



## I Leading Questions

# Understanding the legal framework of food licensing in India

*Janini Somiah and Anvita Harish discuss FSSAI's food licensing framework, including 2026 amendments to these laws.*



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In this 'Leading Questions' section, **Janini Somiah** and **Anvita Harish** discuss FSSAI's food licensing framework - which requires every food business to obtain

registration or a licence (one per premise) - and outline the 2026 amendments that make licences perpetual.

**Question:** What should the foundation of your food business be, before undertaking any operations?

**Answer:** The laws surrounding food safety in the country require every person who deals with food and undertakes any activity related to any stage of manufacture, storage, transport, sale, etc., irrespective of whether being for profit or not, to first obtain an FSSAI registration or a license. The nature of the registration or license is dependent on factors such as the kind of food business, the turnover/ proposed turnover of the food business and such others.

**Question:** Are all food business operators treated the same when it comes to obtaining the FSSAI registration/ license?

**Answer:** While all food business operators are required to obtain the FSSAI registration/ license irrespective of the scale of their operations, the difference fundamentally lies in the kind of registration/ license that they may be required to obtain. The requirement to obtain a registration is one, however, a license can be obtained either from the State Licensing Authority or the Central Licensing Authority. There are multiple criteria to be considered, primarily based on the nature of the food business and a decision after considering this is required to be made. An interesting development is in relation to the recent amendment made by the FSSAI to the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, under which the FSSAI has issued an Order revising certain turnover thresholds for the categorisation, which will be effective from April 1, 2026.

**Question:** As each food activity is independently regulated, is a food business operator required to obtain separate registrations/ licenses for each activity, though being undertaken within the same premises?

**Answer:** The FSSAI does regulate each food business activity independently, but recognises that obtaining multiple registrations/ licenses for a single premises can be burdensome. A food business operator is therefore required to obtain one FSSAI registration/ license for each premise, within which all the food businesses being undertaken will be included. As an illustration, if an entity has a premises situated in Bengaluru in which it undertakes both manufacturing and storage, the

Bengaluru premises would have only one FSSAI registration/ license and both the food businesses will be specifically included in such registration/ license.

**Question:** What are the effects of the recent 2026 amendment on the registration/ licensing of food businesses?

**Answer:** The 2026 amendment appears to make the process of obtaining registrations/ licenses simpler. One change brought about by the amendment is regarding the validity of an FSSAI registration/ license issued and the requirement to renew the same. The 2026 amendment removes the fixed time validity of a registration/ license and instead has introduced the concept of a registration/ license being valid perpetually, unless suspended, cancelled or surrendered. While the timely renewal of registrations/ licenses does not exist, the requirement to pay the registration/ license fee, submit annual returns, etc., remains. The FSSAI has further clarified, through FAQs, that fees may be paid for multiple years, at once and that fees can also be paid at any time of the year.

The other effect that the 2026 amendment would have is in relation to a change in the category of licenses, as the FSSAI has, with effect from April 1, 2026, changed the turnover threshold limits. The turnover threshold limits for registration has been revised to be upto ₹1.5 crores, for a State license to be between ₹1.5 crores and upto ₹50 crores and for a central license to be above ₹50 crores. The question that arises is the effect this will have on licenses that have already been obtained based on the turnover criteria and whether the food business operators are required to undertake some action, at their end, to recategorize the licenses that have been obtained. Related questions are also regarding whether there will be a change in the FSSAI license number, as this will have a consequent effect on the labels of food products and such other effects. The FSSAI has issued FAQs clarifying a few aspects, but food business operators will have to wait for the revisions to be made on the online system (the food safety compliance system) to fully understand the implications of the 2026 amendment.

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