

F. No. RCD-15001/6/2021-Regulatory-FSSAI-Part(1) [Comp No. 1752]
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety & Standards Act, 2006)
(Regulatory Compliance Division)
FDA Bhawan, Kotla Road, New Delhi-110 002
Food Safety Compliance System [<https://foscos.fssai.gov.in>]

Dated, the 16th July, 2024

ORDER

Subject: Introduction of new Kind of Business (KoB) for 'Direct Sellers' under FoSCoS – reg.

Reference FSSAI orders number 15(6)2018/FLRS/RCD/FSSAI dated 08.07.2019 and 19.09.2019 [copy enclosed] wherein exemption from registration for direct sellers has been given in case where main entity takes responsibility of regulatory compliance and subject to conditions mentioned in the said orders. Otherwise, Direct Sellers were required obtain FSSAI License / Registration as per the eligibility criteria under 'Retailer' KoB.

2. Based on representations received from industry stakeholders, it was noted that model of direct sellers is different from traditional retail business. Therefore, in order to differentiate between a Retailer and a Direct Seller, Food Authority has decided to introduce a new **Kind of Business (KoB) in FoSCoS for 'Direct Sellers'** with the following specifications:

- i. **KoB Name:** Direct Sellers [under Group name – Trade/ Retail]
- ii. **Definition:** Direct Seller means a person appointed or authorized, directly or indirectly, by a Direct Selling Entity through a legally enforceable written contract to undertake direct selling business on principal to principal basis {as defined in Consumer Protection Act 2019/(Direct Selling) Rules 2021 and subsequent amendments thereof}
- iii. **Eligibility:**
 - a. Registration: Annual Turnover up to Rs. 12 Lakhs
 - b. State License: Annual Turnover more than Rs. 12 Lakhs and up to Rs. 20 Crore
 - c. Central License: Annual Turnover more than Rs. 20 Crore.
- iv. **Food Categories (FC) allowed:**

- a. 01: Dairy products and analogues, excluding products of food category 2.0
- b. 02: Fats and oils, and fat emulsions
- c. 06: Cereals and cereal products, derived from cereal grains, from roots and tubers, pulses, legumes and pith or soft core of palm tree, excluding bakery wares of food category 7.0
- d. 07: Bakery products
- e. 12: Salts, spices, soups, sauces, salads and protein products
- f. 13: Foodstuffs intended for particular nutritional uses - Only 13.4., 13.5 and 13.6.

Note: Products falling under the food category 13.1, 13.2 and 13.3 are restricted for sale or marketing or distribution or promotion by Direct Sellers under IMS Act, 1992 and FSS Act, Rules and Regulations.

- g. 14: Beverages, excluding dairy products
- h. 15: Ready-to-eat savouries
- i. 16: Prepared Foods
- j. 18: Indians Sweets and Indian Snacks and Savouries products

v. **Inspection checklist:** Same as applicable for the 'Retailer' category

vi. **Documents required for Registration/ licensing:**

- a. Registration – 02 documents (photo and Govt ID)
- b. License – 05 documents as per FSSAI order dated 19.03.2021. Additionally, direct sellers are required to submit copy of agreement with the Direct Selling Entity.

vii. **Annual Fee for License / Registration:**

- a. Registration – Rs. 100 + GST
- b. State License – Rs. 2000 + GST
- c. Central License – Rs. 7500 + GST

3. **This has come into effect from 10th July, 2024.** The 'Direct Seller' KoB has also been enabled under 'Tatkal' scheme. User Manual Video Tutorial will be made available under 'User Manual' Section of FoSCoS Homepage shortly.


(Inoshi Sharma)

Executive Director (CS)

Email: ed-office@fssai.gov.in

To:

1. All Food Business Operators, Associations, Food Safety Mitra, and other stakeholders.
2. Commissioners of Food Safety of all States/UTs
3. Directors of all Regionals Offices, FSSAI
4. CTO, FSSAI - with a request for uploading on the FSSAI website

Copy for information to:

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



To

All Commissioner of Food Safety of all States/UTs.

Subject: Directions under section 16(5) of Food Safety and Standards Act, 2006 regarding non-requirement of FSSAI registration of last mile delivery persons, Direct Selling Agents (DSA), individual food units/entity owned by single/main entity.

The issue relating to FSSAI Registration to 'Last mile delivery persons and Direct Selling Agents (DSA)' has been examined by FSSAI. These FBOs generally work under single main entity to ensure last mile delivery of the food products and are not directly involved in manufacturing, sale and supply of food articles on their own or under their own brand name. Moreover, there are networks of Food Vending Machines, water vending machines, Food ATMs and food carts owned by a single entity.

2. The matter has been examined and it has been decided that the following entities will not be required to take FSSAI Registration subject to the conditions in para 3:

- i. Last mile delivery persons.
- ii. Direct Selling Agents (DSA).
- iii. Food Vending Machines, Water Vending Machines, Food ATMs (owned by a single entity).
- iv. Branded Food carts (owned by a single entity).

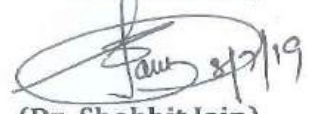
3. The above shall be subject to the following conditions:

- i. The annual turnover of the Individual entity/unit does not exceed Rs.12 Lakh.
- ii. The main entity shall obtain FSSAI License based on their eligibility.
- iii. The main entity shall be responsible for Regulatory compliance by these individual entities/units.
- iv. The main entity shall maintain data base/record of all such individual entities/units.
- v. Main entity shall issue Photo ID Cards, bearing unique identity number and main entity/unit FSSAI License number.
- vi. The individual FBO entity/unit shall display the name and License number of main entity.
- vii. Main entity shall ensure that the individual unit is conversant with basic sanitary and hygienic conditions to be followed and facilitate their training under Food Safety Training and Certification (FoSTaC).
- viii. Main entity shall also maintain records of Annual Medical Check-up of personnel working for such entities to ensure that no such person is suffering from any contagious disease.

ix. The main entity shall communicate in writing to such entities, its decision to undertake responsibility for such compliance.

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

Yours faithfully



(Dr. Shobhit Jain)

Executive Director

(Compliance Strategy)

Copy to:

- (i) Commissioners Food Safety of all States/UTs
- (ii) All Stakeholders
- (iii) Head(IT) – for uploading on FSSAI website.

File No. 15(6)2018/FLRS/RCD/FSSAI
Food Safety and Standards Authority of India
(A Statutory Authority established under Food Safety & Standards Act, 2006)
(Regulatory Compliance Division)
FDA Bhawan, Kotla Road, New Delhi - 110002

Dated, the 19th September, 2019

Subject: Amendment and Clarification in r/o directions issued regarding non-requirement of FSSAI registration of last mile delivery persons, Direct Sellers, individual food units/entity owned by single/main entity-reg.

FSSAI vide order of even number dated 08th July 2019 (copy enclosed) has issued directions regarding non-requirement of FSSAI registration of last mile delivery persons, Direct Sellers, Food Vending Machines, Water Vending Machines, Food ATMs, Branded Food Carts owned by single/main entity subject to conditions as laid down under para 3 of the said order.

2. Based on the representations received from the stakeholders, the following clauses of the said order are clarified/amended as below:

- a) Subject, Para 1 and Para 2(ii) - For the term 'Direct Selling Agents' read 'Direct Sellers'
- b) Para 3(v) - Main entity shall issue ID Cards (digital/physical), bearing unique identity number and main entity/unit's FSSAI License number. In case, ID card does not have photo of the individual, it must be accompanied with a Govt issued photo ID Card.
- c) Para 3(viii) - Main entity will ensure that no such person known to be suffering from any contagious disease continues to handle food products.
- d) It is clarified that the said order provides an option and is applicable only to those cases where the main entity accepts the responsibility of regulatory compliance by last mile delivery persons, Direct Sellers, individual food units/entities etc. In this regard, the main entity shall communicate in writing to its individual entities and to respective Licensing Authorities, its decision to undertake the responsibility of such compliance. In case the option is not exercised, the requirement of FSSAI registration by such persons continues.

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

Encl: As stated

Yours sincerely


(Shobhit Jain)

**Executive Director
(Compliance Strategy)**

To,

1. Commissioner Food Safety of all States/UTs
2. All Stakeholders
3. Head(IT) - for uploading on FSSAI's website

For info -

PS to CEO

Dated, the 9th March, 2021

Order

Subject: Revised list of Kind of Business wise documents required to be submitted along with the application for FSSAI License - reg.

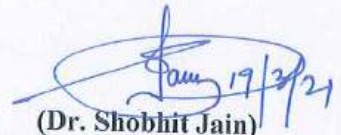
A list of documents required to be submitted at the time of applying for new license and renewal / modification of license was issued by FSSAI vide order no. 1(4)2011/License/FSSAI dated 14.05.2012. Subsequently, clarifications thereon were issued vide letter no. 15(6)2020/FLRS/RCD/FSSAI dated 31st August 2020 (copies enclosed).

2. FSSAI has been in the constant process of making the licensing and registration procedure simpler and rationalised towards ease of doing business. In this direction, the documents prescribed to be submitted vide order dated 14.05.2012 under reference have been reviewed. To bring clarity on the documents to be submitted, these documents have been segregated on the basis of Kind of Business and their relevance to KoBs. Some of the documents not essentially needed have been dispensed with and various declarations required to be submitted have been consolidated.

3. Accordingly, FSSAI has come out with a KoB wise list of documents to be submitted with application for license. The list as approved by Food Authority is given at Annexure-1. Necessary changes in this regard have also been made in the online licensing and registration system namely FoSCoS (<https://foscoss.fssai.gov.in>). It has also been decided that the documents shall be self attested by authorised signatory/proprietor before being uploaded on FoSCoS.

4. This issues with the approval of the Competent Authority.

Encl:-As above



(Dr. Shobhit Jain)

Executive Director (RCD)

Email: ed-office@fssai.gov.in

To -

1. All Food Business Operators, Associations, Food Safety Mitra and other Stakeholders
2. Commissioner of Food Safety of concerned States/UTs
3. Directors of all Regional Offices, FSSAI
4. Head (IT) – for uploading on website

Copy for information to -

1. All Divisional Heads of FSSAI
2. PPS to Chairperson, FSSAI
3. PS to CEO, FSSAI

I. Revised list of the KoB-wise mandatory documents

The KoB-wise list of mandatory documents is divided into two parts i.e. Documents for Non-Manufacturing KoBs and Documents for Manufacturing KoBs. The KoB-wise mandatory documents are listed below:

Note: * denotes document to be submitted on Letter Head of the firm/company etc.

A1: List of Documents for non-Manufacturing/Processing Kind of Businesses Sr. No. 1 to 5 – applicable for all Kind of Businesses	
1.	List of Directors/Partners/Proprietor/Executive Members of Society/Trust with full address and contact details with nomination of authorized signatory*
2.	Photo I.D and address proof issued by Government authority of Proprietor/ Partner/ Director(s)/Authorised Signatory.
3.	Proof of possession of premises. (Sale deed/ Rent agreement/ Electricity bill, etc.)
4.	Partnership Deed/Self Declaration for Proprietorship/Memorandum & Articles of Association towards the constitution of the firm/ Copy of certificate obtained under Coop Act - 1861/Multi State Coop Act - 2002 in case of Cooperatives.
5.	Form IX: Nomination of Person as per Clause 2.5 of FSS Rules, 2008 (Not applicable in case of Proprietor)*
A2: List of additional specific documents related to type of food business activity	
Food Services such as Hotels/ Restaurants, Food Vending Establishments, Club/Canteen or any other prepared food establishment.	1. Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from a recognized/ public health laboratory to confirm the potability indicating the name of authorized representative of Lab who collected the sample and date of collecting sample (Not applicable if water is not being used as ingredient)
Importer	1. Import Export Code (IEC) document issued by DGFT 2. Recall Pan*
Merchant Exporter	1. Import Export Code (IEC) document issued by DGFT 2. Declaration that products meant for export only shall not be exposed for sale and consumption in domestic market. Further, the products (meant for export only) meet the standards of importing country.*
Head Office/Registered Office/ eCommerce	1. Recall Pan*
Transporters	1. List of Vehicle Registration Numbers*

B1: List of Documents for Manufacturers / Processors
Sr. No. 1 to 10 – applicable for all Manufacturing/Processing KoBs

1.	List of Directors/Partners/Proprietor/Executive Members of Society/Trust with full address and contact details with nomination of authorized signatory*
2.	Photo I.D and address proof issued by Government authority of Proprietor/ Partner/ Director(s)/ Authorised Signatory.
3.	Proof of possession of premises. (Sale deed/ Rent agreement/ Electricity bill, etc.)
4.	Partnership Deed/Self Declaration for Proprietorship/Memorandum & Articles of Association towards the constitution of the firm/ Copy of certificate obtained under Coop Act - 1861/Multi State Coop Act - 2002 in case of Cooperatives.
5.	Form IX: Nomination of Person as per Clause 2.5 of FSS Rules, 2008 (Not applicable in case of Proprietor)*
6.	Blueprint/layout plan of the processing unit showing the dimensions in metres/square metres and operation-wise area allocation *
7.	Production unit photographs
8.	Name and List of Equipments and Machinery along with the number, installed capacity and horse power used*
9.	Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from a recognized/ public health laboratory to confirm the potability indicating the name of authorized representative of Lab who collected the sample and date of collecting sample. (Not applicable if water is not being used as ingredient)
10.	Recall Plan*

B2: List of additional specific documents related to type of Manufacturing/Processing Activity

Dairy Processing	Source or procurement plan for milk*
Meat Processing	1. Source of raw material* 2. NoC from Municipal Corporation / local body
Slaughter House	NoC from Municipal Corporation / local body
Relabellers and Repackers	NOC from Manufacturers. #Repackers shall upload NOC from Manufacturers as a separate document in Other Document Section. #Relabellers shall upload NOC from Manufacturers against Sr. no. 6,7,8,9 of list B1.
Nutraceuticals	Product Specification (ingredients as per applicable Schedule) of each product mentioning the purity criteria adopted for ingredients of Nutraceutical and health supplement products as per the prescribed format*
Proprietary Foods	Composition of the each product as per the prescribed format*
Novel Foods	Product Approval from FSSAI Hq for each product
Packaged Drinking Water	Pesticide residues report of water to be used as ingredient in case of units manufacturing Packaged drinking water, packaged Mineral water and/or carbonated water from a recognised/ public health laboratory indicating the name of authorised representative of Lab who collected the sample and date of collecting sample, including source of raw water and treatment plan.

B3: Additional Documents for Manufacturer – Exporters (in addition to above)

1. Import Export Code (IEC) document issued by DGFT
2. Declaration that products meant for export only shall not be exposed for sale and consumption in domestic market. Further, the products (meant for export only) meet the standards of importing country.*
3. Ministry of Commerce Certificate for 100% EOU (if availing the Scheme)

C: Other Document list irrespective of Kind of Business

1. In case of extraction of ground water, NOC from CGWA as per FSSAI order dated 2nd Jan 2018 and 11th January 2021.
2. Any document which is required by the licensing authority to ensure safety of food.
3. Any document specified by FSSAI or Commissioner of Food Safety through a public order for any particular Kind of Business Activity or in general.

D: Documents required for Renewal of License (for all KoBs)

1. FSMS Certificate or plan
2. Updation of details of Nominee (Form IX) – if nominee is changed.

E: Documents required for Modification of License (for all KoBs)

1. Supporting Document for the purpose of modification on the letterhead.
2. Any document which is required by the licensing authority to ensure safety of food.

File No. 1(4) 2011/ License/ FSSAI
Food Safety and Standards Authority of India
(Ministry of Health & Family Welfare, Govt. of India)
3rd & 4th Floor, FDA Bhawan, Kotla Road
New Delhi – 110002

Date: 14.05.2012

Subject: Documents to be enclosed for new/ conversion/ renewal of application for license to State/Central Licensing Authority & Inspection Checklist for various categories of FBOs – reg.

The undersigned is directed to forward herewith the list of documents to be enclosed for new/ conversion/ renewal of application for license to State/Central Licensing Authority & Inspection Checklist for various categories of FBOs which were finalized during the Central Advisory Committee Meeting held on 27th April, 2012 at 11:00 am, Ashoka Hotel, New Delhi.

Sd/-
(Dr. D.S. Yadav)
DD (Enf-II)

To:

1. Commissioner Food Safety of all States/ UTs
2. All Central Designated Officers, FSSAI

Copy To:

1. PPS to CP
2. PS to CEO
3. Dir (E)
4. Dir (QA & S)
5. Dir (A)
6. Dir (Sur.)
7. Dir (Zonal)
8. All concerned officers of FSSAI

**Documents to be enclosed for new application for license to State/Central
Licensing Authority**

1. Form-B duly completed and signed (in duplicate) by the proprietor/partner or the authorised signatory (mandatory for all)
2. Blueprint/layout plan of the processing unit showing the dimensions in metres/square metres and operation-wise area allocation (mandatory for manufacturing and processing units only)
3. List of Directors with full address and contact details (mandatory for companies only)
4. Name and List of Equipments and Machinery along with the number, installed capacity and horse power used (mandatory for manufacturing and processing units only)
5. Photo I.D and address proof issued by Government authority of Proprietor/Partner/Director(s)/Authorised Signatory. (optional)
6. List of food category desired to be manufactured. (In case of manufacturers)
7. Authority letter with name and address of responsible person nominated by the manufacturer along with alternative responsible person indicating the powers vested with them viz assisting the officers in inspections, collection of samples, packing & dispatch. (wherever applicable)
8. Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from a recognized/ public health laboratory to confirm the portability (mandatory only for manufacturing and processing units only)
9. Proof of possession of premises. (Sale deed/ Rent agreement/ Electricity bill, etc.) (optional)

10. Partnership Deed/Affidavit/Memorandum & Articles of Association towards the constitution of the firm. (optional)
11. Copy of certificate obtained under Coop Act - 1861/Multi State Coop Act - 2002 in case of Cooperatives. (optional; wherever applicable)
12. NOC from manufacturer in case of Re-labellers (mandatory)
13. Food Safety Management System plan or certificate (if any)
14. Source of milk or procurement plan for milk including location of milk collection centres etc. in case of Milk and Milk Products processing units. (wherever applicable)
15. Source of raw material for meat and meat processing plants. (wherever applicable)
16. Pesticide residues report of water to be used as ingredient in case of units manufacturing packaged drinking water, packaged Mineral water and/or carbonated water from a recognised/ public health (only for packaged drinking water and mineral/ carbonated water)
17. Recall plan wherever applicable, with details on which the product is distributed. (optional)
18. NOCs from Municipality or local body. (optional)

Documents to be included for renewal or transfer of license given under other existing laws prior to these Regulations:

1. Any change in documents or information provided during grant of previous license. (mandatory)
2. Certificate or Plan of Food Safety Management System being adopted (for units under Central Licensing it has to be a certificate from accredited agencies) - An Advisory has already been issued vide letter no. 1(56)2012/ Advisory/FSSAI dt: 02.04.2012 declaring that FBO will submit an affidavit on a non-judicial stamp paper declaring that FBO will comply with Good Manufacturing Practices as mentioned in Schedule – 4 of FSS (Licensing and Registration of Food Businesses) Regulation, 2011.
3. List of workers with their medical fitness certificates. (These may be available with the units and be shown at the time of inspection)
4. Name, qualification and details of technical personnel in charge of operation. (mandatory for manufacturing & processing units)

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 31st August 2020

Subject: Standardized list of documents for FSSAI License- reg.

FSSAI vide letter no. 15(15)2018/CLAs/RCD/FSSAI dated 22.11.2019 (copy enclosed) had advised Licensing Authorities (State/Central) to steer clear of seeking additional/irrelevant documents from FBOs leading to their avoidable harassment and undue delay in processing of applications.

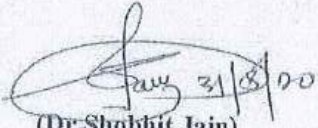
2. The said matter was also discussed in the 28th and 29th meetings of CAC held on 22nd May 2020 and 5th August 2020 respectively wherein it was decided that kind of business (KOB) wise documents as already uploaded on the homepage of FLRS/FoSCoS (<https://foscos.fssai.gov.in/assets/docs/KoBwiseDocumentsrequiredforLicense.pdf>) should be followed uniformly by respective Licensing Authorities in all States/UTs. Since the requirement of uploading of signed copy of Form A (application for Registration) and Form B (application for License) by applicants has been done away, all applicants are now therefore, required to upload all documents mandatorily **self-attested** by the authorised signatory/proprietor.

3. In view of the above, you are requested to direct the concerned Designated Officers/Food Safety Officers to refrain from insisting on submission of additional documents beyond the list issued by FSSAI. The unnecessary insistence on submission of same by Licensing/Registration Authority may attract strict action against them. However, in case of pre-requisite condition of additional document requirement for grant of FSSAI License/Registration by a local body or a State/UT, the same shall be communicated to public through a public order issued by Competent Authority or Commissioner of Food Safety of concerned State/UT.

4. It was also decided to initiate consultation regarding the requirement of NOC from CGWA as a precondition for FSSAI licensing/registration as it is not uniform across the country, depending on the category of areas on the level of ground water. The requirement of NOC from CGWA reportedly hampers timely grant of FSSAI license/registration. Kindly send your comments at the earliest.

5. This issues with the approval of the Competent Authority and in supersession of previous correspondence on the subject of even number dated 31st August 2020.

Encl: As stated


(Dr. Shobhit Jain)

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

To

1. Commissioner of Food Safety of concerned States/UTs and Regional Directors of FSSAI
2. CITO – for uploading on the website

Copy for information to -

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

File No. 15(15)2018/CLAs/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 22nd November, 2019

To

The Commissioners of Food Safety of all States/UTs
The Directors of all Regional Offices

Subject: Additional/irrelevant documents sought by licensing authorities in processing applications for license/registration -reg.

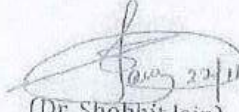
Sir/Madam,

FSSAI has been in receipt of cases of licensing authorities demanding FBOs to submit documents/ information not required under FSS (Licensing and Registration of Food Businesses) Regulations. Many a time, these additional documents have no direct relevance to the Kind of Business applied for and sometimes they are quite irrelevant like asking for in-house laboratory in food business where is not mandatory, recall plan in case of transporter etc. This causes inconvenience to and harassment of FBOs and undue delay in processing of applications. In this regard, following directions are issued:-

- i. The licensing authorities must avoid demanding additional/irrelevant documents. A list of documents required for each Kind of Business is already available on the Food Licensing and Registration System (FLRS) and licensing authorities may limit their queries only to those documents. In case any additional document is considered essential, reasons must be recorded for calling the same in FLRS. These reasons shall invariably be submitted to FSC/Director Regional Office for review.
- ii. Queries should not be asked in piece-meal manner. The application should be properly and carefully scrutinized and all deficiencies in the application should be raised in one go. The observations should be clear, point wise and with a proposed solution to the FBOs.
- iii. In case of auto generated licenses the licensing authorities shall check those applications to ensure that all documents filed are in order. Else a notice should be issued to FBO and further processing undertaken.
- iv. The Commissioners of Food Safety and Directors, Regional Offices should have monthly monitoring meetings to review the following cases.
 - a) Cases where queries have been raised more than twice.
 - b) Cases where additional documents have been called by DO/FSO.
 - c) Cases of auto generated licenses due to their non-attendance by licensing Officers.

Contd....

2. Any undue delays and multiple queries should be taken seriously and explanation called from the concerned officers. For this purpose, IT division of FSSAI will share the details of queries raised on a single application more than two times and auto-generated licenses on monthly basis. The licensing officers may be directed to submit the cases where additional documents were demanded on monthly basis.
3. It is requested that necessary instructions may be issued to licensing authorities for strict compliance. Repetition of such delinquency should invite adverse action against erring officials.


(Dr. Shobhit Jain)

Executive Director (Compliance Strategy)