Notice Calling for suggestions, views, comments etc from WTO-SPS Committee members on the draft Food Safety and Standards (Packaging) Regulations, 2017

File No. 1-95/Stds/Packaging/SP(L&C/A)/FSSAI-2017.-

1. Short Title and Commencement.- (1) These regulations shall be called the Food Safety and Standards (Packaging) Regulations, 2017.

2. Definitions.- (1) In these regulations unless the context otherwise requires:-

(a) **"act"** means the Food Safety and Standards Act, 2006 (Act 34 of 2006).

(b) **"food grade"** means material made of substances which are safe and suitable for their intended use which shall not endanger human health and change in the composition of the food or organoleptic characteristics.

(c) **"multilayer food packaging"** means a food packaging material or article composed of two or more layers of different types of permitted packaging materials.

(d) **"overall migration limit"** means the maximum permitted amount of non-volatile substances released from a material or article into food simulants.

(e) **"package or container"** means a pre-packaged box, bottle, casket, tin, barrel, case, pouch, receptacle, sack, bag, wrapper or such other things in which an article of food is packed.

(f) **"primary food packaging"** means packaging material in direct contact with food products.

(g) **"secondary food packaging"** means packaging material which encloses the primary food packaging and does not come in direct contact with food products.

(h) **"specific migration limit"** means the maximum permitted amount of a given substance released from a material or article into food or food simulants.

(2) All other words and expressions used herein and not defined, but defined in the Act, rules or regulations made thereunder, shall have the meanings assigned to the them in the Act, rules or regulations, respectively.

3. General Requirements.-

(1) Any material used for packaging, preparation, storing, wrapping, transportation and sale or service of food shall be of food grade quality.

(2) Printing inks for use on food packages shall conform to IS: 15495.

(3) Printed surface of packaging material shall not come into direct contact with food products.

(4) Newspaper or any such material shall not be used for storing and wrapping of food.

(5) Tin containers once used, shall not be re-used for packaging of food.

(6) Food products shall be packed in clean, hygienic and tamperproof bottles/containers.

(7) In case of multilayer packaging the layer which comes in contact with food shall meet the requirements of packaging materials specified in Schedule I, II and III of these regulations.

(8) The materials listed in Schedule I, II and III of these regulations shall be compatible with their intended use as a packaging material which shall not alter the quality and safety of the food product.

4. Specific Requirements.-

4.1. Paper and board materials intended to come in contact with food products

(1) Paper and board material shall be of uniform formation and thickness.

(2) It shall be free from visible specks, grease marks, cuts, pinholes and other blemishes.

(3) The paper used for the manufacture of boxes, cartons, plates, cups and paper lids or paper which are meant to be direct in contact with food shall be of food grade and shall be free from dioxins.

(4) Paper and board materials used for the manufacturing of containers for packing or storing the food products shall conform to the relevant Indian Standards specification as provided in **Schedule – I.**

4.2. Glass containers intended to come in contact with food products

(1) They shall be manufactured either from colourless glass or glass with a slight tinge of colour.

(2) They shall be free from blisters, mould marks, stones and chippings and as far as possible shall be free from bubbles, cords, seeds and other visible defects.

(3) They shall have a smooth surface without cracks, pinholes, sharp edges or broken bubbles.

(4) The sealing surface shall be free from hairline cracks and prominent seam marks.

4.3. Metal and Metal Alloys intended to come in contact with food products

(1) A utensil or container made of the following materials or metals, when used in the preparation, packaging and storing of food shall be deemed to render it unfit for human consumption:-

(a) containers which are rusty;

(b) enamelled containers which have become chipped and rusty;

(c) copper or brass containers which are not properly tinned.

(2) Metal and metal alloys used for the manufacturing of containers for packing or storing the food products shall conform to the relevant Indian Standards specification as provided in **Schedule – II**.

4.4. Plastic materials intended to come in contact with food products

(1) Plastic materials used for the manufacturing of containers for packing or storing the food products shall conform to the relevant Indian Standards specification as provided in **Schedule – III.**

Provided that Drinking Water (both Packaged and Mineral Water) shall be packed in colourless, transparent and tamperproof bottles or containers made of polyethylene (PE) conforming to IS: 10146 or polyvinyl chloride (PVC) conforming to IS: 10151 or polyalkylene terephthalate (PET and PBT) conforming to IS: 12252 or polypropylene (PP) conforming to IS: 10910 or food grade polycarbonate or sterile glass bottles only.

(2) All packaging materials of plastic origin shall pass the prescribed overall migration limit of 60mg/kg or 10mg/dm^2 as per IS 9845 with no visible colour migration.

(3) Plastic materials and articles shall not release the following substances in quantities exceeding the specific migration limits given under **Table 1**.

(4) Pigments or Colorants for use in plastics in contact with food products and drinking water shall conform to IS: 9833.

Table 1: Requirements for specific migration limit for plastic materials to be in contact with food products

S. No.	Contaminant	Maximum Migration Limit (mg/Kg)
1.	Barium	1.0
2.	Cobalt	0.05
3.	Copper	5.0
4.	Iron	48.0
5.	Lithium	0.6
6.	Manganese	0.6
7.	Zinc	25.0

5. A list of suggestive packaging materials which may be used for packaging of food products falling under the specified categories is provided in **Schedule – IV**.

Schedule – I

Paper and board materials intended to come in contact with food products

SI. No	List of Standards
1.	Grease proof paper – IS 6622
2.	Vegetable parchment or Grease proof paper/Aluminium Foil Laminate – IS 7161
3.	Aluminium Foil Laminates for Packaging – IS 8970
4.	General purpose packing/wrapping Paper – IS 6615
5.	Folding Box Board, uncoated – IS 1776

Note: The wax used for coating the paper or board shall be paraffin wax conforming to Type I of IS 4654.

Schedule – II

Metal and Metal Alloys intended to come in contact with food products

SI. No	List of Standards
1.	Cold-reduced Electrolytic Tinplate – IS 1993
2.	Wrought Aluminium and Aluminium Alloy Sheet and Strip for General Engineering – IS 737
3.	Aluminium and Aluminium Alloy Bare Foil for Food Packaging – IS 15392
4.	Wrought Aluminium and Aluminium Alloys for manufacture of utensils – IS 21

5.	Round Open Top Sanitary Cans for Foods and Drinks – IS 9396 – Part 1

Schedule – III

Plastic Materials intended to come in contact with food products

SI. No.	List of Standards
1.	Specification for Polyethylene for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 10146
2.	Specification for Polystyrene for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 10142
3.	Specification for Polyvinyl Chloride (PVC) and its copolymers for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 10151
4.	Specification for Polypropylene and its copolymers for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 10910
5.	Specification for Ionomer Resins for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 11434
6.	Specification for Ethylene Acrylic Acid (EAA) copolymers for their safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 11704
7.	Specification for Polyalkylene Terephathalates (PET & PBT) for their safe use in contact with foodstuffs, pharmaceuticals and drinking water - IS 12252
8.	Specification for Nylon 6 Polymer for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 12247
9.	Specification for Ethylene Vinyl Acetate (EVA) copolymers for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 13601
10.	Specification for Ethylene Metha Acrylic Acid (EMAA) copolymers and terpolymers for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 13576
11.	Specification for Polycarbonate Resins for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 14971
12.	Specification for Flexible Packaging Materials for packaging of Edible Oils, Ghee and Vanaspati - IS 14636
13.	Specification for Polyalkylene Terephthalates (PET & PBT) for Moulding and Extrusion – IS 13193
14.	Specification for Polyethylene Films and Sheets – IS 2508
15.	Specification for Linear Low Density Polyethylene (LLDPE) Films – IS 14500
16.	Specification for High Density Polyethylene Materials for Moulding and Extrusion – IS 7328
17.	Specification for Melamine-Formaldehyde Resins for its safe use in contact with foodstuffs, pharmaceuticals and drinking water – IS 14999

Schedule – IV

List of suggestive packaging materials

SI.No.	Product Category	Types of Packaging materials
1.	Milk and milk products	• Glass bottle with metal caps. • Rigid Plastic container made of PET with plastic (PP) caps. • Rigid Plastic container made up of High density polyethylene (HDPE)/ Polypropylene (PP) with Plastic (PP) caps. • Flexible plastic pouch made of polyethylene (PE) based co-extruded multilayered material. • Aseptic and flexible packaging material (Paper board/ Aluminium foil/polyethylene) based multilayered structure. • Tin plate container. • Paper based lined cartons with liner made of aluminium foil based laminated structure. • Plastic based PP cups with Peel-off lid. • Wax coated paper butter wrappers. • Paper & Paper Board based folding carton inside butter wrapped with butter paper. • Metal Containers with plastic (PP) caps/metal or plastic lid. • Plastic pet container with plastic lid. • Thermoform cup/tray with peel-off lids. • Paper & Paper Board setup boxes with or without lamination –plastic film inside. • Paper & Paper Board setup boxes with or without grease proof paper placed inside. • Plastic Based multi layered flexible laminated heat sealed pouch. • Mud/clay pots.
2.	Fats, oils and fat emulsions	• Tin plate container. • Glass bottle with metal caps. • Plastic rigid container (jar) made of HDPE. • Plastic bottle/Jar (PET) with plastic caps. • Plastic Pouch made of Multi layered laminated structure. • Aseptic and flexible packaging material (Paper board/ Aluminium foil/polyethylene) based multilayered structure. • Plastic laminated pouch in duplex board box (Bag in Box). • Thermoformed plastic based jar with plastic caps. • Paper based lined cartons with liner made of

		aluminium foil based laminated structure.
3.	Fruit & Vegetable products	• Glass bottle with metal/plastic caps. • Aluminium can with easy open end. • Tinplate container. • Aseptic and flexible packaging material (Paper board/ Aluminium foil/polyethylene) based multilayered structure. • Plastic rigid container (jar) made of either HDPE or Co-extruded structure with Plastic (PP) caps. • Stand Up Pouch made up of Plastic based structure with plastic spout. • Flexible Plastic pouch made of either PE or Laminated structure. • Thermoformed Plastic container (blister Pack) with aluminium foil / PE based lid. • Plastic jar (Co-extruded) with metal caps. • Plastic trays with overwrap.
4.	Sweets and Confectionery	• Metal container with metal/plastic lid. • Plastic based multilayered laminated Heat sealed pouches. • Composite containers made up of Paper Board/Aluminium foil/plastic base films with plastic / metal lids. • Plastic based rigid containers. • Foil wrap. • Plastic film based twist wraps (PP/PVC/PET). • Thermoformed tray with lid. • Glass bottle with metal/plastic caps. • Plastic cups with film lid.
5.	Cereals and cereal products	• Tin container. • Aluminium Foil Based laminated pouch in metal container. • Wrapper made of wax coated paper. • Wrapper made of three layered laminated structure. • Plastic based multilayered laminated pouch (heat sealed). • Plastic based thermoform container with plastic lid. • Lined carton with liner made of multi layered laminated structure. • Plastic based multilayered laminated structured Zipper pouch. • Thermoform trays with plastic lids/over wraps. • Glass bottle with metal caps.
6.	Meat and Meat Products	• Glass jars with plastic caps. • Metal Containers with metal lid (lacquered tin containers). • Plastic based flexible pouches in paper & paper Board carton. • Plastic based multilayered flexible laminates heat sealed pouches.

		• Plastic tray with overwrap. • Aluminium foil wrap.
7.	Fish and fish products	• Glass jars with plastic caps. • Metal Containers with metal lid (lacquered tin containers). • PET punnets/containers with plastic caps. • Plastic based multilayered flexible laminates heat sealed pouches. • Plastic tray with overwrap.
8.	Sweetening agents including Honey	• Glass bottle with Metal Caps. • Plastic based Thermoformed container. • Blister Pack with foil/polyethylene lid. • Polyethylene Terephthalate (PET) container with Plastic Caps. • Plastic laminated Tube.
9.	Salt, spices, Condiments and related products	• Glass bottle with metal lid. • Glass bottle with plastic cap (PP Cap). • Plastic based rigid container with Plastic cap (PET & HDPE Containers). • Paper & Paper board /Aluminium foil/Plastic Film based Composite Container. • Folding cartons with Plastic based flexible laminated structure (heat sealed) pouch placed inside. • Plastic based multilayered layered laminated pouch (heat sealed).
10.	Beverages (other than Dairy and Fruits & vegetables based)	• Plastic bottles made of either PET or Polycarbonate (PC) with Plastic (Polypropylene -PP) caps. • Heat sealed Plastic pouches made of Polyethylene (PE). • Glass bottles with metal caps/plastic caps. • Plastic pouches made up of Polyethylene (PE) in Corrugated fibre board Boxes. • Aluminium can with easy open end. • Tin plate container. • Plastic pouch made of laminated structure. • Aseptic and flexible packaging material (Paper board/ Aluminium foil/polyethylene) based multilayered structure. • Plastic based multi layered structure heat sealed pouches. • Plastic based multi layered structure heat sealed Zipper pouches / stand up pouches. • Metal Container with metal / plastic lids. • Rigid Plastic container with plastic caps (PP Caps). • Wooden cask (for wines).