

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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India

Post: New Delhi

Duty-free Shops Repealed from 2016 Food Import Regulations

Report Categories:

Sanitary/Phytosanitary/Food Safety

Exporter Guide

Food and Agricultural Import Regulations and
Standards - Narrative

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Report Highlights:

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) issued an order that repeals the earlier clause on duty-free shops from the 2016 Food Import Regulations. The order states that duty-free shops would be outside the domain of the Food Safety and Standards Act, 2006 and its Regulations.

General Information:

DISCLAIMER: The information contained in this report was retrieved from the Government of India website <http://www.fssai.gov.in/>. The U.S. Government makes no claim of accuracy or authenticity.

Based on the comments received from stakeholders, FSSAI issued an order on June 3, 2016 (uploaded on June 23 on their website), that deletes clause 14.3 (a) from the [2016 Food Import Regulations](#) with immediate effect. As a result of this order, duty-free shops are not subject to the provisions of the Food Safety Act, 2006, and the Regulations.

The text of Clause 14.3 (a) in the Food Import Regulations, 2016 is as follows: **“The provisions of the Act and the Regulations will be applicable to all Duty Free shops at all airports of India.”**

The entire text of the order is attached below and can also be accessed from the FSSAI website <http://www.fssai.gov.in/>.

F.No. 15017/131/2014-FSSAI/ Legal
Food Safety and Standards Authority of India
(A statutory Authority under the Ministry of Health and Family Welfare, Govt. of India)
FDA Bhawan, Kotla Road, New Delhi-110002

The 3rd June, 2016

Subject: Direction under Section 16(5) of Food Safety and Standards Act, 2006 regarding duty free shop at all airports of India.

Food Safety and Standards Authority of India (FSSAI) had, in exercise of the power conferred by clause (d) of sub-section (2) of Section 18 of the Food Safety and Standards Act, 2006 operationalised the Food Safety and Standards (Food Import) regulations, 2016. Clause 14.3 of the notice of operationalization stipulated that "The Provisions of the Act and the Regulations will be applicable to all Duty Free Shops at all Airports of India".

2. After due consideration of representations received from various stakeholders, the above mentioned issue has been re-examined and it has been decided that Duty Free Shops would be outside the ambit of Food Safety and Standards Act, 2006 and Regulations made thereunder. Accordingly, clause 14.3 of the notice referred to above stands deleted with immediate effect till such time the import regulations are finally notified.

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



(Sunil Bakshi)
Advisor (Regulations)

To

1. All Food Safety Commissioners
2. All Authorized Officers, FSSAI

Copy for information to:

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. All Directors, FSSAI