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India

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report

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Report Highlights:

This report summarizes Indian certification requirements for imports of food and agricultural products. Since the last FAIRS report (GAIN Report [IN1106](#)), the Food Safety and Standards Regulations of 2011 are now fully operational. In 2012, the Food Safety and Standards Authority of India (FSSAI) introduced (i) revised labeling guidelines; (ii) a new food categorization system; and (iii) procedures for new product approval. Additional new measures include: (a) a new online Plant Quarantine Information System to facilitate procedures for import permit applications and import release orders; (b) a draft notification proposing new phytosanitary requirements for the import of pome fruits from various countries; (c) new revised guidelines for importing bovine germplasm and white leg shrimp (*litopenaeus vannamei*); (d) new veterinary certificates for importing milk and milk products, and for equine, canine, ovine, caprine, and porcine semen; and (e) revised sanitary regulations pertaining to African horse sickness and contagious equine metritis.

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

Disclaimer

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in New Delhi, to serve as reference guide for firms wishing to export food and agricultural products to India. While this office 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 GOVERNMENT OF INDIA. 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 Certificate	Additional declarations per the specific conditions mentioned in the import permit. ¹	To prevent the introduction of exotic pests and diseases.	Ministry of Agriculture
Animals and Animal Products	Sanitary Health Certificate	Additional declarations per the specific conditions mentioned in the import permit. ²	To prevent the introduction of exotic pests and diseases, and minimize human health risks due to microbial or chemical contamination.	Ministry of Agriculture

Notes:

¹ For conditions on specific plant products, please refer to the Plant Quarantine (Regulation of Imports Into India) Order 2003, as amended: www.plantquarantineindia.org/PQO_amendments.htm.

- In February 2011, the Ministry of Agriculture Directorate of Plant Protection, Quarantine and Storage unveiled the new online Plant Quarantine Information System (PQIS). The PQIS is designed to facilitate the application process for import permits and import release orders. Exporters are now able to apply online for phyto-sanitary certificates. For further details, please refer to GAIN Report [India Launches Online Plant Quarantine Information System](#).
- On January 3, 2012, the Government of India (GOI) Ministry of Agriculture issued a draft notification proposing additional phytosanitary requirements for the import of pome fruits from various countries, including the United States (see GAIN Report [Comment Period Extended for](#)

[Import of Pome Fruits Draft Notification](#) for details).

- On October 17, 2012, the Ministry of Agriculture released an amendment to the Plant Quarantine Order, 2003 seeking to include walnuts (*Juglans* spp.) as 'dry fruits for consumption' from United States of America (see GAIN Report [India Publishes Draft PQ Amendments for U.S. Walnuts](#)).

² For conditions on specific animal products, please refer to the Department of Animal Husbandry, Dairying and Fisheries (DAHD) website: <http://dahd.nic.in/>.

- On January 31, 2012, the DAHD issued a draft notification proposing a new veterinary certificate for the import of milk and milk products from various countries including the United States (GAIN Report [IN2017](#)).
- On February 23, 2012, DAHD published veterinary certificates for the import of equine, canine, ovine/caprine, and porcine semen into India (GAIN Report [IN2027](#)).
- On June 19, 2012, DAHD amended guidelines regulating quarantine procedures for the import of white leg shrimp (*litopenaeus vannamei*). Under the amendment, Indian imports of white leg shrimp brood stock will no longer be subject to a pre-quarantine test for *Baculovirus penaei* (GAIN Report [IN2093](#)).
- On October 5, 2012, DAHD issued a notification amending the Livestock Importation Act sanitary regulations for African horse sickness and contagious equine metritis. (GAIN Report [IN2138](#)).

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

[Procedure for import of Livestock products into India](#)

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

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

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

[Import Health certificate for import of 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](#)

[Procedure for import of Dairy Items](#)

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

[Animal Health requirements for conformity assessment on import of processed poultry meat and meat products into India from the Avian Influenza positive countries](#)

Processed Food Products

India does not currently require specific import certificates for processed food products. However, livestock products do require an export certificate from the country of origin. On August 5, 2011, India began to formally enforce the Food Safety and Standards Regulations (FSSR), 2011. The new food law is administered by the Food Safety and Standards Authority of India (FSSAI) which oversees implementation of 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. For further information, please refer to GAIN Report IN1174 - [India Enforces the New Food Safety Law](#).

Note: The implementation of the 2006 FSS Act formally repeals the regulatory framework established by the [Prevention of Food Adulteration Act \(PFA\)1954](#), the [Fruit Products Order, 1955](#), the [Meat Food Products Order, 1973](#), the [Vegetable Oil Products \(Regulation\) Order, 1998](#), the [Edible Oils Packaging \(Regulation\) Order 1988](#), the [Solvent Extracted Oil, De-Oiled Meal and Edible Flour \(Control\) Order, 1967](#), and the [Milk and Milk Products Order, 1992](#), and [Essential Commodities Act, 1955](#). The 2006 FSS Act does not eliminate the various provisions of the concerned acts and orders, but rather combines them under a single authority (the FSSAI) with minor revisions, and adds some key provisions to strengthen implementation.

Chronology:

- In 2010, the FSSAI appointed authorized inspection officers at five major Indian sea ports (Mumbai, Nhava Sheva, Chennai, Kolkota, and Haldia) to oversee the clearance process for imported foods. Beginning in March 2011, additional officers were placed in the airports of [Mumbai](#), [Chennai](#) and [Kolkata](#). The FSSAI also appointed [an authorized officer at the Indira Gandhi International Airport](#) in New Delhi to oversee import clearances at the Inland Container Depot (ICD) of Tughlakabad and Patparganj.
- GAIN Report [IN1145](#): On May 5, 2011, the FSSAI announced revised regulations on food recall procedures.
- GAIN Report [IN1165](#): On July 7, 2011, FSSAI introduced new draft Food Safety and Standards (Import) Regulations.
- GAIN [IN2004](#): On December 28, 2011, FSSAI launched an online licensing and food import clearance system. The new online system is designed to expedite the licensing, registration and food import clearance process. With its launch, the FSSAI will seek to maintain electronic

records of all Food Business Operators (FBOs) in India, setting the foundation to potentially establish a food traceability system.

- GAIN [IN2003](#): On December 29, 2011, FSSAI published a draft gazette notification amending the Food Safety and Standards Regulations 2011. The amendment addresses (i) labeling of food products, (ii) use of food additives, (iii) prohibition and restriction on sales, and (iv) laboratory and sample analysis.
- GAIN [IN2011](#): On January 25, 2012, FSSAI published “ad-hoc instructions related to re-sampling and re-testing of food grains including pulses consignments by Authorized Officers.”
- GAIN [IN2055](#): On March 23, 2012, FSSAI published “guidelines related to food import clearance process by FSSAI’s Authorized Officers,” on its website. These guidelines elaborated the labeling requirements of different kinds of packages of food consignments imported into India. The guidelines also elaborated the clearance process for the proprietary food, food supplements/dietary supplements, functional foods, nutraceuticals, and other similar products. The FSSAI expects that these guidelines will facilitate trade, while at the same time, ensure the safety of imported food products.
- GAIN [IN2073](#): On May 11, 2012, FSSAI introduced a Food Categorization System (FCS) for all food products covered by the Food Safety and Standards Regulations, 2011. Under the proposed FCS, the FSSAI classified food products into categories and sub categories, with distinct codes. Some proprietary products were also included. The coding system is based on the Codex structure to promote consistency between domestic and international food standards.
- GAIN [IN2097](#): On July 4, 2012, FSSAI issued an advisory on misbranding/misleading claims. According to the advisory, all Food Business Operators (FBO) are advised to exercise caution, and strictly follow the provisions of the Food Safety and Standards Act, 2006 and Regulations to avoid misleading or scientifically unsubstantiated claims. Misbranding/misleading claims on food products are a punishable offence under the Food Safety and Standards Act, 2006.
- GAIN [IN2104](#): On July 25, 2012, FSSAI issued a statutory advisory extending the time period to seek conversion or renewal of existing licenses and registrations by the Food Business Operators (FBOs), by six months until February 4, 2013. Earlier, the time period to apply or renew licenses as per the provisions given under clause 2.1.2 of Licensing/Registration of Food Business Regulation, 2011 was August 4, 2012.
- GAIN [IN2109](#): On August 21, 2012, FSSAI published new guidelines for laboratory testing of imported food in line with the provisions of the Food Safety and Standards Regulations, 2011. The guidelines establish approved methodologies and chemical testing parameters for food

products regulated by the Food Safety and Standards Regulations, 2011.

- GAIN [IN2168](#): On December 11, 2012, FSSAI published “New Product Approval Procedure.” The new procedure will supersede all advisories and clarifications regarding product approval issued previously by FSSAI.
- GAIN [IN2170](#): On December 11, 2012, FSSAI published Second Amendment to the Food Safety and Standards (Packaging and Labeling) Regulations, 2011. The FSSAI has invited comments/suggestions from stakeholders within a period of 30 days from the date on which this notification is made available to the public i.e. by January 11, 2013.
- GAIN [IN2171](#): On December 11, 2012, FSSAI published Second Amendment to the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011. The FSSAI has invited comments/suggestions from stakeholders within a period of 30 days from the date on which this notification is made available to the public i.e. by January 11, 2013.
- GAIN [IN2172](#): On December 27, 2012, FSSAI posted the draft regulation “Regulation on Labeling (Claims)” on its website. The FSSAI has invited suggestions and comments from stakeholders by January 31, 2013.

All processed food products must also meet the requirements established by the [Legal Metrology Act, 2009](#), [the Legal Metrology \(Packaged Commodities\) Rules, 2011](#), **previously known as the [Standards of Weights and Measures Act, 1976](#)** and the Standards of Weights and Measures (Packaged Commodities) Rule, 1977. Imported food products such as milk powder, condensed milk, and infant food must also comply with specific Indian quality standards (<http://bis.org.in/cert/man.htm>). For further details, please refer to GAIN Reports [IN2038](#), [IN2045](#), [IN2077](#), and [IN2078](#).

On November 1, 2012, the Ministry of Consumer Affairs, Food and Public Distribution, formally implemented the Legal metrology Act, 2011 by publishing the Legal metrology (packaged Commodities) Rules, 2012. For further information on Indian Official Gazette Notification No. G.S.R. 426 (E), please refer to GAIN Report [IN2150](#).

Foods with Genetically Modified (GM) Ingredients

- On April 7, 2006, the Directorate General of Foreign Trade (DGFT), Ministry of Commerce and Industry, announced amendments to the Foreign Trade Policy (2004-2009) regulations, which includes new requirements on imports of GM foods, food additives, or any food products that contains 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), indicating specific authorization number and date of the specified GM event in 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 Roundup Ready Soybeans, which was approved by the GEAC on June 22, 2007,. For more information on India's biotech import policy, please see IN2098 – 'Agricultural Biotechnology Annual 2012. Also, please refer to notification [Number 2\(RE-2006\)/2004-2009](#) from the Ministry of Commerce and Industry of the Government of India and the related GAIN Report IN6030 on '[Foreign Trade Policy Amendment Makes GMO Declaration Mandatory for Imported Food Products](#)'

- On June 5, 2012, the Government of India Department of Consumer Affairs published a notification in the Indian official gazette, amending the [Legal Metrology \(packaged commodities\) rules, 2011](#). The amendment mandates a 'GM' declaration on the principal display panel of packages containing genetic modified food. (For further details, please see GAIN report [IN2078](#)).

Section II. Purpose of Specific Export Certificate(s)

Imports of plants and plant products must receive a "Bio-security & Sanitary-Phytosanitary Import Permit" issued by the Ministry of Agriculture Department of Agriculture and Cooperation, as per the conditions of the Plant Quarantine (Regulation of Imports into India) Order (PQO) 2003, as amended. An importer must apply for an import permit and submit it to the exporter, who in turn acquires the required phytosanitary certificate from the relevant exporting country authority. The relevant authority in the country of export issues the phytosanitary certificate based on the specific conditions stated in the import permit.

Imports of animals and animal products (including meat and meat products) are subject to a "Sanitary Import Permit" issued by the Ministry of Agriculture Department of Animal Husbandry and Dairying, per the conditions of the Livestock Importation Act, 1898, as amended. The relevant authority in the country of export must issue a sanitary certificate based on the specific conditions as stated on the import permit.

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 Government of India does not accept export self- declarations by suppliers or manufacturers as proof of compliance. However, in certain cases, the Government of India 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 apply to the Ministry of Agriculture 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, in addition to a declaration along the following lines:

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