

Voluntary Report – Voluntary - Public Distribution

Date: April 01, 2026

Report Number: IN2026-0018

Report Name: India Notifies WTO on New Definitions Proposed for Food Packaging

Country: India

Post: New Delhi

Report Category: FAIRS Subject Report

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Report Highlights:

India notified the World Trade Organization (WTO) of draft amendments to the Food Safety and Standards (Packaging) Regulations, 2018, adding new clauses to the definitions section. Interested stakeholders may submit comments on the proposed draft amendments by May 22, 2026.

DISCLAIMER: The information contained in this report was retrieved from the Food Safety and Standards Authority of India’s (FSSAI) website <http://www.fssai.gov.in>. The Foreign Agricultural Service (FAS) Office of Agricultural Affairs at the U.S. Embassy in New Delhi, USDA, and/or the U.S. government make no claim of accuracy or authenticity. The Government of India has not officially endorsed this report. Import approval for any product is subject to local rules and regulations as interpreted by Indian officials at the time of product entry. [Note: Use Google Chrome to access the links that do not open in Microsoft Edge. Indian host sites geo-block site access on a rolling basis].

On February 26, 2026, the Food Safety and Standards Authority of India (FSSAI) published draft amendments to the Food Safety and Standards (Packaging) Regulations, 2018 and notified them to the WTO ([Notification No. G/SPS/N/IND/349](#)). The intention of the amendments is to enhance food contact safety, restrict harmful substances for environmental protection, and allow recycled plastic in food contact materials. Industry feedback highlights that while the FSSAI proposals align with global safety standards, they present challenges, including higher costs for alternative materials, stricter traceability requirements, and more rigorous labeling standards. The additional definitions proposed as amendments in the draft regulations are included below.

- (j) **“food contact material”** means any material, including active and intelligent materials, article and product intended to come into contact with food and should not have any undesirable effect on the food and health;
- (k) **“food grade contact material”** means any material(s) that are used for manufacturing, processing, handling (including kitchenware, tableware, etc.), packaging, storage and transportation of food contact material should have demonstrated their compliance with specific safety standards under prescribed conditions and shall not endanger human and animal health and result in an unacceptable change in the composition and characteristics of food during its intended use;
- (l) **“modified atmosphere packaging”** means enclosure of food in a package in which the atmosphere inside the package is modified or altered to provide an optimum atmosphere for increasing shelf life and maintaining food quality;
- (m) **“food packaging”** means package to be used for the containment, protection, handling, delivery, and storage, transport and presentation of food, from raw materials to processed food, from the producer to the user or consumer, including processor, assembler or other intermediary;
- (n) **“non-intentionally added substances (NIAS)”** means non-intentionally added substances (NIAS) are chemicals that are present in a food contact material (FCM) or food contact article (FCA) but have not been added for a technical reason during the production process;
- (o) **“aseptic packaging”** means process where a sterilized product is filled into a sterilized container and sealed in a sterile environment to prevent contamination.”

Interested stakeholders can comment on the proposed notification by May 22, 2026. Comments should be sent to:

Chief Executive Officer
Food Safety and Standards Authority of India
FDA Bhawan, Kotla Road
New Delhi – 110 002

Email: regulation@fssai.gov.in

For additional information, please see draft Food Safety and Standards (Packaging) Amendment Regulations, 2026, listed below and available online at:

https://www.fssai.gov.in/upload/uploadfiles/files/gazette%20notification%20of%20Draft%20FSS_Packaging_Amendment%20Regulations%202026.pdf.

Details on the draft regulations:

Date of WTO Notification: March 23, 2026

Date of Implementation: To be determined

WTO Notification Number: G/SPS/N/IND/349

Final date for comments: May 22, 2026

Products: All food contact materials

FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 26th February, 2026

F. No. SS-T0FA(NOTI)/7/2025-Standard-FSSAI.— The following draft of certain regulations further to amend the Food Safety and Standards (Packaging) Regulations, 2018, 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 sub-section (2) of section 92 read with section 23 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 the copies of the Gazette containing this notification 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, Food and Drug Administration Bhawan, Kotla Road, New Delhi-110002 or may be sent by email 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. These regulations may be called the Food Safety and Standards (Packaging) Amendment Regulations, 2026.

2. In the Food Safety and Standards (Packaging) Regulations, 2018, -

(1) In regulation (2) relating to definitions in sub regulation (1), after clause (i), the following clauses shall be inserted, namely;

- (j) **“food contact material”** means any material, including active and intelligent materials, article and product intended to come into contact with food and should not have any undesirable effect on the food and health;
- (k) **“food grade contact material”** means any material(s) that are used for manufacturing, processing, handling (including kitchenware, tableware, etc.), packaging, storage and transportation of food contact material should have demonstrated their compliance with specific safety standards under prescribed conditions and shall not endanger human and animal health and result in an unacceptable change in the composition and characteristics of food during its intended use;
- (l) **“modified atmosphere packaging”** means enclosure of food in a package in which the atmosphere inside the package is modified or altered to provide an optimum atmosphere for increasing shelf life and maintaining food quality;
- (m) **“food packaging”** means package to be used for the containment, protection, handling, delivery, and storage, transport and presentation of food, from raw materials to processed food, from the producer to the user or consumer, including processor, assembler or other intermediary;
- (n) **“non-intentionally added substances (NIAS)”** means non-intentionally added substances (NIAS) are chemicals that are present in a food contact material (FCM) or food contact article (FCA) but have not been added for a technical reason during the production process;
- (o) **“aseptic packaging”** means process where a sterilized product is filled into a sterilized container and sealed in a sterile environment to prevent contamination.”

RAJIT PUNHANI, Chief Executive Officer

[ADVT.-III/4/Exty./722/2025-26]

Attachments:

No Attachments.