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Report Highlights:

The coronavirus (COVID-19) pandemic outbreak has severely affected the global economy and India is no exception. Despite COVID-19, in calendar year (CY) 2020 (January-December), the Government of India issued a series of important notifications. The Ministry of Fisheries, Animal Husbandry and Dairying\ Department of Animal Husbandry and Dairying (DAHD) is requiring that importers self-declare that food lactose and whey concentrate imports' end-use is non-food as in pharmaceutical or nutraceutical. Another new requirement of the DAHD is that all milk and milk product imports include a veterinary health certificate issued by a competent authority of the exporting country. The Food Safety and Standards Authority of India (FSSAI) issued an order mandating that specific food consignment imports include a "non-GM (genetically modified) origin and GM free certificate" issued by the competent authority in the country of export commencing March 1, 2021.

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. Only updates from calendar years (CY) 2019 (January-December) and 2020 are included in this report. Readers should recur to the [USDA Global Agriculture Information Network \(GAIN\) search engine](#) to find the relevant GAIN FAIRS 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 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 in case they do not function using Internet Explorer].

EXECUTIVE SUMMARY:

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

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

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

Products	Title of the Certificate	Attestation Required on the Certificate	Purpose	Requesting Ministry
Plants and Plant Products	Phytosanitary Health Certificate	Both special conditions and additional declarations for most of the commodities per the specific import conditions mentioned in the Plant Quarantine Order (PQ Order)/import permit.	To prevent the introduction of exotic pests and diseases.	Ministry of Agriculture and Farmers' Welfare, (formerly known as the Ministry of Agriculture).
Animals and Animal Products	Sanitary Health Certificate	Import requirements per the specific conditions mentioned in the import permit. For some specific products, an import permit may not be required/ issued, but these products will still require a general/ sanitary health certificate for obtaining a No Objection Certificate (NOC) from Animal Quarantine and Certification Services (AQCS) offices.	To prevent the introduction of exotic pests and diseases and minimize human health risks due to microbial or chemical contamination.	Ministry of Fisheries, Animal Husbandry and Dairying.
Food Products	Certificate of Origin	Country of Origin	Traceability	Ministry of Health and Family Welfare.
Milk and Milk products	Veterinary Health certificate	General conditions and sanitary information. Available on the Department of Animal Husbandry and Dairying website .	To prevent milk sourced from animals fed with ruminant origin feed(s) and milk products made using animal rennet.	Ministry of Fisheries, Animal Husbandry and Dairying.

Notes:

- For conditions imposed on specific plant products, please refer to the Plant Quarantine (PQ) Order 2003 (Regulation of Imports into India), as amended: <http://plantquarantineindia.nic.in/pqispub/pdf/files/pqorder2015.pdf>
- For conditions imposed on specific animal products, please refer to the Ministry of Fisheries, Animal Husbandry and Dairying's (MoFAHD) Department of Animal Husbandry and Dairying (DAHD) website, under the "Trade" section located at <http://dahd.nic.in/> and <http://aqcsindia.gov.in/>. Interested U.S. exporters may also access the [USDA Animal and Plant Health Inspection Service \(APHIS\) website](http://www.aphis.usda.gov/) to obtain required information on India's import requirements for U.S. livestock and livestock products. A list of links to import procedures for specific animal products follows at the end of this section.
- A certificate of origin issued by the relevant authority of the exporting country's government, state government, industry association, or manufacturer/supplier should accompany the export consignment

of all food and agricultural products, including processed and packaged food. This certificate should mention the order number, container number, port-of-discharge, buyer's name, and product description. The certificate also must include a declaration along the following lines: "The undersigned for (relevant organization) declares that the following mentioned goods as consigned above (or below) are products from the United States (or any country of origin). We hereby certify the goods to be of U.S. (or any country) origin."

- On May 15, 2020, the Food Safety and Standards Authority of India (FSSAI), made it mandatory that a veterinary certificate, issued by the competent authority of the exporting country, accompany all milk and milk products shipped to India. On August 10, 2020, the DAHD gave administrative approval that non-food lactose (Harmonized Tariff System – HS Chapter 17) and whey concentrate (HS Chapter 35) can be imported into India after importer makes a 'self-declaration' that its end use is for non-food purposes, and only for use as in pharmaceuticals or nutraceuticals. The importer can submit a self-declaration on the Indian Customs Electronic Gateway portal. (Source: [DAHD July 8, 2020 Circular](#) and [DAHD Office Memo August 10, 2020](#)).
- The revised procedures for the export/import of bovine germplasm are available on the following link: [Guidelines for Export/Import of Bovine Germplasm - January 2019](#).
- The veterinary health certificate for the import of various livestock products is available at the DAHD's [Animal Quarantine and Veterinary Services](#).

Updated Indian import certification requirements, documentation, official circulars, and notifications for livestock and livestock products are included below, as well as are available at the DAHD website link: [Trade](#). Additionally, exporters may refer to the [GAIN-INDIA \(IN2020-0126\) India-Livestock and Products-Annual 2020](#) report for detailed procedures related to livestock and livestock products. See hyperlinks for key import procedures and guidelines related to livestock and livestock products:

- [Provisions to Regulate the Import of Poultry and Poultry Products into India](#)
- [Procedure for the Import of Livestock notified under clause b\) of Section 2 of the Livestock Importation Act - 1898](#)
- [Procedure for the Import of Livestock Products notified under Section 2\(d\) and Section 3\(a\) of the Livestock Importation Act](#)
- [Procedure for the Import and Export of Livestock](#)
- [Sanitary requirement \(veterinary health certificate\) for import of various livestock products: crushed bones, ovine embryo, semen \(pig, canine, equine, bovine, caprine, porcine, ovine\), serum \(equine and bovine\), pork meat, processed lamb meat, fish and fisher products, milk and milk products, skin and hides, pet foods \(draft veterinary certificate\). \[Note: The United States neither counts market access for ovine/caprine semen and embryos; nor pork or pork products into India\].](#)
- [Sanitary Requirement \(veterinary health certificate\) for the Import of Various Live Animals](#)

- [Procedure for Importing Dairy Items](#)
- [Guidelines for Export/Import of Bovine Germplasm - January 2019](#)
- [Animal Quarantine and Certification Services](#)
- [Standard Operating Procedures for Clearance of Live Animals into India](#)

Processed Food Products

India does not currently require specific import certificates for processed food products. However, meat and livestock products do require export certificates from the country of origin. On August 5, 2011, the Indian government commenced enforcing the Food Safety and Standards Regulations (FSSR) 2011. The Food Safety and Standards Authority of India administers the FSSR 2011, which oversees implementation of [The Food Safety and Standards Act, 2006](#). Accordingly, all imported processed food and beverage products must meet the requirements established by FSSR 2011. The India Food and Agricultural Import Regulations and Standards (FAIRS) – 2020 Annual Country Report contains additional information on these requirements.

Notes:

- On December 14, 2020, the FSSAI notified in the Official Gazette of India (official gazette) the Food Safety and Standards (Labeling and Display) Regulations, 2020. The regulations include labeling requirements for pre-packaged foods and display of essential information such as allergens, calorie information, and the like, premised on where the food product is manufactured, processed, served, and stored. The implementation date for the new labeling and display regulation is January 1, 2022.

Foods with Genetically Modified (GM) Ingredients

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

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

The only GE food products currently authorized for import into India are soybean oil derived from GE soybeans (glyphosate tolerant and five other events) and canola oil derived from GE canola (a select herbicide tolerant event). For more information on India's biotechnology import policy, see the [GAIN-INDIA - Agricultural Biotechnology Annual - 2019](#) report. Also, please refer to the MoCI notification [Number 2\(RE-2006\)/2004-2009](#) and the related [GAIN-INDIA \(IN6030\) India – Foreign Trade Policy Amendment Makes GMO Declaration Mandatory for Imported Food Products \(April 11, 2006\)](#).

On August 21, 2020, the FSSAI issued an order mandating that effective January 1, 2021, specific food consignments imported into 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 genetically engineered (GE) crops, which includes all food crops that have one or more GE varieties approved worldwide, regardless of whether they have GE varieties currently in commercial production or exports.

Subsequently on October 12, the FSSAI formally clarified in writing that this measure does not apply to processed foods and applies only to human consumed food products. The Government of India has notified the order to the World Trade Organization (WTO) member countries (WTO Notification Number G/TBT/N/IND/168 dated September 2, 2020) for comments by November 2, 2020. Several trading partners including the United States submitted their objections against the order, as there is no scientific or risk-based justification for this certification. Government sources report that the FSSAI will consider stakeholders comments in the review of the order and delay the implementation date as mentioned in the draft August order. Until then, the DGFT regulation requiring the declaration from the importers remains applicable.

Notes:

- On January 1, 2013, formal implementation of the Ministry of Consumer Affairs, Food, and Public Distribution’s Legal Metrology (Packaged Commodities) Amendment Rules - 2012 occurs with its publication in the official gazette as Notification No. G.S.R. 427(E). The notification stipulates that every package containing food derived from products of biotechnology shall bear at the top of its principal display panel the letters “GM” (see, [GAIN-INDIA \(IN3003\) India-Mandatory GM Labeling on Packaged Food \(January 15, 2013\)](#)).

SECTION II. PURPOSE OF SPECIFIC EXPORT CERTIFICATE(S)

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

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

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

Several key trade restrictions limit market access for U.S. food products. Effectively banned are imports of most animal and livestock-derived food products are effectively banned. This includes dairy products, seafood,

goat and pork products, and even pet foods classified in HS Chapters 2-5, 16, and 21. High import tariffs, state and local taxes, state-level labeling requirements, and a complex licensing system for distribution and sales constrain alcoholic beverage imports.

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

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

SECTION IV. GOVERNMENT CERTIFICATE'S LEGAL ENTRY REQUIREMENTS

Original export certificates must accompany each individual export consignment at the time of entry into India. The Indian government does not accept export self-declarations by suppliers or manufacturers as proof of compliance. However, in certain cases, the India may allow export certificates containing additional declarations on the import permit by organizations accredited by the government of the exporting country. The government of the exporting country must petition the Ministry of Agriculture and Farmers' Welfare to get this special approval.

Effective June 15, 2017, the Directorate of Plant Protection, Quarantine and Storage (DPPQS) commenced issuing digital phytosanitary certificates (i.e. e-phyto) to all countries to facilitate the ease of doing business in India. The Directorate of Plant Protection, Quarantine and Storage issued a [Circular on July 18, 2017 to this effect](#).

SECTION V. OTHER CERTIFICATION/ACCREDITATION REQUIREMENTS

Apart from export certificates, products imported into India must also meet several other requirements. Details of the above-mentioned requirements are contained in Post's previous FAIRS reports, as well as also in FAIRS subject reports accessible at <https://gain.fas.usda.gov>.

Attachments:

No Attachments