

**Voluntary Report** – Voluntary - Public Distribution

**Date:** December 14, 2021

**Report Number:** IN2021-0145

**Report Name:** FSSAI Publishes Tolerance Limits for Children Supplements and Revised Standards for Oat Products

**Country:** India

**Post:** New Delhi

**Report Category:** FAIRS Subject Report

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**Report Highlights:**

On November 8, 2021, the Indian government's Food Safety and Standards Authority of India published amendments to the Food Safety and Standards (Food Product Standards and Food Additives) Regulations (2011) in the Official Gazette of India (notification No. 1-116/Scientific Committee/Notif.28.4/2010-FSSAI (1) (Pt.F)). The amendment, known as Food Safety and Standards (Food Products Standards and Food Additives) Fourth Amendment Regulations (2021), relate to tolerance limits of formulated supplements for children and standards for oat products.

**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 U.S. Embassy in New Delhi – Foreign Agricultural Service (FAS) Office of Agricultural Affairs (OAA), 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 Internet Explorer. Indian host sites will geo-block site access on a rolling basis].

#### **GENERAL INFORMATION:**

On November 8, 2021, the Indian government's Food Safety and Standards Authority of India published amendments to the Food Safety and Standards (Food Product Standards and Food Additives) Regulations (2011) in the Official Gazette of India (notification No. 1-116/Scientific Committee/Notif.28.4/2010-FSSAI (1) (Pt.F)). The notification on the tolerance limits of formulated supplements for children states that "A variation of minus 10.0 percent from the declared value of the nutrients or nutritional ingredients on the label shall be allowed and the nutrient levels shall not exceed maximum limits as specified in the composition tables." On the oat products, the definition of oats is stated as "major ingredient including oat bran, oat flour, oat meal, oat-trim, kilned dehulled oats, steel cut oats, oat flakes (various thickness, which may make them instant, quick cooking or whole oats) etc. These oats varieties can be made by using various processes such as kilning, drying, rolling, slitting, cutting, steel cutting, gritting, de-hulling, flaking, grinding etc." The parameters for the moisture content is not more than 12 percent by mass for both rolled and flaked oats and products containing oats. The protein content for rolled oats is not less than 10 percent and not more than 2 percent crude fiber on a dry-mass basis.

The full text of the current FSSAI notification is pasted as Appendix-I below and is also available on FSSAI's website at:

[https://fssai.gov.in/upload/notifications/2021/11/6188bd7ded736Gazette\\_Notification\\_Oats\\_Tolerance\\_08\\_11\\_2021.pdf](https://fssai.gov.in/upload/notifications/2021/11/6188bd7ded736Gazette_Notification_Oats_Tolerance_08_11_2021.pdf)

# **APPENDIX 1: FOOD SAFETY AND STANDARDS (FOOD PRODUCTS STANDARDS AND FOOD ADDITIVES) FOURTH AMENDMENT REGULATIONS (2021)**

## **FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA**

### **NOTIFICATION**

New Delhi, the 3rd November, 2021.

**F. No. 1-116/Scientific Committee/Notif.28.4/2010-FSSAI(1) (Pt.F).**—Whereas the draft of the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2020, were published as required by sub-section (1) of section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), *vide* notification of the Food Safety and Standards Authority of India, File No. 1-116/Scientific Committee/Notif.28.4/2010-FSSAI(1), dated the 27<sup>th</sup> August, 2020, published in the Gazette of India, Extraordinary, Part III, section 4, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of the period of sixty days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas copies of the said Gazette were made available to the public on the 3<sup>rd</sup> September, 2020;

And whereas the objections and suggestions received from the public in respect of the said draft regulations have been considered by the Food Safety and Standards Authority of India;

Now, therefore, in exercise of the powers conferred by clause (e) of sub-section (2) of section 92 read with section 16 of the said Act, the Food Safety and Standards Authority of India hereby makes the following regulations further to amend the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, namely:—

### **Regulations**

1. Short title and commencement.— (1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Fourth Amendment Regulations, 2021.  
(2) They shall come into force on the date of their publication in the Official Gazette and food business operator shall comply with all the provisions of these regulations with effect from 1st day of the June, 2022.
2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011,—
  - (1) in sub-regulation 2.4.11, in clause (4) relating to “Formulated Supplements for Children”, under item (10), relating to ‘Method of sampling and analysis’, for sub-item (ii), the following shall be substituted, namely:—

- “(ii) A variation of minus 10.0 per cent from the declared value of the nutrients or nutritional ingredients on the label shall be allowed and the nutrient levels shall not exceed maximum limits as specified in the composition tables.”;
- (2) for sub-regulation 2.4.12 relating to “Rolled Oats”, the following shall be substituted, namely:—

**“2.4.12 OAT PRODUCTS.—**

**1. (A) Rolled Oats.—**Rolled/Flaked Oats (Quick Cooking Oats) means the product made from sound hulled oats (*Avena Sativa*). It shall be free from added colours, rancidity and flavoring agents. It shall be in form of flakes of uniform size having a light cream colour.

**1. (B) Products containing oats.—**(i) Means the product containing oats as the major ingredient including oat bran, oat flour, oat meal, oat-trim, kilned dehulled oats, Steel cut Oats, Oat flakes (various thickness, which may make them instant, quick cooking or whole oats) etc. These may be made by using various process such as kilning, drying, rolling, slitting, cutting, steel cutting, gritting, de-hulling, flaking, grinding etc.

(ii) It may contains edible common salt or salt substitutes, Dairy products and Analogues, natural and non-nutritive sweeteners, sugar and sugar products, honey, invert sugar, jaggery, dextrose, edible molasses, liquid glucose, fruits and vegetables and their products (including dried fruits and vegetables), cocoa and its products, Coconut and its products, egg and its products, gluten, nut and nut products, cereal, legumes, malt and malt extract, edible starches and edible flours, spices, condiments, herbs and their extracts, seasonings, vinegar, edible seeds, protein concentrates or isolates, enzymes, vitamins and minerals and other nutrients, edible fibres, maltodextrin and any other ingredients as specified in Food Safety and Standards Regulations.

(iii) The grains and other ingredients used in the processing of products containing oats shall be of good quality and shall possess a characteristic taste and odour and shall be free from rancid, musty, sour and other undesirable tastes and odors.

2. Rolled or Flaked Oats and Products containing oats shall be free from insects, rodent excreta and other such foreign matters and shall comply with the requirements given in the table below:

Parameter	Rolled/Flaked Oats	Products containing oats
Moisture % by mass,	Not more than 12.0	Not more than 12.0
Ash insoluble in dilute HCl (on dry mass basis).	Not more than 0.1 percent	Not more than 0.5 percent
Protein content ( conversion factor 6.25) on dry mass basis	Not less than 10.0 per cent	---
Crude Fibre on dry mass basis	Not more than 2.0 percent	---
Alcoholic acidity (with 90 percent alcohol) expressed as H <sub>2</sub> SO <sub>4</sub> ,	Not more than 0.18 percent	Not more than 0.18 percent
Uric Acid, mg/kg,	Not more than 100	Not more than 100

**3. Food Additives**

The product may contain food additives permitted in the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 in Appendix A under appropriate Food Category(s) and those listed in GMP Table as applicable. The product may also contain ‘Other substances for use in food products’ permitted under regulation 3.3 as per appropriate Food category of the same regulation.”.

ARUN SINGHAL, Chief Executive Officer

[ADVT.-III/4/Exty./405/2021-22]

**Attachments:**

No Attachments.