

File No. RCD-02001/2/2021-Regulatory-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 26th October 2021

To

- i. All Commissioners of Food Safety of States/UTs,
- ii. The Directors of all Regional Offices, FSSAI
- iii. All Central Licensing Authorities

Subject: Clarification regarding issuing licenses under regulation 2.10.6 (3) on "Non-carbonated Water Based Beverages (Non-Alcoholic)" of Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 – reg.

Sir/Madam,

It has been brought to notice of FSSAI that some FBOs have obtained licenses under Regulation 2.10.6 (3) as "Non-carbonated Water Based Beverages (Non-Alcoholic)" of Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 while such products contain only water as an ingredient and do not contain any other ingredients as mandated in the said product regulation thus escaping BIS Certification.

2. In this context, it is informed that FSSAI has already amended the provision of Regulation 2.10.6 (3) vide Gazette Notification Number F. No. 1-116/Scientific Committee/Notif.28.4/2010-FSSAI (1) w.e.f 26th July 2021 in Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 and the relevant amended provision is reproduced as under:

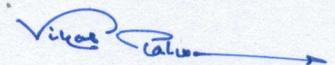
"Non-carbonated Water Based Beverages (Non-Alcoholic) means beverages containing water conforming to the standards prescribed for packaged drinking water or mineral water under these regulations without added carbon dioxide and shall contain ingredients as specified in sub-clause (i), singly or in combination:"

3. However, it may be noted that as per the ibid Amendment Regulations, the FBOs are required to comply with the said amended provisions by **1st February, 2022**.

4. In view of the above, it is also requested to ensure that all the fresh licenses for Non-Carbonated Water Based Beverages (Non-Alcoholic) shall be issued strictly as per the amended provisions as mentioned above. Further, as regards the existing licenses, all the concerned FBOs may be advised to review their product formulations and categorize them suitably as per the applicable Food Product Standards i.e. Packaged Drinking Water, Mineral Water or Non-Carbonated Water Based Beverages (Non-Alcoholic), as the case may be, while complying with all the relevant regulatory requirement including obtaining the BIS certification for Packaged Drinking Water and Mineral Water, wherever applicable, to avoid any enforcement/legal action against them.

(This issues with the approval of the Competent Authority)

Yours sincerely,



(Vikas Talwar)

Deputy Director (Regulatory Compliance)

Copy for information to:

1. P.P.S. to Chairperson, FSSAI
2. P.S. to CEO, FSSAI
3. CITO- for uploading on the website
4. Smt Meenal Passi, Scientist- F, Head, CMD-2, BIS, HQ, New Delhi.