

F.No. 11/12/Reg/Prop/FSSAI-2016(Part-I)
Food Safety and Standards Authority of India
(A statutory Authority under the Ministry of Health and Family Welfare, Govt. of India)
FDA Bhawan, Kotla Road, New Delhi-110002

The 22nd August, 2016

Subject: Direction under Section 16(5) of Food Safety and Standards Act, 2006 regarding operationalisation of standards for proprietary food.

Revised standards of proprietary food under Regulation 2.12 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 were operationalised on 13.01.2016. Subsequently, these revised standards were notified on 19.04.2016 and uploaded on the FSSAI website on 27.04.2016 inviting suggestions and comments from various stakeholders.

2. The draft regulations were reviewed taking into considerations the comments and suggestions received from various stakeholders and are under process of final notification. These finalised standards of proprietary food as enclosed herewith have been made operational w.e.f 22.08.2016. These standards will supercede the standards of proprietary food which were previously operationalised on 13.01.2016.

3. It is directed that the enforcement officials in States/UTs be instructed to implement the above mentioned standards of proprietary food till the issuance of final notification in this regard.

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



(Sunil Bakshi)
Advisor (Regulations)

Enclosure: as above

To

1. All Food Safety Commissioners
2. All Authorized Officers, FSSAI
3. All Central Designated Officers of FSSAI

Copy for information to:

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

Notice for operationalization of standards for proprietary food as finalized after considering stakeholder comments in response to the Draft notification dated 19.04.2016

In the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, in regulations 2.12 relating to 'Proprietary Food', for the sub-regulations 2.12.1, the following sub-regulation shall be substituted, namely:-

2.12.1: For the purpose of these regulations,-

(1) Proprietary food means an article of food that has not been standardised under these regulations, but does not include any novel foods, foods for special dietary uses, foods for special medical purposes, functional foods, nutraceuticals, health supplements and such other articles of food which the Central Government may notify in this behalf.

Provided that any deviation in quality parameters of a standardized food, as specified in the Food Safety and Standards Regulations made under the Food Safety and Standards Act, 2006 shall not qualify the resultant product as a proprietary food.

(2) Proprietary food shall contain only those ingredients other than additives which are either standardised or permitted for use in the preparation of other standardised food under these Regulations, except the ingredients which may be specified by the Authority from time to time.

Provided that a proprietary food may also contain vitamins and minerals in quantities not exceeding one RDA of the respective micronutrients.

(3) Proprietary food shall use only such additives and at such levels, as specified for the Category or Sub-category under Appendix A of these Regulations, to which the food belongs. Such Category or Sub-category shall be clearly mentioned on the label along with the generic name, nature and composition of the proprietary food.

(4) Proprietary food shall comply with the microbiological requirements as specified in Appendix B of these Regulations. If no microbiological standards are specified for any foods or food categories in Appendix B of these regulations,

proprietary foods falling under such food categories shall not contain any pathogenic microorganism at a level that may render the food product unsafe.

(5) Proprietary food shall also comply with the provisions, as applicable, of all other Regulations made under the Food Safety and Standards Act 2006. In addition, no health claims shall be made in respect of proprietary foods either on the product label or otherwise.

(6) The Food Business Operator shall be fully responsible for safety of the proprietary food in respect of human consumption.