

KHAITAN &CO ADVOCATES SINCE 1911

FOOD SAFETY BULLETIN

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FSSAI Proposes Nationwide Prohibition on Sale of Paneer Made from Non-Milk Constituents

The Food Safety and Standards Authority of India (FSSAI), through a draft notification dated 22 September 2026, published in the Gazette of India on 23 September 2026, has invited public comments on the draft Food Safety and Standards (Prohibition and Restrictions on Sales) Amendment Regulations, 2026.[1] These draft regulations, developed under Section 92(2) of the Food Safety and Standards Act, 2006 (FSS Act), propose to add a new clause (12) to Regulation 2.1.1 of the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011, thereby including "paneer made of constituents not derived from milk" in the list of items that cannot be sold.

According to the note accompanying the draft, the objective is to limit the production and sale of analogue products as paneer, so that consumers are not misled about the nature and composition of what they buy. Products that have already been licensed or registered under the 'Analogue in Dairy Context' category will also be required to remove the word "Paneer" from their names, labelling and marketing. If approved, the amendment will establish a nationwide ban on analogue paneer, similar to the State-level bans on analogue paneer issued in July and August 2026 by Chhattisgarh, Maharashtra, Gujarat, Karnataka, Madhya Pradesh and Himachal Pradesh, which were discussed in our previous issue. Objections and suggestions may be submitted to the Chief Executive Officer, FSSAI, or via email to regulation@fssai.gov.in, within 60 days from the date on which copies of the Gazette are made available to the public.

FSSAI Fixes Timelines for Analysis of Food Samples, Including a 5-Day Window for Import Samples

FSSAI, through a notification dated 14 September 2026, published in the Gazette of India on 15 September 2026, has notified the Food Safety and Standards (Laboratory and Sample Analysis) Amendment Regulations, 2026.[2] These regulations finalise a draft published on 17 February 2025 and will take effect on 1 April 2027. Under the amended Regulation 2.3.1, the certificate of the Director of the Referral Food Laboratory or the report of the Food Analyst is to be provided to the sender immediately in Form XI or Form VII A, respectively, of the Food Safety and Standards Rules, 2011. For unspecified products, the

[1] FSSAI Notification F. No. RCD-15001/1/2024-Regulatory-FSSAI dated 22 September 2026, Gazette of India, Extraordinary, Part III, Section 4, No. 573, dated 23 September 2026 (CG-DL-E-23092026-276430), available at: https://egazette.gov.in/WriteReadData/2026/276430.pdf (accessed 21 October 2026).

[2] FSSAI Notification F. No. QA/11023/31/2022-QA-FSSAI(2) dated 14 September 2026, Gazette of India, Extraordinary, Part III, Section 4, No. 558, dated 15 September 2026 (CG-DL-E-17092026-276298), available at: https://egazette.gov.in/WriteReadData/2026/276298.pdf (accessed 21 October 2026).



amount of sample to be taken will follow guidelines issued by FSSAI from time to time, and Forms A and B to the regulations have been removed.

Two new regulations have also been added. Regulation 2.5 requires laboratories to use the manuals of methods of analysis amended or adopted by FSSAI, and allows a validated method prescribed by bodies such as AOAC, ISO, BIS or the Codex Alimentarius, or any other internationally recognised regulatory agency, only when the manuals do not cover the parameter being analysed. Regulation 2.6 establishes timelines. A Food Analyst must issue a signed report on a regulatory sample within 14 days of receipt, and the Referral Laboratory must do the same in appeal cases; if this is not possible, the Designated Officer and the Commissioner of Food Safety must be informed of the reasons and the additional time needed. For imported food, the notified or Referral Laboratory must provide its report within five days of receiving the sample and record in writing to the Authorised Officer the reasons for any delay. While the 14-day period is consistent with Section 46(3) of the FSS Act, the 5-day window for import samples mirrors the requirement already introduced in Regulation 10 of the Food Safety and Standards (Import) Regulations, 2017, with effect from 1 May 2026.

FSSAI Directs Referral Laboratories to Prioritise Appeal Samples to Support Timely Food Recalls

FSSAI, through an order dated 18 September 2026, has directed all FSSAI-notified Referral Laboratories to prioritise appeal samples and to complete the analysis and report the results to the relevant Designated Officers or Central Licensing Authorities within 14 working days of receipt.[3] The order references the 'Food Recall' functionality introduced on the Food Safety Compliance System (FoSCoS) through an order dated 18 March 2026. When this functionality was explained to State and Union Territory officials at the 50th meeting of the Central Advisory Committee on 8 June 2026, it was noted that delays in analysing and reporting on appeal samples may further impact recall evaluation and follow-up action.

States and Union Territories have, in turn, been requested to conduct recall evaluations in a timely and systematic manner based on Referral Laboratory results, and to notify FSSAI of any specific delay by a Referral Laboratory. It should be noted that the order refers to 14 working days, whereas the amended Regulation 2.6 discussed above specifies 14 days once it takes effect on 1 April 2027.

FSSAI Prescribes Certificate from Exporting Country for Imported Vegan Products

FSSAI, through a notification dated 28 September 2026, published in the Gazette of India on 29 September 2026, has notified the Food Safety and Standards (Vegan Foods) Second Amendment Regulations, 2026, which will take effect on 1 April 2027.[4] These regulations finalise a draft published on 28 February 2025 and amend Regulation 5(3) of the Food Safety and Standards (Vegan Foods) Regulations, 2022. Imported products seeking the vegan logo endorsement were previously required to

[3] FSSAI (Regulatory Compliance Division), Order F. No. RCD-02003/17/2025-Regulatory-FSSAI [E-15432] dated 18 September 2026, available at: https://www.fssai.gov.in/docs/food-law/advisory/Order%20dated%2018.09.2026%20to%20referral%20laboratory.pdf (accessed 21 October 2026).

[4] FSSAI Notification F. No. ExpertcommitteeonVegan-1stmeeting dated 28 September 2026, Gazette of India, Extraordinary, Part III, Section 4, No. 590, dated 29 September 2026 (CG-DL-E-05102026-276807), available at: https://egazette.gov.in/WriteReadData/2026/276807.pdf (accessed 21 October 2026).



be accompanied by a certificate in "the format as specified by the authority"; going forward, the certificate must be in the newly added Form-I.

Form-I is to be issued by a recognised authority of the exporting country, which may be its regulatory authority, a recognised accreditation body or a recognised third-party certifying body for vegan foods. In addition to details of the shipment and the product, such as the exporter, importer, country of origin, batch number, packaging, dates of manufacture and expiry, composition, and whether the product will be repackaged or relabelled in India, the authorised official must certify that the product has not involved animal testing unless required by a regulatory authority; that good manufacturing practices are followed to prevent unintended presence of non-vegan substances; that vegan and non-vegan raw materials are stored separately and production lines are segregated or thoroughly cleaned before use; and that backward traceability of ingredients is established. Importers may wish to verify well before April 2027 that their overseas suppliers are able to provide certification in this format.

FSSAI Initiates Penal Action Against E-Commerce and Quick Commerce Platforms

FSSAI, through a post on its official social media account dated 23 September 2026, announced that it had initiated penal action under the FSS Act against Amazon Seller Services, Flipkart India, Swiggy Instamart, Zepto Marketplace and Innovative Retail Concepts Private Limited (which operates BigBasket) for misbranding, misleading claims, non-compliant product information and selling prohibited food articles through their listings.[5] As reported, action has been taken against all five platforms regarding claims made on Happilo Premium Date Bites (Zesty Orange). Amazon, BigBasket and Swiggy Instamart are also facing action for listing Datura (Dhatura) fruits and seeds, which are listed as a prohibited or poisonous article, while Swiggy Instamart and BigBasket are facing additional action regarding claims and product information on three Milky Mist dairy products.[6]

The action follows State-level enforcement against quick commerce operators in August 2026, when the Maharashtra Food and Drug Administration suspended 14 licences, 12 of them of establishments associated with Blinkit, Zepto and Swiggy Instamart, after inspecting 86 dark stores, and the Karnataka food safety authority sealed a Zepto warehouse at Hoskote, Bengaluru.[7] Together, these measures indicate that regulators hold marketplaces and quick commerce operators accountable for the compliance of food articles listed on their platforms, and not just the sellers.

FSSAI Initiates Adjudication Proceedings Against Nestlé India Over Infant Nutrition Products

FSSAI, through a post on its official Instagram account dated 18 September 2026, announced that it had filed three adjudication cases against Nestlé India Limited (Nestlé), one for each of three infant nutrition

[5] FSSAI, post on its official social media handles dated 23 September 2026 (https://x.com/fssaiindia and https://www.instagram.com/fssai_safefood/), reported in Business Standard (23 September 2026), available at: https://www.business-standard.com/industry/news/fssai-takes-penal-action-against-amazon-flipkart-zepto-and-two-others-126092301408_1.html; and Business Today (23 September 2026), available at: https://www.businesstoday.in/india/story/fssai-flags-misleading-claims-prohibited-food-products-on-amazon-swiggy-zepto-platforms-557417-2026-09-23 (accessed 21 October 2026).

[6] LawBeat (25 September 2026), available at: https://lawbeat.in/news-updates/fssai-initiates-penal-action-against-amazon-flipkart-swiggy-instamart-bigbasket-zepto-over-food-safety-violations-1635150 (accessed 21 October 2026).

[7] Food Infotech (25 September 2026), available at: https://www.foodinfotech.com/fssai-penalises-quick-commerce-and-ecommerce-platforms-over-food-safety-violations/ (accessed 21 October 2026).



products, after reviewing the products and their promotional materials on e-commerce platforms and obtaining clarifications from the company.[8] Two of the cases involve claims, specifically "5HMOs" and "Whey Protein" on NAN Excella Pro Stage 1, and a claim that whey protein is easy to digest on Lactogen Pro 1. FSSAI considers these claims to violate Regulation 4(2) of the Food Safety and Standards (Foods for Infant Nutrition) Regulations, 2020, which restricts claims and promotional materials designed to increase sales of infant foods, and Section 3 of the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992. The third case involves a follow-up formula found to be substandard for biotin, a finding confirmed upon re-analysis by a Referral Laboratory.

In its clarification to the stock exchanges dated 18 September 2026, Nestlé stated that NAN Excella Pro and Lactogen Pro and their labels had been approved by FSSAI's expert committee; that the label statements were factual and supported by scientific literature; and that the news would not significantly affect the company.[9]

FSSAI Calls for Special Festive Drive Against Adulteration During Navratri and Diwali

FSSAI, through a letter dated 29 September 2026 addressed to the Commissioners of Food Safety of all States and Union Territories and its Regional Directors, has requested a special drive during Navratri and Diwali to prevent the distribution of adulterated, counterfeit and unsafe food.[10] Highlighting the increased demand for sweets, savouries, beverages, edible oil and milk products such as ghee, khoya and paneer during the festive season, the letter identifies milk and milk products, sweets, snacks and savories, including namkeen, papad and fryums, edible oil, beverages and ghee as focus commodities. States may include items that are locally relevant, such as kuttu atta and singhada atta in the northern and western regions of the country.

Designated Officers, Food Safety Officers and Central Food Safety Officers are to be instructed to conduct inspections and sampling throughout the festive season, with emphasis on identified hot spots and sensitive locations. Food Safety on Wheels mobile testing units, where available, are to be deployed in major markets or based on specific intelligence inputs, for on-the-spot testing and consumer awareness. Data on inspections, sampling and results must be recorded on FoSCoS and FoSCoRIS in real-time, and FSSAI has requested that the matter be treated as "MOST IMPORTANT".

FSSAI Brings 12 Airports Within Jurisdiction of Central Food Safety Officers and Notifies 96 New Officers

FSSAI, through a notification dated 7 September 2026, issued under Section 10(5) in conjunction with Section 37 of the FSS Act and published in the Gazette of India on 8 September 2026, has amended the original notification of 2 September 2021 to include airports in the jurisdictions of 14 Central Food Safety

[8] FSSAI, post on its official Instagram handle dated 18 September 2026 (https://www.instagram.com/fssai_safefood/), reported in Business Standard (18 September 2026), available at: https://www.business-standard.com/companies/news/fssai-initiates-legal-action-against-nestle-india-over-infant-products-126091800519_1.html (accessed 21 October 2026).

[9] Nestlé India Limited, letter to BSE Limited and National Stock Exchange of India Limited dated 18 September 2026, available at: https://nsearchives.nseindia.com/corporate/NESTLEIND1_18092026184022_BSENSENewsClarification18092026signed.pdf (accessed 21 October 2026).

[10] FSSAI (Regulatory Compliance Division), Letter F. No. RCD-02001/216/2025-Regulatory-FSSAI [E-14478] dated 29 September 2026, available at: https://www.fssai.gov.in/docs/food-law/advisory/Letter%20dated%2029.09.2026%20w.r.t%20Special%20festive%20drive.pdf (accessed 21 October 2026).



Officers (CFSOs).[11] The airports included are Visakhapatnam, Cochin, Guwahati, Hyderabad, Chandigarh, Ghaziabad, Amritsar, Bengaluru, Mangalore, Bagdogra, Ahmedabad and Indore, with Guwahati and Bagdogra each assigned to two CFSOs. Food businesses operating at these airports, including flight kitchens and airport food outlets, will therefore fall under the direct supervision of central enforcement officers. Previously, through a notification dated 2 September 2026, published in the Gazette of India on 7 September 2026, FSSAI notified 96 new CFSOs by adding serial numbers 79 to 174 in the original notification.[12] Of these, 11 have been assigned to the Eastern Region, 14 to the Northern Region, 35 to the Southern Region and 36 to the Western Region, each with jurisdiction over the States and Union Territories in that region.

FSSAI Revises List of Recognised Food Laboratories

FSSAI, through notifications dated 25 August 2026 and 30 September 2026, issued under Section 43(1) of the FSS Act, has amended the list of recognised food laboratories notified through S.O. 3648(E) dated 6 December 2016.[13] The August notification, published on 27 August 2026, revises the entries for six laboratories, including Fare Labs Private Limited (Location 2), Gurgaon, whose scope now includes biological, chemical, mechanical and radiological testing; adds the MSME Testing Centre, Guindy, Chennai; and removes Vimta Labs Ltd, Nellore, NCML Labs, Hyderabad and the Oil Laboratory, Department of Chemical Technology, Kolkata. The September notification, published on 5 October 2026, removes Vimta Labs Limited, Ahmedabad, and adds Green Envirosafe Engineers & Consultant Private Limited, Pune; Envirodesigns Eco Labs Private Limited, Kochi; National Test House (Eastern Region), Kolkata; and the Regional Food Testing Laboratory, Siliguri, the latter being recognised for chemical testing only.

Hon'ble Supreme Court Reserves Order on Front-of-Pack Warning Labels as FSSAI Proposes Single-Nutrient Trigger

In *3S and Our Health Society v Union of India*, MA No 1177 of 2025 in Writ Petition (Civil) No. 437 of 2024, a public interest litigation seeking front-of-pack warning labels on packaged foods high in sugar, salt and fat, the Hon'ble Supreme Court (Mr. Justice J B Pardiwala and Mr. Justice K Vinod Chandran) reserved its order on 28 September 2026.[14] At the hearing, FSSAI presented its revised proposal. A warning would now be triggered when a product exceeds the threshold for **any one** specified nutrient, instead of the previous 'two or more nutrients' trigger that the petitioner had criticised. Following the Canadian model, the warning would be a red hexagon on a white square background indicating the nutrient involved, with thresholds derived from the ICMR-NIN Dietary Guidelines for Indians, 2024 and applied regardless of the

[11] FSSAI Notification F. No. RCD-15001/4/2021-Regulatory-FSSAI-part(1) dated 7 September 2026, Gazette of India, Extraordinary, Part III, Section 4, No. 548, dated 8 September 2026 (CG-DL-E-14092026-276176), available at: https://egazette.gov.in/WriteReadData/2026/276176.pdf (accessed 21 October 2026).

[12] FSSAI Notification F. No. RCD-15001/4/2021-Regulatory-FSSAI-part(1) dated 2 September 2026, Gazette of India, Extraordinary, Part III, Section 4, No. 540, dated 7 September 2026 (CG-DL-E-08092026-276069), available at: https://egazette.gov.in/WriteReadData/2026/276069.pdf (accessed 21 October 2026).

[13] FSSAI Notification F. No. QA-12012/8/2021-QA-FSSAI dated 25 August 2026, Gazette of India, Extraordinary, Part III, Section 4, No. 523, dated 27 August 2026 (CG-DL-E-02092026-275938), available at: https://egazette.gov.in/WriteReadData/2026/275938.pdf; and FSSAI Notification of the same number dated 30 September 2026, Gazette of India, Extraordinary, Part III, Section 4, No. 599, dated 5 October 2026 (CG-DL-E-07102026-276908), available at: https://egazette.gov.in/WriteReadData/2026/276908.pdf (accessed 21 October 2026).

[14] Supreme Court of India, *3S and Our Health Society v Union of India*, MA No 1177 of 2025 in W.P.(C) No 437 of 2024, hearing dated 28 September 2026.



level of processing. FSSAI requested approximately four months to finalise the draft regulations and proposed a voluntary compliance period of 365 days after notification.

The Hon'ble Court questioned why a year of voluntary compliance was necessary and why fresh stakeholder consultation was required when the process had commenced in 2022. The petitioner distinguished between added and total sugar, advocated for mandatory labelling from the beginning and argued that warning labels do not need to wait for a definition of ultra-processed foods. While acknowledging the steps taken by FSSAI, the Hon'ble Court noted that much more was needed, that its order would bind the regulator, and that the matter would remain listed to monitor compliance. The parties were directed to submit written arguments within three days.

Hon'ble Delhi High Court Sets Aside FSSAI Order Against Red Bull's Use of "Energy Drink" Descriptor

In *Red Bull v Union of India and Ors*, Writ Petition (Civil) 14413 of 2026 , the Hon'ble Delhi High Court, through a judgment dated 29 September 2026, set aside the order dated 30 June 2026, issued by an Assistant Director of FSSAI, directing Red Bull to cease using the descriptor "Energy Drink" on its caffeinated beverages.[15] Red Bull had also challenged a communication dated 17 July 2026 requesting State and Union Territory authorities to take action against products deemed non-compliant, which had resulted in seizures of its products at multiple locations. It was argued on behalf of Red Bull that it had marketed its products in India under this descriptor since 2002, that an FSSAI advisory of March 2024 and a Ministry of Health and Family Welfare press release of April 2024 allowed the term, and that the order had been issued without a show cause notice or hearing.

The Hon'ble Court granted the petition solely on the basis that the principles of natural justice had not been observed, and did not determine whether Red Bull is entitled to use the descriptor. FSSAI has been given permission to make a new decision after providing Red Bull with a hearing. The decision is consistent with the interim order issued by the same Court in the Dabur matter, referenced in our previous edition, and confirms that orders impacting products marketed for many years must be preceded by notice and a hearing.

Hon'ble Bombay High Court Holds Licence Suspension Cannot Continue After "Exemplar" Compliance

In *Hotel Alankar v State of Maharashtra*, Writ Petition No. 3806 of 2026, the Hon'ble Bombay High Court, at its Kolhapur Circuit Bench, through a judgment dated 8 September 2026, invalidated the ongoing suspension of the petitioner's FSSAI licence.[16] The establishment received a score of 69% during a surprise inspection on 7 July 2026, and its licence was suspended the following day under Section 32(3) of the FSS Act. A re-inspection on 31 July 2026 recorded 97% compliance, which the authority's own grading

[15] Delhi High Court, *Red Bull v Union of India and Ors* Writ Petition (Civil) 14413 of 2026, hearing dated 29 September 2026.

[16] Bombay High Court (Kolhapur Circuit Bench), *Hotel Alankar v State of Maharashtra and Ors*, Writ Petition No 3806 of 2026, judgment dated 8 September 2026, 2026:BHC-KOL:8650-DB, available at: https://www.verdictum.in/pdf_upload/2026/09/12/file20260912102445watermark-1784223.pdf (accessed 21 October 2026).



system classifies as "exemplar". Nevertheless, the appellate authority, through an order dated 19 August 2026, continued the suspension without reviewing the re-inspection report.

The Hon'ble Court noted that failing to review the re-verification report rendered the re-inspection useless. Under the structure of Section 32, non-compliance is to be resolved through an improvement notice, with immediate suspension reserved for situations where public health is at risk; therefore, a suspension cannot continue indefinitely and may be extended only upon finding continued non-compliance. The Hon'ble Court revoked the suspension order of 8 July 2026 and reinstated the licence, contingent upon an undertaking from the proprietor that food products not listed on the licence will not be sold. The authorities remain authorised to proceed under Sections 55 and 63 of the FSS Act for any operation during the suspension period.

Hon'ble Madras High Court Declines to Recall "Micro/Nano Plastics" Labelling Direction for PET-Bottled Water, Salt and Sugar

In *Food Safety and Standards Authority of India v G Subramania Koushik*, Review Application No. 253 of 2026, a Special Bench of the Hon'ble Madras High Court established for matters concerning the Western Ghats, through a judgment dated 28 September 2026, denied applications seeking review and recall of its order dated 6 February 2026 in W.P. No 15120 of 2019.[17] That order had directed FSSAI to notify, within four weeks, that water in plastic or PET bottles must display the label "This water may contain Micro/Nano Plastics", and that sugar and salt in plastic packaging must display a similar label, in a font size of no less than 10. FSSAI's special leave petition against that order had been withdrawn before the Hon'ble Supreme Court on 18 May 2026. Review was subsequently sought by FSSAI, the PET Packaging Association for Clean Environment and the Federation of All India Packaged Drinking Water Manufacturers Association, who contended, among other things, that there was no definitive proof of harm, that no other country requires such a label and that the label would create panic among consumers.

The Hon'ble Court dismissed these arguments. It stated that the possibility of adverse health effects was not disputed and that, when a hazard has been identified but scientific uncertainty remains, temporary risk management measures are justified. Describing the label as "the barest essential minimum" required for consumers to make an informed choice, and noting that the direction was "only labelling" and did not declare the products unsafe, the Hon'ble Court determined that it was neither premature nor disproportionate. Consequently, the order of 6 February 2026 remains valid, and FSSAI remains obligated to notify the labelling requirement, pending further hearing in the ongoing writ petition.

Hon'ble Bombay High Court Declines Interim Relief in Old Monk Matter as Manufacturer Offers to Relabel

In the challenge by Mohan Rocky Springwater Private Limited against the prohibition on the sale of Old Monk rum in Writ Petition 7422 of 2026 , referenced in our previous edition and explained in the Ministry of Health and Family Welfare's press release dated 2 August 2026,[18] a Division Bench of the Hon'ble

[17] Madras High Court, *Food Safety and Standards Authority of India v G Subramania Koushik*, Review Application No 253 of 2026 and W.M.P. Nos 32965 and 42413 of 2026 in W.P. No 15120 of 2019, judgment dated 28 September 2026, 2026:MHC:3978, available at: https://indiankanoon.org/doc/20160350/ (accessed 21 October 2026).

[18] Press Information Bureau, press release dated 2 August 2026, available at: https://www.pib.gov.in/PressReleasePage.aspx?PRID=2293484&reg=1&lang=1 (accessed 21 October 2026).



Bombay High Court denied interim relief on 31 August 2026 and again in the first week of September 2026.[19] FSSAI, through the Additional Solicitor General, argued that externally added rum flavoring alters the natural characteristics of the spirit, making the product substandard and unable to be sold solely as "rum"; instead, it should be labeled as "Flavoured Rum" or "Rum-Flavoured Spirit". Additionally, it was argued that an age claim must relate to the youngest spirit in the blend, and that the "7 years old blended" claim violated Regulation 1.3.7 of the Food Safety and Standards (Alcoholic Beverages) Regulations, 2018.

The petitioner offered to include phrases such as "Added Flavour" or "Flavoured Rum" on the label and to remove the age claim so that the prohibition could be lifted. The authorities indicated that approval of a revised label would require between 15 and 45 days, and the matter was adjourned until 11 September 2026.

Hon'ble Allahabad High Court Holds Registration Insufficient for Slaughterhouse Beyond Petty Food Business Limits

In *Junaid Alam v State of Uttar Pradesh and 3 Others*, Writ-C No. 34620 of 2026, the Hon'ble Allahabad High Court denied a writ petition contesting the refusal of the District Magistrate, Kanpur Nagar, to allow the reopening of the petitioner's slaughterhouse.[20] The petitioner relied on an FSSAI registration certificate indicating the business as "Slaughtering units, Distributor", along with GST and Udyam registrations, laboratory reports and a no-objection certificate from the Kanpur Nagar Municipal Corporation. However, his pending application for a State licence indicated a proposed capacity of 20 large animals and had been returned for correction of deficiencies.

The Hon'ble Court ruled that, according to Regulation 1.2.1(4) of the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, a slaughterhouse qualifies as a petty food business and may operate solely on registration only if it slaughters no more than 2 large animals, 10 small animals or 50 poultry birds per day.

Once that capacity is exceeded, a licence under Section 31(1) of the FSS Act is required, and neither an acknowledgment of a pending licence application nor additional registrations can substitute for it. Citing *Laxmi Narain Modi v Union of India*, the Hon'ble Court added that Article 19(1)(g) of the Constitution does not excuse compliance with licensing requirements established in the interest of public health. The petitioner has been permitted to correct the deficiencies and proceed with the pending application.

For any queries, please contact: foodsafetybulletin@khaitanco.com

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[19] Bombay High Court, Mohan Rocky Springwater Breweries Private Limited v Union of India, Writ Petition 7422 of 2026, hearing date 3 September 2026.

[20] Allahabad High Court, *Junaid Alam v State of U.P. and 3 Others*, Writ-C No. 34620 of 2026, hearing date 2 September 2026.



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