

**Notice Calling for suggestions, views, comments etc from WTO- SPS Committee members within a period of 60 days on the draft Food Safety and Standards (Organic Foods) Regulations, 2017.**

**F.No. CPB/03/Standards/FSSAI/2016-** 1. Short title and commencement- These regulations may be called the Food Safety and Standards (Organic Foods) Regulations, 2017.

2. Definitions- In these Regulations, unless the context otherwise requires.-

- (a) "Act" means the Food Safety and Standards Act, 2006 (34 of 2006).
- (b) "Accreditation Body" means any agency recognised as such by the Food Authority or recognised under the National Programme for Organic Production for accreditation of certification bodies.
- (c) "Accredited Certification Body" means an organization duly accredited by an Accreditation body for certification of organic products and for granting the right to use the certification mark to the food business operators on behalf of the Accreditation Body.
- (d) "Claim" means any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or otherwise.
- (e) "Food Authority" means the Food Safety and Standards Authority of India established under section 4 of the Food Safety and Standards Act, 2006.
- (f) "National Programme for Organic Production" means a programme of the Government of India which provides an institutional mechanism for implementation of the National Standards for Organic Production with a third-party certification control system as notified by the Director General of Foreign Trade under the Foreign Trade (Development and Regulation) Act, 1992 as amended from time to time.
- (g) "Standards for Organic Production", means any standards recognised by the Food Authority or the National Standards for Organic Production or Participatory Guarantee System for India to be followed in cultivation or harvest or production or storage or processing or trading of organic food products and Inputs.
- (h) "Organic Agriculture" means a system of farm design and management to create an eco system of agriculture production without the use of synthetic external inputs such as chemicals, fertilizers, pesticides and synthetic hormones or Genetically Modified Organisms (GMOs).

- (i) "Organic Farm Produce" means the produce obtained from organic agriculture.
- (j) "Organic Food" means food products that have been produced in accordance with specified organic production standards.
- (k) "Participatory Guarantee System for India" means a quality assurance initiative for organic production operated by the Ministry of Agriculture and Farmer's Welfare outside the framework of third party certification which emphasizes the the participation of producers, consumers and other stakeholder.

All the other words and expression used herein and not defined but defined in the Act, or its Rules or Regulations made thereunder shall have the meanings assigned to the same in the Act, Rules or its Regulations respectively.

## *CHAPTER II*

### Organic Food Labelling and Certification

3. No person shall manufacture, pack, sell, offer for sale, market or otherwise distribute or import any organic foods unless they comply with the requirements laid down under these regulations.

4. Any food offered or promoted for sale as 'organic food' shall comply with all the applicable provisions of one of the following:

- i. National Programme for Organic Production (NPOP);
- ii. Participatory Guarantee System for India (PGS-India);
- iii. Any other system or standards as may be notified by the Food Authority from time to time.

However, organic food that is marketed through direct sales by the original producer/producer organization to the end consumer is exempt from the need of verification of compliance. This exemption does not apply to processed organic food products.

5. Labelling shall convey full and accurate information on the organic status of the product. Such product shall carry a certification/quality assurance mark of one of the systems mentioned in regulation 4 in addition to the FSSAI logo.

6. All organic foods shall comply with the packaging and labelling requirements specified under the Food Safety and Standards (Packaging and Labelling) Regulations, 2011 in addition to the labelling requirements under one of the applicable system mentioned in regulation 4.

7. Traceability shall be established upto the producer level as applicable under the systems mentioned in regulation 4. It shall include any other requirements prescribed by the Food Authority to maintain the organic integrity of the food product.

8. Without prejudice to the provision of these regulations, all organic food shall comply with the relevant provisions, as applicable, under the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, under the Act and the rules and regulations made thereunder.

9. Any seller of organic food either exclusively or as part of their retail merchandise shall display such food in a manner distinguishable from the display of conventional food so that the consumers are not misled.

10. Non-compliance of any organic food with the provisions of these regulations shall attract penal provisions under the Act, and be liable for action as a false, misleading or deceptive claim.

### *CHAPTER III*

#### *Imports and Reciprocity*

11. Organic food imports under bilateral or multilateral agreements on the basis of equivalence of standards between National Programme for Organic Production and the organic standards of the respective exporting countries shall not be required to be re-certified on import to India subject to their compliance with the provision of the Act & the Rules & Regulation made thereunder.

12. All organic food consignments as per regulation 11 above shall be accompanied by a transaction certificate issued by an Accredited Certification Body covered under the terms of the equivalence agreement.

### *CHAPTER IV*

#### *General*

13. The Food Authority may establish appropriate institutional mechanism to implement these regulations and promote authentic organic food in the country.