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Report Highlights:

In 2022, the Ministry of Health and Family Welfare (MoHFW)/Food Safety and Standards Authority of India (FSSAI) published several food safety related notifications. The FSSAI announced key updates to the Labeling and Display Regulations, including front-of-pack labeling for packaged food products and expanded list of rectifiable labeling deficiencies. Other important notifications included: (i) mandatory registration of foreign food manufacturing facilities for import of certain food categories; (ii) health certificates to accompany imports of milk and milk products, pork and pork products, and fish and fish products; (iii) microbial testing requirements for imported food products; and (iv) a vegan regulation requiring vegan certification of food product imports labeled as "Vegan."

DISCLAIMER: The U.S. Embassy in New Delhi – Foreign Agricultural Service (FAS) Office of Agricultural Affairs (OAA) prepared this FAIRS report to serve as a reference guide for U.S. stakeholders wishing to export food and agricultural products to India. While every possible care has been taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. **FINAL IMPORT APPROVAL OF ANY PRODUCTS IS SUBJECT TO INDIA’S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.** [Note: Use Google Chrome to access the links in case they do not function using Internet Explorer. Indian host sites geo-block site access on a rolling basis].

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EXECUTIVE SUMMARY

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

In 2022, the FSSAI has issued a series of drafts, final amendments, and regulations pertaining to food safety for both domestically produced and imported food products. This FAIRS report provides key updates on labeling and display regulations including the front-of-pack labeling for packaged foods high in salt and sugar and fat; requirement of health certificate to accompany imports of milk and milk products-pork and pork products-fish and fish products; mandatory registration with the competent authority of jurisdiction of the country of export, all foreign food manufacturing facilities intent on exporting milk and milk products, meat and meat products, egg powder, infant food, and nutraceuticals to India; draft amendments in vegan foods regulation; and the FSSAI's clarification on microbial testing requirements of imported food products.

It is difficult to foresee what the FSSAI's regulatory actions and changes might be in the near-term. FAS New Delhi (Post) does see that this agency is taking on an increased activist role in regulatory changes and new regulation implementation. This will increasingly affect the import into India of foreign food and agricultural products overtime.

SECTION I. FOOD LAWS

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

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

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

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

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

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

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

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

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

website of the Department of Consumer Affairs at [The Legal Metrology Act \(2009\), Legal Metrology \(Packaged Commodities\) Rules, 2011](#), and the [Legal Metrology \(Packaged Commodities\) \(Amendment\) Rules \(2011\)](#). The Legal Metrology Act (2009) imposes standardized package size for certain products, mainly as a consumer protection measure (see, Section III. Packaging and Container Regulations). All amendments related to the Legal Metrology (Packaged Commodities) Rules (2011) can be accessed from the DOCA website at: <https://consumeraffairs.nic.in/acts-and-rules/legal-metrology/the-legal-metrology-act-2009>

B. Livestock Importation Act (1898)

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

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

In January 2016, the DAHD revised its guidelines for the export/import of bovine germplasm and are accessible from the DAHD website at: [Guidelines for Export/Import of Bovine Germplasm - January 2016](#).

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

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

SECTION II. LABELING REQUIREMENTS

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

Food Safety and Standards Authority of India (FSSAI)

FAS New Delhi (Post) strongly encourages U.S. exporters 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 information such as allergens and calorie information, as well as display prerequisites on premises where food is manufactured, processed, served, and stored.

On June 17, 2022, the Ministry of Health and Family Welfare (MoHFW)/FSSAI issued a direction to operationalize the draft Food Safety and Standards (Labeling and Display) Amendment Regulations (2022). The FSSAI took this measure to implement the draft Food Safety and Standards (Labeling and Display) Regulations (2022) effective July 1, 2022, to align this implementation date with mandatory compliance requirements of the earlier direction issued, which itself extends the implementation date for the Food Safety and Standards (labeling and display) Regulations (2020). The amendments proposed in the now operationalized draft pertain to the labeling of non-retail containers, with the FSSAI incorporating recommendations from the *Codex Alimentarius* (Codex). The proposed amendment regulations, although now put into operation by the FSSAI (Food Authority), are still under the MoHFW review and pending approval (see, [GAIN-INDIA | IN2022-0059 | India's FSSAI Announces Key Updates to Labeling and Display Regulations-Impacting US Tree Nut Products Exports](#)).

On September 13, 2022, the FSSAI issued a draft notification communicating amendments to the Food Safety and Standards (Labeling and Display) Regulations (2020) pertaining to front-of-pack nutritional labeling and proposed the “Indian Nutrition Rating” based on health star rating system. World Trade Organization (WTO) members were invited to comment on the draft amendments (the comment period closed November 28, 2022). The Food Safety and Standards (Labeling and Display) Amendment Regulations (2022) will come into effect on the date of their final publication in the Official Gazette of India. However, compliance with the amended regulations is voluntary for a period of 48-months from the date of the final notification of these regulations, after which compliance is mandatory (see, [GAIN-INDIA | IN2022-0085 | India's FSSAI Publishes Draft Notification on Front-of-Pack Labeling for Packaged Food Products High in Fat and Sugar and Salt](#)).

The Labeling and Display Regulations (2020) stipulate the current labeling and display requirements as follows:

A. General Requirements

All labeling declarations must meet the following requirements:

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

B. Labeling Requirements for Pre-packaged Foods

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

Overview

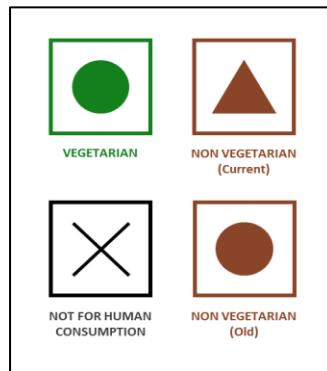
Pre-packaged food or pre-packed food, including multi-piece packages, should carry the following mandatory information on the label:

1. The name of the food.
2. List of ingredients, except for single ingredient foods.
3. Nutritional information.
4. Declaration regarding vegetarian and non-vegetarian.
5. Declaration of food additives.
6. Name and address of the manufacturer.
7. Net quantity.
8. Lot/code/batch identification.
9. Date of manufacture or packing.
10. Best before date or use by date or date of expiry.
11. Country of origin.
12. Instructions for use, if applicable.

Further Details

1. **Name of Food:** The name of food shall include the trade name or description of food contained in the package.
2. **List of Ingredients:** Except for single ingredient foods, a list of ingredients shall be declared on the label, in descending order of their composition by weight or volume.
3. **Nutritional Information:** All nutritional facts per 100 grams or 100 milliliters or per serving of the product shall be given on the label containing:
 - i. Energy value in kilocalorie; and
 - ii. The amount of protein, carbohydrates (specify quantity of sugar), and fat in grams or milliliters; and,
 - iii. The amount of any other nutrient for which a nutritional or health claim is made.
[Note: Nutritional information for alcoholic beverages is not required].
4. **Declaration Regarding Vegetarian or Non-Vegetarian:**
 - i. Vegetarian food must have a symbol consisting of a green color-filled circle inside a square with a green outline prominently displayed on the package, contrasting against the background on the principal display panel, near the name or brand name of the food.

- ii. Non-vegetarian food (i.e., any food which contains whole, or part of any animal, including birds, marine animals, eggs, or products of any animal origin as an ingredient, excluding milk or milk products), must have a symbol of a brown color-filled triangle inside a square with a brown outline prominently displayed on the package, contrasting against the background on the principal display panel, near the name or brand name of the food. [Note: Declaration of vegetarian/non-vegetarian logo shall not apply for alcoholic beverages].



5. **Declaration Regarding Food Additives:** This declaration shall be made in accordance with FSS (Labeling and Display) Regulation (2020).
6. **Name and Complete Address of the Manufacturer:** The label shall carry the name and complete address of the manufacturing, packaging, or bottling unit, as well as the name and complete address of the manufacturer or the company for whom and on whose behalf, it is manufactured, packed, or bottled.
- i. Where an article of food is imported into India, the package of the food shall also carry the name and complete address of the importer in India.
- ii. Any food article that is manufactured outside India and packed or bottled in India, shall also bear on the package label the name of the country of origin of the food article and the name and complete address of the importer and the premises of packing or bottling in India.
7. **The FSSAI Logo and License Number:** The FSSAI logo and license number shall be displayed on the label. Additionally, the license number of the manufacturer or marketer or packer or bottler, shall be displayed on the label if different from the brand owner.
- Where an article of food is imported into India, the importer shall display the FSSAI logo and license number along with name and address of the importer.
 - Food business operators shall display at all premises where food is stored, processed, distributed, or sold, the registration/license number or the food safety display board if specified, along with other information as specified by the FSSAI from time to time at a prominent place in the premises.
 - Fortified food and organic food shall be marked with a logo as specified in schedule II of the labeling and display regulations.

8. **Net Quantity, Retail Sale Price, and Consumer Care:** Details are outlined in the Legal Metrology Act (2009) (1 of 2010) and the Rules made thereunder.

9. **Lot/Code/Batch Identification:** A mark of identification by which the food can be traced in the manufacture and identified in the distribution shall be provided on the label.

10. Date Marking:

- “Date of manufacture or packing” and “expiry/use by” shall be given on the label. The expression “Best Before” may be used as optional or additional information.
- The manner of declaration of date of manufacture or packaging/expiry/use by/Best Before should be in the following format:
 - Day, month, and year using DD/MM/YY format for products with a short shelf life of up to three months; the month and the year for products with a shelf life of more than three months, shall be declared in un-coded numerical sequence except that the month shall be indicated by capital letter and abbreviations (at least the first three letters of the month) can be used.
- Special conditions for storage of food should be declared on the label if the validity of the date depends thereon. If required, storage conditions after opening the pack may also be specified.
- Declaration of expiry date for consumption shall not be applicable to:
 - a. Fresh fruits and vegetables, including potatoes, which have not been peeled, cut, or similarly treated.
 - b. All types of wine.
 - c. Alcoholic beverages containing 10 percent or more by volume of alcohol.
 - d. Vinegar
 - e. Sugar boiled confectionery.
 - f. Food grade salt for industrial use.
 - g. Solid sugars.
 - h. Chewing gum and bubble gum.

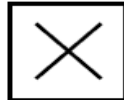
11. Country of Origin for Imported Food:

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

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

13. **Food Allergens:** Declared separately if the food ingredients are known to be allergenic.
14. **Packaging Material:** All packaged materials sold in retail and not intended for human consumption shall bear a declaration to this effect by a symbol of a black color cross inside a square with black outline having the sides of square not less than the minimum size specified in Table 1 of the regulation.

The symbol is included below for reference. Examples include *Pooja* water (water from a sacred source), oils, clarified butter, and other items used for religious purposes.



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

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

C. Rectifiable and Non-Rectifiable Labeling

All exporters and importers are responsible for ensuring that the food products entering India from the United States are in full compliance with Indian food laws. In the latest Food Safety and Standards (Labeling and Display) Regulations (2020), there are no provisions for labels to be rectified. However, on June 17, 2022, the FSSAI notified the expanded list of rectifiable labeling deficiencies for imported food products. The two additions to the rectifiable list included (i) per serving percentage contributions to the recommended dietary allowance; and (ii) Date of expiry along with best before date. Imported food products evidencing labeling deficiencies can be rectified by affixing a single non-detachable sticker or by any other detachable method next to the principal display panel (see, [GAIN-INDIA | IN2022-0058 | India's FSSAI Expands its List of Rectifiable Labeling Deficiencies for Imported Food Products](#)).

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

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

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

[Note: The FSSAI stipulates in its recently published draft regulations for genetically engineered foods and food ingredients that "All food products having individual GM ingredient 1% or more should be labeled as "Contains Genetically Modified Organisms /Ingredients derived from GMO" (see, [GAIN-INDIA | IN2021-0138 | India's FSSAI Proposes New Regulations for Genetically Modified or Engineered Foods](#)).

Ministry of Commerce and Industry (MoCI)

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

1. Name and complete address of the importer in India.
2. Generic or common name of the commodity packed.
3. Net quantity using standard units of weights and measures. If the net quantity of the imported package is given in any other unit, the importer shall declare equivalent terms of standard units.
4. Month and year in which the commodity was manufactured/packed or imported.
5. The maximum retail price (MRP) at which the product, in packaged form, may be sold to the ultimate consumer. This price shall include all taxes, local or otherwise, freight, transport charges, commission payable to dealers and all charges towards advertising, delivery, packing, forwarding, and any other relevant charges. [Note: Pre-packaged food products meant for institutional use do not require the MRP, but a 'Not for Retail Sale' declaration on the label is required].

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

SECTION III. PACKAGING AND CONTAINER REGULATIONS

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

SECTION IV. FOOD ADDITIVES REGULATIONS

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

SECTION V. PESTICIDES AND OTHER CONTAMINANTS

The FSSAI establishes the maximum residue levels (MRLs) for pesticides, toxins, and other contaminants (see, [Food Safety and Standards \(Contaminants, Toxins and Residues\) Regulation \(2011\)](#) Chapter 2, for the complete list of contaminants, toxins, and permissible residue levels). For additional guidance on the new standard operating procedures setting maximum residue limits for pesticides in agricultural commodities and products (mainly milk and milk products, and meat and meat products), see [GAIN-INDIA | IN2022-0030 | India’s FSSAI Publishes Guidance Document and New Standard Operating Procedures Setting Maximum Residue Limits for Pesticides in Agricultural Commodities and Products](#).

Banned or restricted pesticides and pesticide formulations that are refused registration or face restricted use in India are listed at:

http://ppqs.gov.in/sites/default/files/restricted_and_banned_product_list.docx.

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/central-insecticides-board-registration-committee>.

SECTION VI. OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES

Novel Foods Product Approval: On September 11, 2017, India implemented its [Food Safety and Standards \(Approval for Non-Specified Food and Food Ingredients\) Regulations \(2017\)](#).

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

- Novel foods or food containing novel ingredients with the use of novel technology.
- New additives.
- New processing aids including enzymes.
- Articles of food and food ingredients consisting of or isolated from microorganisms.

A definition of non-specified food has been added to the list of definitions and it defines non-specified food as “*any food other than proprietary food or food ingredients, including additives, processing aids and enzymes for which standards have not been specified in any regulation made under the Act.*” For additional specifics on this regulation, see FSSAI’s [Frequently Asked Questions](#) published May 6, 2020.

Product Sampling: On November 3, 2021, the FSSAI published a new order listing the testing fees for samples of various food products categories. The testing fees apply to both domestic and imported food products. The order’s took effect December 1, 2021 (see, [GAIN-INDIA | IN2021-0134 | FSSAI Publishes Sample Testing Fees for Domestic and Imported Food Products](#)).

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

For details on the sampling procedures, please refer to the latest “Manual for Food Imports.” The FSSAI has published manuals detailing its requirements on test methods and analysis by laboratories for the following: 1) milk and milk products, 2) oils and fats, 3) fruit and vegetable products, 4) cereal and cereal products, 5) food additives, 6) mycotoxins, 7) spices and condiments, 8) metals, 9) meat and fish, 10) antibiotic and hormone residues, 11) pesticide residues, 12) mycotoxins, 13) water analysis, and (14) alcoholic beverages. Additionally, the FSSAI has also published a manual to provide general guidelines on sampling methodologies. These manuals are accessible on the FSSAI’s website located at: <https://www.fssai.gov.in/cms/manuals-of-methods-of-analysis-for-various-food-products.php>.

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

Shelf Life: Notification Number 22 (RE-2001)/1997-2002 (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.

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

In addition, food importers should submit the certificate of sanitary export from authorized agencies in the exporting country for the categories of food as specified by the FSSAI from time to time. These amendments became effective on December 6, 2017 (see, the GAIN-INDIA reports: [|IN7076 | India - Amendments in Food Import Regulations \(June 27, 2017\)](#), [|IN7097 | India - WTO Notified-Amendments in Food Import Regulations \(August 4, 2017\)](#), 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 summarized in the [FAIRS-INDIA | IN2021-0132 | Export Certificate Report–Annual 2021](#).

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

Biotechnology: Since July 8, 2006, the Indian government's foreign trade policy has specified that all imports containing products of modern biotechnology (biotech) must have prior approval from the Genetic Engineering Appraisal Committee (GEAC). There is also a stipulation requiring a biotech declaration by the importer at the port-of-entry. "The only [genetically engineered] GE food products authorized for import into India are soybean oil derived from GE soybeans (glyphosate tolerant and five other events) and canola oil derived from GE canola (a select herbicide tolerant event)."

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

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

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

On November 17, 2021, FSSAI issued its proposed draft Food Safety and Standards (Genetically Modified or Engineered Foods) Regulations, 2021 (see, Appendix I). The notification was published in the official gazette on November 15, 2021. All food products having individual GM ingredients that constitute 1% or more of the product should be labeled as “Contains Genetically Modified Organisms/ Ingredients derived from GMO.” World Trade Organization (WTO) members were invited to comment on the proposed draft amendment and the timeline to provide comments being 60 days from the date of notification on the WTO website (see, [GAIN-INDIA | IN2021-0138 | India's FSSAI Proposes New Regulations for Genetically Modified or Engineered Foods](#)). For more information on India's biotechnology import policy, see the report [GAIN-INDIA | IN2022-0087 | India Agricultural Biotechnology Annual-2022](#).

SECTION VII. OTHER SPECIFIC STANDARDS

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

Plant-Based Meat Substitutes (Vegan Foods)

On June 10, 2022, the FSSAI issued notification which requires that food product imports labeled as “vegan” comply with a clause which specifies that “no vegan food products shall be imported except with a certificate issued by the recognized authorities of the exporting countries in the format as specified by the Authority is accepted (see [GAIN-INDIA | IN2022-0057 | More Vegan than a Vegan - India’s FSSAI Issues Regulation Requiring Vegan Certification for Food Products Imports Labeled as Vegan](#)).

On September 8, 2021, the FSSAI proposed draft Food Safety and Standards (Vegan Foods) Regulations (2021). The draft regulation defines vegan foods as being foods or food ingredients that have not made use of any ingredients, additives, and processing aids of animal origin. These include milk and milk products, fish, poultry, and meat, egg or egg products, honey or honeybee products, materials of insect origin (such as silk, dyes, chitin/chitosan, etc.) or ingredients that are clarified using animal sourced products (e.g., bone char used in sugar bleaching, isinglass (obtained from the dried swim bladders of fish and used for clarifying beer). The proposed FSSAI vegan foods logo is:



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

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

Halal in India

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

On January 5, 2020, India’s MOCI/Agricultural and Processed Food Products Export Development Authority, the Indian authority responsible for promoting farm product exports, removed the word ‘halal’ from its ‘[Red Meat Manual](#)’ stating that “the animals are slaughtered

according to the requirement of the importing country.” Until that point, halal had been an important pre-condition, which an Indian exporter had to meet to export to Muslim countries.

The halal certification agencies are approved directly by the respective importing countries and no Indian government agency plays a role in issuing halal certificates. Certified halal food products are accepted domestically by Muslim and non-Muslim consumers; halal certified is viewed as representing high levels of hygiene, cleanliness, safety, and nutrition. For additional overview of Halal in India, see [GAIN-INDIA | IN2022-0005 | India Halal Overview-2022](#).

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

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

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

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

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

SECTION IX. IMPORT PROCEDURES

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

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

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 local Indian languages, as English is an official national language. Consignment inspection occurs prior to clearance. The FSSAI stations its [authorized officers](#) at six locations: Chennai, Kolkata, Mumbai, Delhi, Cochin, Tuticorin, covering 21 ports-of-entries for ensuring compliance to the provisions of the Food Safety and Standards Act (2006) and regulations made thereafter.

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

Procedure for Clearance: In June 2019, the FSSAI published its 2019 edition of the Manual for Food Imports, explaining in detail the food import clearance process. U.S. exporters are advised to maintain contact with their agents on import procedures (see, [https://gain.fas.usda.gov/Recent GAIN Publications/FSSAI Publishes Manual for Food Imports New Delhi India 12-6-2017.pdf](https://gain.fas.usda.gov/Recent%20GAIN%20Publications/FSSAI%20Publishes%20Manual%20for%20Food%20Imports%20New%20Delhi%20India%2012-6-2017.pdf)[GAIN-INDIA | IN9074 | India, 2019 Edition of Food Imports Manual Released \(August 8, 2019\).](#)

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

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

SECTION X. TRADE FACILITATION

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

- a) A valid FSSAI import license.

- b) A valid importer exporter code (IE code) issued by the MOCI's Directorate General of Foreign Trade. Importers are required to check the latest Indian Trade Clarification based on Harmonized System of Coding-ITC (HS) import policy of the DGFT to see whether their products fall under the free, prohibited, or restricted category and follow the import provisions accordingly. In case food products fall under the restricted category, the importer must obtain a DGFT license, in addition to other product-specific import requirements.
- c) The importing food business operator submits an authority letter in favor of a customs-handling agent (CHA) to the FSSAI authorized officer if he chooses to handle his imports through a customs-handling agent.

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

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

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

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

APPENDIX I. GOVERNMENT REGULATORY KEY CONTACTS

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

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

B. The Legal Metrology Act 2009 (as amended)

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

Director (Legal Metrology)
Department of Consumer Affairs
Krishi Bhawan, New Delhi – 110 001
Phone: (91-11) 23389489
Fax: (91-11) 23385322
Email: dirwm-ca@nic.in
Website: <https://consumeraffairs.nic.in/organisation-and-units/division/legal-metrology/overview>

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: <https://www.dgft.gov.in/>

F. Registry of Trademarks

Department of Commerce Ministry of Commerce and Industry

Controller General of Patents, Designs and Trademarks 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: <https://ipindia.gov.in/about-us.htm>

**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: <https://www.cbic.gov.in/>

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

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

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

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

APPENDIX II. OTHER IMPORT SPECIALIST TECHNICAL CONTACTS

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

Senior Technical Advisor
Confederation of Indian Industry
The Mantosh Sondhi Center
23, Institutional Area, Lodhi Road
New Delhi – 110 003
Phone: (91-11) 4577 1000
Fax: (91-11) 2462 6149
Email: info@cii.in
Website: www.cii.in

APPENDIX III. COMMODITY-SPECIFIC FAIRS REPORTS

- [IN2022-0104](#) FSSAI Publishes Draft Amendments for Food Product Standards and Food Additives Regulations
- [IN2022-0103](#) FSSAI Publishes List of Enzymes Derived from Genetically Modified Microorganisms in the Official Gazette of India
- [IN2022-0098](#) India Issues Clarification for Bulk Alcohol Imports
- [IN2022-0097](#) India's FSSAI Issues New Direction for Referral Laboratories for Sampling of Imported Food Product Consignments
- [IN2022-0096](#) India's FSSAI Extends Compliance Timeline for its Health Certificate Requirements for Imports of Milk and Milk Products-Pork and Pork Products-Fish and Fish Products
- [IN2022-0095](#) The FSSAI's 2021 Draft Amendments to the Approval of Non-Specified Food and Food Ingredients Regulation is now a Final Amendment in 2022
- [IN2022-0086](#) India's FSSAI Requires Mandatory Registration of Foreign Food Manufacturing Facilities for the Import of Certain Categories of Foods
- [IN2022-0085](#) India's FSSAI Publishes Draft Notification on Front-of-Pack Labeling for Packaged Food Products High in Fat and Sugar and Salt
- [IN2022-0082](#) India's FSSAI Issues Clarification Notice on its Requirement that Health Certificates Accompany Imports of Milk and Milk Products-Pork and Pork Products-Fish and Fish Products
- [IN2022-0079](#) India's FSSAI Publishes Graphic Specifications for the Vegan Logo
- [IN2022-0074](#) India's FSSAI Suspends AGMARK Certification Requirement for Import of Blended Edible Vegetable Oils
- [IN2022-0073](#) India's FSSAI Issues Clarification for Microbial Testing Requirements for Imported Food Products
- [IN2022-0069](#) India's FSSAI Issues Notification Requiring Health Certificates to Accompany Imports of Milk and Milk Products-Pork and Pork Products-Fish and Fish Products
- [IN2022-0068](#) India's FSSAI Extends the Compliance Timeline for the Vegan Foods Regs
- [IN2022-0063](#) India's FSSAI Notifies its 2022 Draft Amendments for the Specialty Foods Regs
- [IN2022-0062](#) India's FSSAI Publishes Draft Amendments to the Food Products Standards and Food Additives Regulation
- [IN2022-0059](#) India's FSSAI Announces Key Updates to Labeling and Display Regs -Impacting US Tree Nut Products Exports
- [IN2022-0058](#) India's FSSAI Expands its List of Rectifiable Labeling Deficiencies for Imported Food Products
- [IN2022-0057](#) More Vegan than a Vegan-India's FSSAI Issues Regulation Requiring Vegan Certification for Food Products Imports Labeled as Vegan
- [IN2022-0055](#) India's FSSAI Proposes Amendment for Packaging Regulations
- [IN2022-0054](#) India's FSSAI Notifies Final Standards for Ayurveda Foods
- [IN2022-0039](#) India's FSSAI Extends the Implementation Timeline for Infant Food Nutrition Regulations
- [IN2022-0034](#) For the Sake of Clarity-India's FSSAI Issues Directive on Nutraceutical Regs
- [IN2022-0031](#) India's FSSAI Issues Guidance Document on Trans Fats-Urges Food Business Operators to Use Trans Fat-Free Logo

- [IN2022-0030](#) India's FSSAI Publishes Guidance Document and New Standard Operating Procedures Setting Maximum Residue Limits for Pesticides in Agriculture Commodities and Products
- [IN2022-0023](#) FSSAI Issues Directive for Label Declarations for Recommended Dietary Allowances – RDAs
- [IN2022-0022](#) FSSAI Publishes Approved List of Specialty Products for Inborn -Congenital- Errors of Metabolism Conditions
- [IN2022-0005](#) India Halal Overview-2022
- [IN2022-0004](#) India Publishes Final Standards for Processed Dairy and Other Milk Fat Products
- [IN2022-0003](#) India's FSSAI Publishes Draft Amendments for Advertising and Claims Regs

APPENDIX IV. CHRONOLOGY OF 2021 FSSAI REGULATIONS AND NOTIFICATIONS

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

- On October 21, 2022, the MoHFW/FSSAI issued Direction No. TIC-C-503(T)/1/2022-IMPORTS-FSSAI. The FSSAI direction (guidelines) pertains to FORM-2, Section C as referred to in sub-regulation 10(5) of the Food Safety and Standards (FSS) (Import) Regulations (2017). The direction indicates that referral laboratories are to test only for non-conforming parameters and for those that were not tested at the primary laboratory. Previously, if an imported food consignment's sampling failed the primary laboratory sample testing and analysis, the sample would be sent to the referral laboratory for retesting and analysis. Earlier guidelines required the referral laboratories to test for all the parameters specified in the FSS regulations. The FSSAI asserts that this direction will help avoid delays in the clearance of imported food consignments, as well as provide for effective utilization of resources for other pending samples (see, [GAIN-INDIA | IN2022-0097 | India's FSSAI Issues New Direction for Referral Laboratories for Sampling of Imported Food Product Consignments](#)).
- On October 27, 2022, the MoHFW/FSSAI issued a new order pertaining to FSSAI Order F. No. 1829/Health Certificate/ FSSAI/Imports (2021), which extends the effective compliance date. The new effective compliance date is now set for January 1, 2023 (the previous effective compliance date was November 1, 2022). The measure requires that India's trading partners comply with the FSSAI's requirement that health certificates be issued by the competent authority of the country of export for milk and milk products, pork and pork products, and fish and fish products. The extension, a temporary reprieve, results from comments received and concerns raised by World Trade Organization (WTO) members regarding the FSSAI Order of August 8, 2022, referencing the FSSAI Notification No. 1829/Health Certificate/FSSAI/Imports (2021), along with FSSAI clarification notification of September 26, 2022 (see, [GAIN-INDIA | IN2022-0096 | India's FSSAI Extends Compliance Timeline for its Health Certificate Requirements for Imports of Milk and Milk Products-Pork and Pork Products-Fish and Fish Products](#)).
- On October 10, 2022, the MoHFW/FSSAI issued Order F. No. TIC-B02/2/2022-IMPORTS-FSSAI. The FSSAI order requires the mandatory registration with the competent authority of jurisdiction of the country of export, of all foreign food manufacturing facilities intent on exporting milk and milk products, meat and meat products, egg powder, infant food, and nutraceuticals to India. The order requires the competent authorities of all exporting countries to email to the FSSAI, a list of existing manufacturers, and of those intent on exporting any products of those just cited to India in the mandated FSSAI format. The effective implementation date of the FSSAI order is February 1, 2023. The published order is yet to be notified to the WTO (see, [GAIN-INDIA | IN2022-0086 | India's FSSAI Requires Mandatory Registration of Foreign Food Manufacturing Facilities for the Import of Certain Categories of Foods](#)).
- On September 26, 2022, the MoHFW/FSSAI issued a clarification notice to its earlier notification F. No. 1829/Health Certificate/FSSAI/Imports (2021). The FSSAI

clarification notice is in response to WTO members having commented on the FSSAI Order of August 8, 2022, referencing the earlier FSSAI Notification No. 1829/Health Certificate/FSSAI/Imports (2021), that specify the requirements for health certificates and their format for milk and milk products, pork and pork products, and fish and fish products. The FSSAI communicated that it will proceed to accept for the import of milk and milk products, pork and pork products, and fish and fish products that use an integrated/single health certificate. This certificate must incorporate all FSSAI mandated food safety related requirements/attestations necessary for import clearance in India. The compliance date is unchanged and took effect November 1, 2022 (see, [GAIN-INDIA | IN2022-0082 | India's FSSAI Issues Clarification Notice on its Requirement that Health Certificates Accompany Imports of Milk and Milk Products-Pork and Pork Products-Fish and Fish Products](#)).

- On August 18, 2022, the MOHFW/FSSAI issued Clarification No. TIC-20012/2/2021-IMPORTS-FSSAI indicating that its requirement for AGMARK (an Indian certification mark), issued prior to import of blended edible vegetable oils (BEVO), is kept in abeyance (suspended) until further notice. The FSSAI (authority) notes that foreign country/overseas certification under Agricultural Produce (Grading and Marking) Act 1937 does not fall under the purview of the Directorate of Marketing and Inspection (DMI), an office attached to the Department of Agriculture, Cooperation and Farmers Welfare under the Ministry of Agriculture and Farmers Welfare (see, [GAIN-INDIA | IN2022-0074 | India's FSSAI Suspends AGMARK Certification Requirement for Imports of Blended Edible Vegetable Oils](#)).
- On August 16, 2022, the MOHFW/FSSAI issued Clarification No. 1831/Misc./FSSAI/Imports/2022 pertaining to microbial testing requirements for imported food products. The FSSAI clarified that only two parts of a food sample are required to be drawn during sampling by the authorized officer/representative as per the provisions of Regulation 9 of the Food Safety and Standards (Import) Regulations (2017) (see, [GAIN-INDIA | IN2022-0073 | FSSAI Issues Clarification for Microbial Testing Requirements for Imported Food Products](#)).
- On August 3, 2022, the MOHFW/FSSAI issued notification F. No. 1829/Health Certificate/FSSAI/Imports (2021). The FSSAI notification, effective November 1, 2022, required that all milk and milk products, pork and pork products, and fish and fish products, imported into India be accompanied by a health certificate issued by the competent authority of the exporting country in the format published in the FSSAI notification as Annexure-I. The FSSAI health certificate requirement for these food and agricultural products has not been notified to the WTO. The intent of this new measure is interpreted as being trade restrictive, specifically requiring duplication of certificates (see, [GAIN-INDIA | IN2022-0069 | India's FSSAI Issues Notification Requiring Health Certificates to Accompany Imports of Milk and Milk Products-Pork and Pork Products-Fish and Fish Products](#)).

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

- On September 13, 2022, the MoHFW/FSSAI issued draft notification F. No. Std./SP-08/T(FoPNL-N-01), publishing the same on September 20, 2022, on its website. This notification communicates amendments to the Food Safety and Standards (Labeling and Display) Regulations (2020), that relate to front-of-pack nutritional labeling (FOPNL) and propose the “Indian Nutrition Rating” based on health star rating system. WTO members were invited to comment (WTO notification G/SPS/N/IND/288, September 29, 2022). The comment period for the FSSAI draft amendments is open through November 28, 2022. The Food Safety and Standards (Labeling and Display) Amendment Regulations (2022) will come into effect upon final publication in the Official Gazette of India. Compliance with the amended regulations is voluntary for 48-months from the date of the final notification of these regulations, after which compliance is mandatory (see, [GAIN-INDIA | IN2022-0085 | India’s FSSAI Publishes Draft Notification on Front-of-Pack Labeling for Packaged Food Products High in Fat and Sugar and Salt](#)).
- On June 17, 2022, the MoHFW/FSSAI issued direction F. No: STD/SP_08/A1.2022/N-01-Part (1) to operationalize the draft Food Safety and Standards (Labeling and Display) Amendment Regulations (2022). The amendments proposed in the operationalized draft pertain to the labeling of non-retail containers, with the FSSAI incorporating recommendations from Codex. The proposed amendment regulations, although now put into operation by the FSSAI (food authority), are still under the MoHFW’s (line ministry) review and pending approval. The FSSAI took the measure to implement the draft Food Safety and Standards (Labeling and Display) Regulations (2022) effective July 1, 2022, to align this implementation date with mandatory compliance requirements of the directive F. No. REF/L&D-Extension/FSSAI-2021, which itself extends the implementation date for Food Safety and Standards (Labeling and Display) Regulations (2020) (see, [GAIN-INDIA | IN2022-0059 | India’s FSSAI Announces Key Updates to Labeling and Display Regulations-Impacting US Tree Nut Products Exports](#)).
- On June 17, 2022, the MoHFW/FSSAI issued Notification F. No. 1828/Misc. Matters/FSSAI/Imports-2021 notifying the expanded list of rectifiable labeling deficiencies for imported food products. Regulation 6, clause 4 of the Food Safety and Standards (Import) Regulations (2017), provides special dispensation for rectification within custom bound warehouses. Imported food products evidencing labeling deficiencies can be rectified by affixing a single non-detachable sticker or by any other detachable method next to the principal display panel. FSSAI Notification F. No. 1828 notifies two changes to the rectifiable list: (i) Per serving percentage contributions to the recommended dietary allowance and (ii) Date of expiry along with best before date (see, [GAIN-INDIA | IN2022-0058 | FSSAI Expands its List of Rectifiable Labeling Deficiencies for Imported Food Products](#)).
- On February 3, 2022, the MoHFW/FSSAI issued directive SS-T017/1/2022-Standard-FSSAI [E4478]. The directive instructs food business operators to provide per serve percentage contributions for recommended dietary allowances (RDA) on the product

label (see, [GAIN-INDIA | IN2022-0023 | FSSAI Issues Directive for Label Declarations for Recommended Dietary Allowances-RDAs](#)).

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

- On October 31, 2022, the MoHFW/FSSAI published draft amendments [Notification F. No. STD/39-FA/Notification/2022 in the Gazette of India: Extraordinary (Official Gazette)] (Appendix I). The notification was subsequently published on the FSSAI website on November 3, 2022. The draft amendments include new and revised standards for palm oil, meat sausages, dehydrated tarragon (whole and powdered form), Indian mithais (sweets) and namkeens (savory), and food color (preparations and mixtures). WTO members are invited to comment on the proposed draft amendment; the timeline to provide comments is 60 days from the date of notification on the WTO website (see, [GAIN-INDIA | IN2022-0104 | FSSAI Publishes Draft Amendments for Food Product Standards and Food Additives Regulations](#)).
- On October 27, 2022, the MoHFW/FSSAI published notification F. No. STD/FA/A-1.30/No.1/2020-FSSAI(P-I) in the Gazette of India: Extraordinary (Official Gazette). The notification was subsequently published on the FSSAI website on October 31, 2022. The notification issued includes the Food Safety and Standards (Food Product Standards and Food Additives) Second Amendment Regulations, 2022. Table '11 A' of Appendix 'C' of the regulation will include details regarding the list of enzymes derived from genetically modified microorganisms (see, [GAIN-INDIA | IN2022-0103 | FSSAI Publishes List of Enzymes Derived from Genetically Modified Microorganisms in the Official Gazette of India](#)).
- On May 25, 2022, the MoHFW/FSSAI issued Notification F. No. STD/FA/38/FSSAI, draft amendments to the Food Safety and Standards (Food Products Standards and Food Additives) (2011) regulation. The FSSAI revised standards for consumer-oriented and processed food products. The list includes revised standards for dairy products such as Khoa, mozzarella cheese, processed cheese spread, peanut butter; corn oil, pickled eggs, fish oil, dried parsley, cow or buffalo colostrum products, aeration in inter-esterified vegetable fats, bakery shortening, fatty acid standards for olive oil, rice, fortified rice kernel, oligofructose, microbiological standards for baker's yeast, and *neera* (palm nectar). On June 30, 2022, India notified the draft amendment to the WTO for comments (WTO Notification: G/SPS/N/IND/283). The comment period was open until August 29, 2022 (see, [GAIN-INDIA | IN2022-0062 | India's FSSAI Publishes Draft Amendments to the Food Product Standards and Food Additives Regulation](#)).
- On December 27, 2021, the MoHFW/FSSAI issued Notification No. F. No. M&MP/Notification (05)/FSSAI-2019. The notification, published in the Gazette of India (official gazette) on December 27, 2021, pertains to the Food Safety and Standards (Food Products Standards and Food Additives) Sixth Amendment Regulations (2021), setting new standards in Regulation 2.1 (Dairy Products and Analogs) and sub regulation 2.1.8

(Milk Fat Products [includes ghee/clarified butter]). The regulation's implementation date was set for July 1, 2022 (see, [GAIN-INDIA | IN2022-0004 | India Publishes Final Standards for Processed Dairy and other Milk Fat Products](#)).

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 June 24, 2022, the MoHFW/FSSAI issued Notification F. No. Std/SP-05/T (Nutraceutical-2022), the draft amendment regulation that the FSSAI is proposing for the Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, and Prebiotic and Probiotic Food) Regulations (2016). WTO members were invited to comment on the proposed draft amendment regulation. The timeline to provide comments is 60 days from the date of notification on WTO website (see, [GAIN-INDIA | IN2022-0063 | India's FSSAI Notifies its 2022 Draft Amendments for the Specialty Foods Regulations](#)).
- On March 29, 2022, the MoHFW/FSSAI issued directive Std/SP-05/T(Nutraceutical-2022) [E-5184]. The directive states that the FSSAI has drafted a new framework and revised the Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations (2016). The new framework is known as Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose and Prebiotic and Probiotic Food) Regulations (2022). This framework removes ambiguity by providing greater clarity to the regulation (see, [GAIN-INDIA | IN2022-0034 | For the Sake of Clarity-India's FSSAI Issues Directive on Nutraceutical Regulations](#)).
- On February 22, 2022, India's MoHFW/FSSAI published Stds/SP-05/Orders/FSSAI (E1317). The order included a list of conditions associated with inborn (congenital) errors of metabolism (IEM) along with the specialty food products that can be manufactured, sold, marketed, or imported to address these imbalances. The FSSAI implementation date for the approved list was April 1, 2022. Until that time, the FSSAI continued to allow the import of specialty food products listed in its earlier directive of June 30, 2021 (see, [GAIN-INDIA | IN2022-0022 | FSSAI Publishes Approved List of Specialty Products for Inborn-Congenital-Errors of Metabolism Conditions](#)).

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

- On March 3, 2022, the Food Safety and Standards Authority of India (FSSAI) published a guidance document on the elimination of trans fats. The FSSAI document advises food manufacturers to test their products for trans-fats. If the product contains no more than 0.2 grams of trans fats per 100 grams of food, use of a trans fat-free logo is permissible on the food product's label and in retail outlets (see, [GAIN-INDIA | IN2022-00031 |](#)

[India's FSSAI Issues Guidance Document on Trans Fats -Urges Food Business Operators to Use Trans Fat-Free Logo](#)).

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

- On March 29, 2022, the MoHFW/FSSAI issued order number Std/SP-05/Orders/FSSAI [E-1317], pertaining to the Food Safety and Standards (Food for Infant Nutrition) Regulations (2020). The new FSSAI order extends the implementation date of the regulations to October 1, 2022. The implementation timeline was extended by the FSSAI to accommodate industry associations' representations (i.e., written commentary and concerns). Local industry is requiring additional time to reformulate and manufacture infant food products in line with the revised standards' levels for manganese, selenium, biotin, and iron (see, [GAIN-INDIA | IN2022-0039 | India's FSSAI Extends the Implementation Timeline for Infant Food Nutrition Regulations](#)).

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

- On October 11, 2022, the MoHFW/FSSAI published notification No. Std/EC/T(NSF-01) in the Gazette of India: Extraordinary (official gazette). The notification was subsequently published on the FSSAI website on October 14, 2022. The notification refers to amendments made in the Food Safety and Standards (Approval for Non-Specified Food and Food Ingredients) Regulations (2017), pertaining to regulation (4) 'Procedure for grant of prior approval' of non-specified food and food ingredients. The draft amendments were published earlier on September 22, 2021, with comments having then been invited from WTO members (see [GAIN-INDIA | IN2022-0095 | The FSSAI's 2021 Draft Amendments to the Approval of Non-Specified Food and Food Ingredients Regulation is now a Final Amendment in 2022](#)).

Food Safety and Standards (Ayurveda Aahar) Regulations (2021)

- On May 9, 2022, the MoHFW/FSSAI published on its website Notification No. F. No. Stds/SP-05/A-1. Y (01) Food Safety and Standards (Ayurveda Aahara) Regulations (2022). The notification had previously been published in the Gazette of India (official gazette) on May 6, 2022. The implementation date for the regulations was May 5, 2022 (date of upload). The regulations relate to Ayurveda Aahara (meaning food), and covers food prepared in accordance with the recipes or ingredients and/or processes as per methods described in the authoritative books of Ayurveda listed under 'Schedule A' of the regulations (see, [GAIN-INDIA | IN2022-0054 | India's FSSAI Notifies Final Standards for Ayurveda Foods](#)).

Food Safety and Standards (Vegan Foods) Regulations (2021)

- On September 14, 2022, the MoHFW/FSSAI issued directive F. No. STD/SP-18/T (Vegan Foods). The directive provides logo specifications for vegan foods (see, [GAIN-INDIA | IN2022-0079 | India's FSSAI Publishes Graphic Specifications for the Vegan Logo](#)).
- On July 26, 2022, the MoHFW/FSSAI issued directive F. No. STD/SP-18/T (Vegan Foods). The directive extends the compliance timeline for Food Safety and Standards (Vegan Foods) Regulations (2022) by six months to January 26, 2023. On June 10, 2022, the FSSAI had previously issued a notification requiring all food product imports labeled as vegan to comply with a new clause that specifies that “no vegan food products shall be imported except with a certificate issued by the recognized authorities of the exporting countries in the format as specified by the Authority is accepted.” On July 25, 2022, the FSSAI subsequently published guidelines and application formats for endorsement of the vegan logo (see, [GAIN-INDIA | IN2022-0068 | India's FSSAI Extends the Compliance Timeline for the Vegan Foods Regulations](#)).
- On June 10, 2022, the MoHFW/FSSAI issued Notification F. No. Std/TF-Vegan Foods/Notif/FSSAI. The notification was published in the Gazette of India - Extraordinary (official gazette) on June 14, 2022. The FSSAI notification (effective June 10, 2022) requires that food product imports labeled as vegan comply with the regulation's clause 5(3). This is a new compliance clause that specifies that “no vegan food products shall be imported except with a certificate issued by the recognized authorities of the exporting countries in the format as specified by the Authority is accepted.” Interestingly, there was no mention of a vegan certificate requirement in the earlier notified draft version of regulation F. No. Std/TF-Vegan Foods/Notif. /FSSAI (September 6, 2021). Said notification of the draft regulation made no reference to vegan food product imports into India (see, [GAIN-INDIA | IN2022-0057 | More Vegan than a Vegan-India's FSSAI Issues Regulation Requiring Vegan Certification for Food Product Imports Labeled as Vegan](#)).

Food Safety and Standards (Packaging) Regulations (2018)

- On May 17, 2022, the MoHFW/FSSAI issued Notification F. No. STD/SP-20/T (Recycled Plastics-N) notifying amendments to the Food Safety and Standards (Packaging) Regulations (2018). The notification was published in the Gazette of India – Extraordinary (official gazette) on May 18, 2022, and subsequently uploaded to the FSSAI website on May 24, 2022. The amendment pertains to the use of products manufactured from recycled polyethylene terephthalate (PET) in food packaging. World Trade Organization (WTO) members were invited to comment on the proposed draft amendment. The comment period was open for 60 days from the date of the uploading of the draft notification onto the FSSAI website.

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

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

Attachments:

No Attachments