

Food Safety and Standards (Organic Foods) Regulation, 2017

CHAPTER I

General

1. Short title and commencement. - (1) These regulations may be called the Food Safety and Standards (Organic Foods) Regulations, 2017.

(2) They shall come into force on the date of their publication in the Official Gazette and Food Business Operator shall comply with all the provisions of these regulations by 1st July, 2018.

2. Definitions. - (1) 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 Safety and Standards Authority of India or recognised under the National Programme for Organic Production for accreditation of certification bodies;
- (c) “**Accredited Certification Body**” means organisation 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 and composition;
- (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(22 of 1992);
- (g) “**Organic food**” means food products that have been produced in accordance with specified standards for organic food production;
- (h) “**Participatory Guarantee System for India**” means a quality assurance initiative by the Department of Agriculture Co-operation and Farmer’s Welfare, Ministry of Agriculture and Farmer’s Welfare, Government of India for organic production which emphasizes the participation of producers, consumers and other stakeholders and operate outside the framework of third party certification.

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

CHAPTER II

Organic Food Labelling and Certification

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

4. Applicability of the systems. - (1) The organic food offered or promoted for sale shall also comply with all the applicable provisions of one of the following systems, namely: -

- (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.

(2) The Organic food which is marketed through direct sales by the small original producer or producer organisation, as determined by the Food Authority from time to time, to the end consumer shall be exempted from the provisions of the systems referred in sub-regulation (1).

Amendment for insertion of new provision

¹[(3) Aggregators or Intermediaries who collect organic food from small original producer or producer organization and sell it to the end consumer directly, are exempted from the provisions of the systems referred in sub-regulation (1) and they shall maintain records of traceability and comply with any of the provisions of the systems mentioned in sub-regulation (1) and organic food shall not carry Food Safety and Standard Authority of India's organic logo.]

[Amendment in force from 14th October, 2021; FBOs to comply with the provisions by 1st May, 2022]

5. Labelling. - (1) Labelling on the package of organic food shall convey full and accurate information on the organic status of the product. Such product may carry a certification or quality assurance mark of one of the systems mentioned in regulation 4 in addition to the Food Safety and Standard Authority of India's organic logo.

(2) 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 systems mentioned in regulation 4.

Amendment for insertion of new provision

¹[(3) In-conversion products under PGS-India may be labelled as 'PGS-Green' and may also be labelled as 'In-conversion to organic' and the conversion products under NPOP may be labelled as 'In-conversion to organic' and shall mention the year of conversion and such in-conversion products shall not carry Food Safety and Standard Authority of India's organic logo.]

[Amendment in force from 14th October, 2021; FBOs to comply with the provisions by 1st May, 2022]

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

7. Requirement to comply with the provision of the other regulations made under the Act. - Without prejudice to the provisions 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 organic food shall also comply with relevant provisions, as applicable under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011 except for residues of insecticides for which the maximum limits shall be 5% of the maximum limits prescribed or Level of Quantification (LoQ) whichever is higher.

8. Display.- The seller of organic food either exclusively or as part of his retail merchandise shall display such food in a manner distinguishable from the display of non-organic food.

CHAPTER III

Imports and Reciprocity

9.Import of organic food. - (1) 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 provisions of the Act, the rules and regulation made there under.

(2) The organic food consignments referred to in sub-regulation (1) shall be accompanied by a transaction certificate issued by an Accredited Certification Body covered under the terms of the equivalence agreement.

Note: The principal regulations were published in the Gazette of India, Extraordinary, Part III, Section 4, vide notification number F. No. CPB/03/Standards/FSSAI/2016, dated the 29th December, 2017 and subsequently amended *vide* notification number:

1. F. No. Stds/Organic/Notification-01/FSSAI-2019, dated 14th October,2021.

