



Regulatory Practice

The Regulatory Practice of The Valid Points Law Office entails advisory on all forms of regulatory aspects including licensing requirements, corporate compliances, foreign investments, securities regulations, overseas direct investments, cross-border mergers, restructuring and departmental representations. The practice focusses on making clients understand their responsibilities, manage risk and lessen the impact of complex regulatory regimes on their day-to-day operations or any transaction. The industries we work with to provide advice on complex regulatory matters includes, chemicals, consumer protection, cybersecurity, data protection & privacy, energy, ESG, environment, banks & financial institutions, product liability & product safety, public procurement, media, agricultural, import/export, pharmaceutical and medical devices, sport/gaming, specific product regulation and technology. The work specifically includes:

- ❖ **Starting a business:** Entry of foreign businesses in India; Launch of goods & services; Incorporation & registrations of companies or LLPs, or seeking approvals for setting up Liaison office, Branch office, or registrations of Society, Trust, etc.
- ❖ **Transactions:** Includes procuring approvals, completing pending compliance points, undertaking filings, creating necessary & mandatory records for corporate governance under Companies Act, FEMA, etc. and assisting entities in completing conditions precedent, subsequent and consequent in a transaction, including filings with the Registrar of Companies, Ministry of Corporate Affairs, and RBI.
- ❖ **Legal Metrology:** assistance on issues related to labelling, packaging, and any aspects of legal metrology, including sector specific regulations; Advisory in policy making, including understanding the government policies, changing laws, and regulatory compliances; Legal metrology and any aspects of documentation, compliance or compounding under the Legal Metrology Act, 2009, Legal Metrology (Packaged Commodities) Rules, 2011 and rules for e-commerce, amongst others; This includes the sectoral laws for entities working in a specific sector and also involves aspects related to logistics and storage of goods.
- ❖ **Chemicals:** This entails advisory on all aspects of various laws that apply to an entity engaged or that deal in chemicals, including petroleum or allied products, insecticides, pesticides, weedicides or other natural products.
- ❖ **Compliances:** Assisting companies in setting up a compliance system for regulatory compliances under labour & industrial laws, environmental laws, trade laws, a reporting structure and provide necessary training to employees for building internal capability in handling the compliances. Due diligence to verify the compliances followed by entities under the laws that apply to their line of business.
- ❖ **Departmental work:** including working on strategies to respond to show-cause notices or departmental enquiries or seek approval, licenses or any consultation from any department; representation before regulators including the SEBI, RBI, Directorate of Enforcement, Electricity Regulatory Commissions, Ministries of, Defence, Finance, Health and Family Welfare, Commerce, Corporate Affairs, Information Technology, amongst others. Assistance in completing all regulatory steps in compounding matters before the Legal Metrology Department and court proceedings.

Representative experience:



Regulatory Practice

- ❖ Assisted several manufacturing companies in sectors like auto components, medical devices, sea-weed, cosmetics, drugs, printers, laptops, computers & parts thereof, scanners, other hardware used in offices, in **legal metrology** related issues, compliances and compounding.
- ❖ Assisted a manufacturer of printers and scanners in **legal metrology** compliance and advised on a show-cause notice issued by the Legal Metrology Department in Uttar Pradesh.
- ❖ Advised Indian subsidiaries of global food products' conglomerate and manufacturing associations of cashew, coffee, and spices on a number of issues in the context of **food adulteration, packaging, labelling** as well as impact of sales promotion contests and regarding test-level marketing, assisted in selection of importers in India.
- ❖ Assisted a subsidiary of a foreign company manufacturing ink jets in conducting an **audit** to verify the level of compliances; advised them on the usage of chemical banned by **NDPS**.
- ❖ Advised an MNC in their research w.r.t. Indian laws on application of insecticide, pesticide and weedicides in apparel to be sold in India.
- ❖ Advised an MNC in the compliances related to keeping petroleum products in their premises.
- ❖ Advised a company engaged in agriculture on the usage of fertilisers and related compliances or restrictions thereof.
- ❖ By means of **off-site and on-site audits** and due diligence, assisted in identifying and quantifying environmental liabilities and risks in connection with air, water, noise and solid, hazardous and toxic waste standards and advised waste management companies in energy efficiency, health safety of its labour and IP related matters and successfully handled issues pertaining to default and assisted on a show-cause notice issued by the Legal Metrology Department in Tamil Nadu.
- ❖ Assisted an auto component manufacturer based in Chennai to set up legal metrology compliance system and assisted in handling multiple show-cause notices from legal metrology departments and department of industrial safety and health.
- ❖ Advised an Italian food manufacturer on several issues in the context of food adulteration, packaging, labelling as well as impact of sales promotion contests and regarding test-level marketing, assisted in selection of importers who will sell the Italian products (pasta and olive oil) in India.
- ❖ Advised a US exporter re the regulations concerning import of pet food products and their labelling requirements in India.
- ❖ Advised an Indian importer for one of the largest e-commerce companies in India re the guidelines for import, labelling, licensing requirements, usage of additives and other standards to be followed as prescribed for fruits, nuts, canned fruits, Coffee Blends-Ground/Whole Bean, honey, baby cereal, cold cereal, baby food products, feeding bottles, infant milk substitutes, etc.
- ❖ Advised an Indian importer for one of the largest e-commerce companies re the regulations on import/sale of raw almonds, roaster & salted almonds, shell roasted and salted pistachios.
- ❖ Advised start-up company in setting up a website for listing food vendors and assisted in advising on regulations concerning the food laws, food labelling and packaging laws and licensing requirements.
- ❖ Counselling a major biscuit manufacturer on the sale of biscuits, which contain dairy ingredients of Indian origin outside India.



Regulatory Practice

- ❖ Advised on the largest juice manufacturing companies on labelling requirements related to an ingredient which tends to get reduced over a period and the implication of the same under excise classification.
- ❖ Advised one of the fastest growing FMCG companies on issues related to licensing requirement for their products containing herbal ingredients.
- ❖ Advised an importer of nutraceuticals regarding the regulations for import and GMPs for proposed manufacturing unit.
- ❖ Advised one of the largest e-commerce company on various issues, namely; licensing requirements and liability for transportation of food products, advancement of Best Before Date, accelerated shelf life test, labelling requirements for double layered products, country of origin requirements for products produced abroad but processed in India, declaration on aging of rice and many other issues.
- ❖ Advised one of the leading brand on conflicting labelling provisions under Legal Metrology (Packaged commodity rules) and FSS (Packaging & Labelling) Regulations.
- ❖ Assisted a laptop importer to set up compliance system in legal metrology in India. Conducted audit to verify existing compliance system and assisted on a show-cause notice issued by the Legal Metrology Department in Gujarat.