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GAIN Report

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India

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Draft Order on Meat and Poultry Products in the Indian Market

Report Categories:

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

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Report Highlights:

The Food Safety and Standards Authority of India (FSSAI) published a draft Order for domestically produced and imported meat and poultry products that notes a procedure will be developed to inspect and monitor slaughtering and processing plants before granting market access to trading partners. It also has introduced modified text for some requirements currently included in veterinary import certificates for imported meat and poultry products. Although not notified to the World Trade Organization (WTO), FSSAI has requested interested parties to submit comments and/or suggestions by March 20, 2015.

Executive Summary:

The Food Safety and Standards Authority of India (FSSAI) published a [draft Order](#) for domestically produced and imported meat and poultry products that notes a procedure will be developed to inspect and monitor slaughtering and processing plants before granting market access to trading partners, and requires a country's competent authority to certify to Indian import requirements. Furthermore, the draft Order has introduced modified text for some requirements currently included in veterinary import certificates for imported meat and poultry products. Although not notified to the World Trade Organization (WTO), FSSAI has requested interested parties to submit comments and/or suggestions by March 20, 2015. The draft Order notes it will come into effect on July 1, 2015.

General Information:

DISCLAIMER: The summary below is based on a *cursory* review of the subject document and, therefore, should not under any circumstances be viewed as a definitive interpretation of the regulation in question, or of its implications for U.S. agricultural trade interests. The information contained in this report was retrieved from the Government of India website <http://www.fssai.gov.in/>. The U.S. Government makes no claim of accuracy or authenticity.

Introduction:

On January 16, 2015, the FSSAI published a draft Order for domestically produced and imported meat and poultry products that notes FSSAI will work with the Department of Animal Husbandry, Dairying, and Fisheries to modify veterinary import certificates, and will require a country's competent authority to certify to Indian import requirements. It also notes that a procedure will be developed to inspect and monitor slaughtering and processing plants before granting market access to trading partners. However, no details are provided in the text on what these new modifications or procedures may be.

The draft Order introduced modified text for some requirements currently included in veterinary import certificates for imported meat and poultry products. For example, in para 12, sub-para a, allowing "milk and milk products (*sic*)" to be used as feed is not mentioned in most veterinary import certificates (except in the pet food veterinary import certificate). Moreover, para 12, sub-para b, specifically prohibits poultry meat from being slaughtered and processed in the same facility as bovine and porcine meat. Para 12, sub para c, emphasizes regulations (see web links in the main highlights section below to access these documents) on the management and use of antibiotics and antimicrobials, including withdrawal periods. FSSAI officials stated that the draft Order has been submitted to the WTO, although to date it is not published on the WTO website for comment. FSSAI has requested interested parties to submit comments and/or suggestions by March 20, 2015. The draft Order notes it will come into effect on July 1, 2015.

Comments and/or suggestions should be sent to:

Mr. P Karthikeyan,
Assistant Director (Regulations)
Food Safety and Standards Authority of India
Food and Drug Administration Bhawan
Kotla Road, New Delhi. 110002
Email: karthik@fssai.gov.in

The full text of the [draft Order](#) is attached at the end of this report. Main highlights of the draft Order include:

BEGIN TEXT

12. Therefore, it is decided to issue directions to all concerned for ensuring compliance with the contents of sub-paras (a) to (e) below and advised to ensure that:

- a. *the meat producing animals /poultry birds shall not be fed with feed containing meat and/ or bone meal including internal organs, blood meal and tissues of bovine or porcine origin materials except milk and milk products;*
- b. *the slaughtering/processing for bovine meat and porcine meat shall be prohibited in the slaughtering/processing plants where poultry meat is produced for human consumption;*
- c. *[notification No. GSR 28 \(E\) dated 17th January 2012](#) of the Ministry of Health and Family Welfare as well as the advisories issued vide No. 102-74/2014-Trade, dated [03.06.2014](#) and [02.12.2014](#) by the DAHDF are duly complied with;*
- d. *FSS Regulations in force and notified under the FSSA are duly complied with;*
- e. *slaughter of animals other than those allowed by Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 shall remain prohibited.*

13. In case of meat and poultry products intended to be imported into India, the FSSAI, in consultation with the DAHDF, will develop a procedure for inspection and monitoring of slaughtering/processing plants and their pre-requisites before grant of market access to the Indian market to ensure compliance with the paras 12 (a) to (e) above and the FSS Regulations in force and notified under the FSSA. FSSAI shall also work with the DAHDF to make the required modification in the health certificates for import of meat and poultry products into India. The procedure shall include requiring the Competent Authority of the exporting countries to provide the prescribed certifications to India in compliance with the requirements to allow for placing of meat and poultry products on the Indian market.

END TEXT

Type of Order: Draft

Government of India (GOI) Notification No.: File No. 43/Meat/Standards/2012-FSSAI

GOI Publication Date: January 16, 2015

- **FSSAI Website Publication Date:** January 19, 2015
- **Comments/suggestions Deadline:** March 20, 2015
- **WTO Notification Date:** Not notified (as of January 23, 2015)

Products Affected: All Meat and Poultry Products

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

F. No. 40/Proposal/Adv/FSSAI/2014
Food Safety and Standards Authority of India
(Advisor)
Ministry of Health and Family Welfare
FDA Bhawan, Kotla Road, New Delhi – 110002

Dated 19th January, 2015

Subject: Comments with regard to placing of Meat and Poultry Products on the Indian Market.

Attached is an "Order" proposed to be issued with regard to placing of Meat and Poultry Products on the Indian Market. Comments are invited from the stakeholders within period of 60 days from the date of uploading the draft on the FSSAI website. The comments may be sent to Mr. P. Karthikeyan, Asst. Director (Regulations), [Email: karthik@fssai.gov.in, Phone No. 011-2323.7419].



(S. Dave)

Advisor

Ph: 011-2323.7436

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File No. 43 / Meat / Standards / 2012 - FSSAI

Food Safety and Standards Authority of India

(Advisor)

Ministry of Health and Family Welfare

FDA Bhawan, Kotla Road, New Delhi – 110 002

Dated, the 16th January, 2015

ORDER

(Regarding placing meat and poultry products on the Indian market)

1. WHEREAS Regulation 2.5 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 notified under the Food Safety and Standards Act, 2006 (hereinafter referred to as FSSA) provides for standards for certain meat and poultry products including frozen buffalo meat, mutton and chicken meat as well as canned meat products which may be amended from time to time;
2. WHEREAS the maximum residues limits/tolerance levels fixed for residues of various veterinary drugs including antibiotics in meat and poultry products and the withdrawal period for veterinary drugs and antibiotics in respect of animal-based organic food products are in the process of approval and subsequent notification;
3. WHEREAS various consumer organizations/NGOs have recently raised issues relating to animal/bird feed containing meat and/or bone meal including internal organs, blood meal and tissues of animals; and about the slaughter/processing of animals for production of bovine/porcine meat where chicken is being processed;
4. WHEREAS concerns have also been expressed about the presence of veterinary drugs including antibiotics and growth promoters in food producing animals and animal/bird feed;
5. WHEREAS these concerns are borne out of current food consumption practices by different consumer groups in the country;
6. WHEREAS as per the objectives of the FSSA, Food Safety and Standards Authority of India (hereinafter referred to as FSSAI) is required to lay down science-based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import, to ensure availability of safe and wholesome food for human consumption and to address matters connected therewith or incidental thereto;

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7. WHEREAS the Ministry of Health and Family Welfare, Government of India, has amended the Drugs and Cosmetic Rules, 1945 vide GSR 28 (E) dated 17th January 2012, making it mandatory that the container or medicine for the treatment of food producing animals shall be labelled with the withdrawal period of the drug for the species on which it is intended to be used; and that the State Drugs Licensing Authorities are empowered under the provisions of Drugs and Cosmetics Act, 1940 and Rules, 1945 thereunder to take action in case of violation of these requirements; according to which, the animal products should not be used before the withdrawal period of the drug is over.
8. WHEREAS the Department of Animal Husbandry, Dairying and Fisheries, Government of India, (hereinafter referred to as DAHD&F) has issued advisories vide No. 102-74/2014-Trade dated 03.06.2014 and 02.12.2014 respectively, to all States and Union Territories to ensure judicious use of antibiotics in treatment of food producing animals; and also for discouraging the use of antibiotics in animal feed/premix; and to ensure that use of hormones as a growth promoter in food producing animals should be stopped as these are known to have an adverse effect on human and animal life;
9. WHEREAS it is important to ensure that the FSSAI, the Food Safety Commissioners and Food Business Operators dealing in meat and poultry products in all States and Union Territories take into account the concerns expressed above; and to take action as per the advisories issued by the DAHDF before placing the products on the market;
10. WHEREAS Section 16(5) of the FSSA empowers the FSSAI to give directions to the Food Safety Commissioners on matters relating to food safety and standards, who shall be bound by such directions while exercising their powers under the FSSA, and to ensure enforcement in line with Section 29(3) of the said Act;
11. AND WHEREAS, all imports of articles of food shall be subject to the FSSA in terms of Section 25 of the FSSA;
12. THEREFORE, it is decided to issue directions to all concerned for ensuring compliance with the contents of sub-paras (a) to (e) below and advised to ensure that:
 - (a) the meat producing animals/poultry birds shall not be fed with feed containing meat and/or bone meal including internal organs, blood meal and tissues of bovine or porcine origin materials except milk and milk products;
 - (b) the slaughtering/processing for bovine meat and porcine meat shall be prohibited in the slaughtering/processing plants where poultry meat is produced for human consumption;

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- (c) notification No. GSR 28 (E) dated 17th June 2012 of the Ministry of Health and Family Welfare as well as the advisories issued vide No. 102-74/2014-Trade, dated 03.06.2014 and 02.12.2014 by the DAHDF are duly complied with;
- (d) FSS Regulations in force and notified under the FSSA are duly complied with;
- (e) slaughter of animals other than those allowed by Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 shall remain prohibited.

13. In case of meat and poultry products intended to be imported into India, the FSSAI, in consultation with the DAHDF, will develop a procedure for inspection and monitoring of slaughtering/processing plants and their pre-requisites before grant of market access to the Indian market to ensure compliance with the paras 12 (a) to (e) above and the FSS Regulations in force and notified under the FSSA. FSSAI shall also work with the DAHDF to make the required modifications in the health certificates for import of meat and poultry products into India. The procedure shall include requiring the Competent Authority of the exporting countries to provide the prescribed certifications to India in compliance with the requirements to allow for placing of meat and poultry products on the Indian market.

14. This order shall come into effect from 01 July 2015.

Yudhvir Singh Malik
Chief Executive Officer

To:

- (i) Food Safety Commissioners of all States / UTs
- (ii) PS / Secretary of Animal Husbandry Departments of all States / UTs
- (iii) Secretary of Urban Local Bodies of all States / UTs
- (iv) DCGI, FDA Bhawan, New Delhi
- (v) Advisor, FSSAI, in-charge of Enforcement
- (vi) All Directors in FSSAI
- (vii) Concerned Food Business Operators and trade associations, AIMLEA/CLFMA
- (viii) All border inspection and port offices / AOs of FSSAI
- (ix) All other border inspection and PHOs / APHOs

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- (x) All Referral Laboratories
- (xi) All FSSAI recognized laboratories
- (xii) FSSAI web-site

Copy also for information to:

- (i) Secretary, Department of Animal Husbandry, Dairying and Fisheries
- (ii) Secretary, Ministry of Health and Family Welfare
- (iii) Directorate General of Health Services, Ministry of Health and Family Welfare
- (iv) Secretary, Department of Commerce, Ministry of Commerce and Industry
- (v) DGFT, Department of Commerce, Ministry of Commerce and Industry
- (vi) Chairman, CBEC, Ministry of Finance
- (vii) Secretary, Ministry of Food Processing Industries
- (viii) Chairman, APEDA
- (ix) PPS to Chairperson, FSSAI