

Natural Goodness



Food Safety & Standards (Licensing/Registration of Food Businesses) Regulations, 2010

by

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The present draft integrates the licensing provisions in the following Orders relating to food products :-

- Fruit Products Order, 1955
- Prevention of Food Adulteration Act, 1954
- Milk and Milk Products Order, 1992
- Vegetable Oil Products (Control) Order, 1947
- Edible Oils Packaging (regulation) Orders, 1998
- The Solvent Extracted Oil, De oiled Meal and Edible flour (Control) Order, 1967
- Meat Food Products Orders, 1973

Features of this Draft....

- Unified Licensing procedures.
- Common application forms and procedures.
- Registration of food Businesses to cover all petty food businesses.
- Distinction between ‘registration’ and ‘licensing’.Cut off limits for registration and licensing.
- Sectors which have high potential for food contamination and hazard under central licensing.
- Safety, Sanitary and Hygienic conditions.

Licensing and Registration of Food Business

Registering Authority

Food Safety Officer or any official in Panchayat, Municipal Corporation or any other local body in an area, notified as such by the State Food Safety Commissioner for the purpose of registration

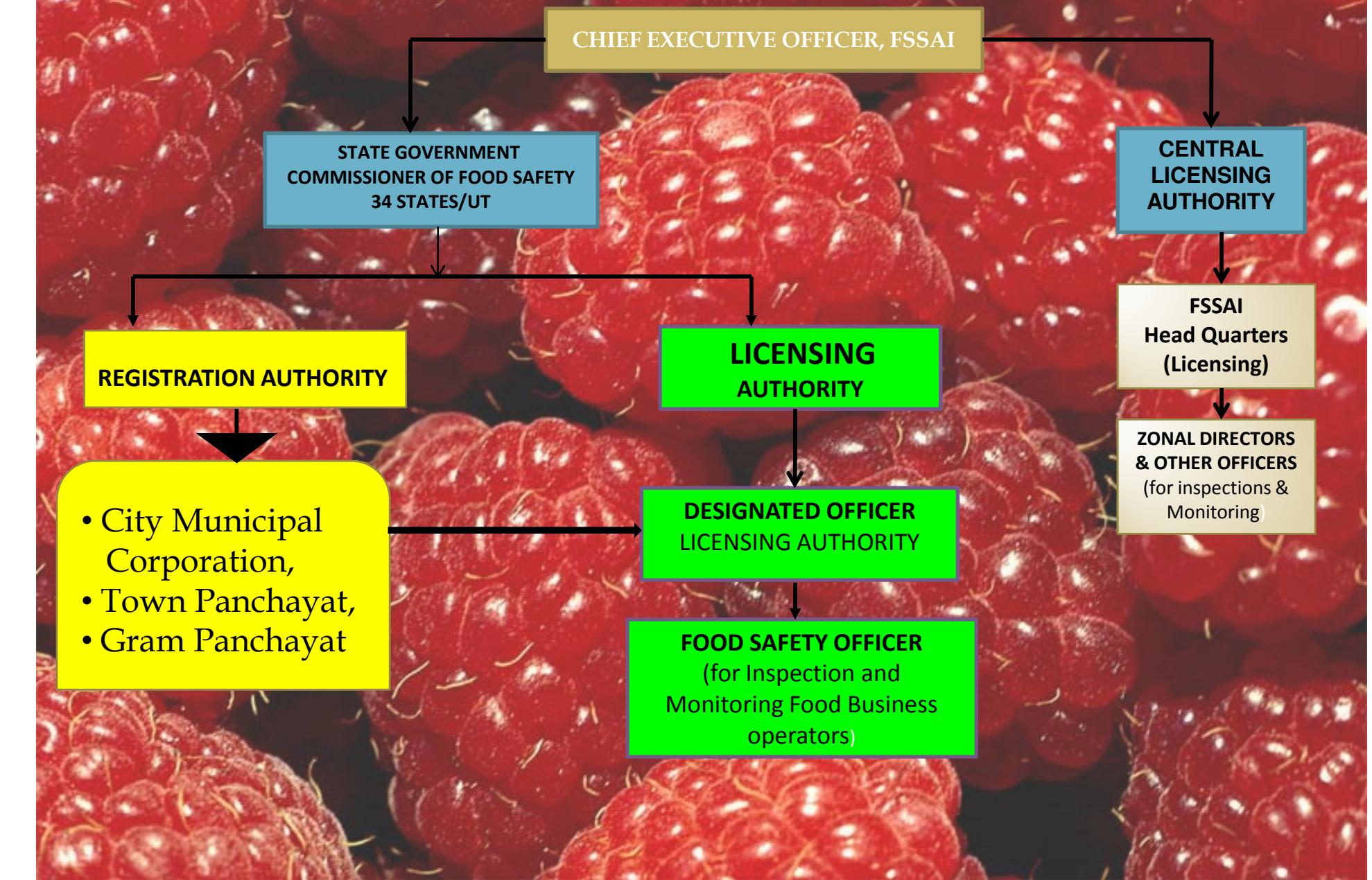
State Licensing Authority

Designated Officers appointed under Section 36(1) of the Act by the Food Safety Commissioner of a State or UT for the purpose of licensing and monitoring.

Central Licensing Authority

Designated Officer appointed by the Chief Executive Officer of the Food Authority of India in his capacity of Food Safety Commissioner

FRAMEWORK FOR REGISTRATION/ LICENSING/MONITORING OF FOOD BUSINESS ESTABLISHMENTS



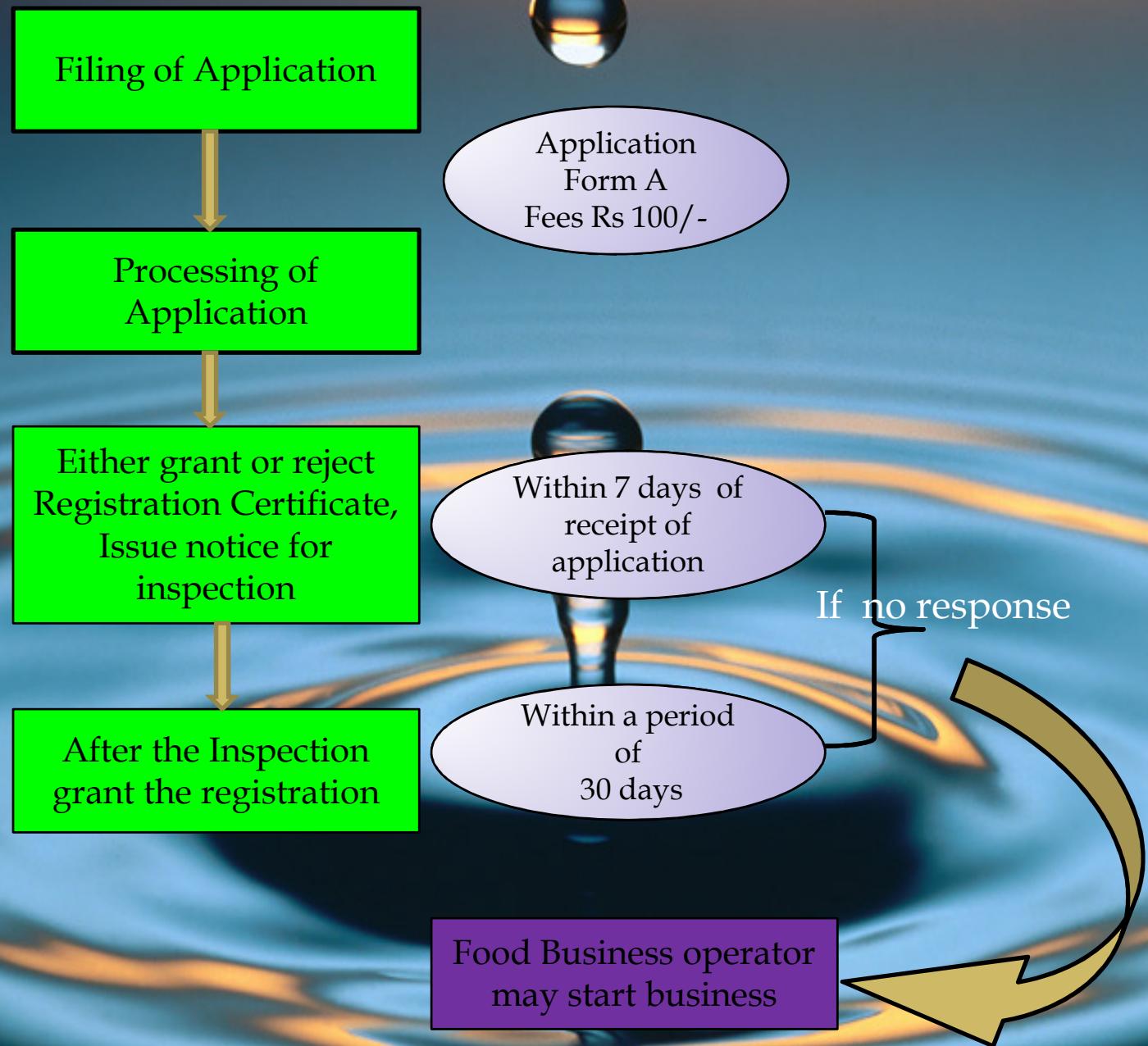
Petty Food Manufacturer

- means any Food manufacturer, who
 - Manufactures or sells any article of food or a petty retailer, hawker, itinerant vendor or temporary stall holder; or



- such other industries including small scale or cottage or tiny food businesses with an annual turnover not exceeding 12 lakhs and whose
 - production capacity of food (other than milk and milk products and meat and meat products) does not exceed 100 kg/ltr per day or
 - production or procurement or collection of milk is up to 500 litres of milk per day or
 - slaughtering capacity is 2 large animals or 10 small animals or 50 poultry birds per day or less

Procedure of Registration



Registration Procedure

- Registration shall not be refused without giving the applicant an opportunity of being heard.
- On completion of the procedures and grant of registration, A registration certificate and a photo identity card shall be issued which shall be displayed at a prominent place.
- The Registering Authority or any officer or agency specifically authorized for this purpose shall carry out inspection of the registered establishments

License

- No person (other than petty food businesses) shall commence any food business without obtaining a valid license.**
- Existing Operator holding valid license/registration shall be granted a license within one year of notification of this Regulation**
- No license fee for the remaining period of the validity of the earlier license.**
- License for businesses mentioned under Schedule 1, shall be granted by the Central Licensing Authority and all others by State licensing Authority**
- Importers of food items shall obtain a license from the Central Licensing Authority in addition to license taken for any other food business.**

Dairy units :

- More than 50 thousand litres of liquid milk/day or
- 2500 MT of milk solid per annum



Vegetable oil processing units and refineries

Installed capacity more than 2 MT per day



Slaughter houses

- ✓ 50 large animals
- ✓ 150 or more small animals,
- ✓ 1000 or more poultry birds per day.



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Meat processing

More than 500 kg
of meat/day or
150 MT per annum



All other food processing Industries

2 MT/day except
grains, cereals
and pulses
milling units.



Contd...

- i. 100 % Export Oriented Units
- ii. All Importers importing food items
- iii. Any article of Food which does not fall under any of the food categories or deviates from the prescribed specification for additives.
- iv. Retail chains operating in two or more states
- v. Food catering services in establishments and units under Central government Agencies like Railways, Airlines and airport, Seaport, Defense etc.

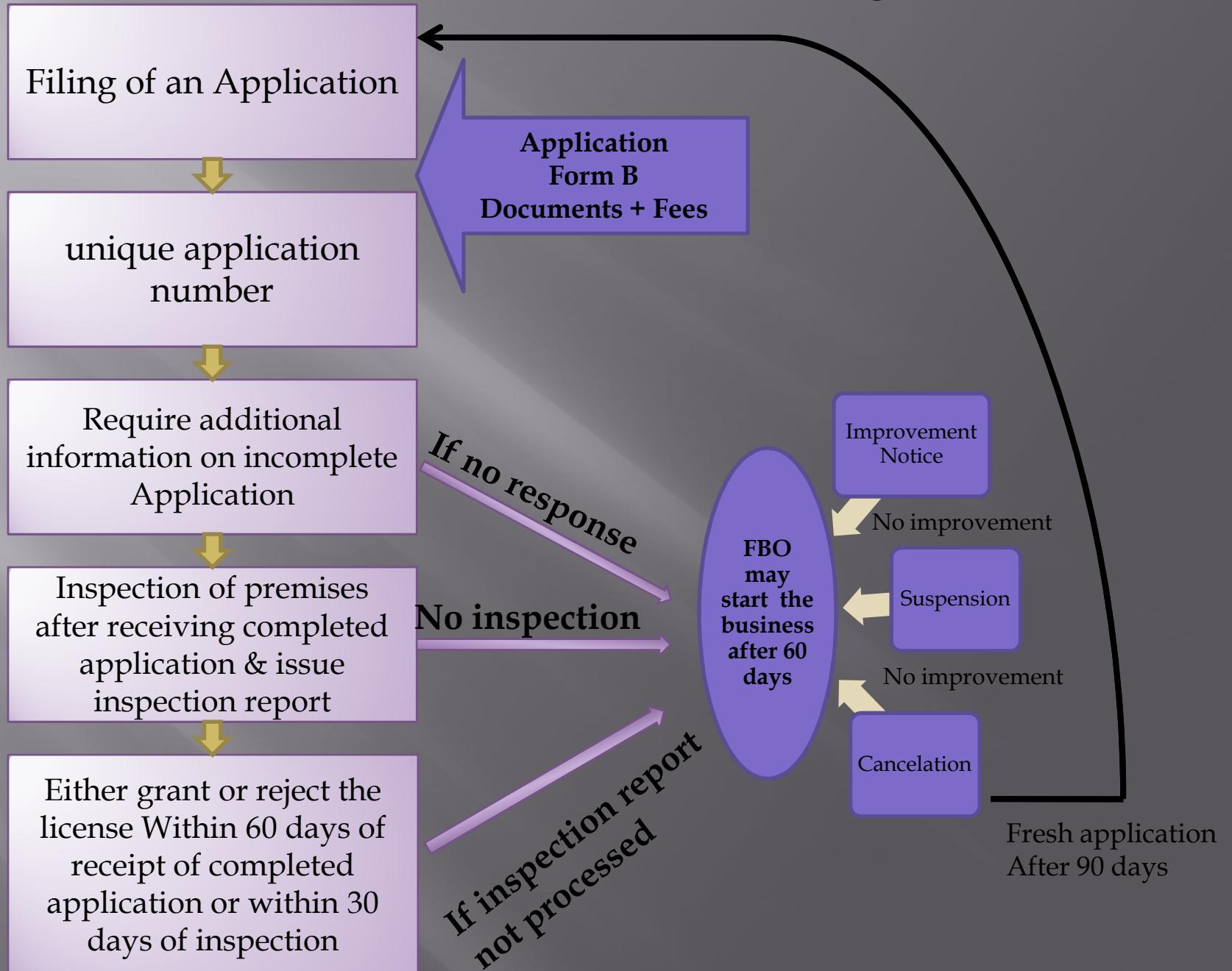
Documents to be enclosed with new application for license to State/Central Licensing Authority

- Form-B duly completed and signed (in duplicate)
- Blueprint/layout plan of the processing unit
- List of Directors with full address and contact details
- Name and List of Equipments and Machinery
- Photo I.D and address proof.
- List of food category desired to be manufactured.
- Authority letter with name and address of responsible person nominated by the manufacturer along with alternative responsible person.
- Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from a recognised/public health laboratory to confirm the potability.

Cont...

- Proof of possession of premises.
- Partnership Deed/Affidavit/Memorandum & Articles of Association towards the constitution of the firm.
- NOC from manufacturer in case of Re-labellers
- Food safety management system plan or certificate if any
- Source of milk or procurement plan for milk including location of milk collection centers etc in case of Milk and Milk Products processing units.
- Source of raw material for meat and meat processing plants
- Pesticide residues report of water in case of units manufacturing Packaged drinking water, packaged Mineral water and/or carbonated water.
- Recall plan, if any
- NOCs from Municipality or local body and from State Pollution Control Board

Procedure of Licensing



Modifications, Expansion or Changes

Food Business Operators Shall inform the Authority

Any modifications or additions or changes in product category, layout, expansion, closure, or any other material information based.

Any change that alters the information contained in the license certificate shall require an approval or endorsement in license prior to start of business with such changes.

Submit the original license along with a fee.

The Authority may approve and issue an amended license within 30 days from the date of receipt of such information.

Return

Submit a return in Form 'D' on or before 31st May of each year, in respect of each class of food products handled by FBO during the previous financial year.

1. Form D1 - Annual Return for businesses other than Dairy
2. Form D2 - Part - Monthly return for dairy units
3. Form D2 - Part 2- Annual return for Dairy units

Any delay in filing return beyond 31st May of each year shall attract a penalty of Rs 100 per day of delay.

Validity and Renewal of Registration and License

- i. For a period of 1 to 5 years as desired by the FBO, from the date of issue of registration or license
- ii. apply in Form A or B, not later than 30 days prior to the expiry date indicated in the license.
- iii. The Registration or License shall continue to be in force till such time that the orders are passed on the renewal application which in no case shall be beyond 30 days from the date of expiry of registration or license.
- iv. Any renewal application filed beyond the period mentioned above but before the expiry date, shall be accompanied by a late fee of Rs 100 per day of delay

1. Fees for Registration	Rs 100
2. Fees for License issued by Central Licensing Authority:	Rs 7500
3. Fees for License issued by State Licensing Authority:	
Manufacturer/Miller	
Above 1MT per day Production or 10,001 to 50,000 LPD of milk or 501 to 2500 MT of milk solids per annum	Rs. 5000/-
Below 1 MT of Production or 101 to 10,000 LPD of milk or 51 MT to 500 MT of milk solids per annum	Rs.3000/- Rs. 5000/-
Hotels - 3 Star and above	
All Food Service providers including restaurants/boarding houses, hotels below 3 star, clubs etc. serving food, Canteens (Schools, Colleges, Office, Institutions), Caterers, Banquet halls with food catering arrangements, food vendors like dabba wallas etc.	Rs. 2000/-
Any other Food Business Operator	Rs. 2000/-

The fees paid not refundable under any circumstances.

License lost, destroyed, torn, defaced or mutilated, licensee to apply for a duplicate copy of the registration certificate or license during the validity period, accompanied with a fee amounting to 10% of the applicable License fee. Duplicate license to have word “Duplicate” word on it.

Liability for Compliance

Section 27

Manufacturer shall be liable for meeting all requirements under this Act

Wholesaler/distributor shall be liable only for

Sale after expiry

stored or supplied in violation of the safety instruction

Unsafe or misbranded

Manufacturer unidentifiable

Received with knowledge of being unsafe

Seller shall be liable only for

Sale after expiry

Handled or kept in unhygienic conditions
misbranded

Manufacturer unidentifiable

Inspections and Reports

Inspection for New applicant/ Routine Inspection

On receiving the completed application licensing authority directs Food Safety Officer or any other person specially designated for such functions to inspect the premises.

A prescribed inspection procedure being laid down in **Chapter Inspection of food establishments and Inspection of Special Establishments.**

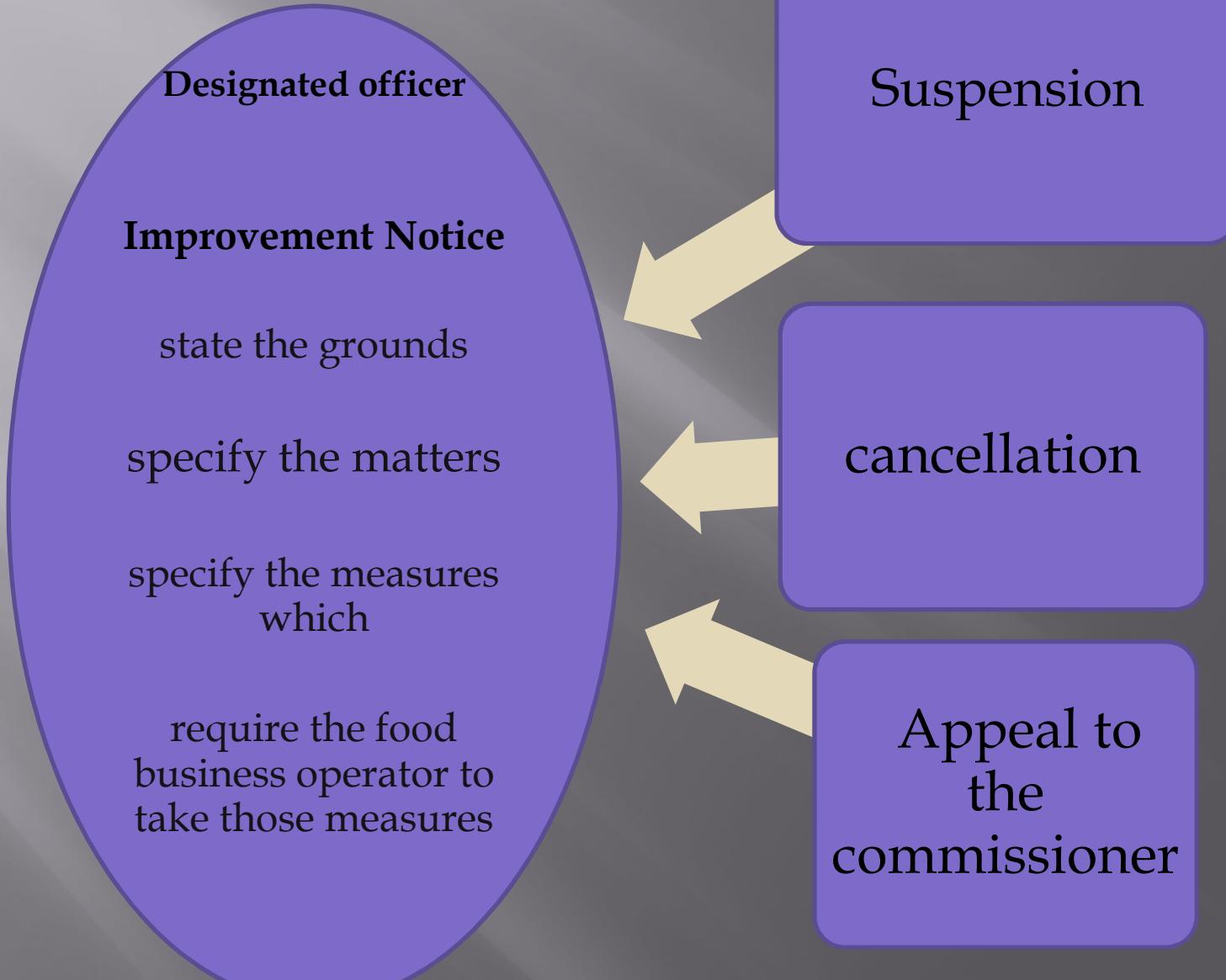
A detailed Inspection Report to be prepared by the officer as per the format A.

Copy of the same has to be handed to the applicant suggesting compliance for improvements if any.

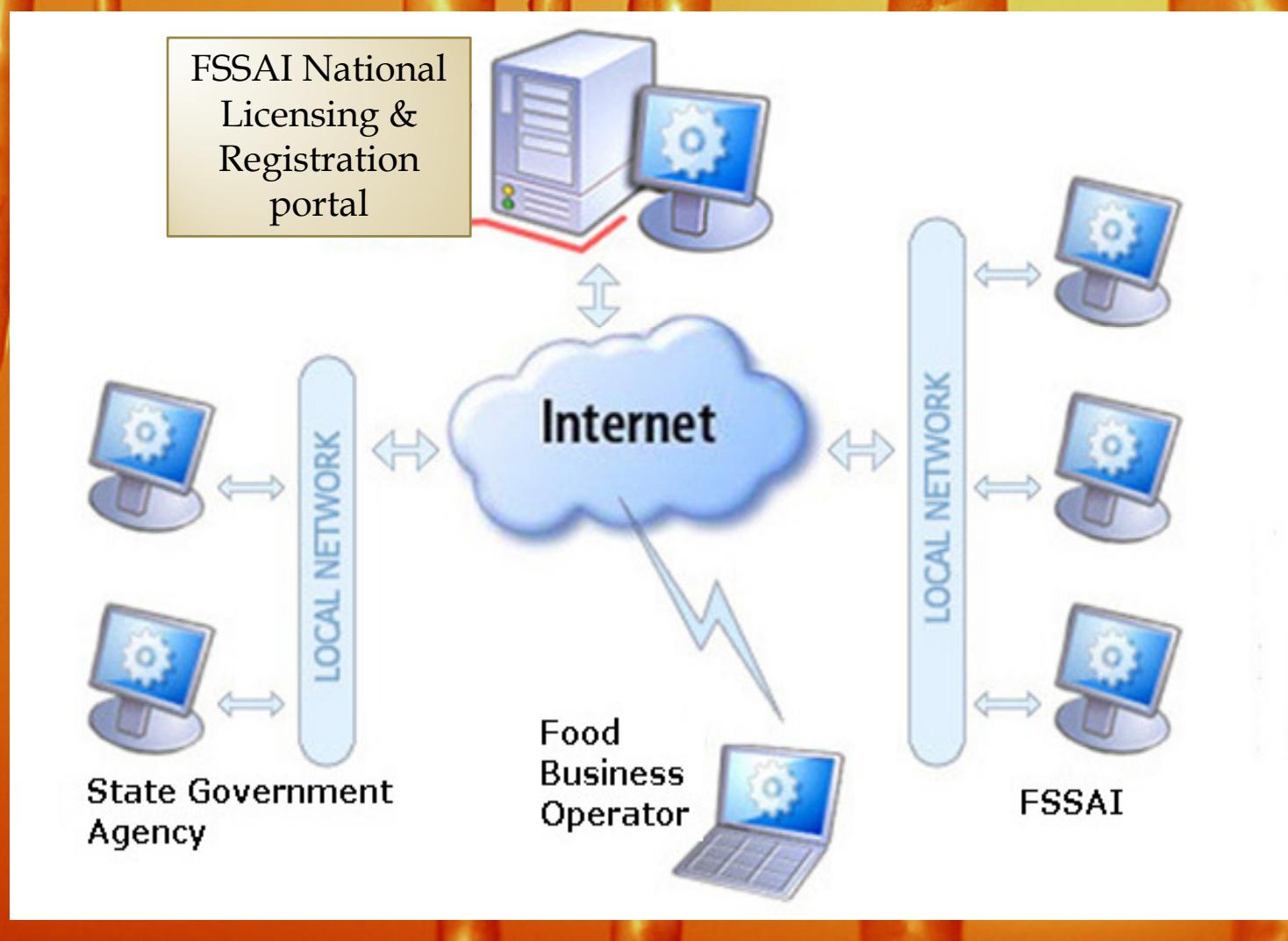
After confirming that all requirements have been complied with the requirements a licence to be issued by the Licensing Authority in format C provided under Schedule 2 of the Regulations 2010.

- Inspection Report Format
- Detention/ Seizure Memo
- Improvement Notice Format

Improvement Notices



IT enabled licensing & registration



What is new....

- **Single Window**
- **Less inspections, more audit of system**
- **Preventive rather than after the event**
- **Independent regulator of safety**
- **Transparent science based standards and Procedures**
- **Pooling of regulatory resources**
- **Responsibility of Food Business Operator**

Contd....

- Recall of unsafe food.
- Small vendors exempted from licensing.
- 60 days time limit for processing of license.
- Adjudication and compounding offences.
- Quicker justice.
- Penalty for harassment by Food safety Officer.
- Less inspector Raj.

Ready for the Race

THANK YOU



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