

CHAPTER 2

FOOD PRODUCT STANDARDS

2.12 Proprietary Food

²⁰[2.12.1: For the purpose of these regulations,-

(1) Proprietary food means an article of food that has not been standardised under these regulations, but does not include novel foods, foods for special dietary uses, foods for special medical purposes, functional foods, nutraceuticals, health supplements and such other food articles which the Central Government may notify in this behalf.

Provided that any deviation in quality parameters of a standardised food, as specified in the Food Safety and Standards Regulations made under the Food Safety and Standards Act, 2006 shall not qualify the resultant product as a proprietary food.

⁵⁷[(2) Proprietary food shall contain only those ingredients other than additives which are either standardised or permitted for use in the preparation of food products under the Food Safety Standards and Regulations and those food or ingredients mentioned in the Indian Food Composition Tables (IFCT), 2017, National Institute of Nutrition, except the ingredients which may be specified by the Authority from time to time and those specified under prohibition of hunting in the Indian Wildlife Protection Act, 1972 (53 of 1972):

Provided that a proprietary food may also contain vitamins and minerals in quantities not exceeding one Recommended Dietary Allowance of the respective micronutrients.]

(3) Proprietary food shall use only such additives and at such levels, as specified for the Category or Sub-category under Appendix A of these Regulations, to which the food belongs. Such Category or Sub-category shall be clearly mentioned on the label along with the generic name, nature and composition of the proprietary food.

(4) Proprietary food shall comply with the microbiological requirements as specified in Appendix B of these Regulations. If no microbiological standards are specified for any foods or food categories in Appendix B of these regulations, proprietary foods falling under such food categories shall not contain any pathogenic microorganism at a level that may render the food product unsafe.

(5) Proprietary food shall also comply with the provisions, as applicable, of all other Regulations made under the Food Safety and Standards Act 2006. No health claims shall be made in respect of proprietary foods either on the product label or otherwise, unless it is substantiated by adequate and scientific evidence.

(6) The Food Business Operator shall be fully responsible for safety of the proprietary food in respect of human consumption.]