



Food Safety and Standards
Authority of India

**[FOOD SAFETY AND STANDARDS
(PROHIBITION AND RESTRICTION ON
SALES) REGULATION, 2011 AND FAQ]**

INTRODUCTION:

The Food Safety and Standards (Prohibition and Restriction on Sales) Regulation, 2011 came into force on 5th August, 2011 and deals with the prohibitions and restriction on sales of various food products, ingredients and their admixtures.

The regulation is divided into two chapters. Chapter 1 deals with the implementation period and definition of 'ingredients'. Chapter 2 provides details on prohibition on sale of certain admixtures, restriction on use of certain ingredients and certain products

Chapter 1.

The first part of the chapter prescribes the date on which these regulations shall come into force and the definition of ingredient.

Chapter 2:

This chapter is broadly classified into three sub-regulations, i.e, Regulation 2.1 Sale of certain admixtures prohibited, 2.2 Restriction on use of certain ingredients; Regulation 2.3 Prohibition and restriction on sales of certain products.

Regulation 2.1 Sale of certain admixtures prohibited: This regulation prescribes prohibition on sale of certain admixture in cream which has not been prepared exclusively from milk, added water in milk, added matter not exclusively derived from milk fat in ghee, skimmed milk (fat abstracted) as milk, mixture of two or more edible oils, ghee or any other substance added to vanaspati, foreign substance in turmeric, mixture of coffee, dahi or curd not prepared from boiled, pasteurized or sterilized milk and milk or milk products other than those mentioned in the provisions of regulation 2.7 notice of addition, admixture or deficiency in food of labelling and packaging regulations, which describes the labelling requirement for an

addition, admixture, deficiency in food products. It also provides that Central Government or Food Authority may exempt any preparation made of soluble extracts of coffee from this regulation by notification. It also exempts proprietary foods relating to regulation 2.1.1 (8) and (10) from this regulation.

This regulation provides the quality standards in respect of the mixture of two or more edible oils and also the proportion of vegetable oil to be used in the admixture (Not less than 20% by weight) meeting the quality standards like red units, Boudouin test etc, along with the certification of AGMARK and labelling conditions.

Regulation 2.2 Restriction on use of certain ingredients: This regulation gives power to the state government through notification in the official gazette on sale of kesari gram and its products or preparation of any article of food having kesari gram. This regulation also provides explanation on equivalent of kesari gram in different states in Indian languages.

Regulation 2.3 Prohibition and Restriction on sale of certain products. This regulation prohibits and restrict sale of certain products as follows:

2.3.1: Sale of food articles coated with mineral oil except where addition of mineral oil is permitted in accordance with standards laid in these regulations and Food Safety and Standards (Food Product Standards and Food Additives) Regulation, 2011.

2.3.2: Restriction on sale of Carbia Callosa and Honey dew. Honey and Carbia Callosa shall be sold only in sealed containers bearing AGMARK.

2.3.3: Food resembling but not pure honey not to be marketed as honey. It states that no person shall use the word honey or any word, mark, illustration or device on label of any food that resembles honey.

2.3.4: Product not to contain any substance which may be injurious to health. It is mentioned that tobacco and nicotine shall not be used as ingredient in any food products.

2.3.5: Prohibition of use of carbide gas in ripening of fruits. It restricts the sale of fruits which have been artificially ripened by use of acetylene gas (carbide gas).

2.3.6: Sale of Fresh Fruits and Vegetables, which should be free from rotting and coating of waxes, mineral oil and colours provided that fresh fruits may be coated with bees wax (white and yellow) or carnauba wax or shellac wax at level not exceeding Good Manufacturing Practices under proper label declaration as provided in Regulation 2.4.5 (44) of Food Safety and Standards (Packaging and Labelling) regulations, 2011.

2.3.7: Sale or use for sale of admixtures of ghee or butter prohibited. It restricts the sale of admixture of ghee or butter and any substance that imitate or substitutes ghee or butter. It also restricts the use of oil and fat which does not conform to definition of ghee.

2.3.8: Restriction on sale of ghee having less Reichert value than that specified for the area where such ghee is sold. The regulation prescribes that the ghee having less Reichert value and different standard for Butyro Refractometer reading at 40 deg C than that specified for the area in which it is imported for sale or storage shall not be sold or stored in that area except under AGMARK seal and the same may be sold in not more than two kilograms at a time and to be used in preparation of confectionary.

A person selling ghee under this regulation shall give declaration in Form A to the FSO and the purchaser when a sample is taken for analysis purpose.

2.3.9 : Restriction on sale of Til Oil produced in Tripura, Assam and West Bengal: It states that til oil obtained from white sesame seeds having different standards shall be sold in sealed containers bearing AGMARK label.

2.3.10 Restriction on sale of Kangra tea. It states that Kangra tea shall be sold or offered for sale only after it is graded and marked in accordance with the provisions of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937).

2.3.11: Condition for sale of flavoured tea. Only those manufacturers registered with Tea Board shall sell or offer flavoured tea for sale . It shall be sold only in packed conditions with label declaration as provided in the Regulation 2.4.5 (23) of Food Safety and Standards (Packaging and Labelling) Regulations, 2011.

2.3.12: Restriction on sale of common salt It restricts the sale of the common salt, for direct consumption unless the same is iodized. However the common salt may be sold for iron fortification, animal use, preservation, manufacturing medicines, and industrial use etc under proper label declaration.

2.3.13: Use of flesh of naturally dead animals or fowls is prohibited

2.3.14: Restrictions relating to conditions for sale. This regulation restricts the sale of food articles in the premises where sale of any insecticide is also carried out and the person should serve/sell the food in plastic articles which conform to food grade plastic.

It also provides the condition for sale of various articles like Iron fortified salt, milk and milk product, confectionary, protein rich atta, edible oil, blended edible vegetable oil, margarine, fat spread, compounded asafoetida, spices and condiments, katha, packaged drinking water, artificial sweetener and irradiated food as per the requirement of Food Safety and Standards (Packaging and Labelling) regulation, 2011, AGMARK, BIS certification wherever necessary.

2.3.15: Special provisions relating to sale of vegetable oil and fat. This regulation mandates the food products to conform with the quality standards provided in the Food Safety and Standards Rules and Regulations and the packaging regulation mentioned in Food Safety and Standards (Packaging and Labelling) Regulation, 2011. It also restricts the use of harmful colours, antioxidants and the use of solvent in vegetable oil. It also gives a list of vegetable oil from which vanaspati shall be prepared.

Form A is the format of declaration to be filled by the person who is manufacturing ghee.

FREQUENTLY ASKED QUESTIONS (FAQ)

Q1. What is an Admixture?

Ans. An admixture is an intentional act of mixing together two or more ingredients in standardized products.

Q2. Are there any restrictions on sale of Kesari dal?

Ans. As per the Food Safety and Standards Regulation the concerned state governments can notify in the gazette of India and can prohibit the sale of Khesari dal (*Lathyrus sativus*) and its products. It also restricts sale of any food article prepared with khesari dal as one of the ingredients.

Q3. Which food products require AGMARK certification mandatory?

Ans. Yes, AGMARK certification is mandatory for Carbia Collosa, honey, ghee, Blended edible vegetable oil, til oil and fat spread.

Q4. Is waxing of fresh fruits and vegetables permitted under FSSAI regulations?

Ans. Waxing of fresh fruits and vegetable is permitted only by bees wax (white and yellow) or carnuba wax or shellac wax at G.M.P level under proper declaration as provided in regulation 2.4.5(44) of FSS(Packaging and labeling) regulation, 2011.

Q5. Which food products require mandatory certification under BIS?

Ans. Condensed milk sweetened, condensed skimmed milk sweetened, milk powder, skimmed milk powder, partly skimmed milk powder and partly skimmed sweetened condensed milk should have ISI label.

Q6. Is iodization of salt a mandatory requirement under FSSAI?

Ans. As per the Food Safety and Standards regulation Salt meant for direct human consumption is mandatory to be iodized prior to its sale.

Q7. Are there any specific restrictions on use of plastic cutleries in food establishments?

Ans. Only food grade plastic cutlery as specified in the regulations can be used in commercial establishments.

Q8. What are the specific restrictions for blended vegetable oil?

Ans. The blended edible vegetable oil cannot be sold in loose form and can only be sold in sealed temper proof package weighing not more than 15 litres. Further Blended edible vegetable oil shall not be sold under the common or generic name of the oil used in the blend but shall be sold as “Blended Edible vegetable Oil”. It shall also be mandatory be sold under AGMARK certification. The proportion by weight of any vegetable oil used in the admixture should not be less than 20% by weight

Q9. Are there any specific vegetable oils permitted in the FSS regulation from which vanaspati can be prepared?

Ans. As per the FSSAI regulation following is the list of vegetable oils from which vanaspati shall be prepared:

- (a) Coconut oil
- (b) Cottonseed oil
- (c) Dhupa oil
- (d) Groundnut oil
- (e) Kokrum oil
- (f) Linseed oil
- (g) Mahua oil
- (h) Maize (Corn) oil
- (i) Mango kernel oil
- (j) Mustard/Rapeseed oil
- (k) Nigerseed oil
- (l) Palm oil
- (m) Phulwara oil
- (n) Rice bran oil

- (o) Sunflower (Kard/seed) oil
- (p) Salseed oil (up to 10%)
- (q) Sesame oil
- (r) Soyabean oil
- (s) Sunflower oil
- (t) Watermelon seed oil
- (u) Vegetable oils imported for edible purposes.

Further, no oil or fat of animal or mineral origin shall be used in manufacture.

Q10. What is the purpose of Form A prescribed in this regulation?

Ans. It is a declaration which is filled by a manufacturer when ghee is used in the preparation of confectionary as per the requirement of regulation 2.3.8 of this regulation.