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PRE AND POST COMPLIANCES FOR FSSAI REGISTRATION OR LICENSE

Source:

- 1. Food Safety and Standard Act,2006**
- 2. Food Safety and Standard Rules, 2011**
- 3. Food Safety and Standard (Licensing and Registration of Food Business)Regulations, 2011**

A. Licensing for Food Business Activities

Section 31(6)-Single License [Premises in same area]	Section 31(7)-More than one license[Premises in different area]
<p>A single licence may be issued by the Designated Officer for one or more articles of food and also for different establishments or premises in the same area.</p> <p>[Single License=Articles can be one or more + Different Premises + Same Area]</p>	<p>If the articles of food are manufactured, stored, sold or exhibited for sale at different premises situated in more than one area, separate applications shall be made and separate licence shall be issued in respect of such premises not falling within the same area.</p> <p>[More than one license = Food Articles can be one or more + Manufacturing/storage/sale is done in more than one area + Premises are situated in different areas]</p>



Note:-A person who intends to apply for FSSAI license or registration may check the eligibility criteria from www.fssai.gov.in

In this checklist, we have covered the all the provisions and details related to Central License for Food Business Activities.

B. Procedure to obtain license

Step 1: Application to Central Licensing Authority

- Regulation 2.1.2 (3) Application shall be made in **Form B of Schedule 2** to Central Licensing Authority
- Documents mentioned in **Annexure 2 of Schedule 2** of Food Safety And Standards (Licensing And Registration Of Food Businesses), Regulations 2011, which are as follows:

S.No.	Documents Required
1.	Form-B duly completed and signed
2.	Blueprint/layout plan of the processing unit showing the dimensions in meters/square meters and operation-wise area allocation
3.	List of Directors/Partners with full address and contact details
4.	Name and List of Equipment and Machinery along with the number, installed capacity and horse power used
5.	Photo I.D and address proof issued by Government authority of Director(s)/Authorized Signatory
6.	List of food category desired to be manufactured(In case of Manufactures only)
7.	Authority letter with name and address of responsible person nominated by manufacturer along with alternative responsible person indicating powers vested by them (for manufacturers/ processors)
8.	Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from a recognized/ public health laboratory to confirm the potable
9.	Proof of possession of premises
10.	Partnership Deed/ Declaration by Sole Proprietor/ MOA and AOA/ Certificate of Incorporation
11.	Copy of Certificate obtained under Coop act 1861/ Multi State Coop Act 2002 (in case of cooperatives)
12.	NOC and copy of license from manufacturers (mandatory for relabellers and repackers)
13.	Food Safety Management System plan or certificate (if any)
14.	Source of milk or procurement plan for milk including location of milk collection center etc. in case of Milk and Products processing units (wherever applicable)
15.	Source of raw material for meat and meat processing plant (if applicable)
16.	NOC form Municipality or Local Bodies (optional)
17.	Pesticide residue report of water (in case of units manufacturing packed water)
18.	Recall plan (wherever applicable)
19.	Ministry of Commerce Certificate for 100% EOU
20.	Supporting document proof for Turnover



21.	Form IX: Nomination of Persons by a Company along with the Board Resolution
22.	NOC/PA document issued by FSSAI(In case of multiple documents)
23.	IE Code issued by DGFT
24.	Certificate provided by Ministry of Tourism (in case of Hotel only)
25.	Proof of turnover or self declaration of no. of vehicles (for transporters only)
26.	Declaration form

- Application Fee of **Rs. 7,500/- per annum** shall be paid through Bank draft or online transfer or treasury chalan or any other suitable means as specified by the Licensing Authority (Schedule 3 of Food Safety And Standards (Licensing And Registration Of Food Businesses), Regulations 2011)

Step 2: Issue of License by Central Licensing Authority (Regulation 2.1.4)

- On the receipt of a **complete application** including the **additional information** if asked for, the Licensing Authority shall issue an **Application ID** number to each applicant that will be referred to in all future correspondence between the Licensing Authority and the applicant.
- **In case of discrepancy in the Application**-In case during the scrutiny of the application **within 15 days** from the date of receipt of Application, Licensing Authority requires any additional information with respect to an application or if applicant is incomplete, the Licensing Authority shall **inform the applicant in writing**, to furnish such additional information or complete the application, as the case may be, **within 30 days from such notice**. In case the applicant **fails to furnish** the required information within the stipulated time of 30 days, the application for license shall stand **rejected**.

Step 3. Inspecting Officer (Regulation 2.1.4 (4))

After issuance of Application ID number the Licensing Authority may direct Food safety officer to inspect the premises. Such Inspecting officer, if it deemed fit, guiding food business operator on necessary steps to be taken or changes or alteration to be made in the premises in order to ensure general sanitary and hygienic condition. The applicant after adapting all the changes or alteration intimate the Licensing Authority within 30 days.

Within a Period of 30 days from receipt of an inspection report excluding the time taken by applicant in complying with the advice given in inspection report, if any, the concerned License Authority shall consider the application and may either grant license or reject the Application.

Step 4. Issuance of License

A license in **Form C** may grant a license or refuse to grant a license after giving an opportunity of being heard and recording reason in writing within 60 days from date of issuance of application ID number.

Step 5. Commencement of Business (Regulation 2.1.6)



An applicant may commence his food business and the concerned licensing Authority **shall not** deny the applicant to commence such business if, from the date of making the completed application, **a license is not issued within 60 days** or the applicant has not received any intimation of inadequacy or inspection report indicating defects from the concerned Licensing Authority under Regulation. But Concerned License Authority may issue an improvement notice to the applicant u/s 32 of the Food Safety and Standard Act, 2006.

C. Post issue compliances and other requirements

<p>Validity or renewal of registration and license (Regulation 2.1.7 and Rule 2.5 of Food Safety and Standards Rules, 2011)</p>	<ul style="list-style-type: none"> • A Registration or license granted shall be valid and subsisting for a period of 1 to 5 years as chosen by the Food Business Operator, at the time of making Application. • Renewal Application shall be made in at least 30 days in advance prior to expiry date. • If the renewal application is made beyond the period of 30 days but made before the expiry then Rs. 100 per day shall be paid till the default is made good. • If the application for renewal is not made on or before the expiry, The FBO shall file fresh application 	<p><u>Documents Required</u></p> <ol style="list-style-type: none"> 1. Form- B duly completed and signed (in duplicate) by the proprietor/partner or authorised signatory 2. Declaration regarding FSMS 3. Form IX : Nomination of Persons by a company along with board Resolution 4. Declaration for affirming correct particulars 5. Fee of Rs. 7,500/- per year
<p>Modifications, Expansion or Changes in premise(s) after grant of license or registration (Regulation 2.1.9)</p>	<ul style="list-style-type: none"> • FBO shall inform the relevant Authority about any modifications or additions or changes in product category, layout, expansion, closure, or any other material information based on which the license was granted and such information shall be conveyed before the changes occur. 	<p><u>Documents required</u></p> <ol style="list-style-type: none"> 1. Form- B duly completed and signed (in duplicate) by the proprietor/partner or authorised signatory 2. Declaration- With respect to change 3. FSMS Declaration(if any) 4. Name, Qualification and details of technical personnel in charge of operation



	<ul style="list-style-type: none">• The Food Business Operator shall submit the original license to the Licensing Authority along with a fee equivalent to one year license fee for effecting necessary changes. The licensing Authority may approve and issue an amended license incorporating such changes in activities within 30 days from the date of receipt of such information	<ol style="list-style-type: none">5. Proof of change of name (if any)6. Form IX : Nomination of Persons by a company along with board Resolution7. Blueprint/layout plan of the processing unit showing the dimensions in meters/square meters and operation-wise area allocation8. List of Directors with full address and contact details9. Name and List of Equipment and Machinery along with the number, installed capacity and horse power used10. Photo I.D and address proof issued by Government authority of Director(s)/Authorized Signatory11. List of food category desired to be manufactured(in case of manufacturers)12. Authority letter with name and address for responsible person nominated by manufacturer along with the alternative responsible person indicating the powers vested with them (for manufacturers and processors)13. Analysis Report of water to be used as ingredient in food from a recognized/public health laboratory to confirm portability14. Partnership Deed/MOA and AOA, duly signed15. Copy of Certificate obtained under Coop Act, 1861/ Multi State Coop Act, 2002 (in case of Cooperatives)16. NOC and Copy of License from manufacturer (mandatory for relabellers and repackers only)17. Source of milk or procurement
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		<p>plan for milk including location for milk collection centres and units (in case of milk processing units)</p> <p>18. Source of raw material for meat and meat processing plants (if applicable)</p> <p>19. Pesticide residues report of water in case of units manufacturing packed drinking water</p> <p>20. Declaration for affirming correct particulars</p> <p>21. Fee of Rs. 7500/-</p>
<p>Transfer of registration certificate or License in case of death (Regulation 2.1.11)</p>	<ul style="list-style-type: none"> • In the event of death of the holder of a Registration certificate or license, such certificate or license shall subsist for the benefit of the legal representative or any family member of the deceased or until the expiry of the period of 90 days from the date of death of the holder of a Registration certificate or license. • The legal representative or family member of the deceased holder of the registration certificate or license shall apply to the concerned Authority for transfer of such certificate or license in his favour. • Upon filing of application for transfer and pending the decision of the authority, the 	<p><u>Documents required</u></p> <ol style="list-style-type: none"> 1. Form-B. 2. Any change in documents or information provided during grant of previous license. 3. Food Safety Management System plan or Certificate. 4. Lists of workers with their medical fitness certificates. 5. Name, Qualification and details of technical personnel in charge of operation. 6. Form IX Nomination of persons by a Company alongwith with Board Resolution 7. Declaration Form Fees 7500/-



	registration or license shall continue to be in force.	
Issue of Duplicate License	<ul style="list-style-type: none"> Where a registration certificate or license is lost, destroyed, torn, defaced or mutilated, the applicant may apply for a duplicate copy of the registration certificate or license during the validity period, accompanied with a fee amounting to 10% of the applicable License fee On receipt of such an application, the Licensing Authority shall grant a duplicate copy of the registration certificate or license 	<p>Please note that application for Duplicate license can be made with the account from which original license is used.</p> <p>Before preceding the License, make sure that your license is not expired.</p>

D. Returns

S.No.	Type of Return	Due Date	Particulars
1.	Half Yearly	31 st October And 30 th April	every licensee engaged in manufacturing of milk and/or milk products
2.	Yearly	Before 31 st May	Every manufacturer and importer who has been issued a license
3.	Separate Return	Before 31 st May	Every license issued under the Regulations, irrespective of whether the same Food Business Operator holds more than one license.

Following Food Business Activities are exempted to file Annual/Yearly and Half Yearly Return:

1. Fast food joints
2. Restaurants
3. Grocery stores



4. Canteens

E. Conditions required to be Complied with:-

Food Business Operators shall:

1. Display a true copy of the license granted in Form C shall at all times at a prominent place in the premises.
2. Give necessary access to Licensing Authorities or their authorised personnel to the premises.
3. Inform Authorities about any change or modifications in activities /content of license.
4. Employ at least one **technical person** to supervise the production process.
5. Furnish periodically Returns.
6. Ensure that no product other than the product indicated in the license/ registration is produced in the unit.
7. Maintain factory's sanitary and hygienic standards and worker's Hygiene as specified in the Schedule - 4 of Food Safety and Standards (Licensing and Registration of Food Business) Regulations, 2011 according to the category of food business.
8. Maintain daily records;
9. Ensure that the source and standards of raw material used are of optimum quality.
10. Food Business Operator shall not manufacture, store or expose for sale or permit the sale of any article of food in any premises not effectively separated to the satisfaction of the licensing authority from any privy, urinal, sullage, drain or place of storage of foul and waste matter.
11. Ensure Clean-In-Place systems (wherever necessary) for regular cleaning of the machine & Equipment's.
12. Ensure that as much as possible the required temperature shall be maintained throughout the supply chain from the place of procurement or sourcing till it reaches the end consumer including chilling, transportation, storage etc.
13. **The manufacturer/importer/distributor shall buy and sell food products only from, or to, licensed/registered vendors and maintain record thereof.**
