



# FOOD

## REGULATORY UPDATE

ISSUE 04 | November 2022

CII Task Force on Food Regulatory Affairs works in close association with the Food Safety and Standards Authority of India (FSSAI) and the relevant Ministries of the Government of India like Ministry of Food Processing Industry, Ministry of Consumer Affairs etc., for carrying out food-related regulatory activities.

All our actions are directed with the objective of encouraging a favorable regulatory environment. During the last year, the regulatory cell under the task force has facilitated consultations and dialogue with authorities on various significant issues such as labelling and display, infant nutrition, health supplements and nutraceuticals, legal metrology, and others.

Key Submissions	
1	Standard for Review
2	Submissions on Draft Notifications
3	FSSAI Recent Standards/Orders – For Information
4	Review of BIS Standards
5	CII - CODEX X-CHANGE
6	CII Capacity Building Initiatives

**Key messages...**


**Ms Inoshi Sharma, Executive Director  
Food Safety and Standards Authority of India**

*“FSSAI, being the apex food regulator in the country, is constantly working towards laying down science-based standards for food articles. As we know, FSSAI has embarked on a series of initiatives to ensure safe, healthy and environmentally sustainable food for everyone through the 'Eat Right India' movement. This movement is a large-scale effort to transform the country's food landscape and incorporates all the key players in the food ecosystem. With the tagline, 'Sahi Bhojan. Behtar Jeevan', Eat Right India is aligned with the government's focus on preventive public healthcare. Further, to supplement FSSAI's efforts towards strengthening the food safety ecosystem in the country, a resource centre has been created to reduce food wastage by collecting and serving food to those in need. I urge everyone to collaborate and collectively work on the Save Food Share Food initiative to facilitate a conducive food ecosystem in the country.*

*State Connect is one such platform which is creating awareness on regulatory compliance and encouraging collaborations on all such initiatives for inculcating a culture of food safety across the country. I would like to congratulate CII for successfully conducting the first State Connect in Goa.”*



**Ms. Jyoti J Sardesai  
Director Food and Drug Administration (FDA),  
Govt of Goa & Commissioner, Food Safety, Goa**

*“Access to enough, safe, and nutritious food is the key to sustaining life and promoting good health. Goa state has been working proactively working towards strengthening the food safety, quality and regulatory ecosystem through collaborations and active engagement of all stakeholders including business from non-food sector as well. Platforms like “State Connect” by CII is an effective medium to encourage collaborations among all stakeholders including those from MSME's, SME's, HORECA and other related sectors. While, the government has taken significant steps in this area, it is imperative for all the stakeholders to utilize these opportunities to realise the full potential of these interventions under the Eat Right India Movement”*

### Standard for Review

Following Standards are under discussion with stakeholders for review:

Min TSS revision for:

- a) Synthetic Syrup for use in Dispensers for carbonated water (FSSR-2.3.23)
- b) Squashes (FSSR-2.3.21)

Revision in standards “2.10.8 Packaged Drinking Water (other than Mineral Water)”:

- a) Delinking minimum TDS 75 ppm for ingredient water used in beverages.

A presentation was made in November 2022 on the same and matter is under review of Scientific Panel on Water and Beverages.

### CII submissions on FSSAI Notifications

**Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011**

As part of this gazette, frequently asked questions (FAQs) dated 12.07.2022 were released providing clarity on the regulatory provisions for “Analogues in the Dairy Context” and use of dairy terms in the nomenclature of milk, milk products and other foods. *The FAQs (No. 17) stated that the dimensions and colour scheme of the Milk Logo are being finalized and will be uploaded on the FSSAI website in due course of time.*

In absence of clarity w.r.t. guidelines for the logo dimensions and colour. FSSAI issued direction dated 9<sup>th</sup> December 2022 stating extension of time-period for milk logo for a period of six months from the date of issue of such logo specifications by FSSAI.

In this regard letter was submitted requesting an extension of six months for implementation of the said order.

### FSSAI Draft Notifications

**FSS (Labelling & Display) Amendment Regulations, 2022 related to Front of Pack Nutritional Labelling (FOPNL) and High fat, sugar, salt (HFSS) etc. dated 20th September 2022**

Key issues and principal approach w.r.t HFSS definition, proposed categories, nutrients Threshold, exemption list etc. is under discussion. In this regard Joint association submission was made to CEO FSSAI on 22<sup>nd</sup> November.

As the next steps work is progress to review the algorithm with context to different food product categories

**FSS Draft Notification of Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2022 dated 3<sup>rd</sup> November 2022**

Comments on the draft from members on key issues w.r.t Colors, processing aids, standards for Indian mithais and Namkeen etc. Last date of submission is on Jan 2023.

### Recent Orders / Directions

**Clarification with respect to application for vegan logo endorsement dated 6th October 2022**

It is observed that FBO's are applying for endorsement of vegan logo for multiple variants of the same product and two or more different products under single application.

In this regard, this order clarifies that in both the above cases i.e., same product with multiple variants and two or more different products, a separate application for each variant/different products needs to be submitted and the same will not be considered under single application. The payment also needs to be done separately with each application.

**Clarification dated 20th October 2022 with respect to alcoholic beverages imported into India in bulk containers**



Order states alcoholic beverages imported into India in bulk containers. It is informed that as per sub-regulation

1.3.9 of FSS (Alcoholic Beverages), Regulation, 2018, alcoholic beverage shall be packed in suitable containers as specified in the Food Safety and Standards (Packaging and Labelling) Regulations, 2011 now FSS (Labelling and Display) Regulations 2021 provided that bulk containers shall have no upper limit for alcohol content and shall meet the safety parameters of the product standards. Such products shall also carry a label declaring, "For Manufacturer of Alcoholic Beverages only".

**Order dated 27th October 2022 regarding requirement of Health Certificate accompanied with the import of food consignment**

The order states the requirement of Health Certificate accompanied with the import of food consignment. It states that Food Safety and Standards Authority of India has issued an order dated 3<sup>rd</sup> August 2022 and its subsequent clarification vide order dated 26<sup>th</sup> September 2022 on the subject cited above. In this regard, comments were also sought from WTO members, considering the comments received from the trading partners in respect of implementation time, it has been decided that the date of implementation of said order shall be extended by two months and the order will be now effective from 1<sup>st</sup> January, 2023.

**Order dated 18th November 2022 regarding Rectifiable labeling information for imported food consignments**

The order states with a view to facilitate ease of trade while ensuring the safety of food imported into India, based on the provisions under Reg 6(4) of FSS (Import) Regulations, 2017, it has been decided by the Competent Authority that all non-complaint labels on imported food consignment may be permitted for rectification at port itself.

This rectification must be carried out at Customs bound warehouses, before visual inspection or re-inspection by the Authorized Officer or his representative, by

affixing a single non-detachable sticker or by any other non-detachable method.

The Authorized Officer/his representative shall verify the label compliance during visual inspection and the consignment shall be subject to sampling and testing only if it is compliant with labelling requirements as per the FSS Regulations.

**Direction dated 28th November regarding operationalization of FSS (Foods for Infant Nutrition) Amendment Regulations, 2022 relating to revise limits of Selenium, Manganese, iron and biotin**

The order states with reference to the direction issued dated 29<sup>th</sup> March 2022 under section 16(5) of Food Safety and Standards Act, 2006 wherein revised limits of Selenium, Manganese, Iron and Biotin were specified in foods for infant nutrition, as relevant, and the transition period for the implementation of Food Safety and Standards Food for Infant Nutrition) Regulations, 2020 was extended up to 1st October 2022.

In earlier above said direction, limits of Selenium, Manganese, Iron and Biotin were revised in view of representations received from industry associations regarding difficulty in reformulating and manufacturing infant food products adhering to the levels of these trace elements.

**BIS Submissions**

**BIS proposed Review of Indian Standard:**

- 'Code for Hygienic Conditions for Production, Processing, Transportation and Distribution of Milk' as per IS 7005:1973.

**BIS Submissions**

- CII submitted inputs on IS 3633:2003 standard for Black tea w.r.t. definition of black tea and alignment of iron filings content with FSSAI.
- To align marking and wholesale package with **FOOD SAFETY AND STANDARDS (LABELLING AND DISPLAY)**

**REGULATIONS**, 2020 under clause 5.2 of List of Ingredients.

**CII has been actively participating in meetings at BIS, some of key interventions are as below:**

CII presented at the 20th meeting of FAD 9, scheduled for 15 November 2022 virtually at 1100 hrs.

In this meeting BIS decided

- Codex code of practice for the prevention and reduction of mycotoxins in spices is adopted as BIS standards and CII to recirculate for public inputs (2 Weeks timeline given) for commenting on the same.
- FAD 9/Panel I on Spices and Condiments Sectional Committee – Oleoresins, the panel was requested to provide inputs in 4 weeks' time and the draft revision received will be sent in wide circulation for a period of 60 days.
- **The committee decided to finalize the draft revision on FAD 9 Committee for Spices and Condiments:**
  - (i) Revision of IS 14216: 1994, Code for hygienic practice for spices and condiments processing units.
  - (ii) Revision of IS 1909: 1992, Indian curry powder – Specification.
  - (iii) Spices and condiments - Tamarind concentrate, Tamarind pulp, Tamarind powder and Dry kokum.



### **CODEX CONNECT**

CII has been actively participating in meetings at NCCP India, some of key interventions are as below: -

- **Codex Coordination Group 9** – First meeting of Codex Coordination group (CG9) (Principles and Procedures) under National Codex Committee (NCC) to discuss agenda items of the 45<sup>th</sup> session of Codex Alimentarius Commission (CAC) was held on 9.11.2022 under the Chairmanship of Shri S. Gopalakrishnan (IAS), Chief Executive Officer, FSSAI

through physical and virtual platform. Discussions were done and decisions were taken on each of the available agenda items. Some of the key takeaways from the meeting were:

- The members agreed to the provisional agenda items listed and the information provided by NCCP.
- Members were briefed about the status of the draft standards and related documents from the Codex Committee on Fats and Oils (CCFO) and Codex Committee on Food Hygiene (CCFH). The members deliberated on the standards and accepted their adoption.
- NCCP briefed about the draft guidelines for the Ready-To-Use Therapeutic Foods and informed that India's concerns were majorly addressed particularly on the preamble, importance of locally made available nutritious food, labelling and advertisements.
- Members were briefed about the draft standards and related documents from the Codex Committee on Fresh Fruits and Vegetables (CCFFV) and informed that India's concerns were addressed. Members agreed to support the adoption of the draft standard and related documents.
- NCCP elaborated on all the agenda items and related documents of the Codex Committee on Contaminants in Food (CCCF). India made reservations on the recommendations such as 0.1 mg/kg in case of lead in sugar. India proposal is 0.35 mg/kg based on the data. Also, the committee recommended 5ppb of aflatoxin in polished rice against India's proposal of 8ppb as per the data. Members agreed to support all other agenda items and to make India's reservations on the recommended levels again if India proposal is not agreed.
- Members were informed about the current status of the draft standards and related documents from the Codex Committee on Pesticide Residues. The representative from the Ministry of Agriculture raised concern on the revocation of the MRLs for the pesticide Chlorpyrifos. Based on the data shared by MoA, India may take a stand either for deferral or reservation on this pesticide.
- Members were briefed about the draft standards related to Codex Committee on Spices and Culinary Herbs (CCSCH).

Members agreed to support the adoption of the same.

- Members were informed about the status of the deliberations on Zilpaterol. India to respond in the plenary according to the stand proposed by DAHD.
- India to support the proposals of new work on the standards of Kimchi as well as the amendment proposed on the standards of fruit juices and nectars and not to support in case of revision of the standards of milk fat based on comments received from NDDB.
- NCCP invited member's views for support of China for the co-ordinator for next term of CCASIA. The members accepted the same.

• **Circulations**

**Codex Committee on Food Additives (CCFA) and Codex Committee on Food Hygiene (CCFH) - CL 2021 /81 – FA** was circulated with the members for information and comments on the priority list of substances proposed for evaluation by JECFA. Members were requested to submit comments on guidelines for the safe use and reuse of water in food production and processing. The comments received from the members were shared by CII.



**CAPACITY BUILDING**

CII has been working towards building capacity through various interventions. The highlights are as below:

• **CII STATE CONNECT**



This first of its kind initiative with Food Safety and Standards Authority of India aims:

- To facilitate strengthening the State's Food Safety Index through collaboration on various Eat Right India initiatives.
- Capacity building on Food Regulations through awareness on compliance requirements for various regulations.

**First Session of State Connect** - Confederation of Indian Industry (CII) in association with Food Safety

and Standards Authority of India (FSSAI) and Goa Food and Drug Administration organized the first State Connect session at the Goa FDA Bhawan on 30<sup>th</sup> November 2022. This session was envisaged to create awareness about the Eat Right India initiative by the Goa state and to strengthen the food safety & regulatory ecosystem at large.

- Ms Inoshi Sharma, Executive Director, FSSAI, emphasized on the unique initiatives under the Eat Right India drive and also appreciated CII for convening the 1<sup>st</sup> State Connect and providing a platform for creating awareness.
- Ms Jyoti Sardesai, Director Food and Drug Administration, Government of Goa and Commissioner Food Safety, Goa emphasized on the key interventions towards strengthening the food safety index through collaborations and active engagement of all stakeholders including businesses from non-food sector also. She also mentioned that, while the government has taken significant steps in the area, it is imperative for all the stakeholders to utilize these opportunities to realise the full potential.
- Special training sessions on FSSAI's Hygiene Rating Program, responsible consumption of alcohol, and regulatory compliances for food business operations was conducted by experts from FSSAI and CII – FACE. The session was well received by the participants, and they expressed their interest in more such Connects in the future.



L-R Ms Priti Singh, Assistant Manager, Social and Behavioural Change Division, FSSAI, Ms Jyoti Sardesai, Director, Food and Drug Administration, Govt of Goa and Commissioner, Food Safety, Goa, Ms Swati Salgaocar, Chairperson, CII, Goa State Council, Mr Richard Noronha, Designated Officer, Food and Drug Administration, Govt of Goa and Licensing Authority, Goa during the special address of Ms Inoshi Sharma at

The first initiative was supported by partners – Coca Cola, Bisleri, Tata Consumer Products and Kellogg’s.

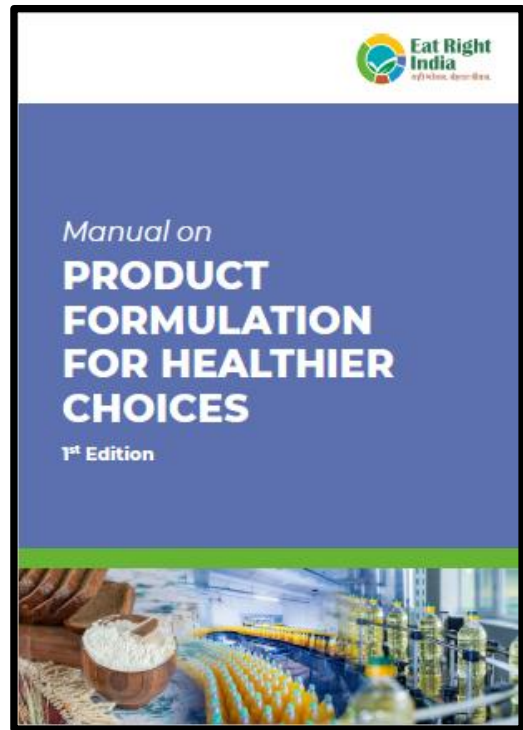
**Next State Connect is planned for Gujarat.**  
 Interested members may write to [neha.aggarwal@cii.in](mailto:neha.aggarwal@cii.in) or [suvansha.nigam@cii.in](mailto:suvansha.nigam@cii.in) for further information.

- **PRODUCT FORMULATION FOR HEALTHIER CHOICES** – As part of CII’s capacity building initiative under Eat Right Campaign, manual for a certificate course on Product Formulation for Healthier Choices was released by the CEO, FSSAI during the National Food Processing Conclave held on 2<sup>nd</sup> Dec 2022 in New Delhi.



L-R Mr Suresh Narayanan, Chairman, CII National Committee on Food Processing & CMD Nestle India Ltd, Mr S Gopalakrishnan, CEO, Food Safety and Standards Authority of India (FSSAI), Ms Jane Karkada, Senior Director, CII during the launch of Manual on Product Formulation for Healthier Choices at National Food Processing Conclave.

We all are witnessing how India’s food processing sector is currently undergoing a rapid socio-economic, demographic, nutritional and health transition. This course is designed for professionals from the food industry, students from the food technology domain, entrepreneurs and start-up aspirants in the food sector and anyone who would want to understand the process of food formulation and create healthier and sustainable options through thoughtful innovation.



- INTRODUCTION TO PRODUCT FORMULATION
- KNOW YOUR CUSTOMER
- NUTRITION
- TECHNOLOGY INVOLVED
- REGULATIONS AND LEGISLATIONS
- FOOD SAFETY RISK ANALYSIS

Registrations are open for enrolment. Interested members may write to [neha.aggarwal@cii.in](mailto:neha.aggarwal@cii.in) or [suvansha.nigam@cii.in](mailto:suvansha.nigam@cii.in) for further information.





**Confederation of Indian Industry**



The Confederation of Indian Industry (CII) works to create and sustain an environment conducive to the development of India, partnering Industry, Government, and civil society, through advisory and consultative processes.

For more than 125 years, CII has been engaged in shaping India's development journey and works proactively on transforming Indian Industry's engagement in national development. CII charts change by working closely with Government on policy issues, interfacing with thought leaders, and enhancing efficiency, competitiveness, and business opportunities for industry through a range of specialized services and strategic global linkages. It also provides a platform for consensus-building and networking on key issues.

As India marches towards its 75th year of Independence in 2022, CII, with the Theme for 2021-22 as Building India for a New World: Competitiveness, Growth, Sustainability, Technology, rededicates itself to meeting the aspirations of citizens for a morally, economically, and technologically advanced country in partnership with the Government, Industry, and all stakeholders.

With 62 offices, including 10 Centres of Excellence, in India, and 8 overseas offices in Australia, Egypt, Germany, Indonesia, Singapore, UAE, UK, and USA, as well as institutional partnerships with 394 counterpart organizations in 133 countries, CII serves as a reference point for Indian industry and the international business community.

**Confederation of Indian Industry**

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FACE is CII's Centre of Excellence dedicated to building efficiencies across the agricultural value chain from farm to fork. FACE is charged with the mission of improving competitiveness of India's agriculture and food sector by catalysing innovation, building capacity, and enhancing productivity across the value chain.

FACE works closely with farmers, companies, developmental institutions, and the government to:

- Improving on and off-farm productivity through the introduction and dissemination of global best practices and technological innovation
- Improving global competitiveness of India's agriculture by investing in capacity building initiatives and skill development for supply chain participants across the value chain
- Strengthening linkages across the agriculture and food value chain with an objective of reducing spoilage, increasing value addition, and enhancing farmer incomes

FACE's service portfolio comprises commodity specific value chain assessments and supply chain advisory services for food and agri businesses, training, and consulting services in the area of food safety, and sectoral research across different market segments.

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