

LABELING OF GENETICALLY MODIFIED ("GM") FOODS

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The newly set up autonomous Food Safety and Standards Authority ("**FSSA**") has been entrusted with the responsibility to draft the mandatory labelling guidelines for the GM food in India by the Union Health Ministry. FSSA shall consider the recommendations of the committee of experts and stakeholders constituted by the Union Health Ministry, which had unanimously recommended mandatory labeling of all GM foods irrespective of the threshold level in March 2009.

PSA View: Under the Food Safety and Standards Act, 2006, the FSSA has powers to regulate GM food. Before this, the Genetic Engineering Approval Committee, which had exclusive powers to regulate all GM products under the Environment Protection Act, 1986 and Rules, 1989, has so far made no suggestions or drafted any guidelines. The annual amendments to the Foreign Trade Policy made in April 2006 had said that unlabelled GM products import would attract penal action under Foreign Trade (Development and Regulation) Act, 1992. This will help in smooth trade of GM foods in India.

• Wine sales now from retail stores

Wine has lately been allowed to be retailed by private department stores as in the states of Goa for a long time, Maharashtra (since 2007), Haryana (since last year), and Karnataka (since last six months). Now, Delhi has made amendment to the retail policy and allowed the sale of wine in retail stores from November 2009. From next month, the Delhi government will allow private department stores selling fruit, vegetables and groceries to also retail wine, in line with the practice in neighbouring national capital regions of Gurgaon and Noida.

PSA View: The department stores in Delhi are currently allowed to sell beer and pay an annual licence fee of INR 50,000. The fee is expected to go up once they start retailing wine also. It is important to note that currently, around 75,000 cases of wine are sold in Delhi annually which is increasing every year. The wine industry in India is one of the most sought after market at present and all eyes are on it. The most important issue barring this sector is the non-uniformity in the state-wise tax and retail structures. The growth of the wine industry in India is possible only with lower production and marketing costs, taxes and increased competition. With changes in retail policy, definitely, the minor glitches are being removed.

• New regulations for the Medical Devices

The pharmaceutical industry has expressed concerns regarding the lack of regulation governing the manufacture of medical devices. Presently, medical devices fall under the definition of "Drugs" as defined

under the Drugs and Cosmetics Act, 1940 which does not adequately provide for regulation in medical devices segment. Recently at a conference at FICCI on medical devices, concerns over export issues and the lack of trained human resources were also expressed. In response to the industry concerns, the Ministry of Chemicals and Fertilizers, Department of Pharmaceuticals has formed many taskforces to provide suggestion and recommendation on the way forward. Further, a new regulation for the medical devices manufacturing segment is in the offing which shall come into force in 2010 to provide the requisite impetus to this sector.

PSA View: The formation of the taskforce on medical device manufacture will give great thrust to the growth of medical devices manufacturing segment which has so far remained neglected. This sector falls under the purview of three separate ministries which in turn is creating several regulatory issues. Further, once the sector is streamlined and brought to global standards, India will not only be able to cover its domestic demand for healthcare, but will be able to cater to the global markets.

- **Quality control in food processing**

The Cabinet Committee on Economic Affairs has approved continuation of the Scheme for propagating Research and Development ("**R&D**") in processed Food Processing Industry/sector ("**FPI**"), setting up/upgradation of quality control/food testing laboratories, implementation of Hazard Analysis and Critical Control Points/ISO 22000, ISO 14000/Good Hygiene Practices/Good Manufacturing Practices quality/safety management systems for implementation, and promotional activities.

The R&D will enable development of new products and cost effective technologies for preservation and packaging of processed food products and standardization of factors such as coloring agents, preservatives, pesticides residues etc. Quality control will establish a surveillance system for monitoring quality and composition of food, analysis of samples received from FPI, and other stakeholders. Implementation of Hazard Analysis and hygiene control practices will motivate FPI to adopt and adhere to food safety and quality assurance norms and prepare them to face global competition in international trade in post WTO regime. And finally, promotional activities will help in attracting investment, familiarizing existing and prospective entrepreneurs with modern techniques of production and packaging development of market and popularization of products.

PSA View: The Scheme will benefit all stakeholders and help the Indian industry to keep abreast with internationally followed best practices and prepare the Indian players to face global competition. An emphasis on the above will create awareness about food processing sector in the domestic market, encourage investors and promote quality standards and establish overall effective systems in place.

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