

**MOST IMMEDIATE**

Dated the, 21<sup>st</sup> December, 2020

To,

- 1. The Commissioner of Food Safety of All States/UTs**
- 2. All Authorized Officers of FSSAI**
- 3. All Central Licensing Authorities (Delhi/Mumbai/Chennai/Kolkata/Guwahati)**

**Subject :- Guidelines for the disposal of seized and rejected food items-Reg.**

With reference to the provisions made under Section-38 (4) and 47 (4) of the FSS Act, 2006 and in cases where the law permits or Adjudicating Officer/Court so orders for disposal of the seized articles of food by destruction, the following procedure shall be followed:

- A. The disposal of seized item/article shall be preferably within the jurisdiction of the court in which the case has been filed,
- B. The disposal of seized item/article shall be with the due approval of the concerned Designated Officer,
- C. The seized item/article shall be disposed by way of incineration preferably. However, the same may be considered for disposal by manuring/composting or biogas or dumping also as deemed fit by the concerned Designated Officer after assessing the factors like safety & risk associated with the item/article to be disposed off, the directions of the court etc.
- D. The mode/ method of destruction decided by the Designated Officer should be environment-friendly.
- E. The disposal shall be supervised by the FSO/officer duly authorised by the Designated Officer in the presence of two independent witnesses.
- F. The certificate of disposal shall be submitted by the concerned FSO/officer supervising the disposal of the said article/item seized to the Designated Officer with a copy to the concerned Commissioner of the Food safety and the FBO.
- G. In respect of the imported foodstuffs seized for contravention of Food Safety and Standards Act, 2006 or found unfit for human consumption as the case may, the procedure as laid down under the Regulation No. 16, Chapter-XII of the FSS (Imports) Regulation, 2017 and the provisions of the Customs Act, 1962 (52 of 1962) read with the Disposal Manual-2019 of the Central Board of Indirect Taxes & Customs shall be followed by the Authorized Officers of the FSSAI.
- H. Every DO should identify suitable facilities for incineration/manuring/composting within a month and furnish a list to the Food Safety Commissioner, who may forward a consolidated list to FSSAI.

**Issued with the approval of the Competent Authority.**

Yours sincerely,

  
**(Dr. Shobhit Jain)**

Executive Director (Compliance Strategy)

Copy to:-

1. All the Regional Directors, FSSAI: - For information.
2. CITO, FSSAI-for uploading on FSSAI website immediately.