

PREVENTION OF FOOD ADULTERATION

NOTIFICATION [19TH JULY 2010]- G.S.R. 603(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) read with sub-section, (1A) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), and in supersession of the notification of the Government of India in the Ministry of Health and Family Welfare (Department of Health and Family Welfare) published in the Gazette of India, vide number G.S.R. 208(E), dated the 25th March, 2008, is hereby published, 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 the copies of the Gazette of India in which this notification is published, are made available to the public;

Objections or suggestions which may be received from any person with respect to the said draft rules before the expiry of the said period will be considered by Central Government;

The objections or suggestions, if any, may be addressed to the Secretary, Ministry of Health and Family Welfare, Government of India, Nirman Bhawan, New Delhi -110 108.

DRAFT RULES

1. (1) These rules may be called the **Prevention of Food Adulteration (First Amendment) Rules, 2010**
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Prevention of Food Adulteration Rules, 1955, (hereinafter referred to as the said rules), in rule 47, in sub-rule (1);
 - (i) in the Table, against serial number 4 relating to Sucralose, in Columns 3 and 4, after the existing entries, the following entries shall be inserted, namely:

(3)	(4)
"Dried Ice -cream Mixes	**400 PPM
Milk Lollies and Milk Ices	400 PPM
Frozen Dessert	400 PPM*;

- (ii) after *Explanation II*, the following *Explanation* shall be inserted, namely:

“** *Explanation III*: Maximum limit of artificial sweetener in Dried Ice cream Mixes shall be as in reconstituted ice-cream for consumption and the Dried Ice-cream Mixes label shall give clear instruction for reconstitution of products for making final ice cream”.

3. In the said rules, in Appendix 'B',

- (i) after item A.11.02.06.18, the following shall be inserted, namely:-

A. **"A. 11.02.07 -Ice-Cream, Kulfi, Chocolate Ice – Cream or Softy Ice-Cream** (hereafter referred to as the said product) means the product obtained by freezing a pasteurized mix prepared from milk and/or other products derived from milk with or without the addition of nutritive sweetening agents, fruit and fruit products, eggs and egg products, coffee, cocoa, chocolate, ginger and nuts and it may also contain bakery products such as cake or cookies as a separate layer and/or coating. (b) The said product may be frozen hard or frozen to a soft consistency; (c) the said product shall have pleasant taste and smell free from off flavor and rancidity; (d) the said product may contain food additives permitted in Appendix C; (e) the said product shall conform to the microbiological requirements specified in Appendix D; (f) the said product shall conform to the following requirements, namely:

Requirements	Ice-Cream	Medium Fat Ice-Cream	Low Fat Ice-Cream
(1)	(2)	(3)	(4)
(1) Total Solids	Note less than 36.0 percent.	Not less than 30.0 percent.	Not less than 26.0 percent.
(2) Weight or Volume (gms/l)	Not less than 525	Not less than 475	Not less than 475
(3) Milk Fat	Not less than 10.0 percent.	Not less than 5.0 percent but less than 10.0 percent.	Not more than 2.5 percent.
(4) Milk Protein (N x 6.38)	Not less than 3.5 percent.	Not less than 3.5 percent.	Not less than 2.5 percent.

Note:-In case where chocolate, cake or similar food coating, base or layer forms a separate part of the product, only the ice-cream portion shall conform to the above requirements and the type of ice-cream shall be clearly indicated on the label otherwise standard for ice-cream shall apply.

B. A. 11.02.07.01-Dried Ice-Cream Mix or Dried Frozen Dessert or Confection (hereafter referred to as the said product) means the product in a powder form which on addition of prescribed amount of water shall give a product conforming to the requirements of the respective products, namely,-Ice-Cream, Medium Fat Ice-Cream, Low Fat Ice-Cream as prescribed under item A.11.02.07 and Frozen Confection, Medium Fat Frozen Confection and Low Fat Frozen Confection as specified under item A.11.02.07.02 of these rules except the requirement of weight/volume for both the products. (b) the moisture content of the said product shall not be more than 4.0 percent. (c) the said product may contain food additives permitted in Appendix C; (d) the said product shall conform to the microbiological requirements as specified in Appendix D.

C. A. 11.02.07.02-Frozen Dessert or Frozen Confection (hereafter referred to as the said product) means the product obtained by freezing a pasteurized mix prepared with milk fat and or edible vegetable oils and fats having a melting point of not more than 37.0° C in combination and milk protein alone or in combination/or vegetable protein products in combination with or without the addition of nutritive sweetening agents, fruit and fruit products, eggs and egg products, coffee, cocoa, chocolate, ginger and nuts. (b) the said product may also contain bakery products such as cake or cookies as a separate layer and/or coating. It may be frozen hard or frozen to a soft consistency. (c) the said product shall have pleasant taste and smell free from off flavor and rancidity and may contain food additives permitted in Appendix C; (d) the said product shall conform to the microbiological requirements prescribed in Appendix D; (e) the said product shall also conform to the following requirements, namely:

Requirements	Frozen Dessert/Frozen Confection	Medium Fat Frozen Dessert/Frozen Confection	Low Fat Frozen Dessert/Frozen Confection
(1)	(2)	(3)	(4)
(1) Total Solids	Not less than 36.0 percent	Not less than 30.0 percent	Not less than 26.0 percent
(2) Weight/Volume(gms/1)	Not less than 525	Not less than 475	Not less than 475
(3) Total Fat	Not less than 10.0 percent	Not less than 5.0 percent but less than 10.0 percent	Not more than 2.5 percent
(4) Total Protein (N x 6.38)	Not less than 3.5 percent	Not less than 3.5 percent	Not less than 2.5 percent

Note:-In case where chocolate, cake or similar food coating, base or layer forms a separate part of the product, only the frozen dessert or frozen confection portion shall conform to the aforesaid requirements and the type of frozen dessert/frozen confection shall be clearly indicated on the label otherwise standard for frozen dessert/frozen confection shall apply and every package of frozen dessert/frozen confection shall bear proper label declaration as per sub-rule (ZZZ) (21) of rule 42.

D. A. 11.02.08-Milk Ice or Milk Lolly (hereafter referred to as the said product) means the product obtained by freezing a pasteurized mix prepared from milk and/or other products derived from milk with or without the addition of natural sweetening agents, fruit and fruit products, eggs and egg products, coffee, cocoa, chocolate, ginger and nuts. (b) the said product may also contain bakery products such as cake or cookies as a separate layer and/or coating; (c) the said product shall have pleasant taste and smell free from off flavor and rancidity. It may contain food additives permitted in Appendix C; (d) the said product shall conform to the microbiological requirements prescribed in Appendix D; (e) the said product shall also conform to the following requirements, namely:

- (1) Total solids (m/m) -Not less than 20.0 percent
- (2) Milk Fat (m/m) -Not more than 2.0 percent
- (3) Milk Protein (N x 6.38) -Not less than 3.5 percent.”

(ii) in item A.11.02.09 in the table, against the entry (iv) relating to evaporated high fat milk, in column (3), for the figure, “11.5”, the figure, “27” shall be substituted;

(iii) in item A.11.02.11, in the table, in column (6), for the words and figures, “Solubility Percent” and “Not less than 99” wherever they occur, the words and figures and letter, “Insolubility Index” and “Not more than 2 ml.” shall be respectively be substituted;

(iv) in item A.11.02.16, for the existing table, the following shall be substituted, namely:

“Requirements	Chakka	Skimmed Milk Chakka	Full Cream Chakka
1. Total solids, per cent by weight	Min.30	Min.20	Min.28
2. Milk fat (on dry basis) per cent by weight	Min.33	Max. 5	Min. 38
3. Milk protein (on dry basis) per cent by weight	Min.30	Min.60	Min.30
4. Titrable acidity (as lactic acid) percent by weight	Max.2.5	Max.2.5	Max.2.5
5. Total Ash (on dry basis) percent by weight	Max.3.5	Max.5.0	Max.3.5”;

(v) in item A.11.02.16.01, for the existing table, the following shall be substituted, namely:

“Requirements	Shrikhand	Full Cream Shrikhand
1. Total solids, per cent by weight	Not less than...58	Not less than...58
2. Milk fat (on dry basis) per cent by weight	Not less than...8.5	Not less than...10
3. Milk protein (on dry basis) per cent by weight	Not less than...9	Not less than.../7 (for Fruit Shrikhand-Not less than.....6.0)
4. Titrable acidity (as lactic acid) percent by weight	Not more than1.4	Not more than1.4
5. Sugar (sucrose) (on dry basis) per cent by weight	Not more than...72.5	Not more than...72.5
6. Total Ash (on dry basis) percent by weight	Not more than0.9	Not more than0.9”.

4. In the said rules, in Appendix ‘C’, in Table-14,

- (i) in the entry against serial number A, for the words, “Stabilisers singly or in combination expressed as anhydrous substances”, the words “Stabilisers and emulsifiers singly or in combination expressed as anhydrous substance” shall be substituted;
- (ii) the entry against serial number K, relating to Emulsifiers in singly or in combination and the entries relating thereto shall be omitted;
- (iii) the existing entries at serial numbers L to N shall be re-numbered as serial numbers K to M respectively.
- (iv) after serial number A.17, and entries relating thereto, the following serial numbers and entries shall be inserted, namely:

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
“18	(a) Potassium salts of mono/di and poly phosphoric acid, (b) Calcium salts of mono/di and poly phosphoric acid, (c) Sodium salts of mono/di and poly phosphoric acid,	40 gm/kg maximum except that added phosphorus compound shall not exceed 9gm/kg calculated as Phosphorus			-	-	-	-	-	-	-	-	-	-
19.	(a) Sodium Citrate, (b) Potassium Citrate and (c) Calcium Citrate	40 gm/kg maximum except that added phosphors compound shall not exceed 9gm/kg calculated as Phosphorus			-	-	-	-	-	-	-	-	-	-
20.	(a) Citric acid with sodium hydrogen carbonate and or Calcium Carbonate, (b) Phosphoric acid with sodium hydrogen carbonate and or Calcium carbonate	40gm/kg maximum except that added phosphorus compound shall not exceed 9gm/kg calculated as Phosphorus			-	-	-	-	-	-	-	-	-	-
21.	Any other emulsifying and stabilising agents listed in rule 60 suitable for these products	-	-	40gm/kg maximum	40gm/kg maximum	-	-	-	-	-	40gm/kg maximum	-	-	-

- (v) against the entry at serial number D. 4. relating to Flavours, under column 5 relating to processed cheese spread, the letter and words, “GMP subject to declaration:” shall be substituted;
- (vi) against the entries at serial numbers E. 1, E. 2, E.4, E.6, E.7, E.8, E.10, E.11 and E.12, under column 6 relating to All types of yoghurt, the figures, letters and words “100 mg/kg maximum”, “50 mg/kg maximum”, “100 mg/kg maximum”, “100 mg/kg maximum”, “100

mg/kg maximum”, “100 mg/kg maximum”, “100 mg/kg maximum”, “GMP” and “3.0 mg/kg maximum” shall respectively be substituted;

(vii) after serial number J.9, and entries relating thereto, the following serial number and entries shall be inserted, namely:-

Sl.No.	Name of Additives	Cheese/Sliced/cut/shredded cheese	Processed Cheese	Processed cheese spread	All types of Yoghurts	Evaporated milk	Sweetened condensed milk	Butter	Anhydrous milk fat/Anhydrous Butter oil	Milk Powder & Cream Powder	Ice cream/Kulfi/Dired Ice cream/Mix/Frozen Desserts/Milk Ice/MilkLollies/Ice candy	Casein Products	Whey Powder	Chhana/Paneer
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
“10	Glucono delta lactone	GMP	-	-	-	-	-	-	-	-	-	-	-	GMP”.

5. In the said rules, in Appendix ‘D’, for Table-3, the following shall be substituted, namely:

**“TABLE-3
(Microbiological parameters for milk products)”**

Sl.No.	Requirements	Sampling Plan ¹⁰	Pasteurised Milk / Cream/ Flavoured Milk	Sterilised and UHT Milk, Cream Flavoured milk, Evaporated milk	Sweetened Condensed Milk	Pasteurised Butter ¹¹	Dried products: milk powder, cream, whey, edible casein, ice cream mix
1	2	3	4	5	6	7	8
1.	Total Plate Count ¹	m	30,000/g	-	500/g	10,000/g	40,000/g
		M	50,000/g	nil	1,000/g	50,000/g	50,000/g
2.	Coliform Count ²	m	-	-	-	10/g	10/g
		M	Less than 10/g	-	Less than 10/g	50/g	50/g
3.	E.Coli ³	M	Absent/g	-	Absent/g	Absent/g	Absent/g
4.	Salmonella ⁴	M	Absent/25g	-	Absent/25g	Absent/25g	Absent/25g
5.	Staph aureus ⁵	m	-	-	10/g	10/g	-
		M	Less than 10/g	-	100/g	50/g	Less than 10/g
6.	Yeast and mold count ⁶	m	-	-	-	20/g	20/g
		M	-	-	10/g	50/g	50/g
7.	Spore Count: (a) Aerobic ^{7a} (b) Anaerobic ^{7b}	m	-	5/g	-	-	10/g
		M	-	10/g	-	-	100/g
		m	-	-	-	-	<1/g
		M	-	Absent/g	Absent/g	-	10/g
8.	Listeria Monocytogenes ⁸	M	Absent/g	-	Absent/g	Absent/g	Absent/g
9.	Sampling Guidelines ⁹ .	n ₁₋₈	5	5	5	5	5
		c	2 ₁	2 _{1,5,6}	2 _{1&5}	2 _{1,2,5,6}	2 _{1,2,6,7a,b}
			02-5,8	0 1&7 _b	02-4,6.7 _{b,8}	03,4,8	03,4,5,8
		Storage & transport	0 to 4 _{0c}	Ambient, max 30 _{0c}	0 to 4 _{0c}	-18 _{0c} or lower	Ambient, max 30 _{0c}
Sample size	100ml or g	100 ml or g	100g	100g	100g		

Ice cream, frozen dessert, milkloily, icecandy	Processed cheese, /cheese spread	All other cheeses ¹²	Yoghurt, Dahi, Chakkas, Shrikhand ¹³	Paneer/ Chhana	Khoa	Reference Test Method
(9)	(10)	(11)	(12)	(13)	(14)	(15)
2,00,000/g	50,000/g			3,00,000/g	50,000/g	IS 5402; 2002/ISO:4833:1991
2,50,000/g	75,000/g			5,00,000/g	1,00,000/g	

(9)	(10)	(11)	(12)	(13)	(14)	(15)
50/g	-	100/g	10/g	50/g	50/g	IS 5401 PART-I; 2002/ISO:4831:1991
100/g	Less than 10/g	500/g	50/g	90/g	90/g	
Absent/g	Absent/g	Less than 10/g	Absent/g	Less than 10/g	Less than 10/g	IS:5887(PART 1)-1976
Absent/25g	Absent/25g	Absent/g	Absent/25g	Absent /g	Absent/25g	IS:5887 PART-3:1999/ ISO:6579:1993/IS:5887:PART 7:1999
		100/g	50/g	50/g	50/g	IS:5887:PART 8 SEC 1 :2002/ISO6888-1&2:1999
Less than 10/g	Less than 10/g	1000/g	100/g	100/g	100/g	
		10/g	50/g	150/g	50/g	IS:5403-1999
Less than 10/g	Less than 10/g	100/g	100/g	250/g	100/g	IS:4238:1967
	Absent /g	Absent/g				IS:5887 PART IV:1999
Absent/g	Absent/g	Absent/g Hard cheese Absent/25g other cheeses	Absent/g	Absent/g	Absent/g	IS:14988(PART 1 :2001 ISO:11290-1:1998
5	5	5	5	5	5	Milk & milk products -guidance on sampling IS:11546:1999/ISO707:1997
21&2	21	22,5,6	22,5,6	21,2,5,6	21,2,5,6	
03,4,5,6,8	02-6,7b,8	03,4,7b,8	03,4,8	03,4,8	03,4,8	
-18oC or lower	4 to 80C	4 to 80C	0 to 40C	0 to 40C	0 to 40C	
100g	100g	100g	100g	100g	100g	

1-8 Microbiological requirements for different dairy products

9 Sampling Guidelines:

The sampling for microbiological testing as per the plan is to be ensured at manufacturing units as per the guidelines given in IS 11546:1999 (ISO 707:1997). The samples are to be stored, transported and processed for different microbiological parameters as per the approved test methods¹⁴ from an accredited laboratory within 24 hrs. of sampling. A large sample size may be drawn (if desired) according to the tests required and type of product. Preservatives shall not be added to samples intended for microbiological examination as being practiced for chemical testing. The samples in duplicate are to be tested from the different accredited laboratory and the final decision is to be drawn based on two test results obtained from the accredited lab.

10 Sampling plan and interpretation:

n	The number of sample units which must be examined from the batch/lot of food to satisfy the requirements of a particular sampling plan.
c	The maximum allowable number of defective sample units. When more than this number is found, the lot is rejected by the sampling plan.
m	Represents an acceptable level and values above it are unacceptable in the terms of the sampling plan.
M	Values above M are unacceptable in the terms of the sampling plan and detection of one or more samples exceeding this level would be cause for rejection of the lot.
A sampling plan of n=5 is minimum, applicable often by a regulatory authority, the stringency of such a sampling programme being governed by the value applied to m. Unit samples of a product are submitted to the laboratory in the original unopened packaging, maintained in their physical state as at the time of sampling. When 5 or more units of the same variety from a lot or consignment are analyzed (n=5), no more than 2 units (c=2) should exceed the maximum tolerance (m) for microbiological levels stated in the reference criteria and no 1 unit should exceed the stated level for the maximum tolerance (M).	

¹¹The microbial specifications for ripened butter are the same as for pasteurised butter excluding the requirements of total plate count

¹²The requirement on yeast and mold counts is not applicable for mold ripened cheese.

¹³The standard requirements of lactic counts of one million c.f.u./g min as specified by BIS in such products/or such products containing Probiotic organisms shall be applicable”.

Sd/-
(Vineet Chawdhry)
Jt. Secy.

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Ministry of Health and Family Welfare
(Department of Health and Family Welfare)
New Delhi

Note: The Prevention of Food Adulteration Rules, 1955 were published in Part II, Section 3 of the Gazette of India *vide* S.R.O. 2106, dated the 12th September, 1955 and were last amended *vide* G.S.R. 488(E), dated the 9-6-2010.