16th September, 2020

F. No. 1/Std/Notification/Sweeteners-labelling/FSSAI-2019.—The following draft of certain regulations to further to amend the Food Safety and Standards (Packaging and Labelling) Regulations, 2011, which the Food Safety and Standards Authority of India, proposes to make with previous approval of the Central Government, in exercise of the powers conferred by sub-section (1) and clause (k) of sub-section (2) of section 92 read with section 23 of the Food Safety and Standards Act, 2006 (34 of 2006) is hereby published as required by the said sub-section (1) of section 92 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft regulations shall be taken into consideration after the expiry of the period of sixty days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public;

Objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, FDA Bhawan, Kotla Road, New Delhi-110002 or sent on email at regulation@fssai.gov.in;

The objections and suggestions, which may be received from any person with respect to the said draft regulations before the expiry of the period so specified, will be considered by the Food Authority.

Draft regulations

1. (1) These regulations may be called the Food Safety and Standards (Packaging and Labelling) Amendment Regulations, 2020.

(2) They shall come into force with effective date for implementation to be either 1st January or 1st July subject to a minimum of 180 days from the date of their final publication in the official Gazette.

2. In the Food Safety and Standards (Packaging and Labelling) Regulations, 2011 (herein after refer as said regulations), -

(1) In regulation 2.4, in sub-regulation 2.4.4,

(a) for clause (24), the following shall be substituted, namely:-

“(24) Every package of food which is permitted to contain sweetener mentioned under Appendix A of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 and an advertisement for such food shall carry the following label, namely,-

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| <p>(i) This contains..... (Name of the sweetener).</p> <p>(ii) (a)*Quantity of sugar added.....g/100g.</p> <p>(b) No sugar added in the product.</p> <p>(iii) * Not recommended for phenylketonurics; for children suffering from seizure disorders; pregnant and lactating mothers (if Aspartame is added)</p> <p>(iv) * Not recommended for children; pregnant and lactating mothers” (if Acesulfame potassium is added)</p> <p>(v) * Not recommended for phenylketonurics; for children; pregnant and lactating mothers (if Aspartame-acesulfame salt is added)</p> <p>(v) *Not recommended for children (if SACCHARINS is added)</p> |
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(*strike out whatever is not applicable)

(b) for clause (25), the following shall be substituted, namely:-

“(25) In addition to the declaration under regulations 2.4.4 (24 and 26), every package of food which is permitted to contain non-caloric sweetener as defined under sub-regulation 3.2.2 and listed under Appendix A of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 and an advertisement for such food shall carry the following label, namely,-

CONTAIN NON-CALORIC SWEETENER AND FOR CALORIE CONSCIOUS”
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(C) for clause (27), the following shall be substituted, namely:-

“(27) Every package of Aspartame (Methyl ester), Acesulfame potassium, Sucralose, SACCHARINS and Neotame marketed as Table Top Sweetener and every advertisement for such Table Top Sweetener shall carry the following label, namely,-

Contains..... (Name of sweetener with purity and weight percent of marker compound)

Provided that the package of Aspartame (Methyl ester), marketed as Table Top Sweetener and every advertisement for such Table Top Sweetener shall carry the following label, namely,—

Not recommended for phenylketonurics; for children suffering from seizure disorders; pregnant and lactating mothers

Provided that the package of Acesulfame potassium, marketed as Table Top Sweetener and every advertisement for such Table Top Sweetener shall carry the following label, namely,—

Not recommended for children; pregnant and lactating mothers
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Provided that the package of SACCHARINS, marketed as Table Top Sweetener and every advertisement for such Table Top Sweetener shall carry the following label, namely,—

Not recommended for children”

(d) for clause (28), the following shall be substituted, namely:-

“(28) Every package of food which contains a mixture of Sweeteners mentioned under Appendix A of Food Safety and Standards (Food Products Standards and Food Additive) Regulation, 2011, shall carry the following label, namely,-

This (Name of food) contains an admixture of(name of the sweeteners).

(a) *Quantity of sugar added..... g/100g,

(b) No sugar added in the product.

*strike out whatever is not applicable

Provided that in addition to the above declaration every package of food containing mixture of sweeteners shall declare the labelling requirement prescribed under these regulations for the individual sweeteners present in the mixture;

(e) clause (29) shall be omitted;

(f) after clause (46), the following clauses shall be inserted, namely:-

“(46 a) Every package of food containing Isomalt shall bear the following label:-

May have laxative effects

“(46 b) Every package of food containing Sorbitol and Sorbitol syrup shall bear the following label:-

May have laxative effect, cause bloating and diarrhea in children; and reduce calcium absorption in post-menopausal women”

ARUN SINGHAL, Chief Executive Officer

[ADVT.-III/4/Exty./221/2020]

Attachments:

No Attachments.