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Report Highlights:

In 2021, the Indian government outlined general requirements for the import of dog and cat food products, including the requirement that a veterinary health certificate accompany each consignment. The Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) has published a draft vegan foods regulation that defines vegan foods as being foods or food ingredients that have not made use of any ingredients, additives, and processing aids of animal origin. It also has published Ayurveda Aahar regulations that specify the definition and standards of food prepared according to authoritative books of the Ayurveda, as well as a new Genetically Modified or Engineered Foods Regulation.

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DISCLAIMER: The U.S. Embassy in New Delhi – Foreign Agricultural Service (FAS) Office of Agricultural Affairs (OAA) prepared this FAIRS report to serve as a reference guide for U.S. stakeholders wishing to export food and agricultural products to India. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO INDIA'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY." [Note: Use Google Chrome to access the links in case they do not function using Internet Explorer. Indian host sites geo-block site access on a rolling basis].

EXECUTIVE SUMMARY

India's Ministry of Health and Family Welfare (MOHFW)/Food Safety Authority of India (FSSAI) and the Ministry of Fisheries, Animal Husbandry and Dairying (MOFAHD)/Department of Animal Husbandry and Dairying (DAHD) regulate the laws pertaining to the certification of food and agricultural products and livestock and livestock products for import into India. Several other ministries and their departments, to a lesser extent, are also involved in the handling of imports of food and agricultural products.

Exporters of U.S. food and agricultural products should research the laws and regulations applicable to the certification of their product(s) across the Indian regulatory agencies.

In calendar year (CY) 2021 (January-December), the Indian government issued a series of important notifications, which are elaborated upon within this FAIRS Export Certificate Annual – 2021 report.

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

Product(s)	Title of the Certificate	Attestation Required on the Certificate	Purpose	Requesting Ministry
Plants and Plant Products			To prevent the introduction of exotic pests and diseases	Ministry of Agriculture and Farmers' Welfare, (formerly known as the Ministry of Agriculture)
Animals and Animal Products	Certificate	permit. For some specific products, an import permit may not be required/ issued, but these products will still require a general/ sanitary health certificate for obtaining a No Objection Certificate (NOC) from Animal	diseases and minimize human health risks due to	Ministry of Fisheries, Animal Husbandry and Dairying
Food Products	Certificate of Origin	Country of Origin	Traceability	Ministry of Health and Family Welfare
Milk and Milk products	certificate	Department of Animal Husbandry and Dairying website.	ruminant origin feed(s) and milk products made using animal rennet	
24-Commodity List of Specific Agricultural Products -FSSAI (Notification of August 21, 2020)		_	To ensure the safety and wholesomeness of food products imported into India	Ministry of Health and Family Welfare

- For conditions imposed on specific plant products, see the Plant Quarantine (PQ) Order (2003) -Regulation of Imports into India, as amended: <u>https://plantquarantineindia.nic.in/PQISPub/html/PQO_amendments.htm#</u>
- For conditions imposed on specific animal products, refer to the Ministry of Fisheries, Animal Husbandry and Dairying/Department of Animal Husbandry and Dairying website, under the "Trade" section located at http://dahd.nic.in/ and https://dahd.nic.in/ and plant Health Inspection Service (APHIS) website to obtain required information on India's import requirements for U.S. livestock and livestock products. A list of links to import procedures for specific animal products follows 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 (name of the 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 22, 2021, the DAHD published a notification outlining the general requirements for the import of dog and cat food products, including for a veterinary health certificate that needs to accompany each consignment of dog and cat food products. (Source: <u>DAHD Notification, September</u> <u>22, 2021</u>).
- On March 31, 2021, the DAHD published the final Standard Operating Procedures (SOPs) for the import of live animals into India. The draft SOPs were published on July 15, 2020; comments were invited from industry stakeholders. There were no further modifications made to the SOPs, and the final version has now been published. (Source: <u>Standard Operating Procedures for Import Clearance of Live Animals Including Pets by AQCS</u>).
- On May 15, 2020, the Food Safety and Standards Authority of India made it mandatory that a veterinary certificate, issued by the competent authority of the exporting country, accompany all milk and milk products shipped to India. On August 10, 2020, the DAHD gave administrative approval that non-food lactose (Harmonized Tariff System HS Chapter 17) and whey concentrate (HS Chapter 35) can be imported into India after the importer makes a 'self-declaration' that the product's end use is for non-food purposes, and only for use as in pharmaceuticals or nutraceuticals. The importer can submit a self-declaration on the Indian Customs Electronic Gateway portal. (Source: DAHD July 8, 2020 Circular and DAHD Office Memo August 10, 2020).
- The revised procedures for the export/import of bovine germplasm are available at the following link: <u>Guidelines for Export/Import of Bovine Germplasm January 2019</u>.
- The veterinary health certificate required for the import of various livestock products is available at the DAHD's <u>Animal Quarantine and Veterinary Services</u>.

Updated Indian import certification requirements, documentation, official circulars, and notifications for livestock and livestock products are included below, as well as are made available at the general public on the Department of Animal Husbandry and Dairying website link: <u>Trade</u> (see, <u>GAIN-INDIA (IN2021-0100) India-Livestock and Products-Annual 2021</u> for detailed procedures related to livestock and livestock products). The following hyperlinked documents provide key import procedures and guidelines related to livestock and livestock and

- Provisions to Regulate the Import of Poultry and Poultry Products into India
- Procedure for the Import of Livestock notified under clause b) of Section 2 of the Livestock Importation Act - 1898

- Procedure for the Import of Livestock Products notified under Section 2(d) and Section 3(a) of the Livestock Importation Act
- <u>Procedure for the Import and Export of Livestock</u>
- Sanitary requirement (veterinary health certificate) for import of various livestock products: crushed bones, ovine embryo, semen (pig, canine, equine, bovine, caprine, porcine, ovine), serum (equine and bovine), pork meat, processed lamb meat, fish and fisher products, milk and milk products, skin and hides, pet foods (draft veterinary certificate). [Note: The United States neither counts market access for ovine/caprine semen and embryos; nor pork or pork products into India].
- Sanitary Requirement (veterinary health certificate) for the Import of Various Live Animals
- <u>Procedure for Importing Dairy Items</u>
- <u>Guidelines for Export/Import of Bovine Germplasm January 2019</u>
- Animal Quarantine and Certification Services
- <u>Standard Operating Procedures for Clearance of Live Animals into India</u>

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 Indian government began enforcing the Food Safety and Standards Regulations (FSSR) (2011). The FSSAI administers the FSSR (2011), which oversees implementation of <u>The Food Safety and</u> <u>Standards Act (2006)</u>. All imported processed food and beverage products must meet the requirements established by the FSSR (2011). FAS New Delhi's FAIRS INDIA - Country Report Annual - 2021 contains additional information on these requirements.

- On September 8, 2021, the FSSAI published the draft Food Safety and Standards (Vegan Foods) Regulations (2021). The regulations define vegan foods as being foods or food ingredients that have not made use of any ingredients, additives, and processing aids of animal origin. These include milk and milk products, fish, poultry, and meat, egg or egg products, honey or honeybee products, materials of insect origin (such as silk, dyes, chitin/chitosan, etc.) or ingredients that are clarified using animal sourced products (e.g., bone char used in sugar bleaching), isinglass (i.e., a gelatin obtained from the dried swim bladders of fish and used for clarifying beer). The draft regulations also cover the general requirements for packaged vegan food products including their compliance and labelling display. For additional details on the draft regulations, see <u>GAIN-INDIA (IN2021-0109) – India's FSSAI Proposes</u> <u>New Regulations for Vegan Foods.</u>
- On June 30, 2021, the FSSAI published the draft Food Safety and Standards (*Ayurveda Aahar*) Regulations (2021). The draft regulations specify the definition and standards of food prepared

according to authoritative books of *Ayurveda* and includes general requirements related to packaging and labeling, use of additives, microbiological standards, permissible levels of contaminants, logo for use with *Ayurveda Aahar* and their schedules (see, <u>GAIN-INDIA (IN2021-0087) – India's FSSAI</u> Notifies Draft *Ayurveda Aahar* Regulations.

Foods with Genetically Engineered (GE) Ingredients

On April 7, 2006, the Ministry of Commerce and Industry's (MoCI) Directorate General of Foreign Trade (DGFT) announced amendments that mandate that importers of GE food and ingredients provide a declaration if the imported consignment contains any GE products as ingredients.

In addition, the importer must obtain the prior approval of India's Genetic Engineering Appraisal Committee (GEAC) and refer to the approval in the declaration. The reference should indicate a specific authorization number and date of the specified GE event in the consignment declaration. There is no official prescribed format for this declaration. Importers can be prosecuted for failure to properly declare a GE product if detected upon testing by food inspectors at the port of entry or at any stage of marketing.

The only GE food products currently authorized for import into India are soybean oil derived from GE soybeans (glyphosate tolerant and five other events) and canola oil derived from GE canola (a select herbicide tolerant event). For more information on India's biotechnology import policy, see the <u>GAIN-INDIA - Agricultural</u> <u>Biotechnology Annual - 2020</u> report.

Effective March 1, 2021, the Food Safety and Standards Authority of India requires a certificate for nongenetically modified (GM) and GM-Free status for 24 agricultural crops listed in the FSSAI order of August 21, 2020. Following this order, the FSSAI issued a series of clarifications, including that the measure is not applicable to processed foods, a revised implementation date, and authorization for certification to be issued by state regional authorities (i.e., at the sub-state level).

- On November 15, 2021 (and published in the official gazette), India's FSSAI circulated new draft regulations for GE foods and food ingredients which state that "All food products having individual GM ingredient 1% or more should be labeled as Contains Genetically Modified Organisms/Ingredients derived from GMO" (see, GAIN-INDIA (IN2021-0138) India's FSSAI Proposes New Regulations for Genetically Modified or Engineered Foods).
- On January 1, 2013, the formal implementation of the Ministry of Consumer Affairs, Food, and Public Distribution's Legal Metrology (Packaged Commodities) Amendment Rules (2012) follows its publication in the India Gazette (official gazette) as Notification No. G.S.R. 427(E). This notification stipulates that every package containing food derived from products of biotechnology shall bear at the top of its principal display panel the letters "GM" (see, <u>GAIN-INDIA (IN3003) India-Mandatory GM Labeling on Packaged Food (January 15, 2013)</u>.

SECTION II. PURPOSE OF SPECIFIC EXPORT CERTIFICATE(S)

On July 19, 2016, the Ministry of Agriculture and Farmers Welfare released final notification S.O. 2453 E. One of the amendments introduced includes waiving the requirement of import permits for most plant commodities under the Plant Quarantine (PQ) Order (2003). For phytosanitary requirements specific to any commodity, the exporter/shipper should refer to the notification (see, http://plantquarantineindia.nic.in/PQISPub/html/PQO_amendments.htm#).

As per the conditions of the amended Livestock Importation Act (1898), imports of animals and animal products (including meat and meat products) are subject to a "Sanitary Import Permit (SIP)" issued by the MoFAHD's Department of Animal Husbandry and Dairying. The relevant animal health authority in the country of export must issue a sanitary certificate based on the specific conditions as stated on the import permit.

Special Import Permits are not required for some select livestock products; however, these still require veterinary health certificates. Importers should approach India's Animal Quarantine and Certification Services prior to importing these livestock products. The Indian government's import policy qualifies as restricted items the import of live animals, germplasm, and other livestock products. These require a specific import license from the MOCI/Directorate General of Foreign Trade.

Several key trade restrictions limit market access for U.S. food products. Effectively banned are imports of most animal and livestock-derived food products. This includes dairy products, as well as seafood, goat, and pork products, and extends to pet foods classified in HS chapters 2-5, 16, and 21. High import tariffs, state and local taxes, state-level labeling requirements, and a complex licensing system for the distribution and sale of alcoholic beverage also constrain imports.

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

The attestations for all the export certificates, mentioned in Section I of this FAIRS report must meet all the specific conditions. Conditions vary between from commodities and may change over time.

SECTION IV. GOVERNMENT CERTIFICATE'S LEGAL ENTRY REQUIREMENTS

An original export certificate must accompany each individual export consignment at the time of entry into India. The Indian government does not accept an exporter's self-declaration by suppliers or manufacturers as proof of compliance. However, in certain cases, India 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 Ministry of Agriculture and Farmers Welfare to obtain this special approval.

Effective June 15, 2017, the Directorate of Plant Protection, Quarantine and Storage (DPPQS) began issuing digital phytosanitary certificates (i.e., e-Phytos) to all countries to help facilitate the ease of doing business in India. The Directorate of Plant Protection, Quarantine and Storage issued a <u>Circular on July 18, 2017</u>, to this effect.

SECTION V. OTHER CERTIFICATION/ACCREDITATION REQUIREMENTS

Beyond export certificates, products being imported into India must also meet several other requirements. Details of these requirements are contained in FAS New Delhi's previous FAIRS reports, as well as in periodic FAIRS subject reports that are accessible at https://gain.fas.usda.gov.

APPENDIX I. EXPORT CERTIFICATES EXAMPLES

APHIS Phytosanitary Certificate

No phytosanitary certificate can be issued until an application is completed (7 0	CFR 353)			FORM APPROVED OMB NO. 0579-0052
UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE	PLACE OF	FOR OFFICIAL US	E ONLY	
PLANT PROTECTION AND QUARANTINE PHYTOSANITARY CERTIFICATE	PLACE OF	SAMP	LE	USDA
TO: THE PLANT PROTECTION ORGANIZATION(S) OF	NO.	FPC XXX	xxxx	
SAMPLE	DATE INSP			
	CERTIF	ICATION		
This is to certify that the plants, plant product or other regulated arti procedures and are considered to be free from the quarantine pests requirements of the importing contracting party including those for r	s, specified b	y the importing contracti		
DISINFESTATIO	N AND/OR	DISINFECTION TREAT	MENT	
1. DATE		2. TREATMENT		
3. CHEMICAL (active ingredient)		4. DURATION AND TEMP	PERATURE	
5. CONCENTRATION		6. ADDITIONAL INFORMA	ATION	
7. NAME AND ADDRESS OF EXPORTER		8. DECLARED NAME AND	DADDRESS OF THE CONS	
SAMPLE			SAMPI	-E
9. NAME OF PRODUCE AND QUANTITY DECLARED		10. BOTANICAL NAME O	F PLANTS	
SAMPLE			SAMPL	E
11. NUMBER AND DESCRIPTION OF PACKAGES		12. DISTINGUISHING MA	RKS	
SAMPLE			SAMPL	E
13. PLACE OF ORIGIN		14. DECLARED MEANS C	OF CONVEYANCE	
SAMPLE			SAMPL	.E
		15. DECLARED POINT O	F ENTRY	
WARNING: Any alteration, forgery, or unauthorized use of this phytor punishable by a fine of not more than \$10,000, or imprisonment of				00 (7 U.S.C. Section 7734(b))
ADDI	TIONAL DEC			
SAMPLE		APPO	9	SAMPLE
				Page 1 of 1
16. DATE ISSUED 17. NAME OF AUTHORIZED OFFICE	ER (Type or P	rint)	18. SIGNATURE OF AUTH	IORIZED OFFICER
No liability shall attach to the United States Department of A certificate.	Agriculture	or to any officer or rep	presentative of the Dep	artment with respect to this
PPQ Form 577 FEB 20	001		Previous edition	ns are obsolete after 6/30/01

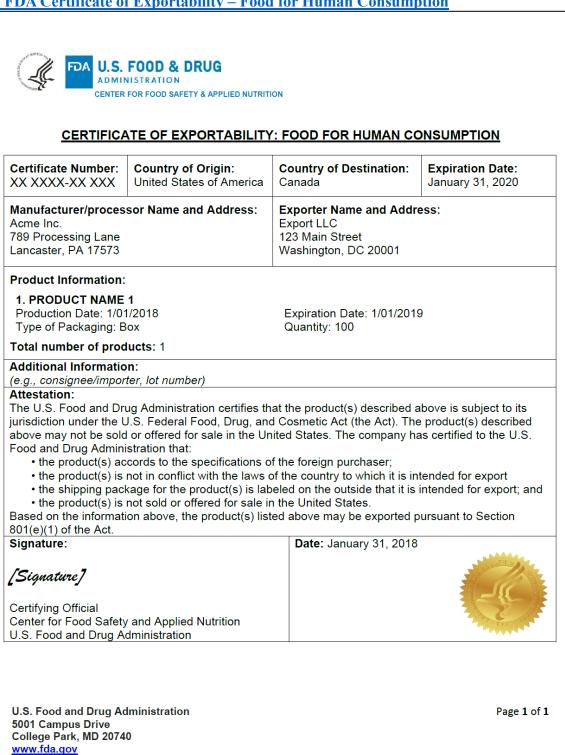
FSIS Meat and Poultry Wholesomeness Certificate

		- Sar	mple	-		
MEAT AND POULTRY	IT OF AGRICULTURE INSPECTION SERVICE PERATIONS EXPORT CERTIFICATE SOMENESS	_	A knowingly fal more than \$10, penalties exist and the Poultry	se entry or fals 000 or impriso under the Fede Products Insp	e alteration of any entry on this certificate ment for not more than five years or both and Meat Inspection Act [21 USC 611 (b) (ection Act [21 USC 458 (c) (1), (2), and (5	(18 USC 1001) Additional
DISTRICT OFFICE	COUNTRY OF DE	STINATION	unauthorized o	MPI -	n or misuse of this certificate.	
EXPORTED BY (Applicant's na	ing and address includi	na 710 Cadal				
17. 1		ig zir coue		EST. / PL	PRODUCT EXPORTED ANT NUMBER (If applicable)	FROM:
MILED States	CRICULT			CITY		0
CONSIGNED TO 1/ (Name and	address including ZIP	Code)				
TOTAL MARKED NET WEIGHT	TOTAL CONTA	INERS				
PRODUCT AS L	ABELED	MARKE WEIGHT LOT 1	ED NUM OF PACK	BER OF AGES IN DT <u>1</u> /	SHIPPING MARKS 1/	EST / PLANT NUMBER ON PRODUCT
						4
1/As stated by applicant or contractor						
REMARKS						
were found sound and healthy wholesome.	and that it has been insp	ected and part	ssed as prov	that were o	d both antemortem and postmor v and regulations of the Departr fficially given an antemortem ar es Department of Agriculture an	nent and is sound and
fit for human consumption.					JLTRY INSPECTION PROGRA	
By order of the Secretar			OR AND DIS			TE SIGNED (MM/DD/YY)
					the truth of the statements them by the United States Departme	
SIS FORM 9060-5 (07/21/2010)	REPLACES FSIS FORM	9060-5 (12/14/200	06), WHICH MAY	BE USED UN	ITIL EXHAUSTED	

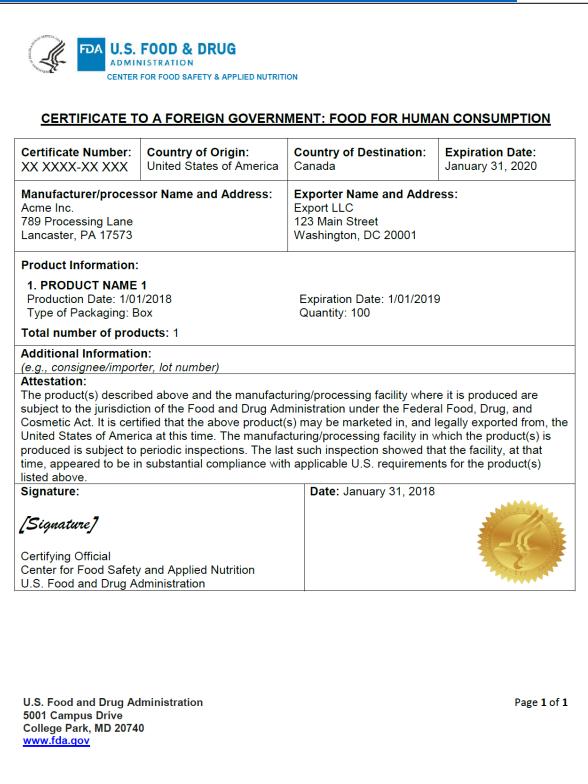
FSIS Fish and Fish Products Export Certificate form 9060-5S

U.S. D	OPARTMENT OF AGRICULTURE		A knowingly faise	entry or faise alteratio	n of any entry	on this certificate may re-	sult in a fine (
FOCD SAFETY AND INSPECTION SERVICE			A knowingly false entry or false alteration of any entry on this certificate may result in a fine not more than \$10,000 or imprisonment for not more than 5 years or both (18 U.S.C.100 Additional penalties exist under the Federal Meat inspection Act (21 U.S.C. 61(b) (1), (2); a (5), 21 U.S.C. 461) for an unsubtorized or false alteration or misuse of this certificate.				U.S.C.1001 (b) (1), (2); ar
1. COUNTRY OF DESTINATION	N	2. ISO CODE	5. CERTIFIC	ATE NUMBER	6. CE	RTIFICATE TYPE	
			CFB-			ORIGINAL	
						REPLACEMENT	
CONSIGNOR/EXPORTER (A	pplicant's name and add	ress)	-		T EXPORTE		
			7. EXPORT	EST. NO. (Name a	anu duureaaj		
. CONSIGNEE/IMPORTER (Na	ame and address)						
			8. TOTAL NE	ET WEIGHT	9. TO	TAL NO. OF PACKA	GES
10. DESCRIPTION OF (Name of pro		11. NET WEIGHT OF LOT ¹	12. SPECIES		14. TYPE OF ACKAGES	15. SHIPPING/ IDENTIFICATION MARKS ⁴	16. EST. NO. ON PRODUC
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As stated by applicant or contractor	C		e`				
17. REMARKS	S	This samp					
		~ .					
18. I CERTIFY that the Sili laws and regulations of		oducts specified on this fo artment of Agriculture and					able
NOT VAL	ID UNLESS SIGNED BY	A CERTIFYING OFFICIA	L OF MEAT A	ND POULTRY INS	PECTION PI	ROGRAM	
By order of the Secretary of Agriculture		19. CERTIFYING OFFI	CIAL'S NAME /	AND TITLE		20. DATE SIGNED	(MM/DD/YYY
This optiticate is re	eceivable in all courts of t	he United States as prima	a facie evidenc	e of the truth of the	statements	therein contained.	
		ply with any of the regula		ed by the United S	States Depart	tment of Aariculture.	

U.S. FDA Certificate of Exportability – Food for Human Consumption



U.S. FDA Certificate to a Foreign Government – Food for Human Consumption



	U.S. State Regional Authority -	Certificate for Non-GM	I Origin and GM Free Status
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Washington State Department of Agriculture **Commodity Inspection Division** PO Box 42560 Olympia WA 98504-2560 (360) 902-1931

Certificate for Non-GM Origin and GM Free Status

For products covered by U.S. Federal Phytosanitary Certificate number:

It is hereby certified that the product described in the phytosanitary certificate cited, is of Non-GM origin, does not contain genetically modified organisms (GMO), and is not genetically modified.

- Name and Address of Exporter: 1.
- Name and Address of Manufacturer: 2.
- 3. Name and Address of Consignee:
- 4. Description of Product:
- 5. Invoice Number and Date:
- 6. Lot Number:
- 7. Expiry Date of Product (if any):
- 8. Quantity of Product:
- 9. Manufacturing/Production/Packing Date:
- 10. Number and Type of Packing (container, bulk, other):

Place of Issue (City)

Date of Issue

- 11. Date of Shipment and Place:
- 12. Probable Date of Loading:
- 13. Place of Loading:
- 14. Country of Export:
- 15. F

OB	Value:	< -	

USA

Fresh apple fruit

Name of Authorized Officer

Signature

AGR-6028 (N/3/21) DRAFT 5

Attachments:

No Attachments