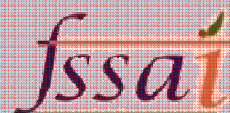




FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA  
FDA BHAVAN, KOTLA ROAD  
NEW DELHI – 110002



FOOD SAFETY AND STANDARDS ACT, 2006

# STRENGTHENING FOOD SAFETY IN INDIA – A POLICY THRUST

Dr. A. Madhavan  
Asst. Director (Enforcement)  
FSSAI

# FOOD SAFETY & STANDARDS ACT, 2006 (ACT NO. 34 OF 2006)

## HISTORY

- THE BILL PASSED BY LOK SABHA ON 26<sup>TH</sup> JULY 2006; &
- PASSED BY RAJYA SABHA ON 2<sup>ND</sup> AUGUST 2006.

# FSS ACT, 2006

## WHY FOOD SAFETY & STANDARDS ACT?

### ➤ BACK GROUND

- More than a dozen food laws implemented by various Ministries.
- These laws were inconsistent, inflexible and non-responsive to science & innovation.
- Multiplicity of controls create confusion among stake holders, increase cost of business and affects quality.
- Products not conforming to international standards.

# FSS ACT, 2006

## OBJECTIVES:

- To ensure availability of safe and wholesome food for human consumption.
- Shift from multi- level control to a single line of command.
- To cover the whole food chain, except farmers and consumers.
- Science based standards for articles of food.
- A single reference point for all matters relating to food safety and standards.

**FOOD SAFETY & STANDARDS ACT, 2006**

{Act No. 34 of 2006}



**FOOD SAFETY & STANDARDS AUTHORITY  
OF INDIA (FSSAI)  
(NEW DELHI)**



**STATE FOOD SAFETY AUTHORITIES**

# FOOD SAFETY & STANDARDS ACT, 2006

## HIGHLIGHTS OF THE ACT:

- ❖ COMPOSITION AND FUNCTIONING OF FOOD AUTHORITY;
- ❖ CONSTITUTION OF CENTRAL ADVISORY COMMITTEE;
- ❖ SCIENTIFIC PANELS & COMMITTEES;
- ❖ STANDARDS OF FOOD ITEMS;
- ❖ REGULATIONS ON PACKAGING & LABELLING OF FOOD;
- ❖ RESTRICTIONS ON ADVERTISEMENTS, UNFAIR TRADE PRACTICES & FALSE INFORMATIONS;

Contd..

# FOOD SAFETY & STANDARDS ACT, 2006

## HIGHLIGHTS OF THE ACT (Contd..)

- ❖ PROVISIONS RELATING TO IMPORT;
- ❖ TIME FRAME FOR ANALYSIS OF SAMPLES;
- ❖ ADJUDICATION AND APPELLATE TRIBUNAL
- ❖ PROVISIONS ON OFFENCES , PENALTIES & PROSECUTION;
- ❖ REPEALING OF THE THEN EXISTED RULES/ACTS/ REGULATIONS.



# WHO IS A FOOD BUSINESS OPERATOR?

**AS PER FOOD SAFETY & STANDARDS ACT, 2006,**

- As per FSS Act, 2006, a Food Business Operator (FBO) is a person/organization engaged in the business of food manufacture, processing, packaging, transportation, distribution, storage and import etc, and includes food services, catering services and sale of food or food ingredients.

# WHO IS A FOOD BUSINESS OPERATOR?

AS PER FOOD SAFETY & STANDARDS ACT, 2006,

- All Food Business Operators in the country have to be registered or licensed in accordance with the cutoff limits laid in the Regulations, 2011.



# AS PER FOOD SAFETY & STANDARDS ACT, 2006:

- ❖ ALL FBOS SHOULD HAVE VALID LICENCES/ REGISTRATIONS AT ANY TIME
- ❖ CONVERT EXISTING FOOD LICENCE/ REGN. TO ONE UNDER FSSAI BEFORE 5<sup>TH</sup> AUGUST 2012
- ❖ NO FEES TO BE PAID FOR THE REMAINING PERIOD OF THE VALIDITY OF EARLIER LICENCE/ REGISTRATION.
- ❖ NO PRE-INSPECTION IN CASE OF CONVERSIONS/ RENEWALS.
- ❖ WHOSE LICENCE/ REGN. HAS EXPIRED, HAS TO SEEK A NEW LICENCE/REGN UNDER FSS ACT.

# AS PER FOOD SAFETY & STANDARDS ACT, 2006: **SALIENT FEATURES**

- Science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import, to ensure availability of safe and wholesome food for human consumption.
- Movement from multi-level and multi-department control to a single line of command
- A single reference point for all matters relating to Food Safety and Standards, Regulations and Enforcement
- Integrated response to strategic issues like Novel foods, Health Foods, Nutraceuticals, GM foods, International trade etc.

## **AS PER FOOD SAFETY & STANDARDS ACT, 2006: SALIENT FEATURES (Contd)**

- ✓ **Graded penalty depending upon the gravity of offences**
- ✓ **Adequate representation of government, industry organizations, consumers, farmers, technical experts, retailers etc.**
- ✓ **Enforcement by the State Governments/ UTs through the State Food Safety Commissioners, his officers and Panchayati Raj/Municipal bodies etc.**

## **AS PER FOOD SAFETY & STANDARDS ACT, 2006: SALIENT FEATURES (Contd)**

- ❖ Covering Health Foods, supplements, nutraceuticals**
- ❖ Provision of Improvement Notice by Designated Officers**
- ❖ Prosecution within 1 year time frame**
- ❖ Special Courts for summary trials**
- ❖ Compensation to Victims**

**REPEALED**  
**ACTS, RULES & REGULATIONS**  
(W.E.F. 5<sup>TH</sup> AUGUST 2011)

1. The Prevention of Food Adulteration Act, 1954 (37 of 1954).
2. The Fruit Products Order, 1955.
3. The Vegetable Oil Products (Control) Order, 1947.
4. The Solvent Extracted Oil, De-oiled Meal, & Edible Flour (Control) Order, 1967.
5. The Edible Oils Packaging (Regulation) Order, 1998.
6. The Milk and Milk Products Order, 1992.
7. The Meat Food Products Order, 1973.
8. Any other order issued under the Essential Commodities Act, 1955

FOOD SAFETY &  
STANDARDS ACT 2006  
ENFORCEMENT BY

CENTRAL FOOD SAFETY  
& SANDARDS AUTHORITY

STATE FOOD SAFETY  
AUTHORITIES

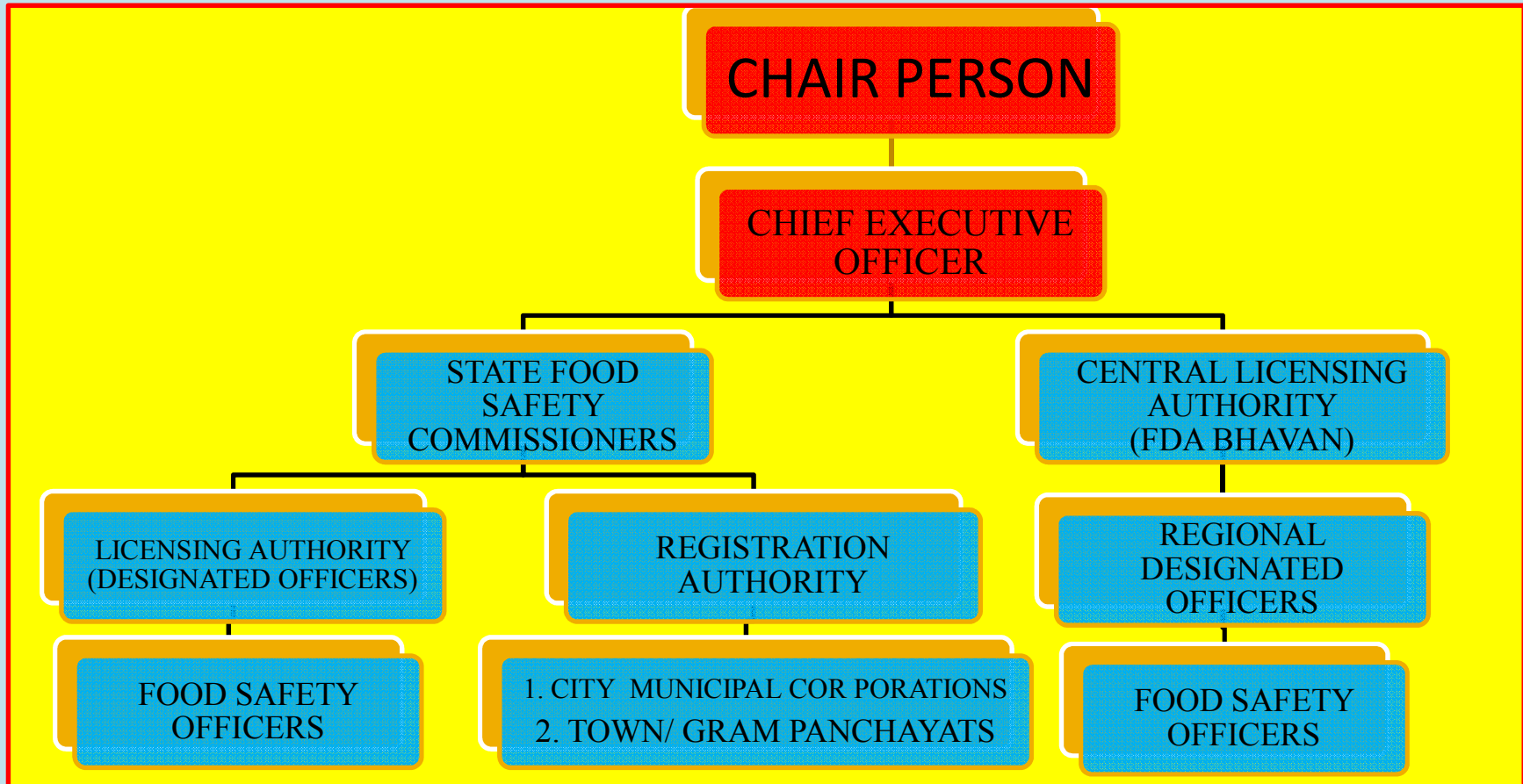


# FOOD SAFETY & STANDARDS ACT 2006 -ENFORCEMENT

## **The Food Authority and the State Food Safety Authorities shall be responsible for:**

- the enforcement of this Act. {29.(1)} ;
- monitoring and verifying that the relevant requirements of law are fulfilled by food business operators at all stages of food business. {29.(2)} ;
- maintaining a system of control and other activities including food safety surveillance, public communication on food safety and risk, etc. {29.(3)}.

# ENFORCEMENT OF REGULATIONS (FSSAI)



# MANAGEMENT LADDER

GOVERNMENT OF INDIA  
{MINISTRY OF HEALTH & FAMILY WELFARE}  
**FOOD SAFETY & STANDARDS AUTHORITY  
OF INDIA (FSSAI)**  
(NEW DELHI)

**CHAIR PERSON**



**CHIEF EXECUTIVE OFFICER**



**DIRECTORS (4)**

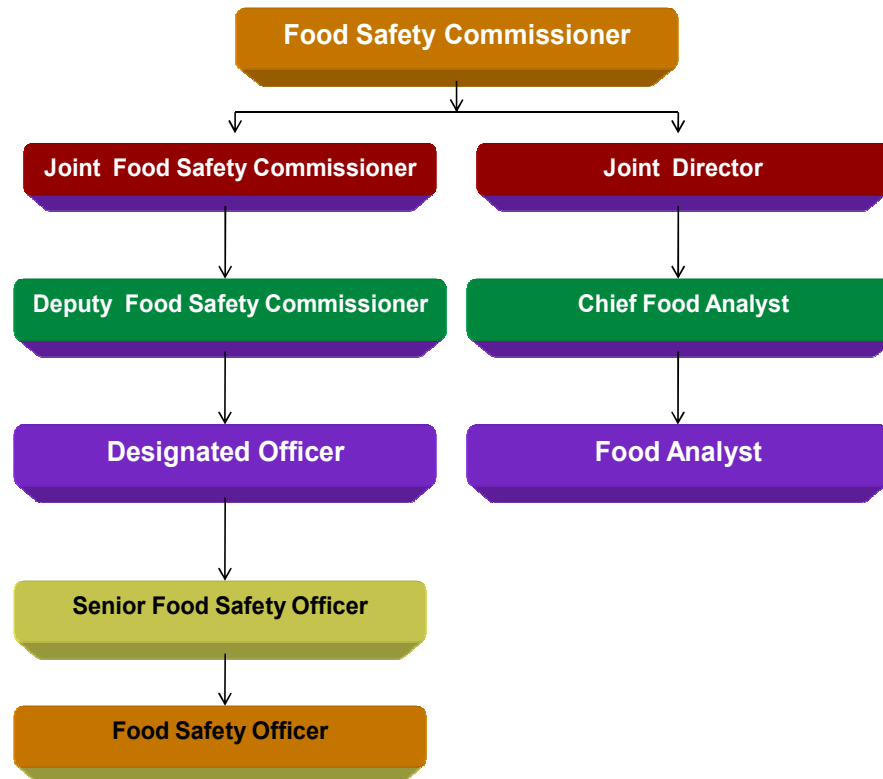


**DY. DIRECTORS + ASST. DIRECTORS**



**TECHNICAL OFFICERS**

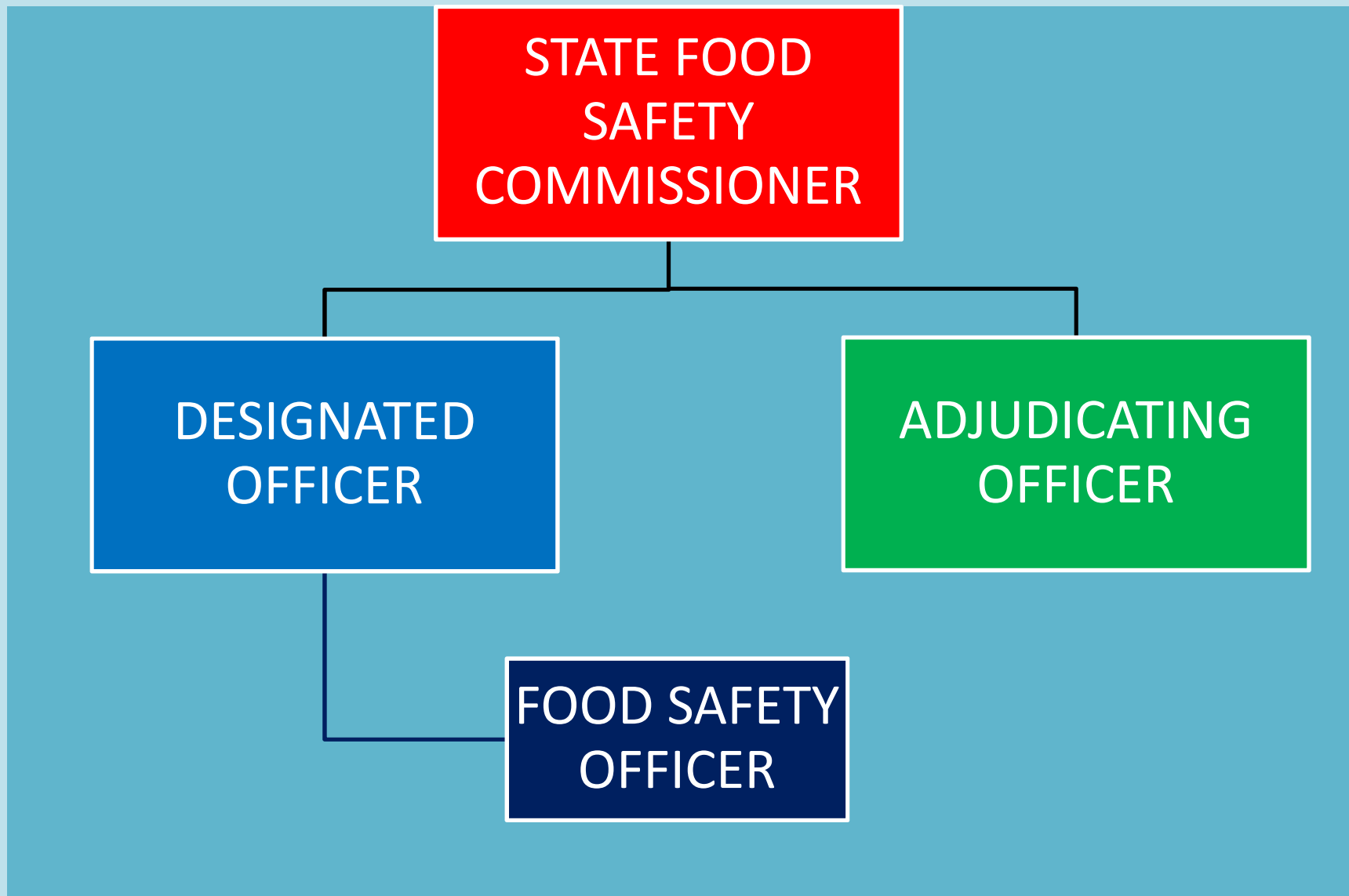
# STATE LEVEL SET UP



## FUNCTIONS, DUTIES & RESPONSIBILITIES OF FOOD SAFETY REGULATORS

### WHO ARE THE FOOD SAFETY REGULATORS IN STATE?

- Food Safety Commissioner
- Designated Officer
- Food Safety Officer
- Adjudicating Officer



GOVERNMENT OF INDIA

fssai

**FOOD SAFETY & STANDARDS AUTHORITY OF INDIA  
(FSSAI)**

**GENESIS**

**FSS ACT, 2006**

{Introduced in the Parliament on 23.8.2006}

**FSS RULES, 2011**

**FSS REGULATIONS, 2011**

# FSS RULES, 2011 (HIGHLIGHTS)

QUALIFICATIONS & DUTIES OF OFFICERS

ENFORCEMENT STRUCTURE & PROCEDURE

SAMPLING AND ANALYSIS

ADJUDICATION & APPEAL

ENFORCEMENT STRUCTURE & PROCEDURE



# LICENSING / REGISTRATION POLICY

## LICENSING/ REGISTRATION

(SELECT CENTRAL OR STATE AS PER TURN OVER/ CAPACITY)

### CENTRAL LICENCE

(Only Online Applications)

### STATE

(SELECT LICENCE OR REGN. AS PER TURN OVER/  
CAPACITY)

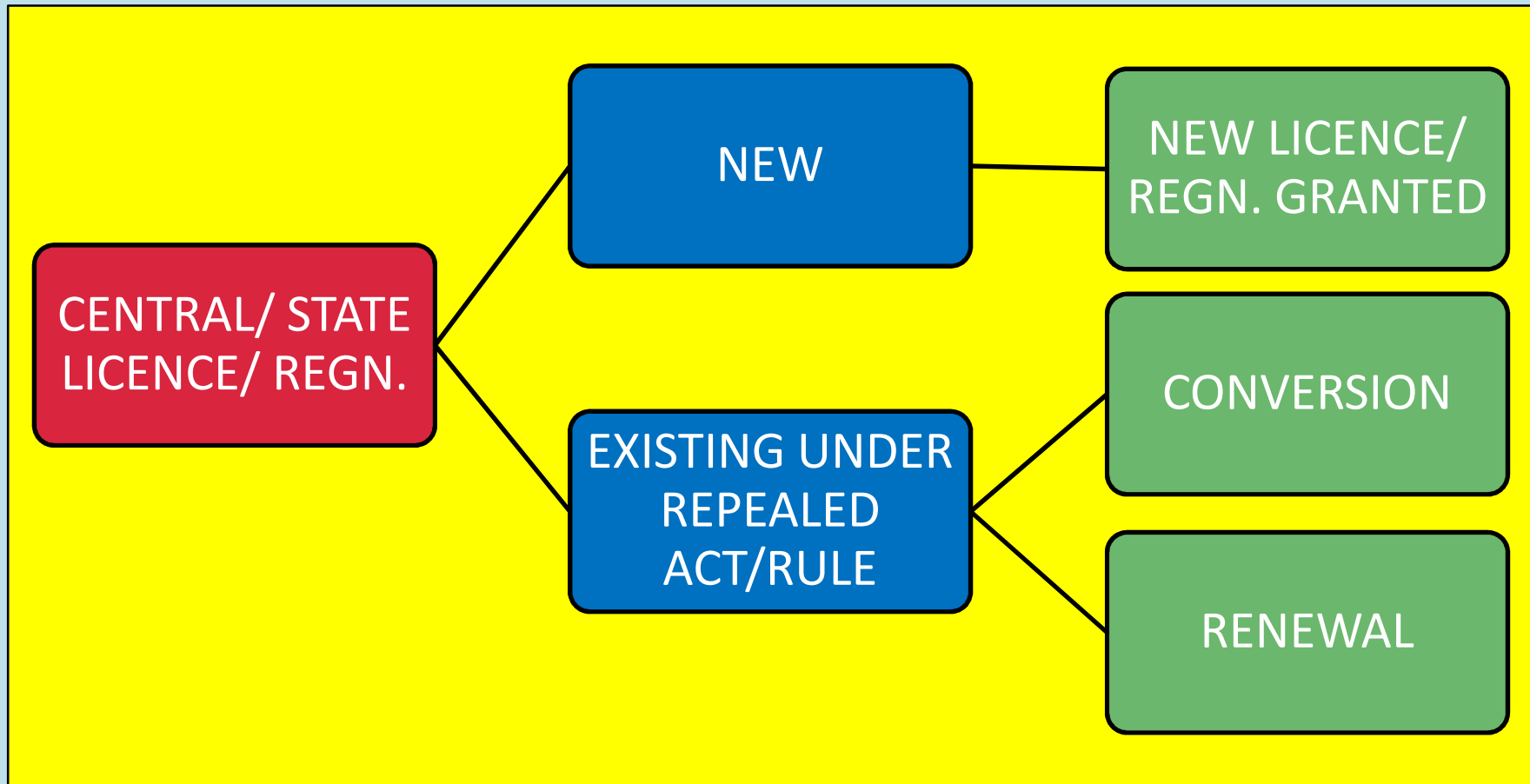
### STATE LICENCE

(Only Online Applications)

### REGISTRATION

(Online or Offline Applications)

## LICENSING / REGISTRATION POLICY



# WHO WILL SEEK WHAT LICENCE?

## **As per FSS (Licensing & Regn of Food Businesses) Regulation, 2011;**

- Schedule-I of the Regulation defines food businesses that will be under Central Licensing Scheme. Application has to be on-line and licence will be issued by Regional Designated Officers.
- All other FBOs fall under State purview, eligible for either a licence or a registration depending upon eligibility.
- All petty food business will have a registration issued under local authorities.
- Organizations like Railways, Airports, will have Central Licensing.



THANK

YOU

THE ESSAL TEAM