

Dated, the 30th September, 2021

ORDER

Subject: Implementation of policy to enable the provision for change in premise address without changing FSSAI License/Registration number –reg

Reference FSSAI vide order no. 15(31)2020/FoSCoS/RCD/FSSAI dated 31st May, 2021, enabling Food businesses to migrate from State License to Central License or vice versa without change in the FSSAI License number (copy enclosed). At present, Food Businesses face problems in retaining their existing License/Registration number in case they change the premises of their food units. FBOs are required to surrender their existing license and apply for the new license.

2. To facilitate the food businesses in retaining the existing License/Registration number, even if they change the location of food unit, it has been decided to enable the relevant provision for changing the State/UT or District in FoSCoS while applying for modification of FSSAI License/Registration.

3. At the time of applying modification for change in jurisdiction, an automatic online application for transfer to be sent to existing authority, which needs to be scrutinized within 15 days of receiving of application. No comments on the transfer application by existing authority within 15 days would result in auto-approval. Then the application shall move to destined licensing/registering authority who shall scrutinize the same. Once approved, the license with its record/history shall shift to destined licensing authority. If rejected, the license shall continue with the existing licensing authority (with no refund of license fee).

4. This policy shall come into effect with immediate effect.

5. This issues with the approval of the competent authority.

Encl: As stated.


(Inoshi Sharma)

Executive Director (CS)

Email: ed-office@fssai.gov.in

Copy to –

1. Commissioners of Food Safety of all States/UTs
2. Directors, all Regional Offices of FSSAI
3. CITO – for uploading on the website

Copy for information to -

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

- c) **Capturing of sub-districts in case of new applications of Central Licenses** shall be enabled for any future migration of central license to State Authority. Sub-district shall be asked at the time of migration in case of already granted central licenses.
- d) There is an additional column in the validity Annexure to License for mentioning the Jurisdictional Authority.

Transition Modalities

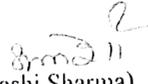
- A. **Calculation of fee:** The fee shall be recalculated at the time of modification, based on the number of years. Say, in the above example, if State license was earlier granted for 5 years @Rs. 2000, the fee calculation would be as follows:
 - a. No. of Complete years remaining on filing of modification application: 1
 - b. State License Fee refund: Rs. 2000. Central License Fee: 7500. Difference = Rs. 5500.
 - c. Final Fee: Modification Fee (Rs. 1000) + Difference Fee
 - d. In case of Central License to State License (or from higher fee bracket to lower fee bracket), no refund of fee shall be authorised. Only Modification fee shall be charged.
 - e. No part year consideration shall be given. Even if one day has lapsed in a year, full year shall be counted.
 - f. No State to FSSAI (Central License) or FSSAI (Central License) to State fee adjustment shall be done.

Online module for Transfer of Authority:

- a. At the time of applying modification of License along with requisite fee for change in jurisdiction [SL to CL or CL to SL], an automatic online application for transfer shall be sent to existing authority, which needs to be scrutinized within 15 days of receiving of application. No comments on the transfer application by existing authority within 15 days would result in auto-approval.
[**Note for Authorities:** The purpose of seeking approval from the existing licensing authority to transfer the license is to inform the licensing authority of the intended move. Any legal action in motion or any action may be expedited. Ordinarily, the approval need not be refused, however, for reasons to be recorded. The refusal can be done on grounds such as pending enforcement action. In case of refunds, the appeal shall be made to Commissioner of Food Safety of concerned State/UT.]
- b. Then the application shall move to destined licensing authority, who shall scrutinize the same and approve as per the procedure stipulated under FSS (Licensing and Registration of Food Businesses) Regulations, 2011. Once approved, the license with its record/history shall shift to destined licensing authority. If rejected, the license shall continue with the existing licensing authority (with no refund of license fee).

P.T.O

3. This issues with the approval of the competent authority.


(Inoshi Sharma)
Director (RCD)

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