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# When EU Food Safety Standards Change: Frustration, Breach and Risk Allocation in Export Contracts

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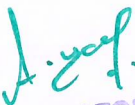
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## **ABSTRACT**

Indian agricultural exports to the European Union operate in a legal environment where contracts are governed by Indian private law but market access depends on EU regulatory changes during transit. This paper examines whether rejection of an India export due to a post-shipment revision of EU maximum residue limits should be treated as a breach of contract under the Sale of Goods Act, 1930 or as frustration under the Contract Act, 1872. Using a doctrinal and comparative method, it studies Indian contract law, EU Regulation (EC) No. 396/2005, English frustration principles and articles of trade. The paper argues for a sequential liability test based on timing, source of non-compliance, and contractual risk allocation and evidence. It also proposes model clauses for handling maximum residue-report conflicts.

  
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