

**F.No. P.15025/93/2011-PFA/FSSAI**  
**Food Safety and Standards Authority of India**  
(A statutory Authority under the Ministry of Health and Family Welfare, Govt. of India)  
**FDA Bhawan, Kotla Road, New Delhi-110002**

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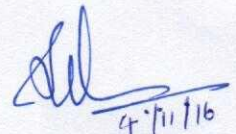
**Subject: Operationalisation of Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2016 relating to standards for caffeinated Beverages and use of blue tint in plastic container.**

The draft notification on Food safety and Standards (Food Products Standards and Food Additives) Second Amendment Regulations, 2013 was notified in the Gazette of India vide F.No. P.15025/93/2011-PFA/FSSAI on 18.04.2013 inviting comments and suggestion from stakeholders.

2. The draft notified regulations along with comments and suggestions received from stakeholders were reviewed and finalized in the Scientific Panel and Scientific Committee. The Food Authority in its 21<sup>st</sup> meeting held on 26.05.2016 approved the final notification.

3. These finalized Food Safety and Standards (Food Products Standard and Food Additives) Amendment Regulations, 2016 relating to standards for caffeinated Beverages and use of blue tint in plastic container have been made operational with immediate effect till the issuance of final notification.

4. This issues with the approval of the Competent Authority in exercise of the power vested under Sections 18(2) (d) and 16(5) of Food safety and Standards Act, 2006.



(Sunil Bakshi)

Advisor (Regulation)

To

1. All Food Safety Commissioners,
2. All Authorized Officers, FSSAI,
3. All Designated Officers, FSSAI.

Copy for information to:

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. All Directors, FSSAI

Dated: 4<sup>th</sup> November, 2016

**Notice for operationalisation of Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2016 relating to standards for caffeinated Beverages and use of blue tint in plastic container.**

**F.No. P.15025/93/2011-PFA/FSSAI.**- In exercise of the power conferred by clause (d) of sub-section (2) of Section 18 of the Food Safety and Standards Act, 2006 (34 of 2006), the Food Safety and Standards Authority of India, hereby makes the following regulations. These Regulations shall come into operational from 4<sup>th</sup> November, 2016 and food business operators shall follow the standards for caffeinated Beverages and use of blue tint in plastic container as specified below.

The enforcement of these regulations shall commence only after the final regulations are notified in the Gazette of India.

**Regulations**

1. **Short title** -(1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2016.
2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011,-
  - a) In regulation 2.10, in sub-regulation 2.10.6, relating to "BEVERAGES NON - ALCOHOLIC - CARBONATED", after clause 1, the following clause shall be inserted, namely: -  
"2. Caffeinated Beverage. -

The following are the standards for caffeinated beverages:

- (I) Water used in preparation of caffeinated beverages should conform to the standards of packaged drinking water as prescribed in regulation 2.10.8 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011.
- (II) Essential Composition: It shall contain not less than 145mg per liter and not more than 300 mg per litre total caffeine from whatever sources it may be derived in the formulation of the product.
- (III) Optional ingredients: It may contain the following:  
Any of the substances listed in column (1) of the table given below provided that the amount of that substance is not more than the amount specified in relation to that substance in column (2) of the table:
  - (A) Any additional item or ingredient proposed to be added (other than the substances prescribed in the said table will be subject to approval by the Food Authority after safety assessment and substantiating scientific evidence.
    - (i) A declaration "**consume not more than 500 ml per day**" shall be made on the label that represents the per day quantity.

(ii) The per day quantity is the maximum amount of caffeinated beverage (as package or serves) that is consumed in one day and determined as in sub-clause (iii).

(iii) Where any one of the substances given in column (1) of the following table is consumed at the maximum level given in column (2), it shall represent the per day quantity and the declaration shall be made on the basis of the number of packs of serves that cumulatively delivers this amount when consumed in a day.

Explanation: if taurine is used at 1000mg and D-glucurono-Y-lactone at 300mg in a 250ml pack the per day quantity is reached by consuming 2×250ml packs and represents the one-day quantity. If the pack size is a 125ml bottle, then the per day quantity is reached by consuming 4×125ml bottles."

**(B)** The vitamins namely, thiamine, riboflavin, niacin, vitamin B6, vitamin B12 may be added at one Recommended Daily Allowance level (100% Recommended daily allowance)

**Table**

<b>Column (1)</b>	<b>Column (2)</b>
Substance	Maximum amount per day consumption
Taurine	2000mg
D-glucurono-Y-lactone	1200mg
Inositol	100mg
Pantothenic Acid	10mg

**(IV)** In respect of ingredients, flavours, sweeteners, food additives, contaminants and microbiological requirement the product shall conform to the standards for carbonated water.

**(V)** Labelling: The product shall comply with all provisions of General Labelling requirements of Food Safety and Standards (Packaging and Labelling) Regulations, 2011 for pre-packaged foods, with the following additional provisions: -

a) High Caffeine: **"X mg/serving size"** (where X is the amount of caffeine in milligrams per pack/serve;

b) Prominent display of caution **"Not recommended for children, pregnant or lactating women, persons sensitive to caffeine."**;

b) in sub - regulation 2.10.7, after clause 3, the following clause shall be inserted, namely: -

"4. Blue tint as provided in Indian Standard, IS: 9833 may be allowed in plastic container of five liter and above made of poly carbonate and Poly Ethylene Terephthalate (PET) used for Packaging mineral water:

Provided the overall migration of pigment/colour used in container should not exceed 60 mg/liter as per IS: 9845.";

c) in sub-regulation 2.10.8, at the end, the following shall be inserted, namely: -

"Blue tint as provided in Indian Standard, IS: 9833 may be allowed in plastic container of five liter and above made of poly carbonate and Poly Ethylene Terephthalate (PET) used for packaging packaged drinking water:

Provided the overall migration of pigment or colour used in container should not exceed 60 mg/liter as per IS: 9845."