

No1/PLR/FSSAI/2011
Food Safety and Standards Authority of India
(A Statutory Regulatory Body of Govt. of India)
Ministry of Health and Family Welfare

FDA Bhawan, Kotla Road,
New Delhi – 110 002.

1st September, 2011

To
The Commissioners of Food Safety
All State/UT Governments

Subject :- Clarification on the status of Notified Public Analyst at Centre/State/UT after the promulgation of FSS Act, 2006 with from 5th August, 2011.

The Provisions relevant to the appointment of Food Analysts under the Food Safety and Standards Act, 2006 and Food Safety and Standards Rules, 2011 are reproduced below :-

“Section 45 - The Commissioner of Food Safety may, by notification, appoint such persons as he thinks fit, having the qualifications prescribed by the Central Government, to be Food Analysts for such local areas as may be assigned to them by the Commissioner of Food Safety :

Provided that no person, who has any financial interest in the manufacture or sale of any article of food shall be appointed to be a Food Analyst under this section :

Provided further that different Food Analysts may be appointed for different articles of food.”

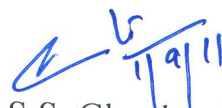
“Rule 2.1.4(ii) (a) & (b)

“(a) any person who has been declared qualified for appointment as Public Analyst by the board constituted under Prevention of Food Adulteration Act, 1954 shall also be eligible for holding the post of Food Analyst.

(b) *any person who is a Public Analyst under the provisions of Prevention of Food Adulteration Act, 1954 on the date of commencement of these Rules, may hold office of the Food Analyst subject to the terms and conditions of service applicable to such person.*

A person appointed as Food Analyst shall undergo all specialized training programmes specified by the Food Authority periodically."

2. In view of the above provisions it is clarified that all those who were qualified and notified as Public Analyst by the board constituted under Prevention of Food Adulteration Act, 1954 are eligible for holding the post of Food Analyst under the FSS Act, 2006 and are deemed to be Food Analyst from the date of commencement of the Act, i.e. 5th August, 2011. They will be performing such functions as may be entrusted to them by the concerned Government in accordance with the FSS Act/Rules/ Regulations.

Handwritten signature in blue ink, followed by the date 15/8/11.

(Dr. S.S. Ghonkrorkta)
Director (Enforcement)

Copy to:

- (i) FRSL
- (ii) CFL, Kolkata
- (iii) CFL, Pune
- (iv) CFL, Mysore
- (v) Website section for uploading on the website