

ITC (HS), 2012
SCHEDULE 1 – IMPORT POLICY

GENERAL NOTES REGARDING IMPORT POLICY

4. Food Safety & Standards Act, 2006:

This Act, and rules framed thereunder, can be accessed from the website of the Food Safety and Standards Authority of India: www.fssai.gov.in.

(A) Quality and Packaging requirements:

Import of all such edible/food products including tea, domestic sale and manufacture of which are governed by Food Safety & Standards Act, 2006 and rules thereunder, shall also be subject to the conditions laid down in the aforesaid Act and rules framed thereunder. Import of all these products will have to comply with the quality and packaging requirements as laid down in the Act. Compliance of these conditions is to be ensured before allowing customs clearance of the consignment.

(B) Shelf Life:

Import of all such edible /food products, domestic sale and manufacture of which are governed by Food Safety & Standards Act, 2006 and rules thereunder shall also be subject to the condition that, at the time of importation, the products are having a valid shelf life of not less than 60% of its original shelf life. Shelf life of the product is to be calculated, based on the declaration given on the label of the product, regarding its date of manufacture and the due date for expiry.

However, this condition of 60% shelf life stipulated above is not applicable to re-import for export purpose under para 2.38 of Foreign Trade Policy. Re-import for export purpose will be subject to following conditions:

- (i) Re-imported edible/food products to meet stipulated phytosanitary conditions;
- (ii) Importers to give an undertaking to Customs that re-imported the goods are not sold in the domestic market;
- (iii) Importers to submit a certificate to Customs that such goods have been re-exported.

[Policy Circular No. 35 (RE2010)/2009-14 dated 04.08.2011 regarding 'Re-import for export purpose']

(C) Meat and Meat Products including Poultry products:

Import of meat and poultry products will be subject to the compliance of conditions regarding manufacture, slaughter, packing, labeling and quality conditions as laid down in Food Safety & Standards Act, 2006 and rules thereunder. All manufacturers of meat/poultry products exporting their goods to India shall be required to meet the sanitary and hygienic requirements as stipulated under the aforementioned Act and rules framed thereunder. The imported product shall also comply with the specified packaging, labeling and quality standards as laid down therein. Compliance of these conditions is to be ensured before allowing customs clearance of the consignment.

6. Genetically Modified Food, Feed, Genetically Modified Organism (GMOs) and Living Modified Organisms (LMOs):

Import of Genetically Modified Food, Feed, Genetically Modified Organism (GMOs) and Living Modified Organisms (LMOs) will be subject to the following conditions:

- (a) The import of GMOs / LMOs for the purpose of
 - (i) R & D;
 - (ii) Food;
 - (iii) Feed;
 - (iv) Processing in Bulk and
 - (v) For Environment release

will be governed by the provisions of the Environment Protection Act, 1986 and Rules framed thereunder (Environment Protection Act, 1986 and Rules framed thereunder can be accessed from the website of the Ministry of Environment & Forests: <http://envfor.nic.in>).

- (b) The import of any Food, Feed, raw or processed or any ingredient of food, food additives or any food product that contains GM material and is being used either for Industrial production, Environmental release, or field application will be allowed only with the approval of the Genetic Engineering

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Approval Committee (GEAC), set up by the Ministry of Environment & Forests (the details of GEAC can be accessed from the website link of the Ministry: http://www.envfor.nic.in/divisions/csurv/geac/geac_home.html).

- (c) Institutes / Companies who wish to import Genetically Modified material for R & D purposes will submit their proposal to the Review Committee for Genetic Modification (RCGM) under the Department of Bio-Technology. In case the Companies / Institutes use these Genetically Modified material for commercial purposes, approval of GEAC is also required.
- (d) At the time of import all consignments containing products which have been subjected to Genetic Modification will carry a declaration stating that the product is Genetically Modified. In case a consignment does not carry such a declaration and is later found to contain Genetically Modified material, the importer is liable to penal action under the Foreign Trade (Development and Regulation) Act, 1992.

The Genetic Engineering Approval Committee (GEAC) has accorded 'one time approval' for import of GM Soyabean oil (crude de-gummed/ refined form) derived from Round-up, Ready Soybean for the purpose of consumption after refining. Therefore, above conditions will not apply to the import of said Soyabean Oil till further orders.

[Reference - Notification No 69 (RE-2007) / 2004-2009 dated 27.12.2007]