

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## India

**Post:** New Delhi

### **FSSAI Guidelines for Export or Re-export of Imported Food Items**

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

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**Report Highlights:**

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) published guidelines for export or re-export of imported food items, ingredients, and/or food additives.

## **Executive Summary:**

On January 22, 2015, FSSAI published updated guidelines to clarify its requirements for imported food products, ingredients, and/or food additives intended for export or re-export purposes. These requirements are distinct from those imported food items intended solely for domestic consumption within India. According to the updated Indian guidelines, imported food products intended for export or re-export are only required to conform to the standards and regulations of the destination countries.

## **General Information:**

**DISCLAIMER:** The information contained in this report was retrieved from FSSAI's website <http://www.fssai.gov.in/>. The Office of Agricultural Affairs and/or the U.S. Government makes no claim of accuracy or authenticity.

On January 22, 2015, FSSAI issued guidelines to clarify that imported food items meant for export or re-export shall not be subject to the same Indian regulatory requirements as applicable to food items imported for consumption within the domestic Indian market. Although FSSAI had also issued earlier notification along the same parameters, Indian customs officials did not distinguish between food products, ingredients, and/or food additives destined for re-export versus imported food for domestic consumption. FSSAI has further clarified that these food products for export or re-export will only be required to meet the standards and/or regulatory requirements of the importing countries. The guidelines as published in the current notification are given below.

The updated notification is attached below and can also be accessed on FSSAI website:

<http://www.fssai.gov.in/>

## **BEGIN TEXT:**

1. The food articles/ingredients/additives which are being imported by the manufacturers/processors for their captive use/production of value added products for 100 percent exports shall not be treated within the scope of the Food Import Clearance System (FICS) of FSSAI.
2. The consignments of food items/ingredients/additives imported by the firms/companies for use of their sister/subsidiary companies, subject to a defined relationship agreement between the two entities in this behalf, for 100 percent export production shall also not be treated within the scope of FICS of FSSAI.
3. These guidelines will also apply to the re-imported food which is meant to be exported again.
4. This dispensation will not be applicable in the case of trading entities, who do not import such

items for their captive use, in view of the problems associated with traceability of the end-use of such items.

5. The importer would have to submit an undertaking/declaration regarding the captive/end use of the imported product to the Customs Department at the time of filing the bill of entry, declaring that the imported food article is meant to be used by the imported for 100 percent export or re-import of food for export again as the case may be, and that no part thereof will be supplied for domestic consumption.

END TEXT.

File No.1-1175/FSSAI/Imports/2014  
**Food Safety and Standards Authority of India**  
(Imports Division)  
Ministry of Health and Family Welfare  
FDA Bhawan, Kotla Road, New Delhi – 110002

**Subject: Guidelines to all Authorized Officers on the imported food articles meant for 100% exports/re-export - reg.**

General guidelines were issued to all the Authorized Officers on 24.01.2014 regarding the treatment of imported food articles meant for export/ re-export, whereby it was advised that if an importer informed that the imported food article was meant for export or re-export, the import of such items be allowed without applying the conditions applicable for the import of food items meant for consumption in the domestic market. The Authorized officers were advised to bring this to the notice of Customs Authorities.

2. However, it has been reported that the Customs Authorities are still referring the consignments of food articles/ additives/ ingredients (meant for value addition for 100% exports) for testing such imported consignments qua the standards of the imported food meant for domestic consumption.

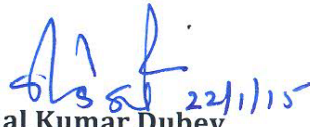
3. The issue has been examined and considered. It has been observed that the manufacturing of food products meant for 100% exports is undertaken by the food

manufacturing/ processing industry as per the standards and specific requirements of the importing entities/ countries. Further, such exports from India are allowed by the importing countries as per the standards, regulations and laws of the importing countries/ entities. Hence, there is no need to test such food articles/ ingredients on the same parameters which are applicable for the food being imported in the country for domestic consumption.

4. Accordingly, it has been decided that:

- (i) The food articles/ ingredients/ additives which are being imported by the manufacturers/ processors for their captive use/ production of value added products for 100% exports shall not be treated within the scope of the Food Import Clearance System (FICS) of FSSAI;
- (ii) The consignments of food items/ ingredients/ additives imported by the firms/ companies for use of their sister/subsidiary companies, subject to a defined relationship agreement between the two entities in this behalf, for 100% export production shall also not be treated within the scope of the Food Import Clearance System (FICS) of FSSAI;
- (iii) These guidelines will also apply to the re-imported food which is meant to be exported again.
- (iv) This dispensation will not be applicable in the case of trading entities, who do not import such items for their captive use, in view of the problems associated with traceability of the end-use of such items;
- (v) The importer would have to submit an undertaking/ declaration regarding the captive/ end use of the imported product to the Customs Department at the time of filing the bill of entry, declaring that the imported food article is meant to be used by the importer for 100% export or re-import of food for export again as the case may be, and that no part thereof will be supplied for domestic consumption.

5. These guidelines issue with the approval of the competent authority.

  
Bimal Kumar Dubey  
Director (Imports)