E-commerce food biz operators must obtain licence: FSSAI

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E-commerce food companies will have to obtain licence for their entire supply chain besides ensuring that delivery of products is done by ‘trained personnel’ in order to maintain safety under the new guidelines issued by food regulator FSSAI on Friday. With an aim to regulate e-commerce food business, the Food Safety and Standards Authority of India (FSSAI) defined e-commerce Food Business Operators (FBOs) as those carrying out business through online medium.

“E-commerce FBOs shall be covered under schedule-I of the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011. These e-commerce FBOs have to obtain license from the Central Licensing Authority for the entire supply chain,” the FSSAI said in its guidelines for ‘Operations of e-commerce Food Business Operators’.

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With a view to ensure food safety, the FSSAI further said: “It shall be ensured by the e-commerce FBOs that the last mile delivery is undertaken by trained delivery personnel and the safety of food product is not compromised at the time of delivery.”
However, FSSAI said that e-commerce entities providing listing/directory services to the sellers/brand owners, restaurants, vendors, importers or manufacturers of the food product may not be required to obtain license/registration under the Act.

Although, these e-commerce entities should ensure that no misleading information/false claims pertaining to the sellers/brand owners, vendors, importers or manufacturers or misleading images of food products are made available or shown on their platform.

The e-commerce entities should clearly specify on their platform that liability of any violation of the FSS Act and applicable rules and regulation would be with sellers/brand owners, vendors, importers or manufacturers of the food products.

On a supply chain compliance, the FSSAI said that all e-commerce FBOs will be required to sign an agreement with the sellers/brand owners/manufacturers “averring that the said sellers/brand owners/manufacturers are compliant with the FSSA Act and rules and regulations.”

On handling of consumer complaints, FSSAI said that the e-commerce FBOs would have to immediately notify the issue to the sellers/brand owners/importers/manufactures who would be liable for expeditious resolution.

In case of recall, FSSAI said that e-commerce FBOs/entities will have to immediately delist any food products listed on their platform, which are not in compliance with the Act.