

Voluntary Report – Voluntary - Public Distribution

Date: August 25,2020

Report Number: IN2020-0105

Report Name: India Draft Standards on Processed Dairy and Other Milk Fat Products

Country: India

Post: New Delhi

Report Category: Sanitary/Phytosanitary/Food Safety, Exporter Guide, Dairy and Products, FAIRS Subject Report

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Report Highlights:

On August 13, 2020, India notified to the World Trade Organization (WTO) a draft regulation related to new standards for dairy products (analogs) and revised standards of ghee (clarified butter) and other milk fat products. The deadline to provide comments is October 12, 2020.

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The GOI's Food Safety and Standards Authority of India (FSSAI) amended the Food Safety and Standards (Food Products Standards and Food Additives), 2011, to add new provisions and revise standards in Regulation 2.1 (Dairy Products and Analogues) and sub-regulation 2.1.8 (Milk Fat Products) respectively. On August 13, 2020, India notified this draft amendment to the WTO for comment ([WTO Notification Number: G/SPS/N/IND/253](#)). The deadline to provide comments is October 12, 2020.

The full text of the notification is pasted below and is also available online at https://fssai.gov.in/upload/uploadfiles/files/Draft_Notification_Dairy_Analogue_30_07_2020.pdf

Comments 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 Regulation:

Publication date on the FSSAI website: July 30, 2020

Date of Implementation: To be determined

WTO Notification Number: G/SPS/N/IND253

WTO Notification Date: August 13, 2020

Final date for comments: October 12, 2020

Products affected: Dairy and dairy products

FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA
NOTIFICATION

New Delhi, the 21st July, 2020

F. No. Stds/M&MP/Notification(05)/FSSAI-2019.—The draft regulations 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 proposes to make with previous approval of the Central Government, in exercise of the powers conferred by clause (e) of sub-section (2) of section 92 read with section 16 of the Food Safety and Standards Act, 2006 (34 of 2006) is hereby published as required under sub-section (1) of section 92 of the said Act 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 sixty days from the date on which copies of the Gazette in which this notification is published are made available to the public;

Objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, FDA Bhawan, Kotla Road, New Delhi- 110002 or may be sent by e-mail at regulation@fssai.gov.in;

Objections or suggestions which may be received with respect to the said draft regulations within the period specified above shall be considered by the Food Safety and Standards Authority of India.

Draft Regulations

1. (1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2020.

(2) They shall come into force with effective date for implementation to be either 1st January or 1st July subject to a minimum of 180 days from 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 2.1,

(1) in sub-regulation 2.1.1 related to the General Standards for Milk and Milk Products,

(i) in item 1, after sub-item (b), following shall be inserted, namely:

“(ba) Analogue in the dairy context means an imitation product that is designed or structured to mimic, or offered as an alternative/replacement to, a milk or milk product or composite milk product as defined in these regulations by partial or full substitution of selected milk components with other components from non-dairy sources, or prepared by using non-dairy ingredient(s) exclusively or in combination with dairy ingredients.”

(ii) in item 3, after sub-item (e), following shall be inserted, namely:

“(ea) The nomenclature of an analogue product, defined in sub-item (ba) under item 1 of sub-regulation 2.1.1, as provided on the label shall be reflective of the true nature of the product.

Provided also that for such products, dairy term or phonetically similar or spell alike terms shall not be used in the nomenclature of the product. However, the name of the dairy ingredient used in the product shall be indicated in the list of ingredients, wherever applicable.

Provided further that the following declaration shall be made on the label of such products, namely:

THIS IS NOT A DAIRY PRODUCT”

(iii) in item 5, relating to labeling of pre-packaged foods, following shall be inserted, namely:

“All milk and milk products, including composite milk products, as defined in sub-item b,e,f,h and i of item 1 of this sub-regulation can exclusively use the following logo on the product label.



(2) in sub-regulation 2.1.8 related to the Standard for Milk Fat Products, in item 2 Essential Composition and Quality Factors,

(i) sub-item (a) related to Raw Material shall be substituted with following, namely:

- “a) Milk fat, Butter oil, Anhydrous milk fat, Anhydrous butter oil : Milk and products obtained from milk.
b) Ghee : Milk, cream or butter.

The raw materials used shall be free from added flavor, colour or preservative.”

(ii) the existing tables and text under sub-item (b) Composition, shall be substituted with following, namely:

“Parameter	Milk Fat, Butter Oil	Anhydrous Milk Fat, Anhydrous Butter Oil	Ghee
Moisture, maximum, %, (m/m)	0.4	0.1	0.5
Milk fat, minimum, %, (m/m)	99.6	99.8	99.5
Butyro-refractometer Reading at 40 °C	40.0 to 44.0	40.0 to 44.0	40.0 to 44.0
Reichert Meissl Value, minimum	26.0	26.0	26.0
Polenske Value	1.0-2.0	1.0-2.0	1.0-2.0
FFA as Oleic Acid, maximum, %	0.4	0.3	1.5
Peroxide Value (Milli-equivalent of Oxygen/Kg fat), maximum	0.6	0.3	-
Baudouin Test	Negative	Negative	Negative
Iodine Value	-	-	25-38
Saponification value	-	-	205-235
Presence of β -sitosterol	Absent*	Absent*	Absent*
Fatty acid profile	-	-	The product shall meet the requirement of Table 1”

*Method for determination of adulteration of vegetable oil in ghee by RP-HPLC as notified vide FSSAI Office Order: File No. 1-90/FSSAI/SP (MS&A)/2009 dated 25th March, 2019

Table 1. The fatty acid composition of ghee as determined by GLC (expressed as percentage of total fatty acids)

Type of fatty acid	Fatty acid composition (percentage)
Saturated fatty acids	
C4:0, Butyric acid	1 - 4
C6:0, Hexanoic acid (Caproic acid)	0.5 - 2
C8:0, Octanoic acid (Caprylic acid)	0.4 - 1
C10:0, Decanoic acid (Capric acid)	0.8-3.5
C12:0, Dodecanoic acid (Lauric acid)	1.5 - 4
C14:0, Tetradecanoic acid (Myristic acid)	6-10
C15:0, Pentadecanoic acid	0.5-1.2
C16:0, Hexadecanoic acid (Palmitic acid)	22-32
C17:0, Heptadecanoic acid	0.2-0.6
C18:0, Octadecanoic acid (Stearic acid)	10-16
Mono- unsaturated fatty acids	
C16:1 (Cis 9), (Hexadecanoic acid (Palmitoleic acid)	0.9-1.8
C18:1 (cis 9) 9-Octadecenoic acid (Oleic acid)	19-32
C18:1 (cis 6) 6-Octadecenoic acid	0.3-0.9
C18:1 (cis 11) 11-Octadecenoic acid	0.5-2.5
Poly- unsaturated fatty acids	
C18:2 (cis 9,12), 9,12-Octadecadienoic acid (Linoleic acid)	0.5-3.5
C18:2 (cis 9, trans 11), 9-cis,11-trans-octadecadienoate	0-3.0
C18:3 (cis 9,12,15) 9,12,15-Octadecatrienoic acid	0.3-1.0
C4:0, Butyric acid	1 - 4

ARUN SINGHAL, Chief Executive Officer
[ADVT.-III/4/Exty./145/2020

Attachments:

No Attachments.