

Voluntary Report – Voluntary - Public Distribution

Date: August 09, 2022

Report Number: IN2022-0068

Report Name: India's FSSAI Extends the Compliance Timeline for the Vegan Foods Regulations

Country: India

Post: New Delhi

Report Category: FAIRS Subject Report

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Approved By: Mariano Beillard, Senior Regional Agricultural Attaché

Report Highlights:

On July 26, 2022, the Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) issued directive F. No. STD/SP-18/T(Vegan Foods). The directive extends the compliance timeline for Food Safety and Standards (Vegan Foods) Regulations (2022) by six months now to January 26, 2023. On June 10, 2022, the FSSAI had previously issued a notification requiring all food product imports labeled as vegan to comply with a new clause that specifies that “no vegan food products shall be imported except with a certificate issued by the recognized authorities of the exporting countries in the format as specified by the Authority is accepted.” On July 25, 2022, the FSSAI subsequently published guidelines and application formats for endorsement of the vegan logo.

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 Foreign Agricultural Service (FAS) Office of Agricultural Affairs at the U.S. Embassy in New Delhi, 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 July 26, 2022, the Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) issued directive F.No. STD/SP-18/T (Vegan Foods). The directive extends the compliance timeline for Food Safety and Standards (Vegan Foods) Regulations (2022) by six months now to January 26, 2023 (see, Appendix I).

Background:

The June 10, 2022 (published) FSSAI (Authority) notification F.No. STD/TF-Vegan Foods/Notif/FSSAI (see, Appendix II), required that those food product imports labeled as vegan products shall be imported only with a certificate issued by the recognized authorities of the exporting countries in the format as specified by the Authority are acceptable (see, [GAIN-INDIA-IN2022-0057 – More Vegan than a Vegan – India's FSSAI Issues Regulation Requiring Vegan Certification for Food Product Imports Labeled as Vegan](#)).

On July 25, 2022, the FSSAI subsequently published [guidelines and application formats](#) for endorsement of the vegan logo (see, Appendix III). There was then no mention of a vegan certificate requirement in the September 6, 2021, notified draft version of regulation F.No. Std/TF-Vegan Foods/Notif. /FSSAI. The draft regulation's notification made no reference to vegan food product imports into India (see, [GAIN-INDIA IN2021-0109-India's FSSAI Proposes New Regulations for Vegan Foods](#)).

The full text of the FSSAI directive F.No. STD/SP-18/T (Vegan Foods), is accessible on the FSSAI website located at <https://fssai.gov.in/>

APPENDIX 1: FSSAI NOTIFICATION (JULY 26, 2022), EXTENSION OF THE COMPLIANCE TIMELINE FOR FOOD SAFETY AND STANDARDS (VEGAN FOODS) REGULATIONS (2022)

F. No. STD/SP-18/T(VeganFoods)
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety & Standards Act, 2006)
(Regulation division)
FDA Bhawan, Kotla Road, New Delhi-110 002

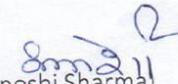
Dated, the ^{26th} July, 2022

Subject: Direction under Section 16 (5) of Food Safety and Standards Act, 2006 regarding compliance of *Food Safety and Standards (Vegan Foods) Regulations, 2022* published in the Official Gazette of India on dated 10th June, 2022.

Reference is drawn to the *Food Safety and Standards (Vegan Foods) Regulations, 2022* published in the Official Gazette of India on 10th June, 2022 *vide* Notification No. F. No. Std/TF-Vegan Foods/Notif./FSSAI and enforced from the date of their publication in the Official Gazette.

2. Based on the representation received from various stakeholders highlighting the procedural issues, specifically related to prior approval for use of the Vegan Logo, it has been decided to extend the timeline for mandatory compliance of the *Food Safety and Standards (Vegan Foods) Regulations, 2022* by 6 months from the date of uploading of the Guidelines for submission of applications for endorsement of Vegan logo and formats thereof on the FSSAI website, i.e. upto 26th January 2023.

3. This issues with the approval of the Competent Authority in exercise of the power vested with Food Authority under Section 16(5) of Food Safety and Standards Act, 2006.


(Inoshi Sharma)
Executive Director (CS)

APPENDIX II: FINAL REGULATION, FOOD SAFETY AND STANDARDS (VEGAN FOODS) REGULATIONS (2022)

33074/2022/REGULATION-FSSAI

[भाग III—खण्ड 4]

भारत का राजपत्र : असाधारण

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FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA

NOTIFICATION

New Delhi, the 10th June, 2022

F. No. Std/TF-Vegan Foods/Notif./FSSAI- Whereas the draft of the Food Safety and Standards (Vegan Foods) Regulations, 2021, 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. Std/TF-Vegan Foods/Notif./FSSAI, dated the 6th September, 2021, in the Gazette of India, Extraordinary, Part III, Section 4, inviting objections and suggestions from all 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 notifications were made available to the public;

And whereas the copies of the said Gazette were made available to the public on the **8th September, 2021**;

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 powers conferred by clause (v) of sub-section (2) of section 92 of the said Act and with the previous approval of the Central Government, the Food Safety and Standards Authority of India hereby makes the following regulations, namely: -

1. Short title and commencement. - (1) These regulations may be called the Food Safety and Standards (Vegan Foods) Regulations, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - (1) In these regulations, unless the context otherwise requires, -

(a) “vegan food” means the food or food ingredient, including additives, flavourings, enzymes and carriers, or processing aids that are not products of animal origin and in which, at no stage of production and processing, ingredients, including additives, flavourings, enzymes and carriers, or processing aids that are of animal origin has been used.

(2) Words and expressions used herein and not defined but defined in the Act, or rules or regulations made thereunder shall have the meanings assigned to them in the Act, rules or regulations, respectively.

3. General requirements. - (1) No person shall manufacture, pack, sell, offer for sale, market or otherwise distribute or import any food as vegan food unless they comply with the requirements laid down under these regulations.

(2) The food products to be called vegan, shall not have involved animal testing for any purpose including safety evaluation, unless provided by any Regulatory Authority.

(3) Every packaging material used for vegan foods shall comply with the provisions of the packaging regulations.

(4) The Food Business Operator shall ensure that all stages of production, processing and distribution shall be designed to take the appropriate precautions in conformity with the Good Manufacturing Practices in such a way to avoid the unintended presence of non-vegan substances.

(5) If the same production line is shared with non-vegan products or ingredients, thorough cleaning or comparable measures in conformity with Good Manufacturing Practices shall be carried out before production of vegan products commences and the same shall extend to all associated machinery, equipment, utensils and surfaces.

(6) The Food Business Operator shall take appropriate precautions in conformity with the Good Manufacturing Practices before vegan products are prepared, produced or packaged.

(7) There shall be traceability established up to the manufacturer level and the Food Business Operator shall comply with any other requirements specified by the Food Authority to maintain the vegan integrity of the foods or food ingredients or products thereof from time to time.

(8) Every vegan food or ingredient shall comply with the relevant provisions, as applicable under the Act, rules and regulations.

4. Labelling and display requirements. - (1) The seller of vegan food either exclusively or as part of retail merchandise shall store and display such food in a manner distinguishable from non-vegan food.

(2) Every package of vegan foods, after the approval, shall carry the logo as specified below:



(3) In addition to the specified requirements, all vegan foods shall comply with the packaging and labelling requirements specified under the Food Safety and Standards (Labelling and Display) Regulations, 2020, except clause (b) of sub regulation (4) of regulation 5.

5. Vegan food compliance. - (1) The Food Business Operator shall submit an application to the concerned licensing authority with all necessary details in a format as may be specified by the Food Authority.

(2) The Food Authority may specify guidelines for approval of vegan logo.

(3) No vegan food products shall be imported except with a certificate issued by the recognised authorities of the exporting countries in the format as specified by the Authority is accepted.

ARUN SINGHAL, Chief Executive Officer

[ADVT.-III/4/Exty./116/2022-23]

APPENDIX III: FSSAI NOTIFICATION (JULY 25, 2022), GUIDELINES AND FORMATS ON SUBMISSION OF APPLICATIONS FOR ENDORSEMENT OF THE VEGAN LOGO

File No. STD/SP-18/T(Vegan Foods)
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety & Standards Act, 2006)
(Science & Standards Division)
FDA Bhawan, Kotla Road, New Delhi 110002

Dated 25th July 2022

Subject: Guidelines for submission of applications for endorsement of vegan logo and formats thereof-reg.

This is to refer to the Food Safety and Standards (Vegan Foods) Regulations, 2022 that has been Gazette notified on 10th June 2022 and came in force w.e.f its publication in the official Gazette.

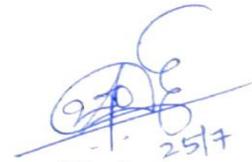
2. The sub-regulation 5 of FSS (Vegan Foods) Regulations, 2022 states the following-

*“Vegan food compliance. – (1) The Food Business Operator shall submit an application to the concerned licensing authority with all necessary details in a format as may be specified by the Food Authority.
(2) The Food Authority may specify guidelines for approval of vegan logo.
(3) No vegan food products shall be imported except with a certificate issued by the Recognized authorities of the exporting countries in the format as specified by the Authority is accepted.” (sic)*

3. In reference to the above, following are hereby provided for the purpose of applying for endorsement of vegan logo-

- a) Annexure-A: Guidelines for submission of applications for endorsement of vegan logo;
- b) Annexure-B: Application for endorsement under FSS (Vegan Foods) Regulations, 2022 (Form-A);
- c) Annexure-C: Approval/ Rejection for endorsement of vegan logo (Form-B).

This issues with approval of Competent Authority.



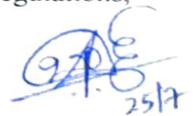
(Bhaskar N)
Advisor (Science & Standards)
FSSAI, New Delhi

Guidelines for submission of applications for endorsement of vegan logo

(refer sub-regulation 5(2) of FSS (Vegan Foods) Regulations, 2022)

The Food Safety and Standards (Vegan Foods) Regulations, 2022 has been notified and came in force w.e.f its publication in the official Gazette. As per sub-regulation 5 of FSS (Vegan Foods) Regulations, 2022, Food Authority will specify a guidelines and application for submission by the Food Business Operator for approval of vegan logo. Procedure for endorsement of vegan food logo is as follows:

- (1) The Food Business Operator shall submit an application in FORM-A along with necessary documents and fee of Rupees Five Thousand (excluding G.S.T) payable to Senior Accounts Officer.
- (2) The Food Authority shall scrutinize the application and information provided by the applicant.
- (3) The Food Authority may direct the applicant to submit additional supporting documents, data or clarifications, if required.
- (4) The Food Authority may either grant approval or reject the application, as per FORM-B.
- (5) The food business operator may file an appeal before the Chief Executive Officer, Food Authority against any decision of rejection of the application.
- (6) A food business operator, who is aggrieved by the decision of the Chief Executive Officer, Food Authority may file review petition to be placed for consideration in the meeting of the Food Authority.
- (7) The Food Authority may, for reasons to be recorded in writing, suspend or revoke any approval granted to any food business operator.
- (8) The Food Authority may review from time to time, the amount of fee for filing an application.
- (9) If a food business operator has any reason to believe that the vegan food for which the approval has been granted poses any risk to health or has not complied with the general requirement specified under sub-regulation 3 of FSS (Vegan Foods) Regulations, 2022, the Food Business Operator shall immediately suspend the manufacture, import, sale, or distribution of such article of food and take steps to recall the same under intimation to Food Authority in accordance with the provisions of the Food Safety and Standards (Food Recall) Regulations, 2017.
- (10) Food Safety Officers and Designated Officers shall immediately inform the Food Authority of any complaint received regarding safety of any product approved by the Food Authority under FSS (Vegan Foods) Regulations, 2022.
- (11) The food business operator shall, after grant of approval apply for license as per the procedure specified in the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011.



Handwritten signature and date: 25/7

Form-A

Application for endorsement under FSS (Vegan Foods) Regulations, 2022

(refer sub-regulation 5(1) of FSS (Vegan Foods) Regulations, 2022)

To

Advisor (Science & Standards)
Food Safety & Standards Authority of India
FDA Bhawan, Kotla Road,
New Delhi-110002.

S.No.	Information required (all field are mandatory)	
PART A		
1.	Name and Address of FBO:	
2.	License Number:	
3.	Authorized Person:	
4.	Contact Details:	
PART- B		
5.	Name of the product: (Note: Brand Name/Generic Name)	
6.	Nearest Food Category:	
7.	State whether the product is domestically produced or imported:	
8.	Copy of the label, along with a declaration of compliance with the extant FSSR	
9.	CoA from FSSAI notified lab ^h :	
10.	If certified as Vegan by any 3 rd party agency: a. If yes, the name and address of the certification agency: b. Process/ Product certification c. Conditions complied for obtaining certification: d. Does the third party endorse its own logo? If yes, please provide the copy of the logo & the label containing the logo. e. Is the product available in the market with above logo? f. If the answer to point (e.) is yes, please provide the approximate pre-printed packaging material to the Food Authority.	YES/NO
11.	Tentative design of the label with Vegan Logo, complying to extant Food Safety and Standards Regulations, if endorsement is required.	
12.	Self-declaration that the product prepared is free from	



animal origin.

(*In case of imported products, CoA from ISO/IEC 17025:2017 accredited laboratory to be provided)

Name & Signature of Authorized Person

Date:

PART – C (FOR OFFICIAL USE ONLY)		
1.	Verification of 3 rd party certification	YES/ NO
2.	Label compliance	YES/ NO
3.	Eligible for non-detachable stickers* (*only in case of imported food articles)	YES/ NO
4.	Certificate of Analysis	YES/ NO
5.	Any other observations/ Remarks	

Recommended for approval/ Not recommended**

Scrutinized & Verified by:

Counter verified by:

Endorsing the views above/ not endorsing:

(Advisor, Science & Standards)

(**Please provide reasons in writing for not recommending the product)



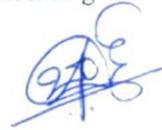
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Form-B

Approval/ Rejection for endorsement of vegan logo

Application No:	
Date of application:	
Name and address of Food Business Operator	
License number, if any:	
Authorized person:	
Contact details:	
Name of the product:	
Nearest food category as per FSSR:	
Composition of the product:	
Application status/Remarks: (Tick whichever is applicable)	1. The product is approved for displaying vegan logo*; 2. The product is not approved for displaying vegan logo.
Reasons in case of rejection:	

Note: *If the product is approved, the Food Business Operator can submit this approval to the Licensing Authority for endorsement of the vegan logo on the product applied.



Attachments:

No Attachments.