

# NEWSLETTER

FSSAI ORDERS, ADVISORIES, NOTIFICATIONS & DIRECTIONS

## JUNE ISSUE

### **FSSAI directs FBOs to Prohibit Sale/Food Recall in respect of Unsafe Food Samples**

FSSAI/State FDAs conduct regular sampling nationwide to ensure safe food availability. Upon a primary lab's report, if any food product is found unsafe under the FSS Act, 2006, Designated Officers (DOs) /Central Licensing Authorities (CLAs) shall exercise the power to direct Food Business Operators (FBO) to immediately prohibit the sale of unsafe food to protect public health. If a FBO appeals against primary lab findings and the referral lab confirms unsafety, or if no appeal is made within the stipulated time, immediate recall is mandated. DOs/CLAs must recommend to higher authorities (CEOs of FSSAI or State/UT Food Safety Commissioners) to invoke Regulation 5(3) of the Food Safety & Standards (Food Recall Procedure) Regulations, 2017, ensuring comprehensive recall and compliance with food safety standards.

( 18 JUNE 2024)

### **FSSAI test procedures must be used to test fortificants (iron, vitamin B9, and vitamin B12) in Fortified Rice, Fortified Rice Kernel, and Vitamin-Mineral Premix**

FSSAI has mandated all approved Food Testing Laboratories for Fortified Rice, Fortified Rice Kernel, and associated Vitamin-Mineral Premix to exclusively use FSSAI-approved test methods for Iron, Vitamin B9, and Vitamin B12. Labs currently employing Standard Operating Procedures (SOPs) based on FSSAI methods must incorporate these specified tests within 4 months. Failure to comply will result in delisting from the approved list, affecting their ability to test fortificants in these products.

( 11 JUNE 2024)

**For more details contact us at [support@moveahead.in](mailto:support@moveahead.in) or  
call us at 011-41666016**

## **Re-operationalisation of Food Safety and Standards (Licensing and Registration of Food Business) Amendment Regulations, 2021.**

The Food Safety Standards (Licensing and Registration of Food Business) Amendment Regulations, 2021, will be re-operationalised from 11.11.2023, to ensure food safety and fair practices in food business operations. The FBOs shall follow these regulations, and the enforcement of these shall commence only after the final regulations are notified in the Gazette of India, except for the amendment in sub-regulation 2.1.9, which has already come into effect, and in terms of schedule 4 requirements are concerned, an improvement notice may be issued to the FBOs if required.

( 5 JUNE 2024)

## **Re-operationalisation of draft FSS (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose and Prebiotic and Probiotic Food) Regulations, 2022**

The authority has decided to re-operationalize the provisions specified in the direction dated 17.11.2023, with effect from 01.01.2024, as the finalization of draft FSS (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose and Prebiotic and Probiotic Food) Regulations, 2022 is likely to take some more time. Additionally, until the final notification of the said regulation, the authority has permitted the use of additives and the GMP Table as per Codex in all categories across various formats.

( 5 JUNE 2024)

## **Re-operationalisation of Food Safety and Standards (Labelling and Display) Amendment regulations 2022 related to Labelling Requirements of non-retail container, minimally processed food, tolerance limit, warning statement related to pan masala etc.**

The FSSAI has framed draft Food Safety and Standards (Labelling and Display) Amendment Regulations 2022 and the same were operationalized dated 17.06.2022 and re-operationalized dated 06.01.2023 and 17.10.2023. As the notification of final amendment regulations is likely to take some time, it has been decided to re-operationalize the provisions specified in the direction dated 17.10.2023, with effect from 01.01.2024.

( 5 JUNE 2024)

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## **FSSAI clarifies the selling/marketing of reconstituted fruit juices as '100% fruit juices' is misleading**

The FSSAI has identified that some Food Business Operators (FBOs) are marketing reconstituted fruit juices as "100% fruit juice," which is misleading and against regulations. According to the Food Safety and Standards (Advertising and Claims) Regulations, 2018, claiming "100% Fruit Juice" is not allowed, especially when the primary ingredient is water or when the juice is reconstituted from concentrates. FBOs must adhere to the standards specified in the Food Safety and Standards (Food Products Standards & Food Additives) Regulation, 2011, and label reconstituted juices correctly. FBOs must remove the "100% Fruit Juice" claim from labels and advertisements immediately and comply by September 1, 2024.

( 3 JUNE 2024)

## **Unauthorized use of liquid Nitrogen in food by the Food serving establishments/ restaurants, Bars etc.**

The FSSAI has noted unauthorized use of liquid nitrogen in food items at restaurants and events, leading to serious health issues. Liquid nitrogen is permitted as a freezing agent in specific food categories like dairy-based desserts and ice cream under strict conditions outlined in the FSS (FPS&FA) Regulations, 2011. However, its direct use at the point of serving is not allowed and constitutes non-compliance. Food businesses must adhere to the intended technological use of liquid nitrogen during food processing only. Violations will result in statutory action as per the FSS Act, 2006 and related regulations.

( 3 JUNE 2024)

## **Extension of last date for filing Annual Return for FY 2023-24**

According to Clause 2.1.13 of the FSS (Licensing and Registration of Food Businesses) Regulations, 2011, manufacturers and importers must submit annual returns by May 31<sup>st</sup> for the previous financial year. Due to high traffic causing load issues on the FoSCoS portal, some users faced difficulties in submitting their returns by the deadline. Therefore, the submission deadline has been extended to June 30, 2024.

( 3 JUNE 2024)

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## **FSSAI notified laboratories must obtain accreditation under FSSAI-NABL Integrated Assessment for reognition**

It has been noticed by authority that several FSSAI notified laboratories have not obtained accreditation under NABL-FSSAI Integrated Scheme. Laboratories are directed to submit their application to NABL within three months. Failure to do so may result in administrative measures as outlined in Regulation 5(7) of the Food Safety and Standards (Recognition and Notification of Laboratories) Regulation, 2018.

( 3 JUNE 2024)

## **Issuance of Tatkal (instant) License/Registration by FSSAI**

FSSAI has introduced the provision of issuing instant license/registration for selected low-risk categories of food businesses through digital verification. The KoBs eligible for instant license or registration are Wholesaler, Distributor, Retailer, Transporter, Storage without Atmospheric Controlled + Cold, Importer, Food Vending Agencies, Direct Sellers, Merchant-Exporter, Petty Retailer of snacks/tea shops, & Hawker (Itinerant / Mobile food vendor) and who are not involved in food categories like Milk, Meat and Fish.

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