

## Lecture 16: Basic TBT Commitments, Indian Laws, Rules and Regulations, and FSSAI Packaging Standards and Rules

### CONCEPTS COVERED

- **Introduction**
- **Basic Commitments under TBT**
- **Indian Law and Standards**
- **FSSAI and packaging standards**

Dear students, in this week's last class, we are going to look into the SPS-TBT Agreement vis-a-vis the Indian provisions, Indian regulations and also the Food Safety Standards Act and other regulations with regard to the food, as well as SPS part, as well as the TBT part, especially the Food Safety Standard Authority we are going to see, what are their regulations, licensing requirements, certification requirements, etcetera. So, in order to understand the background of the SPS and TBT Agreements, we have to look into these particular laws with regard to India.

### Introduction

- **In the series of lectures, it is already observed that the Technical Barriers to Trade (TBT) Agreement having the goal to ensure that technical regulations, standards, and conformity assessment procedures are essential for regulating the smooth conduct of trade.**
- **TBT are the Agreement that are non-discriminatory and do not create unnecessary obstacles to trade.**
- **TBT Agreement strongly encourages members to base their measures on international standards as a means to facilitate trade.**

Again, we are looking into the objective of TBT. It is very clear. So, TBT Agreement very clearly talks about technical standards and assessment procedures, and it talks about

non-discrimination, non-discrimination between domestic actions and imported products. So we saw the example of the *US-Clove Cigarette* case from Indonesia. And also the standards, so like the SPS, the TBT Agreement also says that they strongly encourage the members to adopt international standards and especially the Codex standards, which was prescribed under the SPS Agreement and other standards.

## TBT Standards and Commitments

- **Technical regulations and standards are important, but they vary from country to country. Having too many different standards makes life difficult for producers and exporters.**
- **If the standards are set arbitrarily, they could be used as an excuse for protectionism. Standards can become obstacles to trade. But they are also necessary for a range of reasons, from environmental protection, safety, national security to consumer information.**
- **And they can help trade. Therefore the same basic question arises again: how to ensure that standards are genuinely useful, and not arbitrary or an excuse for protectionism.**

And the basic commitment, which you can see, is that there is no uniform standard prescribed by TBT. Every country has the freedom to adopt a standard which is suitable to them, but subject to the regulations, subject to certain basic principles, cardinal principles of non-discrimination. Again you cannot put, you cannot set the standard arbitrarily in place of protectionism and that standard cannot act as a barrier to trade. And also, other reasons the members can take action for protecting the environment, national security and consumer information. So they can have their own provisions, but again, the only condition is that these provisions should not be used as a protectionist measure to stop trade. So then again, the question is how the standards are set at the domestic level. So each and every member country is free to adopt a particular standard.

## Standards

- **The agreement also sets out a code of good practice for both governments and non-governmental or industry bodies to prepare, adopt and apply voluntary standards.**
- **Over 200 standards-setting bodies apply the code.**

And also you can see that it can be mandatory standards, it can be voluntary standards.

## TBT Agreement

- **Applies to all products including industrial and agricultural products**
- **Voluntary standards & Technical regulations (mandatory standards)-notification to all members**
- **Code of good practice for standards development**
- **Product requirements in terms of performance rather than design or descriptive characteristics**
- **Technical regulations of local governments below central govt to be similarly notified**

It is applicable to industrial products, and it is applicable to agricultural products, and it is applicable to any product which is going to the consumers, including even health products, voluntary, veterinary products, milk or any other product that the government can come out with special regulations for. Moreover, the countries can come up with good practices that lead to standard development. Also, the countries can come up with regulations to prevent deceptive practices. For example, in India, there is a law, Prevention of Magic Remedies which prevents somebody from coming out with an advertisement for a magic remedy for a particular disease. And mostly, the TBT Agreement looks into the technical regulations, and it is the obligation of the central government to implement them in the constituent states.

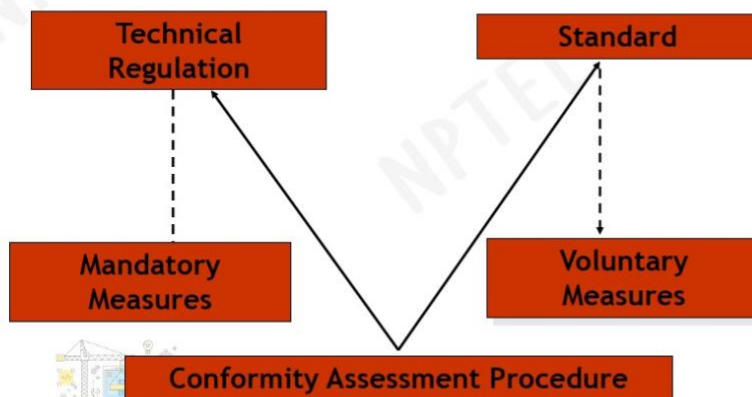
## Prevention of Deceptive Practices

- Most of these regulations aim to protect consumers through information, mainly in the form of labelling requirements.
- Other regulations include classification and definition, packaging requirements, and measurements (size, weight etc.), so as to avoid deceptive practices.



So we talked about the deceptive practices, and this part is taken care of by the labelling requirements. The labelling requirements or packaging requirements require the prescription of the size, its weight, nutritional claims, etcetera. So the TBT Agreement can handle the prevention of deceptive practices as well and there can be provisions at the domestic law as well.

## What measures are subject to TBT Provisions?



So, here, the TBT deals with technical regulations as well as standards. So, if you come to the standard, it is voluntary measures, and you can also see the technical regulations, the mandatory measures, and the conformity assessment procedure. These are the only points TBT has dealt with. So, outside the purview of this, we saw in the last class the distinction between the SPS measure and the TBT measure. So, these are the broad bodies of TBT implementation.

## Indian Law

- **Food Safety and Standards (Packaging and Labelling) Regulation, 2011**
- **The Legal Metrology (Packaged Commodities) Rules, 2011**

Quickly then, I think we will spend this class on the Indian laws, regulations and other procedures and how they implemented the SPS and TBT Agreement. You can see that there is a series of, and we will come back to these particular regulations later.

## Indian Law

- **Standards of Weights and Measures Act, 1976**
- **Standards of Weights and Measures (Enforcement) Act 1985**
- **The Standards of Weights and Measures (Packaged commodities) Rules, 1977** – New Rules - 2011 require the manufacturers/ packers to indicate mandatory declaration of certain basic information on the packaged commodities to safeguard the interest of consumers as well as ensure availability of the declared quantity of the product in the package.
- **The Rules also require importers to provide certain basic declarations on imported packages, similar to those for indigenous packages.**

So the first act, which we can see in some of the Food Standards Act of 2006, but much before that, there are other legislations that you can find. The Standards of Weight and Measures Act, 1976. The Standards of Weights and Measures Rules as well and which are amended from time to time, require the manufacturers and packers' mandatory declaration, certain basic information in the packages of commodities. So it includes the quantity, quality, content, expiry date. So we will see what exactly it means. And also, this is not only for the manufacturers in India; the importers also provide basic declarations and also the indigenous packages. So, regarding Weight and Measures, we

can see that even though the TBT measure came in 1995, we have implemented these measures since 1976 itself, probably under the Tokyo Round of Codes.

## International Standards

- **An important role in these efforts is played by the International Standardization Organization (ISO), the International Electrotechnical Commission (IEC) and the International Telecommunication Union (ITU).**
- **Their activities have had major impact on trade, especially in industrial products. For example, ISO has developed more than 9,600 international standards covering almost all technical fields.**

And again, if you look into the international standards, we can find a lot of international standard-setting bodies. So, the international standardization organisation (ISO) is very popular in almost every country. The International Electrotechnical Commission, the International Telecommunication Union are one of the oldest international organisations. They make international standards, and here, the international standardization organization (ISO) has more than 9600 international standards which cover all international fields. So we will come to the India again.

## International Standards

In the *EC - Sardines* decision the Panel found, and the Appellate Body confirmed, that a standard promulgated by Codex Alimentarius, the Codex Stan 94, is a relevant international standard for purposes of Article 2.4 of the *TBT Agreement*.<sup>22</sup> The international standard need not be promulgated by consensus by the recognized standardizing body in order to fall within Article 2.4.<sup>23</sup>

The international standards: what are the international standards, there are many cases very clearly said that EC-Salmon case we have already looked into, they clearly talk about what do you exactly mean by the TBT measure.

## Indian Standards

- **Food Standards Act, 2006**
- **The Food Safety and Standards Authority of India (FSSAI) regulates the packaging of all food products in India. The regulations pertaining to food packaging are laid out in the Food Safety and Standards (Packaging and Labelling) Regulations, 2011.**
- **All food that is placed in a package of any nature, in such a manner that the contents cannot be changed without tampering with it and which is ready for sale to the consumer must comply with the food packaging regulations in India.**



So we will come to legislations one by one. So, I said that the present food law, the food law mainly deals with the Food Standards Act of 2006 and it repealed the Food Allocation Act of 1956. Now, the entire protection of food or the standards of food is under this Act, and also an authority has been formed, the Food Safety and Standards Authority of India (FSSAI) has been formulated under this particular Act, which regulates the packaging of all food products. Also, you can see the Food Safety and Standards (Packaging and Labelling) Regulations in 2011, and from time to time it was amended in 2016, 2018 and 2023. So the food can be put in the package but what is the standard of the package and what kind of contents can be put in packages. And also, regulations are also made under this particular Act.

## FSSAI

- **The Food Safety and Standards Authority of India (FSSAI) has been established under Food Safety and Standards , 2006 which consolidates various acts & orders that have hitherto handled food related issues in various Ministries and Departments.**
- **FSSAI has been created for laying down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import to ensure availability of safe and wholesome food for human consumption.**

If you look into this particular organisation, the Food Safety and Standards Authority of India, this authority was formed under the Act of 2006 and handles food-related issues under various departments. This is the single authority which is created to deal with NDR food safety in the country. And I see, you can find that this authority, the Food Safety Authority lays down science-based standards. So, you can see the SPS Agreement is based on scientific evidence. So, science-based standards for food, regulate their manufacture, regulates their storage, regulates their distribution, regulates their sale and import for human consumption. So, this is the single authority to take care of anything relating to food or food safety. And the food safety authority, the central food safety authority and state authorities work together to protect the food safety of the country.

## FSSAI - Mandate

- **FSSAI has been mandated by the FSS Act, 2006 for performing the following functions:**
- **Framing of Regulations to lay down the Standards and guidelines in relation to articles of food and specifying appropriate system of enforcing various standards thus notified.**
- **Laying down mechanisms and guidelines for accreditation of certification bodies engaged in certification of food safety management system for food businesses.**
- **Laying down procedure and guidelines for accreditation of laboratories and notification of the accredited laboratories.**
- **To provide scientific advice and technical support to Central Government and State Governments in the matters of framing the policy and rules in areas which have a direct or indirect bearing of food safety and nutrition.**
- **Collect and collate data regarding food consumption, incidence and prevalence of biological risk, contaminants in food, residues of various, contaminants in foods products, identification of emerging risks and introduction of rapid alert system.**
- **Creating an information network across the country so that the public, consumers, Panchayats etc receive rapid, reliable and objective information about food safety and issues of concern.**
- **Provide training programmes for persons who are involved or intend to get involved in food businesses.**
- **Contribute to the development of international technical standards for food, sanitary and phyto-sanitary standards.**
- **Promote general awareness about food safety and food standards.**



If you look into the declared objectives of the Food Safety Authority, you can see that the main function of the Food Safety Authority is the formulation of regulations and guidelines and specifying appropriate systems for enforcing various standards. And the mechanisms and guidelines for accreditation and certification bodies engaged in certification and accreditation of food business because if you want to do a food business in India, you require certification, you require a license, and you require permission from the Food Safety Authority. It also provides scientific advice to the Government of India on food safety, and it collects data on food consumption and risk assessment, contamination of food and residues and identification of emerging risks. So, all the mandates of the SPS Agreement are with the Food Safety Authority, and also it contributes to the international technical standard-making in food sanitary and phytosanitary measures. And also consumer education is also one of the mandate of the Food Safety Authority.

## FSSAI system

- **Food Safety Compliance System (FoSCoS) is an enhanced version of Food Licensing and Registration System (FLRS) which was launched in 2012 for issuance of pan-India FSSAI Licenses and Registration.**
- **It had evolved incrementally and organically with changing regulatory needs. The technology on which it was built was outdated, with technical support no longer available.**
- **Over years users complained of slow speed of FLRS and software experts resisted new changes on FLRS thus impeding any further improvement, expansion and innovation in the licensing system.**

You can see that a component of the Food Safety Authority, the food safety compliance system, is one of the important mandates. Through this particular system, you can see the entire food licensing and registration system is made online by the authority. So, now the registration certificate as well as the licenses are issued by the authority through this centralised system and also they provide the technical support. So, this is an improvement and a very simplified, transparent system of providing certification and license to the food business in the country.



## Regulations

1. Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011.
2. Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011.
3. Food Safety and Standards (Prohibition and Restriction of Sales) Regulation, 2011.
4. Food Safety and Standards (Contaminants, Toxins and Residues) Regulation, 2011.
5. Food Safety and Standards (Laboratory and Sampling Analysis) Regulation, 2011.
6. Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations, 2016.
7. Food Safety and Standards (Food Recall Procedure) Regulation, 2017.
8. Food Safety and Standards (Import) Regulation, 2017.
9. Food Safety and Standards (Approval for Non-Specific Food and Food Ingredients) Regulation, 2017
10. Food Safety and Standards (Organic Food) Regulation, 2017.



You can see that around 22 regulations are handled by the Food Safety Authority. It is very interesting to see each and every area is covered. For example, food business registration, safety and standards, licensing and registration which we talked about, food products standards and food additives and then a restriction of sales, then contaminant, toxin, residues regulation, laboratory sampling and analysis regulation and also health supplements, special dietary uses, medical purposes and functional food and novel food regulation, 2016. Then Food Record Procedure 2017, Import Regulation 2017, then also the Approval of Non-specific Food and Food Ingredients, 2017, then Organic Food Regulation, 2017.

## FSSAI Regulations

1. Food Safety and Standards (Alcoholic Beverages) Regulation, 2018
2. Food Safety and Standards (Fortification of Food) Regulation, 2018
3. Food Safety and Standards (Food Safety Auditing) Regulation, 2018
4. Food Safety and Standards (Recognition and Notification of Laboratories) Regulation, 2018
5. Food Safety and Standards (Advertising and Claims) Regulation, 2018
6. Food Safety and Standards (Packaging) Regulation, 2018
7. Food Safety and Standards (Recovery and Distribution of Surplus food) Regulation, 2019
8. Food Safety and Standards (Safe food and balanced diets for children in school) Regulations, 2020
9. Food Safety and Standards (Foods for Infant Nutrition) Regulations, 2020
10. Food Safety and Standards (Labelling and Display) Regulations, 2020 Food Safety and Standards (Ayurveda Aahara) Regulations, 2022.
11. Food Safety and Standards (Vegan Foods) Regulations, 2022.



And you can find a set of around 22 regulations, which includes alcoholic beverages and fortification of food, food safety auditing and notification of laboratories, advertising and

claims, packaging regulation and then recurring distribution of surplus food, safe food and balanced diet for children in school 2020 regulation, which comes along with the midday meal scheme. So, this is in furtherance of the midday scheme of the central government. Then you can see the Food for Infant Nutrition Rules 2020. Then again, you can see the labelling and display regulations of 2020, and you can see for certain specific products like Ayurveda in 2022, food safety and standards. So, very importantly, the Vegan Foods Regulation 2022. So, the Government of India also came out with the standards for vegetarian food in 2022, and the last is with regard to the use of recyclable plastic or you can say plastic bags.

## New Rules

- **The Food Safety and Standards Authority of India (FSSAI) announced new regulations with respect to food packaging. The Food Safety and Standards (Packaging) Regulations, 2018 replace the packaging provisions of the Food Safety and Standards (Packaging and Labelling) Regulations, 2011.**
- **New labeling regulations were published separately.**
- **The new regulations include both general and specific requirements for packaging materials.**
- **In particular, they prescribe an overall migration limit of 60 mg/kg or 10 mg/dm<sup>2</sup> and specific migration limits for certain contaminants in plastic packaging materials.**

So, the Food Safety Authority in India deals with the entire area of food safety, whether it is food packaging or labelling. It also deals with labelling regulations. You can also see that they prescribe standards for packaging materials. What kind of for example, in the case of plastic packaging materials, they came out with new regulations in 2023. So, you cannot use certain plastic baggage with a specific thickness; they came out with a migration limit. They changed the limit for recyclable use of plastics.

## Packaging Regulations

- **India's new packaging regulations ban both the use of recycled plastics in food packaging and the use of newspaper and such other materials for packing or wrapping of food articles.**
- **They also reference specific Indian Standards for printing inks for use on food packages.**
- **Schedule IV of the regulations is a list of suggested packaging materials for different food product categories.**

And the packaging regulations are strictly implemented. So, now in India, you can use only recycled plastics and recyclable plastics for wrapping your foods, packaging your foods and also the Indian standards of printing inks for use in food packages. What kind of printing inks can be used in food packages? Also, regulations with regard to different food products, the same packaging cannot be used for different food products. So, that is also mentioned under schedule 4.

## General Requirements of a Container

- **The container is rusty;**
- **All containers shall be securely packed and sealed;**
- **The exterior of the cans shall be free from major dents, rust, perforations, and seam distortions;**
- **Cans shall be free from leaks;**
- **An enameled container that has become chipped and rusty;**
- **A copper or brass container which is not with proper tins;**
- **Containers made of aluminum not conforming in chemical composition to IS:20 specification for Cast Aluminium & Aluminium Alloy for utensils or IS:21 specification for Wrought Aluminium and Aluminium Alloy for utensils.**

And then, for example, I have given an example of a container, a food container. What is the standard of a food container? It says that the container is rusty, all containers shall be securely packed and sealed, the exterior of cans shall be free from major dense rust then perforation and seam distortions, free from leaks, enameled container that has become chipped and rusty, copper brass container which is not with proper tints, then container is

made of aluminium not conforming to chemical compositions of the particular standard IS:20 and IS:21, then other utensils-aluminium. So, there is a standard for using aluminium wrappings or aluminium alloy utensils, there is a standard for using it for food preparations. So, you can see a container, a packaging container. What is the standard of container is given as an example.



There are special standards for the packaging of milk and milk products.

## Packaging Requirements for Milk and Milk Products

- Bottling or filling of containers with heat-treated milk and milk product should be carried out mechanically and the sealing of the containers shall be carried out automatically.
- Wrapping or packaging may not be re-used for dairy products, except where the containers are of a type that may be re-used after a thorough cleaning and disinfecting.
- Carry out the sealing process in the establishment in which the last heat-treatment of drinking milk or liquid milk-based products has been carried out, immediately after filling, by means of a sealing device that ensures the protection of milk from any adverse effects of external origin on its characteristic.
- Design the sealing device in such a manner that the container has opened, and the evidence of opening remains clear and easy to check.
- Immediately after packaging, place the dairy products in the rooms provided for storage.



So, you can see the packaging of milk and milk products and what is the standard prescribed by the Food Safety Authority. So, it says that the bottling or filling of containers with heat-treated milk, so, pasteurised milk and milk products should be carried out mechanically, and the sealing of the container shall be carried out automatically. It means that there must be no human intervention between the bottling

and packaging of milk. Then wrapping, this talked about bottling, and next is talking about packaging. May not be reused for dairy products. So, that means the dairy products containers should not be reused, and also the sealing process for treated milk, drinking milk, liquid milk or milk-based products, so it must be sealed immediately after filling by means of a mechanical device. So, that means, with human hands, you cannot wrap it up. You cannot use any human intervention for milk and milk products. Also, immediately after packaging, the dairy products in the rooms, probably for storage, should be sealed, and must be in refrigeration mode. So, there are special packaging requirements for milk and milk products. I have given only very few examples.

## New FSSAI Packaging Guidelines 2023

- **In addition to general and specialized requirements for packaging materials, the regulations prescribe overall and specific migration limitations of pollutants for plastic packaging materials.**
- **Furthermore, the standards establish a recommended list of packaging materials for specific food product categories.**
- **According to these laws, the packaging materials used for packing or storing food goods must meet the Indian Standards listed in the schedules.**

So, the new Food Safety Packaging Guidelines, 2023 has come out in 2023, this year only. They talked about specialised requirements for packaging materials. So, it is basically focused on plastic packaging materials and what is the standard of the plastic - recyclable plastic used for packaging. And also, a recommended list of packaging materials for individual specific products is included in the schedule. So, packaging and storing is an important issue. So, India also came out with a higher standard this year itself for packaging and storing of food materials and which is included in the schedule. So, slowly, after enacting the law in 2006, after many years, around 17 years, India is gradually increasing its standards. So, most of the rules which you can are from 2011. So, it means that from 2006, there was a transition period for 5 years given by the government of India, and then they came out with regulations. And now, more than 10 years later, they are increasing the standard of the New Food Safety Packaging Guidelines, which we talked about.

## Primary Food Packaging

- Paper and board materials that will come into touch with food product
- The paper and board must be consistent in shape, thickness, and composition.
- It must be devoid of noticeable imperfections such as spots, grease stains, cuts, pinholes, and other flaws.
- The paper used to make boxes, cartons, plates, cups, and paper lids, as well as paper that will come into direct connection with food, must be of food quality and devoid of pollutants.
- Paper and board materials used to manufacture containers for packing or storing food goods must meet one of the Indian standards listed in Schedule 1.



There are also special guidelines for primary food packaging. Basically, usage of paper board, paper for the food packaging. You can see their shape, thickness, and composition. It also talks about if there are some spots or grease stains, cuts, pinholes and other flaws. It specifically talks about the paper which can be used for boxes, cartons, plates, cups and paper lids. And especially now, in large programs, paper cups and paper plates are used for the distribution of food. So, their quality is, now their standard is mentioned. And for the paper board material, specifically, the Food Safety and Standard Authority of India, came out with the primary food packaging standard in Schedule 1.

An infographic titled "Is it mandatory to apply for fssai to start food business?" with the answer "YES". Below the title, it asks "Which Fssai Registration should i apply for?". The infographic is divided into two sections by a dashed line. The left section is for "Annual Turnover below 12 Lakh" and instructs to "Apply for CERTIFICATE" with the URL <https://foodlicensing.fssai.gov.in/index.aspx>. The right section is for "Annual Turnover above 12 Lakh" and instructs to "Apply for LICENSE" with the URL <https://foodlicensing.fssai.gov.in/index.aspx>. The FSSAI logo is at the bottom right. The number "26" is in the bottom right corner.

So, now, as I told you, you require the intervention of the Food Safety Authority to start any food business in the country. There are two ways. And one is for small businesses where the annual turnover is less than 12 lakh rupees. Such registrations require only a

certificate, they have to apply only for a certificate from the Food Safety Authority. And two, for more than 12 lakh rupees, you have to apply for a license, and the process and procedure are very simple.

**Below 12 Lakh Turnover**  
Apply only for Registration Certificate only

**What is FSSAI Registration Certificate?**  
It is a necessary registration certificate for small scale business whose turnover is below 12 lakhs annually. The FSSAI registration certificate is issued by the state government, and its maximum tenure is five years, and the minimum is one year.

Examples: Small-sized manufacturer, hawkers, temporary stallholder, itinerant vendor, and start-ups.

*Its very easy to get fssai certificate*

**DOCUMENTS REQUIRED**

- Photo ID issued by a Government authority
- Passport size Photo
- Authority letter

**Govt. fees for Registration Certificate**  
**₹100/-**

And so, these two systems are made in order to facilitate the beginners or startups or food business startups. That is why less than 12 lakh rupees of total income and above 12 lakh rupees are the two categories. So, now, the documentation is mostly reduced and transparency is kept, and a centralised system is there, and a very small fee is required to get a certificate from the Food Safety Authority of India to start a small business.

**PROCESS FOR FSSAI REGISTRATION**  
(Apply if your turnover below 12 Lakh)

1. Filing of an Application in form A with Fee Rs. 100/-

2. Either grant or reject Registration Certificate, Issue notice for inspection within 7 days

3. Inspection is ordered within 7 days

4. After the inspection, grant the registration

**Within 7 days of receipt of Application**

**Within a period of 30 days after inspection order**

*if no response*

**OPEN**

Food Business Owner may start the business

Also, at the same time, you can see that in the entire registration process, I said now that either a certificate or a license is mandatory under the new rules to start a food business. So, even though it is a very short period, a maximum of 30 days is given, and if the Food



Safety Authority does not visit you to inspect within 30 days, it is deemed to be granted, and you can start your business. So, with the advent of technology, the Food Safety Authority has made an online process for registration, and the processes are very simple.

## Packaged Food - Labelling

1. The name of Food
2. List of Ingredients,
3. Nutritional Information,
4. Declaration regarding Veg or non-veg,
5. Declaration regarding Food Additives,
6. Name and complete address of the manufacturer or packer
7. Net Quantity,
8. Code No./Lot No./Batch No.,
9. Date of manufacture or packing,
10. Best Before and Use By Date,
11. Country of Origin for imported food and
12. Instructions for use

Now you can see the Package Food - Labelling. So, we are talking about package, labelling is also very important. So this includes the name of the food, the list of ingredients, nutritional information, declarations with regard to Veg or Non-Veg, declaration regarding food additives included, name and complete address of the manufacturer or packer, the quantity, net quantity, the license number, batch number, the date of manufacturing and the date of expiry or best before the date has to be given. Then, the country of origin and instructions for use are provided.

**FOOD LABEL INSTRUCTION**

A systematic pre-packaged food label is not only legally mandatory but also keeps the customer informed while making a purchase decision. It will help them to store and use it safely without mislead. Food label should allow people to plan when they will consume it – all of which help to reduce food wastage!

Today customers are more invested in nutritional information, especially as the number of food-related diseases and health problems are on the rise, so make sure your food label is communicating a correct message with customers

*fssai*

The diagram shows a package of 'MONSTER MULTIGRAIN PORRIDGE' with several key label elements highlighted and labeled:

- Name or Description of the food
- Veg / Non Veg Icon
- Label Must Tell The Truth
- Net Quantity
- Direction for use & Storage
- Nutrition Information Panel
- Percentage Labelling
- Food Allergy Information
- Food Recall Information
- Ingredient List
- FSSAI No.
- Date of Expiration
- Country of Origin
- Quantity of certain Ingredient

© www.DesignerPeople.com

So, we can see this very clearly in a packet; the food labelling regulations. Now it is mandatory. So, you can see the name and address of the manufacturer, and you can see the net quantity, then the nutritional claims you can clearly see, the direction for storage or use you can see and also the percentage of labelling. This is very important with regard to some of the products like cigarettes and also, you have to mention about any food allergy information, then food recall information, then an ingredient list, then the FSSAI registration number or certificate number is to be given, date of expiration, country of origin. So, now the prepackaged food is, you can see that it must have all these information. So, misleading will lead to criminal prosecution. Also, you can see that the objective is very clear in the nutritional information and also the food-related diseases to be taken care of or the health problems to be taken care of by these particular products. So, food labelling is focused on communication, especially with customers. Customer education or customer awareness about what is inside the packet. So, food labelling instructions are clear as per different regulations. So, India has again increased its standards on food labelling.

## Labels Must Include

- The name of the product with true representation and no false claims
- The list of ingredients in descending order of weight
- The nutritional information (Facts upfronts) along with percentage details
- Instructions/Direction of cooking or usage or product description
- Manufacturing dates, address, marketed details, MRP and expiry date
- Storage conditions should be correctly mentioned to maintain the same taste, texture, aroma and feel.
- Origin and contact details (customer care) will always ensure trust in your brand
- Allergic and caution messages should be displayed to avoid any concerns after consumption
- Brand story which will create your distinct identity and increases brand recall value
- Veg and non-veg icon along with badges which represent for some unique information
- FSSAI Number and barcode is mandatory

And you can see that the labelling must include, so we already said that what is to be included in a label. So, if there is a false claim, then there will be a prosecution. List of ingredients, weight, nutritional facts, then direction for cooking. For example, if you take a noodles packet, you can see the directions for cooking and also manufacturing dates, expiry date, and most importantly, storage conditions - what is the temperature at which it is to be kept and also what is its aroma, its origin, contact details even, you can see the customer care number and also the email in the packet now a days. Then, allergy caution messages and you can even find the trademark of a particular brand and also you have to mention now Veg or Non-Veg by putting a green mark or a red mark. And most importantly the food safety registration, certificate number or the license number is mandatory. So, we saw all this in a packet.



# India – Bureau of Indian Standards

- **National Standards Body of India**
- **Established 1947 – Indian Standards Institution (ISI) – registered as society - Statutory status since 1987 after enactment of BIS Act 1986**
- **Engaged in standards formulation, certification, testing and related activities including standards promotion & consumer education**
- **Representing India in ISO & IEC - participant in Codex work**



So, again, we talked about the BIS, which is now the standard-making body, and the implementing authority is the Food Standards and Safety Authority of India.

## Mandatory BIS Certification

### 109 Products

- **Food Colours & Food Additives**
- **Cement**
- **Gas Cylinders**
- **Electrical Appliances**
- **Infant Milk Products**
- **Pressure Stoves**
- **Steel Tubes**
- **Miners' Safety Equipment**
- **Packaged Drinking Water and Natural Mineral Water**
- **Thermometers**



So, BIS, which we already talked about, is the mandatory certification and mandatory certification includes food items as well.

## Conclusion

- **It was observed that TBT recognizes that no country should be prevented from taking adequate measures, essential to ensure the quality of exports and protection of human, animal, or plant life or the environment as a whole.**
- **It was observed that developing countries like India face special difficulties in the formulation and application of technical regulations and standards for ensuring the safety of consumers.**
- **Voluntary v. Mandatory standards**
- **Need for adopting international standards**

So, we can see that, in conclusion, India complies with the SPS Agreement as well as the TBT Agreement through a set of legislations. So, I would say that India has implemented some of the provisions of SPS measures and TBT measures much before the completion of the Uruguay round of negotiations and it amended its provisions in accordance with the SPS and TBT Agreement. But, still as a developing country, India faces problems in adopting international standards and formulating technical regulations, but slowly, India is increasing its standards and even you can find now a sizable number of 109 mandatory standards are there. And people are more aware of voluntary standards like the star rating, whether it is 3 star or 5-star system, and other voluntary standards in other equipment. Ultimately, I would say that India should adopt international standards to increase or to protect the consumers and Indian people from food-related hazards or to protect human health, animal health, and plant health and at the same time, the TBT part, stringent provisions to be imposed, TBT measures to be imposed so that we will be able to export our products to other countries all over the world so that the number of rejections can be reduced at the international market. This is not only a question of the international market or exporting of products; it is related to the reputation of the country as an export destination. So, India requires international standards very soon.

Thank you.