

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

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Date: 8/9/2012

GAIN Report Number: IN2108

India

Post: New Delhi

FSSAI releases fresh advisory on product approval procedures

Report Categories:

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

Product Brief

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Report Highlights:

On August 8, 2012, The Food Safety and Standards Authority of India (FSSAI) published a new advisory regarding product approval procedures for products and ingredients. The advisory, which applies to all food business operators including exporters and importers, also offers some insight on port clearance procedures.

General Information:

Introduction:

On August 8, 2012, The Food Safety and Standards Authority of India (FSSAI) published a new advisory regarding product approval procedures for products and ingredients. The advisory applies to all food business operators (FBOs), including exporters and importers.

Specifically, the advisory notes that:

1. All FBOs manufacturing any article of food containing ingredients or substances not yet been assessed for safety concerns or introduced in India for the first time, need to apply for the product approval with the FSSAI before applying for the license to carry out their business in India.
2. If one FBO has applied for product approval, other FBOs manufacturing/importing the same product need not apply for product approval.
3. FSSAI will issue a provisional “no objection certificate (NOC)” to existing license holders/importers of proprietary food products/ingredients. The NOC will also be issued for new product/ingredients which have a safe record of human consumption or have been assessed for safety concerns in other countries.
4. If a new product or ingredient has not yet been assessed for safety concerns, it will not receive a provisional “No Objection Certificate” (NOC), but rather will be referred to the FSSAI scientific panels/scientific committees for approval.
5. Manufacturers of traditional foods like atta (flour), suji (semolina), dal (pulses), bhujia (potato flakes) etc... need not to apply for product approval.
6. FBOs who have a valid license under the Act, or under the orders mentioned in the second schedule of [Food Safety and Standards Act](#), can continue operating pending product approval or issuance of the NOC.

For further details regarding the additional advisory on product approval procedures, please refer to the FSSAI notification that is available online at:

[http://fssai.gov.in/Portals/0/Pdf/Advisory\(08-08-2012\).pdf](http://fssai.gov.in/Portals/0/Pdf/Advisory(08-08-2012).pdf) A list of FSSAI advisories is available at:

http://fssai.gov.in/product_approval.aspx. A list of NOCs issued to date can also be found at:

<http://fssai.gov.in/Outreach/Noc.aspx>

For further information, please refer to GAIN reports IN2053 “FSSAI Introduces Product Approval Procedure in India”, IN2054 “Approval Procedure of Manufactured or Imported Proprietary Products”, IN 2068 “FSSAI Additional Advisory on Product Approval Procedure,” and IN2104 “FSSAI Extends Time Period on Renewal of Licenses and Registration.”

No. P. 15025/24/2012-PA/FSSAI
Food Safety and Standards Authority
(Ministry of Health & Family Welfare)

1st Floor, NBCC Place
Bhishma Pitamah Marg, Pragati Vihar,
New Delhi-110003
Dated: 06 August, 2012

As per Section 22 of FSS Act, 2006, Schedule 1 of FSS Regulation 2.1.2(3), Section 16 of FSS Act, 2006, Section 18 of FSS Act, 2006 and as per schedule 1 the Food safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011 provide that all food business operators manufacturing any article of food containing ingredients or substances or using technologies or processes or combination thereof whose safety has not been established through these regulations or which do not have a history of safe or food containing ingredients which are being introduced for the first time into the country need to apply for product approval before applying for licence.

Applications from manufacturers / importers of products / ingredients may be sent for product approval in the prescribed format with the fees of Rs. 25, 000/- (non-refundable) Payable to Senior Accounts Officer, FSSAI, with soft copies of dossier along with a Executive Summary documents (not limited to)

- 1) Notarized Rs. 100/- stamp paper affidavit
- 2) Copy of label
- 3) Safety data

Product Approval is based on categories as prescribed by FSSAI in "Indian Food Codes dated 25/06/2012". For the permitted variations of products under the same category, Separate "Product Approval" need not be applied for.

Also, if authority has already received an application for a product or NOC issued, other FBO's manufacturing/ importing the exact product need not apply for product approval. The list of Product Approval application received and in process and the NOC already issued are listed out on FSSAI website under Product Approval section.

Provisional NOC will be issued for one year in case of existing licence holders/ importers for proprietary food products/ ingredients and also for new products/ ingredients which have had a proven record for safety for human consumption in other countries.

Products/ ingredients which are absolutely new and have never been used in any country and their safety assessment has not been carried out shall not be issued a provisional NOC. Their applications will be forwarded to the Scientific Panel/ Scientific Committee.

Manufacturers of traditional food and local cuisine like Atta, Suji, Dal, Savouries like Somasa, Bhujia, Gulabjamun etc., which are most commonly used by the consumers need not to submit their applications for product approval as a propriety food.

Application complete in all respect shall be placed before Product Approval Screening Committee on a weekly basis for consideration.

On the basis of the NOC issued by the Product Approval Screening Committee, Central/ State Licencing Officer will issue licence for manufacturing on the basis of turnover of the company. Import Licence shall be issued by the Central Designated Officer.

All license holders who were issued licenses previously under the Acts or Orders mentioned in the Second Schedule of the FSS Act shall be allowed to continue with their business including import for which such licences have been issued while there application for Product Approval in the prescribed format are processed for issue of an NOC or final approval.


Pradip Chakraborty,

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