

# **PREVENTION OF FOOD ADULTERATION**

## **NOTIFICATION dated 9<sup>th</sup> June 2010**

Whereas certain draft rules further to amend the Prevention of Food Adulteration Rules, 1955 were published, as required by sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Health and Family Welfare (Department of Health and Family Welfare), number G.S.R. 43(E), dated the 22nd January, 2009, inviting objections and suggestions from all persons likely to be affected thereby till the expiry of the period of sixty days from the date on which the copies of the Official Gazette containing the said notification, were made available to the public;

And whereas, the copies of the said notification were made available to the public on 30th January, 2009;

And whereas, objections or suggestions received from the public within the specified period on the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), the Central Government, after consultation with the Central Committee for Food Standards, hereby makes the following rules further to amend the Prevention of Food Adulteration Rules, 1955, namely:

1. (1) These rules may be called the **Prevention of Food Adulteration (3rd Amendment) Rules, 2010**.
- (2) They shall come into force on the date of their publication in the Official Gazette except rule 2, which shall come into force after six months from the date of publication of this notification.
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 effects

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

Polydextrose may have laxative effects”.

3. In rule 47 of the said rules,
  - (1) in sub-rule(1),
    - (a) in the Table,
    - (i) against serial number 2 relating to Aspartame(methyl ester), after the entries relating thereto 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-alcoholic)	600 ppm”;

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

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

- (iii) against serial number 4 relating to sucralose, after the entries relating thereto in column 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 serial number and the entries shall be inserted, namely:

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

(b)after the Table, in the Explanation II, 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";

(2) 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 Polyols in foods.**-No Polyols shall be added to any article of food except mentioned in the Table below in quantities not exceeding the limits shown against them and as per provision contained in Appendix 'C' of these rules and shall bear the label declaration as provided in sub-rule (ZZZ)(26) of rule 42.

**Table**

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 sweetmeat 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

Sl. No.	Name of Polyols	Article of Food	Maximum Limit
2.	Erythritol	Dairy drinks (chocolate and flavoured milk), carbonated beverages, non-carbonated water based beverages (non-alcoholic), ice-cream, 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.



	Hexameta Phosphate					Max.						Max.			
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(5) in Table 13,

after serial number J, in item number 1 relating to Talc, in column 7 relating to Chewing gum/ Bubble gum, for the entry “0.2 percent maximum”, the entry “2.0 percent maximum” shall be substituted.

**Sd/-**  
**(Vineet Chawdhry)**  
**Jt. Secy.**

**G.S.R.488(E)**

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

**Issued by: Ministry of Health and Family Welfare**

**(Department of Health and Family Welfare)**

**New Delhi**

**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. 351(E), dated the 27.04.2010.

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