

File No. 13 (15) 2017/PDW/ Enf/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 7th October, 2019

Subject: Packaged and Natural Mineral Water being sold in open market without BIS Certification Mark - reg.

It has been reported that a number of manufacturers of Packaged Drinking Water/Mineral Water are in operation with FSSAI License but without BIS Mark. Also, some manufacturers have obtained BIS license only and are operating without FSSAI License.

2. As per Section 31 of FSS Act, 2006, all Food Business Operators have to obtain License/Registration before commencement of any food business. Further, regulation 2.3.14 (17) and (18) of Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011, states that "*no person shall manufacture, sell or exhibit for sale, packaged drinking water and mineral water except under the Bureau of Indian Standards Certification Mark*". In this regard, following is clarified:

- (i) FSSAI license must be obtained before commencement of or carrying any food business.
- (ii) While BIS Certification Mark is not a pre-condition for FSSAI license, however, to manufacture/sell/exhibit for sale of Packaged Drinking Water/Mineral Water, BIS certification shall be obtained.
- (iii) The nomenclature of the product must be Packaged Drinking Water or Natural Mineral Water as prescribed under FSS (Packaging and Labelling) Regulation, 2011.
- (iv) Fancy name or abbreviation of such food product(s) shall not be used as prescribed under FSS (Advertising and Claims) Regulations, 2018.

3. State Food Safety Commissioners are advised to issue instructions to DOs/FSOs to carry out regular enforcement/surveillance activities in their area of jurisdiction to check regular compliance by manufacturer of Packaged Drinking Water/Mineral Water and take appropriate action against the defaulter under the provisions of FSS Act, 2006.

Yours faithfully,



(Dr. Shobhit Jain)

Executive Director (Compliance Strategy)

To:

1. Commissioner of Food Safety of all States/UTs
2. All Central Licensing Authorities
3. CITO, FSSAI-To upload on FSSAI website