

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: 7/27/2018

GAIN Report Number: IN8090

India

Post: New Delhi

Food Service Outlets Required to Display Calorie Information

Report Categories:

Sanitary/Phyosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

Approved By:

Tiffany Landry

Prepared By:

Radha Mani

Report Highlights:

On July 24, 2018, India notified to the World Trade Organization (WTO) a draft notification relating to the display of calorie information in food service establishments. The deadline to provide comments is September 21, 2018.

General Information:

DISCLAIMER: The information contained in this report was retrieved from the Food Safety and Standard Authority of India's (FSSAI) website <http://www.fssai.gov.in/> and www.wto.org. The Office of Agricultural Affairs, USDA and/or the U.S. Government make no claim of accuracy or authenticity.

On July 17, 2018, FSSAI published a draft notification to add a new clause in the packaging and labeling regulation relating to display of information in food service establishments and invited WTO member countries to comment. The WTO notification Number G/TBT/N/IND/81) dated July 24, 2018, specifies the comment period for trading partners to expire 60 days from the date notified on WTO website, meaning the final date of comment period will end on September 21, 2018.

The highlights of the additional clause in the regulation includes the following.

1. The food service establishments who have a central license or outlets at 20 or more locations will display the calorie value of each food item sold by them on their menu cards or boards. The information on 2000 Kcal energy requirements for an average adult per day shall also be displayed clearly and prominently.
2. The food service establishments as well as E-commerce business operators need to ensure that they display the information provided below at the point of sale or where food is served. E-commerce business operators need to comply with this requirement in the menu linked to each food service establishment on their platform, wherever applicable:
 - (a) Any warning/statutory declaration required under the packaging and labeling regulations;
 - (b) Information relating to allergens in the food;
 - (c) Logo for vegetarian or non-vegetarian
 - (d) Information relating to gluten free and low gluten status in food; and
 - (e) Information relating to organic food or ingredients

The above-mentioned provisions will not be applicable to the following categories.

- (a) Event caterers and food service premises that operate for less than 60 days in a calendar year, whether consecutively or non-consecutively.
 - (b) Self-serve condiments that are free of charge and not listed on the menu.
 - (c) Special-order food items or modified meals and menu items requested by the customer.
3. Additionally, the draft notification also requires food service establishments to keep written nutritional information on the food items sold in the form of a booklet or handouts, or on their website and to be provided to the customers when requested.

The full text of the draft notification pasted below is also available on FSSAI's website <http://www.fssai.gov.in/>. Comments within the prescribed 60-day comment period should be sent to:

The Chief Executive Officer
Food Safety and Standards Authority of India
3rd Floor, Food and Drug Administration Bhawan, Kotla Road
New Delhi – 110002
Email: spstbt.enqpt@fssai.gov.in

Details of Draft Notification:

Publication date on the FSSAI website: July 17, 2018
Date of Implementation: To be determined
WTO Notification Number: G/TBT/N/IND/81
WTO Notification Date: July 24, 2018
Final date for comments: September 21, 2018

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

Notice Calling for suggestions, views, comments etc from WTO-TBT Committee members on the draft Food Safety and Standards (Packaging and Labelling) Amendment Regulations, 2018 relating to Display of information in food service establishments.

File No. REG-18/ Menu Labelling/FSSAI-2018.-

1. In the Food Safety and Standards (Packaging and Labelling) Regulations, 2011 (herein after refer as said regulations), -

(1) In regulation 2.4, after sub-regulation 2.4.4, the following sub-regulation shall be inserted, namely:-

“2.4.5: Display of information in food service establishments

(1) Food Service Establishments having Central license or outlets at 20 or more locations shall display the calorific value of each of the food items sold by them on their menu cards or boards. Additionally, reference information on the requirements of 2000 Kcal energy for an average adult per day shall also be displayed clearly and prominently.

(2) Food Service Establishments shall display the information specified below at the point of sale or service of the food:

- (a) any warning/statutory declarations required under these regulations;
- (b) information relating to allergens in the food;
- (c) logo for veg or non-veg;
- (d) information relating to gluten free and low gluten status in food; and
- (e) information relating to organic food or ingredients.

(3) E-commerce Food Business Operators shall also provide this information in the menu linked with each food service establishment on their platform, where applicable.

(4) These provisions shall not be applicable to the following:

- (a) Event caterers and Food Service premises that operate for less than 60 days in a calendar year (consecutively or non-consecutively).
- (b) Self-serve condiments that are free of charge and not listed on the menu.
- (c) Special-order items or modified meals and menu items as per customer’s request.

(5) Food Service Establishments shall also keep written nutritional information on the food items sold by them in the form of booklets or handouts or on their website which shall be provided to consumers upon request.