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Voluntary Public

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India

Post: New Delhi

Timeline for Food Business License Extended for the Last Time

Report Categories:

Sanitary/Phytosanitary/Food Safety

Exporter Guide

Food and Agricultural Import Regulations and Standards - Narrative

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Report Highlights:

The Government of India's (GOI) Food Safety and Standards Authority of India (FSSAI) issued an order on May 30, 2016, to postpone the timeline for converting or renewing existing Food Business Operator (FBOs) licenses and registrations. The order postpones the previous deadline of May 4, 2016, to August 4, 2016 and clearly states that no further extensions will be granted to stakeholders. This most recent extension is the eighth 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 recent 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)
(Enforcement Division)
FDA Bhawan, Kotla Road, New Delhi - 110002

Dated, the 30th May, 2016

ORDER

Subject: Extension of 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 the last time for a period of three months i.e. up to 04.08.2016.**

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

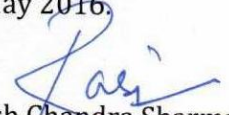

(Rakesh Chandra Sharma)
Director (Enforcement)
Tel: 011-23220994

To

1. All Commissioners of Food Safety of States/ UTs
2. All Central Licensing Authority
3. CITO, FSSAI- for uploading on FSSAI's Website
4. 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 dated 24th May 2016.


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

GOVERNMENT OF INDIA
MINISTRY OF HEALTH & F.W.

Nirman Bhavan, New Delhi -108
Dated: 24th May, 2016

Order

Sub.: Extending time line upto 4th August, 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, had 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 04.05.2016.

Whereas, 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 the issue was discussed in by the Central Advisory Committee from time to time and there has been a consensus that repeated extension of this timeline has resulted in complacency amongst the FBOs who make no effort to obtain licences/registrations, secure in the knowledge that this timeline would once again be extended.

Now, 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 last time extended for another three months i.e. upto **04.08.2016**.

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 **04.08.2016**, 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.