

Overview of the Food Safety and Standards Act, 2006 and Regulations made there under

Food Safety and Standards Act, 2006

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.

Food Safety and Standards Act, 2006

- Chapter I - Preliminary
- Chapter II- Food Safety and Standards Authority of India
- Chapter III – General Principles of Food Safety
- Chapter IV- General Provisions as to Articles of Food
- Chapter V- Provisions relating to Imports
- Chapter VI – Special Responsibilities as to Food Safety
- Chapter VII – Enforcement of the Act
- Chapter VIII – Analysis of Food
- Chapter IX –Offences and Penalties
- Chapter X –Adjudication and Food Safety Appellate Tribunal
- Chapter XI - Finance, Accounts, Audit and Reports
- Chapter XII - Miscellaneous

Food Safety and Standards Regulations

Section 92 of the FSS Act empowers the Food Authority to make Regulations

- Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011.
- Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011.
- Food Safety and Standards (Laboratory and Sample Analysis) Regulations, 2011.
- Food Safety and Standards (Packaging and Labelling) Regulations, 2011
- Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011.
- Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011.
- Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations, 2016.
- Food Safety and Standards (Approval of Non-Specific Food and Food Ingredients Regulations, 2017).
- Food Safety and Standards (Food Recall Procedure) Regulations, 2017.
- Food Safety and Standards (Import) Regulations, 2017.
- Food Safety and Standards (Alcoholic Beverages) Regulations, 2018.
- Food Safety and Standards (Organic Foods) Regulations, 2017.

Scientific Panels (1/2)

Section 13 of FSS Act empowers Food Authority to establish Scientific Panels

Horizontal Issues

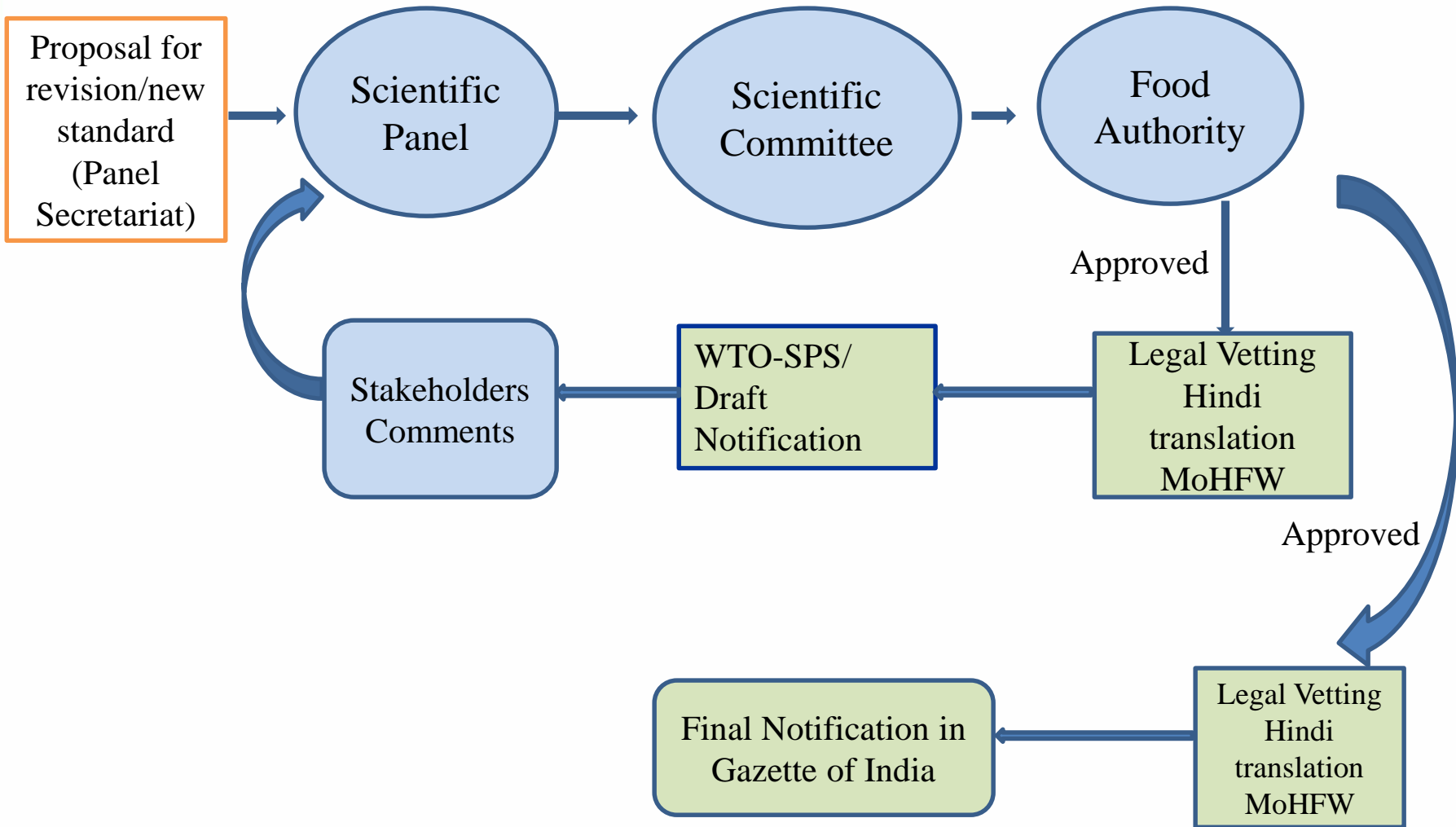
- ✓ Food Additives, Flavourings, Processing Aids and materials in contact with Food
- ✓ Pesticides and Antibiotics Residues
- ✓ Genetically Modified Organisms and Foods
- ✓ Functional Foods, Nutraceuticals, Dietetic Products and other similar products
- ✓ Biological Hazards
- ✓ Contaminants in the Food Chain
- ✓ Labelling and Claims/Advertisements
- ✓ Methods of Sampling and Analysis

Scientific Panels –(2/2)

Vertical Issues

- ✓ Sweets, Confectionary, Sugar and Honey
- ✓ Milk and Milk Products
- ✓ Water, Flavoured Water and Beverages (Alcoholic and Non-Alcoholic)
- ✓ Oils and Fats
- ✓ Fruits and Vegetable and their products (Including Dried Fruits & Nuts, Salt, Spices and Condiments)
- ✓ Cereals, Pulses, Legumes and their Products (Including Bakery)
- ✓ Fish and Fisheries Products
- ✓ Meat and Meat Products including Poultry
- ✓ Fortified and Enriched Food
- ✓ **Expert Committee on Organic Foods**

Standards Development Process



FSS (Food Products Standards and Food Additives) Regulations, 2011)

➤ **Quality Standards**

It covers product categories like

- Dairy products and analogues
- Fats, oils and fat emulsions
- Fruits and Vegetable products
- Cereals and cereal products
- Meat and meat products
- Fish and fish products
- Sweets and confectionary
- Sweetening agents including honey
- Salt, spices and related products

- Beverages (other than dairy and fruits & vegetables based)
- Other food products and ingredients
- Proprietary food
- Provision for Irradiated food

➤ **Safety Standards**

Food Additives provisions-

Appendix A

Microbiological requirements-

Appendix B

FSS (Contaminants, Toxins and Residues) Regulations, 2011

Maximum Residue Limits (MRLs) / Maximum Limits (MLs) for chemical contaminants in foods

- ❑ MLs/MRLs of metal contaminants, crop contaminants and naturally occurring toxins, and antibiotics and other pharmacologically active substances, aflatoxins, and melamine in various foods and commodities.
- ❑ Limits of Biotoxins, Histamine, Polychlorinated biphenyls (PCBs) and Polycyclic Aromatic Hydrocarbon (PAH) compounds in fish and fishery products
- ❑ MRLs of 149 insecticides in various food commodities prescribed

FSS (Prohibition and Restriction on Sales) Regulations, 2011

Sale of certain admixtures prohibited:

- milk containing added water
- ghee containing any added matter not exclusively derived from milk fat
- skimmed milk (fat abstracted) as milk
- a mixture of two or more edible oils as an edible oil
- vanaspati to which ghee or any other substance has been added
- turmeric containing any foreign substance
- mixture of coffee and any other substance except chicory
- dahi or curd not prepared from boiled, pasteurised or sterilized milk

Restriction on use of certain ingredient:

- Kesari gram (*Lathyrus sativus*) and its products
- Kesari dal (*Lathyrus sativus*) and Bengal-gram (*Cicer arietinum*) and their products

Contd..

❑ Prohibition and Restriction on sale of certain products

- Prohibition on sale of food articles coated with mineral oil
- Restriction on sale of Carbia Callosa & Honey dew
- Food resembling pure honey not be marketed as honey
- Product not to contain any substance injurious to health- Tobacco & Nicotine
- Prohibition of use of carbide gas in ripening of fruits
- Sale of Fresh Fruits and Vegetables be free from rotting ,coating of waxes, mineral oil and colours.
- Sale or use for sale of admixtures of ghee or butter prohibited.
- Restriction on sale of ghee having less Reichert value than that specified for the area where such ghee is sold- It shall not be sold or stored in that area except under the 'AGMARK' seal.

Contd..

- **Restriction on sale of Til Oil produced in Tripura, Assam and West Bengal-** Til Oil (Sesame Oil) obtained from white sesame seeds, grown in such areas having different standards than those specified for til oil shall be sold in sealed containers bearing Agmark label.
- **Restriction on sale of Kangra tea-** Kangra tea shall be sold or offered for sale only after it is graded and marked in accordance with AGMARK provisions.
- **Condition for sale of flavoured tea-** Flavoured tea shall be sold or offered for sale only by those manufacturers who are registered with Tea Board.
- **Restriction on sale of common salt-** No person shall sell or offer or expose for sale or have in his premises for the purpose of sale, the common salt, for direct human consumption unless the same is iodized.
- Use of flesh of naturally dead animals or fowls prohibited.
- Special provisions relating to sale of vegetable oil and fat.

Food Safety and Standards (Alcoholic Beverages) Regulations, 2018

- To ensure safety of alcoholic beverages.
- Specifying the standards for alcoholic beverages namely distilled alcoholic beverage (brandy, country liquor, gin, rum, vodka and whisky, liquor or alcoholic cordial), wines and, beer.
- It also specifies the specific requirement for labelling of alcoholic beverages such as declaration of alcohol content, labeling of standard drink, not to contain any nutritional information, no health claim, restriction on words 'non-intoxicating' or words implying similar meaning on label of beverage containing more than 0.5 per cent alcohol by volume, labelling of wine, allergen warning, statutory warning etc.
- These regulations came into force from the date of their publication in gazette, however the enforcement against these standards will start from 1st April 2019.

FSS (Health supplements, Nutraceuticals, FSDU, FSMP, Functional food & Novel food) Regulations, 2016

- Covers standards for Health supplements; Nutraceuticals; Food for Special Dietary Use; Food for Special Medical Purpose; Specialty food containing plant or botanicals; Foods containing probiotics/prebiotics; and Novel Food products.
- Provides essential composition of different categories, specific labelling requirements, food additives and ingredient provisions with the permissible limits for each category.
- Use of hormones, steroids and psychotropic substances prohibited.
- Provisions on claims defined.
- Allows -10 % tolerance limit as analytical variation from the declared value of the nutrients or nutritional ingredients on the label.
- FBO also needs to comply with other FSS Regulations.

FSS (Approval for non-specified food & food ingredients) Regulations, 2017

- Covers non specified food/food ingredients and Novel Food/Food Ingredients
- Mandates prior approval of Food Authority and fees
- Approval based on proper risk assessment
- Requires FBO to submit information such as following for scrutiny –
 - Certificate of Analysis (COA) form third party NABL or ILAC recognized lab including physical, chemical and microbiological parameters relevant to the product along with the validated & other test methods
 - Safety Information (Documents on risk assessment or toxicity studies)
 - Evidence to demonstrate that the proposed product or the ingredient will not adversely affect any specific population groups that is pregnant women, lactating mothers, children, elderly or any other vulnerable group
 - Documents to validate safe history of consumption of food product/food ingredient
- Provides opportunity to FBO's to formulate innovative products, not otherwise standardized under FSSR, that are safe.

FSS (Organic Foods) Regulations, 2017

- Section 22 of the Food Safety Standards Act, 2006 has the provision to regulate manufacture, distribute, sell or import **“organic foods”** which have been defined as food products that have been produced in accordance with specified organic production standards.
- Food Safety and Standards (Organic Foods) Regulations, 2017 based on two systems of certification i.e. National Programme for Organic Production (NPOP) and Participatory Guarantee System (PGS-India) have been notified in the Gazette of India on 29.12.2017.
- All the Organic Food Business Operator shall comply with all the provisions of these Regulations by 1st July, 2018.

Key Features

- All foods offered or promoted for sale as ‘Organic Food’ to comply with the requirements of National Programme for Organic Production (NPOP) or Participatory Guarantee System for India (PGS-India).
- Direct sales by the small original producer or producer organisation to the end consumer shall be exempted from the provisions of the systems referred above.
- To comply with Labeling requirements of FSSR.
- To comply with Labeling requirements of NPOP or PGS-India.
- Organic product may carry a certification or quality assurance mark of NPOP or PGS-India in addition to the Food Safety and Standard Authority of India’s organic logo (Jaivik Bharat).
- Traceability through one of the systems.
- To comply with Product and Contaminant Standards prescribed in FSSR.
- For organic food, the residues of insecticides shall be 5% of the maximum limits prescribed or Level of Quantification (LoQ) whichever is higher.
- Retailers to display organic foods distinguishable from conventional foods.

Jaivik Bharat Logo



Circle represents holistic wellness
at a global platform

Tick mark formed with
second leaf represents
that FSSAI has certified
the product as organic



Green leaf represents nature

Jaivik Bharat

Green color represents
environment, agriculture
sustainability & healthy life

The logo showcases that the product it has been authenticated as organic for the choice for consumption. Effectively intertwining all the elements of environment, the logo communicates adherence to national organic standards

Requirements for import of Organic Foods into India

- Organic Food imports under bilateral or multilateral agreements on the basis of equivalence of standards between NPOP and Organic standards of the respective exporting countries are not required to be re-certified on import to India.
- All organic food consignments to be accompanied by a Transaction Certificate issued by an Accredited Certification Body covered under the terms of the equivalence agreement.
- All Organic Foods required to comply with the requirements of other Regulations for conventional foods.

Any Questions?

THANKS