

# A study of the regulatory framework in Indian Food Sector

Prepared by  
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For  
EVIRA



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## List of Abbreviations

Abbreviation	Full Form
<b>AD</b>	Authorised Dealer
<b>ADI</b>	Acceptable Daily Intake
<b>AOA</b>	Articles of association
<b>APEDA</b>	Agricultural and Processed Food Products Export Development Authority
<b>AQCS</b>	Animal Quarantine & Certification Services
<b>AV</b>	Assessable Value
<b>AV</b>	Assessable Value
<b>BIS</b>	Bureau of Indian Standards
<b>BOL</b>	Bill of Lading
<b>BRICS</b>	Brazil, Russia, India, China and South Africa
<b>BSE</b>	Bovine Spongiform Encephalopathy
<b>CA</b>	Chartered Accountant
<b>CAGR</b>	Compounded Annual Growth Rate
<b>CBEC</b>	Central Board of Excise and customs
<b>CBIC</b>	Central Board of Indirect Taxes and Customs
<b>CBW</b>	Custom Bonded Warehouse
<b>CCT</b>	Cold Chain Technologies
<b>CFS</b>	Container Freight Station
<b>CFU</b>	Colony Forming Units
<b>CGST</b>	Central Goods and Service Tax



<b>CHA</b>	Custom House Agent
<b>CIF</b>	Cost, Insurance Freight
<b>COA</b>	Certificate of Analysis
<b>CSO</b>	Central Statistics Office
<b>CWC</b>	Central Warehousing Corporation
<b>DAC &amp; FW</b>	Department of Agriculture, Cooperation and Farmer's Welfare
<b>DAHDF</b>	Department of Animal Husbandry, Dairying and Fisheries
<b>DCCWS</b>	Delhi Consumer's Co-operative Wholesale Store Ltd
<b>DEPB</b>	Duty Entitlement Pass Book
<b>DGFT</b>	Directorate General of Foreign Trade
<b>DSCSC</b>	Delhi State Civil Supplies Corporation Ltd
<b>DSIDC</b>	Delhi State Industrial and Infrastructure Development Corporation Ltd.
<b>DTTDC</b>	Delhi Tourism and Transportation Development Corporation
<b>E&amp;Y</b>	Ernst & Young
<b>EAA</b>	Ethylene Acrylic Acid
<b>EC</b>	Electronic Commerce
<b>EDI</b>	Electronic Data Interexchange
<b>EDI</b>	Electronic Data Interchange
<b>EDP</b>	Ex-distillery price
<b>EDTA</b>	Ethylene diamine tetra acetates
<b>EMAA</b>	Ethylene Metha Acrylic Acid
<b>ENA</b>	Extra Neutral Alcohol
<b>EVA</b>	Ethylene Vinyl Acetate
<b>EXIM</b>	Export Import

<b>FBO</b>	Food Business Operator
<b>ICEGATE</b>	Indian Customs Electronic Gateway
<b>ICMR</b>	Indian Council of Medical Research
<b>ICRA</b>	Information and Credit Rating Agency
<b>IEC</b>	Import Export Code
<b>IGM</b>	Import General Manifest
<b>IGST</b>	Integrated Goods and Service Tax
<b>IMF</b>	International Monetary Fund
<b>IMFL</b>	Indian-made Foreign Liquor
<b>IMIL</b>	Indian-made Indian Liquor
<b>INR</b>	Indian Rupee
<b>IS</b>	Indian Standards
<b>ISO</b>	International Organization for Standardization
<b>IT</b>	Income Tax
<b>ITC</b>	Indian Trade Clarification
<b>KG</b>	Kilo Gram
<b>LC-MS-MS</b>	Liquid Chromatography - Tandem Mass Spectrometry
<b>LLP</b>	Limited Liability Partnership
<b>MD</b>	Managing Director
<b>MFN</b>	Most Favoured Nation
<b>MOA</b>	Memorandum of understanding
<b>MRP</b>	Maximum Retail Price
<b>MT</b>	Metric Tonne
<b>NA</b>	Not Applicable

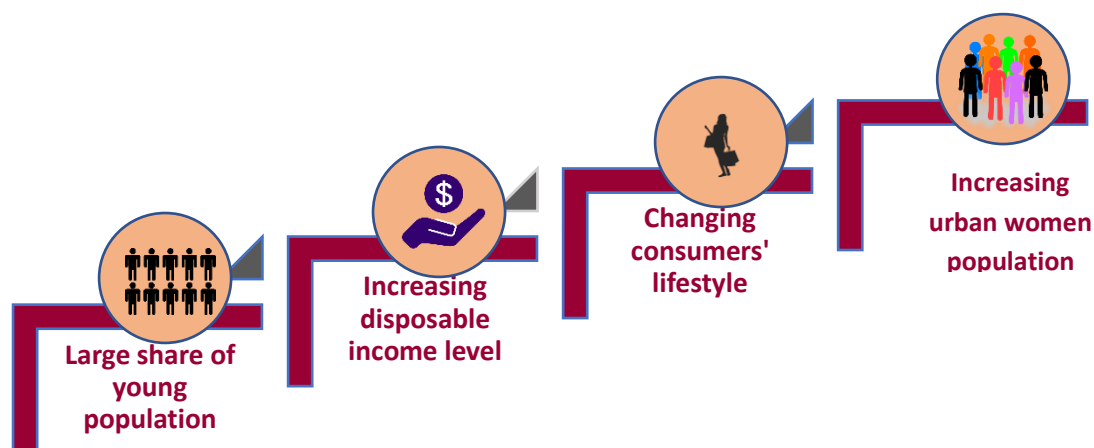
<b>NABL</b>	National Accreditation Board for Testing and Calibration Laboratories
<b>NCC</b>	Non-Conformance Certificate
<b>NCOF</b>	National Centre for Organic Farming
<b>NCR</b>	National Capital Region
<b>NCT</b>	National Capital Territory
<b>NDDB</b>	National Dairy Development Board
<b>NOC</b>	No Objection Certificate
<b>NPOP</b>	National Programme on Organic Production
<b>NSSO</b>	National Sample Survey Organisation
<b>NTU</b>	Nephelometric Turbidity Unit
<b>OGL</b>	Open General License
<b>PAN</b>	Permanent Account Number
<b>PBCL</b>	Pubs, Bars, Liquor Serving Cafes and Lounges
<b>PCB</b>	Pollution Control Board
<b>PET</b>	Poly Alkylene Terephthalates
<b>PGS</b>	Participatory Guarantee System
<b>POD</b>	Port of Discharge
<b>POL</b>	Port of Loading
<b>PPQS</b>	Directorate for Plant Protection, Quarantine and Storage
<b>PQ</b>	Plant Quarantine
<b>PVC</b>	Polyvinyl Chloride
<b>RDA</b>	Recommended Daily Usage
<b>RMS</b>	Risk Management System
<b>RTD</b>	Ready to Drink

<b>SGST</b>	State Goods and Service Tax
<b>SIP</b>	Sanitary Import Permit
<b>SNF</b>	Solids not Fat
<b>SPS</b>	Sanitary and Phytosanitary Measures
<b>STE</b>	State Trading Enterprise
<b>SWIFT</b>	Single Window Interface for Facilitating Trade
<b>THC</b>	Terminal Handling Charges
<b>TMC</b>	Trade Mark Certificate
<b>UHT</b>	Ultra-high Temperature
<b>UP</b>	Uttar Pradesh
<b>US</b>	United States
<b>USD</b>	United States Dollar
<b>USDA</b>	United States Department of Agriculture
<b>USTR</b>	United States Trade Representative
<b>VAP</b>	Value Added Products
<b>WCO</b>	World Customs Organization
<b>WTO</b>	World Trade Organisation

## 1.0 EXECUTIVE SUMMARY

India has successfully managed to achieve self-sufficiency in food production with the total quantity of food grain produce exceeding 284 MT and fruits and vegetables exceeding 305 MT. The country is also the top producer of many agricultural products such as rice, wheat, pulses, bananas, mangos, guavas, sugarcane, coconut, and cashew, contributing considerably to India's food and beverages market and occupying an important place in the world's food production basket. The domestic agriculture sector offers many opportunities for food processing, food retailing, and exports.

The Indian food industry has seen a paradigm shift in the recent years, contributed by the favourable demography, increasing disposable income, technological advancements, and influx of foreign brands and manufacturers. The government has also undertaken sectoral transformation through several liberal reforms, which have attracted foreign investments in the country, which now ranks 77 in Ease of Doing Business index, largely achieved through the recent reforms – the Goods and Service Tax and the Insolvency and Bankruptcy code - and their effective implementation.



With the economic growth and food and beverage industry projections better than global, the domestic industry is set to keep investors interested in future. However, there is an instant requirement to introduce a single-window clearance system to ease obtaining the permits, as well as reduce the number of approvals required. This initiative is expected to bring transparency and remove duplicity. Although the Central Board of Excise & Customs has taken up implementation of the Single Window Project to facilitate the Trading and allow importers to lodge their clearance documents online at a single point, the implementation is still in process.

The **Food Safety and Standards Authority of India (FSSAI)** regulates the framing guidelines and monitor functions across the food value chain. It also mandates that foodservice operators follow the standard regulatory practices regarding sanitary and hygiene needs and help ensure the availability of safe food through means of inspections and non-compliance penalties.

The report covers the current market scenarios of major agricultural and processed food products, as well as the regulatory standards and specifications established by the key regulators, such as FSSAI, Ministry of Health and Animal Welfare, DGFT, which companies, importers and exporters and the pertinent stakeholders are required to follow.

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**Food and Beverage Market**

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**Animal Sourced Food**

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**Premier Dairy Product**

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**Plant Based Product**

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**Beverages**

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**Health Foods**

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**Organic Food**

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**Indicative Opportunities in Food Processing Sector**

Indian food and beverage industry offer a significant opportunity to the foreign companies in terms of the development of infrastructure & technology and processing of food products. One of the largest producers of fruits and vegetables, grains and cereals, oilseeds, milk, meat, and poultry and marine products, the country suffers undersupply of processing units – one of the factors, in addition to logistics, accountable for nearly 40% food wastage. The inadequacy of food and logistical infrastructure: testing labs, packaging technology, refrigerated vehicles, cold storages, and R&D infrastructure, provides significant opportunities for foreign companies looking to leverage the Indian food and beverage sector potential.

Infrastructure & Technology	Processing
<ul style="list-style-type: none"> <li>➤ New technology in F&amp;V processing, cold storage, reefers, IQF, packhouses and ripening chambers</li> </ul>	<ul style="list-style-type: none"> <li>➤ New products- Fortified products, health food, traditional food, convenience food</li> <li>➤ Processed organic food especially baby food, confectionery &amp; bakery items have an increasing domestic and overseas demand.</li> </ul>

<ul style="list-style-type: none"> <li>➤ New Packaging technology for enhanced shelf life, retaining taste and texture, attractive, easy to handle and space efficient</li> <li>➤ Modern storage facilities &amp; logistics</li> <li>➤ Energy efficient technologies</li> <li>➤ Food testing labs</li> <li>➤ R&amp;D infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>➤ New product development in beverages: flavoured teas, juice variants, health drinks, energy drinks, sports drinks</li> <li>➤ Packaged local drinks such as coconut water, lemon water</li> </ul>
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The industry presents opportunities to foreign companies looking to take advantage of India's substantial food and beverage produce through focusing on primary, secondary and tertiary processing across various food segments of Indian food and beverage sectors.

Segments	Primary Processing	Secondary Processing	Tertiary Processing
Fruits and Vegetables	Cleaning, Cutting, Sorting	Pulp, Flakes, Paste, Frozen, Diced, Canned	Jams, Jellies, Chips Ready to Serve drinks, Indian ethnic drinks
Grains and Cereals	Sorting and Grading	Rice Puff, Flour, baby food (final product/ ingredients)	Cakes, Biscuits, Breakfast cereals, bread, other bakery products, RTC/RTE products
Oilseeds	Sorting and Grading	Oil Cakes, Refined Oils	Soya Oil, Olive Oil, Mustard Oil, Fortified Oil
Milk	Grading and Refrigeration	Packaged milk, Flavoured milk, Cream, Milk powder	Yoghurt, Cheese, Ice cream, Curd, Baby food, other value-added products
Meat and Poultry	Sorting and Refrigeration	Chilled/Frozen products	Ready to Eat products
Marine Products	Marine Products		Ready to Eat products

**Animal Source Food:** Despite one of the world's largest population of vegetarians, India is among the biggest consumers and producers of animal-based foods. The Indian meat market is currently valued

at USD 31 billion. Although the country is a net exporter of animal food, it still imports these products in a significant quantity. The import of animal-based food is heavily regulated; an importer needs to obtain several certifications such as sanitary import permit and veterinary certificate. Furthermore, import can only be performed through designated quarantine zones.

**Premium Dairy Products:** Although India is the largest producer of milk, the sector is still characterised as highly unorganised in nature. Approximately 67% of the dairy product is liquid milk. The industry is witnessing a paradigm consumption shift towards premium dairy products, as they carry a higher margin and provide numerous food options for the consumers. Furthermore, the popularity and accessibility through modern retail stores and online channels have further stimulated the Indian dairy industry. The government has put in place separate standards and regulations to import dairy-based products.

**Plant-Based Products:** Plant-based products is one of the fastest-growing food and beverage categories. Many Indian consumers are inclined to eat more plant-based foods, and brands are responding with innovative, often nutrient-dense products. Different products such as snacks, condiments, meat substitutes come in different flavour catering to diverse Indian taste. The import of plant-based product is regulated by the APEX body of the Department of Agriculture and Cooperation, called the Plant Quarantine Department. Plant-based products are differently regulated, and the imports are permitted through only 61 designated entry points in India.

**Beverages:** Indian beverage market is the fastest growing segments in the Indian food and beverage segment. The unprecedented growth of the industry has encouraged many foreign companies to cater to the constantly-growing domestic demand. Alcoholic beverages are considered sensitive import product, and several licenses are required for import and sale of such beverages based on the alcoholic content. The product is not considered a standard product, as the excise duty varies based on geographical region. Furthermore, the cost to obtain licenses is expensive compared to other food and beverage products.

**Health Foods:** The Indian Health food Industry is currently estimated at USD 2 billion and is growing at a CAGR of 15%. The market for health food is heavily regulated. The Food Authority, in order to ensure that the health foods marketed in India are fit for human consumption and are not misleading the consumer, has laid down certain norms and standards to be strictly followed by importer/manufacturer of health foods. Furthermore, guidelines by Indian Council of Medical



Research with respect to recommended daily usage (RDA) of vitamins and minerals for different age groups need be strictly followed by the manufacturers/importers of health food.

**Organic Food:** Indian organic industry has registered an average market growth of 25% in 2016-17. Most of the companies operating in this segment have witnessed a double-digit growth rate, prompting some new companies to venture into the organic food segment. Organic certification in India is done in two ways: 1) Third party certification: involves certification issued by NPOP (an organization that sets up policies for the development, inspection, certification and accreditation of organic products and national standards for products, processes), and 2) PGS: a quality assurance initiative that is locally relevant, emphasize the participation of stakeholders, including producers and consumers and operate outside the frame of third party certification in the Indian organic food segment. The pre-requisite for obtaining organic certification mandates that the product is a result of adopting NPOP standards (for a minimum period of 3 years) and is free from any contamination of chemicals.

From a broader perspective, India has one of the world's strictest trade barriers, in forms of both tariff and non-tariff. The report covers the most common tariff and non-tariff barriers applicable to food products imports, as well as on the applicability of each type of tariff barriers and certain circumstances which lay out a roadmap for import. While India publishes applied tariffs and other customs duty rates, no single publicly available official publication includes all relevant and up to date information on tariffs, fees, and tax rates on imports. India adjusts applied tariffs in numerous ways, making it difficult to determine the current applied rate. These tariffs vary according to the product, user, or specific export promotion program.

India has also put in place non-tariff barriers, the most complicated and opaque policy measure that implicitly or explicitly distorts imports in India. Due to various multilateral and regional agreements, tariffs of imported products are being reduced intermittently. However, the policymakers have been using non-tariff barriers to reduce imports to India. The most common types of non-tariff barriers include quantitative restrictions (QRs), sanitary/phytosanitary certification to ensure health and safety and technical compatibility of requisite standards.

On Phytosanitary Standards and Plant Quarantine standards, the government still adopts extraneous sanitary and phytosanitary standards for the import of agricultural commodities and food products. Like any developing country, which is naturally restrictive to imports, India also maintains a certain unpredictable nature of tariff and non-tariff barriers to meet a wide gamut of domestic objectives.

Indian economy has made rapid strides in the recent years, and so has the population. The resultant expenditure on food items has gained a significant prominence constituting the largest food and beverage consumption category. The overall development in the last decade has generated considerable potential for other pertinent segments such as production, processing, distribution and marketing of food and beverages, as well as the scope for value creation through reduction in waste.

Food processing in India was earlier limited to food preservation, packaging and transportation. The last decade, however, has metamorphosed the industry through technological advancements. Developments such as establishment of cold storage facilities, food parks, packaging centres, irradiation centres and modernised abattoir have helped the sector cater to a wider fraction of the food production.

