

USDA Foreign Agricultural Service

# GAIN Report

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## India

**Post:** New Delhi

### Amendments on Trans Fatty Acid Levels

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

Oilseeds and Products

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**Report Highlights:**

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) amended the [Food Safety and Standards \(Food Product Standards and Food Additives\) Regulations, 2015](#), to include maximum allowable limits for trans fatty acids.

## Executive Summary:

FSSAI published the [Food Safety and Standards \(Food Product Standards and Food Additives\) Regulations, 2015](#), and amended the maximum allowable limits of trans fatty acids in fats, oils, and fat emulsions. The amendments are based on feedback received following the public comment period from draft regulations published on November 11, 2014 ([IN4114](#)). (NOTE: although the most recent 2015 amendments are listed as officially published on August 4, 2015, there were not actually posted on FSSAI's website until August 27, 2015.) To date, the amended regulations have not been notified to the World Trade Organization (WTO).

## General Information:

**DISCLAIMER:** The information contained in this report was retrieved from FSSAI's website <http://www.fssai.gov.in/>. The Office of Agricultural Affairs and/or the U.S. Government makes no claim of accuracy or authenticity.

## Background:

On November 11, 2014, FSSAI notified draft Food Safety and Standards (Food Product Standards and Food Additives) Amendment Regulations, 2014. The amendment pertains to Chapter 2 of the [Food Safety and Standards \(Food Product Standards and Food Additives\) Regulations, 2011](#), and includes updates to regulations 2.2.2, 2.2.5 and 2.2.6, which regulate standards relating to fats, oils and fat emulsions. A 60-day public comment period was established for these amendments, which expired on February 5, 2015. The most recent amendments take the public comment feedback into account.

A summary of amendments is given below.

1. In sub-Regulation 2.2.2. relating to 'Interesterified vegetable fat', after clause (V) the following proviso shall be inserted:  
"Provided that maximum limit of trans fatty acids shall not be more than five percent by weight, on and from the 27<sup>th</sup> of August, 2016."
2. In sub-Regulation 2.2.5 relating to 'Margarine and fat spreads', after sub-clause (ii), the proviso shall be inserted:  
"Provided that the maximum limit of trans fatty acids shall not be more than five percent by weight, on and from the 27<sup>th</sup> of August, 2016."
3. In sub-Regulation 2.2.6 relating to 'Hydrogenated Vegetable Oils':
  - (i) In clause 1, sub-clause (vii), after item (b), the following proviso shall be inserted:  
"Provided that the maximum limit of trans fatty acids shall be not more than five percent by weight, on an from the 27<sup>th</sup> of August, 2016"
  - (ii) In clause 2, after sub-clause (a), the following proviso shall be inserted:  
"Provided that the maximum limit of trans fatty acids shall be not more than five percent by weight, on an from the 27<sup>th</sup> of August, 2016"

Please refer to GAIN report [IN4114](#) for additional details. The full text of the amendments as given in the FSSAI's notification published on August 27, 2015 is pasted below and is also available on FSSAI's website: <http://www.fssai.gov.in/>.

Details of Notification: F.No.4/15015/30/2011

- Publication Date: August 27, 2015
- Date of Implementation: 30 days from the date of Publication
- WTO Notification Date: Not notified as of September 16, 2015

Products affected: All foods containing fats, oils and fat emulsions

Agency in Charge: Food Safety and Standards Authority of India, Ministry of Health and Family Welfare, GOI.

**MINISTRY OF HEALTH AND FAMILY WELFARE**  
(FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA)

**NOTIFICATION**

New Delhi, the 4th August, 2015

**F. No. 4/15015/30/2011.**—Whereas the draft of certain regulations to amend the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, were published as required under 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 4/15015/30/2011, dated the 11th November, 2014 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 thirty 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 5th December, 2014;

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. These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2015.
2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in regulation 2.2 relating to 'FATS, OILS AND FAT EMULSIONS', -
  - (a) in sub-regulation 2.2.2 relating to 'Interesterified vegetable fat', after clause (v), the following proviso shall be inserted, namely:-
 

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”;
  - (b) in sub-regulation 2.2.5 relating to 'MARGARINE AND FAT SPREADS', in clause 2 relating to "Bakery and Industrial Margarine", after sub-clause (ii), the following proviso shall be inserted, namely:-
 

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”;
  - (c) in sub-regulation 2.2.6 relating to 'HYDROGENATED VEGETABLE OILS',-
    - (i) in clause 1, in sub-clause (vii) after item (b), the following proviso shall be inserted, namely:—
 

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”;
    - (ii) in clause (2), after sub-clause (a), the following proviso shall be inserted, namely:-
 

“Provided that the maximum limit of trans fatty acids shall be not more than 5% by weight, on and from the 27th of August, 2016;”;

YUDHVIR SINGH MALIK, Chief Executive Officer

[ADVT.-III/4/Exty./187-O/15(154)]

**Note** ; The principal regulations were published in the Gazette of India, Extraordinary, Part III, Section 4, vide notification number F.No: 2-15015/30/2010, dated 1st August, 2010 and subsequently amended vide notification numbers:

- (i) F.No. 4/15015/30/2011, dated the 7th June, 2013
- (ii) F.No. P.15014/1/2011-PFA/FSSAI, dated the 27th June, 2013
- (iii) F.No. 5/15015/30/2012, dated the 12th July, 2013
- (iv) F.No. P.15025/262/13-PA/FSSAI, dated the 5<sup>th</sup> December, 2014 and
- (v) F.No. 1-83F/Sci. Pan- Noti/FSSAI-2012, dated the 17th February, 2015.