

**Voluntary Report** – Voluntary - Public Distribution

**Date:** November 23,2020

**Report Number:** IN2020-0169

**Report Name:** Government of India Proposes Imported Foods Regulation  
Amendments

**Country:** India

**Post:** New Delhi

**Report Category:** Exporter Guide, Sanitary/Phytosanitary/Food Safety, SP1 - Expand International Marketing Opportunities, FAIRS Subject Report, Agriculture in the News, Agriculture in the Economy

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**Report Highlights:**

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) has 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 World Trade Organization (WTO) member countries; the comment period expires 60-days following the notification published on the WTO website ([www.wto.org](http://www.wto.org)).

## GENERAL INFORMATION

**DISCLAIMER:** The information contained in this report was retrieved from the Food Safety and Standards Authority of India's (FSSAI) website <http://www.fssai.gov.in/>. The FAS Office of Agricultural Affairs – New Delhi, USDA and/or the U.S. Government make no claim of accuracy or authenticity.

On November 16, 2020, the FSSAI notified draft amendments to the [Food Safety and Standards \(Import\) Regulations, 2017](#) on its website. The draft amendments pertain to include a new Chapter XIV titled, “Registration and inspection of Foreign Food Manufacturing facilities,” and includes additional sub-clauses as detailed below.

The full text of the FSSAI's proposed amendments is available on the FSSAI website located at: [https://www.fssai.gov.in/upload/uploadfiles/files/Draft\\_Notification\\_FSS\\_Import\\_16\\_11\\_2020.pdf](https://www.fssai.gov.in/upload/uploadfiles/files/Draft_Notification_FSS_Import_16_11_2020.pdf).

Comments, within 60-days from the date notified on World Trade Organization (WTO) website, should be sent to:

Chief Executive Officer  
Food Safety and Standards Authority of India  
Food and Drug Administration Bhawan,  
3<sup>rd</sup> Floor, Kotla Road, New Delhi – 110 002  
Email: [spstbt.enqpt@fssai.gov](mailto:spstbt.enqpt@fssai.gov)

## “Chapter XIV

### Registration and inspection of Foreign Food manufacturing facilities

#### 18 (1) Registration of Foreign Food manufacturing facilities-

- (a) The Food Authority may from time to time based on the risk specify the categories of food products to be exported to India, for which inspection or audit of Foreign Food manufacturing facilities producing such categories of foods shall be mandatory.
- (b) Foreign Food manufacturing facilities falling under such categories and desirous to export such article of food to India shall register with the Food Authority before exporting to India;
- (c) Foreign Food manufacturing facility either directly or through importer may apply for registration in “Form 16” of these regulations along with documents specified in Annexure-1 and fee as specified by the Food Authority.

#### (2) Processing of application for Registration of Foreign Food manufacturing facilities-

- (a) If upon scrutiny of the application Food Authority requires any additional information with respect to an application or if the application is incomplete, the Food Authority shall advise the applicant, to furnish such additional information or complete the application, as the case may be, within 30 days from such notice. In case the applicant fails to furnish the required information within the stipulated time of 30 days, the application for Registration of Foreign Food Manufacturing Facility shall stand rejected;
- (b) On receipt of a complete application including the additional information if asked for, the Food Authority may process the application for inspection and issuance of registration or rejection of the application.

#### (3) Inspection of Foreign Food manufacturing facilities-

- (a) Officials from FSSAI and relevant ministry/ organization/ department for the purpose of inspection of Foreign Food Manufacturing Facilities shall be nominated by the Food Authority;

- (b) Foreign Food manufacturing facility (ies) may be inspected in a manner as specified by Food Safety and Standards Authority of India;
- (c) Foreign Food manufacturing facility(ies) may also be inspected after the issuance of registration, as deemed necessary;

**(4) Issuance of registration-**

- (a) Foreign Food manufacturing facility found to be in compliance of FSS Act rules and regulation made there-under shall be registered as Foreign Food manufacturing facilities for a period of five years and their registration number shall be communicated in Form 17;
- (b) Foreign Food manufacturing facility found to not be in compliance of FSS Act rules and regulation made there-under, the application made for registration shall be rejected;
- (c) Foreign Food manufacturing facility whose application is rejected, after taking remedial action may apply for recognition again;
- (d) Renewal of registration of Foreign Food manufacturing facility shall be made in Form 16, not later than 30 days prior to the expiry date indicated in the registration.

**(5) Audit of Foreign Food manufacturing facility -**

- (a) Foreign Food manufacturing facility which requires mandatory audit shall get their facility audited by the auditing agency recognized by the Food Authority. Frequency of audit shall be specified by the Food Authority from time to time. Copy of the audit report/certificate issued by the auditing agency shall be submitted to the Food Authority.

**(6) Suspension or cancellation of registration-**

- (a) If Foreign Food manufacturing facility or their food products are found not to be in compliance of FSS Act rules and regulation made there-under, their registration as Foreign Food manufacturing facilities shall be suspended or cancelled. However, Food Authority may review the same after giving opportunity for hearing or clarification, as deemed fit.”
- (ii) after “Form 15”, the following form shall be inserted, namely, -

**“FORM – 16**

*[See regulation 18(1)(b)]*

**Application for Registration/renewal of Registration of Foreign Food manufacturing facilities**

1. Name of the Company/Organization.....
2. Registered Office Address.....
3. Address of Premise for which Registration is being applied.....
4. license/registration issued by concerned country’s government authority for food manufacturing/processing facility.....
5. E.mail .....
6. Contact no.....
7. Details of the product(s).....
8. All information and particulars furnished here by me are true and correct to the best of my knowledge.

Date.....

Signatures and seal of authorized signatory

Place.....

Name and address.....

**Annexure-1**

List of documents to be enclosed with Application for Registration/renewal of Registration of Foreign Food manufacturing facilities:-

- (1) license/registration issued by concerned country's government authority for food manufacturing/processing facility;
- (2) Consent of owner of Foreign Food manufacturing facility for inspection by Food Safety and Standards Authority of India officials;
- (3) Detail composition of products;
- (4) Authorization in favour of importer (if applied through importer).

**FORM – 17**

*[See regulation 18(4)(a)]*

**Registration/renewal of Registration of Foreign Food manufacturing facilities**

1. Name of the Company/Organization.....
2. Registered Office Address.....
3. Address of authorized premise.....
4. Registration no.....
5. Details of the product(s).....

**Note:** This must not be altered in any way. Intentional misuse of this will result in cancellation without prior intimation.

Date.....

Signatures of CEO, FSSAI/representative authorised by him

Place.....

Name .....

ARUN SINGHAL, Chief Executive Officer

[ADVT.-III/4/Exty./342/2020-21]

**Attachments:**

No Attachments.