

Prevention of Food Adulteration (2nd Amendment) Rules, 2009.

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

NOTIFICATION

New Delhi, the 22nd January, 2009

***G.S.R. 43(E).**— The following draft of certain rules further to amend the Prevention of Food Adulteration Rules, 1955, which the Central Government, after consultation with the Central Committee for Food Standards, proposes to make, in exercise of the powers conferred by sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), is hereby published, as required by the said sub-section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of sixty days from the date on which copies of the Gazette of India in which this notification is published, are made available to the public;

Objection or suggestions, if any, may be addressed to the Secretary, Ministry of Health and Family Welfare, Government of India, Nirman Bhawan, New Delhi – 110011;

The objection and suggestions, which may be received from any person with respect to the said draft rules before the expiry of the period so specified will be considered by the Central Government.

DRAFT RULES

1. (1) These rules may be called the **Prevention of Food Adulteration (2nd Amendment) Rules, 2009.**

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. In the Prevention of Food Adulteration Rules, 1955 (hereinafter refer to as the said rules), in rule 42, after sub-rule (ZZZ)(25), the following sub-rules shall be inserted, namely :—

“(ZZZ)(26) Every package of food containing Polyols shall bear the following label :—

Polyols may have laxative effect

(ZZZ)(27) Every package of food containing Polydextrose shall bear the following label :—

Polydextrose may have laxative effect

3. In rule 47 of the said rules,—

(a) in the Table,—

(i) against serial number 2 relating to Aspartame (methylester), after the existing entries in columns 3 and 4, the following entries shall be inserted, namely :—

3	4
“Fruit Nectar	600 ppm
Vegetable Nectar	600 ppm
Ice-cream, frozen dessert and pudding	1000 ppm
Flavoured milk	600 ppm
Ready to Serve Tea and Coffee Beverages	600 ppm
Yoghurt	600 ppm
Ready to eat cereals	1000 ppm
Non-carbonated water based beverages (non-	600 ppm”;

alcoholic)

- (ii) against serial number 3 relating to Acesulfame Potassium, after the existing entries in column 3 and 4, the following entry shall be inserted, namely :—

3	4
"Non-carbonated water based beverages (non-alcoholic)	300 ppm";

- (iii) against serial number 4 relating to sucralose, after the existing entries in columns 3 and 4, the following entries shall be inserted, namely :—

3	4
"Non-carbonated water based beverages (non-alcoholic)	300 ppm
Jelly Crystals	*300 ppm
Custard powder / ready to eat custard dessert	*260 ppm
Chocolate	800 ppm";

- (iv) after serial number 4, and the entries relating thereto, the following entries shall be inserted, namely :—

(1)	(2)	(3)	(4)
"5	Neotame	Carbonated water Soft drink concentrate	33 ppm *33 ppm";

- (b) in the Explanation II after the Table, the paragraph beginning with the words "Maximum limit of artificial sweetener in soft drink concentrate" and ending with the words "reconstitution of products for making final beverage" shall be substituted with the following paragraph, namely :—

"Maximum limit of artificial sweetener in the product shall be as in reconstituted beverage or food or in the final beverage or food for consumption, as the case may be. The product label shall give clear instructions for reconstitution of products for making final beverage or food for consumption as the case may be.";

- (c) after Explanation II, in the proviso,—

- (i) after the words "or sucralose", the words "or Neotame" shall be inserted;
- (ii) at the end of the list of carrier or filler articles, the following shall be inserted namely :—

"22. Erythritol";

- (d) in sub-rule (2), after the existing proviso, the following proviso shall be inserted, namely:—

"Provided further that mixture of aspartame (methyl ester) and acesulfame K potassium (in ratio 2 : 1) may be marketed as Table Top Sweetener and may contain the carrier or filler articles as mentioned in the proviso given under the Table in sub-rule (1) and under label declaration as provided in clause (1) and (2) of sub-rule (ZZZ) of rule 42."

4. after rule 47 of the said rules, the following rules shall be inserted, namely:—

"47-A. Restriction on use of Polycols in foods.—No Polyols shall be added to any article of food except specified in these rules and Appendix 'C'. Polyols may be used in food articles mentioned in the Table given below and shall bear the label declaration as provided in sub-rule (ZZZ)(26) of rule 42:—

Sl.No.	Name of Polyols	Article of Food	Maximum Limit
1.	Isomalt	(i) Traditional Indian Sweets (carbohydrates based and milk products based) Halwa, Mysore Pak, Boondi Ladoo, Jalebi, Khoya Burfi, Peda, Gulab Jamun, Rasogolla and similar milk product based sweets sold by any name. (ii) Instant sweet meat mixes (pongal mix, gulab jamun mix, jalebi mix) (iii) Bakery products (iv) Jams, Jellies and Marmalades (v) Edible ices (vi) Ice-cream, frozen desserts, sweetened yoghurt.	GMP
2.	Erythritol	Diary drinks (chocolate and flavoured milk), carbonated beverages, non-carbonated water based beverages (non-alcoholic), icecream, yoghurt, puddings, non-dairy toppings, bakery mixes, cake, cookies and pastries, ready to eat breakfast cereals, soft candies, chocolate and hard candies.	GMP

"47-B. Use of Polydextrose in foods.— Polydextrose may be used in following food articles subject to maximum level as per GMP and proper label declaration as provided in sub-rule (ZZZ)(27) of rule 42:—

Ice-cream, Frozen dessert, Cakes, biscuits, yoghurt, whip topping, sugar boiled confectionary, lozenges, jam, fruit jelly, Traditional Indian Sweets (carbohydrates based and milk products based) Halwa, Mysore Pak, Boondi Ladoo, Jalebi, Khoya Burfi, Peda, Gulab Jamun, Rasogolla and similar milk product based sweets sold by any name."

5. After Rule 61-F of the said rules, the following shall be inserted, namely:—

"61-G Use of Acid Treated Starch in Sugar Confectionery.—Acid Treated Starch may be used in sugar confectionery not exceeding GMP level".

6. In the said rules, in Appendix 'B', in item A.01.01 relating to Carbonated water, in para-2,

(a) after the words and figures "Estergum (Glycerol esters of wood rosin) not exceeding 100 parts per million," the following words and letters shall be inserted, namely:—

"Gellan gum not exceeding GMP level";

(b) after the words and figures "Sucralose not exceeding 300 ppm", the following words and figures shall be inserted, namely:—

"or Neotame not exceeding 33 ppm".

7. In the said rules, in Appendix 'C',

(a) in Table 2, in Serial Number C, for item number 1, and the entries relating thereto, under column 2, the following item and the entries shall be inserted, namely:—

"1. Sorbic Acid and its sodium, potassium and calcium salt (calculated as Sorbic Acid)";

(b) in Table 8, in serial number G,—

(i) against item number 4 relating to ester gum, for the existing entry under column (7) relating to carbonated fruit beverage or fruit drink, the following shall be inserted, namely:—

"100 ppm maximum";

(ii) in Serial Number G, after item number 7 and the entries relating thereto, the following item number and the entries shall be inserted, namely :—

"8	Gellan gum	-	-	-	-	GMP	-	GMP	-	-	-	-	-	-	-	-
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(iii) in Serial Number J, against Sodium Hexameta Phosphate, for the existing entry under column (7) relating to carbonated fruit beverage or fruit drink, the following entry shall be inserted, namely:—

"1000 ppm maximum";

(c) in Table 9,

(i) in Serial Number I, after item number 3 and the entries relating thereto, the following item number and the entries shall be inserted, namely:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14
"4	Gellan gum	-	-	GMP	-	-	-	-	-	-	-	-	-

(b) in Table 10, in Serial Number K,

(i) after item number 4 and the entries relating thereto, the following item number and the entries shall be inserted, namely:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
"5	Ester gum	-	-	-	-	100 ppm Max.	-	-	-	-	-	-	-	-	-
6	Gellan gum	-	-	-	-	GMP	-	-	-	-	-	-	-	-	-

(ii) after serial number M and the entries relating thereto, the following item number and the entries shall be inserted, namely:—

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
"N	Sequesterant Sodium Hexameta Phosphate	-	-	-	-	1000 ppm Max.	-	-	-	-	-	1000 ppm Max.	-	-	-

(e) in Table 13,

after serial number J, in item number 1 relating to Talc, for the existing entry under column 7 relating to Chewing gum/Bubble gum, the following entry shall be substituted, namely:—

"2.0 per cent maximum".

[No. P. 15014/5/2008-PH(F)]

DEBASISH PANDA, Jt. Secy.

Note:— The principal rules were published in the Gazette of India *vide* notification number S.R.O. 2106, dated the 12th September, 1955 and were lastly amended *vide* notification number G.S.R. 754(E), dated the 27.10.2008.
