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GAIN Report

Global Agricultural Information Network

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POLICY

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India

Post: New Delhi

Draft Amendment on Trans Fatty Acid Levels

Report Categories:

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

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Report Highlights:

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) published draft regulations for public comment, which primarily focus on setting maximum limits for trans fatty acid. Comments are due by February 5, 2015.

Executive Summary:

FSSAI published the draft [Food Safety and Standards \(Food Product Standards and Food Additives\) Amendment Regulations, 2014](#), which primarily focused on setting maximum limits for trans fatty acid. Although the draft amendment has not been notified to the World Trade Organization (WTO), FSSAI will accept comments from interested stakeholders through February 5, 2015.

General Information:

DISCLAIMER: The information contained in this report was retrieved from FSSAI's website <http://www.fssai.gov.in/>. The U.S. Government makes no claim of accuracy or authenticity.

Introduction:

On December 5, 2014, FSSAI published its draft [Food Safety and Standards \(Food Product Standards and Food Additives\) Amendment Regulations, 2014](#), which primarily focuses on setting maximum limits for trans fatty acids, as well as dates of implementation. Although the draft amendment has not been notified to the WTO, FSSAI is accepting comments from interested stakeholders through February 5, 2015.

Comments should be sent to:

Chief Executive Officer
Food Safety and Standards Authority of India,
Food and Drug Administration Bhawan,
Kotla Road, New Delhi. 110002
Email: tfa.fssai@gmail.com

The full text of the [Notification](#) is attached at the end of this report and can also be accessed on the FSSAI website <http://www.fssai.gov.in/>.

A summary of the draft amendment is provided.

The proviso, "Provided that the maximum limit of trans fatty acids shall be not more than 5 percent by weight, on and from the 27th of August, 2016" shall be inserted at various places in Chapter 2 of the [Food Safety and Standards \(Food Products Standards and Food Additives\) Regulation, 2011](#) and the details are given below.

1. Sub-regulation 2.2.2: Interesterified vegetable fat after clause (v)
2. Sub-regulation 2.2.5: Margarine and Fat Spreads- clause 2 on Bakery and Industrial Margarine, after sub-clause (ii)
3. Sub-regulation 2.2.6: Hydrogenated Vegetable Oils
 - i. In clause 1, sub-clause (vii) after item (b)
 - ii. In clause 2, after sub-clause (a)

Type of Regulation: Draft

Government of India (GOI) Notification No.: F.No.4/15015/30/2011

GOI Publication Date: November 11, 2014

- FSSAI Website Publication Date: December 5, 2014
- Comments/suggestions Deadline: February 5, 2015
- WTO Notification Date: Not notified (as of December 9, 2014)

Products Affected: All food products

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

MINISTRY OF HEALTH AND FAMILY WELFARE
(Food Safety and Standards Authority of India)

NOTIFICATION

New Delhi, the 11th November, 2014

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 the Central Government, proposes to make, in exercise of the powers conferred by clause (e) of sub-section (2) of Section 92 read with Section 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 regulations shall be taken into consideration, after the expiry of the period of thirty days from the date on which the copies of the Official Gazette in which this notification is published, are made available to the public;

[भाग III—खण्ड 4]

भारत का राजपत्र : असाधारण

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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 Food Safety and Standards Authority of India;

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. (1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2014.
2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in regulation 2.2 relating to 'FATS, OILS AND FAT EMULSIONS,—
 - (a) in sub-regulation 2.2.2 relating to 'Interesterified vegetable fat', after clause (v), the following proviso shall be inserted, namely:—

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”
 - (b) in sub-regulation 2.2.5 relating to 'MARGARINE AND FAT SPREADS', in clause 2 relating to Bakery and Industrial Margarine, after sub-clause (ii), the following proviso shall be inserted, namely:—

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”
 - (c) in sub-regulation 2.2.6 relating to 'HYDROGENATED VEGETABLE OILS',—
 - (i) in clause 1, in sub-clause (vii) after item (b), the following proviso shall be inserted, namely:—

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”
 - (ii) in clause (2), after sub-clause (a), the following proviso shall be inserted, namely:—

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”

YUDHVIR SINGH MALIK, Chief Executive Officer

[ADVT.-III/4/Exty./1870]

Note:—The principal regulations were published in the Gazette of India, Extraordinary, Part III, Section 4 vide notification number F. No. 2-15015/30/2010 dated the 1st August, 2010 and subsequently amended vide notification numbers:

- (i) F. No. P.15014/1/2011-PFA/FSSAI, dated 27th June, 2013.
- (ii) F. No. 5/15015/30/2012, dated 12th July, 2013.