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India

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report - 2017

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Report Highlights:

In calendar year (CY) 2017, the Ministry of Agriculture (MinAg) notified the Standard Operating Procedure (SOP) for traceability of imported bovine germplasm. Additionally, the requirements for poultry and poultry product imports from countries reporting avian influenza were amended and published in the Official Gazette of India. In order to facilitate the ease of doing business in India, the Government of India's Directorate of Plant Protection, Quarantine and Storage started issuance of digital phytosanitary certificate (e-phyto) to all countries.

Section I. List of All Export Certificates Required By Government (Matrix) :

Disclaimer

This report was prepared by U.S. Embassy New Delhi's Office of Agricultural Affairs (OAA) to serve as a reference guide for stakeholders wishing to export food and agricultural products to India. Only updates from CY 2016 and CY 2017 are listed in this report. OAA New Delhi recommends readers use the [GAIN search engine](#) to find relevant GAIN FAIRS Export Certification reports for previous years. While OAA New Delhi makes every effort to accurately describe existing regulations, exporters are strongly advised to always verify import requirements with their customers prior to shipment. This report has not been officially endorsed by the GOI. Import approval for any product is subject to local rules and regulations as interpreted by Indian Border Officials at the time of entry.

SECTION I: LIST OF REQUIRED EXPORT CERTIFICATES

Products	Title of Certificate	Attestation required on Certificate	Purpose	Requesting Ministry
Plants and Plant Products	Phytosanitary Health Certificate	Both special conditions and additional declarations for majority of the commodities per the specific conditions mentioned in the import permit.	To prevent the introduction of exotic pests and diseases.	MinAg
Animals and Animal Products	Sanitary Health Certificate	Import requirements per the specific conditions mentioned in the import permit.	To prevent the introduction of exotic pests and diseases, and minimize human health risks due to microbial or chemical contamination.	MinAg

Notes:

- For conditions imposed on specific plant products, please refer to the Plant Quarantine Order 2003 (Regulation of Imports into India), as amended: <http://plantquarantineindia.nic.in/pqispub/pdf/files/pqorder2015.pdf>
- For conditions imposed on specific animal products, please refer to the MinAg's Department of Animal Husbandry, Dairying and Fisheries (DAHDF) website: <http://dahd.nic.in/>.
- In January, 2017, the DAHDF notified the SOP for traceability of imported bovine germplasm. The notification provides detailed procedure for traceability of imported bulls, semen doses produced from imported bulls, imported semen doses, and imported embryos. In April 2016, DAHDF revised its guidelines for export/import of bovine germplasm (Please see [IN6090](#)).

Although not notified to the WTO, the notification was published on the DAHDF website (GAIN [IN7005](#)).

- On February 17, 2017 the Government of India (GOI) published a gazette notification to amend the requirements for poultry and poultry product imports from countries reporting avian influenza. The amendment was issued in order to rectify the inadvertent omission of the term “the areas of low pest or disease prevalence” in the paragraph 1(d) of the earlier notification (Please see [IN6095](#) and [IN6105](#)). The amended text should now be read as “Pest-or disease-free areas and areas of low pest or disease prevalence means the pest- or disease-free areas and areas of low pest or disease prevalence as defined in the World Trade Organization Agreement on Sanitary and Phytosanitary Measures.” The previous amendment for the import requirements for the poultry and poultry product from countries reporting avian influenza was made on September 21, 2016 (Please see [IN6122](#)). GOI had also earlier published a procedure for the recognition of zones/compartments free from avian influenza; this procedure can be accessed at [guidelines for recognition of disease free areas, zones and compartments](#) and [questionnaire to ascertain the avian influenza situation in a zone](#) (GAIN [IN7038](#)).
- Effective June 15, 2017, the GOI Directorate of Plant Protection, Quarantine and Storage started issuance of a digital phytosanitary certificate, (e-phyto) to all countries. This initiative intends to facilitate the ease of doing business in India (GAIN [IN7092](#)).
- On February 4, 2016, the GOI notified to the WTO a draft veterinary health import certificate for dog and cat food which contains animal origin material. This revised draft certificate introduces some new language and requirements in comparison to the earlier protocol. Other modifications or additions include new heat treatment processing guidelines, the identification of ports that can accept imported pet food, new testing requirements for sulphite reduced clostridium for canned and moist pet food, and manufacturer/exporter declarations. The new draft certificate removed an earlier requirement that processing facilities be located at least 25 kilometers radius from areas with avian influenza detections. More details on the draft veterinary health certificate are provided in GAIN [IN5157](#) and GAIN [IN6035](#). The health certificate is accessible online at <http://dahd.nic.in/trade> or can be directly accessed at [Veterinary Certificate for Import of Dog and Cat Foods into India](#).
- In April, 2016, DAHDF revised the Guidelines for Export/Import of Bovine Germplasm. The new guidelines modify text and/or revise the import requirements for semen, embryos, young bulls and young heifers. For example, the new guidelines include import requirements for sexed semen from genomically tested sires, embryos from genomically tested heifers and genomically tested young bulls. The revised guidelines also mention additional requirements for the eligibility of importers. Although not notified to the WTO, the new guidelines were published on the DAHDF website. For further details, please refer to GAIN [IN6090](#).
- On July 26, 2016, the GOI notified requirements for poultry and poultry product imports from countries reporting an outbreak of Highly Pathogenic Avian Influenza or Low Pathogenic Avian Influenza to the WTO (GAIN [IN6105](#)). This is subsequent to the notification of draft requirements to WTO on April 21, 2016 (GAIN [IN6059](#)). After reviewing comments, on July 8, 2016, the DAHDF published a gazette notification for poultry and poultry product imports from

countries reporting avian influenza (GAIN [IN6095](#)). The final notification introduces some new language and modifies texts in comparison to the draft notification. For example, the final notification modifies text for the definition of 'poultry products' in paragraph 1 (f) and inserts an additional criteria for determination of avian influenza status in paragraph 2-2(d). The final notification is available online at <http://dahd.nic.in/trade> or can be directly accessed at [Import of Poultry and Poultry Products into India in view of Outbreak of Avian Influenza](#). On September 21, 2016 GOI further notified amendments to the requirements for poultry and poultry product imports from countries reporting avian influenza to the WTO (GAIN [IN6122](#)).

Import procedures for specific livestock products are available in the Trade Section of DAHDF's website at <http://dahd.nic.in/>. These include the following:

[Procedure for Import of Livestock notified under clause \(b\) of Section 2 of Livestock Importation Act, 1898](#)

[Procedure for import of live-stock products notified under Section 2\(d\) and section 3A of the Live-stock Importation Act](#)

[Sanitary conditions/Health Protocols for various products](#)

[Guideline for Import/Export of Bovine Germplasm](#)

Procedure for recognition of zones/compartment:-

- [Guidelines for recognition of zones and compartments](#)
- [Questionnaire to ascertain the AI situation in a zone](#)

[Proforma for submitting proposals for introduction of live Aquatic Organisms](#)

[Import Health certificate for import of pet dog into India](#)

[Animal health certificate for import of in vivo bovine embryo in to India](#)

[Veterinary certificate for import of skin/hides into India](#)

[Veterinary certificate for import of milk and milk products](#)

[Veterinary Certificate for Import of pork and pork products](#)

[Veterinary Certificate for Import of Canine Semen into India](#)

[Veterinary Certificate for Import of Equine Semen into India](#)

[Veterinary Certificate for Import of Ovine/Caprine Semen into India](#)

[Animal Health Certificate for Import of Porcine Semen into India](#)

[Veterinary Certificate for Import of Bovine serum into India](#)

[Veterinary Certificate for import of various live animals](#)

[Veterinary Certificate for Import of Live Bovines](#)

[Veterinary Certificate for Import of Horns and Hooves](#)

[Veterinary Certificate for Import of Fish and Fishery Product into India](#)

[Veterinary Certificate for Import of Rodents into India](#)

[Veterinary Certificate for Import of Live Goats \(Caprine\) into India](#)

[Veterinary Certificate for Import of Live Sheep \(Ovine\) into India](#)

Processed Food Products

India does not currently require specific import certificates for processed food products. However, meat and livestock products do require export certificates from the country of origin. On August 5, 2011, the GOI enforced its Food Safety and Standards Regulations (FSSR), 2011. This food law is administered by FSSAI, which oversees implementation of the [The Food Safety and Standards \(FSS\) Act, 2006](#).

Accordingly, all imported processed food and beverage products must meet the requirements established by the FSSR, 2011.

Notes:

- On June 23, 2017, the GOI Department of Consumer Affairs published amendments to the [Legal Metrology \(packaged commodities\) Rules, 2011](#) in the Official Gazette of India. Earlier on December 19, 2016, the same amendments were published as draft and comments were invited from stakeholders. The enforcement date mentioned in the December notification was extended until January 1, 2018 in the Gazette notification of June, 2017. There are no major revisions between the draft and final amendment. The primary amendments of the LM Rules were listed in GAIN [IN7001](#). It is recommended that interested parties who reviewed the December draft document should also review the June, 2017 final notification.
- A successive notification on the same subject was published on July 4, 2017, relating to the change in the maximum retail price (MRP) and its display on the labels of packaged commodities. The notification allowed the manufacturers, packers or importers of pre-packaged commodities to declare the changed retail sales prices on the unsold stock of products manufactured, packed or imported before the GST implementation date of July 1, 2017. This included the increased amount of tax due to GST if any, in addition to the existing retail sales price, for three months starting July 1, 2017, until September 30, 2017. For details, please refer to GAIN [IN7086](#).

Foods with Genetically Modified (GM) Ingredients

On April 7, 2006, the Ministry of Commerce and Industry (MOCI) Directorate General of Foreign Trade (DGFT) announced amendments to the Foreign Trade Policy (2004-2009) regulations, which include new requirements on imports of GM foods, food additives, or any food products that contain GM ingredients. The DGFT mandates that importers of GM food and ingredients must submit a declaration stating that the imported consignment contains genetically modified products. The importer has to provide a reference to prior approval by India's Genetic Engineering Appraisal Committee (GEAC); the reference should indicate specific authorization number and date of the specified GM event in the consignment declaration. There is no official prescribed format for this declaration. Importers can be prosecuted for failure to properly declare a GM product. Currently, the only biotech food product officially allowed for import is soybean oil derived from glyphosate-resistant soybeans, which was approved by the GEAC on June 22, 2007. For more information on India's biotech import policy, please

see GAIN [IN7135](#) “Agricultural Biotechnology Annual 2017”. Also, please refer to notification [Number 2\(RE-2006\)/2004-2009](#) from the MOCI and the related GAIN Report [IN6030](#) - “[Foreign Trade Policy Amendment Makes GMO Declaration Mandatory for Imported Food Products](#)”.

Notes:

On January 1, 2013, the Ministry of Consumer Affairs, Food and Public Distribution formally implemented the Legal metrology (Packaged Commodities) Amendment Rules 2012 as published in the Indian Official Gazette Notification No. G.S.R. 427(E), which stipulates that every package containing food derived from products of biotechnology shall bear at the top of its principal display panel the letters “GM” (GAIN [IN3003](#)).

Section II. Purpose of Specific Export Certificate(s)

On July 19, 2016 the MinAg released a final notification S.O. 2453 E. One of the amendments introduced through this notification included waiving of the requirement of import permits for a majority of plant commodities under the PQ order. For phytosanitary requirements specific to any commodity, the exporter/shipper may refer to the website of plant quarantine at: <http://plantquarantineindia.nic.in>

Imports of animals and animal products (including meat and meat products) are subject to a "Sanitary Import Permit" issued by the MinAg's DAHDF, per the conditions of the amended Livestock Importation Act 1898. The relevant authority in the country of export must issue a sanitary certificate based on the specific conditions as stated on the import permit. The import of live animals, germplasm, and other livestock products that are categorized as restricted items under GOI import policy also requires an import license from the Director General of Foreign Trade (DGFT), Ministry of Commerce and Industry.

Several key trade restrictions limit market access for U.S. food products. Imports of most animal and livestock-derived food products are effectively banned because of established Indian import requirements. This includes dairy products classified in Chapter 2-5, 16 and 21 of the Harmonized Tariff Schedule, poultry meat, seafood, goat and pork products, and even pet foods. Imports of beef are banned due to religious concerns. Imports of alcoholic beverages are constrained by high import tariffs, state and local taxes, state-level labeling requirements, and a complex licensing system for distribution and sales.

Section III. Specific Attestations Required on Export Certificate(s)

The attestations for both of the above mentioned export certificates must meet all the specific conditions, which vary from commodity to commodity, and can also change over time.

Section IV. Government Certificate's Legal Entry Requirements

Original export certificates must accompany each individual export consignment at the time of entry

into India. The GOI does not accept export self-declarations by suppliers or manufacturers as proof of compliance. However, in certain cases, the GOI may allow export certificates containing additional declarations on the import permit by organizations accredited by the government of the exporting country. The government of the exporting country must petition the MinAg to get this special approval.

Section V. Other Certification/Accreditation Requirements

A certificate of origin issued by the relevant authority of the exporting country's government, state government, industry association, or manufacturer/supplier should accompany the export consignment of all food and agricultural products, including processed and packaged food. This certificate should mention the order number, container number, port of discharge, buyer's name, and product description. The certificate also must include a declaration along the following lines:

The undersigned for (relevant organization) declares that the following mentioned goods as consigned above (or below) are products from the United States (or any country of origin). We hereby certify the goods to be of U.S. (or any country) origin.