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Regulations on Maximum Residue Levels of Pesticide and Agro-Chemical

Report Categories:

Sanitary/Phytosanitary/Food Safety

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Report Highlights:

This report describes current applicable regulations for maximum residue levels (MRLs) of pesticide and agro-chemicals in food products in India.

General Information:

Disclaimer:

This report was prepared by the Office of Agricultural Affairs of the USDA/ Foreign Agricultural Service in New Delhi, India. While information in this report has been collected from official data sources, exporters are nevertheless advised to verify import requirements with their customers prior to shipment.

PFA Regulations on Maximum Residue Levels (MRLs)

The Ministry of Health and Family Welfare regulates MRLs of pesticide and agrochemical in food products through the [Prevention of Food Adulteration Act \(PFA\), 1955](#) as amended. However, with the implementation of [Food Safety and Standards Act \(FSSA\), 2006](#), the PFA rules are being phased into the [Food Safety and Standards Regulations, 2010](#). The new Act authorizes the [Food Safety and Standards Authority of India \(FSSAI\)](#) to "specify the limits for use of food additives, crop contaminants, pesticide residues, residues of veterinary drugs, heavy metals, processing aids, mycotoxins, antibiotics and pharmacological active substances and irradiation of food." (Chapter II). The existing MRLs on pesticides and agrochemicals specified in the PFA are incorporated in the [Food Safety and Standards Regulations, 2010](#) – Chapter 8, pages 531-548. MRLs are listed by chemical product for specific food items / commodities. However, in some cases, tolerance limits are established for more generic categories of food (i.e. for Carbaryl, "other vegetables" have an MRL of 5.0 parts per million.

Regulations on Use of Pesticides/Agrochemicals

The Ministry of Agriculture regulates the manufacture, sale, import, export and use of pesticides through the [Insecticides Act, 1968](#) and the [Insecticides Rules, 1971](#). All insecticides (including fungicides and herbicides per Section 3e) are listed in the "[Schedule](#)," and must undergo a registration process with the [Central Insecticides Board & Registration Committee \(CIB&RC\)](#). As of September 14, 2010, there are 228 registered insecticides under Section 9(3) of the Insecticides Act, 1968: http://cibrc.nic.in/reg_products.htm. Registered products must be clearly labeled to indicate composition, active ingredient(s), target pest(s), recommended dosage, agricultural or household use, as well as any cautionary safety information.

States and Union Territories have the authority to grant licenses for the manufacture and sale of insecticides. In addition, state officials work with the CIB&RC to conduct analysis (including MRLs of the pesticide post-harvest), to report and enforce on matters of public safety. The CIB&RC periodically reviews pesticide usage, and sometimes recommends bans on registration (e.g. when the MRLs are found to be above the PFA limits in agricultural produce post harvest). A list of banned pesticides is available at: http://www.cibrc.nic.in/list_pest_bann.htm As the Ministry of Agriculture continues to review pesticide safety, applications can be withdrawn or modified. In 2006, a number of pesticide applications were removed from the approved list: <http://agricoop.nic.in/Gazette/gazette.pdf>

Setting up of MRL's

The CIB&RC Medical Toxicology Unit works closely with the Ministry of Health and Family Welfare

(and now with the new Food Safety and Standards Authority of India) to set MRLs, which are subsequently included in the Food Safety and Standards Regulations. The Ministry of Agriculture CIB&RC has indicated that it would not approve new insecticide registrations without established MRLs.

In 2008, a new draft [Pesticides Management Bill](#) was introduced in the Rajya Sabha, the upper house of Parliament. Currently, the draft Bill is being reviewed by the Ministry of Agriculture before it will be presented to the Lok Sabha, the lower house of the Parliament, for approval. If passed, the new law would repeal the Insecticides Act, 1968, and would establish a more direct linkage between pesticide registration and the establishment of MRLs. Chapter III Section 12(5) of the Bill proposes that "***no pesticide shall be registered for import or manufacture unless its tolerance limits are specified for its residues on crops and commodities under the Food Safety and Standards Act, 2006.***"

In the absence of an established MRL, the Ministry of Health authorities generally refer to CODEX Alimentarius MRLs, as long as the pesticide in question has not been banned. For information on India's Codex office, please refer to the following website: <http://www.codexindia.nic.in/>

Regulation of Food Products for MRLs

All food products sold in India have to comply with the MRLs established in the PFA / Food Safety Standard Regulations for all the approved insecticides and agrochemicals. The FSSAI and state appointed inspectors have the authority to test products, both basic commodity and processed food products, for adherence to the MRLs. If products are found to be non-compliant, inspectors can take punitive action against the processor/trader/ retailer.

Imported food products must also comply with MRLs established by the PFA, 1955 as amended. At the port of entry, Customs authorities work with FSSAI nominated officials to sample and test for compliance with the PFA / Food Safety Standard Regulations, including MRLs. FSSAI has designated laboratories for testing. Upon evaluation of the sample, Customs authorities can proceed with clearing the consignment for entry into India. Importers can request a retesting of the result, and can submit an appeal to FSSAI authorities. However, if a product is found to be non-compliant with the PFA / Food Safety Standard Regulations it will be refused entry into India.

In 2006, the Ministry of Agriculture initiated a program to monitor pesticide residues at the national level. Working through the [Indian Council of Agricultural Research](#), the Ministry selected 20 laboratories to collect and analyze samples of vegetables, fruits, spices, pulses, cereals, milk, fish, tea, honey, meat, animal feed and ground water. The results of the survey are published on the FSSAI website: [Survey Results](#)

In case of food grain, fruits, vegetables, dry fruits, tree nuts other basic commodities, the Ministry of Agriculture works through the Plant Quarantine Office at the Port to test for the presence of banned pesticides and agrochemicals.

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