



FOOD SAFETY
INTERNATIONAL
NETWORK
GLOBAL FOOD SAFETY & EXCELLENCE QUALITY

REGULATORY STRATEGIES AS A KEY TO SUCCESS TO SUCCESSFUL EXPORT TO INDIA





FOOD REGULATING AUTHORITY IN INDIA



Food Safety and Standards Authority of India (FSSAI)

- **The Food Safety and Standards Authority of India (FSSAI)**
- has been established under Food Safety and Standards Act, 2006 which consolidates various acts & orders that have hitherto handled food related issues in various Ministries and Departments. FSSAI has been created for laying down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import to ensure availability of safe and wholesome food for human consumption.

Highlights of the Food Safety and Standard Act, 2006

Various central Acts like Prevention of Food Adulteration Act, 1954 , Fruit Products Order , 1955, Meat Food Products Order , 1973,

- Vegetable Oil Products (Control) Order, 1947, Edible Oils Packaging (Regulation) Order 1988, Solvent Extracted Oil, De- Oiled Meal and Edible Flour (Control) Order, 1967, Milk and Milk Products Order, 1992 etc will be repealed after commencement of FSS Act, 2006.

The Act also aims to establish a single reference point for all matters relating to food safety and standards, by moving from multi- level, multi- departmental control to a single line of command. To this effect, the Act establishes an independent statutory Authority – the Food Safety and Standards Authority of India with head office at Delhi. Food Safety and Standards Authority of India (FSSAI) and the State Food Safety Authorities shall enforce various provisions of the Act.

Establishment of the Authority

Ministry of Health & Family Welfare, Government of India is the Administrative Ministry for the implementation of FSSAI. The Chairperson and Chief Executive Officer of Food Safety and Standards Authority of India (FSSAI) have already been appointed by Government of India. The Chairperson is in the rank of Secretary to Government of India.

- **FSSAI has been mandated by the FSS Act, 2006 for performing the following functions:**

- Framing of Regulations to lay down the Standards and guidelines in relation to articles of food and specifying appropriate system of enforcing various standards thus notified.
- Laying down mechanisms and guidelines for accreditation of certification bodies engaged in certification of food safety management system for food businesses.
- Laying down procedure and guidelines for accreditation of laboratories and notification of the accredited laboratories.
- To provide scientific advice and technical support to Central Government and State Governments in the matters of framing the policy and rules in areas which have a direct or indirect bearing of food safety and nutrition .
- Collect and collate data regarding food consumption, incidence and prevalence of biological risk, contaminants in food, residues of various, contaminants in foods products, identification of emerging risks and introduction of rapid alert system.
- Creating an information network across the country so that the public, consumers, Panchayats etc receive rapid, reliable and objective information about food safety and issues of concern.
- Provide training programmes for persons who are involved or intend to get involved in food businesses.
- Contribute to the development of international technical standards for food, sanitary and phyto-sanitary standards.
- Promote general awareness about food safety and food standards.

Main Comparison (Labelling & Display) Regulations

Food Safety and Standards (Packaging and Labelling) Regulation, 2011

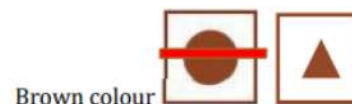
(4. Declaration regarding Veg or Non veg – (i) Every package of “Non Vegetarian” food shall bear a declaration to this effect made by a symbol and colour code as stipulated below to indicate that the product is Non-Vegetarian Food. The symbol shall consist of a brown colour filled circle having a diameter not less than the minimum size specified in the Table mentioned in the regulation 2.2.2 (4) (iv), inside a square with brown outline having sides double the diameter of the circle as indicated below :

Brown colour



Food Safety and Standards (Labelling and Display) Regulations, 2020

4. Declaration regarding Veg or Non veg – (i) Every package of “Non Vegetarian” food shall bear a declaration to this effect made by a symbol and colour code as stipulated below to indicate that the product is Non-Vegetarian Food. The symbol shall consist of a brown colour filled circle having a diameter not less than the minimum size specified in the Table mentioned in the regulation 2.2.2 (4) (iv), inside a square with brown outline having sides double the diameter of the circle as indicated below :



Comparison (Labelling & Display) Regulations

Food Safety and Standards (Packaging and Labelling) Regulation, 2011

(ii) Where any article of food contains egg only as Non-Vegetarian ingredient, the manufacturer, or packer or seller may give declaration to this effect in addition to the said symbol.

(iii) Every package of Vegetarian Food shall bear a declaration to this effect by a symbol and colour code as stipulated below for this purpose to indicate that the product is Vegetarian Food. The symbol shall consist of a green colour filled circle, having a diameter not less than the minimum size specified in the Table below, inside the square with green outline having size double the diameter of the circle, as indicated below :

Green colour



Food Safety and Standards (Labelling and Display) Regulations, 2020

(b) Every package of food containing ingredients including food additives, processing aids of plant origin shall bear a declaration to this effect by a symbol and colour code as stipulated below for this purpose to indicate that the product is Vegetarian Food. The symbol shall consist of a green colour filled triangle circle inside a square with green outline having the sides diameter not less than the minimum size specified in the Table mentioned in the regulation 4.2 (4) (c), as indicated below:



The Authority has Added definition of

- **“assorted pack”** means any ~~retail pack~~ package or container ~~which contains~~ containing multiple units of different ~~pre-packaged commodities~~ food products intended and displayed for retail sale and ~~provided that it~~ complies with the general labelling requirement specified in regulation 4.1(8)
- **“best before date”** means the date which signifies the end of the period under any stated storage conditions during which the product shall remain fully marketable and shall retain any specific qualities for which tacit or express claims have been made. Beyond that date, the food may still be perfectly safe to consume, however, its quality may have diminished.

- . “**Children** or child for the purpose of this Regulation means every human being below the age of 18 years”
- “**e-commerce**” means buying and selling of goods and services over digital and electronic network.”
- “**foods for catering purposes**” means those foods for use in restaurants, canteens, schools, hospitals, quick service restaurants (QSR), home delivery operators, caterers and similar institutions where food is offered for immediate consumption.

Authority has indicated to **deleted** the definition oh **HFSS Foods** inscribed in the compedium

- **“Front of Pack”** means part of the package that faces forward (in the principal field of vision) on shelves and is typically the first thing a consumer will see when they look at the product”
- Corrected definition of **“infant”** means a ~~child~~ person not more than twelve months of age.
- **“labelling”** means any written, printed or graphic matter that is present on the label, accompanies the food or is displayed near the food.

- Revised the definition of “**lot number**” or “**code number**” or “**batch number**” means the identification mark declared on the label by the use of numeral or alphabet or combinations thereof, preceded by “Lot number” or “code number” or “batch number” or any unique identification marks such as Batch No., B. No., L. No., Lot No., Code,,LN, CN or BN , B No by which the food can be traced in manufacture and identified in distribution.
- Added definition - “**multi-unit package**” means a package containing two or more individually packaged or labelled units of the same food article of identical and / or different, net quantity intended and displayed for retail sale either in individual units or package as a whole and complies with the general labelling requirement specified in regulation 4.1(8).

- Added definition “**non-retail containers**” means any container that is ~~not indented~~ intended to be offered for direct sale to the consumer. The food in the non-retail containers ~~such container is of same kind, pre-packaged or not, and intended is~~ for further business operations ~~or processing activities~~ before being offered to the consumer.
- Revised definition “**non-vegetarian food**” means an article of food which contains whole or part of any animal including birds, insects, fresh water or marine animals or eggs or products of any animal origin, but does not include milk, milk products, honey or bees wax or carnauba wax or shellac.

- Added Definitions of “**package/container**” means a pre-packed box, bottle, jar, casket, tin, barrel, case, pouch, receptacle, sack, bag, wrapper or such other things in which an article of food is packed;
- Added definition of “**recommended dietary allowance**” means the average daily dietary nutrient intake level sufficient to meet the nutrient requirement of nearly all (97 to 98 per cent.) healthy individuals in a particular life stage and gender group. s (RDA)”
- Explanations.- For the purposes of this clause, RDA values as provided in current Indian Council of Medical Research Nutrient Requirements and Recommended Dietary Allowances for Indians shall be applicable and if Indian recommended dietary allowances is not available for any nutrient then values provided in Codex or World Health Organization guidelines shall be applicable.

- **“pre-packaged food”** means food, which is placed in a package of any nature, in such a manner that the contents cannot be changed without tampering it and which is ready for sale to the consumer.

Note: The expression “package” wherever it occurs in these Regulations, shall be construed as package containing prepackaged food articles.

Added definition of **“principal display panel”** means that part of the container/package which is intended or likely to be displayed or presented or shown or examined by the customer under normal and customary conditions of display, sale or purchase of the food article contained therein

- Added definition of “**retail pack**” or “**Retail unit**” means the packages which are intended for sale to ultimate consumer for the purpose of consumption of the food contained therein.
- Revised the definition of “**use by**” or “**expiry** ” means the date, which signifies the end of the estimated period under any stated storage conditions, after which the product may not remain safe and the food, shall not be sold or distributed for human consumption.

4. LABELLING OF PREPACKAGED FOODS 4.1

General Requirements. -

- (1) Every prepackaged food shall be labeled with information as required under these regulations unless otherwise provided.
- (2) When a food product is sold through e-commerce or any other direct selling means, the mandatory requirements of the label as given in these regulations shall be provided to the consumer through appropriate means before sale except 'batch number/ lot number, best before, use by date, expiry date, date of manufacturing/ packing

.

4.2 Labelling Requirements. - In addition to general requirements specified in Regulation 4.1, every package shall carry the following information on the label, namely: -

- **(1) The Name of Food:** Every package of food shall carry The name of the food shall which indicate the true nature of the food contained in the package, on the Front of Pack:
 - (a) Where a food is specified by certain essential composition under Food Safety and Standards Regulations made under Food Safety and Standards Act, 2006, that establishes its identity the name provided therein shall be used.
 - (b) In the absence of such name, either a common or usual name or an accompanying description of true nature of food shall be used. ~~It may additionally have a “coined”, “fanciful”, “brand” or “trade name”.~~
 - (c) It may additionally have a “coined”, “fanciful”, “brand” or “trade name” subject to compliance of Food Safety & Standards (Advertising and Claims) Regulation 2019 provision.

INDIAN FOOD INDUSTRIES FEED BACK FOR THE PROPOSED REGULATIONS

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

For Labelling OF PREPACKAGED FOODS, (3) Nutritional information.-

Where we requested to insert following proviso:

Provided that cholesterol is only required for products containing fats from animal origin & where fat content more than 0.5%

FSSAI **agreed** for this Insertion.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

- For Labelling **OF PREPACKAGED FOODS**, (3) Nutritional information.-

Where we requested to exempt foods for mandatory nutritional labeling like: coffee, decaffeinated coffee, soluble coffee powder, coffee chicory mixture

Authority **agreed** for this exemption

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

For Labelling of Prepackaged Foods

Where we requested for new insertion for Quantitative ingredient declaration (QUID) for exempting declaration of constituents naturally present in the foods which have not been added as ingredients

FSSAI **agreed** for insertion of this clause & will take this for discussion separately with Scientific Panel.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

- **For Labelling of Prepackaged Foods (3) Nutritional information.-**

Where we requested to exempt the compliance of declared quantity nutrients on the label which shall have the **tolerance of maximum minus 10 percent** of the value for that nutrient declared on the label at any point in time within declared shelf life of the product.

The Authority **agreed** on this & stated that it will be taken back to Scientific Panel separately for review as all the chambers including AIFPA has requested.

The regulation will also be applicable to Fortification & Nutraceuticals Regulation.

The existing clause will continue to operate which gives us the flexibility in case of shelf life, storage & variations because of inherent nature of food.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

For Labelling of Prepackaged Foods (3) Nutritional information.-

FSSAI **agreed** to our requested exemption for the declaration of Veg/ Non-Veg logo specifically for Milk and Milk Powder.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

For Labelling of Prepackaged Foods (3) Nutritional information.-

Where we proposed to delete the clause where the product must have declared the Name and Complete Address of Brand Owner &

- FSSAI chairperson will **decide** accordingly.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

As per our request for inserting **Wholesale Package** details as manner of declaration as also mentioned in **Legal Metrology Act, 2009 (1 of 2010)**

FSSAI will **discuss** with the Chairperson and decide where to insert it accordingly.

As Wholesale Package clauses is completely missing in the overall Regulations

And should be there in the new Labelling Regulations.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

For Labelling of Prepackaged Foods (10) Date Marking.-

Where we requested to insert “sugar boiled confectionery” and “bubble gum” which shall not be required to declare “Expiry”

The Authority **agreed** to this point and will add it accordingly.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

For Labelling of Prepackaged Foods (14) Declaration regarding Food allergen:

FSSAI **agreed** to the point where we requested to insert in brackets at the back of the label (Name of food allergen).

But FSSAI **disagreed** on Manner Of Declaration –

Where we proposed that “foods and ingredients which are known to cause allergy shall be declared in list of ingredients (emphasized as bolded or underlined)”

but will take this back to Chairperson for revision and also exemptions we made.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

On 5. Principal display panel.-

On Font Sizes where we proposed to insert proviso:

Provided further that the size of numeral and/or letter required for all declarations under this regulation on the crowns/closure of returnable glass bottles shall not be less than 1 mm.

We proposed by sending labels, illustrations of Artwork and requests
But as per the discussion, the **Authority needs Physical copies of labels.**
(Paper Printed versions and NOT Laminates).

Industry needs to send Labels it as early as possible.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

On Clause 7. Exemptions from certain labelling requirements-

- Exemptions from labelling requirements where

Chambers requested where the surface area of package is not more than 100 cm². it should also be exempted from “front of Pack Labelling”, “License Number” & “ FSSAI Logo” .

This exemption has been **agreed** by the **Authority**.

- **2nd Exemption – was specifically in case of 30 cm²**

FSSAI said that, for Confectionary, smaller packs - they have already had made exemptions for related categories and will not relook again.

On Exemptions for Multi-unit packages:

FSSAI will address these through FAQ route. As lot of back and forth is being observed & the Regulation division will review it.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

In Chapter 4, On 9. Labelling Requirements of non-retail containers

- **AIFPA** along with other chambers requested the **Authority to Consider the following New Insertion in Chapter 4 after clause 9(4)**

(5) Notwithstanding to above, container providing visual access to the contents of label of its pre-packaged food are exempted from the labelling requirements stipulated in this chapter.

FSSAI **agreed** to numbering change and the insertion.

6. 30.1 (A) (V) Amendment to Food Standards in respect of Food Safety and Standards (Packaging and Labelling) Regulations, 2011:

Draft Food Safety and Standards (Labelling and Display) Regulations, 2020

In Schedule – II, Clause 1. Mandatory Declarations: Clause (4)

Where it is stated food articles packages shall carry the warning and/or declaration,

And we requested to Operationalize artificial sweeteners

As it is an Administrative issue & no issue in Principle because as it is not being operationalize & to operationalize it, **FSSAI** seeks guidance from the Chairperson.

And for change in artificial to non-calorific

FSSAI will **review** the above-mentioned concern in Additive Panel as it is not with functioning of Labelling Panel

THANKS EVERYONE

Amo **Mexico**

