



Manual on Food Import Clearance System (FICS) implemented by Food Safety and Standard Authority of India (FSSAI), Ministry of Health & Family Welfare, Government of India

The purpose of this manual is to present an overview of the Food Import Clearance System (FICS) and its requirements for the clearance of imported food articles into India. It is designed as a ready reckoner for the stakeholders of FICS and to create awareness amongst those who want to import food articles into India. This information has been collated from the Food Safety & Standards Act 2006, Rules, Regulations and Corrigendum made thereunder and on operationalization of FICS by the FSSAI.





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Disclaimer:-This manual contains only general information. This manual should not therefore be relied upon as an authoritative interpretation of the provisions of the Food Safety and Standards Act, 2006, Rules and Regulations made thereunder and any of the information furnished under this manual including the Draft Import Regulations.



Chapter I

Overview of Food Import Clearance System (FICS) implemented by FSSAI

“**Food Safety and Standards Act, 2006**” (hereinafter referred to as the “**Act**”) is mandated for laying down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import, to ensure availability of safe and wholesome food for human consumption and for matters connected therewith or incidental thereto. Under section 4 (1) of the Act, Government of India (GOI) has established an body corporate called “**Food Safety Standards Authority of India**” (hereinafter referred to as the “**Food Authority**”) to exercise the powers conferred on, and to perform the functions assigned under the Act. “**Rules and Regulations**” were made under the Act. Food Authority and the Directorate General of Foreign Trade (hereinafter referred to as the “**DGFT**”) issues guidelines/instructions/advisories in terms of food import trade issues at the same time sustaining the paramount importance of food safety.

The relevant sections of the Act that are significant in terms of food import are reproduced below:

Section	Details of the Section
Section 22	Genetically modified foods, organic foods, functional foods, proprietary foods, etc. Save as otherwise provided under this Act and regulations made there under, no person shall manufacture, distribute, sell or <i>import</i> any novel food, genetically modified articles of food, irradiated food, organic foods, foods for special dietary uses, functional foods, Nutraceuticals, health supplements, proprietary foods and such other articles of food which the Central Government may notify in this behalf.
Section 23	Packaging and labelling of foods. (1) No person shall manufacture, distribute, sell or expose for sale or despatch or deliver to any agent or broker for the purpose of sale, any packaged food products which are not marked and labelled in the manner as may be specified by regulations: Provided that the labels shall not contain any statement, claim, design or device which is false or misleading in any particular concerning the food products contained in the package or concerning the quantity or the nutritive value implying medicinal or therapeutic claims or in relation to the place of origin of the said food products. (2) Every food business operator shall ensure that the labelling and presentation of food, including their shape, appearance or packaging, the packaging materials used, the manner in which they are arranged and the setting in which they are displayed, and the information which is made available about them through whatever medium, does not mislead consumers.
Section 25	All imports of articles of food to be subject to this Act. (1) No person shall import into India – (i) any unsafe or misbranded or sub-standard food or food containing extraneous matter; (ii) any article of food for the import of which a license is required under any Act or rules or regulations, except in accordance with the conditions of the license; and (iii) any article of food in contravention of any other provision of this Act or of any rule or regulation made there under or any other Act.



	(2) The Central Government shall, while prohibiting, restricting or otherwise regulating import of article of food under the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992), follow the standards laid down by the Food Authority under the provisions of this Act and the Rules and regulations made there under.
Section 26	Responsibilities of the Food business operator. (1) Every food business operator shall ensure that the articles of food satisfy the requirements of this Act and the rules and regulations made there under at all stages of production, processing, import, distribution and sale within the businesses under his control.
Section 43	Recognition and accreditation of laboratories, research institutions and referral food laboratory (1) The Food Authority may notify food laboratories and research institutions accredited by National Accreditation Board for Testing and Calibration Laboratories or any other accreditation agency for the purposes of carrying out analysis of samples by the Food Analysts under this Act. (2) The Food Authority shall, establish or recognize by notification, one or more referral food laboratory or laboratories to carry out the functions entrusted to the referral food laboratory by this Act or any rules and regulations made there under.
Section 47	(5) In case of imported articles of food, the authorised officer of the Food Authority shall take its sample and send to the Food Analyst of notified laboratory for analysis who shall send the report within a period of five days to the Authorised Officer. (6) The Designated Officer, the Food Safety Officer, the authorised officer and the Food Analyst shall follow such procedure as may be specified by regulations.
Section 67	Penalty for contravention of provisions of this Act in case of import of articles of food to be in addition to penalties provided under any other Act. (1) Any person who imports any article of food which is in contravention of the provisions of this Act, rules and regulations made there under, shall, in addition to any penalty to which he may be liable under the provisions of the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) and the Customs Act, 1962 (52 of 1962) be also liable under this Act and shall be proceeded against accordingly. (2) Any such article of food shall be destroyed or returned to the importer, if permitted by the competent authority under the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) or the Customs Act, 1962 (52 of 1962), or any other Act, as the case may be.
Other Sections	Section 51. Penalty for sub-standard food. Section 52. Penalty for misbranded food. Section 54. Penalty for food containing extraneous matter. Section 55. Penalty for failure to comply with the directions of Food Safety Officer. Section 57. Penalty for possessing adulterant. Section 59. Punishment for unsafe food. Section 63. Punishment for carrying out a business without license. Section 65. Compensation in case injury of death of consumer Section 78. Power of court to implead manufacturer etc. Section 80. Defences which may or may not be allowed in prosecution under this Act.



Chapter II

A) General Procedure & Inspection by Authorised Officer

I. Filing of application for Inspection by the Importer or his/her CHA to the Authorised Officer -

(1) Food Importer shall possess valid license under FSS Act 2006, Product Approval (if required) from Food Authority to import food articles into India and shall ensure that the intended imported food article has the valid remaining shelf life as specified in the DGFT Notification NO.22 (RE-2001)/1997-2002 dated 30th July, 2001

(2) The Food Importer or his/her Customs House Agent (hereinafter referred to as the “CHA”) upon arrival of imported food article at the point of import and upon receiving examination order from the Customs Authorities concerned, shall:-

- a) Ascertain the availability of food for inspection and drawl of sample(s) by the Authorised Officer in the customs notified area;
- b) Make an application for No Objection Certificate (hereinafter referred to as the “NOC”) to the Authorised Officer of the respective Point of Import through online Food Import Clearance System (hereinafter referred to as the “FICS”).
- c) Pay the prescribed lab analysis fee for the food sample(s) in the manner as prescribed by Food Authority;
- d) Be present at the customs area at the designated time to facilitate inspection, help in drawl of sample(s) and witness sealing of sample(s) by the Authorised Officer or his representative, and sign on the sealed sample(s).

II. Verification of documents furnished by the Food Importer or CHA —

(1) Upon receipt of application for issue of NOC and on verification of documents filed by the Food Importer or CHA, the Authorised Officer shall intimate the details of place, date and time of inspection to the Food Importer or CHA within such time as would be reasonable to facilitate the presence of the Food Importer or CHA at that time and place of the inspection/sampling.

(2) The Authorised Officer may cancel the inspection, if he/she is of the opinion that the imported food articles has not been made accessible for the purpose of inspection and drawl of sample(s) and his/her opinion shall be final and conclusive. In the event of such cancellation, the Food Importer or CHA shall take necessary steps to make the food articles so accessible and upon such steps being taken, initiate a fresh application for issue of NOC.

(3) If the imported food article need a Product Approval, the Authorised Officer shall inform the importer to refer the same to the Product Approval Division (hereinafter referred to as the “PAD”) of Food Authority.

(4) The Authorised Officer shall ascertain whether the food article is on the Prohibited list or from the Prohibited source as notified by the DGFT ([dgft.gov.in/exim/2000/dn/ftpdl/prohibited%20 items.doc](http://dgft.gov.in/exim/2000/dn/ftpdl/prohibited%20items.doc)) and the restricted list as notified by the DGFT (dgft.gov.in/exim/2000/dn/ftpdl/restrctd%20items.doc) etc or Food Authority. If so, the Authorised Officer shall pass an order refusing the drawl of sample from the imported food consignment and such consignments are either re-exported back to the source country or destroyed, as desired by the Customs Authority during the adjudication process.

(5) The Authorised Officer may refuse the inspection and intimate the Customs Authorities, if the articles of import are “misclassified as food”.



III. Balance Shelf life: -

The Authorised Officer shall ascertain the balance shelf life of the imported food article, and upon such enquiry, if he/she comes to the conclusion that the balance shelf life of the food as on the date of import is less than sixty percent of the valid remaining shelf life as specified in the DGFT Notification NO.22 (RE-2001)/1997-2002 dated 30th July, 2001 or as specified by DGFT from time to time, the Authorised Officer shall pass an order refusing the clearance of the imported food.

IV. Inspection by Authorised Officer:

(1) The Authorised Officer or his/her staff shall carry out the inspection of food storage conditions, labelling & packing and draw sample of imported food article in the customs notified area in the presence of Importer or CHA.

(2) In case of pre-packaged foods, the Authorised Officer shall scrutinize the packaging and labelling requirements to ascertain its compliance under Food Safety and Standards (Packaging and Labelling) Regulations, 2011 and if it is noncompliance, the Authorised Officer shall issue a rejection report to Customs Authorities therein stating the reason(s) for refusing the drawl of sample from the imported food consignment.

(3) The Authorised Officer shall draw the sample with rectifiable labeling defects as defined in the Food Authority guidelines and forward the sample to laboratory for analysis and inform the importer or CHA to rectify the labeling defects within a specified time period in the Customs Area. On receipt of compliance letter from the Food Importer or CHA and/or an order issued by the Customs Authorities, the Authorised Officer may carry out the re-inspection of the food consignment. This process shall apply if laboratory identifies these rectifiable labeling defects on receipt of the sample.

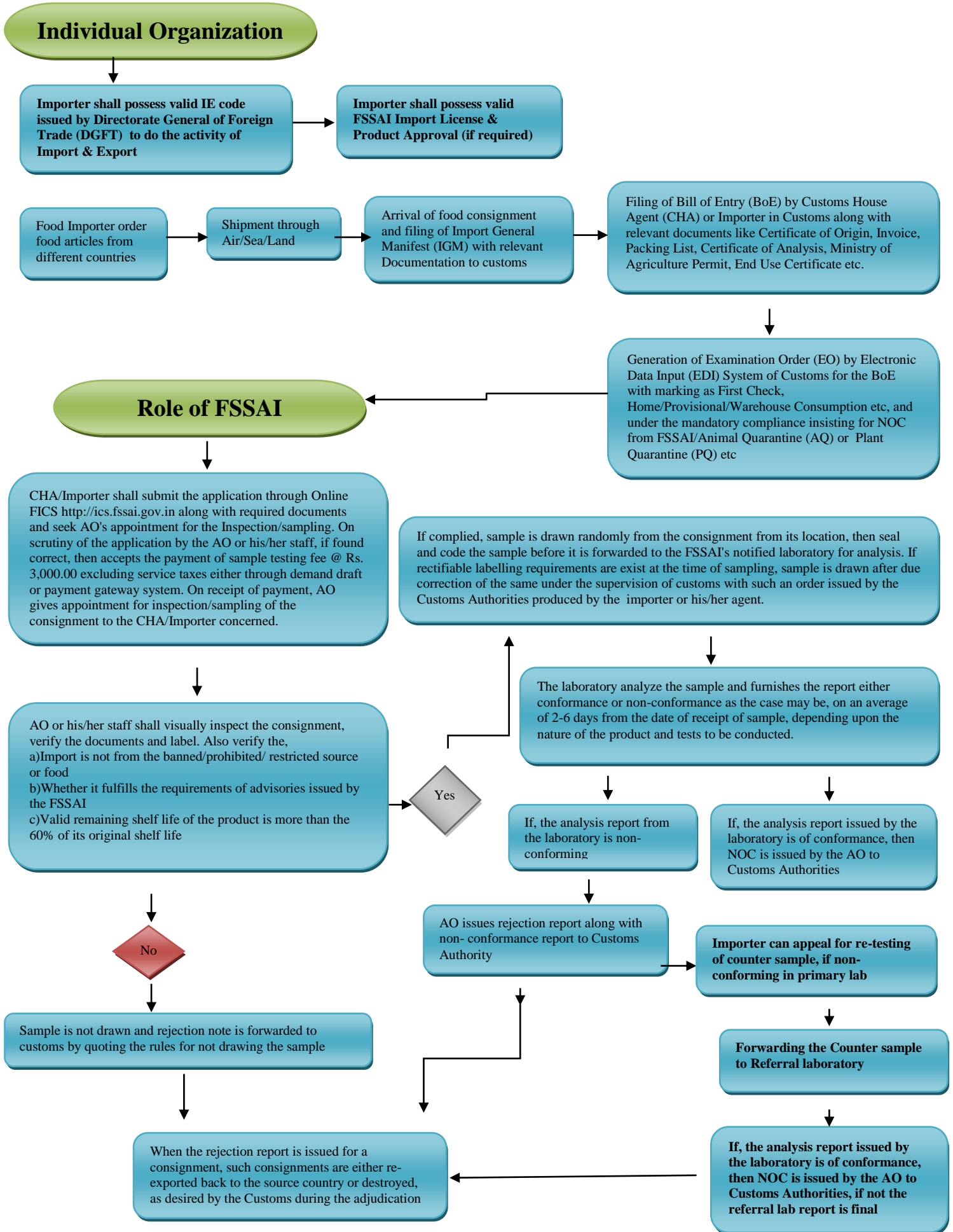
(4) In case rectifications are still in non-compliance or Food Importer or CHA has failed to carry out the labeling rectifications within the prescribed period, the Authorised Officer shall pass an order refusing the drawl of sample from the imported food consignment and importer or CHA has to apply fresh application to process further.

(6) The Authorised Officer at the time of inspection finds that the food articles do not meet the prescribed food safety standards due to visible insects or fungus infestations; he/she shall pass an order refusing the clearance of the food articles, duly stating the reasons thereof.



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B) General Steps involved in FICS (Flow Diagram)





C) Online FICS

- Food Authority has developed an Integrated Web based System for the FICS.
- To access the system, CHA / Importer and notified laboratories requires registration in online FICS.
- On approval of their registration by Food Authority Authorised Officer, the system would generate a username & password.
- To login FICS, Food Authority Authorised Officer or his staff, Accredited Laboratories, Food Importers and CHA shall use their username & password to access FICS through <http://ics.fssai.gov.in/>.

Functionality of Online FICS,

- Filing of application by CHA / Importer for issue of NOC along with relevant documents.
- Online payment of prescribed fee by CHA / Importer for analysis of Samples
- Appointment for inspection of the imported food consignment to CHA / Importer & assigning staff of Authorised Officer for Physical Inspection & Collection of Sample(s) from the imported food consignment.
- Selection of laboratory for analysis & forwarding the sample by the Authorised Officer or his / her staff to the laboratory concerned or through representative of laboratory or by post in case of referral laboratory.
- Posting of analysis reports by the Laboratory
- Generating of NOC in case of analysis report conforms to FSS Act 2006, Rules and Regulations made thereunder and rejection report based on nonconforming of labelling requirements noticed by the Authorised Officer or his/her staff at that time of inspection/sampling and sample found nonconforming to FSS regulations reported by the laboratory.

For any queries regarding the online FICS, kindly contact the concerned Authorised Officer or through e-mail fics@fssai.gov.in.



Chapter III

Powers and duties of the Authorised Officer

(1) The Authorised Officer shall have the following powers and duties to ensure that the imported articles of food meet the safety standards prescribed under the FSS Act 2006 and Rules, Regulations made thereunder, namely:-

- a) To carry out the inspection of imported food consignment, drawl of sample(s) and transport the same for analysis in appropriate manner;
- b) To re-seal any package opened for drawl of sample(s) and certify that the same had been opened and sealed;
- c) To forward the sample for analysis to the laboratory concerned.
- d) To receive the analysis report from the laboratory
- e) To issue NOC or Rejection Report to the Customs Authority;
- f) To maintain the database of food importers within his/her jurisdiction of the Point of Import assigned to him in the format specified by the Food Authority from time to time;
- g) To maintain the record of all inspections made and action taken by him/her in the performance of his/her duties including the drawl of samples, laboratory analysis reports, issue of No Objection Certificates, issue of Rejection Report, for the food imports falling under his/her jurisdiction of point of import, and to submit copies of such records to Food Authority as and when required;
- h) To make such enquiries and inspections as may be necessary to detect the import of food in contravention of the FSS Act 2006 and Rules, Regulations made there under and as notified from time to time;
- i) To recommend destruction or re-export of imported food with necessary conditions as he may deem fit, as and when required;
- j) If allowed by Central Government / Food Authority, shall recommend to the Customs Authority for re-processing of food grains including pulses within the customs area if it exceeds the permissible limit on extraneous matter;
 - a) Provided that the importer submits an undertaking to achieve the permissible limit through re-processing; and
 - b) Provided further that the necessary infrastructure and equipment is available within the Customs Area;
- k) To mandate additional test(s) for the imported food article based on the visual inspection and advisories issued on risk potential by the Food Authority from time to time;
- l) To ensure that notified laboratories maintain lab analysis records in the format prescribed by the Food Authority from time to time;
- m) To report the concerned Licensing Authority on any violation of any licensing conditions by the Food Importer.
- n) To inform the Food Authority, on import of any new variety of food or food ingredients and any other technical issues/difficulties;
- o) To seek data or information on food imports from the Customs Authority;
- p) To store the counter sample(s) in an appropriate condition so that they are fit for analysis in case of re-test appeal request received from the Importer;



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- q) The Authorised Officer shall have the powers to take photographs of any imported food consignment(s);
- r) To carry out any other duties assigned by the Food Authority from time to time;

**Chapter IV****Instruction on Do's and Don'ts required to be practiced by the major Stakeholder under FICS**

A) Food Importer	
Do's	Don'ts
Do obtain the Import-Export Code (IEC) from Directorate General for Foreign Trade (DGFT)	Don't import the food article if it is banned/prohibited/restricted list also from such source(s) and update regularly by visiting www.fssai.gov.in and DGFT website.
Do obtain the License from the Designated Officer, Central Licensing Authority, under Food Safety and Standards (Licensing and Registration of Food Businesses), Regulations 2011.	Don't import the food article for which no standards have been prescribed. Instead, refer such imports in advance with complete details along with supporting documents and requisite fees to Product Approval Division (PAD) of Food Authority for approval.
Do register in online FICS http://ics.fssai.gov.in by providing IEC number and information's as required in the registration form. On approval of the registration by Authorised Officer, FSSAI, system would generate the username & password.	Don't import rejected consignment again to India after modifying or rectifying the defects of non-conformance including labeling.
Do identify and authorise a CHA to represent & liaise with Food Authority for the clearance of imported food consignment(s).	Don't tamper the original label on or attached to the container.
Do file the application to Authorised Officer, FSSAI positioned at the Point of Import through online FICS for the clearance of imported food consignment(s) by submitting the relevant documents. (Refer Import Documentation for the list of documents required to be submitted).	Don't alter the original documents accompanying the imported food consignment.
Do verify all the relevant documents, before submission including Bill of Entry, especially the information's like name of the food etc are same as appearing in the label of food article to avoid amending the Bill of Entry later. In case if the information's are, mismatching the same may be amended in the Bill of Entry before its submission.	Don't import the food articles of inferior quality with identification of foul odour, insect infestation, fungal growth, moulds, dampness etc.
Do submit all the relevant documents at once to avoid unnecessary time delay. On completion of filing the application with documents Importer will receive an acknowledgement from the system.	Don't influence the staff of Authorised Officer during the inspection and drawl of sample(s) from the consignment(s).



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<p>Do submit the corrected/amended document as directed by the Authorised Officer, FSSAI, through online FICS, if any query(s) or clarification(s) or document(s) submitted by the Importer are not in order, noticed on scrutiny of the application and / or documents by the Authorised Officer, FSSAI.</p>	<p>Don't handle the sample while drawing the sample.</p>
<p>Do pay the required sample analysis fee (Rs. 3000.00 per sample excluding the service tax & education cess) as and when directed by the Authorised Officer, FSSAI either through demand draft drawn in favour of Authorised Officer, (Region Name), FSSAI or as prescribed by the region or through payment gateway system. If the sample analysis fee is paid by means of demand draft, need to provide the details of Demand Draft such as its number, date of issue, name of the bank and branch in the online FICS including payable at. On successful payment, Authorised Officer shall assign his/her staff for inspection and inform the date and time of inspection to the Food Importer to coordinate at the time of Physical Inspection & Collection of Sample(s) from the imported consignment. In case if the sampling is not completed due to various reasons on that particular date, the online system will carry the note(s) furnishing the reasons for not inspecting and drawing the sample.</p>	<p>Don't request or ask the staff of Authorised Officer regarding the online sample code after drawl of food samples.</p>
<p>Do ensure that before import of any food article into India, do have the required labeling information's as required under Food Safety Standards (Packaging and Labeling) Regulations 2011 and as guided by Food Authority from time to time, also the product shall meets the 60 % of valid remaining shelf life requirement at the time of import as per NOTIFICATION NO.22 (RE-2001)/1997-2002 dated 30th July, 2001 issued by DGFT.</p>	<p>Don't influence any or all the notified/referral laboratory under Food Authority in regard to analysis of the food sample(s).</p>
<p>Do import sufficient quantity of food article to enable the drawl of sample(s).</p>	<p>Don't influence the Office of Authorised Officer, FSSAI to hasten the receipt of test report from the laboratory.</p>
<p>Do assist the staff of Authorised Officer, FSSAI during the inspection of the consignment and</p>	<p>Don't visit the Office of Authorised Officer, FSSAI unless otherwise it is required.</p>



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drawl of the food sample(s) or through representative.	
Do have the option, if the sample(s) fails on analysis by the notified laboratories, based on the request / appeal from the food importer, the duplicate sample will be forwarded for retesting at the referral laboratory on payment of required laboratory analysis fee.	Don't tamper or alter the test report if it is non-conformance to standards.
Do take delivery of the signed copy of NOC/Rejection Report.	
Do clear the consignment from its locations like Harbor/CFS/ICD etc., on receipt of the NOC issued by Food Authority.	
Do update the latest developments of Food Authority from http://ics.fssai.gov.in & www.fssai.gov.in	
Initially import preferably small quantity, to understand the FICS and to avoid financial losses.	



B) Custom House Agent (CHA)	
Do's	Don'ts
Do inform the importer to obtain the Import-Export Code (IEC) from Directorate General for Foreign Trade (DGFT)	Don't tamper the original label on or attached to the container on behalf of the importer.
Do inform the importer to obtain the License from the Designated Officer, Central Licensing Authority, under Food Safety and Standards (Licensing and Registration of Food Businesses), Regulations 2011.	Don't alter the original documents accompanying the imported food consignment on behalf of the importer.
Do register in online FICS http://ics.fssai.gov.in by submitting the scanned copy of the following documents, PAN Card of the Company, CHA license, Photo IDs of the Authorised person(s), and liaise with Authorised Office, FSSAI for the clearance of imported food articles on behalf of the importer. On approval of registration by Authorised Officer, FSSAI, system would provide the username & password.	Don't influence the staff of Authorised Officer during the inspection and drawl of sample(s) from the consignment(s) on behalf of the importer.
Do file the application on behalf of the importer to Authorised Officer, FSSAI positioned at the Point of Import through online FICS for the clearance of imported food consignment(s) by submitting the relevant documents. (Refer Import Documentation for the list of documents required to be submitted).	Don't handle the sample while drawing the sample.
Do inform the importer not to import the food article if it is banned/prohibited/restricted list also from such source(s) and update regularly by visiting www.fssai.gov.in and DGFT website.	Don't request or ask the staff of Authorised Officer regarding the online sample code after drawl of food samples on behalf of the importer.
Do inform the importer not to import the food article for which no standards have been prescribed. Instead, refer such imports in advance with complete details along with supporting documents and requisite fees to Product Approval Division (PAD) of Food Authority for approval.	Don't influence any or all the notified/referral laboratory under Food Authority in regard to analysis of the food sample(s) on behalf of the importer.
Do inform the importer not to import rejected consignment again to India after modifying or rectifying the defects of non-conformance including labeling.	Don't influence the Office of Authorised Officer, FSSAI to hasten the receipt of test report from the laboratory on behalf of the importer.
Do inform the importer not to import the food articles of inferior quality with identification of foul odour, insect infestation, fungal growth, moulds, dampness etc.	Don't visit the Office of Authorised Officer, FSSAI on behalf of the importer unless otherwise it is required.
Do submit all the relevant documents availed from the importer at	Don't tamper or alter the test



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<p>once to avoid unnecessary time delay. On completion of filing the application with documents, Importer will receive an acknowledgement from the system.</p>	<p>report if it is non-conformance to standards on behalf of the importer.</p>
<p>Do submit the corrected/amended document as directed by the Authorised Officer, FSSAI, on availing such documents from the importer, through online FICS, if any query(s) or clarification(s) or document(s) submitted by the CHA are not in order, noticed on scrutiny of the application and / or documents by the Authorised Officer, FSSAI.</p>	
<p>Do verify all the relevant documents, before submission including Bill of Entry, especially the information's like name of the food etc. are same as appearing in the label of food article to avoid amending the Bill of Entry later. In case if the information's are, mismatching the same may be amended in the Bill of Entry before its submission.</p>	
<p>Do pay the required sample analysis fee (Rs. 3000.00 per sample excluding the service tax & education cess) as and when directed by the Authorised Officer, FSSAI either through demand draft drawn in favour of Authorised Officer, (Region Name), FSSAI or as prescribed by the region or through payment gateway system. If the sample analysis fee is paid by means of demand draft, need to provide the details of Demand Draft such as its number, date of issue, name of the bank and branch in the online FICS including payable at. On successful payment, Authorised Officer shall assign his/her staff for inspection and inform the date and time of inspection to the Food Importer to coordinate at the time of Physical Inspection & Collection of Sample(s) from the imported consignment. In case if the sampling is not completed due to various reasons on that particular date, the online system will carry the note(s) furnishing the reasons for not inspecting and drawing the sample.</p>	
<p>Do inform the importer to ensure that before import of any food article into India, do have the required labeling information's as required under Food Safety Standards (Packaging and Labeling) Regulations 2011 and as guided by Food Authority from time to time, also the product shall meets the 60 % of valid remaining shelf life requirement at the time of import as per NOTIFICATION NO.22 (RE-2001)/1997-2002 dated 30th July, 2001 issued by DGFT.</p>	
<p>Do inform the importer to import sufficient quantity of food article to enable the drawl of sample(s).</p>	
<p>Do assist the staff of Authorised Officer, FSSAI during the inspection of the consignment and drawl of the food sample(s) or through representative.</p>	



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<p>Do inform the importer having an option, if the sample(s) fails on analysis by the notified laboratories, based on the request / appeal from the food importer, the duplicate sample will be forwarded for retesting at the referral laboratory on payment of required laboratory analysis fee.</p>	
<p>Do take delivery of the signed copy of NOC/Rejection Report on behalf of the importer</p>	
<p>Do clear the consignment on behalf of the importer from its locations like Harbor/CFS/ICD etc., on receipt of the NOC issued by Food Authority.</p>	
<p>Do update the latest developments of Food Authority on behalf of the importer from http://ics.fssai.gov.in & www.fssai.gov.in</p>	
<p>Do inform the importer, initially to import preferably small quantity, to understand the Food Import Clearance System and to avoid financial losses.</p>	



C) Food Testing Laboratories (Notified & Referral)

Do's	Don'ts
Do analyse the food sample(s) based on the parameters specified in the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 and follow the methods of analysis as approved by the Food Authority and furnish the report in prescribed format (Form B) to the Authorised Officer, FSSAI within 5 days on receipt of the sample. However in exceptional cases, where the test procedures requires more than 5 days for laboratory analysis, the laboratories may have to give prior information/intimation to the Authorised Officer, FSSAI, the time required to complete the analysis of such samples.	Don't inform/share the test result information's directly to the importer or CHA and inform only to the Authorised Officer.
Do analyse the food sample for additional test(s), based on the inspection and advisories released by Food Authority from time to time and as directed by the Authorised Officer or Food Authority from time to time.	Don't send/forward the analytical report without concluding the opinion to avoid unnecessary time delay in clearance of the imported food article (s) from customs area.
Do ensure that laboratory analysis records are maintained in the format as prescribed by the Food Authority from time to time for the purpose of Audit by the external/internal agency.	
Do update the latest developments of Food Authority from http://ics.fssai.gov.in & www.fssai.gov.in	



Chapter V

Import Documentation

Submission of relevant documents through online FICS by the Importer or CHA (If required, original to be produced as directed by the Authorised Officer at his/her Office or at the time of inspection as the case may be):-

- A) IE Code issued by the DGFT.
- B) License issued under FSS Act 2006.
- C) Product Approval (if required) from Food Authority.
- D) Bill of Entry.
- E) Examination Order generated by the EDI system of Customs, therein insisting for NOC from FSSAI.
- F) Import Permit issued by Ministry of Agriculture, Government of India in case of primary agriculture produce/horticultural produce.
- G) Sanitary Import Permit issued by Department of Animal Husbandry, Government of India in case of livestock products.
- H) Registration of import contracts for poppy seeds with Central Bureau of Narcotics, Gwalior.
- I) Certificate of Origin issued by Authorised Person / Agency at the place of manufacturing / processing etc of the food consignment. Certificate of Origin shall contain information's like Country of Origin etc., if the consignor is from the different country.
- J) Phyto-Sanitary Certificate issued by the Plant Quarantine Department of Exporting Country in case of primary agriculture/horticulture produce with fumigation endorsement.
- K) Certificate of Analysis with composition (Ingredients). In case of Wine & Whiskey Test Certificate.
- L) End-use declaration - The Food Importer has to clearly declare the end use of the imported food product.
- M) Pumping Guarantee Certificate in case of edible oil imported in bulk.
- N) List of transit country, if the food consignment is trans-shipped more than one country.
- O) Temperature Chart / Report / Graph, if the food consignment trans-shipped under the Cold Chain Technologies (CCT) from the port of origin to the point of import.
- P) Stuffing list.
- Q) Packing list.
- R) Commercial invoice as mentioned in the Bill of Entry (BoE).
- S) Bill of Lading as mentioned in the Bill of Entry (BoE) for sea consignment.
- T) Air Way Bill as mentioned in the Bill of Entry (BoE) for air consignment.
- U) In case of aseptic package, declaration from the manufacturer that the representative sealed sample is from the same batch of the consignment
- V) In the absence of representative sample for the aseptic package, the importer should furnish an undertaking on the following lines. "They do not have any objection to break open the sealed aseptic container from the consignment and collect the sample for laboratory analysis and the Food Authority is not responsible for any kind of damage to the consignment due to such drawl of sample as it is necessary for the clearance of the consignment". Similarly, if the sample quantity is insufficient to draw the duplicate sample, the importer shall submit declaration that "no claim shall be made for re-testing if the primary test fails".
- W) In case of re-import in addition to the documents listed above, submit the documents filed in the customs at the time of export as well as copy of the rejection certificate with reasons for such



rejection (s) issued by the Officials of importing country before its re-export thereby it lead to re-import into India.

X) High Sea Sale Agreement.

Y) Radio Activity Certificate, if irradiation is used.

Z) Submit any other report (s) / document (s) / undertaking (s) / Affidavit (s) as directed and as specified by the Authorised Officer or by the Food Authority from time to time.



Chapter VI

Sample Size as specified in the Chapter 2.3 of FSS (Laboratory and Sample Analysis) Regulations, 2011

Sl. No.	Article of Food	Approximate Quantity
1	Milk	500 ml.
2	Sterilized Milk / UHT Milk	500 ml
3	Malai / Dahi	200 gms
4	Yoghurt / Sweetened Dahi	500 gms
5	Chhana / Paneer / Khoya / Shrikhand	250 gms
6	Cheese/Cheese spread	200 gms
7	Evaporated Milk/Condensed Milk	200 gms
8	Ice-Cream/Softy/Kulfi/Icecandy/Icelolly	300 gms
9	Milk Powder/Skimmed Milk Powder 250	250 gms
10	Infant Food/Weaning Food	500 gms
11	Malt Food/Malted Milk Food	300 gms
12	Butter/Butter Oil/Ghee/Margarine/ Cream/Bakery Shortening	200 gms
13	Vanaspati, Edible Oils/Fats	400 gms
14	Carbonated Water	3 Litres
15	Baking Powder	100gms
16	Arrow root/Sago	
17	Corn flakes/Macaroni Products/Corn Flour/Custard Powder	200 gms
18	Spices, Condiments and Mixed Masala (Whole)	500 gms
19	Spices, Condiments and Mixed Masala (Powder)	500 gms
20	Nutmeg/Mace	250 gms
21	Asafoetida	100 gms
22	Compounded Asafoetida	150 gms
23	Saffron	20 gms
24	Gur/jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura	250 gms
25	Cane Sugar/Refined Sugar/Cube Sugar, Dextrose, Misri/Dried Glucose Syrup	200 gms
26	Artificial Sweetener	100 gms
27	Fruit Juice/Fruit Drink/Fruit Squash	1 Litre
28	Tomato Sauce/Ketch up/Tomato Paste, Jam/Jelly/Marmalade/Tomato Puree/Vegetable Sauce	300 gms
29	Non Fruit Jellies	200 gms
30	Pickles and Chutneys	250 gms
31	Oilseeds / Nuts /Dry Fruits	250 gms
32	Tea/Roasted Coffee/Roasted Chicory	500 gms
33	Instant Tea/Instant Coffee/Instant Coffee-Chicory Mixture	100 gms
34	Sugar Confectionery/Chewing Gum/Bubble Gum	200 gms.



Food Import Clearance System

35	Chocolates	200 gms
36	Edible Salt	200 gms
37	Iodised Salt/Iron Fortified Salt	200 gms
38	Food Grains and Pulses (Whole and Split)	1 kg
39	Atta/Maida/Suji/Besan/Other Milled Product/Paushtik Fortified Atta/Maida	500 gms
40	Biscuits and Rusks	200 gms
41	Bread/Cakes/Pasties	250 gms
42	Gelatin	150 gms
43	Catechu	150 gms
44	Vinegar/Synthetic Vinegar	300 gms
45	Food Colour	25 gms
46	Food colour preparation (Solid/Liquid)	25gm.Solid/100ml liquid
47	Natural Mineral Water/Packaged Drinking Water	4000ml in three minimum original sealed packs.
48	Silver Leafs	2 gms
49	Prepared Food	500 gms
50	Proprietary Food, (Non Standardised Foods)	500 gms
51	Canned Foods	6 sealed cans
52	Food not specified	500 gms



Chapter VII

DGFT Notifications on the Food Import

1) The Shelf life of food article imported into India to be calculated as per NOTIFICATION NO.22 (RE-2001)/1997-2002 dated 30th July, 2001 issued by DGFT - S.O (E) - In exercise of powers conferred under section 5 of the Foreign Trade (Development and Regulation) Act, 1992 read with paragraph 1.3 and 4.1 of the Export and Import Policy, 1997-2002, the Central Government hereby makes the following amendments in the ITC (HS) Classifications of Export and Import Items, 1997-2002 published on 31st March, 1997 (RE-98), as amended from time to time, namely –

The following shall be added after paragraph 12 of Chapter 1A (General notes regarding Import Policy) of ITC (HS) Classifications of Export and Import Items, 1997-2002:

“13. Import of all such edible /food products, domestic sale and manufacture of which are governed by Prevention of Food Adulteration Act, 1954 shall also be subject to the condition that, at the time of importation, the products are having a valid shelf life of not less than 60% of its original shelf life. Shelf life of the product is to be calculated, based on the declaration given on the label of the product, regarding its date of manufacture and the due date for expiry.”

If the food article does not meet the required shelf life criterion, the inspecting officer shall prepare a rejection report and shall not draw the sample from the imported food consignment.

2) Re-import of perishable edible / food products for export again. , DGFT Policy Circular No 35(RE-2010)/2009-14, 04-08-2011 Subject: Re-import of perishable edible / food products for export again.

Representations have been received seeking a clarification on the applicability of condition of shelf life of 60% stipulated under Para 13 of Chapter 1A (General notes regarding Import Policy) of ITC(HS) in case of re-import of edible/food products like frozen meat, frozen mango slices and pulp etc. under the para 2.38 of Foreign Trade Policy. It has been stated in the representations that sometimes edible/food products exported abroad are re-imported for relabeling/repack/rework and re-exported subsequently. Since the condition of shelf life of 60% pertains to goods imported into the country, it has been requested to clarify whether the said condition is applicable for such goods.

2. The matter has been examined and it has been decided that the condition of 60% shelf life stipulated under para 13 of Chapter 1A (General notes regarding Import Policy) of ITC (HS) is not applicable to re-import for export purpose under para 2.38 of Foreign Trade policy. However, this will be subject to following conditions.

I. Re-imported edible/food products to meet stipulated phyto-sanitary conditions.

II. Importers to give an undertaking to Customs that re-imported the goods are not sold in the domestic market.

III. Importers to submit a certificate to Customs that such goods have been re-exported.



Glossary of general terms used under Food Import Clearance System

“Air Waybill” An AWB is a bill of lading which covers both domestic and international flights transporting goods to a specified destination. Technically, it is a non-negotiable instrument of air transport, which serves as a receipt for the shipper, indicating that the carrier has accepted the goods listed therein and obligates it to carry the consignment to the airport of destination according to specified conditions. Normally AWB refers to the Air Way Bill issued by carrying airlines.

“Animal Quarantine (AQ)” is functioning under Department of Animal Husbandry, Dairying & Fisheries, Ministry of Agriculture. Animal Quarantine regulations requires animal products importers to produce a valid sanitary import permit issued by the Department of Animal Husbandry and Dairying at the customs gate before entry into the country and the same will be allowed through the airport and seaports at Delhi, Mumbai, Kolkata and Chennai only which have Animal Quarantine and Certification Services Station. The Sanitary Import Permit lays down the specific condition that will have to be fulfilled in respect of the consignment, including pre-shipment certifications and quarantine checks. The Permit also specifies the post-import requirements with regard to quarantine inspection, sampling and testing. This requirement made mandatory in order to restrict the import of all livestock products that affect the human and animal health population of the country. All imports of livestock and livestock products have to be invariably referred to the Animal Quarantine (AQ) Officer for its clearance.

“Authorised Consignee” It is a term for a person authorised to receive goods under a transit procedure either at his premises or at any other specified place without presenting the goods and the transit declaration at the office of destination.

“Authorised Consignor” A term for a person being authorised to carry out transit operations without presenting the goods and the transit declaration at the office of departure.

“BOL (Bill of Lading, BoL, B/L)” A document that establishes contract between a shipper and a specific carrier for the delivery of goods. Variations include OBL (Ocean Bill of Lading) and AWB (Airway Bill). In other terms, Bills of lading are contracts between the owner of the goods and the carrier. There are two types. A straight bill of lading is non-negotiable. A negotiable or shipper's order bill of lading can be bought, sold, or traded while goods are in transit and is used for many types of financing transactions. The customer usually needs the original or a copy as proof of ownership to take possession of the goods. House Bill of Lading (HBL) issued by carrying shipping agent, normally freight forwarder. Ocean Bill of Lading is a receipt for the cargo and a contract for transportation between a shipper and the ocean carrier. It may also be used as an instrument of ownership, which can be bought, sold, or traded while the goods are in transit. To be used in this manner, it must be a negotiable. "Order" Bill-of-Lading is a Clean Bill-of-Lading is issued when the shipment is received in good order. If damaged or a shortage is noted, a clean bill-of-lading will not be issued. An On Board Bill-of-Lading certifies that the cargo has been placed aboard the named vessel and is signed by the master of the vessel or his representative. On letter of credit transactions, an On Board Bill-of-Lading is usually necessary for the shipper to obtain payment from the bank. When all Bills-of-Lading are processed, the steamship line prepares a ship's manifest. This summarizes all cargo aboard the vessel by port of loading and discharge. It should contain information such as marks, numbers, steamship line, and similar information to match with a dock receipt.

“Bond System” The Bond System, a part of Customs' Automated Commercial System, provides information on bond coverage. A Customs bond is a contract between a principal, usually an importer,



and a surety, which is obtained to insure performance of an obligation imposed by law or regulation. The bond covers potential loss of duties, taxes, and penalties for specific types of transactions. Customs is the contract beneficiary.

“Bonded Warehouse” It is a secure storage facility where imported goods and exportable goods can be stored with pending payment of taxes or duties until the goods are removed.

“Clean Bill of Lading” A receipt for goods issued by a carrier with an indication that the goods were received in "apparent good order and condition," without damages or other irregularities.

“Central Bureau of Narcotics (CBN)” The Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985 has created statutory authorities such as the Narcotics Commissioner (Section 5), the Competent Authority (Section 68D) and the Administrator (Section 68G). The organization headed by the Narcotics Commissioner is known as the Central Bureau of Narcotics (CBN). Import of Poppy seeds if permitted for import under the Plants, Fruits and Seeds (Regulation of Import into India) Order, 1989 for sowing or planting shall be subject to the condition that importer shall produce a certificate from the competent authority of the country of origin that opium poppy has been grown licitly/legally in that country as per requirements of the International Narcotics Control Bureau. Central Bureau of Narcotics, Gwalior, issues registration of import contracts for poppy seeds.

“Certificate of Inspection” The certificate is a document that states the condition of merchandise prior to being shipped.

“Certificate of Insurance” The certificate is a document stating that the specified producer's goods are insured.

“Certificate of Manufacture” The certificate is a document stating where producer manufactured the goods being shipped and that manufacturing is complete and it includes Manufacture/ Production, assembly, packaging, or other operation or process involved in the production of goods.

“Certificate of Origin (COO)” The certificate is a document indicating where the shipped good was produced.

“Commercial Invoice (CI)” Shipper's invoice to consignee (which should accompany a shipment) to facilitate customs clearance. This document must show the value of the goods, country of origin & description of the goods. It acts as a bill for the goods and is often used by governments to determine the true value of goods for customs duty assessments.

“Consignee” The person or firm named in a freight contract to whom goods have been consigned or turned over. For export control purposes, the documentation differentiates between an "intermediate" consignee and an "ultimate" consignee.

“Consignment” It means the quantity of product dispatched by an exporter (the consignor) and received by an importer (the consignee) at one time and covered by a particular contract or shipping document.

“Container Freight Stations (CFS's)” CFS is a place where containers are stuffed, de-stuffed and aggregation/ segregation of export/import cargo take place. Hence, CFS is called as custodian of these cargos. Custodians are appointed under section 45 of the Customs Act, 1962 for safe storage of goods until they are cleared for home consumption or warehoused. CFS is an extended arm of Port/ ICD/Air Cargo Complex, where import/ export goods are kept until completion of their examination and clearance. The imported goods can be immediately shifted from the port to CFS, which also helps in the reduction of port congestion. All the activities related to clearance of goods for home consumption, warehousing, temporary admissions, re-export, temporary storage for onward transit and outright export and transshipments take place from such stations. Therefore, clearance of goods from CFS is an important point of consideration for trade in respect of export/ import Cargo as it is the final Customs



contact point. The Main function of CFS is receipt, dispatch and clearance of Containerized Cargo, up to date inventory control and tracking system to locate containers/cargo. The goods received at ports are brought to CFS and stacked in CFS after verification of the seal by Customs Officers. In respect of import consignment, the Steamer Agents/liners/Importers desiring to take the consignment to CFS, file Import General Manifests in the port. After obtaining the permission from the Customs, the Container moves to CFS under Customs escort or under bond and bank guarantee. The CFS allows de-stuffing of the goods. The CHA / importer file the Bill of Entry at Customs House and then proceeds for Customs formalities of assessment, examination and payment of duty. Thereafter, Customs gives “Out of Charge” and the Custodian releases the goods from CFS by issuing a Gate-Pass. CFS Operator’s manage the space, manpower, loading & unloading, storage& release of food consignments. They are also responsible for disposal and destruction of uncleared and unclaimed food consignments.

“Customs” The government authorities responsible for the administration of Customs law of a country and designated to collect duties levied by a country on imports and exports.

“Customs wing of CBEC” Customs wing of Central Board of Excise and Customs (CBEC) is a part of the Department of Revenue under the Ministry of Finance, Government of India. It deals with the tasks of formulation of policy concerning levy and collection of Customs and Central Excise duties, prevention of smuggling and administration of matters relating to Customs, Central Excise and Narcotics to the extent under CBEC's purview. The Board is the administrative authority for its subordinate organizations, including Custom Houses, Central Excise Commissionerates and the Central Revenues Control Laboratory.

“C&F” stands for "Cost and Freight" It is used in some of the international sales contracts when the cost of goods and freight is included in the selling price, excluding the cost of insurance.

“CIF” stands for "Cost, Insurance, Freight" It is the price, which includes the cost of material together with the transport and insurance costs.

“Demurrage” Excess time taken for loading or unloading a vessel, thus causing delay of scheduled departure. Demurrage refers only to situations in which the charter or shipper, rather than the vessel's operator, is at fault.

“DGFT or Directorate General of Foreign Trade” is responsible for implementing the Foreign Trade Policy or Exim Policy, formulation of Exim guidelines and principles for Indian importers and Indian exporters and to grant Importer Exporter Code (IEC) Number to Indian Exporters and Importers. IEC Number is a unique 10-digit code required by the traders or manufacturers for the purpose of import and export in India. Any changes or formulation or additions of new codes in ITC-HS Codes are also carried out by DGFT.

“Duty” A tax imposed on imports by the customs authority of a country. Duties are generally based on the value of the goods, some other factors such as weight or quantity (specific duties), or a combination of value and other factors (compound duties).

“Export” A domestic good or service that is sold, shipped or transferred abroad.

“Exporter” One who facilitates the movement of goods or commodities by domestic producers for foreign consumers.

“EDI (Electronic Data Interchange)” A set of standards or methods for computer-to-computer exchange of information between organizations.

“FCL” Full Container Load (full container service)

“Harmonization Code System (HS Code)” A Harmonization Code is a numeric identifier for a specific trade commodity used internationally for classifying goods. The World Customs Organization (WCO) maintains the Harmonized System (HS) classification.

“Import Clearance” The completion of customs entry requirements that results in the release of goods to the importer.

“Import Report” or “Import General Manifest (IGM)” This declaration must be filed within 24 hours of arrival of the vessel or craft by the person in-charge of the vessel or craft and his agent also, under Section 30 of the Customs Act 1962. It is known as Import Report in case of import by land, and Import General Manifest in case of import by sea. This is a statutory declaration and every ship, which enters India, with the intention of discharging the cargo, is bound to deliver this document.

“Import License” An import license is a document that allows for the importation of a given good where import controls exist for that product.

“Inland Container Depots (ICD's)” ICD is generally located in the interiors (outside the port towns) of the country away from the servicing ports. Keeping in view the requirements of Customs Act, and need to introduce clarity in nomenclature, all containers terminal facilities in the hinterland are designated as “ICDs”. The exporter in advance manifests the containers to a particular ICD on importers advice. When such containers are landed in the port of entry, the Steamer Agent through the Container Corporation of India or any other authorised agency transports them to the concerned ICD, either by rail or by road.

“LCL” Less than Container Load (partial deliveries)

“Non-Conformance Report” It means a report issued by the laboratory if the imported food articles found to be sub-standard or misbranded, or confirms the presence of some extraneous matter, contaminants and hazardous substances etc and make the food unsafe for human consumption based on the food safety standards specified by the Food Authority from time to time and nonconforming to FSS Regulations.

“Plant Quarantine (PQ)” is functioning under Ministry of Agriculture, Government of India. Plant Quarantine (PQ) regulations are formulated to reduce the chances of pests being introduced through articles imported from foreign countries. Quarantine is accomplished through prohibition, interception and elimination of pests, diseases and weeds at pre-entry, entry and post-entry points of the consignment. Since pest and disease organisms move freely over national boundaries, the development and application of solutions require international cooperation. All import of plants and plant products into the country are regulated to prevent the ingress of exotic pests & diseases that may adversely affect the agriculture. The Directorate of Plant Protection, Quarantine & Storage, established under the Ministry of Agriculture is the regulating authority. The import consignments of plants & plant products have to be inspected by the Plant Quarantine Authorities to verify the absence of infestation of pests & diseases before being cleared for release by Customs. Permit is required for importing Seeds/Plant materials for consumption based on the application filed by the food Importer and the permit issuing authority is Department of Agriculture & Cooperation under Ministry of Agriculture, Government of India.

“Pro Forma Invoice” An invoice provided by a supplier prior to the shipment of merchandise, informing the buyer of the kinds and quantities of goods to be sent, their value, and important specifications (weight, size, and similar characteristics). When an importer applies for Letter of Credit as the means of payment, a Pro Forma Invoice from the beneficiary of such Letter of Credit, usually the exporter is required by the L/C issuing bank.

“POL” Port Of Loading