

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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India

Post: New Delhi

3 month Extension of Timeline to Obtain FSSAI Food Business Licenses

Report Categories:

Sanitary/Phytosanitary/Food Safety

Food and Agricultural Import Regulations and
Standards - Narrative

Exporter Guide

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Report Highlights:

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) issued an order on February 9, 2016, to postpone the deadline for converting or renewing existing Food Business Operator (FBOs) licenses and registrations. The order postpones the previous deadline of February 4, 2016, to May 4, 2016.

Executive Summary:

On February 9, 2015, FSSAI issued an order extending the deadline to obtain an FBO license to May 4, 2016. The previous deadline was February 4, 2016. This most recent extension marks the seventh consecutive extension granted by FSSAI.

General Information:

DISCLAIMER: The information contained in this report was retrieved from FSSAI's website <http://www.fssai.gov.in/>. The Office of Agricultural Affairs and/or the U.S. Government make no claim of accuracy or authenticity.

Background:

According to the [Food Safety and Standards \(Licensing and Registration\) Regulations, 2011](#) (Chapter 2, clause 2.1), a food business operator is required to obtain an FSSAI-issued license or registration. Schedule 1 of the Food Safety and Standards (Licensing and Registration) Regulations, 2011, provides a list of food businesses which require FSSAI FBO licensure. For food businesses not covered under Schedule 1, a license may be granted by a state or union territory licensing authority.

The full text of the FSSAI order is pasted below and can also be accessed from FSSAI website <http://www.fssai.gov.in/>

File No. 1/1/Enf-1/FSSAI/2012(Pt.)
Food Safety and Standards Authority of India
(Enforcement Division)
(A Statutory Authority established under Food Safety & Standards Act, 2006)
FDA Bhawan, Kotla Road, New Delhi - 110002

Dated, the 05 February, 2016

ORDER

Subject: Extension of the time-line for obtaining license/registration in terms of regulation 2.1.2 of the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011.

As per the directions received from the Central Government in terms of Section 85 of the Food Safety and Standards Act, 2006 (copy enclosed) and in terms of regulation 2.1.2 of the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011 the time line for conversion of pre-existing licenses/registrations/permissions obtained under the Act/Order mentioned under the Schedule 2 of the FSS, Act **is hereby extended for a further period of three months i.e. up to 04.05.2016.**

2. All concerned are advised to take follow up action accordingly.


(Rakesh Chandra Sharma)
Director (Enforcement)
Tel: 011-23220994

To

1. All Commissioners of Food Safety of States/ UTs
2. All Central Licensing Authority
3. PPS to Chairperson, FSSAI
4. PS to CEO, FSSAI
5. All Directors, FSSAI
6. FSSAI Website for immediate Publication
7. Guard File, Enforcement Division

Copy to: The Joint Secretary to Govt. of India (Shri K. L. Sharma), MoHFW, for his kind information in compliance of the Government Order bearing No. No. P-15025/ 13/ 2011-DFQC dated 5th February 2016.

No.P.15025/13/2011-DFQC
GOVERNMENT OF INDIA
MINISTRY OF HEALTH & F.W.

Nirman Bhavan, New Delhi -108
Dated: 5th February, 2016

Order

Sub.: Extending time line upto 4th May, 2016 for the Food Business Operators to obtain licenses / registration under the Food Safety and Standards (Licensing and Registration of Food Business) Regulations, 2011 -reg.

Whereas Section 31(1) of the Food Safety and Standards Act, 2006 provides that no person shall commence or carry on any food business except under a license.

Whereas Regulation 2.1.2 of the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, inter alia, envisages that subject to Regulation 2.1.1, no person shall commence any food business unless he possesses a valid license, provided that any person or Food Business Operator carrying on food business on the date of notification of these Regulations, under a license, registration or permission, as the case may be, under the Acts or Orders mentioned in the Second Schedule of the Act shall get their existing license converted into the license/registration under these regulations by making an application to the Licensing/Registering Authority, *within one year of notification of these Regulations*. Further any food business operator holding Registration/License under any other Act/Order as specified under schedule 2 of the FSS Act, 2006 with no specific validity or expiry date, and otherwise entitled to obtain a license under these regulations, shall have to apply and obtain a Registration/License under these Regulations within one year from the date of notification (w.e.f. 5.8.2011) by paying the applicable fee.


Whereas having regard to the representations from various stakeholders including individuals, FBOs and various associations seeking extension of time-line for Registration and Licensing as per Food Safety and Standards (Licensing and Registration of Food Business) Regulations, 2011, the timeline mentioned in sub-regulation 2.1.2 was last extended upto 04.02.2016.

Whereas, a number of representations have been received in the Ministry for extending the time for obtaining license and registration for further period.

Whereas the Food Safety and Standards Authority of India (FSSAI) has indicated that under most of the repealed laws existing before the commencement of Food Safety and Standards Act, the maximum validity for their licenses was 5 years which shall stand expired on 04th August, 2016.

Now, therefore, it has been decided that the timeline mentioned in sub-regulation 2.1.2 of Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, be further extended for an another three months i.e. upto 04.05.2016.

Therefore, in terms of Section 85 of the Act, the Central Government hereby issues directions to FSSAI to extend the timeline mentioned in sub-regulation 2.1.2 of Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations 2011, by another three months i.e. upto 04.05.2016, and to take necessary follow-up action accordingly.


(K.L. Sharma)

Joint Secretary to the Government of India
Tel.No.2306 1451

Chief Executive Officer
(Shri Pawan Agarwal)
Food Safety and Standards Authority of India,
FDA Bhawan, New Delhi.