

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY
USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT
POLICY

Voluntary Public

Date: 4/14/2015

GAIN Report Number: IN5047

India

Post: New Delhi

FSSAI Publishes Packaging and Labeling Amendment Regulations 2015

Report Categories:

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

Approved By:

Jonn Slette

Prepared By:

Radha Mani

Report Highlights:

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) amended the [Food Safety and Standards \(Packaging and Labeling\) Regulations, 2011](#), to widen the range of applicable products which require nutritional labels.

Executive Summary:

FSSAI published the Food Safety and Standards (Packaging and Labeling) Amendment Regulations, 2015, to include updated requirements and restrictions for nutritional ingredient labels for trehalose, plant stanol ester, and oligofructose in specified food products. The amendments are based on public comments received from various stakeholders on the draft regulations published on May 16, 2013 ([IN3104](#)). (NOTE: although the amendments are listed as officially published on May 16, 2013, there were not actually posted on FSSAI's website until September 10, 2013.) To date, the most recent 2015 amended regulations have not been notified to the World Trade Organization (WTO).

General Information:

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

Background:

On September 10, 2013, FSSAI notified (see 'note' above in parenthesis) draft Food Safety and Standards (Packaging and Labeling) Amendment Regulations, 2013, which mandated labeling for oligofructose, and expanded plant stanol ester and trehalose labeling for additional products. A 60-day public comment period was established for these amendments, which expired on November 8, 2013. The most recent 2015 amendments reflect additional changes based on feedback from the public.

For a summary of amendments, please refer to [IN3104](#). The full text of the March 23, 2015, amendment is provided below and is also available on FSSAI's website: <http://www.fssai.gov.in/>.

Details of Notification: F.No.1-83/Sci.Pan-Noti/FSSAI-2012

- Publication Date: March 23, 2015
- Date of Implementation: Immediate
- WTO Notification Date: Not notified as of April 15, 2015

Products affected: All food products containing trehalose, phytostanol, oligofructose and plant stanol esters.

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 17th February, 2015

F. No. I-83L/Sci. Pan- Noti/FSSAI-2012.—Whereas the draft of the Food Safety and Standards (Packaging and Labelling) (Amendment) Regulations, 2013, were published as required under sub-section (1) of Section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), vide notification of the Food Safety and Standards Authority of India number No. 1-83/Sci. Pan- Noti/FSSAI-2012, dated the 16th May, 2013 in the Gazette of India, Extraordinary, Part III, Section 4, inviting objections and suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the 22nd August, 2013;

And whereas the objections and suggestions received from the public in respect of the said draft regulations have been considered by the Food Safety and Standards Authority of India;

Now, therefore, in exercise of the powers conferred by clause (k) of sub-section (2) of Section 92 read with Section 16 of the said Act, the Food Safety and Standards Authority of India hereby makes the following regulations further to amend the Food Safety and Standards (Packaging and Labelling) Regulations, 2011, namely:-

[भाग III—खण्ड 4]

भारत का राजपत्र : असाधारण

3

Regulations

1. (1) These regulations may be called the Food Safety and Standards (Packaging and Labelling) (Amendment) Regulations, 2015.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In Food Safety and Standards (Packaging and Labelling) Regulations, 2011, in regulation 2.4.5,—
- (A) i) In sub-regulation 43, after the words “bread and cakes”, the following shall be inserted, namely:-

“yoghurt, mousse, spreads, dairy based drinks (milk shakes, yoghurt drink), cheese, pudding, cream and ice-Cream, frozen dessert like non dairy ice, sorbet and fruit ice, frozen yoghurt, flakes and ready-to-eat dry breakfast cereals, chocolates and sweets and carbohydrate based and milk product based sweets like halwa, mysore pak, boondi laddu, jalebi, khoya burfi, peda, gulab jamun, rasogolla and similar milk product based sweets sold by any name, cooked sausages, ham and meat spreads”;

- (B) after sub-regulation (47), the following sub-regulations shall be inserted, namely:-

“(48) Every package of fat spread, milk products, milk based fruit drink, fermented milk products, soy and rice drink, cheese products, yoghurt products, spice sauces, salad dressings, juices and nectars containing plant stanol esters shall bear the following declarations, namely:—

- | |
|---|
| <ul style="list-style-type: none">• Contains Plant Stanol Esters (as Plant Stanols)---gm/100 gm or 100ml.• Patients on cholesterol lowering medication should use the product under medical supervision.• May not be nutritionally appropriate for pregnant and lactating women and children under the age of five years.• CONSUMPTION OF MORE THAN 3g. PER DAY, TOTAL OF STEROL, STANOLS OR COMBINATION THEREFOF SHALL BE AVOIDED. |
|---|

(49) Every package of biscuits, bread, cakes, breakfast cereals, carbonated water, thermally processed fruits, fruit juices, fruit nectars, fruit beverages, fruit squashes, jam, jelly, fruit cheese, marmalade, dairy based drinks, milk powder, carbohydrate- based and milk product based sweets like gulabjamun, rosogolla, peda, khoyaburfi, macroni products, noodles, pasta, sweets and confectionery, candies and icings, savories and snacks wherever the trehalose is added shall bear the following label, namely:—

Contains Trehalose”.

YUDHVIR SINGH MALIK, Chief Executive Officer

[ADVT. III/4/Exty/187-O/14]

Foot note: The principal regulations were published in the Gazette of India, Extraordinary, Part III, Section 4 notification No. 2-15015/30/2010, dated the 1st August, 2011 and last amended vide notification No. 4/15015/30/2011, dated the 27th August, 2013.