



FOOD

FSSAI Proposes Plastic-Free Packaging Mandate for Pan Masala: An Analysis of the Draft Food Safety and Standards (Packaging) Amendment Regulations, 2026

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The Food Safety and Standards Authority of India (FSSAI) has issued a draft notification dated April 28, 2026, proposing amendments to the Food Safety and Standards (Packaging) Regulations, 2018. Titled the Food Safety and Standards (Packaging) Amendment Regulations, 2026, this regulatory intervention has been published under Section 92(2) read with Section 23 of the Food Safety and Standards Act, 2006 (Act 34 of 2006), subject to previous approval of the Central Government. The amendment represents a significant effort to reconcile food safety standards with environmental protection mandates, particularly concerning the packaging of pan masala, a product long situated at the intersection of public health debates and regulatory scrutiny in India.

The draft notification has been published under Section 92(1) of the Act for the information of all affected persons. A statutory period of thirty days from the date Gazette copies are made available to the public has been prescribed for receiving objections or suggestions. Stakeholders may address their submissions to the Chief Executive Officer, FSSAI, at FDA Bhawan, Kotla Road, New Delhi-110002, or electronically at regulation@fssai.gov.in. The Authority has undertaken to consider all feedback received within the stipulated period before finalizing the regulations.

The original Packaging Regulations, 2018, were first promulgated on December 24, 2018, and the present proposal constitutes the fourth amendment and introduces a targeted modification to Schedule IV, which enumerates suggestive packaging materials for food products.

The substantive core of the amendment lies in the insertion of a new entry at Serial Number 11 in Schedule IV, specifically governing pan masala packaging. The proposed entry mandates that pan masala shall be packaged exclusively in paper, paper board, cellulose, or other naturally derived materials, provided such materials are entirely free from any plastic, including but not limited to polyethylene, polypropylene, polyester, and polyvinyl chloride (PVC), as well as synthetic polymers, copolymers, or laminates. The prohibition extends further to aluminium foil and metallized layers, commonly employed in composite packaging. Tin or glass containers are permitted as alternative packaging vessels.

The regulatory architecture is notably fortified by the express incorporation of clauses (f) and (i) of sub-rule (1) of Rule 4 of the Plastic Waste Management Rules, 2016. Clause (f) prohibits sachets using plastic material for storing, packing, or selling gutkha, tobacco, and pan masala, while clause (i) declares that plastic material in any form, including Vinyl Acetate-Maleic Acid-Vinyl Chloride Copolymer, shall not be used in any package for packaging gutkha, pan masala, and tobacco in all forms. By embedding these provisions directly into the Food Safety and Standards Regulations, the FSSAI achieves significant regulatory harmonization between food safety law and environmental law, eliminating potential ambiguities and ensuring unified enforcement across both domains.

The amendment must be understood within India's broader commitment to sustainable development and plastic waste reduction. Pan masala, by virtue of its widespread consumption and conventional use of small plastic sachets for retail distribution, has historically contributed significantly to plastic waste generation, particularly as litter challenging municipal waste management systems. The mandated shift to paper, cellulose, tin, or glass packaging represents a deliberate policy choice favouring biodegradable or recyclable materials, thereby reducing the environmental footprint throughout the product lifecycle.

From an industry perspective, the amendment necessitates substantial modifications to existing packaging infrastructure. Manufacturers currently relying on plastic-based packaging, laminates, and metallized films must transition to compliant materials within the prescribed timeframe. This transition entails capital investment in new machinery, sourcing alternative raw materials, and redesigning packaging formats to ensure product integrity while adhering to material constraints. The explicit prohibition of aluminium foil and metallized layers is particularly significant, as these barrier materials protect products from moisture, oxygen, and light, and their exclusion will require innovative solutions using natural materials.

The cross-reference to the Plastic Waste Management Rules, 2016 serves a dual purpose of reinforcement and clarification. By incorporating these provisions into the food safety framework, the FSSAI ensures that violations attract enforcement mechanisms and penalties under the Food Safety and Standards Act, 2006, in addition to those under environmental law. This integration strengthens the deterrent effect and provides food safety officers explicit authority against non-compliant packaging, bridging a potential enforcement gap.

The scope of the prohibition is comprehensive and leaves minimal room for evasion. The enumeration of specific plastics is supplemented by the inclusive phrase "any synthetic polymers, copolymers, or laminates," capturing emerging materials outside enumerated categories. The reference to Vinyl Acetate-Maleic Acid-Vinyl Chloride Copolymer demonstrates regulatory awareness of specialized formulations that might otherwise be advanced as compliant alternatives. This comprehensive drafting

reflects legislative intent to effectuate a total ban rather than a partial restriction.

In conclusion, the proposed Amendment Regulations, 2026 represent a carefully calibrated measure advancing environmental protection, regulatory harmonization, and sustainable packaging within the food safety framework. The thirty-day consultation period provides valuable opportunity for stakeholders to contribute to regulatory refinement and raise practical concerns regarding implementation and feasibility. Upon finalization, these regulations are poised to establish precedent for environmentally sustainable packaging standards in the food sector, with potential implications for other plastic-reliant products. Constructive engagement from the legal community, industry, and civil society will be essential to ensure the final regulations achieve their intended objectives while remaining practicable and enforceable in India's diverse market environment.

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