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Prepared By: Radha Mani, Agricultural Assistant and Mariano J. Beillard, Senior Regional Agricultural Attaché

Approved By: Mariano Beillard, Senior Regional Agricultural Attaché

Report Highlights:

In 2020, the Government of India published detailed guidance on specific measures for all types of food businesses to follow including food service, transport, and retail operations to prevent the spread of COVID-19. Other important food safety related notifications published by the Food Safety and Standards Authority of India (FSSAI), included: (i) Food Safety and Standards (Labeling and Display) Regulations (2020); (ii) an order that mandates specific food consignment specified in Annex-I attached to the order must include a “non-GM (genetically modified) origin and GM free certificate” from the competent authority of the exporting country from January 1, 2020; (iii) proposed new standards for walnut kernels; and (iv) proposed new amendments in the Food Safety and Standards (Import) Regulations (2017), relating to registration and inspection of foreign food manufacturing facilities.

DISCLAIMER: The U.S. Embassy in New Delhi – Foreign Agricultural Service (FAS) Office of Agricultural Affairs (OAA) prepared this report to serve as a reference guide for U.S. stakeholders wishing to export food and agricultural products to India. Updates only from calendar years (CY) 2019 and 2020 (January-December) are included in this report. Readers should utilize the [USDA-FAS Global Agriculture Information Network \(GAIN\)](#) to find the relevant GAIN FAIRS Narrative and Export Certificate reports for previous years. The description of existing regulations is comprehensive; however, exporters should always verify the latest product import requirements with their Indian import partner prior to product shipment. The Government of India (GOI) has not officially endorsed this report. Import approval for any product is subject to local rules and regulations as interpreted by Indian border officials at the time of product entry. [Note: Readers may use Google Chrome to access the links if they do not open in Internet Explorer].

EXECUTIVE SUMMARY:

Multiple Government of India (GOI) 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).

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

The coronavirus (COVID-19) pandemic outbreak has severely affected the global economy, and India has not been an exception. The Government of India has nonetheless managed to issue a series of important notifications throughout CY 2020 (January-December).

The Food Safety and Standards Authority of India (FSSAI) throughout CY 2020 issued a series of drafts, final amendments, and regulations pertaining to the food safety of domestic and imports of foreign-origin food products. On April 15, 2020, the FSSAI published detailed guidance on specific measures for food businesses to follow to prevent the spread of COVID-19. In its press release, the FSSAI states that the guidance is “intended for all types of food businesses including food service, transport, and retail operations,” and “has been developed based on the best practices currently recognized and adopted internationally” (see, [GAIN-INDIA - IN2020-0018 – Food Safety Authority of India Issues Guidance for Food Business Operators During COVID-19](#)).

Other amendments and final notifications notified during CY 2020 are in Appendix-III of the report.

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SECTION I. FOOD LAWS

Law, 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 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 Food Safety and Standards 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 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 Food Safety and Standards 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 Food Safety and Standards Authority of India does not require licensing of foreign companies to export food products to India.

Commencing in 2013, the FSSAI began harmonizing its regulations with the *Codex Alimentarius*, continuing to issue multiple draft amendments on regulations pertaining to **food safety**. Additional information and analysis on the FSSAI is accessible through [USDA-FAS GAIN](#) (enter "Reports Highlights," the acronym "FSSAI" for reports).

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, 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, full consumption of which otherwise failed due to the coronavirus (COVID-19) pandemic outbreak.

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\Department of Animal Husbandry and Dairying (DAHD) is responsible for implementing these procedures.

These procedures are accessible at:

http://www.dahd.nic.in/sites/default/files/gazette_27June2014%20%201.pdf.

Procedures for the import of various types of livestock products are also available on the DAHD website located at: https://dahd.nic.in/dahd_trade.

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 to the World Trade Organization (WTO) of the revised guidelines.

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. On November 18, 2003, publication occurred of the Plant Quarantine Order (Regulation of Import into India) with “the purpose of prohibiting and regulating the imports into India of agricultural articles” and became effective 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: <http://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 Food Safety and Standards Authority of India under the Ministry of Health and Family Welfare; 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 is January 1, 2022.

The Food Safety and Standards Authority of India 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, and 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 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 in any respect.
- Content of the label shall be clear, prominent, indelible, and readily 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, in close proximity to 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, in close proximity to 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, packing or bottling unit, as well as also the name and complete address of the manufacturer or the company for 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. Provided further that where any food article manufactured outside India is packed or bottled in India, the package containing such food article shall also bear on the 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, in case the license number of the manufacturer or marketer or packer or bottler if different from the brand owner, shall be also displayed on the label.
 - i. 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.
 - ii. The FBO shall display at all premises, where food is stored, processed, distributed or sold, the registration/license number as the case may be or food safety display board if specified, along with other information as specified by FSSAI from time to time at a prominent place in the premises.
 - iii. Fortified food and organic food shall be marked with logo as specified in schedule II of the labeling and display regulations.
8. **Net quantity, Retail Sale Price and Consumer Care Details:** Details to be provided as per the Legal Metrology Act (2009) (1 of 2010) and the Rules made there under.
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 given on the label.
10. **Date Marking:**
 - i. “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.
 - ii. 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.
 - iii. 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.
 - iv. 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
- v. “Date of manufacture/packaging” and “Expiry/use by”

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. Declaration on Food Allergen: Shall be declared separately if the food ingredient are known to cause allergy.

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.



GAIN-INDIA reports [\(IN2055\) India-FSSAI issues fresh guidelines on labeling of imported products \(April 13, 2012\)](#), [\(IN6108\) India-Modified Guidelines on Labeling of Imported Primary Food Packages \(August 12, 2016\)](#) and [\(IN7157\) India-Compliance Timeline Extended for Modified Labeling Requirements \(December 14, 2017\)](#) [explain the guidelines for labeling of different types of imported food packages.](#)

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 of 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. Interested readers may refer to [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.

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 2015 amendments to the Legal Metrology Rules, 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 modified (GM), it must include on the label the acronym "GM" ([GAIN-INDIA - IN3003 - India-Mandatory GM Labeling on Packaged Food \(January 15, 2013\)](#)).

For detailed information and the provision on labeling, see [Legal Metrology \(Packaged Commodities\) Rules \(2011\)](#), as well as the [FAIRS India Country Report – Annual 2019](#).

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 commodity, 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, publication of the FSS (Packaging) Regulation occurs in the official gazette. The Food Safety and Standards Packaging Regulation (2018), formerly combined with the FSS Labeling Regulation, is now a separate regulation. The compliance date for the regulation commenced on July 1, 2019 (see, [GAIN-INDIA - IN7128 - India-Draft Packaging Regulations Invite Comments - November 22, 2017](#)).

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, please 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 2020 are found in the “Chronology of FSSAI Regulations and Notifications” at the end of this report.

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 residue permissible levels).

The list of banned or restricted pesticides and pesticide formulations that refused registration or face restricted use in India is accessible 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 is 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/divisions/cib-rc/about-cibrc>.

SECTION VI. OTHER REGULATIONS AND REQUIREMENTS:

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's finalization occurs with the incorporation of comments from stakeholders on the draft regulation. The Food Safety and Standards Authority of India 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 information on this Regulation, see [GAIN-IN7026 - India-Draft Regulation on Product Approval Published in Indian Gazette \(February 14, 2017\)](#) and the FSSAI published [Frequently Asked Questions](#) of May 6, 2020.

Product Sampling: 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 Food Safety and Standards Authority of India published a comprehensive “Food Import Clearance Manual” and provided a statewide list of FSSAI notified referral laboratories along with their scope (Annexure No. 4). In the same manual, a list of 18 FSSAI-notified referral laboratories are listed (Annexure No. 5).

For details on the sampling procedure, please refer to the latest “Manual for Food Imports.” The Food Safety and Standards Authority of India 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) antibiotics and hormones residues; 11) pesticide residues; 12) mycotoxins and 13) water analysis. Apart from these manuals, 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>.

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: <http://dgftcom.nic.in/exim/2000/not/not01/not2201.htm>).

The Food Safety and Standards Authority of India's [amendments to the Food Import Regulations \(2017\)](#), mandates that Indian Customs officials shall clear any imported food product only if it has valid shelf life of not less than sixty 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 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 Export Certificate Report - 2020**.

India permits the import of product samples via express mail or parcel post (e.g., FedEx, UPS, and DHL), subject to DGFT prior permission from (see, <http://www.cbec.gov.in/>). Mail order imports are not permissible. Contact information to arrange sample shipments is found in 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.

Since July 8, 2006, the Indian government's foreign trade policy (2004-2009) has specified that all imports containing products of modern biotechnology (biotech) must have prior approval from Genetic the Engineering Appraisal Committee (GEAC). There is also a stipulation requiring a biotech declaration by the importer at the port-of-entry. "The only 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)."

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 Genetic the Engineering Appraisal Committee. 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 Food Safety and Standards Authority of India. However, the FSSAI is still going through the process of formulating regulations. GE food product approval is remains on hold until regulations are framed, approved, and implemented.

On August 21, 2020, the FSSAI issued an order mandating that effective January 1, 2021, specific food consignments exported to India must include a “non-GM (genetically modified) origin and GM free certificate” from the competent authority of the exporting country. The measure applies to 24 select crops, which includes mostly food crops that have one or more GE varieties approved worldwide, regardless of whether they have GE varieties currently in commercial production or exports (see, [GAIN-INDIA - IN2020-0108 - New Government of India Order Requires Genetically Modified-Free Certificate on Imported Food Products](#)).

On October 12, 2020, the FSSAI formally clarified in writing that this measure does not apply to processed foods and applies only to human consumed food products. The Indian government has notified the order to the WTO (WTO Notification Number G/TBT/N/IND/168 dated September 2, 2020) for comments by November 2, 2020. Several of India’s trading partners, including the United States, submitted objections against the order, as there is no scientific or risk-based justification for this certification.

On December 3, 2020, the FSSAI extended the compliance date on this requirement until March 1, 2021 (see, [GAIN-IN2020-0180-India Extends Compliance Timeline for Genetically Modified-Free Certificate for Imported Food Products](#)). Until then, the Directorate General of Foreign Trade’s regulation requiring an importer self-declaration continues to apply.

For more information on India’s biotechnology import policy, see the latest GAIN-INDIA - Agricultural Biotechnology Annual – 2020.

SECTION VII. OTHER SPECIFIC STANDARDS:

Department of Commerce Notification Number 44 (RE-2000)/1997-2002, dated 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. Please refer to the official [DGFT notification](#) for the list of affected products.

SECTION VIII. COPYRIGHT AND/OR TRADEMARK LAWS:

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 Trade Marks Rules (2002) (in force since September 2003), which repealed the Trade Mark 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 Central Board of Excise and Customs (CBEC) under the Ministry of Finance, 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>.

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 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. Consignments inspection occurs prior to clearance. The Food Safety and Standards Authority of India counts with [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 Tuglaqabad 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 \(2017\)](#) defines 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. The purpose of which is 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 a review application to review officer's rejection of a consignment of food products. The review application is sent within fifteen 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 e-phyto issued by the exporting country subject to submission of original phytosanitary certificate. Food importers need to comply with certain pre-requisites to import food products to India from different countries.

- 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 restricted category, the importer needs to 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 Food Safety and Standards Authority of India 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). Selective sampling and testing of food articles based on risk profiling done by the FSSAI occurs at the Customs ICEGATE.

The Food Safety and Standards Authority of India 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 authorized 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 easily available on the Manual for Food Import Clearance System and the Food Safety and Standards \(Import\) Amendment Regulation \(2020\)](#).

APPENDIX I. GOVERNMENT REGULATORY AGENCY 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 Trade Marks and
Geographical Indication Registry

Bhouthik 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 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. IMPORTANT COMMODITY-SPECIFIC REPORTS SUBMITTED SINCE LAST FAIRS COUNTRY REPORT

- [IN2020-0196](#) Government of India Notifies Standards for Fortifying Processed Food Products
- [IN2020-0191](#) Final Labeling and Display Regulations Published in the Indian Gazette
- [IN2020-0192](#) Final Standards for Infant Nutrition Foods Published in Indian Gazette
- [IN2020-0181](#) FSSAI Publishes Revised Manual on Mycotoxin Testing
- [IN2020-0180](#) India Extends Compliance Timeline for Genetically Modified-Free Certificate for Imported Food Products
- [IN2020-0174](#) India Notifies Fortified Food Product Draft Amendments
- [IN2020-0173](#) India Proposes New Amendments for Labeling Multi-Sourced Edible Vegetable Oils
- [IN2020-0169](#) Government of India Proposes Imported Foods Regulation Amendments
- [IN2020-0168](#) India Notifies Draft Amendments for New and Modified Standards on Various Food Products
- [IN2020-0167](#) Government of India Notifies Draft Amendments for Specialty Foods Regulations
- [IN2020-0166](#) India Government Extends Timeline to Use Pre-printed Packaging Materials Stock
- [IN2020-0162](#) FSSAI Allows Specialty Foods Import to India for an Additional Six Months
- [IN2020-0154](#) Amendments Relating to Inclusion of Processing Aids Published in Indian Gazette
- [IN2020-0139](#) Draft Amendments on Labeling for Packaged Foods Containing Sweeteners
- [IN2020-0123](#) Published Final Standards in Specified Meat Products in Indian Gazette
- [IN2020-0121](#) FSSAI Proposes Draft Standards for Walnut Kernels and other Various Food Products
- [IN2020-0120](#) Organic Foods Regulation Amendments Proposed by GOI
- [IN2020-0119](#) GOI Proposes Amendments in Contaminants Toxins and Residues Regulation
- [IN2020-0112](#) FSSAI Reinstates Food Additives and Standards Amendment Regulation in Meat Products
- [IN2020-0111](#) Update on GAIN Report IN2020-0108
- [IN2020-0108](#) New GOI Order Requires Genetically Modified Free Certificate on Imported Food Products
- [IN2020-0105](#) India Draft Standards on Processed Dairy and other Milk Fat
- [IN2020-0103](#) Almond Kernel Standards and Other Various Food Products Published in the Indian Gazette
- [IN2020-0094](#) Compliance Timeline Extended on Commercial Feeds/Feed Materials Standards
- [IN2020-0082](#) FSSAI Publishes Standards for Alcohol Free Beer
- [IN2020-0067](#) FSSAI Omits Standards for Fortified Foods from its Food Products-Food Additives Regulations
- [IN2020-0055](#) FSSAI Publishes FAQs on Functional Foods
- [IN2020-0054](#) FSSAI Publishes FAQs on Organic Food Regulations
- [IN2020-0018](#) FSSAI Issues Guidance for Food Business Operators during COVID-19
- [IN2020-0008](#) Mapping of 1515 ITC-HS Codes with the Indian Food Regulations

APPENDIX IV. CHRONOLOGY OF FSSAI REGULATIONS AND NOTIFICATIONS IN 2020

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

- On November 16, 2020, the Food Safety Authority of India (FSSAI) proposed new amendments in its [Food Safety and Standards \(Import\) Regulations \(2017\)](#). [The amendments relate to the inclusion of a new chapter covering registration and inspection of foreign food manufacturing facilities](#). The draft regulation invites comments from the WTO member countries, and the comment period expires 60 days after the notification was published on the World Trade Organization (WTO) website ([GAIN-INDIA - IN2020-0169 - Government of India Proposes Imported Foods Regulation Amendments](#)).
- On March 13, 2020, the FSSAI published 1,515 ITC-HS codes for imported food products and categorized their risk. It mapped these codes with the Food Safety and Standards (FSS) Regulations and the Indian Food Code System to implement so on INFoLNET, an online portal for food laboratories and different stakeholders involved in food testing. These codes with Indian Customs for implementation in Custom's ICEGate. The Food Safety and Standards Authority of India invites comments/suggestions on any code(s) that has been omitted from interested stakeholders. Final date for comments was April 4, 2020 ([GAIN-INDIA - IN2020-0008 - India - Mapping of 1515 ITC-HS Codes with the Indian Food Regulations Invite Public Comments](#)).
- The 2019 edition of the FSSAI's 'Manual for Food Imports' explains in detail the overall food import clearance process. In comparison with the earlier food imports manual published in 2016, the new manual has a broad table of contents ranging from an introduction to FSSAI and imports, to guidelines relating to labeling of imported food products and food import clearance processes. The new manual has an additional annex with a list of Indian Trade Clarification-Harmonized System (ITC-HS) codes of food products (Annexure-1). The manual also includes all relevant forms (Form-1 to Form-13A) available in the import regulation ([GAIN-INDIA - IN9074 – India, 2019 Edition of Food Imports Manual Released - August 8, 2019](#)).

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

- On November 9, 2020, the Indian government notified to the WTO a draft regulation related to new and revised standards for raw edible oil, multi-source edible vegetable oil, dehydrated vegetables, protein rich *Atta* (i.e., a whole meal wheat flour), honey, animal feed requirements, food additives and microbiological standards for food grain, among others. The World Trade Organization notification number is G/TBT/N/IND/174 and the comment deadline is January 7, 2021 ([GAIN-INDIA - IN2020-0168 - India Notifies Draft Amendments for New and Modified Standards on Various Food Products](#)).
- On October 9, 2020, the FSSAI published on its website the Food Safety and Standards (Food Products Standards and Food Additives) Ninth Amendment Regulations (2020). The regulations amendment relates to insertion of processing aids as 'Appendix C' in Chapter 3 of the Food Safety and Standards (Food Product Standards and Food Additives), Regulations, 2011. Appendix C in the amended regulation covers the various processing aids categories and their use in food products. The implementation date for the ninth amendment regulations is July 1, 2021 ([GAIN-INDIA - IN2020-0154 - India - Amendments Relating to Inclusion of Processing Aids Published in the Indian Gazette](#)).

- On September 3, 2020, the FSSAI amended the Food Safety and Standards (Food Products Standards and Food Additives) Regulations (2011), and invited WTO member countries to offer their comments on the amendments. Major amendments relate to new standards for certain food products and modified standards for others. The affected products include walnut kernels, buffalo milk, oils (includes peanut, flaxseed, rapeseed, poppy seed, safflower seed, *taramira*, sesame, *Niger* seed, soybean, maize, watermelon seed, sunflower seed, avocado, grapeseed, inter-esterified and hydrogenated vegetables), margarine and fat spreads, soybean sauce, *besan* (ground de-husked Bengal gram), maize starch, oat products, soy *dahi*/yogurt, yellow pea powder, black, white and green peppers, dried sage, instant tea in solid form, caffeinated and non-alcoholic beverages, packaged drinking water, sweeteners, and chewing gum ([GAIN-INDIA - IN2020-0121 - India - FSSAI Proposes Draft Standards for Walnut Kernels and Other Various Food Products](#)).
- On August 17, 2020, the FSSAI re-instituted its draft Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulation 2020, relating to meat and meat products. This amendment required 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 earlier compliance date of July 28, 2020, now extends until January 1, 2021 ([GAIN-INDIA - IN2020-0112 - India - FSSAI Reinstates Food Additives and Food Standards Amendment Regulation in Meat and Meat Products](#)).
- On August 14, 2020, the FSSAI published in its website the Food Safety and Standards (Food Products Standards and Food Additives) Fourth Amendment Regulations (2020). The regulations amendment relates to standards for canned/retort pouch meat products; comminuted/restructured meat products; cured/pickled meat and/or smoked meat products; dried/dehydrated meat products; cooked/semi-cooked meat products; fermented meat products; marinated meat products; and fresh/chilled/frozen rabbit meat. The implementation date for these amended regulations is July 1, 2021 ([GAIN-INDIA - IN2020-0123 - India - Published Final Standards in Specified Meat Products in Indian Gazette](#)).
- On August 14, 2020, the FSSAI published in its website the Food Safety and Standards (Food Products Standards and Food Additives) Third Amendment Regulations (2020). The regulations amendment relates to standards for almond kernels, coconut milk powder (non-dairy), rice, chia seeds, *gari* (cassava product), edible cassava flour, roasted Bengal gram flour, *ragi* flour, mixed spices powder, spice oleoresins, bay leaf, star anise, and phytostanol. The implementation date for these amended regulations is July 1, 2021 ([GAIN-INDIA - IN2020-0103 - India - Almond Kernel Standards and Other Various Food Products Published in the Indian Gazette](#)).
- On July 24, 2020, the FSSAI extended the compliance date for stakeholders to adopt standards established by the Bureau of Indian Standards related to the commercial feeds/feed materials intended for meat and milk producing animals. The new compliance date is January 1, 2021 and the timeline has been extended in order to accommodate requests from industry stakeholders as they deal with the current COVID-19 situation and subsequent lockdown orders issued by the Indian government ([GAIN-INDIA - IN2020-0094 - India - Compliance Timeline Extended on Commercial Feeds and Feed Materials Standards](#)).
- On June 8, 2020, the FSSAI issued a notification to operationalize the draft Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2020, relating to standards for

fortified Atta (wheat flour), Maida (refined flour), iodized salt and iron fortified iodized salt. In order to avoid duplication and confusion among the stakeholders as to which level of fortification to follow, the FSSAI removed the fortification standards for these food products from the Food Product Standards and Food Additives regulation. These also exist in its Food Safety and Standards (Fortification of Foods) Regulations (2018) ([GAIN-INDIA - IN2020-0067 - India - FSSAI Omits Standards for Fortified Foods from its Food Product and Food Additives Regulations - 2011](#)).

- On July 17, 2019, the FSSAI published its permissible list of edible truffle species that eligible for import into India. The Food Product Standards and Food Additives Regulation implemented in 2011 did not include the edible truffle species and therefore this list was added ([GAIN-INDIA - IN9066 - India - FSSAI Lists Allowable Imports of Edible Truffle Species \(July 23, 2019\)](#)).
- On March 19, 2019, the FSSAI published a Draft Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations (2019) containing proposed changes to its existing standards for fruit and vegetable products ([GAIN-INDIA - IN9024 - India - Comments Invited - Revised Standards for Fruits and Vegetable Products March 26, 2019](#)).

Food Safety and Standards (Organic Foods) Regulation (2017)

- On September 3, 2020, the FSSAI notified draft amendments to the Food Safety and Standards (Organic Foods) Regulation, 2017 on its website to update specific provisions on organic food labeling and certification. The draft regulation invites comments from WTO member countries, and the comment period expires 60 days after the notification was published on the WTO website ([GAIN-INDIA - IN2020-0120 - Organic Foods Regulation Amendments Proposed by Government of India](#)).
- On May 6, 2020, the FSSAI published a list of frequently asked questions (FAQs) related to the Food Safety and Standards (Organic Food) Regulations (2017) ([GAIN-INDIA - IN2020-0054 - India - FSSAI Publishes Frequently Asked Questions on Organic Food Regulations](#)).
- The Food Safety and Standards Authority of India published a directive related to the Food Safety and Standards (Organic Foods) Regulations (2017), which was implemented on July 1, 2018. Based on representations received from stakeholders, the FSSAI re-examined the provisions of the regulations and revised them to be ‘Enabling Regulations’ rather than for prosecution. This approach by the FSSAI is expected to encourage a more business-friendly environment for small organic producers ([GAIN-INDIA - IN9031 - India - New Directives on Organic Foods Regulations Benefit Small Producers April 5, 2019](#)).

Amendments to the Packaging and Labeling Regulation (2011)

- On December 14, 2020, the FSSAI published the [Food Safety and Standards \(Labeling and Display\) Regulations \(2020\)](#), containing 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 is January 1, 2022 ([GAIN-INDIA- IN2020-0191– Final Labeling and Display Regulations Published in the Indian Gazette](#)).

- On November 18, 2020, the FSSAI has proposed new amendments in its [Food Safety and Standards \(Packaging and Labeling\) Regulations \(2011\)](#). [The amendments relate to the labeling of multi-sourced edible vegetable oils](#). The draft regulation invites comments from the WTO member countries, and the comment period expires 60-days after the notification is published on the WTO website ([GAIN-INDIA - IN2020-0173 - India Proposes New Amendments for Labeling Multi-Sourced Edible Vegetable Oils](#))
- On September 18, 2020, the FSSAI amended the Food Safety and Standards (Packaging and Labeling) Regulations (2011), to modify labeling requirements for packaged foods containing sweeteners. On October 2, 2020, India notified this draft amendment to the WTO for comment (WTO Notification Number G/TBT/N/IND/171). The deadline to provide comments is December 1, 2020 ([GAIN-INDIA - IN2020-0139 - India - Draft Amendments on Labeling for Packaged Foods Containing Sweeteners](#)).

Amendments to the Licensing and Registration of Food Businesses Regulation (2011)

- On August 29, 2019, the FSSAI issued directions related to revisions of the Draft Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations. Per the FSSAI, the final regulation on Licensing and Registration of Food Businesses is to be published within the next six months. In the meantime, the FSSAI has extended and re-operationalized the draft regulations with revisions, including major revisions for e-commerce licensing and registration ([GAIN-INDIA - IN9081 - India Revises Food Business Licensing and Registration Regulations \(September 11, 2019\)](#)).

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

- On August 26, 2020, the FSSAI proposed amendments in the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations (2011), to update tolerance limits for various crop contaminants, veterinary drugs and naturally occurring toxic substances. The draft regulation invites comments from the WTO member countries, and the comment period expires 60-days after the notification was published on the WTO website ([GAIN-INDIA - IN2020-0119 - Government of India Proposes Amendments in Contaminants Toxins and Residues Regulation](#)).
- On March 29, 2019, the FSSAI notified a revised list of tolerance limits for antibiotics/veterinary drugs. The revisions listed in Annexure-I of the notification is a sub-set of the list earlier provided in the Food Safety and Standards (Contaminants, Toxins and Residues) Second Amendment Regulations (2018) ([GAIN-INDIA - IN9030 - India - Revised List of Antibiotics and Veterinary Drugs \(April 5, 2019\)](#)).

Fortification of Foods Regulation (2018)

- On December 18, 2020, the FSSAI published the Food Safety and Standards (Fortification of Foods) Amendment Regulations, 2020 to include permissible micronutrient fortification levels of processed food products including breads, pastas, breakfast cereals, and other products. The implementation date is July 1, 2021 ([GAIN-INDIA-IN2020-0196 – Government of India Notifies Standards for Fortifying Processed Food Products](#)).

- On November 13, 2020, the Indian government published draft regulation related to both new and revised standards for fortified food products. The draft regulation invites comments from WTO member countries, and the comment period expires 60-days after the notification is published on the WTO website ([GAIN-INDIA - IN2020-0174 - India Notifies Fortified Food Product Draft Amendments](#)).
- On February 19, 2019, the FSSAI published the Food Safety and Standards (Fortification of Foods) Amendment Regulations (2019) relating to proposed changes mainly in the standards for fortified processed foods, multi-grain *Atta* (flour) and fortified milk. These amendments will come into force on the date of their final publication in the Official Gazette of India ([GAIN-INDIA - IN9023 - India - GOI Invites Comments on Fortified Foods Regulation \(March 26, 2019\)](#)).

Food Safety and Standards (Alcoholic Beverages) Regulations (2018)

- On June 22, 2020, the FSSAI issued a directive to operationalize certain provisions of the draft Food Safety and Standards (Alcoholic Beverages) Amendment Regulations (2020). The provisions include the addition of alcohol-free beer as a separate product category. According to the directive, alcohol-free beer (alcohol by volume 0.0 percent), shall comply with the limits specified for regular beer for all other parameters. The inclusion of alcohol-free beer category in the FSSAI standards will remove any ambiguity with regards to its classification/nomenclature, which was leading to delays in shipment clearances at ports, due to the lack of appropriate definitions and standards ([GAIN-INDIA - IN2020-0082 - India - FSSAI Publishes Standards for Alcohol-Free Beer](#)).
- On July 5, 2019, the FSSAI published its draft 2019 Food Safety and Standards (Alcoholic Beverages) Amendment Regulations. The draft regulations detail the requirements for low alcoholic beverages other than wine and beer, geographical indications, and select labeling requirements. The draft amendment was notified to the WTO Technical Barriers to Trade (TBT) Committee on July 22, 2019, and to WTO Sanitary and Phytosanitary Measures (SPS) Committee on July 26, 2019. Comments, on the draft regulations were invited from WTO members for a period of 60-days from the date of the notification on the WTO website after which the notification will go into effect for final approval and implementation. The deadline for comments on the TBT notification was September 23, 2019, and the deadline for comments on the SPS notification was September 20, 2019 ([GAIN-INDIA - IN9068 - India - GOI Invites Comments on Draft Alcoholic Beverages Regulations \(August 1, 2019\)](#)).
- On April 9, 2019, a list of FAQs with the FSSAI clarifications on the recently implemented Food Safety and Standards (Alcoholic Beverages) Regulations (2018) was published ([GAIN-INDIA - IN9035 - India - FSSAI Publishes FAQs on Alcoholic Beverages Regulation April 16, 2019](#)).
- On March 29, 2019, the FSSAI published a notification to announce the alcoholic beverages standards implementation date as April 1, 2019. However, implementation of certain provisions was deferred related to yeast in beer, tolerance limits for low alcoholic beverages and wines, new category definitions and labeling requirements. These provisions when modified will be officially notified and incorporated into the final regulation ([GAIN-INDIA - IN9032 - India - Implementation of Alcoholic Beverages Regulations 2018 - April 5, 2019](#)).
- On January 14, 2019, the FSSAI, in order to facilitate trade as well as ensure food safety, published a notification on the additional labeling requirements for alcoholic beverages that can be rectified at

custom-bonded warehouses before visual inspection or re-inspection by authorized officers. It amended point 5.12 under Part 5 - Specific Labeling Requirements for Alcoholic Beverages of the Food Safety and Standards (Alcoholic Beverages) Regulations, 2018. The statutory warning– ***“consumption of alcohol is injurious to health”*** and ***“be safe-don’t drive and drive”*** can be rectified by affixing a single non-detachable sticker next to the principal display panel without altering or masking the original label information in any manner. Prior to this amendment, the allowable list of rectifiable labeling requirements for imported alcoholic beverages include name and address of the importer, the FSSAI logo and license number. The regulation was implemented on April 1, 2019. ([GAIN-INDIA \(IN9002\) India - Rectifiable Labeling for Alcoholic Beverages \(February 7, 2019\)](#)).

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 November 6, 2020, the FSSAI notified its Draft Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Foods and Novel Foods) Amendment Regulations, 2020. Member countries of the WTO are invited to comment on the proposed draft amendment regulation and the timeline to provide comments is 60-days from the date of notification ([GAIN-INDIA - IN2020-0167 - Government of India Notifies Draft Amendments for Specialty Foods Regulations](#)).
- On October 28, 2020, the FSSAI published a fourth consecutive timeline extension on specialty food imports for special medical and therapeutic purposes. In its earlier notification dated April 20, 2020, the FSSAI granted a six-month extension from February 2 to November 1, 2020, or until the time the standards were established, whichever was earlier. The current notification extends the timeline by another six months from its previous date to May 1, 2021, or until FSSAI establishes their corresponding standards, whichever is earlier ([GAIN-INDIA - IN2020-0162 - INDIA - FSSAI Allows Specialty Food Imports to India for an Additional Six Months](#)).
- On May 6, 2020, the FSSAI published a list of frequently asked questions (FAQs) related to the Food Safety and Standards (Health Supplements, Nutraceuticals, Foods for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations (2016), that were implemented on January 1, 2018 ([GAIN-INDIA - IN2020-0055 - India - FSSAI Publishes Frequently Asked Questions on Functional Foods - Health Supplements and Foods for Special Medical Purposes](#)).
- Since the inception of the Nutraceutical Regulations in January 2018, the FSSAI has published notifications on the use of specific ingredients in the manufacture of food products contained in the regulations. On May 10, 2019, the FSSAI issued a directive to extend the timeline on the use of formulations containing vitamin and mineral combinations by three months, until June 30, 2019 or until further FSSAI orders, whichever is earlier. This is the fifth directive in the series that extends this timeline on formulations containing vitamins and mineral combinations, and the previous four directives were respectively published on December 12, 2017, June 29, 2018, August 24, 2018, and December 31, 2018. The current notification also has a conditional clause stating that an ingredient, if not included in the list under Nutraceutical Regulations, will not be allowed to be used in any food product, unless if use of this ingredient is specifically allowed by other regulations under the Food Safety and Standards Regulations ([GAIN-INDIA - IN9052 - India - Additional Directives on Nutraceutical Foods Regulation](#)).

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

- On May 6, 2020, a list of [FAQs](#) with the FSSAI clarifications on the [Food Safety and Standards \(Advertising and Claims\) Regulation \(2018\)](#) was published.

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

- On August 30, 2019, the FSSAI published a draft amendment to its Food Safety and Standards (Prohibition and Restriction on Sales) Regulations related to trans-fat limits in processed food products. The notification invited comments from WTO member countries, with the comment period expiring 60-days from the date the notification published on the WTO website ([GAIN-INDIA - IN9080 - India Invites Comments on Draft Trans Fat Limits for Processed Foods - September 10, 2019](#)).

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

- On December 14, 2020, the FSSAI published the Food Safety and Standards (Foods for Infant Nutrition) Regulations, 2020. The regulations relate to standards for different categories of infant nutrition foods. The implementation date for the regulation is July 1, 2021 ([GAIN-INDIA-IN2020-0192-Final Standards for Infant Nutrition Foods Published in Indian Gazette](#)).

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 U.S.](#) for details). This will be implemented when officially published in the Gazette of India.

Attachments:

No Attachments