

FSSA 2006

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FSSA 2006 i.e food safety and standards act established in 2006 is an act enacted by government of India keeping in mind the changing needs, requirements and to consolidate the laws relating to food with the purpose to establish the food safety and standards authority of India with head office at Delhi. In this modern times of globalization, India is growing rapidly in all context but especially in food as industries are shifting from raw natural food to the processed and ready to eat products.

The act is a single statutory and regulatory body for food laws, standards and enforcement. It tends to provide safe, hygienic and wholesome food for the citizens of India. This act is a single reference for all matters relating to food safety and standards by moving from multilevel departmental control to a single line of command. This article aims to increase the awareness of this act to the consumers so that they can build a confidence that they are consuming the safe food as there exists a body that regulates all this; to manufacturers so they don not inculcate something that causes human health risk in their manufacturing process.

FSSA 2006 is the primary law for regulation of food products. This also sets up the formulation and enforcement of food safety standards in India. Food is the basic human requirement to carry out various metabolic activities of human body, so the quality of food is the prime responsibility of the government to ensure proper health to the citizens. The

industrialist to maintain their profits can use unfair means like adulteration in the foods which can highly affect the body of the consumers, so there must be some act to have check on and the rules and standards must be followed by every food industries.

It regulates the food sector by laying down guidelines to be followed by food businesses. The act empowers the government with authority to establish FSSAI (food safety and standardization authority of India) that corporates sets the standards for food articles and safe practices of handling the food produced and distributed.

Section 44 of FSSA, 2006 provides the power to food authority, to identify an organization for carrying out food safety audit and checking conformity with food safety management system (FSMS).

Section 16(2)(c) of food safety and standards act,2006 specifies food authority may state the mechanisms and guidelines for accreditation of certification bodies engaged in certification of food safety management system(FSMS) for food businesses.

Section 24 states about the restrictions of advertisements and prohibition as to unfair trade practices. No advertisement should be made of food which is deceiving or misleading. No person shall engage himself in any unfair means for promoting sale, supply, use and consumption of article of food or adopt any unfair or deceptive practice including the practice of

making any statement, whether orally or in writing or by visible representation.

Section 26 tells about the responsibilities of food business operator that it should ensure that the articles of food satisfy the requirements of this act and rules and regulations made thereunder at all stages of production, processing, import, distribution and sale within the businesses under control.

Section 57 states the penalty for possessing adulterant, if any person who himself or by other person, imports or manufacture for sale, or stores, sells or distributes any adulterant should be liable to a penalty not exceeding 2lakh rupees, if adulterant is not injurious to health and penalty not exceeding 10lakh rupees, if adulterant is injurious to health.

Section 59 explains about the punishment for unsafe food.

Section 68 tells about adjudication, that any officer not below rank of additional district magistrate of district where alleged offence is committed shall be notified by the state government.

Section 76 tells that an appeal can be filed against the order of special court to high court within 45 days from the date in which the order has been served. Appeal should be disposed by the high court by the bench of not less than 2 judges.

So there exist many sections explaining about different things and accordingly industries, consumers and all the members in food chain follow those rules.

Observing that food safety and standard act should be strengthened, CSE noted that an effective monitoring mechanism is the key to success of Indian food safety regulatory framework while limited capacity of enforcement authority should not be a hindrance and is augmented.

Before FSSA there exist separate laws for different food product some of which are – vegetable oil products(control) order,1947; edible oil packaging (regulation) order,1998; milk and milk products order,1992; meat food products order,1973; fruit product order,1955; prevention of food adulteration act ,1954; solvent extraction oil, meat and edible flour (control) order,1967; any other order under essential commodities act,1955 relating to food are all integrated in this single law called food safety and standards act 2006 and enforced on 26 august,2006.

Central government established this act with head office at New Delhi. Food authority may establish its offices at any place in India. There must be a chairperson, 22 members out of which one third shall be women. Term for 3 years, and is eligible for re-appointment. CEO will see day to day activities of food authority.

Functions of food authority is to regulate and monitor the manufacture, processing, sale, distribution, import of food so as to ensure safe and wholesome food. It will provide scientific advice and technical support to the central government and state governments in matters of framing the policy and rules in areas which have direct or indirect bearing on food safety and nutrition.

So here we conclude that FSSA 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.

References-

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