



COMMISSIONER
FOOD AND DRUG ADMINISTRATION, MAHARASHTRA STATE
 Survey No. 341, Bandra Kurla Complex, Bandra (East), Mumbai - 400 051

No.: COMM/FOOD/ORDER/MILK/ 793-2026/07

Date: 03 July, 2026

ORDER

Subject	Comprehensive Compliance Order under the Food Safety and Standards Act, 2006 and Regulations made thereunder – Applicable to Milk Collection Centres, Milk Chilling Centres, Processors, Packers, Distributors, Loose Milk Sellers, and Manufacturers and Sellers of Milk and Milk Products in the State of Maharashtra.
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WHEREAS Article 21 of the Constitution of India guarantees to every person the right to life with dignity – a right which the Hon'ble Supreme Court has authoritatively held to encompass the right to safe, wholesome and unadulterated food, and the right to be protected from food that is injurious to health;

AND WHEREAS Article 47 of the Constitution casts upon the State a primary and non-derogable duty to raise the level of nutrition and the standard of living of its people and to improve public health – milk being, for the people of Maharashtra, a primary source of nutrition consumed daily by infants, children, the sick and the elderly;

AND WHEREAS the Food Safety and Standards Act, 2006 ("the Act"), as amended from time to time, and the Regulations framed thereunder – including

1. FSS (Licensing and Registration of Food Businesses) Regulations, 2011,
2. FSS (Food Products Standards and Food Additives) Regulations, 2011
3. FSS (Contaminants, Toxins and Residues) Regulations, 2011.
4. FSS (Prohibition and Restrictions on Sales) Regulations, 2011.
5. FSS (Labelling and Display) Regulations, 2020.
6. FSS (Packaging) Regulations, 2018.
7. FSS (Fortification of Foods) Regulations, 2018.
8. FSS (Advertising and Claims) Regulations, 2018,

Lay down comprehensive, science-based and binding standards for the composition, safety, hygiene and sale of milk and milk products applicable to every Food Business Operator in the dairy supply chain;

AND WHEREAS inspections and surveillance by the Food and Drug Administration, Maharashtra State have revealed widespread and continuing non-compliance across the milk supply chain – including operation without valid licence or registration, dilution of milk with water and failure to meet the prescribed milk-fat and solids-not-fat standards, addition of urea, detergent, starch, glucose, maltodextrin, neutralisers, melamine and other adulterants, manufacture of synthetic and reconstituted milk passed off as genuine, presence of aflatoxin M1 and antibiotic residues beyond permissible limits, failure to maintain the cold chain, sale of pasteurised and standardised milk in loose and unsealed form, absence of medical fitness certificates for handlers, and unhygienic and pest-infested premises – all of which pose grave and unacceptable risk to the life and health of the people of Maharashtra;

AND WHEREAS the National Milk Safety and Quality Survey conducted by the Food Safety and Standards Authority of India has established that contamination of milk – particularly by aflatoxin M1 arising from contaminated cattle-feed and fodder, and by antibiotic residues – is a significant public-health concern requiring sustained farm-to-plate surveillance, in addition to the prevention of deliberate adulteration;

AND WHEREAS the Hon'ble Supreme Court of India, in Swami Achyutanand Tirth & Ors. v. Union of India & Ors. [Writ Petition (Civil) No. 159 of 2012, decided on 5th August 2016], taking note of the grave menace of adulterated and synthetic milk – prepared by the admixture of urea, starch, glucose, caustic soda, detergent and non-milk fat, and injurious to the heart, liver and kidneys – directed the Union of India and the State Governments to implement the Food Safety and Standards Act, 2006 in a more effective manner, to strengthen food-testing infrastructure and the enforcement machinery, and held it desirable that the law be revisited to make the punishment for adulteration more deterrent in cases where the adulterant can adversely affect health; and this Order is issued, inter alia, in furtherance of those directions;

AND WHEREAS Section 30 of the Act, read with Sections 18, 29, 36, 37 and 38 thereof, vests in the Commissioner of Food Safety, Maharashtra, the authority to ensure, through the officers under his charge, compliance with the Act and the Regulations made thereunder, and Section 30 (2) (a) further empowers the Commissioner, in the interest of public health, to prohibit the manufacture, storage, distribution or sale of any article of food;

NOW, THEREFORE, I, Tukaram Mundhe, IAS, Food Safety Commissioner, Food and Drug Administration, Maharashtra State, in exercise of the powers conferred under Section 30 read with Sections 18, 29, 31, 36, 37 and 38 of the Food Safety and Standards Act, 2006, and all other powers enabling me in this behalf, hereby issue this Comprehensive Compliance Order, which shall have immediate effect and shall be binding upon all Food Business

Operators engaged in the collection, chilling, procurement, processing, manufacture, packing, storage, distribution, transport and sale of milk and milk products throughout the State of Maharashtra.

1. APPLICABILITY

This Order applies to All Food Business Operators in the milk and milk-products sector operating within the territorial limits of the State of Maharashtra, including

- i) Milk collection centres and bulk-milk coolers;
- ii) Milk chilling centres;
- iii) Dairy processing units and manufacturers (pasteurisation, standardisation, homogenisation, sterilisation and UHT plants);
- iv) Packers and filling stations;
- v) Distributors, transporters and wholesalers;
- vi) Retailers, milk booths, milk vendors and loose-milk sellers;
- vii) Automatic and bulk milk vending operators;
- viii) Manufacturers, packers and sellers of milk products (including paneer, chhana, khoa, ghee, butter, cream, dahi, cheese, ice-cream, milk powder, condensed milk, flavoured milk and all other milk products) – regardless of size, turnover, handling capacity, or nature of ownership.

2. LICENSING AND REGISTRATION

- (a) No Food Business Operator in the milk sector shall operate in the State of Maharashtra without a valid FSSA Registration or Licence as required under Section 31 of the Act and the FSS (Licensing and Registration of Food Businesses) Regulations, 2011.
- (b) The original FSSA Licence or Registration Certificate (or a copy generated and downloaded from the FoSCoS portal) shall be displayed prominently at the establishment, and at every collection, chilling, processing, packing and retail point, at all times during which the business is operational.
- (c) Every licensed Food Business Operator shall comply, at all times, with the Conditions of Licence set out in Annexure 3 of Form B in Schedule 2, as mandated under Regulation 2.1.2(5), and every registered (petty) Food Business Operator shall comply with the Conditions of Registration and the self-attested declaration in Annexure 1 of Schedule 2 under Regulation 2.1.1. The Conditions of Licence and of Registration shall be deemed to form an integral part of this Order. The node-wise requirements applicable to each category of operator are set out in Clause 8 of this order.

3. DUTIES AND OBLIGATIONS OF FOOD BUSINESS OPERATORS

Every Food Business Operator shall observe the hygienic and sanitary practices prescribed in Schedule 4 of the FSS (Licensing and Registration of Food Businesses) Regulations, 2011 applicable to the nature and category of its business – namely,

- i) Part I - In the case of a registered (petty) operator under Regulation 2.1.1(2),
- ii) Part II - General manufacturing
- iii) Part III - Specific requirements for establishments handling, processing, storing, distributing and selling milk and milk products)

3.1 Infrastructure and Sanitation

- (a) Premises shall be located away from sources of contamination, smoke, dust, effluent and pests. Reception, chilling, processing, packing and storage areas shall be clearly demarcated and so laid out as to prevent cross-contamination. Floors, walls and ceilings shall be smooth, impervious, washable and maintained in sound condition, with adequate drainage and effluent management.
- (b) All surfaces, vessels, pipelines, tanks and equipment coming into contact with milk shall be of food-grade stainless steel or other approved non-toxic, corrosion-resistant material, easy to clean, and maintained under a documented Cleaning-in-Place (CIP) or cleaning-and-sanitising schedule. Adequate hand-washing facilities with running water and potable water supply shall be provided.
- (c) A current and valid pest-management contract with a licensed agency shall be maintained; zero tolerance shall apply to rodents, insects and fly infestation. Segregated, lidded waste collection shall be maintained and waste removed daily.

3.2 Milk Reception, Procurement, Storage and Cold Chain

- (a) All milk and raw materials shall be sourced only from licensed or registered suppliers, producers or societies. Purchase and procurement records shall be retained for a minimum of six months and produced on demand. Each consignment received shall be subjected to acceptance testing – organoleptic examination, temperature, fat and SNF, clot-on-boiling/alcohol test, and screening for common adulterants – and non-conforming or adulterated milk shall be rejected and recorded.
- (b) The cold chain is mandatory and non-negotiable. Raw milk shall be chilled to 4°C or below at the earliest and in any event within two hours of reception as required under Schedule 4, Part III, and maintained at that temperature through chilling, storage and transport. Pasteurised and other heat-treated liquid milk shall be stored and transported at 4°C or

below; frozen milk products at -18°C or below. Daily temperature logs shall be maintained for a minimum of three months.

- (c) Milk and milk products shall be stored off the floor, in covered, labelled, pest-proof containers, with raw and processed/finished product segregated, and the FIFO (First In, First Out) principle strictly observed. No expired, deteriorated or past-best-before product shall be retained on the premises.

3.3 Heat Treatment, Filling, Sealing and Packaging

- (a) Heat treatment shall conform to the parameters prescribed under sub-regulation 2.1 of FSS (Food Product Standards and Food Additives) Regulations, namely: **pasteurisation** by heating every particle of milk to at least 63°C for 30 minutes or at least 72°C for 15 seconds (or an equivalent combination), followed by immediate cooling to 4°C or below and a negative phosphatase test; **sterilisation** in sealed containers at not less than 115°C for 15 minutes; and **UHT treatment** at not less than 135°C for at least one second followed by aseptic packing in hermetically sealed containers.
- (b) In accordance with Schedule 4, Part III, clause IV (5), bottling or filling of containers with heat-treated milk shall be carried out mechanically and the sealing of containers automatically; sealing shall be carried out in the establishment in which the last heat-treatment was carried out, immediately after filling, by a tamper-evident sealing device such that, once opened, the evidence of opening remains clear and easy to check. **The detailed prohibition on loose sale of pasteurised and standardised milk, and the conditions for loose raw milk, are set out in Clause 7 of this order.**

3.4 Personal Hygiene and Medical Fitness of Food Handlers

- (a) Every food handler shall possess a valid Medical Fitness Certificate issued by a Registered Medical Practitioner before commencement of employment and renewed at least once a year, including such tests – typhoid, tuberculosis and other communicable conditions – as may be indicated. Persons suffering from infectious or communicable disease shall not handle milk until certified fit. A Fitness Certificate Register shall be maintained and produced on demand.
- (b) All handlers shall wear clean protective clothing, head-cover and footwear; observe hand hygiene at every critical juncture; and refrain from eating, smoking, chewing tobacco and spitting in milk-handling areas. The establishment shall deploy at least one FoSTaC-certified Food Safety Supervisor for every 25 handlers, or part thereof, and maintain training records.

3.5 Food Safety Management System (FSMS)

- (a) Every licensed Food Business Operator shall maintain a documented FSMS based on HACCP principles, commensurate with the nature and scale of the business, as mandated under Schedule 4, reviewed annually and on any significant change. Operators in categories notified under the FSS (Food Safety Auditing) Regulations, 2018 shall undergo periodic third-party audit and maintain the audit certificate on premises.

3.6 Consumer Information, Labelling and Transparent Disclosure

- (a) Every pre-packaged milk and milk product shall bear a complete label conforming to the FSS (Labelling and Display) Regulations, 2020 – including

- i) Name and class of the product;
- ii) Licence/registration number;
- iii) Dairy-products logo where applicable;
- iv) List of ingredients;
- v) Nutritional information;
- vi) Green vegetarian symbol (milk and milk products being vegetarian, the non-vegetarian symbol does not apply; and liquid milk and milk powder are exempt from the symbol under Regulation 5(4) of the Labelling and Display Regulations);
- vii) Date of manufacture and best-before/expiry/use-by;
- viii) Net quantity;
- ix) Name and complete address of the manufacturer or packer.

For milk, the class of milk (as per the standards table) and the heat treatment to which it has been subjected shall be declared.

- (b) No false, misleading or exaggerated claim shall be made regarding the composition, fat/SNF content, nutritional value, or the organic, natural, A1/A2, or health attributes of any milk or milk product; no A1/A2 or similar claim shall be made unless scientifically substantiated and legally permissible. Dairy terms shall not be used on, and shall not be lent to, any product that is not milk or a milk product; analogues and products containing non-milk fat or protein shall be labelled strictly in accordance with sub-regulation 2.1 of FSS (Food Product Standards and Food Additives) Regulations.

(c) In addition, the following product-specific declarations are mandatory:

- (i) milk powders, skimmed milk powders, and sweetened or flavoured condensed milk and similar products that can be reconstituted into liquid milk shall declare **“NOT TO BE USED FOR INFANTS BELOW SIX MONTHS”**;
- (ii) on condensed skimmed milk and dried (desiccated) skimmed milk, the word “milk” shall be immediately preceded or followed by “machine skimmed” or “partly skimmed,” together with the prescribed reconstitution instruction, and any product not suitable for infant feeding shall carry no instruction for modifying it for infant feeding;
- (iii) the type of ice cream, kulfi, chocolate or softy ice cream shall always be indicated on the label, and any such product containing starch shall bear the declaration required under Regulation 2.7.1(2) of the Packaging and Labelling Regulations;
- (iv) Batch, code or lot number shall be declared on every package;
- (v) Allergen information shall be declared (“Contains Milk,” and any other allergen such as tree nuts in kulfi or sweets), with a cross-contamination warning where applicable; and
- (vi) Appropriate storage instructions shall be given (for example, “Keep refrigerated” for perishable products, and “Store in a cool, dry place in an airtight container” for milk powder).

3.7 Food-Grade Packaging and Materials in Contact with Food

- (a) All packaging, filling, wrapping, storage and transport materials in contact with milk and milk products shall be of food-grade quality conforming to the FSS (Packaging) Regulations, 2018, suitable for the product and for the storage and transport conditions, and able to withstand the thermal and mechanical stresses of normal handling. Newspaper, printed or recycled paper shall not be used for wrapping, covering or absorbing any milk product. Single-use containers shall not be reused; rusty, chipped or improperly tinned vessels shall not be used.

4. COMPOSITIONAL STANDARDS FOR MILK AND MILK PRODUCTS

Milk and every milk product shall conform to the standards prescribed under sub-regulation 2.1 of the FSS (Food Products Standards and Food Additives) Regulations, 2011. The minimum milk-fat and solids-not-fat (SNF) requirements for the classes of milk (uniform across India, applicable at the point of sale) are as follows:

Class of Milk	Min. Milk Fat (% m/m)	Min. SNF (% m/m)
Buffalo Milk	5.0	9.0
Cow Milk	3.2	8.3
Goat Milk	3.0	8.0
Camel Milk	2.0	6.0
Sheep Milk	3.0	9.0
Mixed Milk	4.5	8.5
Standardised Milk	4.5	8.5
Toned Milk	3.0	8.5
Double Toned Milk	1.5	9.0
Full Cream Milk	6.0	9.0
Skimmed Milk	Not more than 0.5	8.7

Where any class of milk is offered for sale not conforming to the requirement for that class, the standard prescribed for mixed milk shall apply, and such milk may be liable to be treated as sub-standard. The total urea content of milk shall not exceed 700 ppm and the total sodium content shall not exceed 650 mg per 100 g of SNF. The principal milk-product standards –

- i) Paneer/Chhana (milk fat not less than 50% on dry matter, moisture not more than 70%; low-fat variants in sealed packs only); ii
- ii) Khoa (milk fat not less than 30% on dry-weight basis);
- iii) Ghee (milk fat not less than 99.5%, moisture not more than 0.5%, Baudouin test negative); iv) Butter (milk fat not less than 80%, moisture not more than 16%);
- v) Cream (milk fat not less than 25%);
- vi) Ice-cream (milk fat not less than 10%, total solids not less than 36%);
- vii) Cheese (milk fat not less than 50% on dry matter; processed cheese not less than 40%);
- viii) Milk powder (whole: fat not less than 26%; skimmed: fat not more than 1.5%);
- ix) Sweetened condensed milk (milk fat not less than 9%, milk solids not less than 31%)

4A. RECONSTITUTED AND RECOMBINED MILK

- (a) “Reconstituted milk” means the product resulting from the addition of potable water to the dried or concentrated form of milk in the amount necessary to re-establish the appropriate water-to-solids ratio so as to achieve the composition prescribed for the relevant class of milk.

- (b) **“Recombined milk”** means the product resulting from the combination of milk fat and milk-solids-not-fat in their preserved forms, with or without the addition of potable water, to achieve the prescribed composition; and in the case of recombined milk the source of the milk-solids-not-fat shall be dried or concentrated milks only.
- (c) **Permissibility and standard (Regulation 2.1.2)** - Full Cream, Standardised, Toned, Double Toned and Skimmed Milk may be prepared from reconstituted milk, recombined milk, or any combination thereof with other milk, provided the product conforms to the milk-fat and SNF requirement prescribed for that class under Clause 4, remains homogeneous with no deposition of solids on standing, and is subjected to pasteurisation, sterilisation, UHT treatment or boiling. Such milk shall comply with the contaminant, residue and hygiene requirements applicable to milk.
- (d) **Naming (Regulation 2.1.1, item 3)** - Milk so prepared may be named as the relevant class of milk (for example, “Toned Milk”) only when it conforms to the standard prescribed for that class; failing such conformity, the standard for mixed milk applies and the milk may be liable to be treated as sub-standard.
- (e) **Mandatory labelling and disclosure** – As per Regulation 2.1.2 read with the FSS (Labelling and Display) Regulations, 2020 and the FSS (Packaging) Regulations, 2018, On every pre-packaged container – or, where the milk is not pre-packaged, on the container from which it is offered for sale – the class of milk and the heat treatment to which it has been subjected shall be declared; and where the milk is reconstituted or recombined, that fact shall be disclosed in the list of ingredients, in which case the components of such reconstituted or recombined milk need not be declared separately. The list of ingredients of milk need not be given in descending order of proportion, since the proportion of ingredients may require change on a daily basis.
- (f) **Cream and milk products** - Cream and other milk products manufactured by the recombination or reconstitution of dairy ingredients shall be qualified with the term “Recombined” or “Reconstituted,” as appropriate, such qualification being declared on the label or, in the case of non-pre-packaged product, on the container from which it is offered for sale.
- (g) **Prohibition of passing off**- Reconstituted or Recombined milk shall not be represented, offered or sold as fresh or raw milk, or without the disclosure required above. Failure to declare the reconstituted or recombined character renders the milk misbranded (Section 52), and where the milk does not meet the standard of the class under which it is sold, sub-standard (Section 51).

4B. FROZEN DESSERTS AND ICE CREAM

- (a) Ice cream, kulfi, chocolate ice cream and softy ice cream, governed by the standard for ice cream under sub-regulation 2.1, shall be prepared only from milk and/or products derived from milk, with milk fat not less than the prescribed minimum, and shall contain no vegetable fat. A product prepared with edible vegetable oil or fat, or vegetable protein product, in whole or in part, in place of milk fat is a "Frozen Dessert" or "Frozen Confection" under the corresponding standard, and shall not be manufactured, labelled, sold or represented as "ice cream."
- (b) Every package of frozen dessert or frozen confection shall declare prominently on the label, in the prescribed form, "Contains ____ % Milk Fat / Edible Vegetable Oil / Vegetable Fat / Vegetable Protein Product" (striking out whatever is not applicable), so that the consumer can distinguish it from ice cream. The sale of a frozen dessert as ice cream, or the omission of this declaration, renders the product misbranded (Section 52) and the claim misleading (Section 53).

4C. PERMITTED FOOD ADDITIVES

Only those food additives – stabilisers, emulsifiers, sequestrants, acidity regulators, and permitted colours and flavours – that are expressly permitted for the relevant dairy product, and only within the maximum limits specified in Appendix A to the FSS (Food Products Standards and Food Additives) Regulations, 2011, shall be used. The use of any non-permitted additive, colour or flavour, or of a permitted additive beyond its specified limit, is prohibited and shall render the product unsafe or sub-standard, as the case may be. Plain milk shall not contain any added additive, colour or flavour.

4D. FORTIFICATION OF MILK

Toned, double-toned, skimmed and standardised milk may be fortified with Vitamin A and Vitamin D at the levels prescribed under the FSS (Fortification of Foods) Regulations, 2018. Fortification, where undertaken, shall be carried out only with the permitted premixes and within the prescribed levels; such fortified milk shall bear the '+F' (fortified) logo and the prescribed declaration; and no fortification claim shall be made unless the milk is actually fortified to the prescribed standard.

5. PROHIBITED ADMIXTURES AND RESTRICTIONS ON SALE

Under the FSS (Prohibition and Restrictions on Sales) Regulations, 2011, the following are prohibited or restricted and shall be strictly enforced across the milk sector:

- (a) No person shall, by himself or by any servant or agent, sell milk which contains any added water; ghee which contains added matter not exclusively derived from milk fat; skimmed (fat-abstracted) milk as milk; dahi or curd not prepared from boiled, pasteurised or sterilised milk; or any milk or milk product containing a substance not found in milk, except as provided in the Regulations.
- (b) No person shall sell, or keep in possession for sale or for use as an ingredient, any admixture of ghee or butter with a substance prepared in imitation of, or as a substitute for, ghee or butter, or containing any oil or fat not conforming to the definition of ghee (Regulation 2.3.7); and ghee having a Reichert value or Butyro-refractometer reading below that specified for the area shall not be sold except under AGMARK seal and the prescribed declaration.
- (c) Sweetened condensed milk, sweetened condensed skimmed milk, milk powder, skimmed milk powder, partly skimmed milk powder and partly skimmed sweetened condensed milk shall be sold only in conformity with the conditions specified, including the applicable BIS/ISI Certification Mark where required (Regulation 2.3.14(5)); and every package of hard cheese surface-treated with Natamycin shall bear the prescribed label declaration.
- (d) No person shall manufacture, sell, store or exhibit for sale infant milk food, infant formula, milk-cereal-based or processed-cereal-based weaning food, or follow-up formula except under the Bureau of Indian Standards Certification Mark (Regulation 2.3.14(4)), and subject to the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992.
- (e) Skimmed milk and separated milk shall not be sold or represented as milk, and shall be offered for sale only under their correct designation with the declarations required under the Regulations.

6. PREVENTION OF ADULTERATION; CONTAMINANTS, TOXINS AND RESIDUES

- (a) No Food Business Operator shall add water or any extraneous substance to milk, or abstract any milk constituent, so as to render it sub-standard, adulterated or misbranded. The use or addition of urea, detergent, caustic soda or other neutralisers, starch, glucose, sugar, maltodextrin, hydrogen peroxide, formalin, vegetable or non-milk fat, melamine, or any other adulterant is strictly prohibited and shall be dealt with as a criminal offence under the Act.
- (b) The manufacture, storage, distribution or sale of synthetic milk, or of reconstituted or recombined milk passed off as genuine without the declaration required under sub-

regulation 2.1, is prohibited. Such milk shall be treated as unsafe and dealt with under Section 59 of the Act and, in cases of organised or large-scale adulteration causing or likely to cause harm, prosecution under the Bharatiya Nyaya Sanhita, 2023 may be considered where the ingredients of the relevant offence are disclosed, alongside proceedings under the Act.

(c) Milk and milk products shall comply with the FSS (Contaminants, Toxins and Residues) Regulations, 2011. In particular:

i) aflatoxin M1 shall not exceed 0.5 µg/kg in liquid milk (4 µg/kg in whole-milk powder and 6 µg/kg in skimmed-milk powder);

ii) antibiotic and veterinary-drug residues shall not exceed the prescribed tolerance limits, and milk drawn from animals under treatment within the withdrawal period shall not be supplied;

iii) melamine shall not exceed 2.5 mg/kg (1 mg/kg in infant milk foods); and pesticide residues shall remain within prescribed limits. Operators shall exercise farm- and feed-level controls (proper storage of cattle-feed and fodder to prevent aflatoxin) and shall screen accordingly.

(d) Every licensed Food Business Operator shall test each finished product through an own, NABL-accredited or FSSAI-notified laboratory at least once in six months, and shall carry out routine intake screening of raw milk. Test reports shall be maintained on premises and produced before any authorised officer on demand.

(e) In furtherance of the containment of antimicrobial resistance, operators shall ensure prudent veterinary-drug use and strict observance of the prescribed withdrawal periods, shall not draw or supply milk from any animal during such withdrawal period, and shall cooperate with the residue-monitoring and antimicrobial-resistance (AMR) surveillance conducted by the Food and Drug Administration. Repeated detection of antibiotic or veterinary-drug residues shall attract intensified surveillance and action against the source farm or supplier.

7. SALE OF PASTEURISED / STANDARDISED MILK IN SEALED FORM; CONDITIONS FOR LOOSE RAW MILK

(a) Pasteurised milk, standardised milk and all other heat-treated milk shall be sold only in sealed, tamper-evident, duly labelled packs filled and sealed at the establishment of last heat-treatment, as required by Schedule 4, Part III. The loose or unsealed sale of pasteurised, standardised or any heat-treated milk – drawn or ladled from open cans, drums

or unsealed containers – is not permissible, being contrary to the filling-and-sealing requirement of Schedule 4, Part III.

- (b) Primary responsibility for compliance with the filling-and-sealing requirement rests upon the processing or manufacturing establishment. A dairy, processor, packer, wholesaler or distributor that dispatches or supplies heat-treated milk in loose or unsealed form commits the originating breach and shall be liable under Sections 26 and 27 of the Act, read with Section 52; responsibility shall not be confined to the retail seller.
- (c) The traditional loose sale of raw (un-heat-treated) milk by a registered/licensed vendor remains permissible, subject to:
 - i) valid registration or licence;
 - ii) conformity to the prescribed milk standard (failing which the mixed-milk standard applies);
 - iii) compliance with Schedule 4 hygiene;
 - iv) declaration of the class of milk, preceded by the term “Raw,” on the container from which the milk is offered for sale;
 - v) prominent display of a board, in Marathi and English, stating that the milk is raw and must be boiled before consumption.
- (d) Milk dispensed through bulk or automatic vending machines operated or authorised by the processor under refrigerated, sealed-line conditions is a separately regulated channel and shall be assessed against the source-sealing and contamination-protection intent of Part III, subject to verification of line integrity, temperature control and traceability to the processing licence.

8. NODE-WISE COMPLIANCE REQUIREMENTS

In addition to the general duties in Clause 3 and the requirements in Clauses 4 to 7, every Food Business Operator shall comply with the requirements applicable to its node of operation set out below. Every operator shall hold the Registration or Licence appropriate to its milk-handling capacity as required under the FSS (Licensing and Registration of Food Businesses) Regulations, 2011, irrespective of the node at which it operates. These requirements are indicative and shall be read with Schedule 4 and sub-regulation 2.1; in case of any variance, the Act and the Regulations shall prevail.

8.1 Milk Collection Centre

The collection centre shall source only from identified producers/societies, maintain procurement records, and shall not accept, store or dispatch adulterated, diluted or sub-standard milk.

- 8.1.1 Clean, fly-proof reception area; food-grade stainless-steel cans, weighing and measuring equipment; potable water for cleaning.
- 8.1.2 Acceptance testing of every consignment – organoleptic, temperature, fat and SNF, clot-on-boiling/alcohol test, and adulterant screening (urea, detergent, starch, neutralisers).
- 8.1.3 Immediate rejection and recording of adulterated, sour or non-conforming milk; intimation of habitual offenders to the Food Safety Officer.
- 8.1.4 Chilling of accepted raw milk to 4°C or below at the earliest from receipt; cold chain maintained during storage and dispatch; daily temperature logs.
- 8.1.5 Clean transport in covered, food-grade, temperature-maintained tankers/cans; traceability records of source and destination.
- 8.1.6 Handlers with valid annual Medical Fitness Certificates; personal hygiene and protective clothing; no smoking, spitting or tobacco use in the centre.
- 8.1.7 Lot-wise platform testing of every individual producer's lot (fat, SNF, CLR, COB, acidity) before it is pooled into the bulk tank, with lot-wise logs; sub-standard or adulterated lots segregated and not pooled.
- 8.1.8 A rejected-milk register recording the quantity, reason and disposal of every rejected lot, to prevent diversion to unlicensed units; and the Electronic Milk Analyser calibrated against the reference (Gerber/Kjeldahl) method.
- 8.1.9. Fixed collection timings (morning and evening) shall be observed; the time of receipt of every producer's lot shall be recorded, and raw milk shall be chilled to 4°C or below within two hours of reception (Schedule 4, Part III). Time-stamped collection and chilling logs shall be maintained so that the milking-to-chilling interval can be verified, and milk held for an unduly long period after milking, or failing the clot-on-boiling/acidity test, shall not be accepted.
- 8.1.10. The collection timings shall be displayed prominently at the centre for the information of producers and inspecting officers; and the time of dispatch of milk to the chilling or processing unit shall be recorded, so that the complete milking-to-processing timeline is traceable.

8.2 Milk Chilling Centre

A technical person shall supervise operations;

8.2.1 Food-grade stainless-steel chilling tanks, silos and pipelines under a documented CIP cleaning-and-sanitising schedule.

8.2.2 Raw milk chilled to 4°C or below within the prescribed time and held at that temperature; continuous temperature monitoring with recording and three-month log retention.

8.2.3 Validated calibration of chillers, thermometers and analysers; preventive-maintenance records.

8.2.4 Segregation of accepted and rejected milk; rejection and safe disposal of spoiled or adulterated milk with records.

8.2.5 Effluent and waste management; pest-management contract; potable-water testing at least once in six months.

8.2.6 Intake quality control (fat/SNF, COB/alcohol, adulterant and, as required, aflatoxin/antibiotic screening) with records.

8.3 Milk Processor / Manufacturer

A HACCP-based Food Safety Management System shall be maintained, and third-party audit undergone where notified.

8.3.1 **Heat treatment to prescribed parameters:** pasteurisation 63°C/30 min or 72°C/15 s, immediate cooling to ≤4°C, negative phosphatase test; sterilisation ≥115°C/15 min in sealed containers; UHT ≥135°C/≥1 s with aseptic hermetic fill.

8.3.2 Standardisation to the prescribed fat/SNF for each class; homogeneous product with no deposition; conformity verified before dispatch.

8.3.3 Mechanical filling and automatic, tamper-evident sealing of all heat-treated milk at the establishment of last heat-treatment; no dispatch of heat-treated milk in loose or unsealed form.

8.3.4 Fortification of milk with Vitamin A and D, where undertaken, in conformity with the FSS (Fortification of Foods) Regulations, 2018.

8.3.5 Compliance with compositional standards (Clause 4) and contaminant/residue limits (Clause 6); each finished product tested at least once in six months through a NABL/FSSAI-notified laboratory.

8.3.6 Approved food-grade packaging; complete labelling with class of milk and heat treatment; traceability and recall capability under the FSS (Food Recall Procedure) Regulations, 2017.

8.3.7 Standardisation and mass-balance records reconciling input and output milk-fat across all product lines, to preclude standardisation fraud (diversion of skimmed-off fat while selling under-fat milk as standardised).

8.3.8 A phosphatase-test register for every batch of pasteurised milk (the raw test register, not merely a compliance certificate); a positive result requiring batch hold and recall.

8.3.9 A documented procedure and records for sales returns and near-expiry stock; reprocessing of returned milk into fresh batches is prohibited.

8.4 Packer / Filling Station

Every packer shall operate under, or in conjunction with, a valid processing Licence; use only approved food-grade packaging; and ensure that the sealing of heat-treated milk is carried out at the establishment of last heat-treatment.

8.4.1 Mechanical filling and automatic sealing of containers; tamper-evident seals that reveal evidence of opening.

8.4.2 No re-use of single-use packaging; materials conforming to the FSS (Packaging) Regulations, 2018 and migration limits (overall 60 mg/kg per IS 9845).

8.4.3 Complete and accurate labelling – name and class, FSSAI logo and licence number, ingredients, nutrition, the green vegetarian symbol (liquid milk and milk powder exempt), net quantity, date marking, manufacturer/packer address.

8.4.4 Filling and packing under hygienic conditions; clean, sanitised contact surfaces; handler hygiene and protective clothing.

8.4.5 Immediate placement of packed product in designated chilled storage; cold-chain maintenance pending dispatch; batch records for traceability.

8.5 Distributor and Loose Milk Seller / Vendor

Distributors and sellers shall source only from licensed/registered suppliers, and shall not store or sell adulterated, sub-standard, misbranded or expired milk or milk products.

8.5.1 Pasteurised, standardised and heat-treated milk sold only in sealed, tamper-evident, labelled packs; loose/unsealed sale of such milk is prohibited.

- 8.5.2 Loose raw milk, if sold, only by a registered/licensed vendor; class declared and preceded by "Raw" on the dispensing container; a Marathi-and-English board displayed stating the milk is raw and must be boiled before consumption.
- 8.5.3 Cold chain maintained at the point of sale ($\leq 4^{\circ}\text{C}$ for liquid milk; -18°C for frozen products); functioning refrigeration; no sale of milk held outside temperature control.
- 8.5.4 Verification on receipt of supplier licence number, date marking and seal integrity; rejection of unsealed or tampered consignments and intimation of the supplier to the Food Safety Officer.
- 8.5.5 Clean, covered, pest-free storage and display; food-grade carriage; no newspaper or recycled wrapping; purchase invoices retained for six months.
- 8.5.6 No false claim as to class, fat/SNF or attributes of the milk.
- 8.5.7 **For transport:** food-grade, cleanable, insulated/refrigerated tankers for journeys exceeding two hours; tamper-evident seals on tanker outlets intact with seal numbers matching the dispatch documentation; dispatch and receipt quantity/quality reconciled to detect in-transit dilution.
- 8.5.8 No point-of-sale dilution and no carrying-forward or mixing of previous day's unsold milk with fresh stock; the vendor shall be able to name and document the source of the milk (producer/collection centre/dairy), inability to do so being a traceability failure under Section 26.

9. PUNISHMENTS, PROSECUTION AND PENALTIES

9.1 Punishments -

(1) Unsafe food, including adulterated or synthetic milk -

- i) Where death results, imprisonment not less than seven years extending to imprisonment for life and fine not less than Rs.10,00,000;
- ii) Where grievous injury results, imprisonment up to six years and fine up to Rs. 5,00,000;
- iii) Where non-grievous injury results, imprisonment up to one year and fine up to Rs. 3,00,000;
- iv) Where no injury results, imprisonment up to three months and fine up to Rs. 3,00,000

(2) Subsequent and repeat offences- twice the punishment which might have been imposed on a first conviction, a further fine up to Rs.1,00,000 per day for a continuing contravention, and suspension or cancellation of the Licence or Registration.

- (3) Interfering with, or removing or tampering with, any milk or item seized or detained by the Food Safety Officer – imprisonment up to six months and fine up to Rs. 2,00,000.
- (4) Obstructing or impersonating a Food Safety Officer – imprisonment up to three months and fine up to Rs.1,00,000.
- (5) Offences by companies – every director, partner, manager or other person in charge of and responsible for the conduct of the business shall be personally liable to be proceeded against and punished alongside the entity; and the Court or Adjudicating Officer may direct compensation in case of injury or death of a consumer (not less than Rs.5,00,000 in case of death; up to Rs.3,00,000 for grievous injury; up to Rs.1,00,000 for other injury).

9.2 Penalties -

- (1) Carrying on business without a valid Licence or Registration - penalty up to Rs.10,00,000.
- (2) Misleading advertisement or false claim, including unsubstantiated A1/A2 or compositional claims – penalty up to Rs.10,00,000.
- (3) Giving false information - penalty up to Rs.10,00,000.
- (4) Possessing an adulterant, including any substance used to adulterate milk – penalty up to Rs.10,00,000 where the adulterant is injurious to health, and up to Rs.2,00,000 where it is not.
- (5) Selling milk or a milk product not of the nature, substance or quality demanded – penalty up to Rs.5,00,000.
- (6) Sub-standard food, including milk not conforming to the prescribed fat/SNF standard– penalty up to Rs.5,00,000.
- (7) Misbranded food, including loose heat-treated milk sold as pasteurised/standardised without the required sealed packaging and declaration– penalty up to Rs.3,00,000.
- (8) Failure to comply with the directions of an authorised officer – penalty up to Rs.2,00,000; and contraventions for which no specific penalty is provided – penalty up to Rs.2,00,000.
- (9) Unhygienic or unsanitary processing or manufacturing – penalty up to Rs.1,00,000; and food containing extraneous matter – penalty up to Rs.1,00,000.

Unsafe milk stocks shall be seized and dealt with in accordance with law, including destruction at the cost of the FBO. Offences involving adulteration, synthetic milk, or use of non-permitted substances shall be pursued by prosecution and shall not be disposed of by penalty alone; and in cases of organised or large-scale adulteration causing or likely to cause harm, prosecution under the Bharatiya Nyaya Sanhita, 2023 may be considered

where the ingredients of the relevant offence are disclosed, alongside proceedings under the Act.

9.3. ACTION ON LICENCE / REGISTRATION

Independently of, and in addition to, the penalties above, where a contravention is found the Designated Officer may issue an Improvement Notice under Section 32; on failure to comply, the licence may be suspended and, on continued failure, cancelled, subject to the right of appeal. Where a health-risk condition exists, the Designated Officer may proceed under Sections 33 and 34 for a prohibition or emergency prohibition order. Notwithstanding anything herein, the Licensing or Registering Authority may, in the interest of public health and for reasons recorded in writing, suspend or cancel any Licence or Registration forthwith under Regulation 2.1.8.

10. COMPLIANCE TIMELINES

All requirements under this Order shall be complied with immediately and forthwith from the date of issue – including display of the Licence/Registration; cessation of loose/unsealed sale of pasteurised, standardised and heat-treated milk; cessation of any adulteration; maintenance of the cold chain and temperature logs; intake screening and rejection of adulterated milk; Medical Fitness Certificates for all handlers; a documented FSMS; a valid pest-management contract; tamper-evident sealing of all heat-treated milk at the establishment of last heat-treatment; the “Raw – boil before consumption” board at loose raw-milk points; and periodic laboratory testing arrangements.

11. INDICATIVE NATURE OF THIS ORDER

This Order is indicative in nature and does not purport to be an exhaustive statement of the obligations of Food Business Operators. Every operator shall, at all times, comply with every standard, regulation, guideline, circular and direction issued by FSSAI and by the Food and Drug Administration, Maharashtra State from time to time, to the extent legally applicable, whether or not specifically enumerated herein. The non-mention of any requirement shall not be construed as a waiver of the obligation to comply with it.

12. ENFORCEMENT AND PRIORITY ADJUDICATION

All Food Safety Officers, Assistant Commissioner cum Designated officers and Joint Commissioner cum Adjudicating officers of the Food and Drug Administration, Maharashtra State shall ensure the strict implementation of this Order in letter and spirit. Milk and milk products being a priority public-health commodity consumed daily by infants, children, the

sick and the elderly, every matter relating to the adulteration, contamination, misbranding or sub-standard quality of milk and milk products shall be taken up, processed and adjudicated on priority, and the maximum penalty commensurate with the gravity of the contravention shall be pressed for and imposed. The role-wise duties set out below are without prejudice to the powers and duties otherwise conferred by the Act and the Regulations.

12.1 Food Safety Officer

12.1.1 Conduct regular and surprise inspections of all milk-sector establishments in the assigned area – collection centres, chilling centres, processors, packers, transporters, distributors, milk booths, loose-milk vendors and milk-product units.

12.1.2 Draw, lift and dispatch samples of raw milk, pasteurised/standardised milk and milk products in accordance with the FSS (Laboratory and Sample Analysis) Regulations, 2011.

12.1.3 Seize or detain adulterated, sub-standard or unsafe milk and trace it to its source/supplier; maintain inspection and sampling records.

12.1.4 Promptly submit reports to the Designated Officer with recommendation for prosecution or adjudication, Suspension or Cancellation of license and meet the sampling targets fixed for milk and milk products.

12.2 Designated Officer-cum-Assistant Commissioner (Food)

12.2.1 Issue Improvement Notices, prohibition and emergency prohibition orders, and suspend or cancel licences/registrations against defaulting milk-sector operators.

12.2.2 Forward adjudication cases to the Adjudicating Officer, on priority and within the prescribed timelines; ensure that adulteration, synthetic milk and unsafe-food cases are pursued by prosecution and not compounded.

12.2.3 Ensure that, in every milk case, the source/supplier is traced and proceeded against and press for the maximum penalty before the Adjudicating Officer.

12.2.4 Plan and supervise district/zone-level milk enforcement drives and monitor the performance of Food Safety Officers.

12.3 Joint Commissioner (Food) Cum Adjudicating Officer

12.3.1 Joint Commissioner (Food) Cum Adjudicating Officer shall supervise and monitor the Designated Officers and Food Safety Officers in the division; review the monthly progress of milk sampling, prosecution and adjudication; ensure inter-district coordination and inter-State source referrals; and report to the Commissioner.

12.3.2 The Adjudicating Officer shall to take up milk and milk-product matters on priority and to dispose of them within the prescribed timelines; and, having regard to the gravity of the contravention and the risk to public health, particularly to infants and children, to impose deterrent penalties up to the maximum provided under the Act, and to direct prosecution in cases disclosing adulteration or unsafe food.

12.4 Joint Commissioner (Food), Headquarters

12.4.1 Plan, coordinate and lead a State-wide surveillance and enforcement drive covering packaged milk brands, loose milk, milk transporters, milk collection centres, chilling centres, processors and milk-product manufacturers.

12.4.2 Maintain a State-level milk surveillance database (brand-wise, source-wise and offender-wise); commission special sampling of packaged milk brands; coordinate inter-divisional and inter-State action; and submit periodic consolidated reports to the Commissioner.

12.5 Measures for Effective Enforcement

To change the economics of adulteration and ensure certainty of consequence, the following measures shall be adopted and monitored at every level:

12.5.1 Trace to source - No milk case shall be closed at the retail or loose-sale point alone; every confirmed detection shall be traced up the chain to the collection centre, dairy or processor, and the supplier proceeded against under Sections 26 and 27. The originating establishment, and not merely the last seller, shall be the focus of action.

12.5.2 Audit the records - Standardisation and mass-balance audits (input-versus-output milk-fat) at processing plants, and audits of lot-wise platform-testing and pooling logs at collection centres and bulk-milk coolers, shall form a routine part of inspection – these reveal the high-value frauds (standardisation fraud, synthetic-milk blending, fat diversion) that are invisible to spot tests.

12.5.3 Adjudicate fast and hard - Milk matters shall receive priority adjudication and the maximum penalty commensurate with gravity; unsafe-food and adulteration cases shall not be compounded; and a prosecution-and-conviction monitoring register shall be maintained and reviewed monthly at division and Headquarters.

12.5.4 Seize the festival window - Scheduled pre-festival enforcement sweeps (Diwali, Holi, Ganesh Chaturthi, Navratri, Raksha Bandhan) shall target khoa, paneer, ghee and sweets, with verification of the registration of every seasonal or temporary unit supplying the jurisdiction before the festival.

13. CONSUMER GRIEVANCE AND REPORTING

Any citizen may report food safety violations at any Food Service Establishment by calling the FDA Maharashtra toll-free helpline 1800-22-2365 (available during working hours), or through the FSSAI helpline 1800-11-4000, or through the FoSCoS mobile application, or by written complaint to the concerned Assistant Commissioner (Food) or to the Office of the Commissioner, FDA Maharashtra.

14. SAVINGS AND SUPPLEMENTARY EFFECT

This Order is supplementary to, and in addition to, the Act and the Regulations, guidelines or directions made thereunder, and shall not dilute or supersede any stricter provision thereof. Where any apparent inconsistency exists, the stricter provision shall prevail. Nothing in this Order shall be construed as creating any offence or penalty beyond the Act and the Regulations.

Digitally signed by
Tukaram Haribhau Mundhe
Date: 03-07-2026 12:48:45

**(Tukaram Mundhe, I.A.S.)
Food Safety Commissioner
Maharashtra State, Mumbai.**

Copy to:

Additional Chief Secretary, Food and Drug Administration, Government of Maharashtra.

Copy forwarded for necessary action:

1. All District Collectors.
2. All Joint Commissioners (Food), Food and Drug Administration, Maharashtra.
3. All Assistant Commissioners (Food), Food and Drug Administration, Maharashtra.
4. All Food Safety Officers, Food and Drug Administration, Maharashtra.
5. Directors, FDA Laboratories – Mumbai, Chhatrapati Sambhajnagar, Nagpur.