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FSSAI Guidelines for Imported Food Clearance at Sea Ports

Report Categories:

Sanitary/Phytosanitary/Food Safety

Approved By:

David Leishman

Prepared By:

Ritambhara Singh

Report Highlights:

On September 28, 2010, the Food Safety and Standards Authority of India (FSSAI) published “**Guidelines for Imported Food Clearance Process by FSSAI’s Authorized Officers**”. Following the recent appointment of new FSSAI authorized officers at the Ports of Mumbai, Nhava Sheva, Chennai, Kolkota and Haldia, there have been reports of delays in the clearance process. The new circular highlights FSSAI guidelines for sampling, testing, and clearance of imported food items at the sea ports. FSSAI’s authorized officers at the sea ports are instructed to continue following the rules and procedures laid out in the Prevention of Food Adulteration Act (PFA), as amended.

General Information:

Background: On September 28, 2010, the Food Safety and Standards Authority of India (FSSAI) published "**Guidelines for Imported Food clearance Process by FSSAI's Authorized Officers.**" The FSSAI guidelines for its authorized officers are targeted to help streamline the clearance process at the ports.

Prior to the appointment of FSSAI authorized port officers, health inspection clearance functions were managed by a public health officer under the direction of the Department of Customs. The transition to FSSAI authority offices at sea ports reaffirms and operationalizes the objectives of the Food Safety and Standards Act, 2006 (Chapter V). The specific rules and procedures are laid out in the Prevention of Food Adulteration Act (PFA), as amended. These rules and procedures will soon be integrated into the Food Safety and Standards Regulations, 2010.

Guidelines for Imported Food clearance Process by FSSAI's Authorized Officers

The new FSSAI circular specifically notes that:

1. On January 28, 2004, the Directorate General of Foreign Trade (DGFT) modified the sampling procedure from 100 per cent sampling on all commodities to 5-20 per cent sampling except for high risk and perishable commodities (Policy Circular number 25 (RE-2003)/2002-2007). This was done in consultation with the Ministry of Health and Family Welfare.

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The Department of Customs maintains an historical database of all imports. On the basis of previous test results, the Customs officer can refer specific shipments for sampling and testing (in accordance with the PFA).

Under the PFA, the criteria for 100 per cent sampling applies to high risk and perishable food items such as fruits, vegetables, meat, fish, cheese, etc. On June 14, 2004, the DGFT issued Policy Circular Number 37 (RE-2003)/2002-2007 to classify high risk food items as follows:

1. Edible Oils and Fats in any form	8. Infant formulae
2. Pulses and Pulses products	9. Food colors
3. Cereals and Cereal products	10. Food additives
4. Milk powders	11. Natural Mineral Water
5. Condensed milk	12. Packaged Drinking Water
6. Infant milk food	13. Tea and Coffee
7. Milk cereal base weaning foods	14. Cocoa butter equivalent or substitutes

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2. The FSSAI Authorized Port Officer will refer all samples to an authorized laboratory in accordance with the PFA Act. The cost of Rs. 3000 per sample will be borne by the importer.
3. The FSSAI Authorized Port Officer will ascertain that for imported pre-packaged food items, language, best before date, nutritional information, etc. is in compliance with the labeling provisions under the PFA rules. If a consignment is not in compliance, the sample will not be drawn.

4. The FSSAI Authorized Port Officer will verify that the product has a valid shelf life. On July 30, 2001, the Department of Commerce published a notification in the Official Gazette of India, noting that the valid shelf life of the product should not be less than 60 per cent of its original shelf life. The relevant notification can be accessed at:

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According to PFA Rules, the ‘Best Before Date’ is defined as “the date which signifies the end of the period under any stated storage conditions during which the product shall remain fully marketable and shall retain any specific qualities for which tacit or express claims have been made and beyond that date the food may still be perfectly satisfactory”

The ‘Expiry date’ is defined as “ the date which signifies the end of the estimated period under any stated storage conditions, after which product probably will not have the quality attributes normally expected by the consumers and the food shall not be marketable.”

The full-text of the FSSAI circular is available at: [fssai circular](#)