

Natural Goodness

A vibrant still life of various fruits including apples, pears, grapes, raspberries, and strawberries. The fruits are arranged in a cluster, with some showing reflections on a glossy surface below them. The background is dark, making the colors of the fruit stand out.

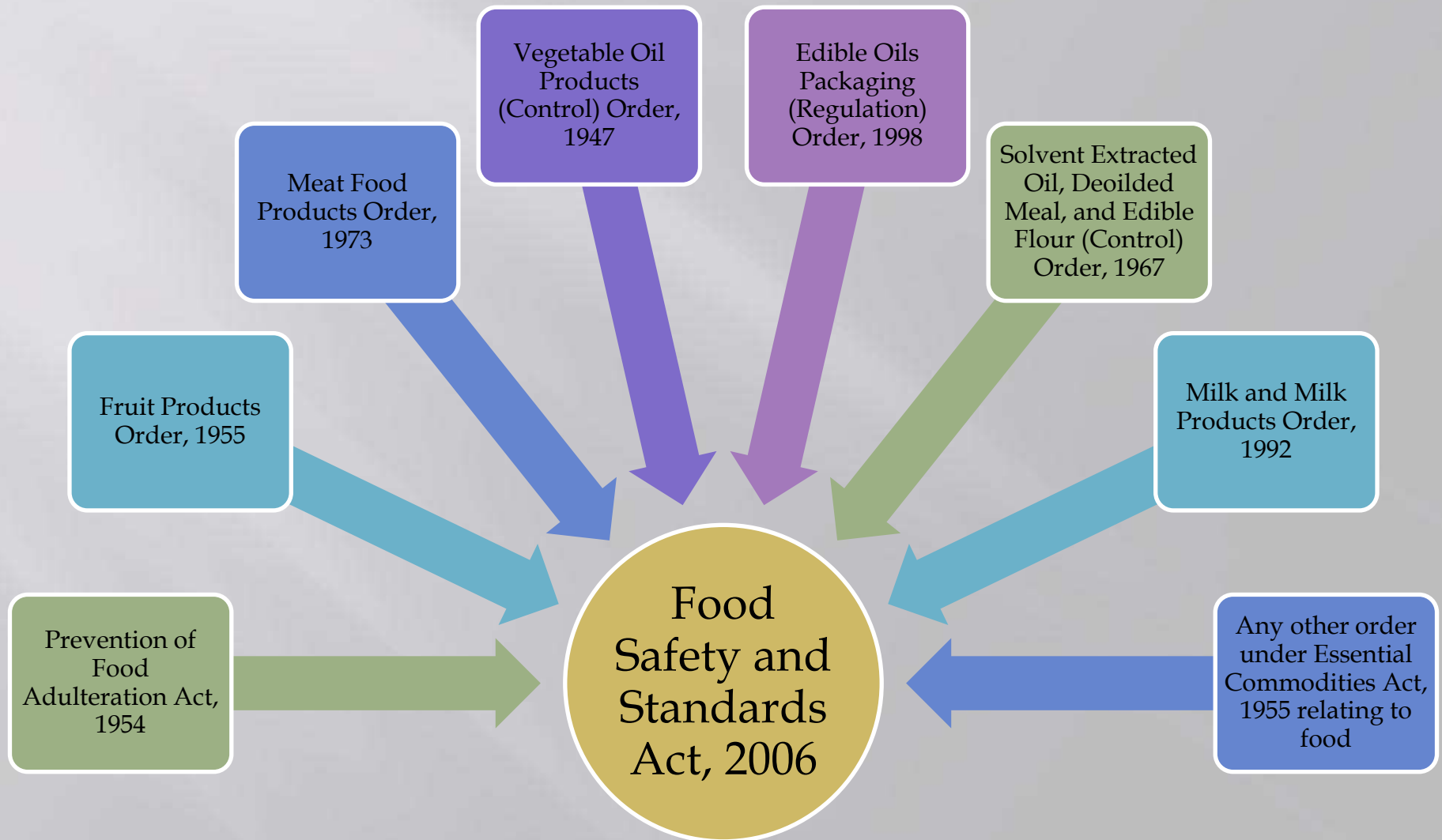
# FOOD SAFETY AND STANDARDS ACT, 2006 AND FSS RULES/REGULATIONS, 2011

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# Why Food Safety & Standards Act, 2006 ?

- Multiplicity of food laws, standard setting and enforcement agencies for different sectors of food
- Varied Quality/Safety standards restricting innovation in food products
- Thin spread of manpower, poor laboratories infrastructure and other resources non-conducive to effective fixation of standards
- Standards rigid and non-responsive to scientific advancements and modernization
- Poor Information dissemination to consumer level

# How it integrates?



# Critical Shifts

PFA

Multiple Authorities

Adulteration

Prescriptive Standards

Inspection/ Control

Insufficient Enforcement  
Personnel

Poor Lab Network

FSSA

Single Authority

Safety

Categorized Standards

Monitoring & Surveillance

Full time district Officer, Food  
Safety Officers under FSC

1 Lab per District

# **Features of Food Safety & Standards Act, 2006**

- Movement from multi-level and multi-department control to a single line of command
- FSSAI as a single reference point for all matters relating to Food Safety and Standards, Regulations and Enforcement
- Decentralisation of licensing for food products
- Achieve high degree of consumer confidence in quality & safety of food

# Features contd....

- Effective, transparent and accountable regulatory framework
- Emphasis on gradual shift from regulatory regime to self compliance
- Consistency between domestic and international food policy measures without reducing safeguards to public health and consumer protection
- Adequate information dissemination on food to enable consumer to make informed choices.
- Mechanism for speedy disposal of cases

# Food Safety and Standards Authority of India

- ❑ Chairman + 22 members
- ❑ Established vide notification S.O. 2165 (E) dated 5<sup>th</sup> September, 2008
- ❑ Mandate of laying down 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.

# **Rules and Regulations under FSS Act**

- Section 91- provides for Central Government to make Rules for carrying out provisions of the Act.
- Section 92 (1)- provides Food Authority with the previous approval of Central Government and after previous publication, by notification, make regulations consistent with this Act and Rules made there under.
- FSSAI drafted Rules and Regulations through extensive consultation and deliberations/meetings with various stakeholders.
- Final Rules have been notified in the gazette of India on 5<sup>th</sup> May, 2011 and came into force on 5<sup>th</sup> August, 2011
- Final Regulations have been notified in the gazette of India on 1<sup>st</sup> August, 2011 and came into force on 5<sup>th</sup> August, 2011

# Salient Features of FSS Rules, 2011

- ❑ Describe the qualification and duties of Food Safety commissioner, Designated Officer and Food Safety Officer.
- ❑ Sampling procedure, manner of taking samples
- ❑ Function of Food analyst and the analysis report
- ❑ Adjudication procedure, appeal
- ❑ Food Safety Appellate Tribunal, Special courts

# Salient Features of FSS Regulations, 2011

- Integrates the erstwhile acts/rules/orders, no new standards being introduced.
- New chapter scheme to facilitate scientific approach in regulatory framework, & scientific developments, provide specificity and traceability of content, easy to digitalized.
- Unified Licensing Procedures and application forms
- Clear line of distinction between licensing and registration
- Standards have been systematically arranged taking into consideration Codex classification

## Contd....

- ▣ Food Safety and standards (Licensing and registration) Regulations, 2011
- ▣ Food Safety and standards (packaging and labeling) Regulations, 2011
- ▣ Food Safety and standards (Food products standards and Food Additives) Regulations, 2011.
- ▣ Food Safety and standards (Prohibition and restriction for sale) Regulations, 2011
- ▣ Food Safety and standards (contaminants, toxins and Residues ) Regulations, 2011.
- ▣ Food Safety and standards (Referral laboratories and sampling) Regulations, 2011



The present FSS (Licensing and Registration) Regulation integrates the Licensing provisions in the following Orders relating to food products :-

- ▣ Fruit Products Order, 1955
- ▣ Prevention of Food Adulteration Act, 1954
- ▣ Milk and Milk Products Order, 1992
- ▣ Vegetable Oil Products (Control) Order, 1947
- ▣ Edible Oils Packaging (regulation ) Orders, 1998
- ▣ The Solvent Extracted Oil, De oiled Meal and Edible flour (Control) Order, 1967
- ▣ Meat Food Products Orders, 1973

# Features of this Regulation....

- ▣ Unified Licensing procedures.
- ▣ Common application forms and procedures.
- ▣ Registration of food Businesses to cover all petty food businesses.
- ▣ Distinction between 'registration' and 'licensing'. Cut off limits for registration and licensing.
- ▣ Sectors which have high Installed Capacity are covered under central licensing.
- ▣ Safety, Sanitary and Hygienic conditions.

# LICENSING AND REGISTRATION OF FOOD BUSINESS

## Registering Authority

Food Safety Officer or any official in Panchayat, Municipal Corporation or any other local body in an area, notified as such by the State Food Safety Commissioner for the purpose of registration

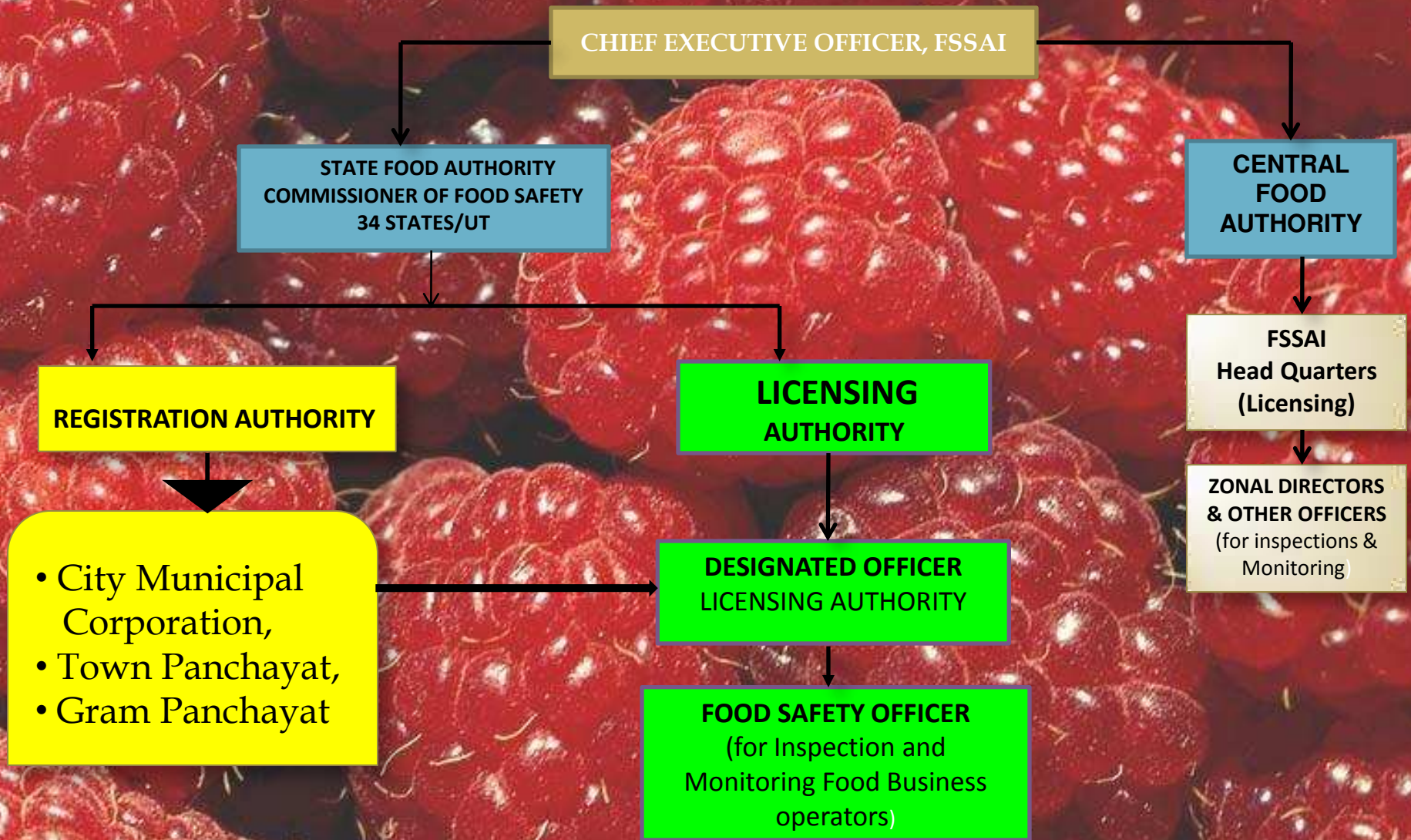
## State Licensing Authority

Designated Officers appointed under Section 36(1) of the Act by the Food Safety Commissioner of a State or UT for the purpose of licensing and monitoring.

## Central Licensing Authority

Designated Officer appointed by the Chief Executive Officer of the Food Authority of India in his capacity of Food Safety Commissioner

# FRAMEWORK FOR REGISTRATION/ LICENSING/MONITORING OF FOOD BUSINESS ESTABLISHMENTS



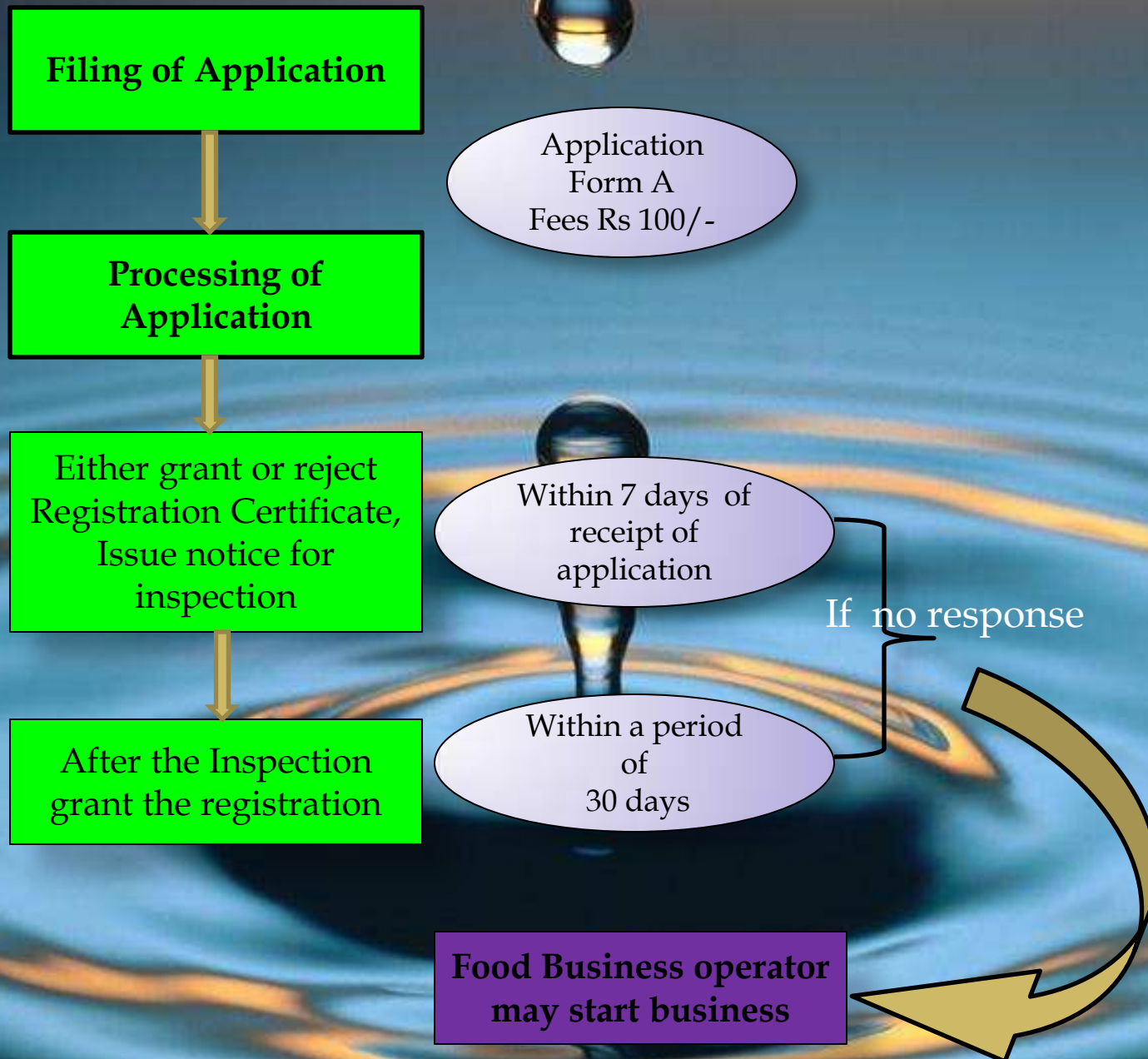
# Petty Food Manufacturer

- ▣ means any Food manufacturer, who
  - Manufactures or sells any article of food himself or a petty retailer, hawker, itinerant vendor or temporary stall holder; or



- such other industries including small scale or cottage or tiny food businesses with an annual turnover not exceeding 12 lakhs and whose
  - production capacity of food (other than milk and milk products and meat and meat products) does not exceed 100 kg/ltr per day or
  - procurement or collection of milk is up to 500 litres of milk per day or
  - slaughtering capacity is 2 large animals or 10 small animals or 50 poultry birds per day or less

# Procedure of Registration



# Registration Procedure

- Registration shall not be refused without giving the applicant an opportunity of being heard.
- A registration certificate and a photo identity card shall be issued which shall be displayed at a prominent place.
- The Registering Authority or any officer or agency specifically authorized for this purpose shall carry out inspection.

# **License**

- ❑ No person (other than petty food businesses) shall commence any food business without obtaining a valid license.**
- ❑ Existing Operator holding valid license/registration shall CONVERT their license within one year of notification of this Regulation**
- ❑ No license fee for the remaining period of the validity.**
- ❑ License for businesses mentioned under Schedule 1, shall be granted by the Central Licensing Authority and all others by State licensing Authority**
- ❑ Licensing Authority shall ensure periodical food safety audit and inspections of the licensed establishments.**

# Dairy units :

➤ More than 50,000 thousand ltrs of liquid milk/day

or

➤ 2,500 MT of milk solid per annum



# Vegetable oil processing units and refineries

Installed capacity more than 2 MT per day



# Slaughter houses

- ✓ 50 large animals
- ✓ 150 or more small animals,
- ✓ 1000 or more poultry birds per day.



# Meat processing

More than 500 kg  
of meat/day or  
150 MT per annum



# All other food processing Industries

2 MT/day except  
grains, cereals  
and pulses  
milling units.



# Contd...

- 100 % Export Oriented Units
- All Importers importing food items
- Any article of Food which does not fall under any of the food categories or deviates from the prescribed specification for additives.
- FBO s operating in two or more states
- Food catering services in establishments and units under Central government Agencies like Railways, Airlines and airport, Seaport, Defense etc.

# Liability for Compliance

## Section 27

Manufacturer shall be liable for meeting all requirements under this Act

Wholesaler/distributor shall be liable only for

- Sale after expiry

- stored or supplied in violation of the safety instruction

- Unsafe or misbranded

- Manufacturer unidentifiable

- Received with knowledge of being unsafe

Seller shall be liable only for

- Sale after expiry

- Handled or kept in unhygienic conditions
- misbranded

- Manufacturer unidentifiable

# **What is new....**

- **Single Window**
- **Less inspections, more audit of system**
- **Preventive rather than after the event**
- **Independent regulator of safety**
- **Transparent science based standards and Procedures**
- **Pooling of regulatory resources**
- **Responsibility of Food Business Operator**

**Contd....**

- **Recall of unsafe food.**
- **Small vendors exempted from licensing.**
- **60 days time limit for processing of license.**
- **Adjudication and compounding offences.**
- **Quicker justice.**
- **Penalty for harassment by Food safety Officer.**

Ready for the Race

# THANK YOU



FSSAI

Old Acts/Orders