

The Food Safety and Standards Authority of India has sent Draft Food Safety and Standards Rules, 2010 for the approval of the government and notification in terms of section 91 of the Food Safety and Standards Act. A brief background of the proposal is as follows.

Introduction to Draft Food Safety and Standards Rules, 2010

The Food Safety and Standards Act, 2006 was passed by the Parliament with the intention to integrate all present food laws into one and to have a single regulatory body. Accordingly the Food Safety and Standards Authority of India (FSSAI) has been established under the Food Safety and Standards Act, 2006 (34 of 2006) with the mandate to lay 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.

Section 91 of the FSS Act, 2006, provides for Central Government to make Rules under the Act. Accordingly Food safety and Standards Authority of India has prepared the draft Food Safety & Standards Rules, 2010 after extensive consultation with various stake holders and after extensive deliberations/consultation meetings in Bangalore, Mumbai, Guwahati and Chandigarh and also meetings held in FSSAI with the State Governments representatives etc.

Structure of the draft FSS Rules, 2010 .

The draft rules have been examined. The draft food Safety and standards Rules, 2010 comprise of four chapters. (1) Title, commencement and definitions. (2) Structure of Food Authority and Administration which includes terms and conditions of service of Chairperson and Members of Food Authority (already notified), Accounts, Budgets and Annual Report of the food Authority (under preparation). (3) Enforcement structures and procedures which includes qualification of the enforcement personnel, procedure of taking extracts of food for testing, seizure of articles and manner of sampling. (4) Adjudication and Food Safety Appellate tribunal which includes adjudication proceedings, procedure for appeal to Tribunal, qualification of the Presiding Officer of the Tribunal and rules on other issues enumerated under Section 91 of the Food Safety & Standards Act, 2006. Provisions for nomination by the companies in terms of section 66 of the

FSS Act, various forms to be filled in by the enforcement agencies and concerned persons have also been included here.

The provisions included in the present draft Food Safety and Standards Rules, 2010 are broadly on the lines of the provisions of the Prevention of Food Adulteration Rules, 1955 with suitable modifications in compliance with the provisions of Food Safety and Standards Act, 2006.

Chapter (2) Structure of Food Authority and Administration which includes terms and conditions of service of Chairperson, Members of Food Authority and Accounts, Budgets, Annual Report of the food Authority and Chapter (4) dealing with Adjudication and food safety appellate tribunal which includes Adjudication proceedings, Power to compound offences, Special Courts and public prosecutor, procedure for appeal to Tribunal, appeal, qualification of the Presiding Officer of the Tribunal etc. are newly introduced sections in this draft as per the provisions of the Food Safety and Standards Act, 2006.

Progression of the draft FSS Rules, 2010

The FSSA draft rules were presented for the approval of the Authority in November 2009 wherein certain modifications were suggested by the members. The modified FSSA draft rules were placed on the Authority's website on 11.12.2009 to receive the comments from the public and the stakeholders till 11.02.2010. Large number of comments were received from various places of the country and also from the State/UT Governments, academicians, Research Institutes like NIN, CFTRI and Industry Associations namely CII, FICCI, All India Food Processors' association, Maharashtra Chamber of Commerce, Industries and Agriculture; PHD Chamber of commerce and Industry, ASSOCHAM, Federation of Indian Food Industry, the Federation on Andhra Pradesh Chambers of Commerce & Industry, the Solvent Extractors' Association of India, Federation of Associations of Small Industries of India and various hotels associations. A large number of comments were also received from individuals, NGOs, Scientists etc.

FSSA draft rules were also discussed in the First meeting of Central Advisory Committee of FSSAI held on 19th January, 2010 for

discussion which was attended by representatives of all States/UTs and other stakeholders.

The comments/suggestions on the various issues were compiled together and were reviewed by an internal committee headed by CEO.

Finalization of the draft FSS Rules.

After considering the comments received from the stakeholders and decisions made by the review committee, modifications have been made in the FSSA draft rules. The final draft of the Food Safety and Standards Rules, 2010 were placed before fourth meeting of the Authority held on 12th April, 2010 and some modifications have been carried out on the basis of the views expressed by the members.