

Dated: June 03, 2024

**ADVISORY**

**Subject: Advisory on Unauthorized use of liquid Nitrogen in food by the Food serving establishments/ restaurants, Bars etc.**

This office has taken cognizance of several instances of **Liquid nitrogen** being used in Restaurants, bars, food serving establishments/caterers in fairs, marriages etc. to make the food items like Ice-creams, Cocktails, Meetha pan, bakery items like biscuits, desserts etc., more eye-pleasing or to add some theatre look at the time of serving. Such unauthorised usage of liquid nitrogen in the food items and direct consumption of such liquid nitrogen infused food by the consumers has led to serious health issues/injuries.

Nitrogen is described as 'Colourless, odourless gas or liquid' with the functional use of 'freezing agent, propellant, packaging gas & foaming agent'. As per Appendix A of FSS (FPS&FA) Regulations, 2011, Nitrogen (INS 941) is a GMP (Good Manufacturing Practice) additive and its use in the specific food categories is clearly laid down under the ibid regulation. Further, as per Appendix C of FSS (FPS&FA) Regulations, 2011, Liquid Nitrogen (INS 941) is permitted to be used in Dairy based desserts-Ice Cream at GMP level for technological function of '**Contact freezing and cooling**' only.

It may further be noted that liquid nitrogen which is illicitly being used directly at the point of serving/plating is not allowed as **this is not the intended purpose/technological use of the additive and shall be considered as non-compliance** by the food businesses doing so. Also, this use of INS 941 in food products that are being prepared by adding liquid nitrogen at the point of sale, immediately before consumption is not outlined in the Food Safety and Standards regulations and it is intended to serve one or the other technological use, as discussed above, during food processing only.

Any violation to this shall result in initiation of statutory action against the Food Businesses in accordance with FSS Act, 2006 and rule / regulations made thereunder.

This issues with the approval of the Competent Authority.

  
(Inoshi Sharma)

Executive Director (Regulatory Compliance)

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1. All Commissioners, Food Safety, States/UTs
2. All Regional Directors
3. PS to CEO
4. CITO, for upload on website