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Report Highlights:

In 2023, the Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) published a series of food safety notifications. The FSSAI has re-operationalized its Labeling and Display Regulations, to include a six-month implementation extension of the disclaimer for brand names and trademarks on front-of-pack labels. Other FSSAI notifications and directives include: (i) implementation of transition period for the integrated veterinary health certificate for imports of milk and milk products; (ii) draft amendments to alcoholic beverages regulations (2023); (iii) revised limit specifications for infant nutrition foods; (iv) updates on the mandatory registration requirements; (v) revision of 2021 sample testing fees for domestic and imported food products; (vi) listing of designated ports-of-entry for the import of certain high-risk food products; (vii) new standards for basmati rice and other food products; and (viii) an expanded list of food products requiring health certificates.

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 Microsoft Edge. Indian host sites geo-block access on a rolling basis].

TABLE OF CONTENTS

EXECUTIVE SUMMARY.....	4
SECTION I. FOOD LAWS.....	5
SECTION II. LABELING REQUIREMENTS.....	6
SECTION III. PACKAGING AND CONTAINER REGULATIONS.....	13
SECTION IV. FOOD ADDITIVES REGULATIONS	13
SECTION V. PESTICIDES AND OTHER CONTAMINANTS.....	13
SECTION VI. OTHER REQUIREMENTS, REGULATIONS, AND REGISTRATION MEASURES	14
SECTION VII. OTHER SPECIFIC STANDARDS	17
SECTION VIII. TRADEMARKS, BRAND NAMES, AND INTELLECTUAL PROPERTY RIGHTS	18
SECTION IX. IMPORT PROCEDURES	19
SECTION X. TRADE FACILITATION.....	20
APPENDIX I. GOVERNMENT REGULATORY KEY CONTACTS.....	21
APPENDIX II. OTHER IMPORT SPECIALIST TECHNICAL CONTACTS	24
APPENDIX III. COMMODITY-SPECIFIC FAIRS REPORTS.....	25
APPENDIX IV. CHRONOLOGY, 2023 FSSAI REGULATIONS AND NOTIFICATIONS	26
APPENDIX V. CHRONOLOGY, MINISTRY OF AGRICULTURE, DIRECTORATE OF PLANT PROTECTION, QUARANTINE AND STORAGE ACTIONS	30

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 (2006)** 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* (CODEX), continuing to issue multiple draft amendments on regulations pertaining to food safety.¹

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]**).

¹ *Codex Alimentarius* (Latin for 'Food Code') is the collection of internationally recognized standards, codes of practice, guidelines, and other recommendations published by the Food and Agriculture Organization (FAO) of the United Nations relating to food, food production, food labeling, and food safety.

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://pqms.cgg.gov.in/pqms-angular/homeGuidelines/Import>.

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.

The 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.

These regulations cover 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 CODEX recommendations. The proposed amendment regulations, although now put into operation by the FSSAI (Food Authority), are still under the MOHFW's review and pending final 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. 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 [Food Safety and Standards \(Packaging\) Regulation \(2018\)](#), “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:

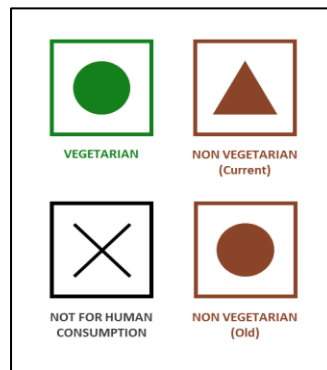
1. The name of the food.
2. List of ingredients, except for single ingredient foods.
3. Nutritional information.
4. Declaration regarding vegetarian and non-vegetarian.
5. Declaration of food additives.
6. Name and address of the manufacturer.
7. Net quantity.
8. Lot/code/batch identification.
9. Date 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.

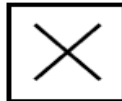
- ii. When a food undergoes processing in a second country, changing its nature, the country in which the processing is performed shall be considered the country-of-origin for the purposes of labeling.

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/Directorate General of Trade 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, 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 February 8, 2023, the MOHFW/Food Safety and Standards Authority of India notified on its website the **Corrigendum 12014/01/2020-QA (January 19, 2022)**. This corrigendum modifies the earlier FSSAI **Order No. 12014/01/2020-QA (November 3, 2021)** referred in [GAIN-INDIA | IN2021-0134 | FSSAI Publishes Sample Testing Fees for Domestic and Imported Food Products](#). FAS New Delhi (Post) interprets the revised FSSAI order as impacting mainly testing fees for fruits and vegetable products and cereal and cereal products (see, [GAIN-INDIA | IN2023-0017 | India’s FSSAI Revises the 2021 Sample Testing Fees for Domestic and Imported Food Products](#)).

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) oils and fats, 2) fruit and vegetable products, 3) cereal and cereal products, 4) food additives, 5) mycotoxins, 6) spices, herbs and condiments, 7) metals, 8) meat and fish, 9) antibiotic and hormone residues, 10) pesticide residues, 11) mycotoxins, 12) water analysis, and (13) 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 7, 2022, 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://www.fssai.gov.in/upload/uploadfiles/files/Manual_Dairy_07_10_2022.pdf.

On October 10, 2022, the FSSAI published an order requiring 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 these categories of foods to India in the mandated FSSAI format.

The FSSAI clarified to Post that only the foreign food manufacturing facilities need to register; registration of handlers or of the exporter of the product is not currently being required. The FSSAI has also provided verbal assurances to Post that trade (i.e., imports of milk and milk products; meat and meat products; egg powder, infant foods; and nutraceuticals) will not be affected by the foreign food manufacturing facilities requirement for those who have not immediately registered with the FSSAI. Implementation date for this requirement is not set by the FSSAI (see, [GAIN-INDIA | IN2022-0086 | India's FSSAI Requires Mandatory Registration of Foreign Food Manufacturing Facilities for the Import of Certain Categories of Foods](#) and [GAIN-INDIA | IN2023-0027 | Holding our Breath – India's FSSAI Updates on the Mandatory Registration Requirements](#)).

Shelf Life: [Notification Number 22\(RE-2001\)/1997-2002 \(July 30, 2001\)](#), issued by the MOCI/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 Safety and Standards \(Import\) Regulation \(2017\)](#) 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, 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 | IN2022-0101 | Export Certificate Report–Annual 2022](#).

India permits the import of product samples via commercial express mail couriers or parcel post (e.g., FedEx, UPS, and DHL), subject to the DGFT's prior permission (see, [Customs Import Export Procedures](#)). 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**. The FSSAI has issued a series of clarifications that, among other things, confirm the measure is not applicable to processed foods and allow certification from sub-state 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 21, 2022, the FSSAI published draft regulations on "Genetically Modified Foods." A similar draft regulation, published in November 2021, was withdrawn (see, [GAIN-INDIA | IN2022-0113 | India Proposes Draft Regulation for Genetically Modified Food for Second Time](#)). The November 2022 draft addresses: Genetically Modified Organisms (GMO) intended for food use; food ingredients produced from GMOs that contain modified DNA; and food ingredients produced from GMOs that do not contain modified DNA, including ingredients/additives/processing aids derived from GMOs. The FSSAI, however, to date has not taken any further steps toward implementation (see, [GAIN-INDIA | IN2023-0073 | India Agricultural Biotechnology Annual – 2023](#)).

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 a 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 its 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 April 6, 2023, the Ministry of Commerce and Industry/Directorate of Foreign Trade (DGFT) issued [Notification No. 03/2023 - Final Guidelines, Streamlining of the Halal Certification Process for Meat and Meat Products](#). The ministry's notification informed stakeholders of its final halal certification process guidelines for the export of India-origin meat and meat products (see, [GAIN-INDIA | IN2023-0054 | India Halal Market – Update July 2023](#)). The draft guidelines on this subject were issued earlier on January 17, 2023, and stakeholders were invited to submit comments on the proposed guidelines (see, [GAIN-INDIA | IN2023-0010 | India Halal Market Update - 2023](#)).

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.

The Ministry of Finance's Central Board of Excise and Customs (CBEC) issued the **Intellectual Property Rights (Imported Goods) Enforcement Rules (2007)** (see, [Page 18 of 30](https://old.cbic.gov.in/htdocs-</p></div><div data-bbox=)

[cbec/customs/cs-act/notifications/notfns-2007/cs-nt2007/csnt47-2k7](https://old.cbic.gov.in/htdocs-cbec/customs/cs-circulars/cs-circulars-2007/circ41-2k7-cus)) to protect the intellectual property of imported products. Instructions regarding the implementation of the Rules are available on the CBEC website located at: <https://old.cbic.gov.in/htdocs-cbec/customs/cs-circulars/cs-circulars-2007/circ41-2k7-cus>.²

SECTION IX. IMPORT PROCEDURES

Documentation: Importers must provide an import declaration in the prescribed bill-of-entry format, disclosing the value of the imported goods. This declaration must be accompanied by the relevant import license and phytosanitary certificate (that is in the case of agricultural commodities), along with supporting documentation such as commercial sales invoices and freight and insurance certificates.

There is no need to translate the import documents into 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. 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 \(2017\)](#).

² Indian host sites geo-block access on a rolling basis. This link is often unstable.

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/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).³ 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 \(2020\)](#).

³ 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: <https://ppqs.gov.in/>

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

Bhoudhik 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

- [IN2023-0079](#) India's FSSAI Waives Its Clearance Requirement for Imported Food Products Meant for Re-Export
- [IN2023-0078](#) India's FSSAI Re-Operationalizes Labeling and Display Regulations
- [IN2023-0064](#) FSSAI Notifies on Definition of Single Malt and Single Grain Whiskey
- [IN2023-0055](#) India Provides a Six-Month Timeline Extension for Brand Name-Trademark Disclaimer on Front-of-Pack Labels
- [IN2023-0054](#) India Halal Market – Update July 2023
- [IN2023-0053](#) Implementation of Transition Period for the Integrated Veterinary Health Certificate for Imports of Milk and Milk Products
- [IN2023-0042](#) GOI Invites Comments on Draft Amendments to Alcoholic Beverages Regulations 2023
- [IN2023-0040](#) India's FSSAI Re-Operationalizes its Directive Relating to Revised Limit Specifications for Infant Nutrition Foods
- [IN2023-0037](#) Stomping Out the Bugs – The FSSAI Operationalizes Pesticides MRLs for use in India's Tea Plantations
- [IN2023-0036](#) India's FSSAI Publishes 2023 Draft Amendments to the Foods for Infant Nutrition Regulations
- [IN2023-0030](#) Got Milk – India's DAHD Publishes its Integrated Veterinary Health Certificate for the Import of Milk and Milk Products
- [IN2023-0027](#) Holding our Breath – India's FSSAI Updates on the Mandatory Registration Requirements
- [IN2023-0026](#) India's FSSAI Strikes Again – Food Safety Authority Amends Food Product Standards and Food Additives Regulations
- [IN2023-0022](#) India's FSSAI Grants a Six-Month Timeline Extension on the Implementation of the Disclaimer for Brand Name-Trademark on Front-of-Pack Labels
- [IN2023-0020](#) FSSAI Defers Compliance Timeline for Health Certificate Requirements for Imports of Milk-Pork-Fish Products Until Further Notice
- [IN2023-0017](#) India's FSSAI Revises the 2021 Sample Testing Fees for Domestic and Imported Food Products
- [IN2023-0012](#) India-FSSAI Notifies List of 79 Designated Ports-of-Entry for the Import of Certain High-Risk Food Products
- [IN2023-0010](#) India Halal Market Update - 2023
- [IN2023-0007](#) India's FSSAI Publishes New Standards for Basmati Rice and other Food Products
- [IN2023-0004](#) India's FSSAI Catches Itself and Expands List of HS Food Product Codes Requiring Health Certificates to Include Chapter 35 – Whey Protein
- [IN2023-0003](#) India's FSSAI Rolls Out Re-Operationalized Labeling and Display Regulations

APPENDIX IV. CHRONOLOGY, 2023 FSSAI REGULATIONS AND NOTIFICATIONS

Food Safety and Standards (Import) Regulation (2017)

- On October 16, 2023, the MoHFW/FSSAI published the **advisory TIC-C10201/2/2022-IMPORTS-FSSAI**. The FSSAI advisory refers to Regulation 7(3) of the **Food Safety and Standards (Import) Regulations (2017)**, which states that “unless otherwise specified, Indian Customs need not refer the imported food products to the Food Authority (i.e., FSSAI), if such products are meant for exports as per the extant instructions and export rejected or re-imported articles of food meant for re-export.” The FSSAI has determined to waive its clearance requirement to better enable the ease of doing business with India. (see, [GAIN-INDIA | IN2023-0079 | India’s FSSAI Waives its Clearance Requirement for Imported Food Products Meant for Re-Export](#)).
- On January 11, 2023, the MoHFW/FSSAI issued **Notification No. F. No. TIC-B05/5/2022-IMPORTS-FSSAI**. The FSSAI notification lists 79 designated ports-of-entry for certain categories of high-risk food products to be imported into India. These categories include milk and milk products; egg powder; meat and meat products, including poultry; fish and fish products; foods for infant nutrition/infant foods; nutraceuticals, health supplements, foods for dietary uses, probiotic and prebiotic foods, and foods for special medical purposes. The effective implementation date for this new FSSAI order is March 1, 2023. The FSSAI has stationed its officials at all the newly designated ports. The FSSAI notes that the list is subject to periodic updating from time to time (see, [GAIN-INDIA | IN2023-0012 | India-FSSAI Notifies List of 79 Designated Ports-of-Entry for the Import of Certain High-Risk Food Products](#)).
- On March 27, 2023, Post received from the MoHFW/FSSAI verbal assurances that trade (i.e., imports of milk and milk products; meat and meat products; egg powder; infant foods; and nutraceuticals) will not be affected by the foreign food manufacturing facilities requirement for those who have not immediately registered with the FSSAI. The FSSAI conveyed and clarified to Post, that only the foreign food manufacturing facilities need to register; registration of handlers or of the exporter of the product is not currently being required (see, [GAIN-INDIA | IN2023-0027 | Holding our Breath – India’s FSSAI Updates on the Mandatory Registration Requirements](#)).

Food Safety and Standards (Labeling and Display) Regulations (2020)

- On October 17, 2023, the MoHFW/FSSAI notified **Direction STD/SP-08/A1.2022/N-01-Part (1)**. The directive indicates that the **DRAFT Food Safety and Standards (Labeling and Display) Amendment Regulations (2022)** in its final form will be delayed for the foreseeable future. The FSSAI, with a July 1, 2023, date, is re-operationalizing the provisions specified in its earlier directive of January 6, 2023, on this subject. (see, [GAIN-INDIA | IN2023-0078 | India’s FSSAI Re-Operationalizes Labeling and Display Regulations](#)).

- On January 6, 2023, the MoHFW/FSSAI notified on its public website, **Direction STD/SP-08/A1.2022/N-01-Part(I)**. The FSSAI directive indicates that the **DRAFT Food Safety and Standards (Labeling and Display) Amendment Regulations (2022)**, as per provisions specified in its earlier directives of June 17, 2022, and of November 30, 2022, is re-operationalized as of January 1, 2023. India's FSSAI issued this directive as it foresees a delay in the regulation to be published in its final form (see, [GAIN-INDIA | IN2023-0003 | India's FSSAI Rolls Out Re-Operationalized Labeling and Display Regulations](#)).

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

- On August 21, 2023, the MoHFW/FSSAI published the **Food Safety and Standards (Alcoholic Beverages) First Amendment Regulations (2023)** in the Gazette of India (**Notification No. STD/SP-21/T(Alcohol-4)**). The amendments introduce new definitions of single malt whiskey and single grain whiskey, and a clause mandating that no alcoholic beverage shall contain nutritional information on the label (see, [GAIN-INDIA | IN2023-0064 | FSSAI Notifies on Definition of Single Malt and Single Grain Whiskey](#)).
- On June 8, 2023, the FSSAI invited World Trade Organization members to provide comments on draft amendments to the Food Safety and Standards (Alcoholic Beverages) Amendment Regulations 2023 (see, [GAIN-INDIA | IN2023-0042 | GOI \[Government of India\] Invites Comments on Draft Amendments to Alcoholic Beverages Regulations \[2023\]](#)).

Food Safety and Standards (Food Product Additives and Food Standards) Regulation (2011)

- On April 27, 2023, the MoHFW/FSSAI notified on its website the **Direction SS-T007/1/2023-Standard-FSSAI**. The FSSAI direction informs of the immediate operationalization of revised maximum residue limits (MRLs) for five pesticides widely used for crop protection in India's tea plantations namely, emamectin benzoate, fenpyroximate, hexaconazole, propiconazole, and quinalphos (see, [GAIN-INDIA | IN2023-0037 | Stomping Out the Bugs – The FSSAI Operationalizes Pesticide MRLs for Use in India's Tea Plantations](#)).
- On February 28, 2023, the MoHFW/FSSAI published **Food Safety and Standards (Food Product Standards and Food Additives) Second Amendment Regulations (2023)** in the official gazette (**Notification No. STD/FA/A-1.30/No.1/2020-FSSAI**). The amendments introduce new standards, as well as modifies existing requirements for a variety of food products including goat milk, sheep milk, oil (olive/moringa/crude vegetable), atta (whole meal wheat flour), millets, *papad* (*papadam*), dried sweet marjoram, meat products, non-alcoholic beverages, sweeteners, and desiccated coconut.⁴ Amendments also cover substances added to food, as well as microbiological standards for health supplements, nutraceuticals, food for special dietary use, food for special medical purpose, functional food, and novel food products (see, [GAIN-INDIA | IN2023-0026 | India's FSSAI Strikes Again – Food Safety Authority Amends Food Product Standards and Food Additives Regulations](#)).

⁴ Papad (papadam), is a thin Indian wafer, often described as a cracker or flatbread. Black gram bean flour is utilized in it confection; it is eaten fried or roasted. Other flours utilized in include dried lentils, chickpeas, rice, tapioca, millet, or potato.

- On January 13, 2023, the MoHFW/FSSAI issued **Notification No. F. No. Std/Notifications/35.1/2021** on its public website. The notification was published earlier that week in the official gazette on January 11, 2023; and pertains to the Food Safety and Standards (Food Product Standards and Food Additives) First Amendment Regulations (2023). The notification sets new standards for basmati rice. It also modifies standards for *dahi* (i.e., Indian yoghurt), skimmed milk *dahi*, coconut water, formaldehyde, chocolate, certain food additives, and the use of processing aids in food products (see, [GAIN-INDIA | IN2023-0007 | India's FSSAI Publishes New Standards for Basmati Rice and Other Food Products](#)).

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

- On July 5, 2023, the MoHFW/FSSAI notified **Direction No. I-94/FSSAI/SP (Claims and Advertisement)/2017**. The notification was subsequently published on the FSSAI website on July 6, 2023. The FSSAI direction extends the compliance timeline by a period of an additional six-months for sub-regulation (7) of Regulation 4 of the **Food Safety and Standards (Advertising and Claims) Second Amendment Regulations (2022)**, that deals with the disclaimer for brand name/trademark on the front-of-pack labels. The second timeline extension is granted to give additional transition time for stakeholders to exhaust their current inventory of old packaging materials. With this second additional six-month extension, the new effective compliance date is December 12, 2023 (see, [GAIN-INDIA | IN2023-0055 | India Provides a Six-Month Timeline Extension for Brand Name-Trademark Disclaimer on Front-Of-Pack Labels](#)).
- On February 27, 2022, the MoHFW/FSSAI notified on its website **Direction 1-94/FSSAI/SP (Claims and Advertisement)/2017**. The FSSAI direction extends the compliance timeline by a period of six-months for sub-regulation (7) of Regulation 4 of the **Food Safety and Standards (Advertising and Claims) Second Amendment Regulations (2022)** dealing with the disclaimer for brand name/trademark on the front-of-pack labels. The timeline is extended to provide transition time to the stakeholders to print new labels, as well as to exhaust the old inventory of packaging materials. With the six-month extension, the new compliance date is August 26, 2023 (see, [GAIN-INDIA | IN2023-0022 | India's FSSAI Grants a Six-month Timeline Extension on the Implementation of the Disclaimer for Brand Name-Trademark on Front-of-Pack Labels](#)).

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

- On May 22, 2023, the MoHFW/FSSAI notified on its website **Direction REG-11027/3/2022-Regulation-FSSAI**. The FSSAI direction informs that the **DRAFT Food Safety and Standards (Food for Infant Nutrition) Regulations (2022)** are being re-operationalized. Limit levels for selenium, manganese, iron, and biotin are being re-operationalized as of April 1, 2023. The FSSAI issued this directive assuming that the draft regulation published on April 5, 2023, which invites public comments, may be delayed before it is notified in final form (see, [GAIN-INDIA | IN2023-0040 | India's FSSAI Re-Operationalizes its Directive Relating to Revised Limit Specifications for Infant Nutrition Foods](#)).
- On April 5, 2023, the MoHFW/FSSAI issued **Notification No. F. No. Std/SP-05/T(IFR-02)**. The notification was published in the official gazette on March 29, 2023, covering the **DRAFT Amendments Food Safety and Standards (Foods for Infant Nutrition) Regulations (2020)**.

Amendments include limit specifications for selenium, iron, biotin, and manganese in infant nutrition foods. World Trade Organization members were invited to comment on the proposed draft amendment; the timeline to provide comments was June 24, 2023 (see, [GAIN-INDIA | IN2023-0036 | India's FSSAI Publishes 2023 Draft Amendments to the Foods for Infant Nutrition Regulations](#)).

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

On January 11, 2022, the Ministry of Commerce and Industry announced that India and the United States agreed to a framework that will implement market access for agricultural products from both countries. Among the successes, India agreed to remove for U.S.-origin alfalfa hay the heat treatment requirement and recognize the current U.S. pest mitigation methods for alfalfa hay.

To date, there is no official notification from the Indian government to this effect. Implementation will begin only when officially published in the Gazette of India (see, [GAIN-INDIA | IN2022-0008 | Hay Now - India Grants Market Access for U.S. Alfalfa Hay](#)).

Attachments:

No Attachments