

F. No. REG/L&D-Extension /FSSAI-2021
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety & Standards Act, 2006)
(Regulation division)
FDA Bhawan, Kotla Road, New Delhi-110 002

Dated, the 2nd October, 2021

Subject: Direction under Section 16 (5) of Food Safety and Standards Act, 2006 to extend the timeline for compliance with the Food Safety and Standards (Labelling and Display) Regulations, 2020.

Reference is drawn to Directions/notifications:

(i) Food Safety and Standards (labelling and Display) Regulations, 2020 dated 17th November 2020 vide no. F. No. 1-94/FSSAI/SP(Labelling)/2014(Pt-2) being enforced for compliance w.e.f. 17.11.2021;

(ii) Food Safety and Standards (Labelling and Display) First Amendment Regulations, 2021 dated 10th September, 2021 vide no. F. No. Std/SP-08/A-1.2019/N-02 being enforced for compliance w.e.f. 17.11.2021;

(iii) Direction under Section 18 (2)(d) read with Section 16 (5) of Food Safety and Standards Act, 2006 dated 29th June 2021 regarding nomenclature of blended edible vegetable oil (BEVO) vide F. No. REG/Representation-MSEO/FSSAI-2021 being enforced for compliance w.e.f. 17.11.2021;

(iv) Food Safety and Standards (Food Products Standards and Food Additives) First Amendment Regulations, 2021 dated 4th March, 2021 vide no. F. No. 1-116/Scientific Committee/Notif.27/2010-FSSAI(E) being enforced for compliance w.e.f. 01.01.2022;

(v) Food Safety and Standards (Food Products Standards and Food Additives) Regulations, Third Amendment Regulations, 2021 dated 26th

July, 2021 vide F. No. 1-116/Scientific Committee/Notif.28.4/2010-FSSAI (1) being enforced for compliance w.e.f. 01.02.2022;

(vi) Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) First Amendment Regulations, 2021 dated 06th September, 2021 vide F. No. Stds./03/Notification (Nutra)/FSSAI - 2017 being enforced for compliance w.e.f. 01.04.2022;

(vii) Direction under Section 16 (5) of Food Safety and Standards Act, 2006 dated 22nd June 2021 regarding implementation of Food Safety and Standards (Foods for Infant Nutrition) Regulations, 2020 being enforced for compliance w.e.f. 01.04.2022;

2. The concerns of industry in respect of the dates of enforcement of various labelling provisions specified in these regulations / directions and the request to defer these dates were considered by the 36th meeting of Food Authority held on 23rd September, 2021.

3. The Food Authority also considered the request from industry representatives to maintain status quo in respect of the tolerance limits for label-declared quantity of nutrients currently specified in the *Food safety and Standards (Packaging and Labelling) Regulations, 2011* till the time a decision is taken on the finalization of revised tolerance limits.

4. In respect of the above, the Food Authority has decided as follows:

(I) The timeline for mandatory compliance of the provisions relating to labelling only in the above-mentioned notifications/directions, except S. No. (iii), is extended up to 1st July, 2022. Till such time food business operators may use the specified labelling provisions on a voluntary basis. However, products mentioned in these notifications/direction shall comply with the standards and all other requirements specified therein.

(II) With reference to the Direction listed at Sr. No. (iii) above, the *Food Safety and Standards (Prohibition and Restrictions on Sales) Amendment Regulations, 2021*; *Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2021*; and *Food Safety and Standards (Labelling and Display) Amendment Regulations, 2021*, as enclosed, are re-operationalized with effect from 1st July, 2022

(III) In the context of tolerance limits for nutrients, the existing provision of *Food Safety and Standards (Packaging and Labelling) Regulations, 2011*, as under, shall prevail till a final decision is taken by the Food Authority in this regard:

"The compliance to quantity of declared nutrients on the label shall be according to the established practices"

5. This issues with the approval of the Competent Authority in exercise of the power vested with Food Authority under Section 18(2)(d) read with Section 16 (5) of Food Safety and Standards Act, 2006.

Encls: As above



(Inoshi Sharma]

Executive Director (Regulatory Compliance)

To

1. All Food Safety Commissioner
2. All Authorised Officer, FSSAI
3. All Central Designated Offices of FSSAI

Copy for information to:

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. All Directors, FSSAI

Enclosures

Notice for operationalization of draft Food Safety and Standards (Labelling and Display) Amendment Regulations, 2021

Food Safety and Standards Authority of India, hereby makes the following regulations operational with effect from 01.07.2022 till then Food Business Operators may use these provision as voluntarily.

1. (1) These regulations may be called the Food Safety and Standards (Labelling and Display) Amendment Regulations, 2021.
2. In the Food Safety and Standards (Labelling and Display) Regulations, 2020 (herein after refer as said regulations), -
 - (1) In regulation 5,
 - (I) In sub-regulation 5(3),
 - (i) in clause (b)(ii)(C),
 - (a) The second proviso starting with 'provided that' and ending with "more than 0.5%" shall be substituted with:

"Provided that saturated fat and trans fat to be given only if total fat content is more than 0.5% in final food."
 - (b) after the second proviso, the following proviso shall be inserted:

"Provided further that cholesterol content to be given only for products containing fats of animal origin and where total fat content is more than 0.5%."
 - (ii) for clause (c)(xi), the following shall be substituted, namely:

"(xi)Chewing gum and bubble gum";
 - (II) In sub-regulation 5(7), in clause (e), the words 'Schedule II' shall be substituted with 'Schedule I'.
 - (III) In sub-regulation 5 (10), under clause (b) (i) the following shall be inserted, namely:

“Provided that for products with shelf life of more than 3 months, the “DD/MM/YY” format may also be used.

(IV) In sub-regulation 5(14),

(a) In clause (i), after the words “name of the cereal);”, the following shall be inserted, namely:

“except:

- (a) wheat based glucose syrups including dextrose*
- (b) wheat based maltodextrins*;
- (c) glucose syrups based on barley;
- (d) cereals used for making alcoholic distillates including ethyl alcohol of agricultural origin;

*And the products thereof, provided these ingredients have been assessed as safe and gluten shall not be more than 20 mg/kg.”

(b) the second proviso starting with “provided further” and ending with “ingredients” shall be substituted with following:-

“Provided further that this declaration is not required in case of oils and distilled alcoholic beverages derived from these ingredients and where the product itself is a food allergen.”

(2) In sub-regulation 6 (3),

(a) For Table I the following shall be substituted, namely: -

Table I

Area of Principal Display Panel	Minimum Height of numeral and letter in mm	
	Normal case	When Blown, formed Moulded, or perforated on container
Upto 200 cm ²	1	2
Above 200 cm ² upto 500 cm ²	2	4
Above 500 cm ² upto 2500 cm ²	3	5
Above 2500 cm ²	6	8

(b) After first proviso starting with words “Provided that” and ending with “made there under”, the following proviso shall be inserted:

"Provided further that the size of numeral and/or letter required for all declarations under these regulations on the crown/closure of returnable glass bottle shall not be less than 1 mm."

(3) In sub-regulation 8, after clause (1) the following shall be inserted, namely:

"(1) (a) The 'date of manufacture' may not be required to be mentioned on the package having surface area of less than 30 square centimeters but this information shall be given on the multi-unit packages.;"

(4) In Schedule II,

(I) in clause 1,

(a) for provision 1(1)(3), in proviso starting with "provided if" and ending with "ingredients", the word '(in ppm)' shall be substituted with "(in mg/100ml or mg/100gm)"

(b) under provision 1(6),

(i) the word "OR" shall be omitted

(ii) the word "OR" shall be inserted after the words "CRUSH THE BOTTLE AFTER USE" and before the words "DISPOSE THE BOTTLE RESPONSIBLY"

Notice for operationalization of Draft Food Safety and Standards (Prohibition and Restrictions on Sales) Amendment Regulations, 2021-

Food Safety and Standards Authority of India, hereby makes the following regulations operational with effect from 01.07.2022 till then Food Business Operators may use these provision as voluntarily.

1. These regulations may be called the Food Safety and Standards (Prohibition and Restrictions on Sales) Amendment Regulations, 2021.
2. In the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011, in regulation 2.3 relating to —Prohibition and Restriction on sale of certain products, in sub-regulation 2.3.14, for clause (11), for the words “Multi Source Edible Vegetable Oil” wherever they occur shall be substituted as “Multi-Source Edible Oil”.

Notice for operationalization of Draft Food Safety and Standards Food Product Standards and Food Additive) Amendment Regulations, 2021.

Food Safety and Standards Authority of India, hereby makes the following regulations operational with effect from 01.07.2022 till then Food Business Operators may use these provision as voluntarily.

Regulations

1. These regulations may be called the Food Safety and Standards (Food Product Standards and Food Additive) Amendment Regulations, 2021.
2. In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in regulation 2.2, in sub-regulation 2.2.1, in clause 24, the words "Multi Sourced Edible Vegetable Oil" shall be substituted as "Multi-Source Edible Oil".