

Dated, the 8th December 2017

ORDER

Subject: Cases against FBOs for violation of old standards of food products even though they are in conformity with the new/revised standards—reg.

All food articles manufactured and / or sold in India are required to be in conformity with the provisions of the Food Safety and Standards Act, 2006 (FSS Act) and its various regulations. Before the FSS Act came into operation, food products were required to be in conformity with the provisions of the Prevention of Food Adulteration Act, 1954 and Rules & Regulations framed thereunder. Accordingly, food products for which standards and/ or other such provisions do not exist, are not allowed to be manufactured, imported or sold.

During the last few years, a large number of new standards have been framed by the Food Safety and Standards Authority of India. It has also amended standards for several food products, keeping in view the scientific evidence for ensuring an appropriate level of safety. While the standards have become more rigorous in respect of some food products, in some other cases these have become less stringent and/ or with relaxed norms in comparison to standards/ norms prescribed earlier.

The field machinery tasked with the responsibility of ensuring food safety may have lodged cases against some FBOs for violation of the old standards even though the impugned products may now be in conformity with the new/ revised standards. It may be appreciated that such revision of standards has taken place after taking into account all scientific evidence required to ensure appropriate level of protection of human life and health. Engaging of State machinery in pursuing such cases not only diverts the scarce resources of the government but also burdens the judicial system.

Accordingly, Commissioners of Food Safety, are advised to withdraw, or, at least, not pursue, cases for violation of old norms and standards unless these are still not in conformity with the new/ revised standards so that avoidable harassment of FBOs could be prevented. The result of this exercise may please be apprised to FSSAI from time to time.

This issues with the approval of the Competent Authority.



(Raj Singh)

Head (Legal)

Tel no.- 011- 23220997

To,

Commissioners of Food Safety,
All States/ UTs.

Copy to: All Officers at FSSAI Headquarters and Regional Offices.