

Voluntary Report – Voluntary - Public Distribution

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Report Name: India Publishes Final Standards for Processed Dairy and Other Milk Fat Products

Country: India

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Report Category: FAIRS Subject Report

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Report Highlights:

On December 27, 2021, the Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) issued Notification No. F. No. M&MP/Notification (05)/FSSAI-2019. The notification, published in the Gazette of India (official gazette) on December 27, 2021, pertains to the Food Safety and Standards (Food Products Standards and Food Additives) Sixth Amendment Regulations (2021), setting new standards in Regulation 2.1 (Dairy Products and Analogs) and sub regulation 2.1.8 (Milk Fat Products [includes glee/clarified butter]). The regulation's implementation date is set for July 1, 2022.

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 December 27, 2021, the Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) issued Notification No. F. No. M&MP/Notification (05)/FSSAI-2019 (see, Appendix I). The notification, published in the Gazette of India (official gazette) on December 27, 2021, pertains to the Food Safety and Standards (Food Products Standards and Food Additives) Sixth Amendment Regulations (2021), setting new standards in Regulation 2.1 (Dairy Products and Analogs) and sub regulation 2.1.8 (Milk Fat Products [includes *ghee*/clarified butter]). The regulation's implementation date is set for July 1, 2022.

All milk and milk products, including composite milk products, must bear the following logo on their labels.



The draft regulation was originally published on August 13, 2020, with World Trade Organization (WTO) members invited to comment on the draft regulation (see, [GAIN-INDIA -IN2020-0105- Draft Standards on Processed Dairy and other Milk Fat Products](#)).

The full text of the FSSAI notification is located on FSSAI website at: https://fssai.gov.in/upload/notifications/2021/12/61ce91bf0f10eGazette_Notification_Ghee_Milk_31_12_2021.pdf.

APPENDIX I – FOOD SAFETY AND STANDARDS (FOOD PRODUCTS STANDARDS AND FOOD ADDITIVES) SIXTH AMENDMENT REGULATIONS (2021)

FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 27th December, 2021

F. No. M&MP/Notification(05)/FSSAI-2019.-Whereas the draft 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 number F. No. M&MP/Notification (05)/FSSAI-2019, dated the 21st July, 2020, in the Gazette of India, Extraordinary, Part III, Section 4, inviting objections and suggestions from the 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 the copies of the said Gazette were made available to the public on the 30th July, 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) Sixth 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 by 1st July, 2022 except for fatty acid contents for ghee which shall come into force after two years of the publication of these regulations in the Official Gazette.
2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 in regulation 2.1 -,
 - (1) in sub-regulation 2.1.1 related to the General Standards for Milk and Milk Products,
 - (i) in item 1, after sub-item (a), following shall be inserted, namely:-

“(aa) Analogue in the dairy context, as referred to in the Regulation 2.1, means a product in which constituents not derived from milk take the place, in part or in whole, of any milk constituent(s) and the final product resembles, organoleptically and/or functionally, milk or milk product or composite milk product as defined in these regulations.”

Note: The admixtures of certain dairy products and other ingredients not exclusively derived from milk, sale of which are prohibited as per Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011 are excluded from this definition.”;
 - (ii) in item 3, sub-item (f), following shall be inserted at the end of clause (i), namely:-

“Provided that for the purpose of these Regulations, ‘Analogues in the dairy context’ are not considered milk, milk products or composite milk products as defined in these regulations.”;
 - (iii) in item 3, sub-item (f), clause (ii), following shall be added in the first paragraph after the word ‘one or more of these products’

“unless provided otherwise in these regulations or other relevant regulations established by the Food Authority:”;
 - (iv) in item 5, relating to labeling of pre-packaged foods, after the existing text, following shall be inserted, namely:-
 - (a) “All milk and milk products, including composite milk products, as defined in sub-item b, e, f, h and i of item 1 of this sub-regulation shall exclusively use the following logo on the product label.



- (b) Following declaration shall be made on the label of ‘Analogues in the dairy context’, in close proximity of the name of the product, namely:

“(a) In respect of each such constituent not derived from milk that takes place of a milk constituent in the product:

“Contains

Blank to be filled with name of the constituent including the source

- (b) In respect of each such milk constituent whose place is fully taken over by a constituent not derived from milk in the product:

“Contains no milk

Blank to be filled with name of the constituent”

- (2) In sub-regulation 2.1.8 related to the Standard for Milk Fat Products, in item 2 relating to Essential Composition and Quality Factors, the existing tables and text under sub-item (b) Composition, shall be substituted with the following, namely:-

“Parameter	Milk Fat, Butter Oil	Anhydrous Milk Fat, Anhydrous Butter Oil	Ghee
Moisture, maximum, %, (m/m)	0.4	0.1	0.5
Milk fat, minimum, %, (m/m)	99.6	99.8	99.5
Butyro-refractometer Reading at 40 °C	40.0 to 44.0	40.0 to 44.0	40.0 to 44.0
Reichert Meissl Value, minimum	24.0	24.0	24.0
Polenske Value	0.5 -2.0	0.5 -2.0	0.5 -2.0
FFA as Oleic Acid,	0.4	0.3	2.0

maximum, %			
Peroxide Value (Milli-equivalent of Oxygen/Kg fat), maximum	0.6	0.3	-
Baudouin Test	Negative	Negative	Negative
Iodine Value	-	-	25-38
Saponification value	-	-	205-235
Presence of β -sitosterol	Absent*	Absent*	Absent*
Fatty acid profile	-	-	<u>The product shall meet the requirement of Table 1</u>

*Method for determination of adulteration of vegetable oil in ghee by RP-HPLC as notified vide FSSAI Office Order: File No. 1-90/FSSAI/SP (MS&A)/2009 dated 25th March, 2019

Table 1. The fatty acid composition of ghee as determined by GLC (expressed as percentage of total fatty acids)

Type of fatty acid	Fatty acid composition (percentage)
Saturated fatty acids	
C4:0, Butyric acid	1 -5
C6:0, Hexanoic acid (Caproic acid)	0.5 – 2.2
C8:0, Octanoic acid (Caprylic acid)	0.4 – 1.5
C10:0, Decanoic acid (Capric acid)	0.8- 5
C12:0, Dodecanoic acid (Lauric acid)	1.5 - 4
C14:0, Tetradecanoic acid (Myristic acid)	6- 13
C16:0, Hexadecanoic acid (Palmitic acid)	22-38
C18:0, Octadecanoic acid (Stearic acid)	8-19
Mono- unsaturated fatty acids	
C16:1 (Cis 9), (Hexadecanoic acid (Palmitoleic acid)	0.9-2.8
C18:1 (cis 9) 9-Octadecenoic acid (Oleic acid)	19-32
Poly- unsaturated fatty acids	
C18:2 (cis 9,12), 9,12-Octadecadienoic acid (Linoleic acid)	0.5-3.5
C18:3 (cis 9,12,15) 9,12,15-Octadecatrienoic acid	0.3-1.0”.

ARUN SINGHAL, Chief Executive Officer

[ADVT.-III/4/Exty./543/2021-22]

Attachments:

No Attachments.