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Page: 1/1

Committee on Sanitary and Phytosanitary Measures

Original: English

**INDIA'S REQUIREMENT FOR CERTIFICATE FOR NON-GM ORIGIN AND  
GM-FREE STATUS – [SPECIFIC TRADE CONCERN 501](#)**

**SUBMISSION BY THE UNITED STATES**

The following submission, received on 30 March 2021, is being circulated at the request of the Delegation of the United States.

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1.1. The United States again raises serious concerns with India's new measure mandating "non-GM (genetically modified) origin and GM free certificates" for certain agricultural imports into India, notified on 2 September 2020, as [G/TBT/N/IND/168](#), with a proposed entry into force date of 1 March 2021.

1.2. The United States would like to remind India of our previous statement delivered at the November 2020 Committee meeting which details our concerns regarding India's implementation of [G/TBT/N/IND/168](#).

1.3. These concerns are documented in the Committee's summary reports of the previous meeting and in [G/SPS/GEN/1865](#).

1.4. The United States notes that, after numerous requests for India to revoke the order, on 27 January 2021, the US Department of Agriculture proposed technical cooperation to develop alternatives to the *non-GM origin and GM free certificate* and we are optimistic that the Food Safety and Standards Authority of India (FSSAI) will agree to this opportunity.

1.5. The United States requests that India withdraw this Order.

1.6. If India is unwilling to withdraw this Order, the United States requests that India delay implementation to January 2022 to allow for further technical engagement between the FSSAI and trade partners to develop less burdensome alternatives that could meet the Order's stated food safety goals.

1.7. The United States also notes FSSAI's "Clarification" published on 8 February 2021 establishing a 1% tolerance for presence of GE in imported food consignments. We request that India provide the scientific justification for establishing the tolerance at this level and provide any relevant risk assessments or international standards on which this tolerance is based.

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