

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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**Date:** 11/24/2010

**GAIN Report Number:** IN1106

## India

### Food and Agricultural Import Regulations and Standards - Certification

### FAIRS Export Certificate Report

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**Report Highlights:**

Export certification requirements for imports of food products in India are summarized in this report. Since the last report (IN9127 of September 24, 2009) the Food Safety and Standards Authority of India (FSSAI) has officially become the single regulator for all existing acts and orders related to food safety and standards. The FSSAI has published the Food Safety and Standards Regulation, 2010 in the official Gazette of India. The FSSAI has also appointed authorized officers for clearance of imported food at sea ports.

**Section I. List of All Export Certificates Required By Government (Matrix) :**

**Disclaimer**

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in New Delhi, to serve as reference guide for firms wishing to export food and agricultural products to India. While every effort has been taken to accurately describe existing regulations, exporters are strongly advised to always verify import requirements with their customers prior to shipment. THIS REPORT HAS NOT BEEN OFFICIALLY ENDORSED BY THE GOVERNMENT OF INDIA. IMPORT APPROVAL FOR ANY PRODUCT IS SUBJECT TO LOCAL RULES AND REGULATIONS AS INTERPRETED BY INDIAN BORDER OFFICIALS AT THE TIME OF ENTRY.

## SECTION I: LIST OF REQUIRED EXPORT CERTIFICATES

Products	Title of Certificate	Attestation required on Certificate	Purpose	Requesting Ministry
Plants and Plant Products	Phytosanitary Certificate	Additional declaration per the specific conditions mentioned in the import permit. 1/	Prevent introduction of exotic pests and diseases.	Ministry of Agriculture
Animals and Animal Products	Sanitary Health Certificate	Additional declaration per the specific conditions mentioned in the import permit. 2/	Prevent introduction of exotic pests and diseases, and avoid human health risks due to microbial & chemical contamination.	Ministry of Agriculture

### Notes:

1/ For specific conditions applicable for different commodities, please refer to the Plant Quarantine (Regulation of Imports Into India) Order 2003, as amended, at: [www.plantquarantineindia.org/PQO\\_amendments.htm](http://www.plantquarantineindia.org/PQO_amendments.htm)

2/ [The procedure for the import](#) of animal products as mentioned below can be accessed by going to the Department of Animal Husbandry, Dairying and Fisheries website <http://dahd.nic.in/>, and then clicking on the icon ‘Trade’ and then find the following links.

- a. [Procedure for import of Livestock products into India](#)
- b. [Sanitary conditions/Health Protocols for various products](#)
- c. [Guideline for Import/Export of Bovine Germplasm](#)
- d. [Performa for submitting proposals for introduction of live Aquatic Organisms](#)
- e. [Import Health certificate for import of Dog into India](#)
- f. [Veterinary certificate for import of milk and milk products in to India](#)
- g. [Animal health certificate for import of in vivo bovine embryo in to India](#)
- h. [Veterinary certificate for import of skin/hides into India](#)
- i. [Notification to regulate the import of equine species of animals into India](#)
- j. [Notification for bovine semen](#)

### Processed Food Products

India’s current import regulations do not require any specific export certificates from the country of origin for imports of processed food products, including products in consumer packages. However, livestock products require export certificates from the country of origin. All processed food and beverages products imported into India should meet the requirements established under various domestic food laws, such as:

- [Prevention of Food Adulteration Act, 1954](#) and PFA Rules of 1955, as amended.
- [Meat Food Products Order, 1973](#),
- [Fruit Products Order, 1955](#)
- [Milk and Milk Products Order, 1992](#)
- [Vegetable Oil Products \(Control\) Order, 1947](#)
- [Edible Oils Packaging \(Regulation\) Order 1988](#),
- [Solvent Extracted Oil, De-Oiled Meal and Edible Flour \(Control\) Order, 1967](#)

The Orders and Acts noted above are now officially under the statutory authority of the [Food Safety Standards Authority of India \(FSSAI\)](#), which has the role of administering the [Food Safety and Standards \(FSS\) Act, 2006](#). The FSSAI serves as the single reference point for all matters relating to India’s food safety standards as outlined in the [Food Safety and Standards](#)

[Regulations, 2010](#). For further information on FSSAI, please refer to the GAIN report IN1070 on [FSSAI Seeks Comments on New India Food Safety Law](#), and IN1092 on [FSSAI Drafts New Approach for Implementing Food Safety Standards](#)

As authorized by the **Food Safety and Standards Act 2006**, the FSSAI has appointed inspection officers at five major Indian sea ports (Mumbai, Nhava Sheva, Chennai, Kolkota and Haldia) to oversee the clearance process for imported foods. Prior to the appointment of FSSAI authorized port officers, the health inspection clearance function was managed by Public Health Officers from Ministry of Health. FSSAI's authorized port officers are conducting sampling and testing procedures for imported food products as authorized by the Food Safety and Standards Regulations, 2010, which are based on the Prevention of Food Adulteration Act (PFA), as amended. Imported shipments are cleared only after border officials establish conformity to existing rules and standards. The Food Safety and Standards Regulations, 2010 were published in the official Gazette of India on October 20, 2010. For further information, please refer to GAIN report IN9113 '[Food and Agricultural Import Regulations and Standards Country Report 2009](#),' IN1095 on '[FSSAI Guidelines for Imported Food Clearance at Sea Ports](#)' and IN1104 on '[FSSAI-Towards Implementing Food Safety Standards in India](#)', which are available on the USDA/FAS website: [www.fas.usda.gov](http://www.fas.usda.gov).

All processed food products must also meet requirements established under the [Standards of Weights and Measures Act, 1976](#). Imported food products such as milk powder, condensed milk, and infant food need to comply with Indian quality standards (<http://bis.org.in/cert/man.htm>).

## **Foods with Genetically Modified (GM) Ingredients**

On April 7, 2006, the Directorate General of Foreign Trade (DGFT), Ministry of Commerce and Industry, announced amendments to the Foreign Trade Policy (2004-2009) regulations, which includes new requirements on imports of GM foods, food additives, or any food products that contains GM ingredients. The DGFT mandates that importers of GM food and ingredients should submit a declaration to the effect that the imported consignment contains genetically modified products. The importer has to provide particulars of the prior GEAC approval (number and date) of the specified GM event in consignment declaration. There is no official prescribed format for such a declaration. A failure to properly declare a GM product would make the importer liable to penal action. Furthermore, imports of such products require prior approval from the government's Genetic Engineering Approval Committee (GEAC). For details, please refer notification [Number 2\(RE-2006\)/2004-2009](#) from the Ministry of Commerce and Industry of the Government of India and the related GAIN report IN6030 on '[Foreign Trade Policy Amendment Makes GMO Declaration Mandatory for Imported Food Products](#)'

### **Section II. Purpose of Specific Export Certificate(s)**

Imports of plants and plant products are subject to a "Bio-security & Sanitary-Phytosanitary Import Permit" issued by the Ministry of Agriculture Department of Agriculture and Cooperation, per the conditions of the Plant Quarantine (Regulation of Imports into India) Order (PQO) 2003, as amended. An importer must apply for an import permit and submit it to the exporter, who in turn acquires the required phytosanitary certificate from the relevant exporting country authority. The relevant authority in the country of export issues the phytosanitary certificate based on the specific conditions as stated on the import permit.

Imports of animals and animal products (including meat and meat products) are subject to a "Sanitary Import Permit" issued by the Ministry of Agriculture Department of Animal Husbandry and Dairying, per the conditions of the Livestock Importation Act, 1898, as amended. The relevant authority in the country of export must issue a sanitary certificate based on the specific conditions as stated on the import permit.

### **Section III. Specific Attestations Required on Export Certificate(s)**

The attestations for both of the above mentioned export certificates must meet all the specific conditions, which can vary from commodity to commodity, and can also change over time.

### **Section IV. Government Certificate's Legal Entry Requirements**

Original export certificates must accompany each individual export consignment at the time of entry into India. The Government of India does not accept export self- declarations by suppliers or manufacturers as proof of compliance. However, in certain cases, the Government of India may allow export certificates containing additional declarations on the import permit by organizations accredited by the government of the exporting country. The government of the exporting country must apply to the Ministry of Agriculture to get this special approval.

### **Section V. Other Certification/Accreditation Requirements**

## **Certificate of Origin**

A certificate of origin issued by the relevant authority of the exporting country's government, state government, industry association, or manufacturer/supplier should accompany the export consignment of all food and agricultural products, including processed and packaged food. This certificate should mention the order number, container number, port of discharge, buyer's name, and product description, in addition to a declaration along the following lines:

“The undersigned for (relevant organization) declares that the following mentioned goods as consigned above (or below) are the products of the United States of America (or any country of origin). We hereby certify the goods to be of United States of America (or any country) origin.”