

F.No. 401/44/2022-Cus-III
Government of India
Ministry of Finance
Department of Revenue
(Central Board of Indirect Taxes & Customs)

North Block, New Delhi
Dated, 7th March, 2023

To

All Principal Chief Commissioner/ Chief Commissioner of Customs/Customs
(Preventive) / Customs and Central Taxes,
All Principal Commissioner of Customs/ Customs (Preventive)
Pr. Director /Director Generals under CBIC

Madam/Sir,

Subject:- Rectifiable labelling information for imported food consignments - reg.

Reference is invited to Instruction No. 10/2022-Customs dated 28.06.2022 relating to the above subject (copy enclosed), issued based on FSSAI's letter vide F.No.1828/Misc-Matter/FSSAI/Imports-2021 dated 17.06.2022 to rectify certain labelling information, in addition to rectification of labelling deficiencies already provided under FSS regulations and orders issued there under.

2. Vide the Order dated 18.11.2022 issued under F.No.Import/TFM/APEX/2022-FSSAI (copy enclosed), FSSAI has informed that "*to facilitate ease of trade while ensuring the safety of food imported into India, that all non compliant labels on imported food consignment may be permitted for rectification at port itself. This rectification has to be carried out at Customs bound warehouse, before visual inspection or re-inspection by the Authorised Officer or his representative, by affixing a single non-detachable sticker or by any other non-detachable method. This Authorised Officer/his representative shall verify the label compliance during visual inspection and the consignment shall be subjected to sampling and testing only if it is compliant on labelling requirements as per the FSS Regulations.*"

3. In continuation to the FSSAI's Order dated 18.11.2022, FSSAI vide its clarification dated 27.12.2022(copy enclosed) has further stated that,

"The labels on imported food consignments which are found to be non-compliant by laboratory during analysis, the importer may rectify the label and the concerned AO (Authorised Officer)/his representative shall verify the compliance and issue the No Objection Certificate (NOC) for the said consignment".

4. In the context of rectification being carried out in Customs bonded warehouses, the clarification provided vide Circular No. 03/2019 - Customs dated 31.01.2019 (copy enclosed) may also be noted.


5. It is requested to sensitize the officers and trade under your jurisdiction on the above orders of FSSAI by way of issue of suitable public notice/standing order.

6. The Instruction No. 10/2022-Customs dated 28.06.2022 is modified to the above extent.

7. The difficulties, if any, in the implementation of this Instruction may be brought to the notice of the Board.

8. Hindi version follows.

Encl: as above


(Eric C. Lallawmpuia)
OSD (Customs Policy)

Instruction No.10/2022-Customs

F. No.401/44/2022-Cus-III

Government of India
Ministry of Finance
Department of Revenue
(Central Board of Indirect Taxes & Customs)

Room No. 229A, North Block
New Delhi, Dated: 28th June, 2022

To,

Pr. Chief/Chief Commissioners (Customs, Cus.(Prev.) or CGST & Customs),
Pr. Director/Director General,
Pr. Commissioners / Commissioners, of Customs or Customs (Preventive),
all under CBIC

Subject: FSSAI Imports related directions on rectifiable labeling information for imported food consignments and import of Clove Stem - reg

Madam/Sir,

Kind attention is invited to letter No. 1828/Misc. Matters/FSSAI/Imports-2021 dated 17.06.2022 (copy enclosed) regarding rectifiable labeling information for imported food consignments and Order No. 1828/Misc.Matters/FSSAI/Imports-2021 dated 17.06.2022 (copy enclosed) regarding import of Clove stem received from Food Safety and Standards Authority of India.

2. In this regard, FSSAI has stated the following:

(i) On the rectifiable labeling information for imported food consignments:

(a) In addition to the labeling deficiencies for which a special dispensation for rectification has been provided under Reg 6 of FSS (Import) Regulations, 2017 and under order dated 22.05.2018 and 14.01.2019, the labeling information as per the requirement of FSS (Labeling and Display) Regulations, 2020, as mentioned below, may also be allowed to be rectified at the port:-

- *Per serve percentage (%) contribution to Recommended Dietary Allowance* calculated on the basis of 2000 kcal energy, 67 g total fat, 22g saturated fat, 2g trans fat, 50g added sugar and 2000 mg of sodium (5g salt) requirement for average adult per day;
- *Date of Expiry along with Best Before date*, subject to the condition that this information is provided by the manufacturer itself and the same shall be verified by the Authorized Officer.

(b) This rectification shall be carried out at customs bound warehouses, before visual inspection or re-inspection by the Authorised Officer or his representative, by affixing a single non-detachable sticker or by any other non-detachable method next to the principal display Panel without altering the original label information in any manner.

(ii) On import of clove stem:


Till such time the Standards for "Clove Stem" are notified, it may be considered for testing against safety parameters (Horizontal standards) & volatile oil content on dry basis (half the value of clove, i.e. not less than 8.5 percent by v/w) as per FSSR 2.9.6(1) which is applicable for Cloves whole.

3. In view of above, it is requested that all Authorized officers under your jurisdiction may be sensitized of the clarifications as per Para 2 above

4. The difficulties, if any, in the implementation of this Instruction may please be brought to the notice of the Board.

5. Hindi version follows.

Encl: As above


28/06/2022

(Kevin Boban)

Officer on Special Duty (Cus-III)

F. No. 1828/Misc.Matters/FSSAI/Imports-2021
Food Safety and Standards Authority of India
(A Statuary Authority established under the Food Safety and Standards Act, 2006)
(Trade & International Cooperation Division)
FDA Bhawan, Kotla Road, New Delhi-110002

Dated: The 17 June, 2022


Subject:-Rectifiable labelling information for imported food consignments -reg.

With a view to facilitate ease of trade while ensuring the safety of food imported into India, it has been decided that in addition to the labelling deficiencies for which a special dispensation for rectification has been provided under Reg 6(1) of FSS(import) Regulations, 2017 and under order dated 22.05.2018 and 14.01.2019, the labelling information as per the requirement of FSS (labelling and Display) Regulations, 2020, as mentioned below, may also be allowed to be rectified at the port:

- **Per serve percentage (%) contribution to Recommended Dietary Allowance** calculated on the basis of 2000 kcal energy, 67 g total fat, 22 g saturated fat, 2 g trans fat, 50 g added sugar and 2000 mg of sodium (5g salt) requirement for average adult per day;
- **Date of Expiry along with Best Before date**, subject to the condition that this information is provided by the manufacturer itself and the same shall be verified by the Authorised Officer.

2. This rectification shall be carried out at customs bound warehouses, before visual inspection or re-inspection by the Authorised Officer or his representative, by affixing a single non detachable sticker or by any other non-detachable method next to the principal display Panel without altering the original label information in any manner.

This issues with the approval of the Competent Authority.


(Dr. Amit Sharma)
Director (Trade and IC)

To,

All Authorized Officers of FSSAI and Customs

File No. 1828/Misc. Matters/FSSAI/Imports-2021
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety & Standards Act, 2006)
(Quality Assurance Division)
FDA Bhawan, Kotla Road, New Delhi-110002


Dated: The 17th June, 2022

ORDER

Subject: Import of Clove Stem-reg.

The matter regarding standards for Clove Stem was examined considering it significant import. Further, taking into consideration that "Clove Stem" is a potential adulterant in Clove/Clove Powder or masala powder, it has been decided that till such time the standards for "Clove Stem" are notified, it may be considered for testing against safety parameters (Horizontal standards) & volatile oil content on dry basis (half the value of clove, i.e. Not less than 8.5 percent by v/w) as per FSSR 2.9.6(1) which is applicable for Cloves whole.

In view of this, all Authorized officers are hereby directed to facilitate import of Clove Stem by ensuring compliance to the horizontal safety parameters & half the value of "Volatile Oil Content", i.e. Not less than 8.5 percent by v/w, as prescribed for cloves (Laung) whole in regulation 2.9.6(1) of FSS (Food Products Standards and Food Additives) Regulation, 2011.


(Dr. Amit Sharma)
Director (Trade and IC)

To,

All Authorized Officers of FSSAI & Customs

File No. Import/TFM/APEX/2022-FSSAI
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety and Standards Act, 2006)
FDA Bhawan, Kotla Road, New Delhi - 110002


Dated: 18th November, 2022

ORDER

Sub: Rectifiable labeling information for imported food consignments -reg.

With a view to facilitate ease of trade while ensuring the safety of food imported into India, based on the provisions under Reg 6(4) of FSS (Import) Regulations, 2017, it has been decided by the Competent Authority that all non complaint labels on imported food consignment may be permitted for rectification at port itself.

2. This rectification has to be carried out at Customs bound warehouses, before visual inspection or re-inspection by the Authorised Officer or his representative, by affixing a single non detachable sticker or by any other non-detachable method.
3. The Authorized Officer/his representative shall verify the label compliance during visual inspection and the consignment shall be subject to sampling and testing only if it is compliant on labeling requirements as per the FSS Regulations.
4. This issues with the approval of the Competent Authority.


(Dr. Amit Sharma) 18/11/22
Director (TIC), FSSAI-HQ

To

1. All Authorised Officers, FSSAI
2. JS(Customs), CBIC - For circulation to all Authorised Officers from Customs for compliance.
3. CITO (for uploading on the FSSAI website)

File No. Import/TFM/APEX/2022-FSSAI
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety and Standards Act, 2006)
FDA Bhawan, Kotla Road, New Delhi - 110002

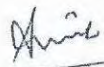
Date: 27 December, 2022

Clarification

Subject: Clarification with respect to Rectifiable labelling information for imported food consignments - reg.

In continuation to the order issued regarding 'Rectifiable labelling information for imported food consignments' dated 18th November 2022, it is to further clarify that,

2. The labels on imported food consignments which are found to be non-compliant by laboratory during analysis, the importer may rectify the label and the concerned AO/ his representative shall verify the compliance and issue the No Objection Certificate (NOC) for the said consignment.


(Dr. Amit Sharma) 27/12/22
Director (Trade & IC)
Email: dr.amitsharma@fssai.gov.in

To,

1. All Regional Directors, FSSAI
2. All Authorized Officers, FSSAI
3. All Food Analysts, FSSAI
4. JS (Customs), CBIC – for circulation to all Authorised Officers from customs for compliance.
5. CITO, FSSAI-HQ, for uploading on FSSAI website

F. No: 484/03/2015-LC

Govt. of India
Ministry of Finance
Dept. of Revenue
Central Board of Indirect Taxes & Customs

North Block, New Delhi
Dated 31st January, 2019

To,
All Principal Chief Commissioners/Chief Commissioners of Customs,
All Principal Commissioners/Commissioners of Customs.

Madam/Sir,

Subject: Procedure to be followed in cases of manufacturing or other operations undertaken in bonded warehouses under section 65 of the Customs Act - reg.

Representations have been received from the trade and industry with regards to Circular 38/2018-Customs dated 18.10.2018 issued on the above subject, stating that they were hitherto permitted to undertake certain operations to fulfil a statutory obligation such as Labelling/affixing RSP etc. under Section 65 of the Customs Act, 1962 in a public bonded warehouse, licensed under section 57 of the Act, *ibid*. However Circular 38/2018 has clarified that those operations under Section 65 should be undertaken in private bonded warehouses licensed under Section 58 of the Act thereby disallowing such operations in a Public Bonded warehouse. They have requested for relief in this regard to ease the difficulties being faced by the trade.

2. The representations have been examined. They contain the common request to permit operations required for compliance with labelling/ packing requirements under legislations pertaining to legal metrology, FSSAI, DGFT, State Excise laws etc. The request is on the ground of convenience, economies of scale, reducing transaction cost and past practice.
3. In view of the above, Board has decided to allow labelling/ fixing RSP etc. to fulfil statutory compliance requirements in all Customs Bonded Warehouse without the requirement of taking permission under Section 65 of the Customs Act.
4. Circular 38/2018-Customs dated 18.10.2018 stands modified to the above extent.
5. Clarification required, if any, may be sought from the Board.
6. Hindi version follows.


(Temsunaro Jamir)
Joint Commissioner (ICD)