

USDA Foreign Agricultural Service

# GAIN Report

Global Agricultural Information Network

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## India

**Post:** New Delhi

### **FSSAI Food Business License Deadline Extended by Six Months**

**Report Categories:**

Sanitary/Phytosanitary/Food Safety

Exporter Guide

FAIRS Subject Report

Policy and Program Announcements

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**Report Highlights:**

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) issued an order on August 6, 2015, to postpone the deadline for converting or renewing existing Food Business Operator (FBOs) licenses and registrations. The order postpones the previously issued August 4, 2015, deadline to February 4, 2016.

## **Executive Summary:**

On August 6, 2015, FSSAI issued an order extending the deadline to obtain an FBO license to February 4, 2016. The previous deadline was August 4, 2015. The order also reports that the GOI's Ministry of Health and Family Welfare (MOHFW) received broad feedback from various stakeholders, including individuals, associations, and businesses seeking such an extension. This most recent extension marks the sixth 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**  
(A Statutory Authority established under Food Safety & Standards Act, 2006)  
Ministry of Health and Family Welfare, Government of India  
(Enforcement Division)  
**FDA Bhawan, Kotla Road, New Delhi – 110002**

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Dated, the 5<sup>th</sup> August, 2015

06/08/2015

**ORDER**

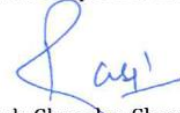
**Subject: Extension of time upto 4<sup>th</sup> February, 2016 for the food business operators to obtain licenses/ registration under the Food Safety and Standards (Licensing and Registration of Food Business) Regulations, 2011.**

1. WHEREAS section 31 (1) of Food Safety and Standards Act, 2006 provides that no person shall commence or carry on any food business except under a license.
2. WHEREAS Regulation 2.1.2 of Food Safety and Standards (Licensing and Registration of Food Business) 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 from the date of commencement of these regulations. Further, any food business operator holding Registration/ License under any other Act/ Order, as specified under the Second Schedule 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 commencement of these regulations by paying the applicable fees.
3. 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 time-line mentioned in sub-regulation 2.1.2 was first extended for six months upto 04.08.2012 and then for another 12 months i.e upto 04.02.2014 and thereafter upto 04.08.2014 and then up to 04.02.2015 and last time upto 04.08.2015.
4. WHEREAS a number of representations have been received in the Ministry of Health & Family Welfare for extending the time for obtaining license and registration for further one year from 04.08.2015.

5. WHEREAS the Ministry of Health & Family Welfare, Government of India, has considered the representations received from various stakeholders and decided to further extend the timeline mentioned in sub-regulation 2.1.2 of Food Safety and Standards (Licensing and Registration of Food Business) Regulations, 2011, for a further period of six months i.e. up to 04.02.2016.

6. AND WHEREAS the Central Government has directed the Food Safety and Standards Authority of India in terms of Section 85 of the Food Safety and Standards Act, 2006 (34 of 2006) to extend the time-line mentioned in sub-regulation 2.1.2 of Food Safety and Standards (Licensing and Registration of Food Business) Regulations, 2011 for a further period of six months i.e. up to 04.02.2016 vide its Order bearing No. P-15025/13/2011-DFQC dated 5<sup>th</sup> August 2015.

7. Accordingly, 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 Business) Regulations, 2011 is hereby extended for a further period of six months i.e. up to 04.02.2016.



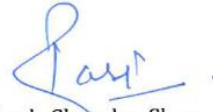
(Rakesh Chandra Sharma)  
Director (Enforcement)  
Tel: 011-23220994

To

1. All Commissioners of Food Safety of States/ UTs
2. All Central Licensing Authorities
3. All Directors, FSSAI
4. PPS to Chairperson, FSSAI
5. PS to CEO, 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. P-15025/13/2011-DFQC dated 5<sup>th</sup> August 2015.



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