

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Required Report - public distribution

Date: 12/22/2016

GAIN Report Number: IN6161

India

Food and Agricultural Import Regulations and Standards - Certification

FAIRS Export Certificate Report

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Report Highlights:

In calendar year (CY) 2016, the Government of India (GOI) continued to amend its Food Safety and Standards Regulations, 2011, for food safety, labeling, and packaging of imported products. Additionally, the Ministry of Agriculture (MinAg) revised its Export/Import of Bovine Germplasm Guidelines, and notified to the World Trade Organization (WTO) a draft veterinary health certificate for importing dog and cat food (containing animal origin material).

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

This report was prepared by U.S. Embassy New Delhi's Office of Agricultural Affairs (OAA) to serve as reference guide for stakeholders wishing to export food and agricultural products to India. Only updates from CY 2015 and CY 2016 are listed in this report. OAA New Delhi recommends readers use the [GAIN search engine](#) to find relevant GAIN FAIRS Export Certification reports for previous years. While OAA New Delhi makes every effort 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 GOI. 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 Health Certificate | Both special conditions and additional declarations for majority of the commodities per the specific conditions mentioned in the import permit. | To prevent the introduction of exotic pests and diseases. | MinAg |
| Animals and Animal Products | Sanitary Health Certificate | Import requirements per the specific conditions mentioned in the import permit. | To prevent the introduction of exotic pests and diseases, and minimize human health risks due to microbial or chemical contamination. | MinAg |

Notes:

- For conditions imposed on specific plant products, please refer to the Plant Quarantine Order 2003 (Regulation of Imports into India), as amended: www.plantquarantineindia.org/PQO_amendments.htm.
- For conditions imposed on specific animal products, please refer to the MinAg's Department of Animal Husbandry, Dairying and Fisheries (DAHDF) website: <http://dahd.nic.in/>.
- On January 16, 2015, the GOI Food Safety and Standards Authority of India (FSSAI) published a [draft Order](#) for domestically produced and imported meat and poultry products that note a procedure will be developed to inspect and monitor slaughtering and processing plants before granting market access to trading partners, and requires a country's competent authority to certify to Indian import requirements. Furthermore, the draft Order has introduced modified text for some requirements currently included in veterinary import certificates for imported meat and poultry products. On April 23, 2015, the draft Order was notified to the WTO for comment. However, FSSAI postponed the earlier effective date of July 1, 2015 by three

months and the new date of implementation of the order was October 1, 2015 or until further orders, whichever is earlier. To date, FSSAI has not notified if the implementation date of October 1, 2015 is extended further. For further details, please refer to GAIN [IN5035](#), GAIN [IN5078](#), and GAIN [IN5086](#).

- On June 29, 2015, the MinAg issued a draft notification proposing phytosanitary requirements for the import of hay from the United States (see [Draft Notification on the Import of Hay from the U.S.](#) for details). To date, this draft notification has not been implemented and will only be implemented when officially published in the Gazette of India.
- On September 28, 2015, DAHDF published a veterinary health certificate for the import of bovine frozen semen into India through an official gazette notification. Previously, DAHDF published a draft certificate in 2014 (Please see GAIN [IN4041](#)). The final certificate provides new or revised information including modified import requirements. For example, it specifically mentions that bovine frozen semen imports require a health certificate written in English that is signed by an official veterinarian of the exporting country and includes information contained in the Form section. The final certificate also added additional disease testing options for bovine brucellosis and paratuberculosis, which include the fluorescence polarization assay and fecal culture test. To date, this veterinary health certificate has not been notified to the WTO. For further details, please refer to GAIN [IN5132](#).
- On September 28, 2015, DAHDF published a veterinary health certificate for the import of in vivo bovine embryos through an official gazette notification. Previously, the DAHDF published a draft health certificate in 2014 (GAIN [IN4041](#)). The final certificate provides new or revised information including modified import requirements. For example, it specifically mentions that in vivo bovine embryo imports require a health certificate written in English that is signed by an official veterinarian of the exporting country and includes information contained in the Form section. The final certificate also added additional disease testing options for paratuberculosis, which include a fecal culture test. According to paragraph (II) (10), the embryos can be stored in new or sterilized liquid nitrogen containers (the draft certificate only mentions sterilized containers). Paragraph (II) (11) requires that the straw should be labeled according to the International Embryo Transfer Society (IETS) manual. To date, this veterinary health certificate has not been notified to the WTO. For further details, please refer to GAIN [IN5134](#).
- On September 28, 2015, DAHDF published a veterinary health certificate for the import of live bovines into India through an official gazette notification. The revised certificate provided new or revised information including modified import requirements. For example, it specifically mentions that live bovine imports require a health certificate written in English that is signed by an official veterinarian of the export country and includes information contained in the Form section. The revised certificate added additional disease testing options for paratuberculosis and schmallenberg serology, which include the fecal culture test and virus neutralization (VN). The new certificate also includes a few modifications in the testing protocol for the disease enzootic bovine leucosis (EBL). To date, this veterinary health certificate has not been notified to the WTO. For further details, please refer to GAIN [IN5133](#).
- On November 6, 2015, DAHDF published a final veterinary health certificate for pork and pork product imports on its website. The revised certificate introduces additional requirements as compared to the draft protocol notified to the WTO on March 16, 2015 (Please see GAIN [IN5036](#)). For example, the final certificate introduces new import requirements under para 6 (f) of section IV, which notes that the consignment of pork and pork products should be produced

according to the Codex Code of Hygienic Practice for Meat and sourced from pigs that are slaughtered in an approved slaughter house/abattoir. The final certificate also notes requirements for the *taenia solium* and provides procedures for the inactivation of the *taenia solium cysticerci*. To date, this veterinary health certificate has not been notified to the WTO. For further details, please refer to GAIN [IN5144](#).

- On February 4, 2016, the GOI notified a draft veterinary health import certificate for dog and cat food (containing animal origin material) to the WTO. This revised draft certificate introduces some new language and requirements in comparison to the earlier protocol. Other modifications or additions include new heat treatment processing guidelines, the identification of ports that can accept imported pet food, new testing requirements for sulphite reduced clostridium for canned and moist pet food, and manufacturer/exporter declarations. The new draft certificate removed an earlier requirement that processing facilities be located at least 25 kilometers radius from areas with avian influenza detections. More details on the draft veterinary health certificate are provided in GAIN [IN5157](#) and GAIN [IN6035](#). The health certificate is accessible online at <http://dahd.nic.in/trade> or can be directly accessed at [Veterinary Certificate for Import of Dog and Cat Foods into India](#).
- In April, 2016, DAHDF revised the Guidelines for Export/Import of Bovine Germplasm. The new guidelines modify text and/or revise the import requirements for semen, embryos, young bulls and young heifers. For example, the new guidelines include import requirements for sexed semen from genomically tested sires, embryos from genomically tested heifers and genomically tested young bulls. The revised guidelines also mention additional requirements for the eligibility of importers. Although not notified to the WTO, the new guidelines were published on the DAHDF website. For further details, please refer to GAIN [IN6090](#).
- On July 26, 2016, the GOI notified requirements for poultry and poultry product imports from countries reporting an outbreak of Highly Pathogenic Avian Influenza or Low Pathogenic Avian Influenza to the WTO (GAIN [IN6105](#)). This is subsequent to the notification of draft requirements to WTO on April 21, 2016 (GAIN [IN6059](#)). After reviewing comments, on July 8, 2016, the DAHDF published a gazette notification for poultry and poultry product imports from countries reporting avian influenza (GAIN [IN6095](#)). The final notification introduces some new language and modifies texts in comparison to the draft notification. For example, the final notification modifies text for the definition of ‘poultry products’ in paragraph 1 (f) and inserts an additional criteria for determination of avian influenza status in paragraph 2-2(d). The final notification is available online at <http://dahd.nic.in/trade> or can be directly accessed at [Import of Poultry and Poultry Products into India in view of Outbreak of Avian Influenza](#). On September 21, 2016 GOI further notified amendments to the requirements for poultry and poultry product imports from countries reporting avian influenza to the WTO (GAIN [IN6122](#)).

Import procedures for specific livestock products are available in the Trade Section of DAHDF’s website at <http://dahd.nic.in/>. These include the following:

[Procedure for Import of Livestock notified under clause \(b\) of Section 2 of Livestock Importation Act, 1898](#)

[Procedure for import of live-stock products notified under Section 2\(d\) and section 3A of the Live-stock Importation Act](#)

[Sanitary conditions/Health Protocols for various products](#)

[Guideline for Import/Export of Bovine Germplasm](#)

Procedure for recognition of zones/compartments

[Guidelines for recognition of zones and compartments](#)

[Questionnaire to ascertain the AI situation in a zone](#)

[Proforma for submitting proposals for introduction of live Aquatic Organisms](#)

[Import Health certificate for import of pet dog into India](#)

[Animal health certificate for import of in vivo bovine embryo in to India](#)

[Veterinary certificate for import of skin/hides into India](#)

[Veterinary certificate for import of milk and milk products](#)

[Veterinary Certificate for Import of pork and pork products](#)

[Veterinary Certificate for Import of Canine Semen into India](#)

[Veterinary Certificate for Import of Equine Semen into India](#)

[Veterinary Certificate for Import of Ovine/Caprine Semen into India](#)

[Animal Health Certificate for Import of Porcine Semen into India](#)

[Veterinary Certificate for Import of Bovine serum into India](#)

[Import of Live Bovines](#)

[Import of Horns and Hooves](#)

[Veterinary Certificate for Import of Fish and Fishery Product into India](#)

[Veterinary Certificate for Import of Rodents into India](#)

Processed Food Products

India does not currently require specific import certificates for processed food products. However, meat and livestock products do require export certificates from the country of origin. On August 5, 2011, the GOI enforced its Food Safety and Standards Regulations (FSSR), 2011. This food law is administered by FSSAI, which oversees implementation of the [Food Safety and Standards \(FSS\) Act, 2006](#).

Accordingly, all imported processed food and beverage products must meet the requirements established by the FSSR, 2011.

Notes:

- On May 14, 2015, the Ministry of Consumer Affairs, Food and Public Distribution's Department of Legal Metrology published a notification in the Indian official gazette, amending the Legal Metrology (packaged commodities) Rules, 2011. Important highlights of the amendment include: (a) Adopting the definition of retail packages as defined by FSSAI; and (b) Allow the use of stickers to include all labeling requirement data on imported food packages. The publication is not yet WTO notified, nor is there any reference to a specific comment period for domestic stakeholders. With the first amendment of 2015, these rules may now be called as Legal Metrology (packaged commodities) (First Amendment) Rules, 2015 (GAIN [IN5076](#)).
- On December 29, 2015, the Ministry of Consumer Affairs, Food and Public Distribution's Department of Legal Metrology, postponed its timeline for the implementation of [Legal Metrology \(Packaged Commodities\) \(Amendment\) Rules, 2015](#). The amendment is now scheduled to be fully enforced as of June 30, 2016. The extension of enforcement date applies to Rule 6, 7 (Sub-rule 5), and 9 of the Legal Metrology (Packaged Commodities) Rules, 2011. Readers may access specific details from GAIN [IN6004](#), GAIN [IN5076](#) and the [Legal Metrology \(Packaged Commodities\) \(Amendment\) Rules, 2015](#).

Foods with Genetically Modified (GM) Ingredients

On April 7, 2006, the MOCI's DGFT 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 must submit a declaration stating that the imported consignment contains genetically modified products. The importer has to provide a reference to prior approval by India's Genetic Engineering Appraisal Committee (GEAC), indicating specific authorization number and date of the specified GM event in consignment declaration. There is no official prescribed format for this declaration. Importers can be prosecuted for failure to properly declare a GM product. Currently, the only biotech food product officially allowed for import is soybean oil derived from glyphosate-resistant soybeans, which was approved by the GEAC on June 22, 2007. For more information on India's biotech import policy, please see GAIN [IN6157](#) "Agricultural Biotechnology Annual 2016". Also, please refer to notification [Number 2\(RE-2006\)/2004-2009](#) from the MOCI and the related GAIN Report GAIN [IN6030](#) - "[Foreign Trade Policy Amendment Makes GMO Declaration Mandatory for Imported Food Products](#)".

- On January 1, 2013, the Ministry of Consumer Affairs, Food and Public Distribution, formally implemented the Legal metrology (Packaged Commodities) Amendment Rules, 2012 as published in the Indian Official Gazette Notification No. G.S.R. 427(E), which stipulates that every package containing food derived from products of biotechnology shall bear at the top of its principal display panel the letters "GM" (GAIN [IN3003](#)).

Section II. Purpose of Specific Export Certificate(s)

On July 19, 2016, the MinAg released a final notification S.O. 2453 E and one of the amendments introduced through this notification included waiving off the requirement of import permits for majority of plant commodities under the PQ order. For phytosanitary requirements specific to any commodity, the exporter/shipper may refer to the website of plant quarantine at: <http://plantquarantineindia.nic.in>

Imports of animals and animal products (including meat and meat products) are subject to a "Sanitary Import Permit" issued by the MinAg's DAHDF, 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.

There are several key trade restrictions that limit market access for U.S. food products. Imports of most animal and livestock-derived food products are effectively banned because of established Indian import requirements. This includes dairy products classified in Chapter 2-5, 16 and 21 of the Harmonized Tariff Schedule, poultry meat, seafood, goat and pork products including pet foods. Imports of beef are banned due to religious concerns. Imports of alcoholic beverages are constrained by high import tariffs, state and local taxes, state-level labeling requirements, and a complex licensing system for distribution and sales.

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 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 GOI does not accept export self-declarations by suppliers or manufacturers as proof of compliance. However, in certain cases, the GOI 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 petition the MinAg to get this special approval.

Section V. Other Certification/Accreditation Requirements

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 products from the United States (or any country of origin). We hereby certify the goods to be of U.S. (or any country) origin.