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GAIN Report

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India

Post: New Delhi

First Amendments to the Food Safety and Standards Regulations 2011

Report Categories:

Sanitary/Phytosanitary/Food Safety

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Report Highlights:

On December 29, 2011, the Food Safety and Standards Authority of India (FSSAI) published a draft gazette notification amending the Food Safety and Standards Regulations 2011. The amendments pertain to (i) labeling of food products, (ii) use of food additives, (iii) prohibition and restriction on sales, and (iv) laboratory and sample analysis. The FSSAI has invited comments from stakeholders by January 12, 2012.

General Information:

Introduction: This report summarizes the proposed draft amendments to the Food Safety and Standards Regulations 2011 established under the Food Safety and Standards Act, 2006.

The proposals include:

- Labeling of ‘license number’ of food business operator on the product label.
- Up to one percent maximum limit on the use of (food grade) titanium dioxide as a coloring matter in chewing gum.
- Proprietary food articles relating to clause 10 of sub regulation 2.1.1 of Food Safety and Standards (Prohibition and Restriction on Sales) Regulation, 2011 will be exempted from the operation of this regulation.

For further details see: [Food Safety and Standards \(First Amendment\) Regulations, 2011](#)

Disclaimer: This summary is based on a *cursory* review of the subject announcement and therefore should not under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests.

Type of Regulation: Draft

Details of Notification F.No.4/15015/30/2011

- **Publication Date:** December 29, 2011
- **Copies of notification made public on:** January 2, 2012
- **Time period for receiving Comments/Suggestions:** 10 days from the date when copies were made public (January 12, 2012).
- **WTO notification Date:** Not notified (as of January 6, 2012)

Comments/suggestions should be addressed to:

Chief Executive Officer,
Food Safety and Standards Authority of India,
Food and Drug Administration Bhawan,
Kotla road, New Delhi. 110002
Email: adgpfa@nic.in

Products Affected: All food products.

Agency in Charge: Food Safety and Standards Authority of India, Ministry of Health and Family Welfare, GOI

The full text of the notification is given below.

**[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY
PART III, SECTION 4]
MINISTRY OF HEALTH AND FAMILY WELFARE
(Food Safety and Standards Authority of India)
NOTIFICATION
New Delhi, the 29th December, 2011**

F.No 4/15015/30/2011.- The following draft of certain regulation further to amend the Food Safety and Standards (Packaging and labeling) Regulations, 2011, which the Food Safety and Standards Authority of India, with previous approval of Central Government, proposes to make, in exercise of the powers conferred by clause (k) of sub-section (2) of section 92 read with section 23 of Food Safety and Standards Act, 2006 (34 of 2006) is hereby published as required by the said sub-section (2), for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft regulation shall be taken into consideration after the expiry of the period of ten days from the date on which the copies of the official Gazette in which this notification is published are made available to the public;

Any objections or suggestion which may be received from any person with respect to the said draft regulation within the period specified above shall be considered by the Authority;

The objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, Food and Drug Administration Bhawan, Kotla road, New Delhi. 110002.

DRAFT REGULATIONS

1. Short title and commencement,-

(1) These regulations may be called the Food Safety and Standards (Packaging and labelling) (Amendment) Regulations, 2011

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Food Safety and Standards (Packaging and labeling) Regulations, 2011 in regulation 2.2 relating to "Labelling",-

(a) in sub- regulation 2.2.1, after clause 6, the following clause shall be inserted, namely:-

“(7) License number*

* for the existing products of a unit this provision will come into effect six months after the date of issue of license under these regulations.”

(b) in sub-regulation 2.2.2, in clause 3, the fourth proviso shall be omitted.

[V.N Gaur]
Chief Executive Officer

**[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY
PART III, SECTION 4]
MINISTRY OF HEALTH AND FAMILY WELFARE
(Food Safety and Standards Authority of India)
NOTIFICATION
New Delhi, the 29th December, 2011**

F.No 4/15015/30/2011.- The following draft of certain regulation further to amend the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, which the Food Safety and Standards Authority of India, with previous approval of Central Government, proposes to make, in exercise of the powers conferred by clause (e) of sub-section (2) of section 92 read with 16 of Food Safety and Standards Act, 2006 (34 of 2006) is hereby published as required by the said sub-section (2), for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft regulation shall be taken into consideration after the expiry of the period of ten days from the date on which the copies of the official Gazette in which this notification is published are made available to the public;

Any objections or suggestion which may be received from any person with respect to the said draft regulation within the period specified above shall be considered by authority;

The objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, Food and Drug Administration Bhawan, Kotla road, New Delhi. 110002.

DRAFT REGULATIONS

1. Short title and commencement,-

(1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) (Amendment) Regulations, 2011

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 in regulation 3.1,-

(a) in sub-regulation 3.1.2, after clause (3), the following proviso shall be inserted, namely:-

“Provided that chewing gum may contain Titanium dioxide (Food Grade) up to a maximum limit of one percent”

[V.N Gaur]
Chief Executive Officer

[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY]
PART III, SECTION 4
MINISTRY OF HEALTH AND FAMILY WELFARE
(Food Safety and Standards Authority of India)
NOTIFICATION
New Delhi, the 29th December, 2011

F.No 4/15015/30/2011.- The following draft of certain regulation further to amend the Food Safety and Standards (Prohibition and Restrictions on sales) Regulations, 2011, which the Food Safety and Standards Authority of India, with previous approval of Central Government, proposes to make, in exercise of the powers conferred by clause (1) of sub-section (2) of section 92 read with section 26 of Food Safety and Standards Act, 2006 (34 of 2006) is hereby published as required by the said sub-section (2), for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft regulation shall be taken into consideration after the expiry of the period of ten days from the date on which the copies of the official Gazette in which this notification is published are made available to the public;

Any objections or suggestion which may be received from any person with respect to the said draft regulation within the period specified above shall be considered by authority;

The objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, Food and Drug Administration Bhawan, Kotla road, New Delhi. 110002.

DRAFT REGULATIONS

1. Short title and commencement,-

(1) These regulations may be called the Food Safety and Standards (Prohibition and Restrictions on sales) (Amendment) Regulations, 2011

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Food Safety and Standards (Prohibition and Restrictions on sales) Regulations, 2011, in regulation 2.1,-

(a) in sub-regulation 2.1.1, after the fifth proviso, the following proviso shall be inserted, namely:-

“Provided also that proprietary food articles, as defined in sub-regulation 2.12.1 of Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, relating to clause (10) of sub-regulation 2.1.1 of this shall be exempted from the operation of this regulations.

[V.N Gaur]
Chief Executive Officer

[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY]
PART III, SECTION 4
MINISTRY OF HEALTH AND FAMILY WELFARE
(Food Safety and Standards Authority of India)
NOTIFICATION
New Delhi, the 29th December, 2011

F.No 4/15015/30/2011.- The following draft of certain regulation further to amend the Food Safety and Standards (Laboratory and Sample Analysis) Regulations, 2011, which the Food Safety and Standards Authority of India, with previous approval of Central Government, proposes to make, in exercise of the powers conferred by clause (q) of sub- section (2) of section 92 read with section 40 and 43 of Food Safety and Standards Act, 2006 (34 of 2006) is hereby published as required by the said sub-section (2), for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft regulation shall be taken into consideration after the expiry of the period of ten days from the date on which the copies of the official Gazette in which this notification is published are made available to the public;

Any objections or suggestion which may be received from any person with respect to the said draft regulation within the period specified above shall be considered by authority;

The objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, Food and Drug Administration Bhawan, Kotla road, New Delhi. 110002.

DRAFT REGULATIONS

1. Short title and commencement,-

(1) These regulations may be called the Food Safety and Standards (Laboratory and Sample Analysis) (Amendment) Regulations, 2011

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Food Safety and Standards (Laboratory and Sample Analysis) Regulations, 2011, in regulation 2.2 ,-

(a) in sub-regulation 2.2.2, the clause (2) shall be omitted.

[V.N Gaur]
Chief Executive Officer