

Food Import Clearance Process for Importers
Frequently Asked Questions

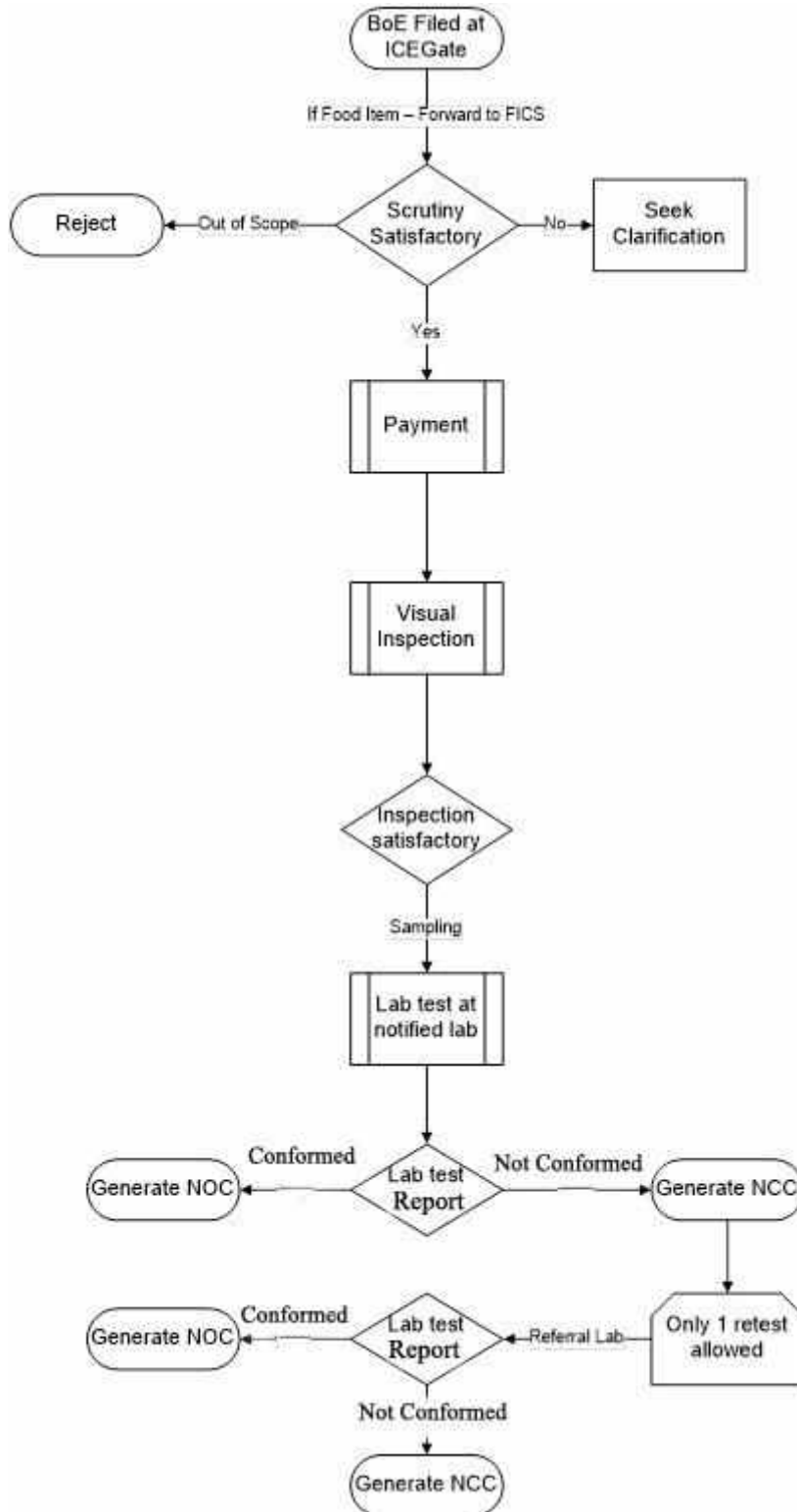
1. Who is Authorised Officer?

Authorised Officer means a person appointed as such by the Chief Executive Officer of the Food Safety and Standards Authority of India by an order for the purpose of performing functions (Food Import Clearance) under section 25 of the Act. . The powers and duties of Authorised Officer are mentioned under Chapter IX of Food Safety and Standards (Food Import) Regulations, 2017.

2. What are the pre-requisites for Importing Food into India?

S.No	Mandatory Document(s)
1	Import- Export Code from DGFT and Import License from FSSAI
2	Country Of Origin Certificate
	Mandatory Document(s) As Applicable
3	Complete Certificate Of Analysis including safety parameters From Country Of Origin (Mandatory for Proprietary Food)
4	High Sea Sales Agreement
5	Bill of Lading mentioned in the Bill of Entry (BoE) for sea consignment
6	Ingredients List
7	Specimen copy of label
8	Declaration that BoE has not been referred on SW (Declaration is required to be in company letterhead.)
9	Examination Order
10	Transit countries list if Food Articles have been transhipped
11	Invoice/Proforma Invoice
12	Packing List
	Self Declaration Document(s) As Applicable
13	Undertaking from importers for issue of provisional NOC for imported food consignment with less than 07 days shelf life
14	Undertaking from importers for issue of provisional NOC for frozen & chilled imported food consignment
15	Undertaking from importers for imported food consignment meant for Display Purpose in Trade Fair/Exhibition
16	Undertaking from importers for imported food consignment meant for Personal Use
17	Undertaking from importers for imported food consignment meant for Research & Development purposes
18	Undertaking from importers for imported food consignment meant Sports Events
19	Undertaking from importers for imported food consignment containing bulk packages but not having representative samples
20	Undertaking from importers for imported food consignment containing bulk packages and having representative samples
21	Undertaking from importers for imported food consignment meant 100% Export and Re-export

3. How importer can import food article?



1. Bill of Entry (BOE) is filed at Customs ICE GATE (<https://icegate.gov.in>) on Single Window Interface for Facilitating Trade (SWIFT). SWIFT is working on Risk based sampling system, called as Risk Management System(RMS).
2. Risk Management System (RMS) scrutinizes the application and if the sampling is required; the BOE is referred to FSSAI on online Food Import Clearance System (FICS).
3. CHA/Importer needs to be registered on FICS (www.ics.fssai.gov.in).

4. FSSAI accepts the BOE and may ask for further details from CHA/Importer, if necessary.
5. If all the relevant information is provided, Authorized Officer (A.O) fixes appointment for the inspection of the consignment (only two opportunities are provided to the CHA/Importer to confirm the appointment).
6. On inspection, if everything is found satisfactory including labeling and packaging requirements of the consignments, the samples are drawn (2 nos) and if not, Authorised Officer rejects the consignment and issues Non-Conforming Report .
7. Samples are then sent to FSSAI Notified Food Laboratory, If sample is found conforming then No Objection Certificate (NOC) is generated and if not conforming, then Non-Conforming Report (NCR) is generated, rejecting the clearance of food consignment.
8. If Importer is not agreed with the finding of the laboratory report, he may apply for retesting at the referral laboratory. Outcome of test result will determine the fate of consignment. He may present the review application to the Review Officer (Director, Imports) along with the required documents at the FSSAI Headquarter.
9. The order passed by the Review Officer can be challenged before the CEO, FSSAI whose decision thereon will be final
10. For more details, please go through FSS Act 2006 and regulations made thereunder. They are available on the website i.e. www.fssai.gov.in.

4. What is the validity period of Import license?

Under Regulation 2.1.7 (1) of FSS (Licensing and Registration of Food Businesses) Regulations 2011, a license granted under these Regulations shall be valid and subsisting, unless otherwise specified, for a period of 1 to 5 years as chosen by the Food Business Operator, from the date of issue of license subject to remittance of fee applicable for the period and compliance with all conditions of license.

5. Do importers required to file annual return?

Yes, the Food Importer shall file Annual returns as prescribed under FSS (Licensing and Registration of Food Businesses) Regulation, 2011.

6. Where can I find the list of banned/ restricted product in India?

The list of banned/ restricted product in India is provided by DGFT and can be obtained from their website www.dgft.in. However, Food Authority may prohibit/restrict import of any article of Food based on risk perception or outbreaks of disease, etc. and issue orders as deemed fit in this regard. The Food Authority may issue guideline(s)/order(s) as deemed necessary from time to time for ensuring the safety and wholesomeness of Food imported into India. All such prohibitions and restrictions to be informed to the Customs immediately.

7. What are the labeling requirements of Imported Food Items?

Labeling requirements of Imported Food Items are mentioned under Food Safety and Standards (Packaging and Labelling) Regulations, 2011, Food Safety and Standards (Food Import) Regulations, 2017 and guidelines (only labelling requirement part) dated 23.03.2012 and 09.08.2016 issued by FSSAI.

8. What are the rectifiable labelling deficiencies ?

In case of imported packaged food consignments, the following special dispensation on labeling shall be allowed for the rectification at the custom bound warehouse by affixing a single non detachable sticker or by any other nondetachable method next to the principle display panel namely:–

- a) Name and address of the importer;
- b) Food Safety and Standards Authority of India's Logo and license number,
- c) Non-Veg or Veg Logo
- d) Category or sub category along with generic name, nature and composition for proprietary food

9. What is SWIFT?

Single Window Interface for Facilitating Trade (SWIFT) means the provision of single window system provided by the Customs to the importer and Custom House Agent to apply for import clearance;

10. What is the Risk based random sampling?

It means the activity of drawing samples randomly based on the risk criteria identified and the compliance history of the importer;

11. In which language, labelling particulars need to be declared?

English or Hindi in Devnagri script

12. What is Shelf life?

Shelf life means the period between the date of manufacture and the "Best Before" or "Date of expiry" whichever is earlier as printed on the label.

13. What is Balance Shelf life?

Balance shelf-life means the period between the date of import (Import General Manifest) and "Best Before" or "Date of expiry" as the case may be.

14. What is the shelf-life requirements of Imported Food?

Shelf life of not less than sixty per cent at the time of import as per Food Safety and Standards (Food Import) Regulations, 2017.

15. How many samples are collected per product during the inspection?

Two

16. What are the ways for payment of sampling charges for Imported food consignment?

Online payment is accepted by FSSAIs' Authorised Officers

17. What are the charges payable to lab for testing imported food sample?

- Rs 12000/- per sample for foods for infant nutrition, infant milk food, infant formula, milk cereal based complementary foods, processed cereal based complementary foods and packaged drinking water and mineral water.
- Rs 5000/- for all other food categories.

18. In what instances the samples are not drawn from the consignment and a rejection report is generated during visual inspection?

In case of imported food consignments, the Authorised Officer does visual inspection of the imported food product to ascertain its compliance under Food Safety and Standards (Packaging and Labelling) Regulations, 2011 and if there is a noncompliance, the Authorised Officer issues a rejection report to Customs Authorities therein stating the reason(s) for refusing the drawl of sample from the imported food consignment.

19. What information is given on label of sample to be sent to laboratory for analysis?

The sealed sample of imported food, shall bear the following information on the Label:

- (a) code number of the sample;
- (b) date and place of collection;
- (c) quantity of sample;
- (d) name of articles of food and category as per Food Safety and Standards (Food Product Standards and Food Additives) Regulations;
- (e) name and quantity of preservative added while drawing the sample, if any;
- (f) name and signature of the Food Importer or his Custom House Agent and;
- (g) name and signature of the sender with official seal.

One of the sealed and labeled Food Sample shall be sent to the Notified Laboratory. The second Food Sample shall be stored in appropriate conditions for retesting if the need arises.

20. Is drawal of one sample out of the commingled bulk cargo of pulses, other cereals and oils is allowed?

Yes,

If the cargo is homogeneous in nature and identity with multiple importers and same exporter, sampling/ testing may be done once for the entire vessel and made applicable to all importers. Sampling will be undertaken from the consignment with first Bill of Entry forwarded by SWIFT However, individual importers may be asked to obtain NOC/NCC Bill of entry wise.

The analysis report of the sample at the first port of discharge shall also remain valid at other ports of discharge provided the Authorised Officer of FSSAI reseals

the remaining cargo at the first port of discharge. The Authorised Officer at the next port of discharge would ensure that the sailing time between the ports of discharge is not unreasonable and that the seal is intact before issuing the NOC for the remaining cargo.

21. Can an Importer modify the end-use declaration after applying for clearance?

No

22. In what conditions, FSSAI NOC is exempted for imported food?

In following conditions, FSSAI NOC is exempted for imported food by submitting an undertaking:

1. Articles of food imported for personal consumption
2. Imported food consignment meant for Display Purpose in Trade Fair/Exhibition
3. Imported food consignment meant for Research & Development purposes
4. Imported food consignment meant Sports Events
5. Imported food consignment meant 100% Export and Re-export

23. In what conditions, provisional NOCs can be granted to an imported food consignment?

The imported consignments of food items having shelf life of less than 7 days and the food which require special storage conditions shall be issued Provisional NOC, without waiting for the analysis report from lab on the basis of an undertaking from the Importer as prescribed by FSSAI.

24. Is cleaning and sorting at Customs Bonded warehouse is allowed to improve the quality of food grains including pulse consignments?

Yes,

An opportunity can be granted on the request of the importer to improve the quality of the imported food grains by removing foreign matter, mineral matter and damaged grains subject to the condition that cleaning/sorting of the food grains will be done by the importer strictly under the supervision of the Customs in customs bonded area to make the consignment conforming to the standards prescribed under FSS (Food Product Standards and Food Additives) Regulation, 2011. NOC will be given by the Authorized Officer, FSSAI, if the sample of the improved product is found to be conforming to the standards.

25. Can an Importer get a refund of the fee paid for sampling if samples are not drawn?

Yes

26. In which laboratories, imported food samples are sent by FSSAI for analysis?

FSSAI's notified NABL accredited laboratories

27. Whether Importer can apply for retest if the sample is found Non Conforming to the FSS Standards by the primary laboratory?

Yes

28. In which laboratories samples are sent for retest by FSSAI?

Referral laboratories as notified by FSSAI

29. Whether Importer can collect the duplicate samples after obtaining NOC?

Yes

30. Do importer gets the copies of Tests reports of all the samples whether granted NOC or NCC?

Yes

31. Are duty free shops at airports outside scope of FSSAI ?

Yes

32. Whether import of nutraceuticals/ health supplements is allowed in India?

Import of nutraceuticals/ health supplements as per Order ZF.No.1-5/Nutraceuticals/FSSAI-2003 dated 06.01.2017 is allowed.

33. Is there a need for Importer or their representatives to visit the FSSAI Office?

No

34. Where importer can clarify the doubts pertaining to procedure of importing food in India?

Six offices i.e Delhi, Mumbai, Chennai, Kolkata, Tuticorin and Cochin and FSSAI HQR at delhi help in clarifying queries pertaining to procedure of importing food in India.

35. Where importer can clarify their technical queries which he wants to clarify before importing any food consignment?

FSSAI has its Authorised Officers at six regional offices and their complete addresses including emails are given below for clarifying technical queries:-

S.No.	Port Code	Name of location from where samples are drawn by FSSAI officials	FSSAI established Offices and the Concerned Officer	Ph. No. /Fax/Email
Delhi				
1.	INDEL4	ACC Delhi	Deputy Director (DO/AO) First Floor, NBCC Place, Bhisham Pitamah Marg, Pragati Vihar,	Telephone: 011-24369458 E-mail:
2.	INDER6	ICD Dadri		
3.	INFBD6	ICDBallabgarh		

4.	INLON6	ICD Loni	New Delhi-110003	aodelhi@fssai.gov.in
5.	INPPG6	ICD Patparganj		
6.	INTKD6	ICD Tuglakabad		
Mumbai				
7.	INBOM1	NCH Mumbai	Authorized Officer (Mumbai Airport Sea Port) Food Safety and Standards Authority of India, 3 rd Floor, New Hamallage Building, Indira Dock, Yellow gate, Mumbai Port Trust, Mumbai-400001	Telefax: 022-22617672, 26817995 (Air) and 22061607(Sea) E-mail: aomumbai@fssai.gov.in, airportfssai@gmail.com, seaportfssai@gmail.com
8.	INDPC4	DPC BKC Mumbai		
9.	INBOM4	ACC Sahar		
10.	INMUL6	ICD Mulund		
11.	INNSA1	JNCH Nhava Sheva	Authorized Officer (JNPT) Food Safety and Standards Authority of India, Unit No.902, 9th Floor, Hall Mark, Business Plaza, Opposite Guru Nanak Hospital, Bandra (East)	Telefax: 022-26817995, Telephone: 022-22617672, 26420961, 27470708 E-mail: aomumbai@fssai.gov.in, fssai_jnpt@yahoo.com
Kolkata				
12.	INCCU1	Custom House Kolkata	Authorized Officer Food Safety and Standards Authority of India, Benfish Tower, 6 th floor,31 G N Block, Sector-V, Salt Lake, Kolkata-700091	Telefax: 033-23573043 E-mail: aokolkata@fssai.gov.in
13.	INCCU4	ACC Kolkata		
Cochin				
14.	INCOK1	Custom House Cochin	Authorized Officer Food Safety and Standard Authority of India, Ministry of Health & Family Welfare, First Floor, Marine Building, Malabar Road, North End, Willigton Island, Cochin - 682009 Kerala	Telefax: 0484-2666256 E-mail: aocochin@fssai.gov.in
15.	INCOK4	ACC Cochin		
Chennai				
16.	INKAT1	Kattupalli port	Authorized Officer Chennai Sea Port and Airport Food Safety and Standard Authority of India, Ministry of Health & Family Welfare, Central Documentation Complex, (South Wing), Chennai Port Trust, Rajaji Salai,	Telephone: 044-25223212, 25223213 E-Mail: aochennai@fssai.gov.in
17.	INTVT6	ICD Concor Tondiapet		
18.	INMAA1	Custom House Chennai		
19.	INMAA4	ACC Chennai		

			Chennai-600001	
Tuticorin				
20.	INTUT1	Custom House Tuticorin	Authorized Officer Tuticorin Port	Telephone: 04612353099
21.	INTUT6	ICD Tuticorin	Food Safety and Standard Authority of India, Ministry of Health & Family Welfare, First Floor, CHD Building,V.O.C Port, New Harbour Estate,Tuticorin-628004	E-Mail: aotuticorin@gmail.com

36. What are the high risk food items considered in case of import into India?

With implementation of Risk Management system (RMS) by Customs in consultation with FSSAI, the high risk food items considered in case of import into India are as follows:

1. Meat and Meat products
2. Fish & Fish Products
3. Egg & Egg Product
4. Milk powders
5. Condensed Milk
6. Milk Cereal Base Weaning Foods
7. Infant Milk Food
8. Infant Formulae
9. Fats in any form except edible vegetable oil
10. Cocoa butter equivalent or Substitutes

