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Committee on Sanitary and Phytosanitary Measures

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**INDIA'S NEW REQUIREMENTS FOR ANIMAL FEED IN THE FOOD SAFETY
AND STANDARDS ACT, 2006 (DATED 27 JANUARY 2020) –
SPECIFIC TRADE CONCERN 479**

SUBMISSION BY THE UNITED STATES OF AMERICA

The following document, received on 13 November 2020, is being circulated at the request of the Delegation of the United States of America.

1.1. The United States remains concerned with India's new directive on animal feed, issued on 27 January 2020. We anticipate that the directive will have a significant impact on trade in feed ingredients, and possibly on meat and dairy products from livestock fed in other countries and imported by India.

1.2. The directive contains two parts. Part one of the directive makes mandatory the formerly voluntary guidance for animal feed, to implement the Bureau of Indian Standards (BIS) specifications for Compounded Feeds for Cattle (IS 2052:2009). Part one has not been notified to the WTO SPS Committee and, to date, WTO Members have not had an opportunity to comment on this regulation. Part two of the directive was notified to the SPS Committee as [G/SPS/N/IND/249](#) on 26 February 2020.

1.3. The United States appreciates that India provided a six-month implementation period for Members to comply with the directive. However, given the current COVID-19 pandemic and its impact on the preparedness of all stakeholders, in addition to the fact that India has not yet notified part one of the directive to the SPS Committee, we ask that India suspend implementation until India notifies these mandatory requirements and responds to questions and concerns raised by Members including those of the United States.

1.4. As we noted during the June 2020 SPS Committee Meeting, part one of the directive appears to make mandatory a guidance document from 2009 titled, "Indian Standard, Compounded Feeds for Cattle – Specification". According to this document, India only allows import of those feed types listed in the document.

1.5. This list omits several feed ingredients commonly used around the world, such as distillers' dried grains with solubles (DDGS), alfalfa, timothy hay, and several types of vitamin and mineral feed supplements.

1.6. It appears that this list has not been updated since 2009 to include new or different feed types. We again request that India please clarify the criteria used to compile the list and the process by which other types of feed can be added to the list.

1.7. Part two of the directive also includes language that amends requirements for meat and meat products as detailed in the 2011 FSSAI Food Product Standards and Food Additives Regulations. This text appears to link feed and the acceptability of meat and meat products from cattle fed with certain types of feed. The text states that milk- and meat-producing animals, except poultry and fish, shall not be fed with feed containing bovine- or swine-origin materials except for milk/milk products.

1.8. The United States raised concerns with these regulations during previous SPS and TBT Committee meetings, and we have not received a response or further explanation on this issue from India. We again request that India please provide further information to the United States on these important matters.
