



A licence to feed

Home chefs, cloud kitchens and kiosks are under the lens for being legit and following norms of the food industry

VAISHALI DAR

THE LAST TWO years of the pandemic saw several home chefs, roadside kiosks, and cloud kitchens getting into business. While the entrepreneurship spirit was laudable, not everyone was pleased about it. A petition was recently filed in the Bombay High Court by Indian Hotel and Restaurant Association (IHRA), Mumbai, to restrain food delivery service providers like Zomato, Swiggy and Dunzo from picking up food from many such outlets they deemed illegal. Though the court refused to pass any order on service providers, it asked the Brihanmumbai Municipal Corporation (BMC) if there was a policy on eateries and food outlets operating without licences. IHRA is the largest association of hotel and restaurant owners in the country, and has more than 8,000 affiliate members in Maharashtra. Zomato and Swiggy didn't respond on the matter.

In order to standardise the unorganised street food sector, the Food Safety and Standards Association of India (FSSAI) has a 'Clean Street Food Hub' initiative to raise hygiene standards and revolutionise street food vending in the country. However, home chefs and professional cloud kitchens work under different licences defined by the association to regulate cleanliness and hygiene.

"Unregistered, unregulated food business operators (FBOs) may not be maintaining hygiene standards, which is detrimental to the interest of consumers and poses health risks. Besides, if a law is applicable for hotels and restaurants, then it should be applicable to any such businesses that serve

food. Registration has been made mandatory for even home-cooked food sellers by the FSSAI. All FBOs must obtain all requisite statutory licences from FSSAI and local bodies. Based on FHRAI's earlier complaint about the mushrooming of illegal FBOs across the country, FSSAI issued an order making it mandatory for all food service aggregators (like Zomato, Swiggy) to register only licensed FBOs on the portal/app. This also creates a level playing field for all, whether they are home chefs, cloud kitchens or restaurant operators," says Pradeep Shetty, senior VP, Hotel and Restaurant Association of Western India (HRAWI) & joint honorary secretary, Federation of Hotel & Restaurant Associations of India (FHRAI).

However, as per Section 31 of FSS Act, 2006, no person is allowed to commence or carry any food business activities except under a valid FSSAI license/registration. Cloud kitchens and home chefs are also required to obtain FSSAI license/registration under food vending establishment category as per the eligibility. The eligibility criteria are available on the homepage of the FoSCoS portal, <https://foscos.fssai.gov.in>.

Starting a culinary outlet is an uphill task — retail operations, finances, remodelling, obtaining advance approval, monitoring, sanitising and verifying processes, and home chefs feel the registration process entrusts loyalty in consumers. "A registered business ensures customers' faith in products. It takes over 10-15 days to get approvals and complete registration but it's worth it," says Mumbai-based home baker Seema Makwana, who started her home venture in the first lockdown in 2020 with Seema's

Mystery Buns followed by gourmet food brand Buns & Deluchas during the 2021 lockdown.

She feels all necessary clearances were worked upon without any hassle—paperwork, approvals and permits, food trials and vendors, testing and finalisation of resources. "Yes, it is challenging to be a home cook since I multitask every minute. I began my first home kitchen in August 2020, a time when most offices were shut. I did some checks, lab tasting, and verifications online and a few onsite. But it wasn't difficult, thanks to the government's start-up-friendly laws and business-friendly processes. FSSAI and other licences are simple to obtain provided you have all of the necessary papers," says Makwana, who operates from her house in Mumbai and delivers via Zomato, Swiggy and Chef Pin. Her clients are in Mumbai and across the country as well as in the US, Australia and UK.

While home chef and cloud kitchen models are very legit, even to list on food aggregators, one needs to provide a licence. "Licensing is a very old concept of centralised decision making and approval process. It brings better theoretical control but slows down progress and innovation. Cloud kitchen or home chef as a concept is not very old and there are many aspects of it which were not even considered while designing the approval/rejection framework. So keeping the decision making decentralised and involving aggregators, who are an active part of this ever-evolving food ecosystem, will bring a positive change," says Bengaluru-based Kumar Setu, co-founder and CCO, Sprink, a food subscription-based cloud kitchen service offering healthy and diet meals.