Press note

Food Safety and Standards (Import) First Amendment Regulations, 2018

FSSAI has notified regulations on Food Safety and Standards (Import) First Amendment Regulations, 2018.

2. This notification amends the requirement relating to shelf life of imported product at the time of port clearance. As per this notification, Custom Authorities shall not clear any article of food unless it has a valid shelf life of not less than sixty per cent, or three months before expiry, whichever is less, at the time of import”

3. Further, one more provision stating “the importer shall submit certificate of sanitary export from authorized agencies in exporting countries for the categories of food as may be specified by the Food Authority from time to time” has also been inserted. This will help in the risk prioritization and in effectively dealing with high risk products intended for import.

The said regulation will come into force on the date of their finalization.
भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY

भाग III—खण्ड 4
PART III—Section 4

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स्वास्थ्य एवं परिवार कल्याण संबंध
(भारतीय बाढ़ सुरक्षा एवं मानक प्राधिकरण)
अधिष्ठाना
नई दिल्ली, 7 फरवरी, 2018

फा. सं. रेग./11/25/आयात संशोधन/एफएएसएआई-2017.—बाढ़ सुरक्षा और मानक अधिनियम, 2006 (2006 का संख्यक 34) की धारा 92 की उपधारा (1) की अंशे के अनुसार, बाढ़ सुरक्षा और मानक (आयात) प्रथम संशोधन विनियम, 2017 का प्रारूप, भारतीय बाढ़ सुरक्षा और मानक प्राधिकरण की अधिष्ठाना संस. फा. सं. रेग./11/25/आयात संशोधन/एफएएसएआई-2017, दिनांक 30 नवंबर, 2017 द्वारा, भारत के राजपत्र, असाधारण, भाग III खंड 4 में उन तिथि में, जिस तिथि को उस अधिष्ठाना को प्रकाशित करने वाले राजपत्र की प्रतियों जनता को उपलब्ध कराई गई थी, तीस दिनों की अवधि के अंदर उसे प्रभावित हो सकने वाले लोगों में आपत्तियों और सुझावों को आमंत्रित करते हुए प्रकाशित किया गया था;

और उक्त राजपत्र की प्रतियों 6 दिसंबर, 2017 को जनता को उपलब्ध करार दी गई थी।

और उक्त प्रारूप विनियम के संबंध में प्रास आशंकाओं और सुझावों पर भारतीय बाढ़ सुरक्षा और मानक प्राधिकरण द्वारा विचार कर लिया गया है;

अतःएव उक्त अधिनियम कि धारा 92 के उपधारा के खंड (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय बाढ़ सुरक्षा और मानक प्राधिकरण बाढ़ सुरक्षा और मानक (आयात) विनियम, 2017 में और संशोधन करने के लिए निर्देशित किए विनियम बनाता है, अर्थातः—

विनियम

1. संक्षिप्त नाम और प्रारंभ.— (1) इन विनियमों का संक्षिप्त नाम बाढ़ सुरक्षा और मानक (आयात) प्रथम संशोधन विनियम, 2018 है।

(2) ये राजपत्र में उक्त प्रस्ताव की तारीख को प्रकृत होगी।

2. बाढ़ सुरक्षा और मानक (आयात) विनियम, 2017 में,•

733 GI/2018
F. No. REG/11/25/Import amendment/FSSAI-2017.- Whereas the draft of the Food Safety and Standards (Import) First Amendment Regulations, 2017 were published as required by 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. REG/11/25/Import amendment/FSSAI-2017, dated the 30th November, 2017, 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 6th December, 2017;
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 of the said Act, the Food Safety and Standards Authority of India hereby makes the following regulations, namely:-

**Regulations**

1. Short title and commencement.- (1) These regulations may be called the Food Safety and Standards (Import) First Amendment Regulations, 2018.
   (2) They shall come into force on the date of their publication in the Official Gazette

2. In the Food Safety and Standards (Import) Regulations, 2017,-
   (a) in regulation 3,-
      (i) sub-regulation (2) shall be omitted.
      (ii) for sub-regulation (3), the following shall be substituted, namely:-
      “(2) For the purposes of sub-regulation (1), the Food Importer shall register himself with the Directorate General of Foreign Trade and possess valid Import-Export Code.”
   (b) in regulation 5, after sub-regulation (5), the following sub-regulation shall be inserted, namely:-
      “(6) The custom shall not clear any article of food unless it has a valid shelf life of not less than sixty per cent. or three months before expiry whichever is less at the time of import.”
   (c) In regulation 7, in sub-regulation (3), for explanation 1, the following shall be substituted namely:-
      “Explanation 1.- For the purposes of clause (b) of sub – regulation 3, the importer shall declare in FORM - 8 regarding the captive or end use of the imported product to the Customs Department at the time of filing the bill of entry, declaring that the imported articles of food is meant to be used by the importer for hundred per cent export or re-import of articles of food for export again as the case may be, and that no part thereof shall be supplied for domestic consumption.”
   (d) in regulation 11, for sub-regulation (2), the following shall be substituted, namely:-
      “(2) for the purposes of sub-regulation (1),-
      (a) the Food Safety and Standards Authority of India shall profile the Importer, custom house agent, manufacturer of the imported product, imported product, country of origin, source country of the consignment, port of entry, history of compliance and any other parameters as it deems fit for assessing the risk associated with the commodity;
      (b) the importer shall submit certificate of sanitary export from authorised agencies in exporting countries for the categories of food as may be specified by the Food Authority from time to time.”
   (e) in FORM- 9, for the words, figures and parenthesis “[See regulation 7 (4)]”, the following shall be substituted, namely:-
      “[See regulation 7 (5)]”

PAWAN AGARWAL, Chief Executive Officer
[ADVT.-III/4/Exty./423/17]

**Note**: The principal regulation were published in the Gazette of India, Extraordinary Part III, Section 4, vide notification number F. No. 1/2008/Import safety/FSSAI, dated 9th March, 2017.