

LIST OF ADVISORIES/ DIRECTIVES ISSUED BY FSSAI

| S.N o | Subject of the advisory | Summary | Issued vide letter No. | Date of issue |
|-----------------------------|--|---|----------------------------|-----------------------------|
| ENFORCEMENT DIVISION | | | | |
| 1. | Clarification regarding Notification of Adjudicating Officer in terms of FSS Act | As the law clearly specify for notification of Magistrate not below the rank of Additional District Magistrate of the concerned district as Adjudicating Officer for adjudication purpose under the Act. It should not mistaken that State Government officer in pay-scales of ADM level could be notified as Adjudicating Officer. | 1-3/FSSAI/T/2010 | 30 th June, 2011 |
| 2. | Clarification on the status of Public Labs functioning at Centre/ State/ UT after the promulgation of FSS Act, 2006 with effect from 5 th August, 2011 | The matter has been examined and it is clarified that the existing Public Food Testing Laboratories which are testing food samples under PFA will continue to perform their function of food testing under Section 98 of FSS Act, 2006 till any notification is issued under Section 43 of FSS Act, 2006. The Central Food Laboratories at Kolkata, Pune and Mysore and FRSL, Ghaziabad will function as the referral laboratories. | 83-Dir (Enf.)/FSSAI/2011 | 5 th July, 2011 |
| 3. | Appointment of Food Inspectors employed by the Municipal Corporations/ Councils, as the Food Safety Officer and Designated Officer under the provisions of Food Safety & Standards Ac, 2006. | The matter has been examined in FSSAI and it is clarified that the rules put two conditions (i) the existing officer should satisfy such other conditions as the State Government may notify and (ii) the officer has to be notified as FSO by State Government. Thus, it is within the jurisdiction of State Government to take a decision and then issue notification after screening. | L-58/Dir (Enf.)/2011-FSSAI | 5 th July, 2011 |
| 4. | Uniform numbering system of licenses to be issued under Food Safety and Standards Act, 2006 by Licensing & Registration Authorities | FSSAI envisages to make the process of issuing licenses and registration electronically in the near future and hence there is a need to arrive at a uniform numbering system for issuance of licenses as well as registration to be followed by Central/ State/ UT enforcement machinery. | 123-Dir (Enf.)/FSSAI/2011 | 19 th July, 2011 |

| | | | | |
|----|--|---|------------------------|-----------------------------|
| 5. | Uniformity in the formats for maintaining records of Licensing/ Registration and uniform system of categorization of food products/ FBOs | Uniformity in maintaining of records and categories will be helpful in compiling/ formulating/ generating reports once licensing or registration system is computerized and made online. Also, 4 registers (Inspection, Sampling, Licenses and Registration) have been prepared for maintaining records. | - | 8 th Aug., 2011 |
| 6. | Clarification on the status of Notified Public Analyst at Centre/State/UT after the promulgation of FSS Act, 2006 with from 05.08.2011 | In view of the provisions it is clarified that all those who were qualified and notified as Public Analyst by the board constituted under Prevention of Food Adulteration Act, 1954 are eligible for holding the post of Food Analyst under FSS Act, 2006 and are deemed to be Food Analyst from the date of commencement of the Act, i.e. 5 th August, 2011. They will be performing such functions as may be entrusted to them by the concerned Government in accordance with the FSS Act/Rules/regulations. | 1/PLR/FSSAI/2011 | 1 st Sep., 2011 |
| 7. | Authorization of NABL accredited food testing laboratories for analysis of food sample taken under FSS Regulation, 2011 | In order to facilitate smooth functioning of regulatory activities and, as an interim arrangement, FSSAI has nominated certain NABL laboratories on ad hoc basis for a period of 3 months or till further order whichever is earlier for undertaking food testing required under the FSS regulation 2011. Also, imported/regulatory samples (such as FBO sample) can be tested as and when requirement in the nominated laboratories. The authorization of the laboratory for the above purpose will automatically stand cancelled in the event of discontinuation of NABL accreditation of laboratory. | 1/PLR/FSSAI/2011 | 12 th Sep., 2011 |
| 8. | Advisory regarding renewal/transfer of Licences during transition period | In case of transfer / renewal of licences where validity of the Licence does not expire within one year of transition period but he applies for a new licence number or for renewal, as provided in the in the Regulations, pre inspections may not be insisted upon for the purpose of such renewal/transfer and an undertaking of the FBO | 1(2)2011/ State/ FSSAI | 3 rd Oct., 2011 |

| | | | | |
|-----|---|---|----------------------|----------------------------|
| | | regarding compliance with the licence conditions in the proforma attached shall be obtained and considered sufficient. | | |
| 9. | Clarification on status of licensing of Food Business Operator having outlets/ units in two and more States | The matter has been examined and it has been decided that in these types of units there is a requirement for taking Central License which can be taken by such Food Business Operator from the Central licensing Authority as per location of their Head Office/ Registered Office. However, the local units or franchisees will have to obtain a separate license from the local authority. | - | 3 rd Oct., 2011 |
| 10. | Advisory/ Clarification regarding approval of food products | A number of applications along with license fees have been received from importers and other food business operators who intend to apply for licensing for specific product for which product is not approved. In such cases, it has been decided that the applications received till date shall be send by Designated Officer to the Product Approval division only if demand draft has been deposited in account of FSSAI & in future, no such applications along with license fees shall be accepted by Designated Officers unless the application is found suitable to grant a license under FSSA, 2006. All applicants of products which are not approved may be requested to submit applications to the Director, Product Approval. | - | 6 th Jan., 2012 |
| 11. | Clarification regarding expiry of licenses prior to 5 th August, 2011 and had applied before time to the Concerned Authority | The matter has been examined and it has been decided that in all such cases where FBO had applied for renewal of license within a time limit & delay for issuance of license cannot be attributed to the FBO, but delay was due to time taken in processing the application by concerned licensing officer, all these cases may be considered under the category of renewal of license. However, fee & documents, if any, may be taken as per the requirement for each case. | 931/Dir E/2011-FSSAI | 9 th Jan, 2012 |

| | | | | |
|-----|--|--|--|-----------------------------|
| 12. | National Milk Survey of FSSAI – Follow-up-action | Commissioner Food Safety directed the field officers to take samples of milk sold in the market and launch prosecution wherever the milk is found adulterated. Taking into account the seriousness of the problem, all States and UTs should make a concerted effort to check this menace by taking stringent measures. Also measures may be taken to check awareness among the food business operators to adopt hygiene practices and the consequences of intentional or unintentional adulteration of the product. | 1(45) 2011/ Misc./ FSSAI | 27 th Jan., 2012 |
| 13. | Modifications by the FBO in the details submitted online | In this case the FBO may approach the DO and the DO may make necessary corrections before issuing the licence. Once the DO approves the issue of Licence, no further modifications/corrections will be allowed and the FBO has to follow the process set out for Licence modifications as per the FSS Rules and Regulations, 2011. | Decided in DO/ AO Meeting 1(47)2011/Central DO/ FSSAI | 21 st Feb., 2012 |
| 14. | Filling up of application form B for service category | For service category like retailer, wholesaler, imports, exports, restaurants, hotels, marketers, storage and transporter, catering services the FBO will furnish in broad category details instead of writing each product in Form B. | Decided in DO/ AO Meeting | 21 st Feb., 2012 |
| 15. | Issue of licensing of FBO at Airports & Ports | As per the provision under the FSS (Licensing and Registration of Food Businesses) Regulations, 2011, the categories namely, Food catering services in establishments and units under Central Government Agencies like Railway, Airports, Seaport,-Defence etc. are covered under Central Licensing. It has been decided that Central DO will issue license for International Airports at Mumbai, Kolkata, Delhi, Chennai and the concerned DOs of State will issue license to FBOs at Airports in rest of the cities and seaports falling under their jurisdiction. | 1(56) 2012/ Advisory/ FSSAI | 1 st March, 2012 |

| | | | | |
|-----|--|---|---|------------------------------|
| 16. | Issue of State/ Central Licensing – Clarification on jurisdiction | Table for ease of understanding has been prepared clarifying the items covered under Central/ State Licensing and Registration. | 1(55) 2012/ State- Central Licensing/ FSSAI | 5 th March, 2012 |
| 17. | Issue of incorporation of additional item in FSSAI licence | Incorporation of additional item in the licence will be done manually and there will be no additional fee for the same. However the DO will ensure that the data available with online system is updated within 3 days so that there is no mismatch in the data and the actual | Decided in DO/ AO Meeting | 15 th March, 2012 |
| 18. | Issue of single /multiple licences | If an FBO is having same business at different locations, the FBO should apply for licence at each location. In case there are two or more manufacturing or services in the same premises option is there with FBO to take single licence after clearly mentioning the activities and keeping the activities/lines separate following FSMS guidelines or multiple licence. | Decided in DO/ AO Meeting | 15 th March, 2012 |
| 19. | Clarification regarding Central/State licensing for FBO having multiple activities | If an FBO opts for two or more activities in a single licence then licence will be issued in the category of activities holding the highest eligibility. | Decided in DO/ AO Meeting | 15 th March, 2012 |
| 20. | Issue of transfer of FSSAI licence | If a FBO holding a valid licence wishes to transfer the business to another person, he has to first cancel his existing Licence and then the new FBO may apply for a fresh License. | Decided in DO/ AO Meeting | 15 th March, 2012 |
| 21. | Advisory on HS CODE | It is clarified that H.S. Code is only code given for identification of the product/chemical and it is not necessary that product/chemical, if has HS Code, is approved product as per FSS Act, 2006. Please see the relevant provisions for confirming if product is already approved or a new product, in which case it will require product approval sanction under FSS Regulations. | 17-3/Enf/FSSAI/2011 | 30 th March, 2012 |
| 22. | Advisory on Subject: FSMS Plan/ Certificate | Considering difficulty faced by FBOs in complying with requirement of furnishing FSMS Plan or Certificate and to facilitate the work of issuance of renewal/ conversion and | 1(56) 2012/ Advisory/ FSSAI | 2 nd April, 2012 |

| | | | | |
|----------------------------|--|---|----------------------------------|----------------------------|
| | | new licenses during the transition period of one year, it has been decided to make the submission of this document optional for the FBO | | |
| 23. | Order on HS Code | It was decided that the practice of incorporating HS Code with each product be dispensed with, while making on-line application for license under FSS Act. This is only a temporary relaxation given to FBOs till the Food Codes being developed by FSSAI are put in place. The data which will not be captured during this phase may be entered by DOs later on once Food Code is adopted. | 4(2)/2012/Enf-1/ FSSAI (Part) | 16 th May, 2012 |
| QA & S DIVISION | | | | |
| 24. | Ban on import of dairy products from China | Ban on import of milk and milk products including chocolates and chocolate products and candies/ confectionary / food preparations with milk and milk solids as an ingredient from China may be extended for a period of six months from 24th June 2009 unless there are clear reports available about a significant improvement in the situation. | 4/FSSAI/2009 | September 2008 |
| 25. | Advisory of the Food Safety and Standards Authority of India on the steps to be taken in the context of contamination of milk in China | Food Safety and Standards Authority will get in touch with the China Food Safety Authority and explore the possibility of their certifying safety of dairy products being imported from China, with particular reference to melamine contamination. | 1/FSSAI/2008 | December 2008 |
| 26. | FSSAI Advisory on Standards for Honey and prohibition of antibiotics | In the matter of admissibility of antibiotics in honey, safety standards in India are similar to those in European Union, Codex Alimentarius and USA where they are completely prohibited. | - | - |
| 27. | Advisory of the Food Safety and Standards Authority of India on the <i>Salmonella</i> contamination in Peanut Butter | The contamination of <i>Salmonella</i> in some of the Peanut butter products and the possibility of any large scale adverse health effect on the population was considered by FSSAI keeping in view the likely entry of such contaminated products into the country. After | - | Oct., 2009 |

| | | | | |
|-------------------------|--|---|----------------------------|-----------------------------|
| | | consultations with the experts, the following advisory is being issued to provide consumers relevant information on the significance and sources of salmonella contamination in peanut butter products, so as to facilitate appropriate preventive actions on their part to address this food safety situation. | | |
| 28. | Products containing Steroid / Steroid like substances marketed as Dietary Supplement | Steroid containing products present a risk of acute liver injury to product users. In addition, steroids may cause other serious long-term adverse health consequences in people including children. These may include male infertility, masculinisation of women, breast enlargement in males, short stature in children, adverse effects on blood lipid profile and increased risk of heart attack & stroke and death. General public is advised to understand the risk involved in usage of such products and refrain from using such products. | - | July, 2010 |
| IMPORTS DIVISION | | | | |
| 29. | Guidelines related to Imported Food Clearance Process by FSSAI's Authorized Officers | The work of Authorized Officers at four ports, namely Chennai Sea Port, Haldia Sea Port, Kolkata Sea Port and Mumbai Sea Port, is carrying on smoothly. Only in case of JNPT, Nhava Sheva representations have been received with regard to some delays in the first week of the operations which is creating difficulties for some importers keeping in view the ensuing festive season and large number of consignments that are expected to be received at JNPT & Mumbai. The matter has been reviewed in FSSAI and it has been decided that certain guidelines will be complied by the concerned FSSAIs Authorized Officers till further orders in this regard. | 1/2008/Import Safety/FSSAI | 28 th Sep., 2010 |
| 30. | Re-testing of sample of Imported Food Articles | The matter has been reviewed by this Authority and it has been decided that the Authorised Officer henceforth will draw two samples of imported food articles, of which | 1/2008/Import Safety/FSSAI | 3 rd Nov, 2010 |

| | | | | |
|-----|---|---|------------------------------------|------------------------------|
| | | one sample will be sent for testing to a laboratory authorized for this purpose. | | |
| 31. | Monitoring of Food Import from Japan for radioactive contamination | As a precautionary measure it has been decided to test samples of food articles, particularly fresh product exported from Japan after 11 March, 2011, such as seafood, fruits, vegetables and meat for radioactive contamination. | 1/2008/Import Safety/FSSAI | 15 th March, 2011 |
| 32. | Instruction regarding sending samples of imported food articles to Central Food Laboratories (CFLs) | All the Central Food Laboratories (CFLs) will work as Appellate Laboratory for the purpose of re-testing of samples of imported food articles. Therefore, it may be ensured that only in appeal cases, samples of imported food articles may be sent to CFLs and no samples of imported food articles should be sent in the first instance directly to CFLs. | 1/2008/Import Safety/FSSAI | 18 th May, 2011 |
| 33. | Ad-hoc Guidelines for Alcoholic Beverages related to Imported Food Clearance Process by FSSAI's Authorized Officers | The exemption provided in PFA, 1954 will not be applicable in case of wines labelled as Non-alcoholic/de-alcoholised wine and declaration of best before date for consumption shall be applicable in such circumstances. Clearance of Imported alcoholic beverages may be considered as per usual procedure subject to the condition that minor labelling defects viz. Name and address of importer, Veg./Non-Veg. Symbols and Best before/Expiry date, may be rectified in the custom's warehouse under supervision of customs department and the custom department shall ensure the labelling requirements prior to release of such consignments. | 1/2008/Import Safety/FSSAI | 20 th May, 2011 |
| 34. | Monitoring of fresh Fruit and Vegetable Import from Europe for E. Coli bacterial contamination | As a precautionary measure it has been decided to test samples of all fresh Fruits and Vegetables consignments imported from Europe for E. Coli bacterial contamination. | 1/2008/Import Safety/FSSAI | 3 rd June, 2011 |
| 35. | Ad-hoc guidelines related Food Import Clearance Process by FSSAI's Authorized Officers | Food Safety and Standard Authority of India (FSSAI) after due consideration of various operational issues raised by the stakeholders and to facilitate genuine | 1/2008/Import Safety/FSSAI-Vol. II | 12 th Oct., 2011 |

| | | | | |
|-----|--|--|--|------------------------------|
| | | trade while ensuring the mandate of safe food imports into India has issued certain guidelines/clarifications with immediate effect till further orders in the matter. | | |
| 36. | Ad-hoc instructions related to Imported Food Clearance Process by FSSAI's Authorized Officers regarding Date of Manufacture and Batch Number | Food Safety and Standards Authority of India (FSSAI) has been receiving many representations from food importers in India regarding minor labelling defects in the imported food articles. After due consideration on operational issues and inconvenience suffered by the food importers in India, the Competent Authority has taken decisions on the following minor labelling defects observed by the Authorized Officers, FSSAI at ports | 1-17/FSSAI/T/2010 | 15 th Dec., 2011 |
| 37. | Ad-hoc instructions related to re-sampling and re-testing of food grains including Pulses' consignments by Authorized Officers, FSSAI | It has been decided that an opportunity can be granted subject to the condition that cleaning/sorting of the food grains will be done by the importer strictly under the supervision of the Customs in customs bonded area. NOC will be given by the Authorized Officer, FSSAI, if the sample of the improved product is found to be conforming to the standards. | 1-17/FSSAI/T/2010 | 20 th Jan., 2012 |
| 38. | Instructions regarding contesting cases related to food import clearance process by FSSAI's Authorized Officers | To effectively provide guidance to the Authorized Officer in resolving such matters, it has been decided that Authorized Officers may choose a panel of three Central Government Standing Counsels for their respective regions who are appearing in Central Government matters before the High Court and give all relevant documents like copy of petitions etc. to any one of them. | 1 - 17/FSSAI/T/2010 | 17th Feb., 2012 |
| 39. | The period for keeping the duplicate sample at port | In case NOC has been issued for the consignment, duplicate sample shall be kept for 15 days or up to expiry date whichever is earlier. In case of non conforming samples, duplicate sample shall be kept till the request for retesting is made by the importer or expiry date of the product whichever is earlier. | Decided in DO/ AO Meeting 1(47)2011/Central DO/ FSSAI | 15 th March, 2012 |

| | | | | |
|----------------------------------|---|--|----------------------------|------------------------------|
| 40. | Issue of Date of manufacture & Lot number on imported product label | In case date of manufacture and lot number are either given as same format or are not given or given in some other format on the label of imported food items in bulk/ wholesale packages, AO may satisfy himself with the documents provided along with the bill of entry and if required may seek clarification from the manufacturer/ exporter in the country of origin. After verifying the documents one time clearance may be given to such consignments along with the direction to importer to comply with FSS Regulations in all future consignments. | Decided in DO/ AO Meeting | 15 th March, 2012 |
| 41. | Guidelines related to Food Import Clearance Process by FSSAI's Authorized Officers | Food Safety and Standard Authority of India (FSSAI) after due consideration of various operational issues raised by the stakeholders and to facilitate genuine trade while ensuring the mandate of safe food imports into India has issued certain guidelines/clarifications with immediate effect till further orders in the matter. | 1-17/FSSAI/T/2010 (Part J) | 23 rd March, 2012 |
| 42. | Guidelines regarding Clearance of Food Consignments imported in India for Research & Development purposes | The matter has been examined in the Authority and it has been decided by the Competent Authority that whenever such type of consignment is referred to FSSAI by the Customs, the quantity and end use of the product may be checked by the Authorized Officer, FSSAI to satisfy themselves that this is not for commercial sale. | 1-17/FSSAI/T/2010 (Part B) | 30 th March, 2012 |
| PRODUCT APPROVAL DIVISION | | | | |
| 43. | Applications for Approval of new Product/Ingredient | 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 the regulations or which do not have a history of safe use or food containing ingredients which are being introduced for the | P.15025/219/11-PA/FSSAI | 30 th Jan., 2012 |

| | | | | |
|-----|--|---|-------------------------------|------------------------------|
| | | first time into the country need to apply for Product Approval at FSSAI headquarters before applying for license. | | |
| 44. | Clarification relating Product Approval Procedure | The applicants should apply for the approval of each product/ingredient separately for New Product/Ingredient Approval in the prescribed format and applications should be addressed to Director (PA) with an initial payment of non refundable INR 25000 in the form of Demand Draft drawn in favour of Senior Account Officer, FSSAI towards initial screening of the application by the "Approval Screening Committee". | - | 14 th Feb., 2012 |
| 45. | The procedure adopted by FSSAI for approval of proprietary products/ingredient already being manufactured under licenses of erstwhile Acts/ Orders (PFA, FPO, MMPO, MFPO etc.) or imported | In such cases the Product Approval Division on receipt of completed application will give NOC for issuing a provisional FSS license for a period of one year or till the risk assessment process is completed whichever is earlier. | No. P. 15025/24/2012-PA/FSSAI | 22 nd March, 2012 |
| 46. | Continuation to the advisories of Product Approval | Provisional NOC will be issued for 1 year in case of existing license 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 issued 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. | P.15025/219/11-PA/FSSAI | 23 rd April, 2012 |