
FOOD SAFETY AND STANDARDS ACT 2006- Overview

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The safety of food is vital to all consumers and food business. Consumers must have confidence that the food they buy and eat will be what they expect. Food will do them no harm and that they are protected from adulteration or fraud. The importance of this confidence cannot be underestimated for businesses. Although food safety legislation affects everyone in the country, it is particularly relevant to anyone working in the productions, processing, storage, distribution and sale of food, no matter how large or small the business. This includes non-profit making organisations also. The Food Safety & Standards Act 2006 is an Act to consolidate the laws relating to food and to establish the food Safety and Standards Authority of India for 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 and for matters connected therewith or incidental thereto.

The following laws have been repealed with the ushering in of FSS Act 2006:

- ❖ Prevention of Food Adulteration Act, 1954.
- ❖ Fruit Products Order, 1955.
- ❖ Meat Food Products Order, 1973.
- ❖ Vegetable Oil Products (Control) Order,1947..
- ❖ Edible oil Packaging (Regulation) Order,1988.
- ❖ Solvent Extracted Oil, De-oiled meal and Edible Flour (Control) Order 1967.
- ❖ Milk and Milk Products Order, 1992.
- ❖ Any order under Essential Commodities Act, 1955 relating to food.

The salient features of FSS ACT 2006 are as under:

- ❖ 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. Integrated response to strategic issues like Novel Foods, Health Foods, Nutraceuticals, GM Foods, international trade etc.
- ❖ Decentralization of licensing for manufacture of food products.
- ❖ Achieve high degree of consumer confidence in quality & safety of food.
- ❖ Investor friendly regulatory mechanism with emphasis on self regulations and capacity building.
- ❖ Enforcement of the legislation by the State Governments/UT's through the State Commissioner for Food Safety, his officers and Panchayati Raj/ Municipal bodies.
- ❖ Emphasis on gradual shift from regulatory regime to self-compliance through food safety management system.
- ❖ 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.
- ❖ Compounding and adjudication of cases – to reduce court's workload and expedite the disposal of cases
- ❖ Graded penalty depending upon the gravity of offences.

New provisions under the FSS Act are:

- ❖ Regulation of food imported in the country.
- ❖ Provision for food recall.
- ❖ Surveillance

- ❖ New enforcement structure.
- ❖ Envisages large network of food labs.
- ❖ New justice dispensation system for fast track disposal of cases.
- ❖ Harmonization of domestic standards with international food standards
- ❖ Covering Health Foods, supplements, and nutraceuticals.
- ❖ Issuing Licenses within a time frame of two months
- ❖ Provision of Improvement Notice by designated officers.
- ❖ Compensation to Victims (for any case of injury/grievous injury/death)
- ❖ Reward for informers(informing about the violators- adulteration etc) by State Government.
- ❖ No License for small food business operators; only registration is mandatory
- ❖ Central Licensing from Authority.

Scope of the FSS Act: The Act covers activities throughout the food distribution chain, from primary production through distribution to retail and catering. The Act gives the Government powers to make regulations on matters of food safety. The Food Safety & Standards Authority of India is the principal Government authority responsible for preparing specific regulations under the Act. The Act interalia incorporates the salient provisions of the PFA 1954 and is based on international legislations and instrumentalities. In a nutshell the Act takes care of international practices and envisages a overreaching policy framework and provisions of single window to guide and regulate persons engaged in manufacture, marketing, processing, handling, transportation, Import and sale of food. The Act is contemporary, comprehensive and intends to ensure better consumer safety through Food Safety Management Systems and setting standards based on science and transparency as also to meet the dynamic requirements of Indian Food Trade and Industry and International trade.

Role of FSSAI: Framing Rules, Regulations, Science based Standards and guidelines in relation to articles of food. Guidelines for accreditation of certification bodies/laboratories. Scientific advice and

technical support to Central Government and State Governments in matters of framing the policy and rules in areas related to food safety and nutrition. Collect and collate data on food consumption. Incidence and prevalence of biological risk, contaminants in food, residues of contaminants in food and introduction of rapid alert system. Creating information Dissemination network across the country about food safety. Capacity building for various stake holders. Contribute to development of international technical standards for food and food products. Sanitary and phyto-sanitary standards. Promote general awareness about food safety and food standards. Procedure and guidelines for risk analysis methodologies, food safety plans etc.

Codex Cell: Guidelines for participation