

COMMISSIONER, FOOD AND DRUG ADMINISTRATION, MAHARASHTRA STATE

Survey No. 341, Bandra-Kurla Complex, Bandra (East),
Mumbai 400 051, Date 30th July 2026.

Order

Subject.—Prohibition, in the interest of public health, of the manufacture, storage, distribution (including transport) and sale of Analogue / Non-Dairy Paneer (Analogue in Dairy Context) which is marketed in the name of paneer, throughout the State of Maharashtra for a period of one year under Section 30(2)(a) of the Food Safety and Standards Act, 2006; and directions regarding the standards, packaging and labelling of Paneer / Chhana under Regulation 2.1.16.

No. COMM/FOOD/ORDER/PANEER/ 986-2026/7.—**WHEREAS**, the availability of safe and wholesome food is an integral facet of the right to life guaranteed under Article 21 of the Constitution of India, and Article 47 of the Constitution enjoins upon the State, as a primary duty, the raising of the level of nutrition and the standard of living of its people and the improvement of public health; and the Hon'ble Supreme Court of India has held that there is a paramount duty cast upon the State and its authorities to ensure an appropriate level of protection of human life and health, the same being a fundamental right under Article 21 read with Article 47 of the Constitution;

AND WHEREAS, Section 18(1) of the Food Safety and Standards Act, 2006 (hereinafter referred to as “the Act”) sets out the general principles to be followed in the administration thereof, including —

(a) the achievement of an appropriate level of protection of human life and health and the protection of consumers' interests, including fair practices in all kinds of food trade;

(b) risk management taking into account the results of risk assessment;

(c) the precautionary principle, permitting provisional risk-management measures where, on an assessment of available information, the possibility of harmful effects on health is identified though scientific uncertainty may persist; and

(d) the requirement that such measures be proportionate and no more restrictive of trade than is required to achieve the appropriate level of health protection;

AND WHEREAS, Section 30(2)(a) of the Act empowers the Commissioner of Food Safety of the State, in the interest of public health and for reasons to be recorded in writing, by notification in the *Official Gazette*, to prohibit the manufacture, storage, distribution or sale of any article of food in the whole of the State or any area thereof for such period not exceeding one year as may be specified, where there exist reasonable grounds for believing that such article of food is likely to be unsafe or injurious to health;

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 [(2016) 9 SCC 699], taking note of the large-scale adulteration of milk and milk products — including the use of refined / vegetable oil as a substitute for milk fat — directed the Union of India and the State Governments to implement the Food Safety and Standards Act, 2006 in a more effective manner, and in particular directed that the State Food Safety Authorities identify high-risk areas and high-risk times (such as festival seasons) and intensify sampling therein, that adequate NABL-accredited testing infrastructure and mobile food-testing facilities be ensured, that State-level and District-level committees be constituted to review the work of curbing adulteration (as is done in the State of Maharashtra), and that the general public be informed of the nature of the risk to health in terms of Section 18(1)(f) of the Act; and the said directions cast a continuing obligation upon this authority to take effective preventive measures against the adulteration of milk and milk products;

AND WHEREAS, the Central Advisory Committee constituted under the Food Safety and Standards Act, 2006, in its 48th meeting held on 14th October 2025, while deliberating upon the provisions relating to “Analogue in Dairy Context”, recorded that no quality parameters stand defined for analogue in the dairy context, that in the absence of such standards analogue paneer is difficult

to enforce at field level and is essentially a sub-standard product of its dairy counterpart which only increases deliberate adulteration, that even when packed it is opened and sold in loose form rendering enforcement infeasible, that it provides no nutritional benefit particularly to vegetarians who depend on paneer as a source of protein, and that the choice between analogue and genuine paneer cannot be left to the discretion of the consumer given the prevailing level of awareness; and the said Committee accordingly opined and recommended that non-standardized and nutritionally non-beneficial dairy analogues such as analogue of paneer should not be permitted, and invited the Commissioners of States to concur and furnish inputs thereon;

AND WHEREAS, during the period 01st April 2025 to 31st March 2026, samples of paneer / dairy analogue drawn from across the State were sent for analysis to notified Food Laboratories, of which **308 samples** stood analysed as on date, and of the analysed samples **109 samples — being 35.4% of the analysed samples —** were reported to be non-conforming, namely 79 sub-standard and 30 unsafe; and on analysis of the extracted fat a significant proportion thereof showed a **Butyro-refractometer (BR) reading and an Iodine Value outside the limits prescribed for milk fat**, indicating the addition or substitution of vegetable (foreign) fat not naturally present in milk;

AND WHEREAS, reports received from notified laboratories indicate that such paneer contained non-milk fat or foreign fat not naturally present in milk and milk products, rendering the article of food unsafe and misbranded under the provisions of the Act;

AND WHEREAS, the manufacture and sale of such analogue / non-dairy paneer, and the sale thereof as, or in the guise of, genuine paneer, deceives the consumer as to the nature and substance of the food, and contravenes the labelling requirements applicable to dairy analogues — including the declarations prescribed under Regulation 2.1.1(5)(b) as to the non-milk constituents used and the milk constituents replaced — as also the Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011;

AND WHEREAS, the legal position of paneer is well-settled: paneer is a standardised food under Regulation 2.1.16 of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, defined as the product obtained from milk (of any variant), with or without added milk solids, by precipitation with permitted acidulants (lactic acid, citric acid, malic acid, vinegar, glucono delta lactone or sour whey) and heating; milk fat is an essential constituent of paneer, and the substitution or addition of vegetable oil, vegetable fat or any non-milk fat is not permitted; and accordingly a product resembling paneer in which milk fat or milk solids are replaced wholly or partly by non-milk constituents is, in law, an “analogue in dairy context” governed by Regulations 2.1.1(3)(f) and 2.1.1(5)(b), which is not paneer and cannot be named, sold or served as “Paneer”, dairy terms not being available to a product intended to substitute a milk product, and which is required to declare, in close proximity to the name of the product, the substitution of milk constituents by non-milk constituents — for example, “Contains Vegetable Fat” and “Contains no milk fat” — in the manner prescribed under Regulation 2.1.1(5)(b); and any analogue / non-dairy product offered, sold or served as paneer is misbranded, and where prepared from non-food-grade ingredients or otherwise non-conforming, is unsafe within the meaning of the Act;

AND WHEREAS, the Standard for Chhana and Paneer under Regulation 2.1.16, as amended by the Food Safety and Standards (Food Products Standards and Food Additives) Fifth Amendment Regulations, 2019, prescribes three categories of paneer according to milk-fat content — namely Paneer (regular / full-fat), Medium Fat Paneer and Low Fat Paneer — together with their compositional standards and packaging-and-labelling requirements, as set out in the Table below; and in terms of the said Standard, Low Fat and Medium Fat Paneer / Chhana shall be sold in sealed packages only and shall bear the prescribed label declarations, whereas regular (full-fat) Paneer may be sold loose subject to the Act and the Regulations; and no product not conforming to the said Standard — and in particular no analogue / non-dairy paneer — may be named, sold or served as “Paneer”;

**STANDARDS, PACKAGING & LABELLING OF PANEER / CHHANA
UNDER REGULATION 2.1.16**

[FSS (Food Products Standards and Food Additives) Regulations, 2011,
as amended by the Fifth Amendment Regulations, 2019]

Category	Moisture (max.)	Milk Fat (on dry- matter basis)	Sale / Packaging	Naming & Label
Paneer / Chhana (regular / full-fat)	65% (Chhana) / 60% (Paneer)	Not less than 50%	May be sold loose or pre-packed	“Paneer” / “Chhana”; general label declarations if pre- packed
Medium Fat Paneer / Chhana	65% (Chhana) / 60% (Paneer)	More than 20% and less than 50%	Sealed package ONLY	“Medium Fat Paneer / Chhana” + prescribed declaration
Low Fat Paneer / Chhana	70% (Chhana and Paneer)	Not more than 20%	Sealed package ONLY	“Low Fat Paneer / Chhana” + prescribed declaration

AND WHEREAS, it has further been observed that hotels, restaurants, caterers, eateries and other food service establishments are, in numerous instances, using analogue / non-dairy paneer in place of genuine paneer in dishes and preparations served to consumers, without disclosing the same on menu cards, invoices or display boards, thereby causing such preparations to be understood as containing genuine dairy paneer and misleading consumers and depriving them of an informed choice, in contravention of the Act and the Food Safety and Standards (Labelling and Display) Regulations, 2020;

AND WHEREAS, it has further been observed that such loose paneer is frequently transported, stored and sold without original packaging, mandatory label declarations, invoices, batch identification details or adequate traceability documents, thereby frustrating effective source identification and posing a significant risk to public health;

AND WHEREAS, notwithstanding sustained enforcement, surveillance and sampling carried out over a period of one year and the awareness and labelling measures already in force, the incidence of non-conforming paneer and of the substitution of genuine paneer by vegetable-fat analogue has shown no appreciable improvement, the proportion of non-conforming samples remaining persistently high at 35.4% of the samples analysed, thereby demonstrating that enforcement through routine sampling and the existing labelling framework has, by itself, proved insufficient to arrest the said practice and to protect public health;

AND WHEREAS, upon consideration of the material placed before me — including inspection reports, seizure proceedings, laboratory findings, the use of non-food-grade ingredients, the systematic substitution of genuine paneer by analogue / non-dairy paneer in manufacture and in the food-service sector, the absence of any prescribed quality standards for analogue paneer and the consequent infeasibility of field-level enforcement, and the considered opinion of the Central Advisory Committee — I am satisfied that analogue / non-dairy paneer, as a class, being non-standardized, nutritionally non-beneficial, organoleptically indistinguishable from genuine paneer and inherently prone to deliberate adulteration and to being passed off as genuine paneer, presents a risk to human health and to the interests of consumers; and that this Order is directed at **non-standardized dairy analogues**, for which no quality parameters stand prescribed by the Food Authority, and does not extend to **standardized products** such as frozen dessert, processed cheese and mixed fat spread, for which standards stand duly notified — the said distinction being that drawn by the Central Advisory Committee itself; and that, in the interest of public health, a prohibition of the said article of food throughout the State for a period not exceeding one year, in exercise of the powers under Section 30(2)(a) of the Act, is necessary and proportionate;

NOW, THEREFORE, in exercise of the powers conferred under Section 30(2)(a) read with Sections 18 and 29 of the Food Safety and Standards Act, 2006, and all other powers enabling me in this behalf, I, **Tukaram Mundhe, I.A.S., Food Safety Commissioner, Food and Drug Administration, Maharashtra State**, hereby issue this Order, which shall have immediate effect and be binding upon all Food Business Operators engaged in the manufacture, storage, distribution (including transport) and sale of paneer and analogue / non-dairy paneer throughout the State of Maharashtra, as follows:

1. DEFINITIONS

For the purpose of this Order, **“analogue/non-dairy paneer”** shall mean any product resembling paneer in which milk fat or milk solids are replaced wholly or partly by vegetable oil, vegetable fat or other non-milk-derived constituents.

2. PROHIBITION OF ANALOGUE / NON-DAIRY PANEER

The **manufacture, processing, preparation, packing, storage, distribution (including transportation), wholesale sale, retail sale, offering or exposing for sale, and sale by any means whatsoever**, within the State of Maharashtra, of **analogue / non-dairy paneer (by whatever name called or described)**, is hereby **prohibited throughout the State of Maharashtra for a period of one year** from the date of publication of this Order in the *Official Gazette*.

3. FOOD SERVICE ESTABLISHMENTS (HOTELS, RESTAURANTS, CATERERS)

No hotel, restaurant, caterer, eatery, cloud kitchen or other food service establishment shall **use, prepare, serve, store, stock, sell or keep** analogue / non-dairy paneer in any dish, preparation or article of food whatsoever; and the use or service of analogue / non-dairy paneer, including in the guise of genuine paneer, being misleading to consumers and **an unfair trade practice within the meaning of Section 24 of the Act, and a contravention of the responsibilities cast upon Food Business Operators under Section 26 of the Act**, is hereby **prohibited**.

4. PANEER — LABELLING COMPLIANCE

Every Food Business Operator manufacturing, packing, storing, distributing or selling paneer/ chhana shall ensure that every package thereof bears **all the declarations prescribed under the Food Safety and Standards (Labelling and Display) Regulations, 2020**, failing which the article shall be liable to be dealt with as **misbranded under Section 52 of the Act**.

5. PENALTIES AND CONSEQUENCES

Any contravention of this Order shall be punishable under the applicable penal provisions of the Food Safety and Standards Act, 2006 — including Sections 50, 51, 52, 55 and 59 — and shall render the offending article liable to seizure and destruction in accordance with law.

6. COMMENCEMENT, DURATION AND REPRESENTATIONS

This Order shall come into force on the **date of its publication in the Official Gazette** and shall remain in force for a period of **one year** from that date, unless earlier rescinded, modified or extended in accordance with law.

This Order is issued in the interest of protecting public health and ensuring the availability of safe food to consumers of the State of Maharashtra.

TUKARAM MUNDHE (I.A.S.),
Food Safety Commissioner,
Maharashtra State, Mumbai.