

भारतीय खाद्य सुरक्षा और मानक प्राधिकरण  
(खाद्य सुरक्षा और मानक अधिनियम, 2006 के तहत स्थापित एक वैधानिक प्राधिकरण)  
(नियामक अनुपालन प्रभाग)  
एफडीए भवन, कोटला रोड, नई दिल्ली-110002

Dated: 16 Dec, 2024

Advisory

**Subject: Provision for Quarterly Submission of Data Regarding Rejected and Expired Food Items**

Section 26 and Section 27 of the Food Safety and Standards Act, 2006 specify the responsibilities/liabilities of Food Business Operators (FBOs) with respect to food safety. Additionally, as per sub part 5.2.3 of Part II (Schedule IV) of FSS (Licensing and Registration of Food Business) Regulations 2011, it is mandated that, '*Segregation shall be provided for the storage of raw, processed, rejected, recalled or returned materials or products which will be distinguishably marked and secured*'. Furthermore, sub part 5.2.5 Part states that '*Storage of raw materials, ingredients, work-in-progress and processed / cooked or packaged food products shall be subject to FIFO (First in, First Out), FEFO (First Expire First Out) stock rotation system as applicable*'.

2. In this regard, in order to ensure that rejected/expired food items are not being rebranded and sold for human consumption under the guise of cattle feed, a new provision is being introduced in the FoSCoS for the quarterly submission of information by FSSAI Licensed Food Manufacturers [including Repacker and Relabeller] & Importers on the following:

- **Quantity of Rejected Food Items:** The quantity of the food products that have failed to meet quality standards during internal testing or inspection and rejected for sale into market.
- **Quantity of Expired Products:** The quantity of the food products that have been expired or returned from the food chain due to expiry or other quality issues.
- **Action Taken with Rejected/Expired Items:** A detailed record of how rejected or expired products were handled, including the quantities destroyed, auctioned, or redirected for alternative uses, along with specific details of these actions such as details of buyer of auctioned products/waste disposal agency.

3. The above-mentioned information will be required to be submitted through the FoSCoS system on a quarterly basis. The provision for submitting such data will be activated in due course. In the meantime, FBOs are requested to begin consolidating the required data for the aforementioned categories. This will ensure that the data can be readily provided to the Food authority whenever required and can also be promptly uploaded once the provision is activated. This is also being done to ensure that the quantity of rejected/expired goods and the action thereon viz., disposal or auctioned for purpose other than the food for human consumption, can be tracked by the authority in real time.

4. All FSSAI Licensed Food Manufacturers [including Repacker and Relabeller] & Importers are directed to make necessary arrangements to compile and maintain the required records accurately to avoid any delays in future submissions.

(Rakesh Kumar)  
Director (Regulatory Compliance)

To,

1. All FSSAI Licensed Food Manufacturers s [including Repacker and Relabeller]
2. Importers

Copy to:

1. PS to CEO, FSSAI.
2. ED, Regulatory Compliance, FSSAI
3. The Commissioner of Food Safety of all States/UTs
4. Directors of all Regional Offices, FSSAI