FSSAI issues manual on food import to ensure application of clearances

Wednesday, 06 December, 2017, 08 : 00 AM [IST]

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Ensuring a consistent approach towards food import clearances in the country, the Food Safety and Standards Authority of India (FSSAI) recently issued a manual on food import. It is expected to ensure that import clearances at different ports in the country are applied, where there is FSSAI as well as where food imports are regulated by the Customs department on behalf of the country’s apex food regulator.

Earlier this year, FSSAI, in order to keep a check that no unsafe or substandard food was being imported in India, had notified the Food Safety and Standards (Imports) Regulations, 2017, providing a single clearance reference regulation for food import. These regulations laid down the detailed and clear procedure-related licensing of food importers, clearance, storage, inspection and sampling, amenable food labelling, etc.

According to FSSAI, the manual will be useful to authorised officers, especially from the Customs department, as they have many responsibilities, and the availability of this handy manual will help in effective implementation of the import regulations.

Food import for commercial purpose
The following details should be followed while looking for imports for commercial purposes:

- **Import license**: To obtain food import license, the importer requires a valid import-export code, issued by the Directorate General of Foreign Trade (DGFT).
- Clearance process
- Review process

Orders further simplifying food imports
Identifying the unique nature and properties of certain food items and economic requirement, relaxations in the procedures for specific products are allowed for ease of doing business and efficient utilisation of
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infrastructure at the port.

- Relaxation in labelling requirements for bulk and wholesale packages
- Issuance of provisional no-objection certificate (NOC)
- Sampling and testing of combined cargo of pulses and oils
- Miniature samples for high-priced alcoholic beverages
- Item-wise clearance of imported food consignments

Food import for other purposes

The following part in the manual tells about how to import for various purposes:

- Food import for personal consumption
- Food imported by diplomatic missions
- Food import for quality assurance, research and development purposes
- Food import for the purpose of exhibition and tasting
- Food import for sports events
- Food import consignment meant for 100 per cent export/re-export

Step-by-step procedures for food imports

Six steps have been identified by FSSAI for the food import. They are as follows:

Filling of an application at the customs ice gate: The importer or Customs house agent (CHA) has to file an application for the clearance of the consignment with the department of Customs for the generation of a bill of entry (BOE) at the customs ice gate on a single-window interface for facilitating trade (SWIFT). A risk management system scrutinises the application. Meat and meat products, condensed milk, fish and egg products, milk powders, infant milk food and formulae, etc. are categorised as high-risk food items.

Registration on FICS, log in and upload of documents: The CHA/importer needs to be registered on the food import clearance system (FICS), and once the application has been forwarded by the ice gate and accepted by the authorised officer (AO), the importer needs to file the required documents.

Scrutiny of the documents, payments of lab testing fees and appointment for visual inspection: The AO scrutinises the documents submitted to ensure that the consignments comply with the standards laid down by FSSAI. If the documents are found to be in order, the AO will ask the importer to deposit the fees through the payment gateway system. The visual inspection and sampling process: The AO and his representative will inspect the consignment to ensure that the food items have been transported or stored in optimal storage conditions of temperature and
hygiene

**Laboratory analysis:** This process will provide an opportunity for a fair and transparent allocation of food import samples.

**Issue of NOC/non-conformance certificate (NCC):** On the laboratory report, the NOC/NCC is issued and conveyed to Customs.

**Import fees and charges**

Meanwhile, following the meeting held recently, FSSAI issued an order regarding the levy fees and charges regulating food imports.

As per the order, FSSAI instructed the concerned authority to charge the following amounts to the food importers:

- For the visual inspection, the food importer or his CHA has to make online payment of Rs 2,000 along with the lab testing fee.
- If the importer or CHA do not turn up for visual inspection, even after two opportunities, the authorised officer of FSSAI may draw the sample ex parte and a penalty of Rs 2,000 shall be charged to the importer by issuance of the NOC/NCC. However, till the provisions of payment is made online in FICS, the officer may collect the fee online.
- Rs 2,000 for first review appeal and Rs 5,000 for second review appeal for the chief executive officer (CEO) may be charged to the importers (as per the provisions under Chapter XI, 15(2)(a) of the Food Safety and Standards (Import) Regulations, 2017. The review application process will be done offline till the provisions for the process is made online.