

Dated, the 24th August 2020

Order

Subject: Waiving off the penalties during CoVID-19 pandemic period due to non submission of Annual/Half-yearly returns by food businesses in previous years - reg.

Reference FSSAI orders of even number dated 11th April 2020 and 31st July 2020 on extension of dates for submission of Annual returns (Form D1) for FY 2019-20 and Half-yearly returns (Form D2) for October 2019 to March 2020 and April 2020 to September 2020 by FSSAI licensed food businesses involved in manufacturing/processing and importing of food products till 31st December, 2020.

2. The issue has been raised by several FBOs regarding accruing of penalties as mentioned under clause 2.1.13 (3) of FSS (Licensing and Registration of Food Businesses) Regulations, 2011 due to non-submission of returns for previous financial years during CoVID-19 pandemic period and seeking relaxation in penalty amount levied during this period.

3. Reviewing the situations and in coherence of FSSAI orders of even number dated 11th April 2020 and 31st July 2020, it is decided to not count the period of 22nd March 2020 to 31st Decemeber 2020 for further accumulation of penalties under clause 2.1.13 (3) of FSS (Licensing and Registration of Food Businesses) Regulations, 2011 due to non-submission of returns of previous financial years.

4. This issues with the approval of Competent Authority and under section 16(5) of Food Safety and Standards Act, 2006.

Encl: As stated



(Dr Shobhit Jain)

Executive Director (Compliance Strategy)

Email: ed-office@fssai.gov.in

To

1. All Food Business Operators
2. Commissioner of Food Safety of all States/UTs and all Central Licensing Authorities
3. Head (IT), FSSAI: for uploading the order on FSSAI website.

Copy for information to -

1. Head (RCD)
2. PPS to Chairperson, FSSAI
3. PS to CEO, FSSAI

Dated, the 31st July 2020

Order

Subject: Orders issued by FSSAI giving relaxations to the FBOs during the period of lockdown due to CoVID-19 - reg.

Reference FSSAI order of even number dated 19th June 2020.

2. Reviewing the situations further, it has been decided to extend the validity of following orders issued by FSSAI upto 31st December, 2020;

(i) Order dated 31st March 2020 related to processing of FSSAI License/Registration applications during the lockdown situations by the way of e-inspections.

(ii) Order / Directions under Section 16(5) of Food Safety and Standards Act, 2006 dated 31st March 2020 regarding allowing FBOs to temporarily operate their food business on the basis of application for license/registration during the period of lockdown.

3. Further, it has been decided to extend the date of submission of Annual returns (Form D1) for FY 2019-20 and Half-yearly returns (Form D2) for October 2019 to March 2020 and April 2020 to September 2020 by FSSAI licensed food businesses involved in manufacturing/processing and importing of food products till 31st December, 2020.

4. This issues with the approval of Competent Authority and under section 16(5) of Food Safety and Standards Act, 2006.

Encl: As Stated



(Dr Shobhit Jain)

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3. PS to CEO, FSSAI

No. 15 (6)2020/FLRS/RCD/FSSAI
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety and Standards Act, 2006)
(Regulatory Compliance Division)
FDA Bhawan, Kotla Road, New Delhi - 110002

Dated, the 19th June, 2020

ORDER

Subject: Orders issued by FSSAI giving relaxations to the FBOs during the period of lockdown due to Covid-19- reg.

FSSAI, in order to facilitate the FBOs and ensure smooth operation of food supply chains across the country issued various orders during the period of national lockdown in the wake of Covid-19 pandemic vide which various relaxations were extended to the FBOs for the period of lockdown.

2. Ministry of Home Affairs, Government of India vide its Order No. 40-3/2020-DM-I (A) dated 30.05.2020, has w.e.f. 01.06.2020 extended lockdown for containment zones till 30.06.2020. Few States have extended the lockdown with varied easement of restrictions.

3. In view of the above facts, the matter has been reviewed and it has been decided to amend the validity of the following Orders issued by FSSAI to **31.07.2020**:

(i) Order dated 31st March 2020 related to processing of FSSAI License / Registration Applications during the lockdown situations by the way of e-inspections.

(ii) Order / Direction under Section 16 (5) of Food Safety and Standards Act, 2006 dated 31st March 2020 regarding allowing FBOs to temporarily operate their food business on basis of application for license / registration during the period of lockdown.

(iii) Specific dispensation Orders No 15 (8)2020/FLRS/RCD/FSSAI dated 13th April 2020 & 17th April 2020 under Section 16 (5) read with Section 18 (2) (d) of the Food Safety and Standards Act, 2006 w.r.t. compliance to the requirements of Food Safety and Standards Regulations.

4. It is further clarified that for these Orders the facility extended shall cease w.e.f. 31.07.2020 irrespective of the status of lockdown/containment at any location.

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


(Dr Shobhit Jain)

Executive Director (Compliance Strategy)

To

1. All Food Business Operators involved in Manufacturing/Processing of Food Products
2. Commissioner of Food Safety of all States/UTs and all Central Licensing Authorities
3. CITO, FSSAI: For uploading on FSSAI website.

Copy for information to -

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI

File No. 15(6)2020/FLRS/RCD/FSSAI
Food Safety and Standards Authority of India
(Regulatory Compliance Division)
FDA Bhawan, Kotla Road, New Delhi – 110002

Dated the 31st March, 2020

Order

Subject: Processing of FSSAI License/Registration Applications during the lockdown situations by the way of e-inspections – reg.

The entire country is at present under lockdown due to Covid19 pandemic. Under these circumstances it is not possible to conduct physical inspection of food units by food regulatory authorities. This may result in delay in grant of licenses/registrations where licensing authorities decide to have inspection of food units before considering grant of license/ registration. This needs to be avoided during lockdown period when food services assume utmost importance.

2. FSSAI has from time to time issued directions emphasising post license inspection instead of pre license/registration inspection due to limited manpower and avoid undue delays in sanctioning licenses. However, the licensing/registering authorities may in certain cases particularly of high risk food categories, decide to have pre license inspection. Since during the lockdown period inspection would not be possible, it has been decided to consider e-inspections in place of physical inspection. This step will avoid undue delay in processing and granting of licenses/registrations by Licensing authorities.

3. Accordingly, in cases, where licensing or registering authority decides to conduct inspection prior to grant of FSSAI License/Registration Certificate, the concerned authority may conduct e-inspection of FBO's premise/unit i.e. authority may record the observations by the way of videos or images submitted by the concerned FBO. The mode of submission of videos or images related to inspection during the lockdown situation may be through any possible media available, including live streaming if possible. Upon receiving satisfactory videos or images of the FBO's premise/unit, the licensing/registering authority shall further process the application without any delay. If the facility of downloading of videos or images is available through that media, the concerned authority shall download and keep a copy of these visuals in their electronic device for future reference.

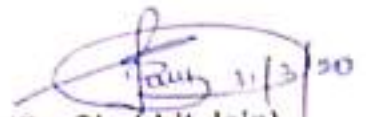
3. It is to be noted that food being the essential commodity, licensing/registering authorities shall make all possible efforts during such situation to process the applications for FSSAI License/Registration for any kind of business without any undue delay. The requirement of inspection should be kept to bare minimum, and such instances should be regularly reviewed by the Commissioners of Food Safety. Further, after restoration of normalcy, the authorities may schedule the inspections of


31/3/20

the FBOs to whom license/registration have been granted during the lockdown situation, if required.

4. These orders shall be in operation during the present lockdown period only. The Commissioners of Food Safety are directed to issue necessary directions to Licensing/Registering authorities for compliance.

5. This issues with the approval of Competent Authority under Section 16(5) of the FSS Act, 2006.



(Dr. Shobhit Jain)

Executive Director (Compliance Strategy)
Email: ed-office@fssai.gov.in

To -

1. Commissioners of Food Safety of all States/UT
2. Director of all Regional Offices, FSSAI
3. CITO, FSSAI - for necessary action

For info -

1. PS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. Head (RCD)

File No. 15(6)2020/FLRS/RCD/FSSAI
Food Safety and Standards Authority of India
(Regulatory Compliance Division)
FDA Bhawan, Kotla Road, New Delhi – 110002

Dated the 31st March, 2020

Order

Subject: Directions under Section 16(5) regarding allowing FBOs to temporarily operate their food business on basis of application for license/registration during the period of lockdown– reg.

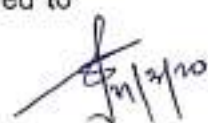
To ensure uninterrupted food services/supply during lockdown in the country due to COVID-19 pandemic, it has been decided to allow Food Business Operators (FBOs) **other than Manufacturers** to temporarily operate their food business under FSS Act, subject to compliance with the FSS Act, 2006 and Rules and Regulations, on the basis of a valid receipt of FSSAI licence/ registration application having 17-digit Application Reference Number (ARN) generated on Food Licensing and Registration System (FLRS). [URL- <https://foodlicensing.fssai.gov.in/index.aspx>]

2. FBOs will be required to have applied/apply for FSSAI License/Registration by making online application with prescribed fee through online mode on FLRS and possess a valid receipt of application having 17-digit Application Reference Number (ARN). Further, FBO shall be required to inform by email to the concerned licensing/registering authority/ Commissioner of Food Safety about commencing his food business enclosing a scanned copy of the application in Form M enclosed. The same needs to be signed by Proprietor, Director, Partner or a senior employee of the applicant. List of Commissioner of Food Safety is available at <https://fssai.gov.in/cms/commissioners-of-food-safety.php>.

3. Such FBOs shall respond to the queries on application, if raised by the authorities and shall be bound to follow all the instructions as given by the authorities. Further, FBO shall stop all of his food business activities immediately, if his application is rejected by the licensing/registration authority, even in the lockdown period itself.

4. The said permission is available to only those applicants who are allowed to operate in the lockdown. The FBO shall cease his operations related to food at the said premises within 30 days after lockdown ends, unless he has obtained a valid FSSAI licence/ registration as applicable.

5. In case of State/UT specific lockdown, this permission shall be limited to the respective State/UT only. The State/UT Governments (Commissioners of Food Safety) may restrict this permission to certain kind of businesses/food categories depending upon the exigencies during the lockdown. It is again clarified that this permission is **not for FBOs applying for FSSAI License/ Registration for Manufacturer Kind of Business (KoB)**. In other words, FBOs applying for FSSAI License/Registration for Kind of Businesses other than Manufacturer are allowed to


31/3/20

temporarily operate their food business immediately after submission of their application for license/registration during the lockdown period.

6. Commissioners of Food Safety are advised to supervise the scheme which is for the facilitation of the food business operators in public interest, during the period of lockdown. Once, the lockdown ends, Commissioners of Food Safety must ensure that the FBOs who have availed the permission of operating (without FSSAI license/registration) on the basis of 17-digit Application Reference Number (ARN) generated on FLRS, shall cease operations within 30 days from the end of lockdown period, unless FSSAI licence/registration has been obtained by them. Commissioners of Food Safety shall also ensure that the applications shall be processed on priority and approvals granted expeditiously for the licenses/ registration(s) applied. In case required, the approvals shall be subject to inspection either physical or e-inspection (through videos/images) and FBOs shall be required to comply with the observations of the inspection.

7. This issues with approval of the Competent Authority in exercise of the power vested with Food Authority under Section 16(5) of the FSS Act, 2006.


(Dr. Shobhit Jain)

Executive Director (Compliance Strategy)

Email: ed-office@fssai.gov.in

To –

1. Commissioner of Food Safety of all States/UT
2. Director of all Regional Offices, FSSAI
3. CITO, FSSAI – for necessary action

For info –

1. PS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. Head (RCD)

FORM- M

To

State: _____

Subject: Intimation and declaration regarding commencing of food business activities during the lockdown period by possessing the valid receipt of application having _____ (17-digits) Application Reference Number (ARN) for FSSAI license/registration - reg.

Madam/ Sir,

I am in business of _____ (nature of business) and the details of my business are as below:

- A) Name of entity:
- B) Type of entity:
- C) Address of premise of food business operations:
- D) Details of responsible person
 - i) Name:
 - ii) Mobile:
 - iii) Alternate mobile/ landline
 - iv) Email ID:
- F) Kind of Business:
- G) Category (as per Food Category System) of food being handled:
- H) Application Reference Number (ARN) generated from FLRS (17-digits):

General declaration and undertaking:

- i. I hereby undertake that I shall maintain all hygiene requirements in my operation including extra precautions required to prevent spread of COVID19. I shall follow all requirements of Food Safety and Standards Act 2006 and Rules and Regulations made therein. I shall only handle food which is permissible under the FSS Act, 2006.
- ii. I hereby declare that I have the requisite permission to operate in the lockdown and my operation shall be limited only for essential items and supplies, as permitted by authorities.
- iii. I shall be responsible for the compliance of the FSS Act 2006 and Rules and Regulations made therein, at the said premises.
- iv. I shall not undertake any manufacture of food products in the said premises, without a valid FSSAI license or registration.

- v. I understand that the said permission is only for a period of lockdown. I shall cease my activities at the premises related to food, unless I have a valid FSSAI license/registration as applicable, within 30 days of the end of lockdown.
- vi. I understand the permission being availed does not in any way grant any approval to operate in lockdown. I am liable for violation of the directions regarding lockdown if found culpable. The permission shall also not be construed as waiver/ compliance of any other requirement by any other government agency/ department or law required for operations.

Date:

Place:

(Signature of Authorised Signatory)

Name:

Address:

Email:

Mobile:

Issued by e-mode.

File No. 15(6)2020/FLRS/RCD/FSSAI
Food Safety and Standards Authority of India
(Regulatory Compliance Division)
FDA Bhawan, Kotla Road, New Delhi – 110002

Dated the 11th April, 2020

Subject: Submission of Annual/Half-yearly Returns by licensed Manufacturers/Processors and Importers of Food Products – Extension of timeline due to COVID-19 pandemic - reg.

As per clause 2.1.13 and Conditions of License in Annexure 3 of Schedule 2 of the FSS (Licensing and Registration of Food Businesses) Regulations, 2011, all licensed Food Business Operators (FBOs) involved in manufacturing/processing including Relabellers/Repackers and Importers are required to submit annual return of their food businesses in Form D-1 for every preceding year by 31st May and FBOs involved in manufacturing/ processing of Milk and Milk Products are required to submit half yearly return in the Form D2 within one month of the end of the preceding half-year to the concerned Licensing Authority.

2. Considering the difficulties faced by FBOs in submission of annual/half yearly returns during lockdown in the country due to COVID-19 pandemic, it has been decided to extend the timeline for submission of annual return for FY 2019-2020 and half yearly return for October, 2019 – March, 2020, till 31st July, 2020.

3. FBOs shall send their returns as per the requisite formats (D1/D2) through email/physical copies to concerned licensing authorities. The list of Licensing Authorities is available on the website of FSSAI as under:

- i) Central License (100xxxxxxxxxx), Details of Central License Authorities: (<https://fssai.gov.in/cms/designated-officer.php>)
- ii) State License (1xxxxxxxxxx), Details of State Food Authorities: (<https://fssai.gov.in/cms/commissioners-of-food-safety.php>).

4. This issues with approval of the Competent Authority in exercise of the power vested with Food Authority under Section 16(5) of the FSS Act, 2006.



(Dr. Shobhit Jain)

Executive Director (Compliance Strategy)

Email: ed-office@fssai.gov.in

To –

1. All FSSAI Licensed FBOs involved in manufacturing/processing/importing of food products.
2. Commissioners of Food Safety of all States/UT
3. Director of all Regional Offices, FSSAI
4. CITO, FSSAI – for uploading on the website

For info –

1. PS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. Head (RCD)

FORM D-2'

(See Regulation 2.1.13)

Half Yearly Return for Milk and Milk Products

For the period ending

a) 1st April to 30th September

b) 1st October to 31 March

1. Name and address of Licensee:-
2. Address of the authorized premises for the manufacturing milk and milk products:
3. License No. date of issue/validity.....
4. Procurement

Type of milk	Total Qty MT	Total fat MT	Average		Total SNF content MT	Price Rs / kg of milk	Price Rs/kg of fat	Price Rs/kg of SNF
1	2	3	4		5	6	7	8
			Fat%	SNF%				
			a	b				
A) Own Sources								
Cow								
Buffalo								
Mixed								
B) Milk supplied by other dairies								
Cow								
Buffalo								
Mixed								
Total A+B								

5. Purchase of Milk Products

Name of Milk Products	Source of purchase (MT)*	Total quantity purchased	Average Fat %	Average SNF%	Quantity used (MT)*	Closing balance (MT)*
1. SMP						
2. WMP						
3. Butter Oil						
4. White Butter						

*Metric Tones

6. Reconstitution

Utilized for making liquid milk or milk products	Whole milk powder (MT)*	Skimmed milk powder (MT)*	Butter oil (MT)*	White butter (MT)*
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All liquid milks for sale

- In lean season (Apr-Sep)
- In flush season (Oct-Mar)

Other milk products

- In lean season (Apr-Sep)
- In flush season (Oct-Mar)

Sub Total

Grand Total

7. Details of Milk products Manufactured, Sold and Stock position.

Product Name (Please list out the name of all products mentioned below in this form)	Opening stock (MT)	Production of Milk and milk products (MT)	Average		Sales of milk products	Closing stock (MT)
			Fat%	SNF%		
1	2	3	4		5	6
Total						

8. Conversion of Milk into Milk Products outsourced to other dairies

Type of milk	Quantity (TLPD)*	Average Fat %	Average SNF %	Name of converted products	Quantity (MT)
Cow Milk					
Buffalo Milk					
Mixed Milk					
Concentrated Milk					

9. Milk Marketing

	Type of Milk	Quantity sold *(TLPD)	Average Fat %	Average SNF%	Consumer price Rs per litre
a) Milk sold in Retail					
Sub total A					
b) Milk sold I bulk to other dairies					
Sub total B					
Grand Total A+B					

*TLPD Thousand liters per day

10. Statement showing quantities of milk products manufactured and exported in Tonnes with their sale value during the period

Name of the milk products	Size of the can/ bottle/any other package (like PP) or bulk package.	Qty. in MT	Avg.fat/ SNF for milk products (%)		Sale Price/kg or per unit of packing Rs	Value in Rs.	Qty exported/ imported in KG	Name of the country or port of export	Rate per kg or / unit of packing C.I.F/ FOB Rs.	Value in Rs.	Remarks
1	2	3	4 a	4 b	5	6	7	8	9	10	11

Date:

Signature of the Licensee

A register detailing the above information shall be maintained by each licensee for inspections. '

Name of Milk Products required to be listed in table 8 coloumn no. 1.

Cream	Voghurt
White butter	Butter milk
Table butter	Lassi
Butter oil	Paer
Ghee	Khoa
Skimmed milk powder	Khoa sweets
Whole milk powder	Flavored milk pasteurized
Dairy whitener	Flavoured milk sterilized
Infant Milk Food	UHT-MILK
Infant formula	Ice cream
Malted milk food	Casein
Dahi/curd	lactorse
Shrikhand/Amarkhand	Whey powder
Butter milk powder	Any other milk products as lowed in license
Condesned milk	

Issued by e-mode.

File No. 15(6)2020/FLRS/RCD/FSSAI
Food Safety and Standards Authority of India
(Regulatory Compliance Division)
FDA Bhawan, Kotla Road, New Delhi – 110002

Dated the 11th April, 2020

Subject: Submission of Annual/Half-yearly Returns by licensed Manufacturers/Processors and Importers of Food Products – Extension of timeline due to COVID-19 pandemic - reg.

As per clause 2.1.13 and Conditions of License in Annexure 3 of Schedule 2 of the FSS (Licensing and Registration of Food Businesses) Regulations, 2011, all licensed Food Business Operators (FBOs) involved in manufacturing/processing including Relabellers/Repackers and Importers are required to submit annual return of their food businesses in Form D-1 for every preceding year by 31st May and FBOs involved in manufacturing/ processing of Milk and Milk Products are required to submit half yearly return in the Form D2 within one month of the end of the preceding half-year to the concerned Licensing Authority.

2. Considering the difficulties faced by FBOs in submission of annual/half yearly returns during lockdown in the country due to COVID-19 pandemic, it has been decided to extend the timeline for submission of annual return for FY 2019-2020 and half yearly return for October, 2019 – March, 2020, till 31st July, 2020.

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4. This issues with approval of the Competent Authority in exercise of the power vested with Food Authority under Section 16(5) of the FSS Act, 2006.



(Dr. Shobhit Jain)

Executive Director (Compliance Strategy)

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To –

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FORM D-2'

(See Regulation 2.1.13)

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Date:

Signature of the Licensee

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Dahi/curd	lactorse
Shrikhand/Amarkhand	Whey powder
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