

Virtual meeting with the Food Safety and Standards Authority of India, 23 November 2022
and the European Commission, EU Delegation, EU Member States, and business organizations in the EU

FSSAI Three New Health Certificates

Questions put ahead of the meeting and answered during the meeting by the FSSAI

Topics	Question Date	Question	Answer Date	Answers by the FSSAI*
Requirements	28/10/2022	<p>Referring to the three health certificates included in the FSSAI Order of 3 August 2022 (milk, pork, fish and their products), could the FSSAI indicate if, for each of those products, it is open to:</p> <ul style="list-style-type: none"> • Merge the FSSAI certificates with the certificates issued by the Department of Animal Husbandry and Dairying of India (for milk, pork and their products) and with the Department of Fisheries of India (for fish and their products); and • Negotiate with the European Commission harmonized certificates that would be used/certified by the competent authorities of all EU Member States? 	23/11/2022	<p>According to the FSSAI, the food safety attestations of the certificates are uniformly applicable to all countries exporting to India, but exporting countries may add any other additional attestations, e.g. “as per the controls performed by the exporting country, according to the respective requirements of the exporting country”. However, the FSSAI is open to discuss and negotiate: (1) the part of the certificates related to the consignment (not the food safety attestations); and (2) formal and mutual equivalence arrangements, acknowledging that this takes time and therefore may not provide an immediate relief.</p> <p>The DAHD is also working towards integrated certificate by removing all food safety conditions from their certificates (which will only be included in the FSSAI certificates). At the moment, FSSAI has agreed to accept the integrated certificate issued by exporting countries.</p>

Date of Entering Into Force	28/10/2022	Referring to the date of entering into force of the requirements related to the three health certificates (1 January 2023) that is mentioned in the FSSAI Order of 27 October 2022, could the FSSAI clarify if the mentioned date corresponds to the "date of arrival in India" or the "date of departure from the exporting countries"?	23/11/2022	Date of arrival in India.
Requirements	28/10/2022	<p>Referring to the food categories listed in the FSSAI Order of 3 August October 2022 (milk, pork, fish and their products), could the FSSAI:</p> <ul style="list-style-type: none"> List the import legislation that is associated to each of the health certificates, i.e. the legislation that needs to be complied with by the competent authorities and establishments in the exporting countries; Publish consolidated versions of the above-mentioned legislation; Make the above-mentioned legislation available online? 	23/11/2022	<p>The FSSAI legislation is available online, at the FSSAI's website (https://fssai.gov.in) and under the tab "Regulations", including the:</p> <ol style="list-style-type: none"> <i>Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011</i>, and <i>Food Safety and Standards (Contaminants, Toxins and Residues) Regulation, 2011</i>. <p>The Compendium consolidates all the changes made to the respective Regulations.</p>
Product Scope	28/10/2022	Referring to the food categories listed in the FSSAI Order of 3 August 2022 (milk, pork, fish and their products), could the FSSAI provide the list of HS product codes associated to each of the mentioned food categories?	23/11/2022	The Compendium related to the Regulation on <i>Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011</i> includes details about the products covered by the three certificates.

				The FSSAI will upload in its website the list of HS product codes related to each of the three certificates and will share the respective link.
Products - Milk and Milk Products	28/10/2022	Referring to “milk and milk products” as one of the food categories listed in the FSSAI Order of 3 August 2022, could the FSSAI confirm that “milk and milk products” are the ones defined in the FOOD SAFETY AND STANDARDS (FOOD PRODUCTS STANDARDS AND FOOD ADDITIVES) REGULATIONS, 2011?	23/11/2022	Yes, as mentioned in the Compendium.
Controls (audits, inspections)	28/10/2022	Referring to each of the three health certificates included in the FSSAI Order of 3 August 2022 (milk, pork, fish and their products), which include the attestation “ <i>regular inspections/monitoring of checks in accordance with FSS Act, 2006, rules and Regulations and as per criteria specified by FSSAI</i> ” that need to be signed by the certifying Authorised Official in the country of export, could the FSSAI clarify the meaning of these requirements, i.e. which requirements relate to the inspections and monitoring of checks?	23/11/2022	<p>The requirement for inspection/ monitoring is mentioned in respective regulations and same shall be complied with. For example, the high-risk manufacturing facilities are inspected at least once a year.</p> <p>Therefore, the FSSAI expects that the competent authorities or third-party entities perform the inspections to the food manufacturing facilities with similar frequency and inspection shall cover all the aspects as carried out by FSSAI to ensure that it meets FSSAI’s requirements.</p> <p>FSSAI is reviewing the list of high-risk products, including cocoa and, once the revision is concluded, it may available on website.</p>

Question put during the meeting of 23/11/2022

Topics	Question Date	Question	Answer Date	Answers by the FSSAI*
Requirements	23/11/2022	Taking in account the date of entering into force of the health certificates of 1/1/2023, could FSSAI confirm where can the three model certificates be found?	23/11/2022	The FSSAI confirms that the model certificates have been included in the FSSAI Order of 3 August 2022.

* The answers included in this document were confirmed in writing by the FSSAI on 24 November 2022.