

**Voluntary Report** – Voluntary - Public Distribution

**Date:** January 17, 2023

**Report Number:** IN2023-0004

**Report Name:** India's FSSAI Catches Itself and Expands List of HS Food Product Codes Requiring Health Certificates to Include Chapter 35 - Whey Protein

**Country:** India

**Post:** New Delhi

**Report Category:** FAIRS Subject Report

**Prepared By:** Radha Mani, Agricultural Assistant and Mariano J. Beillard, Senior Regional Agricultural Attaché

**Approved By:** Ronald Verdonk, Agricultural Minister Counselor

**Report Highlights:**

The Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) (food safety authority) has just inserted additional harmonized tariff system (HS) food product codes to the FSSAI Order No. 1829/Health Certificate/FSSAI/Imports-2021 of December 28, 2022. The list of HS food product codes added by the FSSAI includes those of Chapter 35 - HS 3502.20.00 - Whey protein. FSSAI officials have indicated to FAS New Delhi (Post) that India's food safety authority will add additional commodity HS codes from time-to-time at its discretion.

**DISCLAIMER:** The information contained in this report was retrieved from the Food Safety and Standards Authority of India's (FSSAI) website <http://www.fssai.gov.in>. The Foreign Agricultural Service (FAS) Office of Agricultural Affairs at the U.S. Embassy in New Delhi, USDA, and/or the U.S. government make no claim of accuracy or authenticity. The Government of India has not officially endorsed this report. Import approval for any product is subject to local rules and regulations as interpreted by Indian officials at the time of product entry. [Note: Use Google Chrome to access the links that do not open in Microsoft Edge. Indian host sites geo-block site access on a rolling basis].

## GENERAL INFORMATION

The Food Safety and Standards Authority of India (FSSAI), an agency of the Ministry of Health and Family Welfare has just inserted additional harmonized tariff system (HS) food product codes to the **FSSAI Order No. 1829/Health Certificate/FSSAI/Imports-2021 of December 28, 2022**. The list of HS food product codes added by the FSSAI includes those of Chapter 35 - HS 3502.20.00 – Whey protein. FSSAI officials have indicated to FAS New Delhi that India's food safety authority will add additional commodity HS codes from time-to-time at its discretion.

The additional HS food product code chapter's details are listed below. Post's comparison between the earlier and revised version of HS food product codes document listing also highlights that there is no risk category being assigned to the HS codes in the updated document.

### **Chapter 35: Albuminoidal Substances: Modified Starches; Glues; Enzymes**

HS code: 3502.20.00 – Milk albumin, including concentrates of two or more whey proteins.

### **Background:**

On December 28, 2022, the FSSAI notified on its website **File No: 1829/Health Certificate/FSSAI/Imports-2021**. The notification expands upon the earlier **FSSAI Order of August 3, 2021**, that requires that all milk, pork, 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.

The order includes a list of the HS codes for products for which FSSAI now requires a health certificate for import into India. Through the present notification, the FSSAI is incorporating additional commodities not previously mentioned in the **FSSAI Order of August 3, 2022**, including HS code 0206.90.10 – Frozen edible offal of sheep and goats. To date, India's FSSAI Order has yet to be notified to the World Trade Organization (WTO).

The FSSAI advises all interested stakeholders to verify the applicability of the listed HS codes in accordance with the food products specified under the **Food Safety and Standards (Food Product Standards and Food Additives) Regulations (2011)**.

The full text of the current FSSAI notification and the updated list of HS food product codes are available on FSSAI's website located at:

[https://fssai.gov.in/upload/advisories/2023/01/63b7d515d78a8Letter\\_Health.pdf](https://fssai.gov.in/upload/advisories/2023/01/63b7d515d78a8Letter_Health.pdf).

The notification, along with the list of HS codes, are provided below as an attachment to this FAIRS – INDIA report.

**Attachments:** [230109-HS Codes List HC Reqt.pdf](#)