

File No.: RCD-12005/1/2021-Regulatory-FSSAI  
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 12 January, 2023

To

1. The Commissioner of Food Safety of All States/UTs
2. All Regional Directors, FSSAI
3. All Central Licensing Authorities.

**Subject: Enforcement regarding compliance with the standards for Non-Carbonated Water Based Beverage (Non-alcoholic) under Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011.**

Sir/Madam,

Reference is drawn to sub regulation 2.10.6 (3) of Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011 which specifies the standards for 'Non-Carbonated Water Based Beverage (Non-alcoholic)'. FSSAI had amended the Regulations 2.10.6 (3) under Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011 vide Gazette Notification Number F. No. 1-116/Scientific Committee /Notif.28.4/2010-FSSAI(1) dated 26th July 2021 and the relevant amendment provision is reproduced as under:

*'3. 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.....'*

The FBOs were required to comply with the said amendment provisions by 1st February, 2022.

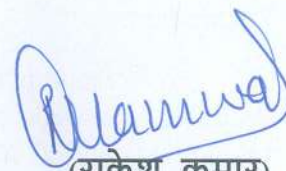
2 In this regard, the Regional Directors are hereby directed to scrutinise all such licences granted for Non-Carbonated Water Based Beverage under Food category 14.1.4.2 for the following points:

- a. That it is manufactured using the water conforming to the standards prescribed for either 'Packaged drinking water (PDW)' or 'Mineral water(MW)' as the base.
- b. That it mandatorily contains ingredients as specified in sub-clause (i), **singly or in combination.** The ingredients which are permitted to be added are: *Sugar, liquid glucose, dextrose monohydrate, invert sugar, fructose, honey, salt and salt substitutes, fruits or flowers or vegetables and their products including extractives, herbs, spices and their derivatives and permitted flavouring. It may also contain caffeine not exceeding 145 parts per million from whatever sources it may be derived in the formulation of the product)*
- c. That the product is not being represented as 'Water' in any form, be it the name of the product or label or through advertisement or representation by any means.

d. That the quantities of vitamins and minerals in the said products are as per the standards prescribed for Packaged drinking water (sub-regulation 2.10.7) or Mineral water (sub-regulation 2.10.7). It may be noted that the direction issued by FSSAI dated 22.10.2021 regarding addition of vitamins and minerals up to one RDA in any standardized food products listed under FSSR do not apply to these products, as the limits for vitamins and minerals are already specified in the base (PDW or MW) of these products.

3. In view of the above, it is directed to review products licensed under 14.1.4.2 (*Non-Carbonated Water Based Beverage (Non-alcoholic)*) of all such FBOs under your respective jurisdiction on the basis of the above set of conditions and issue Improvement Notices to all the non-compliant FBOs with the direction to either rectify the product formulation/labelling to bring the same in conformity with the above Regulation provisions or discontinue the manufacturing of such products failing which appropriate action under FSSA,2006 and Rules and Regulations thereunder may be initiated.

A report on such non-compliant cases shall be submitted to FSSAI, HQs by 31<sup>st</sup> January, 2023.



(राकेश कुमार)

निदेशक (नियामक अनुपालन विभाग)

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**Copy to:**

1. SPS to CEO, FSSAI.
2. Advisor (QA and S&S), FSSAI, HQ, New Delhi
3. CTO- for uploading on FSSAI's website.