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Report Highlights:

In calendar year (2021), important food safety related notifications published by the Food Safety and Standards Authority of India (FSSAI), included: (i) Food Safety and Standards (Vegan Foods) Regulations (2021); (ii) Food Safety and Standards (Ayurveda Aahar) Regulations (2021); (iii) Food Safety and Standards (Genetically Modified or Engineered Foods) Regulations (2021); (iv) Implementation date extension for Food Safety and Standards (Labeling and Display) Regulations; and (v) Finalization of Amendments in the Food Safety and Standards (Import) Regulations (2017), relating to registration and inspection of foreign food manufacturing facilities.

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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

Multiple Government of India authorities are responsible for the laws regulating food and agricultural product imports into the country. These entities include: 1) the Ministry of Health and Family Welfare (MoHFW)\Food Safety and Standards Authority of India (FSSAI); 2) the Ministry of Consumer Affairs, Food, and Public Distribution (MoCAFPD)\Office of Legal Metrology; 3) the Ministry of Commerce and Industry (MoCI)\Directorate General of Foreign Trade (DGFT); 4) the Ministry of Agriculture and Farmers’ Welfare (MoAFW); and 5) the Ministry of Fisheries, Animal Husbandry and Dairying (MoFAHD).

In 2021, the FSSAI has issued a series of drafts, final amendments, and regulations pertaining to food safety for both domestically produced and imported food products.

SECTION I. FOOD LAWS

Laws, rules, and regulations govern food safety in India. The Food Safety and Standards Act (2006) is the parent law for food safety and standards. Rules (e.g., staff qualifications, fees, and laboratory and sampling protocols) derive from the core objective of the Food Safety and Standards Act that governs certain actions and decisions of India's administrative authorities. Regulations (e.g., labeling and display requirements and food additive limitations) constitute implementing guidelines of the parent Food Safety and Standards Act for use by officials at the end-user level.

Law: The Food Safety and Standards Act (2006) formally repeals and replaces the prior regulatory framework, consolidating eight different prior food acts and orders into one legal mechanism under the Food Safety and Standards Authority of India (FSSAI). The Food Safety and Standards Act (2006) adds provisions to strengthen the implementation of food safety rules.

Rules: The full text of the Food Safety and Standards (FSS) Rules (2011) is accessible from the [FSSAI website](#). The FSS Rules are only applicable to the FSSAI, serving as guidelines for its staff. These rules are not generally relevant for U.S. food and agricultural product exporters.

Regulations: The Food Safety and Standards Regulations (2011) are also accessible on the [FSSAI website](#). Updates occur periodically, followed by publication in the Official Gazette of India (official gazette). The regulations govern *inter alia* packaging and labeling, laboratory and sampling analysis, food additives, product standards, licensing, and registration of food businesses, and maximum residue levels of contaminants.

The FSS Regulations (2011) stipulate that, "...all food business operators (FBOs), food processors, manufacturers, exporters, or importers shall ensure that the food import meets all the standards under the FSS Regulations (2011)." All domestic food operators, including importers, are required to have an FSSAI license to conduct business in India. The FSSAI does not require licensing of foreign companies to export food products to India.

Beginning 2013, the FSSAI began harmonizing its regulations with the *Codex Alimentarius*, continuing to issue multiple draft amendments on regulations pertaining to food safety.

A. Legal Metrology Act (2009) and Legal Metrology Packaged Commodities Rules (2011)

The Legal Metrology Act (2009) establishes uniform standards of weights and measures regulating trade in weights and other goods sold and/or distributed by weight, measure, or number. As per the Legal Metrology Packaged Commodities Rules (2011), which came into force on April 1, 2011, it prohibits the manufacturing, packing, selling or import of any pre-packaged commodity unless it is in a standardized quantity and carries all prescribed declarations (see, Section 18(1) of the Legal Metrology Packaged Commodities Rules (2011)).

The Ministry of Consumer Affairs, Food, and Public Distribution's (MoCAFPD) Department of Consumer Affairs (DOCA) is the regulatory authority for the Legal Metrology Act (2009) and the Legal Metrology Packaged Commodities Rules (2011). The full text can be accessed on the website of the Department of Consumer Affairs at [The Legal Metrology Act \(2009\)](#), [Legal Metrology \(Packaged Commodities\) Rules, 2011](#), and the [Legal Metrology \(Packaged Commodities\) \(Amendment\) Rules \(2011\)](#). The Legal Metrology Act

(2009) imposes standardized package size for certain commodities, mainly as a consumer protection measure (see, Section III. Packaging and Container Regulations).

- On October 28, 2020, the MoCAFPD\Legal Metrology Division issued an advisory extending the timeline on the implementation (originally set for September 30, 2020) of “Rule 7” (Sub-rule 5-Principal Display Panel for labeling) of the Legal Metrology (Packaged Commodities) (Amendment) Rules (2015). The extension’s objective is primarily to allow packaged food manufacturers to exhaust their existing packaging material stocks, the full use of which was curbed due to the coronavirus (COVID-19) pandemic.

The relaxation is specifically applicable to manufacturers or packers who declare the month and year of manufacturing/packing under the Legal Metrology (Packaged Commodities) Rules (2011), by allowing them to utilize their existing packaging materials until March 31, 2021, or until such date the material is exhausted, whichever is earlier. However, the manufacturers/packers need to declare the correct month and year of manufacturing/packing on the packaged food products by either stamping, by using a sticker or printed online (see, [GAIN-INDIA - IN2020-0166 - India Government Extends Timeline to Use Pre-printed Packaging Materials Stock](#)).

B. Livestock Importation Act (1898)

Under the Livestock Importation Act (1898), the Indian government has established procedures for the import of livestock and related products. The Ministry of Fisheries, Animal Husbandry and Dairying’s Department of Animal Husbandry and Dairying (DAHD) is responsible for implementing these procedures.

These procedures are accessible at: <https://dahd.nic.in/trade>. Procedures for the import of various types of livestock products are also available on the same DAHD website.

On January 21, 2019, the DAHD revised its guidelines for the export/import of bovine germplasm. The revised guidelines are accessible from the DAHD website at: [Guidelines for Export/Import of Bovine Germplasm - January 2019](#). India has not notified the revised guidelines to the World Trade Organization (WTO).

C. Plant Quarantine (Regulation of Import into India) Order (2003)

The Plant Quarantine (Regulation of Import into India) Order (2003) under the Destructive Insects and Pests Act (1914) governs plant import regulations. The Plant Quarantine Order (Regulation of Import into India) with “the purpose of prohibiting and regulating the imports into India of agricultural articles” took effect January 1, 2004. The implementing agency is the Directorate of Plant Protection, Quarantine, and Storage (DPPQS), under the Ministry of Agriculture and Farmers’ Welfare. The Plant Quarantine Order (2003), as amended, is available on India’s DPPQS website located at: <https://plantquarantineindia.nic.in/pqispub/pdf/files/pqorder2015.pdf>.

SECTION II. LABELING REQUIREMENTS:

Three Indian governmental authorities regulate the labeling of food and agricultural products. These are the FSSAI; the Office of Legal Metrology under the Ministry of Consumer Affairs, Food and Public Distribution; and the Department of Commerce under the Ministry of Commerce and Industries.

Food Safety and Standards Authority of India (FSSAI)

Exporters are strongly encouraged to read the latest [Food Safety and Standards \(Labeling and Display\) Regulations \(2020\)](#), before designing labels for products for export to India. The 2020 Regulation covers labeling requirements for pre-packaged foods and the conditions for displaying essential information, such as allergens and calorie information, as well as display prerequisites on premises where food is manufactured, processed, served, and stored. The implementation date of the labeling requirements for pre-packaged foods has recently been extended to July 1, 2022 (see, [GAIN-INDIA – IN2021-0130 – India’s FSSAI Extends Implementation Date of the Labeling Provisions of Four Regulations – Including of the Labeling and Display](#)).

The FSSAI has put on hold its proposal for the labeling of packaged food products categorized as “RED” (i.e., if containing high levels of fat, sugar, or salt) from its final labeling regulation, given strong industry and stakeholder concerns raised. The Labeling and Display Regulations (2020) stipulate the current labeling and display requirements as follows:

A. General Requirements: All labeling declarations must meet the following requirements:

- Product information must be printed on a label securely affixed to the package or printed on the package itself.
- The label must be printed in English or Hindi languages (Hindi must be in the Devanagari script).
- Products only exhibiting a standard U.S. label will not be allowed entry.
- No false, misleading, or deceptive representation shall be made which can create an erroneous impression of the pre-packaged food.
- Content of the label shall be clear, prominent, indelible, and legible by the consumer.

B. Labeling Requirements for Pre-packaged Foods:

Pre-packaged Foods: According to the FSS Packaging and Labeling Regulation (2011), “prepackaged” or “pre-packed food” means food that is placed in a package of any nature in such a manner that the contents cannot be changed without tampering with the package and is ready for sale to the consumer.

Overview

Pre-packaged food or pre-packed food, including multi-piece packages, should carry the following mandatory information on the label:

1. The name of the food
2. List of ingredients, except for single ingredient foods
3. Nutritional information

4. Declaration regarding vegetarian and non-vegetarian
5. Declaration of food additives
6. Name and address of the manufacturer
7. Net quantity
8. Lot/code/batch identification
9. Date of manufacture or packing
10. Best before date or use by date or date of expiry
11. Country of origin
12. Instructions for use, if applicable

Further Details

1. **Name of Food:** The name of food shall include the trade name or description of food contained in the package.
2. **List of Ingredients:** Except for single ingredient foods, a list of ingredients shall be declared on the label, in descending order of their composition by weight or volume.
3. **Nutritional Information:** All nutritional facts per 100 grams or 100 milliliters or per serving of the product shall be given on the label containing:
 - i. Energy value in kilocalorie; and
 - ii. The amount of protein, carbohydrates (specify quantity of sugar), and fat in grams or milliliters; and,
 - iii. The amount of any other nutrient for which a nutritional or health claim is made.
[Note: Nutritional information for alcoholic beverages is not required].
4. **Declaration Regarding Vegetarian or Non-Vegetarian:**
 - i. Vegetarian food must have a symbol consisting of a green color-filled circle inside a square with a green outline prominently displayed on the package, contrasting against the background on the principal display panel, near the name or brand name of the food. See the example further below.
 - ii. Non-vegetarian food (i.e., any food which contains whole, or part of any animal, including birds, marine animals, eggs, or products of any animal origin as an ingredient, excluding milk or milk products), must have a symbol of a brown color-filled triangle inside a square with a brown outline prominently displayed on the package, contrasting against the background on the principal display panel, near the name or brand name of the food. See the example below.
[Note: Declaration of vegetarian/non-vegetarian logo shall not apply for alcoholic beverages].
5. **Declaration Regarding Food Additives:** This declaration shall be made in accordance with FSS (Labeling and Display) Regulation (2020).
6. **Name and Complete Address of the Manufacturer:** The label shall carry the name and complete address of the manufacturing, packaging, or bottling unit, as well as the name and complete address of the manufacturer or the company for whom and on whose behalf, it is manufactured, packed, or bottled.

- i. Where an article of food is imported into India, the package of the food shall also carry the name and complete address of the importer in India.
 - ii. Any food article that is manufactured outside India and packed or bottled in India, shall also bear on the package label the name of the country of origin of the food article and the name and complete address of the importer and the premises of packing or bottling in India.
7. **FSSAI Logo and License Number:** The logo and license number shall be displayed on the label. Additionally, the license number of the manufacturer or marketer or packer or bottler, shall be displayed on the label if different from the brand owner.
 - Where an article of food is imported into India, the importer shall display the FSSAI logo and license number along with name and address of the importer.
 - Food business operators shall display at all premises where food is stored, processed, distributed, or sold, the registration/license number or the food safety display board if specified, along with other information as specified by the FSSAI from time to time at a prominent place in the premises.
 - Fortified food and organic food shall be marked with a logo as specified in schedule II of the labeling and display regulations.
8. **Net quantity, Retail Sale Price and Consumer Care:** Details are outlined in the Legal Metrology Act (2009) (1 of 2010) and the Rules made thereunder.
9. **Lot/Code/Batch Identification:** A mark of identification by which the food can be traced in the manufacture and identified in the distribution shall be provided on the label.
10. **Date Marking:**
 - “Date of manufacture or packing” and “expiry/use by” shall be given on the label. The expression “Best before” may be used as optional or additional information.
 - The manner of declaration of date of manufacture or packaging/expiry/use by/Best Before should be in the following format:
 - Day, month, and year using DD/MM/YY format for products with a short shelf life of up to three months; the month and the year for products with a shelf life of more than three months, shall be declared in un-coded numerical sequence except that the month shall be indicated by capital letter and abbreviations (at least the first three letters of the month) can be used.
 - Special conditions for storage of food should be declared on the label if the validity of the date depends thereon. If required, storage conditions after opening the pack may also be specified.
 - Declaration of expiry date for consumption shall not be applicable to:
 - a. Fresh fruits and vegetables, including potatoes, which have not been peeled, cut, or similarly treated.
 - b. All types of wine
 - c. Alcoholic beverages containing 10 percent or more by volume of alcohol

- d. Vinegar
- e. Sugar boiled confectionery
- f. Food grade salt for industrial use
- g. Solid sugars and
- h. Chewing gum and bubble gum

11. Country of Origin for Imported Food:

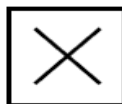
- i. The country of origin of the food shall be declared on the label of food imported into India.
- ii. When a food undergoes processing in a second country, changing its nature, the country in which the processing is performed shall be considered the country of origin for the purposes of labeling.

12. Instructions for Use: If necessary, instructions for use shall be included on the label to ensure correct utilization of the food.

13. Food Allergens: Declared separately if the food ingredients are known to be allergenic.

14. Packaging Material: All packaged materials sold in retail and not intended for human consumption shall bear a declaration to this effect by a symbol of a black color cross inside a square with black outline having the sides of square not less than the minimum size specified in Table 1 of the regulation.

The symbol is included below for reference. Examples include *Pooja* water, oils, clarified butter, and other items used for religious purposes.



India specifies that imported pre-packaged food products must meet India's country of origin food labeling requirements at the port-of-entry. Imported bulk food items sold in loose or unpackaged form (e.g., almonds, apples, grapes, peas, and lentils, etc.) must have an accompanying certificate that specifies the country of origin. However, there is currently no requirement to label imported loose or unbranded products at the retail point of sale.

Raw agricultural commodities, spice mixes, condiments, non-nutritive products (such as soluble tea, coffee, soluble coffee, coffee-chicory mixture, packaged drinking water, and packaged mineral water), alcoholic beverages, fruits, and vegetables, and processed pre-packaged fruits, and vegetables that are comprised of a single ingredient are exempted from nutritional labeling requirements. Original manufacturer's labels on wholesale packages, applied in the country of origin, that fulfill the labeling requirements of the FSSAI's regulations is permissible. However, tampering with labels and pasting/affixing of one label over another is not permissible. A wholesale package may show the best before date, expiry date, or use by date. In the case of wholesale packages, if both a best before date and an expiry date are given, then the two must be different and must be clearly specified.

C. Rectifiable and Non-Rectifiable Labeling:

All exporters and importers are responsible for ensuring that the food products entering India from the United States are in full compliance with Indian food laws (see, [GAIN-INDIA - IN8068 - India - Rectifiable Labeling List for Food Imports Gets Expanded - June 8, 2018](#) for to a list of rectifiable labeling deficiencies allowed in India). [Note: In the latest Food Safety and Standards (Labeling and Display) Regulations (2020), there are no provisions for labels to be rectified].

Office of Legal Metrology (OLM) under the Ministry of Consumer Affairs, Food and Public Distribution's Department of Consumer Affairs

Labeling Requirements

Per Indian law, FSSAI regulations supersede most OLM food labeling requirements. However, two regulations of the OLM continue to apply:

1. **The Retail Sale Price of the Package:** When discounting from the maximum retail price (MRP), a sticker with the revised lower MRP (inclusive of all taxes) may be affixed but the same shall not cover the MRP declaration on the label of the package. [Note: As per the Amendments to the Legal Metrology Rules (2015), pre-packaged food products meant for institutional use do not require the MRP, but a 'Not for Retail Sale' declaration on the label is required].
2. If a product is genetically engineered (genetically modified - GM), the label must include the acronym, "GM" (see, [GAIN-INDIA - IN3003 - India-Mandatory GM Labeling on Packaged Food \(January 15, 2013\)](#)).

[Note: The FSSAI notes in its recently published draft regulations for genetically engineered foods and food ingredients 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](#)).

Ministry of Commerce and Industry (MoCI)

As per [Notification Number 44 \(RE-2000\)/1997-2002](#) issued by Ministry of Commerce and Industry's Department of Commerce on November 24, 2000, all packaged commodities, including pre-packaged food, imported into India must bear the following declarations:

1. Name and complete address of the importer in India.
2. Generic or common name of the commodity packed.
3. Net quantity using standard units of weights and measures. If the net quantity of the imported package is given in any other unit, the importer shall declare equivalent terms of standard units.
4. Month and year in which the commodity was manufactured/packed or imported.

5. The maximum retail price (MRP) at which the product, in packaged form, may be sold to the ultimate consumer. This price shall include all taxes, local or otherwise, freight, transport charges, commission payable to dealers and all charges towards advertising, delivery, packing, forwarding, and any other relevant charges.

[Note: Pre-packaged food products meant for institutional use do not require the MRP, but a ‘Not for Retail Sale’ declaration on the label is required].

The full notification is available on the [Directorate General of Foreign Trade \(DGFT\)](#) website.

SECTION III. PACKAGING AND CONTAINER REGULATIONS

On March 19, 2018, the FSS (Packaging) Regulation (2018) was published in the official gazette. The Food Safety and Standards Packaging Regulation (2018), formerly combined with the FSS Labeling Regulation, is now a separate regulation, with compliance effective on July 1, 2019. The regulation covers the general requirements of packaging material that can be used by the FBOs including the specific requirements for primary food packaging. Plastic materials used in the manufacture of containers for packing or storing of food products must conform to the Indian Standards specifications provided in Schedule III of the regulations. Products made of recycled plastics, including carry bags, are not authorized for use in the packaging, storing, carrying, or dispensing of food items. A list of suggested packing materials for different product categories is provided in Schedule IV of the regulations (see, [FSS \(Packaging\) Regulation \(2018\)](#) for additional information).

SECTION IV. FOOD ADDITIVES REGULATIONS

Information regarding permitted food colorings and preservatives is published in various sections of the Food Safety and Standards Regulation (2011). For detailed information, refer to [Food Safety and Standards \(Food Product Standards and Food Additives\) Regulation \(2011\)](#) and [Compendium of Food Safety and Standards \(Food Product Standards and Food Additives\) Regulation](#). Amendments related to food product standards and additives published by the FSSAI in CY 2021 are found in the “Chronology of FSSAI Regulations and Notifications” at the end of this FAIRS report (see, Appendix IV).

SECTION V. PESTICIDES AND OTHER CONTAMINANTS

The Food Safety and Standards Authority of India establishes the maximum residue levels (MRLs) for pesticides, toxins, and other contaminants (see, [Food Safety and Standards \(Contaminants, Toxins and Residues\) Regulation \(2011\)](#) Chapter 2, for the complete list of contaminants, toxins, and permissible residue levels).

Banned or restricted pesticides and pesticide formulations that are refused registration or face restricted use in India are listed at: http://ppqs.gov.in/sites/default/files/restricted_and_banned_product_list.docx.

The Ministry of Agriculture and Farmers' Welfare is discontinuing pesticide registration through the Pesticide Registration Committee if there are no MRLs established for a pesticide.

For additional information on approved pesticides and the procedures for registration of new pesticides, see the Central Insecticide Board and Registration Committee website located at: <http://ppqs.gov.in/contactus/central-insecticide-board-and-registration-committee-cibrc>.

SECTION VI. OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES

Novel Foods Product Approval: On September 11, 2017, India implemented its [Food Safety and Standards \(Approval for Non-Specified Food and Food Ingredients\) Regulations \(2017\)](#). The regulation will be finalized when comments from stakeholders on the draft regulation are incorporated.

The FSSAI termed the following categories of food or food ingredients as “non-specified food and food ingredients” and outlined new product approval procedures for these categories:

- Novel foods or food containing novel ingredients with no history of human consumption in India.
- Food ingredients with a history of human consumption in India, but not specified under any other regulations made under the Food Safety and Standards Act (2006).
- New additives and processing aids.
- Foods manufactured or processed through novel technologies.

For additional specifics on this regulation, see [GAIN-IN7026 - India-Draft Regulation on Product Approval Published in Indian Gazette \(February 14, 2017\)](#) and the FSSAI [Frequently Asked Questions](#) published May 6, 2020.

Product Sampling: On November 3, 2021, the FSSAI published a new order to listing the testing fees for samples of various food products categories. The testing fees will be uniformly applicable to both domestic and imported food products. The order's effective implementation date is December 1, 2021 (see, [GAIN-INDIA IN2021-0134-FSSAI Publishes Sample Testing Fees for Domestic and Imported Food Products](#)).

Previously on November 14, 2017, the FSSAI published an order revising the inspection and sampling fees for imported food products. The revised inspection and sampling rates were implemented immediately upon publication (see, [https://gain.fas.usda.gov/Recent GAIN Publications/Revised Inspection and Sampling Fees for Imported Food Products New Delhi India 11-24-2017.pdf](https://gain.fas.usda.gov/Recent%20GAIN%20Publications/Revised%20Inspection%20and%20Sampling%20Fees%20for%20Imported%20Food%20Products%20New%20Delhi%20India%2011-24-2017.pdf) [GAIN IN7133 – India Revised Inspection and Sampling Fees for Imported Food Products - November 24, 2017](#)).

In June 2019, the FSSAI published a comprehensive “Food Import Clearance Manual” and provided a statewide list of FSSAI-notified referral laboratories along with their scope (in Annexure No. 4). In the same manual, a list of 18 FSSAI-notified referral laboratories is given (in Annexure No. 5).

For details on the sampling procedure, please refer to the latest “Manual for Food Imports.” The FSSAI has published manuals detailing its requirements on test methods and analysis by laboratories for the following: 1) milk and milk products, 2) oils and fats, 3) fruit and vegetable products, 4) cereal and cereal products, 5) food

additives, 6) mycotoxins, 7) spices and condiments, 8) metals, 9) meat and fish, 10) antibiotic and hormone residues, 11) pesticide residues, 12) mycotoxins, 13) water analysis, and (14) alcoholic beverages. Additionally, the FSSAI has also published a manual to provide general guidelines on sampling methodologies. These manuals are accessible on the FSSAI's website located at: <https://www.fssai.gov.in/cms/manuals-of-methods-of-analysis-for-various-food-products.php>.

On October 14, 2021, the FSSAI published a revised manual of methods of analysis for dairy and dairy food products and the link to access the same is available at: https://fssai.gov.in/upload/uploadfiles/files/Notice_Public_Comments_Dairy_27_09_2021.pdf

Shelf Life: Notification Number 22 (RE-2001)/1997-2002, dated July 30, 2001, issued by the MOCI's Department of Commerce, states the following:

Imports of all such edible/food products, domestic sale, and manufacture of which are governed by the FSSAI shall also be subject to the condition that, at the time of importation, these products have a valid shelf life of not less than 60 percent of its original shelf life. Shelf life of the product is to be calculated, based on the declaration given on the label of the product, regarding the date of manufacture and the due date of expiry (Source: [https://old.fssai.gov.in/portals/0/pdf/Notification%20No.%2022\(RE-2001\)1997-2002.pdf](https://old.fssai.gov.in/portals/0/pdf/Notification%20No.%2022(RE-2001)1997-2002.pdf)).

The FSSAI's amendments to the Food Import Regulations (2017) mandate that Indian Customs officials shall clear any imported food product only if it has valid shelf life of not less than 60 percent, or three months before expiry, whichever is less, at the time of import. The amendments also include the requirement of the food importers to register with the Directorate General of Foreign Trade. Importers must possess a valid import-export code, create a profile of the importer, custom house agents, imported product, manufacturer of the imported products, country of origin, source country of the consignment, port-of-entry, compliance history, and any other parameters required to determine the risk associated with the food product.

In addition, food importers should submit the certificate of sanitary export from authorized agencies in the exporting country for the categories of food as specified by the FSSAI from time to time. These amendments became effective on December 6, 2017 (see, GAIN-INDIA reports: [\(IN7076\) India - Amendments in Food Import Regulations \(June 27, 2017\)](#), [\(IN7097\) India - WTO Notified-Amendments in Food Import Regulations \(August 4, 2017\)](#), [\(IN7097\) India - WTO Notified-Amendments in Food Import Regulations \(August 4, 2017\)](#), and [\(IN7158\) India-First Amendment of 2017 Food Import Regulations is Operational \(December 15, 2017\)](#)).

Miscellaneous Requirements: There is no requirement for U.S. exporters to register products formally for import into India. Export certification requirements for imports of food products in India are fully summarized in the FAIRS-INDIA - IN2021-0132 - Export Certificate Report – Annual 2021.

India permits the import of product samples via express mail or parcel post (e.g., FedEx, UPS, and DHL), subject to the DGFT's prior permission (see, <http://www.cbec.gov.in/>). Mail order imports are not permissible. Contact information to arrange sample shipments is found in this FAIRS report's Appendix I. Once the products enter the Indian domestic market, they are subject to random monitoring at the retail and wholesale levels by the relevant regulatory authorities.

Biotechnology: Since July 8, 2006, the Indian government’s foreign trade policy has specified that all imports containing products of modern biotechnology (biotech) must have prior approval from the Genetic Engineering Appraisal Committee (GEAC). There is also a stipulation requiring a biotech declaration by the importer at the port-of-entry. “The only [genetically engineered] GE food products 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).”

On August 24, 2021, India’s Ministry of Commerce, and Industry/Directorate General of Foreign Trade (DGFT), however, did authorize for a limited period (initially through October 31, 2021, but amended now for consignment deliveries through January 31, 2022), imports of up to 1.2 million metric tons (MMT) of soybean meal derived from genetically engineered (GE) soybeans. The DGFT cites no objection from Ministry of Environment, Forest and Climate Change on the import of soybean meal derived from GE-soybeans as it does not contain any living modified organism (LMO) (see, [GAIN-INDIA – IN2021-0102 – India Officially Permits Limited Soybean Meal Imports](#), [GAIN-INDIA – IN2021-0105 – India’s Poultry Market – A Snapshot of 2020-21](#), [GAIN-INDIA – IN2021-0106 – India Approves Additional Ports for Bulk Soybean Meal Imports](#), and [GAIN-INDIA – IN2021-0110 – India Clarifies and Extends its Import Date for Soybean Meal and Soy Cake Derived from Genetically Engineered Soybeans](#)).

Indian regulations stipulate that the GEAC, India’s apex regulatory body, must conduct the biosafety appraisal of all biotech plants, animals, and other biotech organisms, and of products derived from biotech plants and animals or other biotech organisms including food and agricultural products. The Food Safety and Standards Act (2006) includes specific provisions for regulating GE food products, including processed foods.

Due to the lack of regulations and adequate operational infrastructure to regulate GE products, the FSSAI deferred the approval of GE food products to the GEAC. In August 2017, the Supreme Court of India issued directives to the FSSAI for framing regulations for approval of GE food products. Subsequently, the GEAC has forwarded the applications for approval of processed GE food products to the FSSAI. However, the FSSAI is still going through the process of formulating regulations. GE food product approval remains on hold until regulations are framed, approved, and implemented.

Effective March 1, 2021, the FSSAI requires a certificate for “non-GM” or “GM-Free” status for all of 24 select crops listed in the FSSAI Order of August 21, 2020. Following this order, the FSSAI issued a series of clarification, including that the measure is not applicable to processed foods, a revised implementation date and permitting certification from regional authorities (see, [GAIN-INDIA – IN2021-0042 - India - Requirement of a Certificate of Non-Genetically Modified and GM-Free Status for Apple Consignments - A Workaround Solution](#) and [GAIN-INDIA – IN2021-0034 - India - The FSSAI Issues Compliance Clarifications for its Genetically Modified-Free Certificate Order for Imported Food Products](#)).

On November 17, 2021, FSSAI issued its proposed draft Food Safety and Standards (Genetically Modified or Engineered Foods) Regulations, 2021 (see, Appendix I). The notification was published in official gazette on November 15, 2021. All food products having individual GM ingredients that constitute 1% or more of the product should be labeled as “Contains Genetically Modified Organisms/ Ingredients derived from GMO.” World Trade Organization members are invited to comment on the proposed draft amendment and the timeline to provide comments being 60-days from the date of notification on the WTO website (see, [GAIN-INDIA - IN2021-0138 - India’s FSSAI Proposes New Regulations for Genetically Modified or Engineered Foods](#)).

For more information on India’s biotechnology import policy, see [GAIN-INDIA – IN2021-0121 – India Agricultural Biotechnology Annual – 2021](#).

SECTION VII. OTHER SPECIFIC STANDARDS

India’s Department of Commerce Notification No. 44 (RE-2000)/1997-2002 (November 24, 2000), requires imports of certain products, including some food products (milk powder, condensed milk, infant milk foods, milk-cereal based weaning foods) and food additives, to comply with mandatory Indian quality standards. All manufacturers and exporters to India of products listed in this notification are required to register with the Bureau of Indian Standards.

Plant-Based Meat Substitutes (Vegan Foods)

On September 8, 2021, FSSAI proposed draft Food Safety and Standards (Vegan Foods) Regulations (2021). The draft regulation defines 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 (obtained from the dried swim bladders of fish and used for clarifying beer). The proposed FSSAI vegan foods logo is:



In the logo, the ‘green’ color and the leaf depict that the ingredient/product is of plant origin. The letter ‘V’ and or text ‘VEGAN’ identifies the product as being vegan.

Plant-based meat substitute in India is viewed by Indian consumers as highly innovative, trendy, healthy, and environmentally friendly. While the concept of plant-based meats is still nascent in India, a large demand among the Indian population for healthy foods is fueling the rapid expansion of plant-based meat substitutes in India. Opportunities for U.S. exporters exist in both consumer-oriented products, and raw materials to support Indian manufacturers of plant-based meat products (see, [GAIN-INDIA - IN2021-0064 – India Emerges as a Burgeoning Market for Plant-based Meat Substitutes](#)).

Halal Laws in India

India interprets halal as a religious claim; the Indian government consequently neither mandates halal certification nor provides a unifying regulatory law. Currently, FSSAI’s standard certification is the requirement for consumer edible products. Halal certification, in the form of an internationally recognized certificate, is not necessary to obtain trade permission either for exports or imports. There are no specific labeling requirements for halal food products imported into India.

On January 5, 2020, India's MOCI/Agricultural and Processed Food Products Export Development Authority, the Indian authority responsible for promoting farm product exports, removed the word 'halal' from its 'Red Meat Manual' stating that "the animals are slaughtered according to the requirement of the importing country." Until that point, halal had been an important pre-condition, which an Indian exporter had to meet to export to Muslim countries.

The halal certification agencies are approved directly by the respective importing countries and no Indian government agency plays a role in issuing halal certificates. Certified halal food products are accepted domestically by Muslim and non-Muslim consumers; halal certified is viewed as representing high levels of hygiene, cleanliness, safety, and nutrition.

SECTION VIII. TRADEMARKS, BRAND NAMES, AND INTELLECTUAL PROPERTY RIGHTS

The Indian Copyright Act (1957) is based on the Bern Convention on Copyrights, to which India is a party. The May 1995 and December 1999 amendments increase protection and introduce stiff mandatory penalties for copyright infringement.

On paper, Indian copyright law is now on par with the most modern laws in the world. Trademarks are protected under the Trademarks Act (1999) and the Trademarks Rules (2002) (in force since September 2003), which repealed the Trademark and Merchandise Marks Act (1958). The changes introduced by the new act include protection of well-known trademarks, as well as service and collective marks, extension of the period of protection from seven to ten years, establishment of an appellate board, and increased penalties for infringement of trademarks. The Indian government's enforcement of intellectual property rights is weak. However, the situation is slowly improving, as the courts and police are becoming more responsive to domestic stakeholders concerned with the broad effects of piracy.

Foreign firms can register trademarks through a local agent by applying at the Office of the Registrar of Trademarks (www.ipindia.nic.in). The registration process can take between three-to-five years for the trademark to be officially accepted and notified.

In order to protect the intellectual property of imported products, the Ministry of Finance's Central Board of Excise and Customs (CBEC) has issued the Intellectual Property Rights (Imported Goods) Enforcement Rules (2007) (see, <http://www.cbec.gov.in/htdocs-cbec/customs/cs-act/formatted-htmls/ipr-enforcementrules>). Instructions regarding the implementation of the Rules are available on the CBEC website located at: <http://www.cbec.gov.in/htdocs-cbec/customs/cs-circulars/cs-circulars-2007/circ41-2k7-cus>.¹

SECTION IX. IMPORT PROCEDURES

Documentation: Importers must provide an import declaration in the prescribed bill-of-entry format, disclosing the value of the imported goods. This declaration must be accompanied by the relevant import license and

¹ Indian host sites geo-block site access on a rolling basis. This link is often unstable.

phytosanitary certificate (that is in the case of agricultural commodities), along with supporting documentation such as commercial sales invoices and freight and insurance certificates.

There is no need to translate the import documents into the local Indian languages, as English is an official language. Consignment inspection occurs prior to clearance. The FSSAI stations **authorized officers** at six locations: Chennai, Kolkata, Mumbai, Delhi, Cochin, Tuticorin, covering 21 points of entries for ensuring compliance to the provisions of the Food Safety and Standards Act (2006) and regulations made thereafter.

There are **396** locations throughout the country where customs officials act as FSSAI authorized officers. The authorized officer overseeing import clearance at New Delhi's Indira Gandhi International Airport (DEL) also oversees the import clearance process at the Inland Container Depots in the Tughlaqabad and Patparganj areas of New Delhi. An importer can clarify technical queries with any of the authorized officers before importing a food consignment.

Procedure for Clearance: In June 2019, the FSSAI published its 2019 edition of the Manual for Food Imports, which explains in detail the food import clearance process. It is important that exporters maintain close contacts with their agents on import procedures (see, [https://gain.fas.usda.gov/Recent GAIN Publications/FSSAI Publishes Manual for Food Imports New Delhi India 12-6-2017.pdf](https://gain.fas.usda.gov/Recent%20GAIN%20Publications/FSSAI%20Publishes%20Manual%20for%20Food%20Imports%20New%20Delhi%20India%2012-6-2017.pdf)GAIN-INDIA - IN9074 – India, 2019 Edition of Food Imports Manual Released (August 8, 2019).

The **Food Import Regulations (2017)** define the procedures for product sampling and laboratory analysis. Prior to sampling, the FSSAI port officer ascertains whether the imported food complies with the FSSAI's labeling rules. This is intended to ensure that adequate and accessible information is available to the handler, processor, and the consumer to enable them to handle, store, process and prepare, and display the food products safely. It also facilitates lot or batch traceability and recall, if necessary. If labeling is deficient, the product faces rejection without further inspection or sampling.

Review Process: Any food importer may file an application to review an officer's rejection of a consignment of food products. The review application is sent within 15 working days from the date of receipt of the report of rejection along with the fee (subject to revision). For additional details, see the **Food Safety and Standards (Import) Regulation (2017)**.

SECTION X. TRADE FACILITATION

India is introducing innovative and efficient use of technology to reduce clearance time for food import consignments, as well as ensure transparency through paperless transactions. However, India does not use the global e-Phyto hub for its exports. It does accept an e-Phyto issued by the exporting country subject to submission of original phytosanitary certificate. Food importers need to comply with certain prerequisites to import food products into India from different countries. These include:

- a) A valid FSSAI import license.
- b) A valid importer exporter code (IE code) issued by the MOCI's Directorate General of Foreign Trade. Importers are required to check the latest Indian Trade Clarification based on Harmonized System of Coding-ITC (HS) import policy of the DGFT to see whether their products fall under the free,

prohibited, or restricted category and follow the import provisions accordingly. In case food products fall under the restricted category, the importer must obtain a DGFT license, in addition to other product-specific import requirements.

- c) The importing food business operator submits an authority letter in favor of a customs-handling agent (CHA) to the FSSAI authorized officer if he chooses to handle his imports through a customs-handling agent.

The FSSAI has developed its online [Food Import Clearance System \(FICS\)](#) for food imports, seamlessly integrated with the Customs [ICE-GATE \(Indian Customs Electronic Commerce/Electronic Data Interchange \(EC/EDI\) Gateway\)](#) under SWIFT (Single Window Interface for Facilitating Trade).² Selective sampling and testing of food articles based on risk profiling done by the FSSAI occurs at the Customs ICEGATE.

The FSSAI has reinstated its web portal-based pre-arrival document scrutiny. This feature allows the importer/CHA to file documentation prior to the arrival of the consignment at the port-of-entry, ensuring that all the specified regulations/standards for various food and food ingredients including food additives comply with the import provisions. While scrutinizing the documents, the FSSAI officer can seek clarifications from the importer and request additional information.

The [Frequently Asked Questions on FICS for Importers](#) covers detailed procedures on the FSSAI's food import clearance procedures, including inspection and sampling procedures, fee structure, payment modes and risk management system (RMS). Additional reference information is available on [the Manual for Food Import Clearance System](#) and the [Food Safety and Standards \(Import\) Amendment Regulation \(2020\)](#).

² Indian host sites geo-block site access on a rolling basis. Access to sites often require registration.

APPENDIX I. GOVERNMENT REGULATORY KEY CONTACTS

A. Overall Food Safety: Food Safety and Standards Regulations 2011 (as amended)

Chairperson
Food Safety and Standards Authority of India
FDA Bhavan, Kotla Road
New Delhi-110 002
Phone: (91-11) 23220991/92
Help desk toll free number: 1800-112-100
E-mail: chairperson@fssai.gov.in
Website: <http://www.fssai.gov.in>

B. The Legal Metrology Act 2009 (as amended)

Department of Consumer Affairs
Ministry of Consumer Affairs, Food, and Public Distribution

Director (Legal Metrology)
Department of Consumer Affairs
Krishi Bhawan, New Delhi – 110 001
Phone: (91-11) 23389489
Fax: (91-11) 23385322
Email: dirwm-ca@nic.in
Website: <http://fcamin.nic.in/index.asp>

C. Phytosanitary Issues

Department of Agriculture Cooperation and Farmers' Welfare
Ministry of Agriculture and Farmers' Welfare

Joint Secretary - Plant Protection and Quarantine
Department of Agriculture Cooperation and Farmers' Welfare
Ministry of Agriculture and Farmers' Welfare
Krishi Bhawan, New Delhi – 110 001
Phone: (91-11) 23070306
Fax: (91-11) 23070306
Email: jspp-dac@gov.in
Website: www.plantquarantineindia.org

D. Livestock and Products Imports

Department of Animal Husbandry, Dairying and Fisheries Ministry of Agriculture and Farmers Welfare

Joint Secretary
Department of Animal Husbandry, Dairying and Fisheries
Ministry of Agriculture and Farmers Welfare
Krishi Bhawan, New Delhi - 110 001
Phone: (91-11) 23387804
Fax: (91-11) 23386115
E-mail: jsadd@nic.in
Website: <http://dahd.nic.in/>

E. Foreign Trade Notifications

Department of Commerce Ministry of Commerce and Industry

Director General of Foreign Trade
Ministry of Commerce and Industry
Udyog Bhawan, New Delhi - 110 011
Phone: (91-11)23062777
Fax: (91-11)23061613
E-mail: dgft@nic.in
Website: <http://dgft.delhi.nic.in/>

F. Registry of Trademarks

Department of Commerce Ministry of Commerce and Industry

Controller General of Patents, Designs and Trademarks and Geographical Indication Registry
Bhoudhik Sampada Bhavan
S.M. Road, Antop Hill, Mumbai – 400 037
Phone: (91-22)24144525/24132735
Fax: (91-22)24132735
E-mail: Mumbai-patent@nic.in
Website: www.ipindia.nic.in

**G. Central Board of Excise and Customs
Ministry of Finance**

Chairman
Central Board of Excise and Customs
Ministry of Finance
North Block, New Delhi – 110 001
Phone: (91-11) 23092849
Fax: (91-11) 23092890
E-mail: chairman@cbec.gov.in
Website: <http://www.cbec.gov.in/>

**H. Pesticide Registration
Department of Agriculture Cooperation and Farmers Welfare
Ministry of Agriculture and Farmers Welfare**

Secretary
Central Insecticides Board and Registration Committee
Old C.G.O. Complex, N.H. IV
Faridabad – 121 001, Haryana
Phone: (91-129) 2413002
E-mail: cibsecy@nic.in
Website: <http://ppqs.gov.in/>

**I. Genetic Engineering Appraisal Committee
Ministry of Environment, Forest, and Climate Change**

Chairperson, GEAC
Ministry of Environment, Forest, and Climate Change
Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi – 110 003
Phone/Fax: (91-11) 24363967, 24361308
Email: anilk.jain@gov.in
Website: <http://geacindia.gov.in/>

APPENDIX II. OTHER IMPORT SPECIALIST TECHNICAL CONTACTS

Director
Confederation of Indian Food Trade and Industry
Federation of Indian Chambers of Commerce and Industry
Federation House, Tansen Marg
New Delhi – 110 001
Phone: (91-11) 23738760-70
Fax: (91-11) 23311920
E-mail: ficci@ficci.com
Website: www.ficci.com

Senior Technical Advisor
Confederation of Indian Industry
The Mantosh Sondhi Center
23, Institutional Area, Lodhi Road
New Delhi – 110 003
Phone: (91-11) 2463 3461
Fax: (91-11) 2462 6149
Email: info@cii.in
Website: www.cii.in

APPENDIX III. COMMODITY-SPECIFIC FAIRS REPORTS

- [IN2021-0138](#) India's FSSAI Proposes New Regulations for Genetically Modified or Engineered Foods
- [IN2021-0137](#) FSSAI Issues Amendments to the Food Safety and Standards – Approval of Non-Specified Food and Food Ingredients
- [IN2021-0136](#) FSSAI Amends Its Food Import Regulations
- [IN2021-0135](#) India's FSSAI Specifies Labeling Requirements for Pan Masala and Various Bread Types
- [IN2021-0134](#) FSSAI Publishes Sample Testing Fees for Domestic and Imported Food Products
- [IN2021-0130](#) FSSAI Extends Implementation Date of the Labeling Provisions of Four Regulations – including of the Labeling and Display
- [IN2021-0125](#) FSSAI Publishes Draft Amendment for the Infant Nutrition Foods Regulation
- [IN2021-0124](#) FSSAI Mandates BIS Certification Mark on Infant Nutrition Foods
- [IN2021-0117](#) FSSAI Notifies Amendments to the Food Safety and Standards –Labeling And Display-Regulations 2020
- [IN2021-0111](#) FSSAI Proposes Claims on Additional Categories of Edible Vegetable Oil_
- [IN2021-0109](#) FSSAI Proposes New Regulations for Vegan Foods
- [IN2021-0108](#) FSSAI Notifies Draft Amendments for Specialty Foods Regulations
- [IN2021-0107](#) FSSAI Notifies Final Standards for Fortified Milk Powder and Iodine
- [IN2021-0097](#) FSSAI Issues Final Standards for Walnut Kernels and Other Various Food_Products
- [IN2021-0087](#) FSSAI Notifies Draft *Ayurveda Aahar* Regulations
- [IN2021-0086](#) FSSAI Authorizes a Six-Month Extension for Compliance with the Commercial Feeds and Feed Materials Standards to Select Industry Stakeholders
- [IN2021-0085](#) FSSAI Extends Compliance Timeline on Specialty Food Products Imports for Inborn Errors of Metabolism and Hypoallergic Conditions
- [IN2021-0083](#) FSSAI Changes Nomenclature of Blended Edible Veg Oil to Multi Source Edible Oil
- [IN2021-0080](#) FSSAI Extends Implementation Date for Processing Aids in Food Products
- [IN2021-0078](#) FSSAI Extends Implementation Date for Infant Nutrition Food Standards
- [IN2021-0074](#) FSSAI Confirms Labeling Requirements for Primary Bulk Foods Remain Subject to 2012 and 2016 Guidelines Until New Regulations Come into Force on 17 November 2021
- [IN2021-0056](#) FSSAI Issues SOPs for Licensing and Registration of Fortified Food Products
- [IN2021-0055](#) FSSAI Publishes Draft Standard Operating Procedures for Fixation of Pesticides MRLs
- [IN2021-0054](#) FSSAI Modifies Standards for Shea Butter and Borneo Tallow Nut Oil
- [IN2021-0052](#) India Confirms Prunes Not Subject to the Non-GM cum GM-Modified Free Status Certificate Requirement
- [IN2021-0047](#) FSSAI Publishes Corrections to Nutrients Levels in Final Foods for Infant Nutrition Regulations of 2020
- [IN2021-0044](#) India Notifies Final Standards for Cereals and Varied Products
- [IN2021-0042](#) Requirement of a Certificate of Non-GM and GM Free Status for Apple Consignments – A Workaround Solution
- [IN2021-0038](#) FSSAI Notifies Authorized Officers for New Food Import Entry Points
- [IN2021-0034](#) FSSAI Issues Compliance Clarifications for its GM-Free Certificate Order for Imported Food Products

- [IN2021-0030](#) FSSAI Clarifies Compliance Timeline for the Exclusion of High Fat Sugar Salt Foods from the Fortified Processed Food Category
- [IN2021-0028](#) FSSAI Sets Limit on the Use of Trans-Fats in all Food Products
- [IN2021-0027](#) FSSAI Reinstates its Food Additives and Food Standards Amendment Regulation for Meat and Meat Products for a Second Time
- [IN2021-0026](#) Clarifications on the FSSAI GM-Free Certificate Order for Imported Food Products
- [IN2021-0021](#) FSSAI Discloses Final Timeline on Specialty Foods Imports for Inborn Errors of Metabolism and Hypoallergic Conditions
- [IN2021-0015](#) FSSAI Clarifies Food Product Categories That Qualify for Default Insecticide Tolerance Limits
- [IN2021-0012](#) FSSAI Extends Implementation Date for Trans-Fat Limits in Processed Food Products
- [IN2021-0010](#) Final Standards for Various Food Products Published in Indian Gazette
- [IN2021-0002](#) Second Extension on Commercial Feeds and Feed Materials Standards Compliance Timeline

APPENDIX IV. CHRONOLOGY OF FSSAI REGULATIONS AND NOTIFICATIONS IN 2021

Amendments to the Food Safety and Standards (Import) Regulation (2017)

- On February 26, 2021, FSSAI notified its Authorized Officers of their designation to 22 new food import entry point jurisdictions. The Authorized Officers listed in the FSSAI notification concerning control of the additional food import entry points began March 10, 2021. ([GAIN-INDIA - IN2021-0038 – FSSAI Notifies Authorized Officers for New Food Import Entry Points](#)).

Amendment to the Food Safety and Standards (Labeling and Display) Regulations (2020)

- On September 29, 2021, FSSAI amended the Food Safety and Standards (Labeling and Display) Regulations (2020) as they pertain to the labeling of pre-packaged foods. WTO members are invited to comment on the notification, and the timeline to provide comments is 60 days from the date of notification on the WTO website. ([GAIN-INDIA - IN2021-0117 - India’s FSSAI Notifies Amendments to the Food Safety and Standards – Labeling And Display-Regulations 2020](#)).
- On September 6, 2021, FSSAI issued a notification relating to warning declarations for *Pan Masala* (a mixture of chopped areca nut) and the nomenclature of different varieties of bread on the labels. ([GAIN-INDIA - IN2021-0135 - India’s FSSAI Specifies Labeling Requirements for Pan Masala and Various Bread Types](#)).
- On June 9, 2021, FAS New Delhi, following months of arduous deliberations, and correspondence from the FSSAI’s Import Division, confirmed that labeling requirements for bulk consignments of primary food products including food grains, dry fruits, (i.e., tree nuts such as almonds, walnuts, and pistachios), pulses, fruits, whole spices, and the like, remain subject to and will continue to follow the FSSAI published labeling guidelines for 2012 and 2016. This measure remains in effect until the Food Safety and Standards (Labeling and Display) Regulations (2020) come into force. ([GAIN-INDIA IN2021-0074 - FSSAI Confirms Labeling Requirements for Primary Bulk Foods Remain subject to 2012 and 2016 Guidelines Until New Regulations come into Force on 17 November 2021](#)).

Amendments to the Food Safety and Standards (Food Product Additives and Food Standards) Regulation (2011)

- On July 30, 2021, FSSAI published the Food Safety and Standards (Food Product Standards and Food Additives) Third Amendment Regulations (2021). The regulations relate to the final standards for walnut kernels, as well to dairy and dairy products, oilseeds and products, margarine and fat spreads, cereal, and cereal products, among others. The implementation date for is February 1, 2022. ([GAIN-INDIA – IN2020-0097 – FSSAI Issues Final Standards for Walnut Kernels and Other Various Food Products](#)).
- On June 29, 2021, the FSSAI published a new directive changing the nomenclature “Blended Edible Vegetable Oil” or “Multi Source Edible Vegetable Oil” to simply “Multi Source Edible Oil.” The Authority also extended the compliance timeline until November 17, 2021, when conformity with the

new mandatory labeling and display regulations came into effect. ([GAIN-INDIA - 0021-0083 – FSSAI Changes Nomenclature of Blended Edible Vegetable Oil to Multi Source Edible Oil](#)).

- On June 22, 2021, the FSSAI published a directive extending by six months the implementation date (originally set for July 1, 2021) of the Food Safety and Standards (Food Product Standards and Food Additives) Ninth Amendment Regulations, 2021, relating to amendments made to the processing aids list. ([GAIN-INDIA - IN2021-0080 - FSSAI Extends Implementation Date for Processing Aids in Food Products](#)).
- On March 22, 2021, the FSSAI modified its food safety and standards related to Shea butter and Borneo tallow nut oil. The implementation date is effective commencing with the date of publication in the Gazette of India. ([GAIN-INDIA - IN2021-0054 – FSSAI Modifies Standards for Shea Butter and Borneo Tallow Nut Oil](#)).
- On March 4, 2021, the FSSAI published in the Gazette of India and listed on its website on March 9, the notification Food Safety and Standards (Food Product Additives and Food Standards) First Amendment Regulations (2021) and included major revisions to the standards for certain substances added to foods such as trehalose, tocopherols, and other food processing aids and enzymes. ([GAIN-INDIA - IN2021-0044- India Notifies Final Standards for Cereals and Varied Products](#)).
- On January 29, 2021, the FSSAI reinstated for a second time, its draft Food Safety and Standards (Food Product Standards and Food Additives) Amendment Regulations (2020) relating to commercial feeds/feed materials intended for meat and meat products. The amendment requires an alignment with the relevant standards for feeds/feed materials used for meat and milk producing animals established by the Bureau of Indian Standards. The reactivated regulatory order is made effective commencing January 28, 2021. ([GAIN-INDIA - IN2021-0027 – India’s FSSAI Reinstates its Food Additives and Food Standards Amendment Regulation for Meat and Meat Products for a Second Time](#)).
- On January 8, 2021, the FSSAI published a directive to extend its implementation date for trans-fat limits in processed food products. The implementation date was extended to accommodate submissions received from stakeholders and to facilitate a smooth transition in adhering to the new trans-fat limit requirements. ([GAIN-INDIA - IN2021-0012 - FSSAI Extends Implementation Date for Trans-Fat Limits in Processed Food Products](#)).
- On December 31, 2020, the FSSAI published Food Safety and Standards (Food Product Additives and Food Standards) Tenth Amendment Regulations (2020) covering topics such as (i) The removal of the Bellier Test to check the purity of edible vegetable oil; (ii) trans-fat limits; (iii) cherries with stem and its labelling; (iv) definition in 2.5.1; (v) standards for processed fruit juices, processed vegetable juices, cashew kernels, coloring foods, animal casings, frozen egg products, egg powder, liquid egg products, pickled eggs, pasteurized fish sausage and crab meat, gelatin from fish processing waste, baking powder, water chestnut flour (*Singhare ka atta*), and total soluble solids content in fruits and vegetables. ([GAIN-INDIA - IN2021-0010 – Final Standards for Various Food Products Published in Indian Gazette](#)).
- On January 1, 2021, the FSSAI extended the compliance date for stakeholders to adopt standards established by the Bureau of Indian Standards related to commercial feeds/feed materials intended for

meat and milk producing animals. ([GAIN-INDIA - IN2021-0002 – Second Extension on Commercial Feeds and Feed Materials Standards Compliance Timeline](#)).

Amendments to the Contaminants, Toxins and Residues Regulations (2011)

- On April 9, 2021, the FSSAI published a draft guidance document – Standard Operating Procedures to Fix Maximum Residue Levels for Pesticides. ([GAIN-INDIA - IN2021-0055 – FSSAI Publishes Draft Standard Operating Procedures for Fixation of Pesticide MRLs](#)).
- On January 11, 2021, the FSSAI published a clarification to the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011 stating that all agricultural food products and associated processed food categories that do not have fixed insecticide maximum residue levels will have a default limit of 0.01 mg/kg. The clarification notes that the default limit does not apply to thermally and chemically processed foods. ([GAIN-INDIA - IN2021-0015 - FSSAI Clarifies Food Product Categories That Qualify for Default Insecticide Tolerance Limits](#)).

Fortification of Foods Regulation (2018)

- On September 2, 2021, the FSSAI notified the Food Safety and Standards (Fortification of Foods) First Amendment Regulations (2021) on its website relating to both new and revised standards for fortified food products. ([GAIN-INDIA - IN2021-0107 - FSSAI Notifies Final Standards for Fortified Milk Powder and Iodine](#)).
- On April 13, 2021, the FSSAI notified provisions for licensing and registration of fortified food products in the Food Safety and Compliance system. Earlier on December 18, 2020, the FSSAI notified the FSS (Fortification of Foods) First Amendment Regulations (2020), relating to standards for fortified processed foods. FAS New Delhi's GAIN FAIRS report includes a copy of the FSSAI notification and provides a link to instructions for obtaining +F endorsement certification. ([GAIN-INDIA - IN2020-0056 -FSSAI Issues SOPs for Licensing and Registration of Fortified Food Products in its Food Safety and Compliance System](#)).
- On February 16, 2021, the FSSAI issued a clarification to sub-regulation (7) in the Food Safety and Standards (Fortification of Foods) First Amendment Regulations (2020). The definition of High Fat, Sugar, Salt (HFSS) foods is not included in the labeling and display regulations published. FSSAI has issued clarification statement to convey that compliance with sub-regulation (7) will commence only after the HFSS foods are defined and notified in the Labeling and Display Regulations (2020). ([GAIN-INDIA - IN2021-0030 - FSSAI Clarifies Compliance Timeline for the Exclusion of High Fat Sugar Salt Foods from the Fortified Processed Foods Category](#)).

Food Safety and Standards (Food or Health Supplements, Nutraceuticals, Foods for Special Dietary Uses, Foods for Special Medical Purpose, Functional Foods, and Novel Food) Regulations (2016)

- On September 6, 2021, the FSSAI issued notification for amending the Food Safety and Standards (Health Supplements, Nutraceuticals, Foods for Special Dietary Use, Foods for Special Medical Purpose, Functional Food and Novel Food) Regulations (2016). It introduced new standards, while

seeking to modify existing requirements for specialty products covered under the regulation. ([GAIN-INDIA - IN2020-0108 - FSSAI Notifies Draft Amendments for Specialty Foods Regulations](#)).

- On June 30, 2021, the FSSAI published a new directive extending the compliance timeline for the implementation of regulations governing the import of specialty food products for inborn errors of metabolism and hypoallergic conditions. The current directive gives March 31, 2022, as the final date to import these specialty foods. ([GAIN-INDIA - IN2021-0085 - India's FSSAI Extends Compliance Timeline on Specialty Food Products Imports for Inborn Errors of Metabolism and Hypoallergic Conditions](#)).
- On January 19, 2021, the FSSAI notified its final timeline to allow the import of specialty food products for inborn errors of Metabolism and Hypoallergic conditions. The new compliance date is July 1, 2021. The directive also lists conditions under which imports of specialty foods will be allowed. ([GAIN-INDIA - IN2021-0021 - FSSAI Discloses Final Timeline on Specialty Foods Imports for Inborn Errors of Metabolism and Hypoallergic Conditions](#)).

Food Safety and Standards (Advertising and Claims) Regulations (2018)

- On August 27, 2021, the FSSAI notified its proposal to amend the Food Safety and Standards (Advertising and Claims) Regulations (2018) to introduce claims made on additional categories of edible vegetable oil. ([GAIN-INDIA - IN2021-0111 - India's FSSAI Proposes Claims on Additional Categories of Edible Vegetable Oil](#)).

Compendium of Food Safety and Standards (Prohibition and Restriction on Sales) Regulation (2011)

- On February 3, 2021, the FSSAI published Food Safety and Standards (Prohibition and Restriction on Sales) Second Amendment Regulations (2021). The amendment relates to limits on the use of trans-fats in all food products. ([GAIN-INDIA - IN2021-0028 - FSSAI Sets Limit on the Use of Trans-fats in all food products](#)).

Food Safety and Standards (Foods for Infant Nutrition) Regulations, 2020

- On September 22, 2021, the FSSAI published draft Food Safety and Standards (Foods for Infant Nutrition) Amendment Regulations (2021). Major amendments proposed by authority include changes in the parameters for vitamin B12, as well as to the insertion of new entries 'Packaging Gases' prescribing carbon dioxide and nitrogen under good manufacturing practices in sub-regulation (2) dealing with additives used in infant formula. ([GAIN-INDIA - IN2021-0125 - India's FSSAI Publishes Draft Amendments for the Infant Nutrition Foods Regulation](#)).
- On September 6, 2021, the FSSAI published draft Food Safety and Standards (Prohibition and Restrictions on Sales) Amendment Regulations (2021) in the Gazette of India: Extraordinary (official gazette). The draft's major amendment states that "no person shall manufacture, sell, store, or exhibit for sale, food for infant nutrition, except under the Bureau of Indian Standards (BIS) Certification Mark, wherever BIS standards are available. ([GAIN-INDIA - IN2021-0124 - India's FSSAI Mandates BIS Certification Mark on Infant Nutrition Foods](#)).

- On June 22, 2021, the FSSAI published a new directive extending its implementation date for standards relating to different categories of infant nutrition foods. Extension of the implementation is provided to accommodate stakeholders' submissions and to better facilitate the transition for adhering to the new standards requirements. The new implementation date is now set for April 1, 2022. ([GAIN-INDIA - IN2021-0078 - FSSAI Extends Implementation Date for Infant Nutrition Foods Standard](#)).
- On April 5, 2021, the FSSAI published corrections to its final Food Safety and Standards (Foods for Infant Nutrition) Regulations (2020). The corrections published in comparison with the final regulation of December 14, 2020, pertain to pages 47,54,57,58 and 64. ([GAIN-INDIA - IN2021-0047 - FSSAI Publishes Corrections to Nutrients Levels in the Final Foods for Infant Nutrition Regulations of 2020](#)).

Food Safety and Standards (Approval for Non-Specified Food and Food Ingredients), 2017

- On September 22, 2021, the FSSAI issued amendments to the Food Safety and Standards (Approval for Non-Specified Food and Food Ingredients), known as the Food Safety and Standards (Approval for Non-Specified Food and Food Ingredients) Regulations, 2017. Regulation 4 relating to the 'Procedure for grant of prior approval' has been modified by the authority. ([GAIN-INDIA - IN2021-0137 - India's FSSAI Issues Amendments to the Food Safety and Standards – Approval of Non-Specified Food and Food Ingredients – Regulations 2017](#)).

Food Safety and Standards (Ayurveda Aahar) Regulations, 2021

- On July 13, 2021, India notified to the World Trade Organization its new draft *Ayurveda Aahar* Regulations (2021). The standards cover a new category of food products called "Ayurveda Aahar" ([GAIN-INDIA - IN2021-0087 - India's FSSAI Notifies Draft Ayurveda Aahar Regulations](#)).

Food Safety and Standards (Vegan Foods) Regulations, 2021

- On September 8, 2021, the FSSAI published draft regulations for packaged vegan food products. The regulation, once implemented, will require food products marketed as vegan to display a vegan logo on the label to assist consumers with vegan product identification. ([GAIN-INDIA – IN2021-0109 - FSSAI Proposes New Regulations for Vegan Foods](#)).

APPENDIX V. CHRONOLOGY OF MINISTRY OF AGRICULTURE, DIRECTORATE OF PLANT PROTECTION, QUARANTINE AND STORAGE ACTIONS

- On June 29, 2015, the Ministry of Agriculture and Farmers Welfare issued a draft notification proposing phytosanitary requirements for the import of hay from the United States (see, [Draft Notification on the Import of Hay from the United States](#) for details). As yet, there is still no finalized version of a phytosanitary order applicable to hay that would be imported from the United States. This will be implemented when officially published in the Gazette of India.

Attachments:

No Attachments