

The following draft of certain regulations further to amend the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, which the Food Safety and Standards Authority of India proposes to make with the previous approval of the Central Government in exercise of powers conferred by clause (e) of sub-section (2) of section 92 read with section 16 of the Food Safety and Standards Act, 2006, (34 of 2006) is hereby published as required by the said sub-section (1) of section 92, for the information of persons likely to be affected thereby and notice is hereby given that the said draft regulations will be taken into consideration after the expiry of a period of thirty days from the date on which copies of the Official Gazette in which this notification is published are made available to the public.

Objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, Food and Drug Administration Bhawan, Kotla Road, New Delhi-110002, or may be sent at regulation@fssai.gov.in.

The objection or suggestion which may be received from any person with respect to said draft regulations, before the expiry of the period specified above, will be considered by the Food Authority.

Draft Regulations

1. Short title and commencement.- (1) These regulations may be called the Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2016.

(2) They shall come into force on the date of their final publication in the Official Gazette.

2. 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 food, food for special dietary use, functional food, nutraceuticals, health supplements and such other articles of food which the Central Government may notify in this behalf.

- (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.
- (3) Proprietary food shall use only such additives as specified for the Category to which the food belongs and such category shall be clearly mentioned on the label along with its name, nature and composition.
- (4) Proprietary food product shall comply with the food additives provisions as specified in Appendix A and the microbiological specifications as specified in Appendix B of these Regulations and all other Regulations made under this Act.
- (5) The Food Business Operator shall be fully responsible for safety of the proprietary food."

Sd/-
(Pawan Agarwal)
Chief Executive Officer

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(Food Safety and Standards Authority of India)
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Note.- The principal regulations were published in the Gazette of India, Extraordinary, Part III, Section 4, vide notification number F. No.2-15015/30/2010, dated the 1st August, 2011 and subsequently amended vide notification numbers: -

- (i) F. No.4/15015/30/2011, dated the 7th June, 2013;
- (ii) F. No.P.15014/1/2011-PFA/FSSAI, dated the 27th June, 2013;
- (iii) F. No.5/15015/30/2012, dated the 12th July, 2013;
- (iv) F. No.P.15025/262/13-PA/FSSAI dated the 5th December, 2014;
- (v) F. No.1-83F/Sci.Pan-Noti/FSSAI-2012 dated the 17th February, 2015;
- (vi) F. No.4/15015/30/2011, dated the 4th August, 2015;
- (vii) F. No.P.15025/263/13-PA/FSSAI, dated the 4th November, 2015;
- (viii) F. No.P.15025/264/13-PA/FSSAI, dated the 4th November, 2015;
- (ix) F. No.P.15025/261/2013-PA/FSSAI, dated the 13th November, 2015;
- (x) F. No.P.15025/208/2013-PA/FSSAI, dated the 13th November, 2015;
- (xi) F. No.7/15015/30/2012, dated the 13th November, 2015, and
- (xii) F. No.1-10(1)/Standards/SP(Fish and Fisheries Products)/FSSAI-2013, dated 11th January, 2016.