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India Announces New Food Packaging Regulations

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On January 3, 2019, 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. Food businesses will have until July 1, 2019 to comply with the new regulations.

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/dm² and specific migration limits for certain contaminants in plastic packaging materials. The regulations also specify that food packaging materials must now comply with Indian Standards (IS) listed in Schedules I, II, and III for paper and paperboard materials, metal and metal alloys, and plastic materials, respectively. Previously, compliance with the standards was voluntary. They are available for purchase through the Bureau of Indian Standards (BIS).

In comments on the draft Food Safety and Standards (Packaging) Regulations (notified to the World Trade Organization (WTO) on November 6, 2017), the European Union requested that BIS make the standards available free of charge, noting that non-Indian companies are required to pay higher prices than Indian companies. The EU also pointed out that the Standards are “not very recent” and requested that the Indian authorities permit newer materials if they can be shown to have an equivalent or better safety profile, as compared to materials permitted by the Standards. In addition, the EU requested information on the mechanism for submitting requests to BIS to establish new specifications. The final regulations allow the use of relevant International Standards where Indian Standards are not available.

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.

In [announcing](#) that the new regulation had been notified, Pawan Agarwal, CEO of FSSAI, stated that “the new packaging regulations would raise the bar of food safety in India to the next level.” He added that stakeholder consultation and mass awareness building amongst consumers and food businesses would precede implementation of the new packaging regulations.