

**Voluntary Report** – Voluntary - Public Distribution

**Date:** July 26, 2021

**Report Number:** IN2021-0080

**Report Name:** India's FSSAI Extends Implementation Date for Processing Aids in Food Products

**Country:** India

**Post:** New Delhi

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

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

**Approved By:** Mariano Beillard, Senior Regional Agricultural Attaché

**Report Highlights:**

On June 22, 2021, the Food Safety and Standards Authority of India (FSSAI) published a directive extending by six months the implementation date of the Food Safety and Standards (Food Product Standards and Food Additives) Ninth Amendment Regulations (2020). The new implementation date is January 1, 2022. Acting on the request of stakeholders, the FSSAI is extending the regulations' implementation date in order to harmonize its enactment with the FSSAI notification of March 4, 2021, pertaining to amendments being made to the (food) processing aids list. On July 12, 2021, the FSSAI notified an additional list of food processing aids, which to date remain under consideration, requiring additional time for review and subsequent inclusion in the principal regulation through an amendment. Some of these processing aids are already in use by food business operators (FBOs). With the notification, the FSSAI is allowing FBOs to use these food processing aids until they are published in the Official Gazette of India.

**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 U.S. Embassy in New Delhi – Foreign Agricultural Service (FAS) Office of Agricultural Affairs (OAA), 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 if they do not open in Internet Explorer].

## GENERAL INFORMATION:

On June 22, 2021, the Food Safety and Standards Authority of India (FSSAI) published a directive extending by six months the implementation date (originally set for July 1, 2021) of the Food Safety and Standards (Food Product Standards and Food Additives) Ninth Amendment Regulations (2020) (see, Appendix I). The new implementation date is now set for January 1, 2022.

The full text of the directive is accessible on the FSSAI website located at:

[https://fssai.gov.in/upload/advisories/2021/06/60d1b4583616eExtension\\_Timeline\\_Processing\\_Aid\\_22\\_06\\_2021.pdf](https://fssai.gov.in/upload/advisories/2021/06/60d1b4583616eExtension_Timeline_Processing_Aid_22_06_2021.pdf)

Acting on the request of stakeholders, the FSSAI is extending the Food Safety and Standards (Food Product Standards and Food Additives) Ninth Amendment Regulations (2020) implementation date in order to harmonize its enactment with the FSSAI notification of March 4, 2021, pertaining to amendments being made to the (food) processing aids list.

On July 12, 2021, the Food Safety and Standards Authority of India notified an additional list of food processing aids, which to date remain under consideration, requiring additional time for review and subsequent inclusion in the principal regulation through an amendment (see, Appendix II). However, the FSSAI notes that some of these processing aids are already in use by some food business operators (FBOs). Through this notification, the FSSAI is allowing FBOs to use these food processing aids until the time when they are published in the Official Gazette of India.

The link to the list of processing aids published in the notification is located at:

[https://fssai.gov.in/upload/advisories/2021/07/60ec3e1719321Direction\\_Processing\\_Aids\\_12\\_07\\_2021.pdf](https://fssai.gov.in/upload/advisories/2021/07/60ec3e1719321Direction_Processing_Aids_12_07_2021.pdf).

**Background:** On October 9, 2020, the FSSAI notified its [Food Safety and Standards \(Food Product Standards and Food Additives\) Ninth Amendment Regulations](#). These relate to the insertion of processing aids as Appendix C within Chapter 3 of the regulations. Appendix C covers various processing aids categories and their use in food products. The amendment regulations' implementation date had initially been set for July 1, 2020 (see, [GAIN-INDIA \(IN2020-0154\) Amendments Relating to Inclusion of Processing Aids Published in the Indian Gazette](#)).

On March 4, 2021, the FSSAI subsequently published in the Gazette of India the [Food Safety and Standards \(Food Products Standards and Food Additives\) First Amendment Regulations \(2021\)](#), which includes major revisions to the standards for certain substances added to foods. These include trehalose (also known as mycose or tremalose), as well as tocopherols (organic chemical compounds, many of which have vitamin E activity),

and other food processing aids and enzymes.<sup>1</sup> The amendment regulations' implementation date is set for January 1, 2022 (see, [GAIN-INDIA \(IN2021-0044\) India Notifies Final Standards for Cereals and Varied Products](#)).

---

<sup>1</sup> Trehalose is a naturally occurring sugar consisting of two molecules of glucose. Prolonging food shelf life, trehalose helps to protect foods from drying out, starch-containing products from going stale, and fruits and vegetables from discoloring.

**APPENDIX I: FSSAI DIRECTIVE – EXTENSION OF THE FOOD SAFETY AND STANDARDS  
(FOOD PRODUCT ADDITIVES AND FOOD ADDITIVES) NINTH AMENDMENT REGULATIONS  
(2020)**

F.No. Reg/Processing aid/Ext/FSSAI-2021  
**Food Safety and Standards Authority of India**  
(A Statutory Authority established under the Food Safety & Standards Act, 2006)  
(Regulatory Compliance Division)  
**FDA Bhawan, Kotla Road, New Delhi-110 002**

---

Dated, the 22<sup>nd</sup> June, 2021

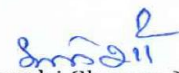
**Subject: Extension of timeline for compliance with Food Safety and Standards  
(Food Products Standards and Food Additives) Ninth Amendment Regulations,  
2020.**

Reference is drawn to notification F. No. Stds/Processing aids/Notification/FSSAI/2018, dated 9<sup>th</sup> October, 2020 published in the Gazette of India regarding the use of processing aid in the food products. As per the notifications, the date of enforcement of the regulation is 1<sup>st</sup> July, 2021.

2. Representations have been received from stakeholders requesting for the extension of time for compliance with the provisions of the above-mentioned amendment notification since another notification has been notified on 04.03.2021 regarding the amendment in the list of processing aids which is to be enforced from the 1<sup>st</sup> day of January 2022.

3. Therefore, after due consideration of the representation and in order to harmonize the implementation of the two lists of the processing aids mentioned above, it has been decided to extend the timeline, for compliance of the amendment notifications as mentioned in para 1 above, upto 1<sup>st</sup> January, 2022.

4. This issues with the approval of the Competent Authority in exercise of the power vested under Section 16(5) of the Food Safety and Standards Act, 2006.

  
(Inoshi Sharma)  
Executive Director (Compliance Strategy)

## APPENDIX II: FSSAI DIRECTIVE - LIST OF PROCESSING AIDS YET TO BE INCLUDED IN THE REGULATION

File No. Reg/Processing Aid/Ext/FSSAI-2021  
Food Safety and Standards Authority of India  
(A Statutory body under Ministry of Health and Family Welfare)  
(Regulatory Compliance Division)  
FDA Bhavan, Kotla Road,  
New Delhi-110 002

Dated, the...<sup>13<sup>th</sup></sup> July, 2021

**Subject: Direction under Section 16(5) of FSS Act regarding compliance w.r.t. Processing Aids under Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011-reg.**

FSSAI has notified a list of processing aids permitted in various food products vide gazette notification No. Std/Processing aids/Notification/FSSAI/ 2018 dated 09<sup>th</sup> October, 2020. Subsequently, an amendment to these regulations have also been notified vide notification No. 1-116/Scientific Committee/Notif.27/2010-FSSAI(E) dated 04.03.2021. Further, as per FSSAI's order dated 22.06.2021 (*Copy attached for reference*), the timeline for compliance of the above mentioned notifications dated 09.10.2020 and 04.03.2021 has been extended up to 1<sup>st</sup> January, 2022.

2. Further, in addition to above, some other processing aids are still under consideration by the FSSAI. A final decision on these and their inclusion in the principal regulation through a suitable amendment will require some more time. A list of such processing aids is at Annexure-I. However, considering the fact that these processing aids are already in use by FBOs, it has been decided to allow the use of all such processing aids by the food businesses till the time appropriate amendments on the same are gazette notified.

3. Accordingly, the **Commissioner of Food Safety of all States/UTs** and all central Licensing Authorities are hereby directed not to take any punitive action on FBOs for using the processing aids as listed in Annex-I till the time amendments on the same are brought in place.

4. This issues with the approval of the Competent Authority in exercise of power vested under Section 16(5) of Food Safety and Standards Act, 2006.

  
(Inoshi Sharma)  
Executive Director (CS)

### Attachments:

No Attachments.