

Food Safety and Standards Acts, Rules and Regulations Laws (including Packaging and Labelling laws)

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The Food Safety & Standards Act, Rules & Regulations

- ❑ The Food Safety and Standards Act of 2006 (No. 34 of 2006) enacted on August 24, 2006 which mandated setting up of a independent autonomous body Food Safety & Standards Authority of India
- ❑ Food Safety & Standards Rules - cover administrative structure and functioning of FSSAI and various bodies under it
- ❑ Food Safety and Standards Regulations - cover the various regulatory & compliance aspects of the food industry like licensing, labelling, use of additives, food standards etc.

The Various Regulations

- Licensing and Registration
- Packaging & Labelling
- Food Standards
- Food Additives
- Contaminants & Toxins
- Prohibitions and Restrictions
- Laboratory sampling and Analysis

The Repeals

SECOND SCHEDULE (Section 97) – Following Acts /Orders get repealed

1. The Prevention of Food Adulteration Act, 1954 (37 of 1954).
 2. The Fruit Products Order, 1955.
 3. The Meat Food Products Order, 1973.
 4. The Vegetable Oil Products (Control) Order, 1947.
 5. The Edible Oils Packaging (Regulation) Order, 1998.
 6. The Solvent Extracted Oil, De oiled Meal, and Edible Flour (Control) Order, 1967.
 7. The Milk and Milk Products Order, 1992.
 8. Any other order issued under the Essential Commodities Act, 1955 (10 of 1955) relating to food.
- ▣ All provisions of these will get covered in the new regulations

IMPORTANT DEFINITIONS

Few important definitions

- ▣ Food - “any substance whether processed, partially processed or unprocessed, which is intended for human consumption and **includes primary food (except the produce in the hand of a farmer or a fisherman),** genetically modified foods or foods having genetic ingredients, infant foods, packaged drinking water, **alcoholic drink** and also includes water used in food during manufacture or preparation. All types of imported foods also come under the purview of this Act.
- ▣ The provisions of this Act shall not apply to any farmer or fisherman or farming operations or crops or livestock or aquaculture, and supplies used or produced in farming or products of crops produced by a farmer at farm level or a fisherman in his operations.

Few important definitions

- ▣ **A Food Business** - any under taking, **public or private** for profit or not carrying out any of the activities related to any stage of manufacture, processing, packaging, storing, transportation, distribution, import of food including hotel and catering services, sale of food or food ingredients

- ▣ **Food Business Operator** - a person by whom the business is carried on or owned and is responsible for ensuring the compliance of this law

- ▣ **New definition of Petty Food business and special provisions for them**
 - **Registration**
 - **Compounding of offence**

Few important definitions

Misbranded - article of food

a. offered or promoted for sale with

- (i) false, misleading or deceptive claims either upon the label or through advertisement, or
- (ii) sold by a name which belongs to another article of food; or
- (iii) Sale or offered for sale under the name of a fictitious individual or company as the manufacturer or producer

b. sold in packages which

- (i) is imitation of or is a substitute for or resembles in a manner likely to deceive
- (ii) bears false or misleading statement, design or device or is deceptive or
- (iii) the article is offered as the product of any place or country which is false or misleading

c. if the article contained in the package –

- (i) contains any artificial flavouring, colouring or chemical preservative and the package is without a declaratory label or is not labeled in accordance with the requirements of this Act or regulations or
- (ii) is offered for sale for special dietary uses, unless its label bears such information as specified concerning its vitamins, minerals or other dietary properties in order sufficiently to inform its purchaser as to its value for such use; etc.

Few important definitions

“Sub-standard” an article of food shall be deemed to be sub-standard if it does not meet the specified standards but not so as to render the article of food unsafe;

“unsafe food” - article of food whose nature, substance or quality is so affected as to render it injurious to health :—

Food can be rendered injurious for various reasons –
definition given in Section 3 (zz) of Act

Few important definitions

- ❑ “advertisement” means any audio or visual publicity, representation or pronouncement made by means of any light, sound, smoke, gas, print, electronic media, internet or website and includes through any notice, circular, label, wrapper, invoice or other documents;
- ❑ “food safety audit” means a systematic and functionally independent examination of food safety measures adopted by manufacturing units to determine whether such measures and related results meet with objectives of food safety and the claims made in that behalf;
- ❑ “Food Safety Management System” means the adoption of Good Manufacturing Practices, Good Hygienic Practices, Hazard Analysis and Critical Control Point and such other practices as may be specified by regulation, for the food business;
- ❑ “hazard” means a biological, chemical or physical agent in, or condition of, food with the potential to cause an adverse health effect;

Few Important definitions

- ▣ **“risk analysis”** - a process consisting of three components, i.e. risk assessment, risk management and risk communication;
- ▣ **“risk assessment”** - scientifically based process consisting of (i) hazard identification, (ii) hazard characterisation; (iii) exposure assessment, and (iv) risk characterisation;
- ▣ **“risk management”** - the process, of evaluating policy alternatives, in consultation with stakeholders considering risk assessment and other factors relevant for the protection of health of consumers and for the promotion of fair trade practices, and selecting appropriate prevention and control options
- ▣ **“risk communication”** - interactive exchange of information and opinions throughout the risk analysis process concerning risks, risk-related factors and risk perceptions, among risk assessors, risk managers, consumers, industry, the academic community and other interested parties, including the explanation of risk assessment findings and the basis of risk management decisions;

THE ADMINISTRATIVE STRUCTURE

- ▣ **The Food Safety & Standards Authority** - the apex body with 1 chairperson and 22 members in charge of complete administration of the Food Safety Act with the objective of regulating and monitoring the manufacture, processing, distribution, sale and import of food

- ▣ The authority to be advised by
 - Central Advisory Committee – mainly in administrative & Enforcement matters
 - Scientific Committee & Scientific Panels on technical matters.

- ▣ Details of Authority's role – Section 16

THE ENFORCEMENT STRUCTURE

Centre & State

Food Safety
Commissioner
Overall In charge for
implementation

District

Designated
Officer

Adjudicating
Officer

Food Safety
Officer

Food Safety
Officer

Food Analyst

Food Safety Commissioner

Responsible for overall implementation of the Act in the State through his team of Designated Officers and Food Safety officers

- a) ensure efficient and uniform implementation of the Rules & regulations
- b) ensure a high standard of objectivity, accountability, practicability, transparency and credibility;
- b) sanction prosecution for offences punishable with imprisonment under this Act;
- c) carry out survey of the industrial units engaged in the manufacture or processing of food to find out compliance of the standards notified by the Food Authority
- e) conduct or organise training programmes for the personnel as also for different segments of food chain for generating awareness on food safety;

Designated Officer – main executor of the law

▣ Functions –

- Grant or cancel license to FBO
- Improvement notices
- Hear appeals relating to licensing
- Maintain record of all inspections
- Investigate complaint against Operator or Food Safety Officer etc.
- Issue Emergency prohibition order
- Review working of the Food Safety Officers and Food Analyst alongwith consequent reporting to Food Safety Commissioner

▣ Prosecution related –

- Receive report and samples
- Refer prosecution with only fine to Adjudicating Officer
- Recommend to Commissioner launch of prosecution with imprisonment
- Compound offences of petty manufacturers

Food Safety Officer – Responsibilities

- ▣ Inspection related
 - Inspect any place where food is manufactured for sale or stored for sale or exhibited for sale
 - Take sample
 - Seize any article of food which is suspected to be in contravention of the Act
 - Review of the books of accounts or any other documents

- ▣ Prosecution related
 - Evidence recording
 - Send sample for analysis to Food Analyst
 - Follow laid out process for sampling and seizure etc.

- ▣ Powers of a police officer in connection with entry and inspection of any premises [S. 38 (5)]

- ▣ Search, seizure, summon, investigation and prosecution powers under the CrPC , 1973 applicable to all action taken by the Officer under this Act [S. 41 (2)]

Food Analyst – Duties

- ▣ The Food Analyst shall analyse or cause to be analysed the article of food sent to him by FSO or purchaser for analysis.
- ▣ The report of analysis shall be signed by the Food Analyst
- ▣ After completion of analysis send his report to the Designated Officer, or the Purchaser of article of food, as the case may be

LICENSING AND REGISTRATION

Salient Features

- ▣ Unified Licensing procedures - Single Window
- ▣ Common application forms and procedures.
- ▣ Distinction between 'registration' and 'licensing'. Cut off limits for registration and licensing.
- ▣ Two tier system of licensing – Central & State
- ▣ Introduction of exhaustive Safety, Sanitary and Hygienic conditions mandatory for registration/licensing.
- ▣ Intention to reduce inspections, more audit of system
- ▣ 60 days time limit for processing of license.
- ▣ Thrust on Preventive Actions

Licensing and Registration of Food Business

Registering Authority

Food Safety Officer or any official in Panchayat, Municipal Corporation or any other local body in an area, notified as such by the State Food Safety Commissioner for the purpose of registration

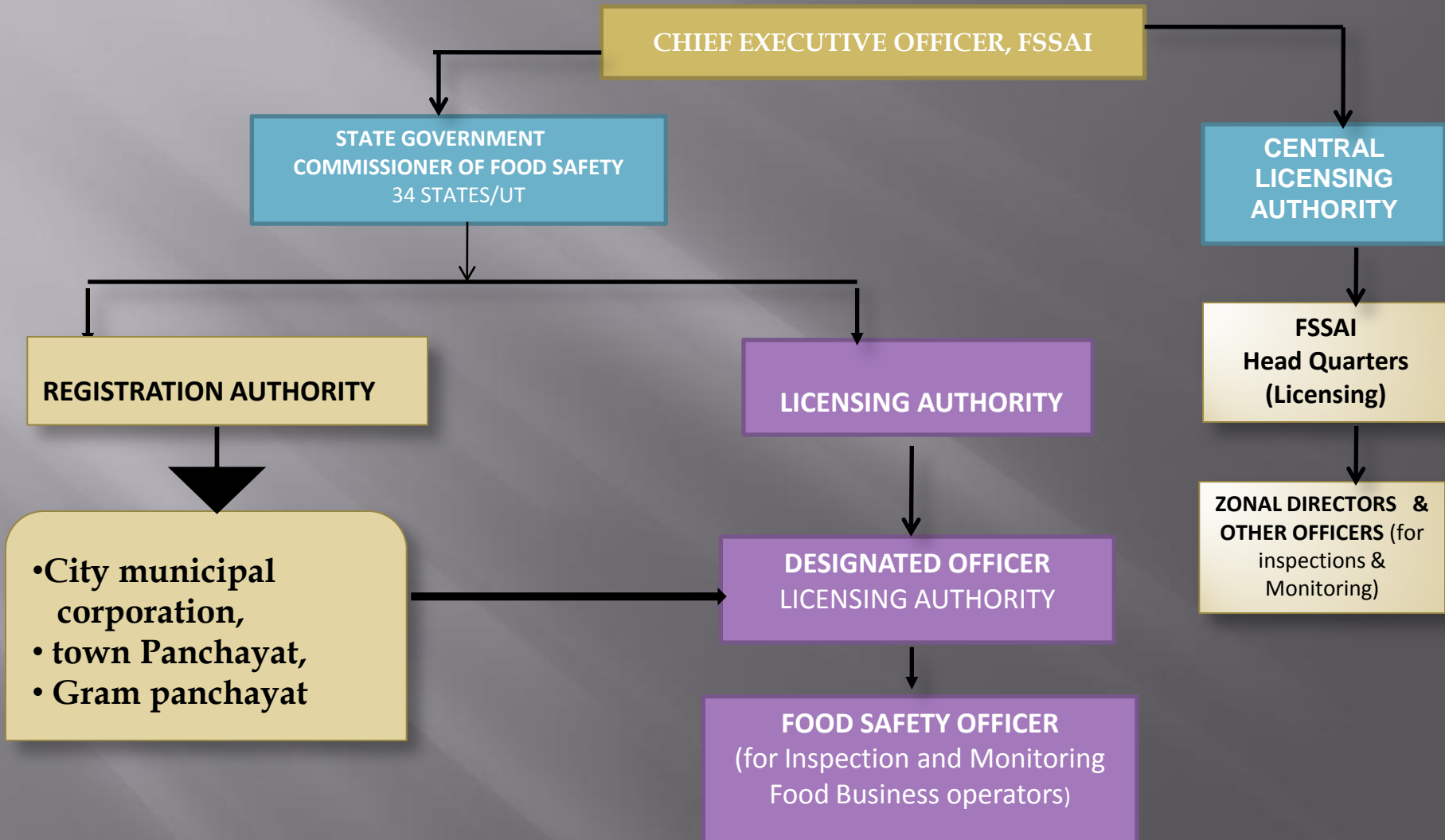
State Licensing Authority

Designated Officers appointed under Section 36(1) of the Act by the Food Safety Commissioner of a State or UT for the purpose of licensing and monitoring.

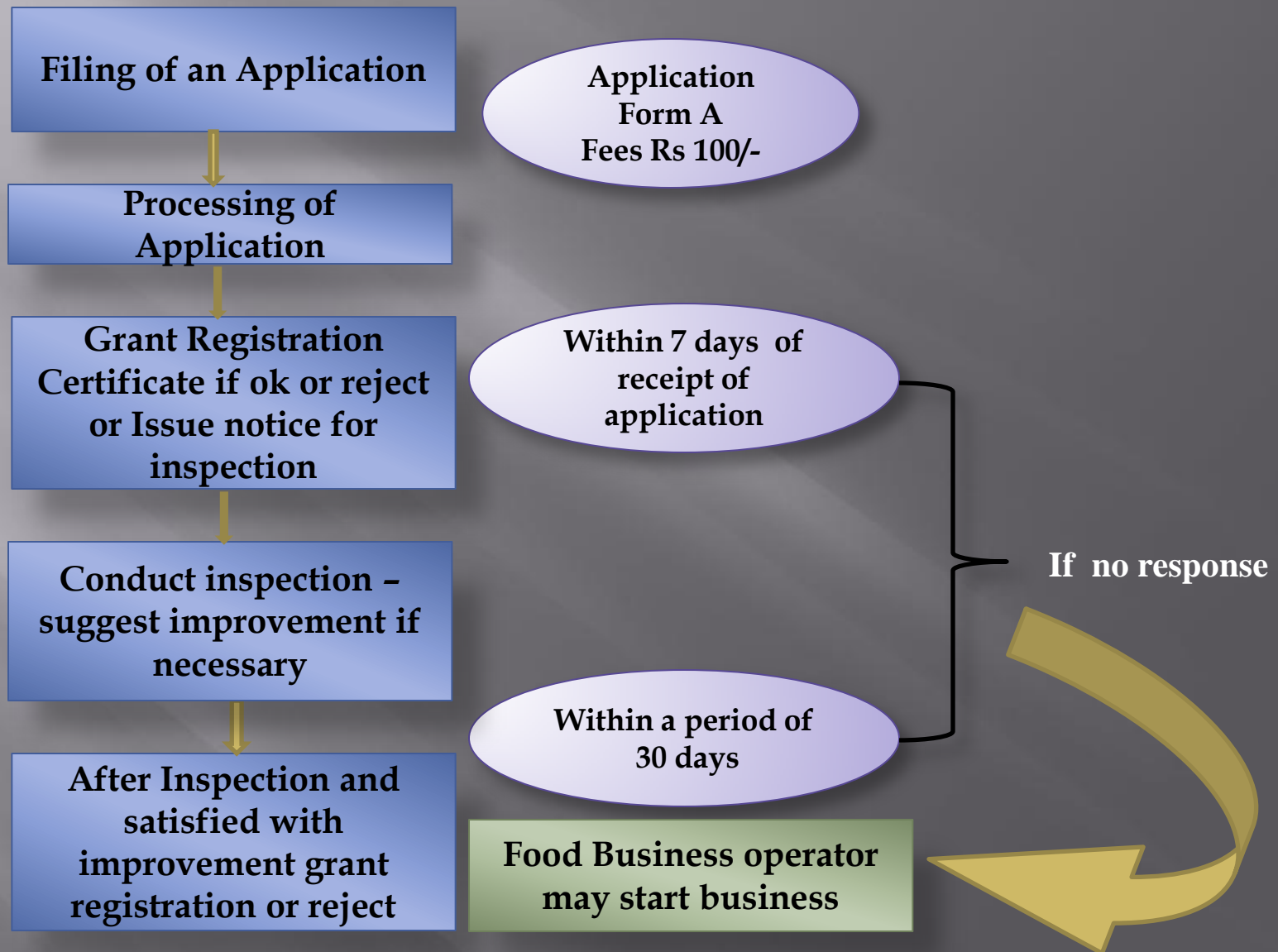
Central Licensing Authority

Designated Officer appointed by the Chief Executive Officer of the Food Authority of India in his capacity of Food Safety Commissioner

FRAMEWORK FOR REGISTRATION/ LICENSING/MONITORING OF FOOD BUSINESS ESTABLISHMENTS



Registration Procedure – for petty food manufacturer



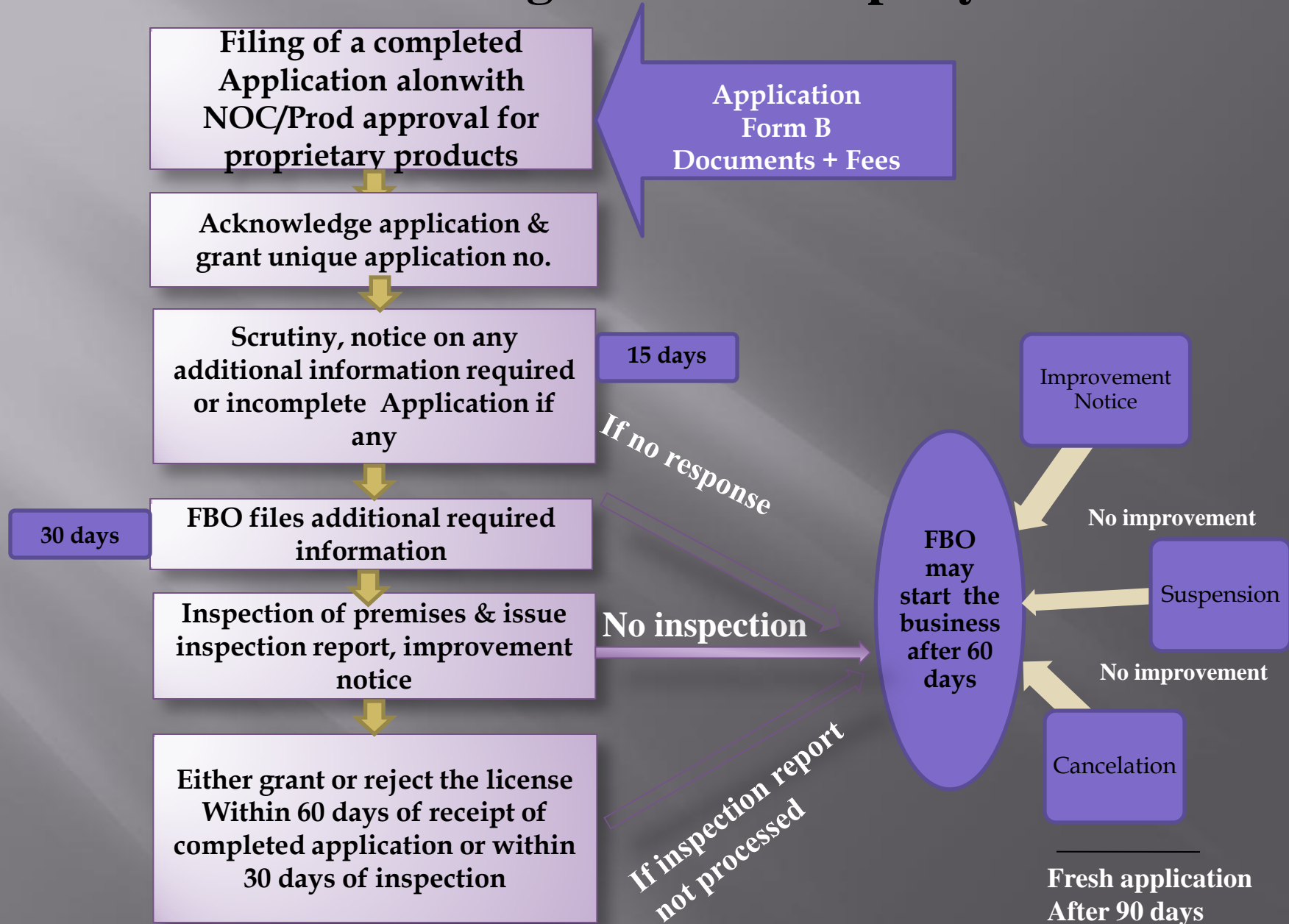
Petty food manufacturer - Definition

- manufactures or sells any article of food himself or a petty retailer, hawker, itinerant vendor or temporary stall holder; or
- such other food businesses including small scale or cottage or such other industries relating to food business or tiny food businesses with an annual turnover not exceeding Rs 12 lakhs and/or whose
 - production capacity of food (other than milk and milk products and meat and meat products) does not exceed 100 kg/ltr per day or
 - production or procurement or collection of milk is up to 500 litres of milk per day or
 - slaughtering capacity is 2 large animals or 10 small animals or 50 poultry birds per day or less
 - others

Registration Procedure - for petty manufacturers

- Registration shall not be refused without giving the applicant an opportunity of being heard and for reasons to be recorded in writing.
- On grant of registration, a registration certificate and a photo identity card shall be issued which shall be displayed at a prominent place at all times within the premises or vehicle or cart or any other place where the person carries on the Petty Food Business.
- The Registering Authority or any officer or agency specifically authorized for this purpose shall carry out food safety inspection of the registered establishments at least once in a year.

Procedure of Licensing – other than petty manufacturers



Schedule 1-Licenses to be granted by Central Authority

- i. Dairy units including milk chilling units : equipped to handle more than 50,000 litres of liquid milk/day or 2500 MT of milk solid per annum.
- ii. Vegetable oil processing units and refineries: installed capacity more than 2 MT per day.
- iii. Slaughter houses : more than 50 large animals, 150 or more small animals, 1000 or more poultry birds per day.
- iv. Meat processing: more than 500 kg of meat/day or 150 MT per annum.
- v. All other food processing: having installed capacity more than 2 MT/day except grains, cereals and pulses milling units.
- vi. 100 % Export Oriented Units
- vii. All Importers importing food items for commercial use
- viii. All food business operators manufacturing any article of food containing ingredients or substances or using technologies or processes or combination thereof whose safety has not been established through these regulations or which do not have a history of safe use or food containing ingredients which are being introduced for the first time into the country.
- ix. FBO operating in two or more states
- x. Food catering services in establishments and units under Central government Agencies like Railways, Air and airport, Seaport, Defense etc.
- xi. Others

Documents/ Format required for Registration/ Licensing

- ▣ Application Form A for registration
- ▣ Application form B for Licensing
- ▣ Documents to be submitted with application for license
- ▣ License Format – Format C
- ▣ Conditions of License – GMP, GHP – Schedule IV
- ▣ Format for return Filing – Format D

Inspection for grant of license /Registration

- ▣ Inspection – mandatory for
 - All units applying for new license
 - New Petty food business before granting registration only if registration Authority has reason to order an inspection
 - All Existing units - Once in a year
 - All existing units – before renewal of license - FBO having valid certificate of an accredited food safety auditor or from an agency accredited by Food Authority or any other organisation notified by food Authority - will not be normally required to be inspected before renewal of license.

- Inspection can be done by the Registering or Licensing Authority or any officer or agency specifically authorized for this purpose
 - Copy of the inspection report to be handed to the applicant suggesting compliance for improvements if any.
 - After confirming that all requirements have been complied with - licence to be issued
 - Inspection to be done as per Schedule IV of Licensing And registration regulation

Grant of License

- License to be issued in Form C
- License shall not be refused without giving the applicant an opportunity of being heard and for reasons to be recorded in writing.
- A true copy of the license shall be displayed at a prominent place at all times within the premises of the FBO.
- for canteens stores etc of Railways, Defense etc. Licensing Authority may authorise an officer from these organizations to function as a Designated officer. However, Food Authority may carry out food safety audit of these establishments once in a year through its own or accredited agencies.

Validity and Renewal of Registration and License

- ▣ A Registration or license shall be valid for a period of 1 to 5 years as desired by the FBO, from the date of issue of registration or license
- ▣ Any Registration or license not applied for renewal within stipulated time shall expire and the FBO shall apply for fresh Registration or license if it wants to continue the business.
- ▣ FBO having valid certificate of a accredited food safety auditor or from agency accredited by Food Authority or any other organisation authorised by food Authority for this purpose will not be normally required to be inspected before renewal of license
- ▣ FBO Shall inform the Authority of any modifications or additions or changes in product category, layout, expansion, closure etc
- ▣ Every licensee shall on or before 31st May of each year, submit a return in respect of each class of food products

SCHEDULE - 3 - Fee for grant/ Renewal of Licenses/ Registrations

1. Fees for Registration Rs 100
2. Fees for License issued by Central Licensing Authority: Rs 7500
3. Fees for License issued by State Licensing Authority:
 - **Manufacturer /Miller**
 - Above 1MT per day Production or 10,001 to 50,000 LPD of milk or 501 to 2500 MT of milk solids per annum Rs. 5000/-
 - Below 1 MT of Production or 101 to 10,000 LPD of milk or 51 MT to 500 MT of milk solids per annum Rs.3000/-
 - **Hotels – 3 Star and above**
Rs. 5000/-
 - **All Food Service providers** including restaurants/boarding houses, hotels below 3 star, clubs etc. serving food, Canteens (Schools, Colleges, Office, Institutions), Caterers, Banquet halls with food catering arrangements, food vendors like dabba wallas etc. Rs. 2000/-
 - **Any other Food Business Operator** Rs. 2000/-

The fees paid not refundable under any circumstances.

License lost, destroyed, torn, defaced or mutilated, licensee to apply for a duplicate copy of the registration certificate or license during the validity period, accompanied with a fee amounting to 10% of the applicable License fee. Duplicate license to have word “Duplicate” word on it.

Appeal against non grant of license

A Food Business Operator aggrieved by an order of the Registering Authority or Licensing Authority can appeal to the concerned Designated officer or the Food Safety Commissioner, as per provisions laid down under Section 31(8) and 32 (4) - (5) of the Act.

Routine Inspection

The Food Safety Officer or any other person specially designated for such functions shall with a view to securing a compliance with this order:

- ❑ Can Get investigated any complaint made in writing in respect of any contravention of the provisions of the Act or Rules & regulations.
- ❑ Can enter upon, inspect the processing and the storage premises of any licensee or manufacturer and make routine Inspection Report as per the format at any time with a view to satisfying himself whether the Sanitary and Hygienic requirements are being followed as per the requirements of the act or not.
- ❑ Can prohibit the sale of any food products which is in contravention of the provision of this act and rules and regulations
- ❑ Can on giving a proper receipt (as provided) seize or detain any food manufactured , marketed, packed or labelled - not in accordance with the provisions of the act or suspected in contravention of the provisions of this act and keep it in the safe custody of the Food Business Operator after taking the sample.

Routine Inspection & Post Inspection Action

- ❑ Can dispose of all food products of raw materials, so seized or detained in such a manner as he deems fit.
- ❑ Can destroy any article of food seized which is perishable in nature and is so deteriorated that it is unfit for human consumption after giving notice in writing to the Food Business Operator.
- ❑ Can Seize or detain, on giving proper receipt, raw materials, documents, account books or other relevant evidence connected with manufacture of food products for which he has reason to believe that a contravention has taken place.
- ❑ No such books of account or other documents shall be seized except with the previous approval of the authority.
- ❑ Can Verify any documents

Liability for Compliance

- ▣ Manufacturer shall be liable for meeting all requirements under this Act

- ▣ Wholesaler/ distributor shall be liable only for
 - Sale after expiry
 - stored or supplied in violation of the safety instruction
 - Unsafe or misbranded
 - Manufacturer unidentifiable
 - Received with knowledge of being unsafe

- ▣ Seller shall be liable only for
 - Sale after expiry
 - Handled or kept in unhygienic conditions
 - misbranded
 - Manufacturer unidentifiable
 - Received with knowledge of being unsafe

IMPROVEMENT NOTICE

If the Designated Officer has reasonable ground to believe that any FBO has failed to comply with any regulations, he may issue an "improvement notice" – which should state the following:

- (a) the grounds for believing and the matters which constitute the food business operator's failure so to comply
- (c) the measures which, in the opinion of the said Authority, the food business operator must take, in order to secure compliance; and
- (d) require the food business operator to take those measures, or measures which are at least equivalent to them, within a reasonable period (not being less than fourteen days) as may be specified in the notice.

Suspension/Cancellation of License

- If FBO fails to comply with the conditions or the period mentioned in Improvement Notice after giving the concerned FBO an opportunity of being heard, his registration or license can be suspended
- An inspection may be ordered of the FBO's premise(s) within a reasonable period but not less than 14 days
- If FBO still fails to rectify the defects or comply with the conditions of the improvement notice Authority may cancel the license/registration
- Registering/Licensing Authority may also suspend or cancel any registration or license forthwith in the interest of public health for reasons to be recorded in writing.

Appeal against decisions on suspension/cancellation

Any FBO aggrieved by- (a) an improvement notice; or (b) refusal to issue a certificate as to improvement; or (c) cancellation or suspension or revocation of license under this Act, may appeal to the Commissioner of Food Safety whose decision however, shall be final.

Such appeal to be filed within fifteen days from the date on which notice of the decision was served or the period specified in the improvement notice, whichever expires earlier.

Mere making of the complaint shall be deemed to be the bringing of the appeal.

Offences, Penalties and Proceedings

1. Penalties are graded according to the gravity of the offence
2. Offence gravity determined by DO after receiving food Analyst's report and decision taken on the proceedings
3. Gravity is classified into three
 1. misbranded food – wrong labeling, misleading claims, non compliance with mandatory advisories etc.
 2. Substandard food - foods which do not comply with the standards prescribed
 3. Unsafe Food – food which is injurious to health –may also be substandard or misbranded
4. Offences other than injurious settled through penalty only
5. no case to be tried after one year from date of commission of offence

Penalties

Section	Offence	Persons covered	Imprisonment	Fine (Rs.)	Petty Manufacturer
50	<ul style="list-style-type: none"> •Food not of quality demanded by purchaser; •Not in compliance with the Act 	Seller	-	25 Lakhs	Penalty < Rs. 25,000/-
51	•Sub-standard food	Manufacturer, Seller, Storage, Distributor, Importer	-	5 Lakhs	-
52	•Misbranded food	-do-	-	3 Lakhs	-

Penalties

Section	Offence	Persons covered	Imprisonment	Fine (Rs.)	Petty Manufacturer
53	Misleading advertisement: •False description; or •Nature or quality or substance;	Publisher or any person involved in publishing	-	10 Lakhs	-
54	•Food contains extraneous matter	Manufacturer, Seller, Storage, Distributor, Importer	-	1 Lakhs	-
55	•Failure to comply with FSO direction	Food business operator or importer	-	2 Lakhs	-

Penalties

Section	Offence	Persons covered	Imprisonment	Fine (Rs.)	Petty Manufacturer
56	Unhygienic or unsanitary: •Processing; or •Manufacture	Manufacturer or processor	-	1 Lakhs	-
57	Food possesses adulterant	Manufacturer, Seller, Storage, Distributor, Importer	-	<ul style="list-style-type: none"> •Injurious to health - 10 Lakhs; •Non-injurious to health -2 Lakhs 	-

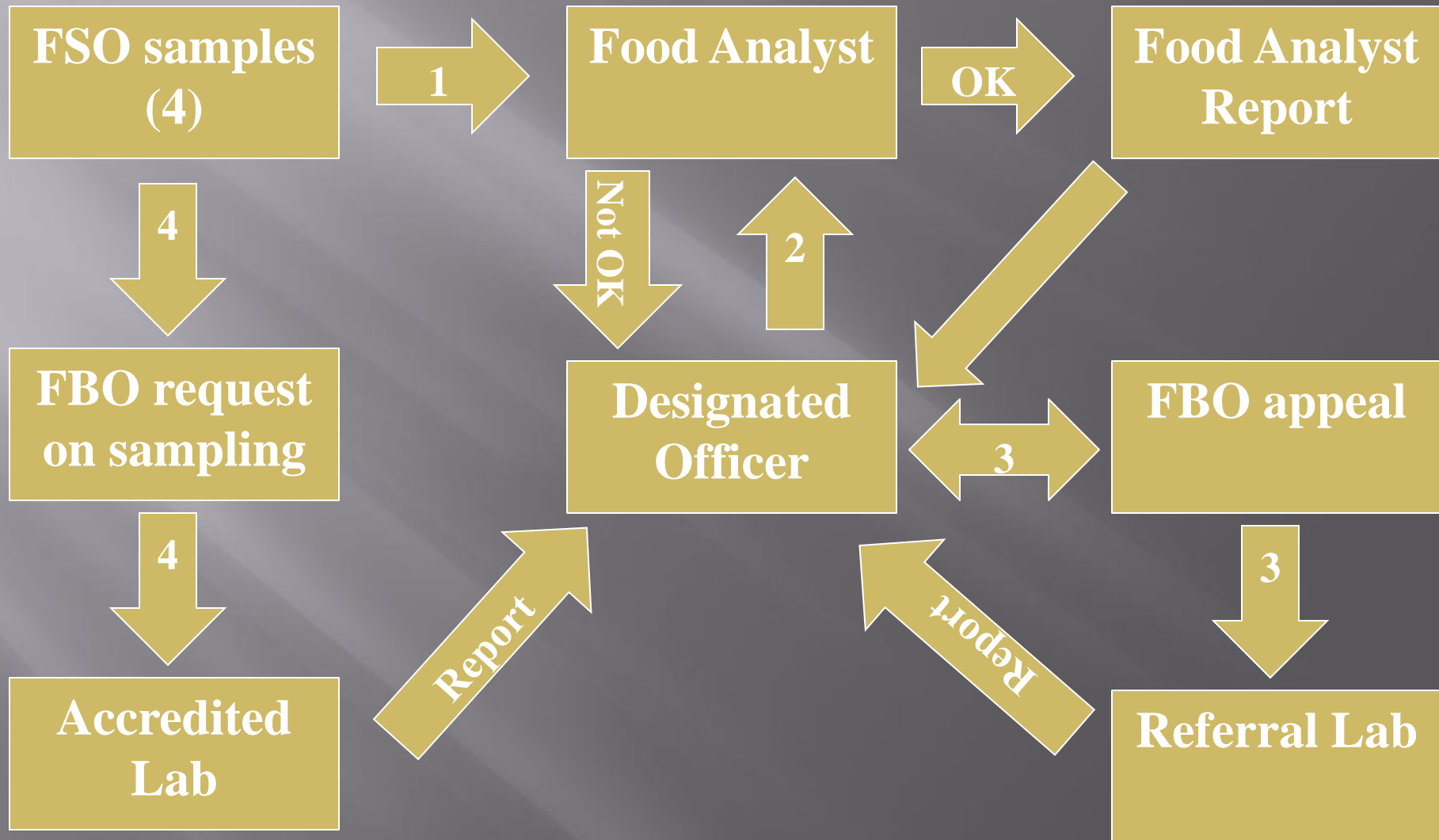
Penalties

Section	Offence	Persons covered	Imprisonment	Fine (Rs.)	Petty Manufacturer
59	Unsafe food	Manufacturer, Seller, Storage, Distributor, Importer	<ul style="list-style-type: none"> •No injury - 6 months •Non-grievous injury - 1 year; •Grievous - 6 years; •Death - 7 years to Life 	<ul style="list-style-type: none"> •1 Lakhs •3 Lakhs •5 Lakhs •10 Lakhs 	-
60	Interference with seized items	Any person	6 months	2 Lakhs	-
61	Supply of false information	Any person so directed	3 months	2 Lakhs	-

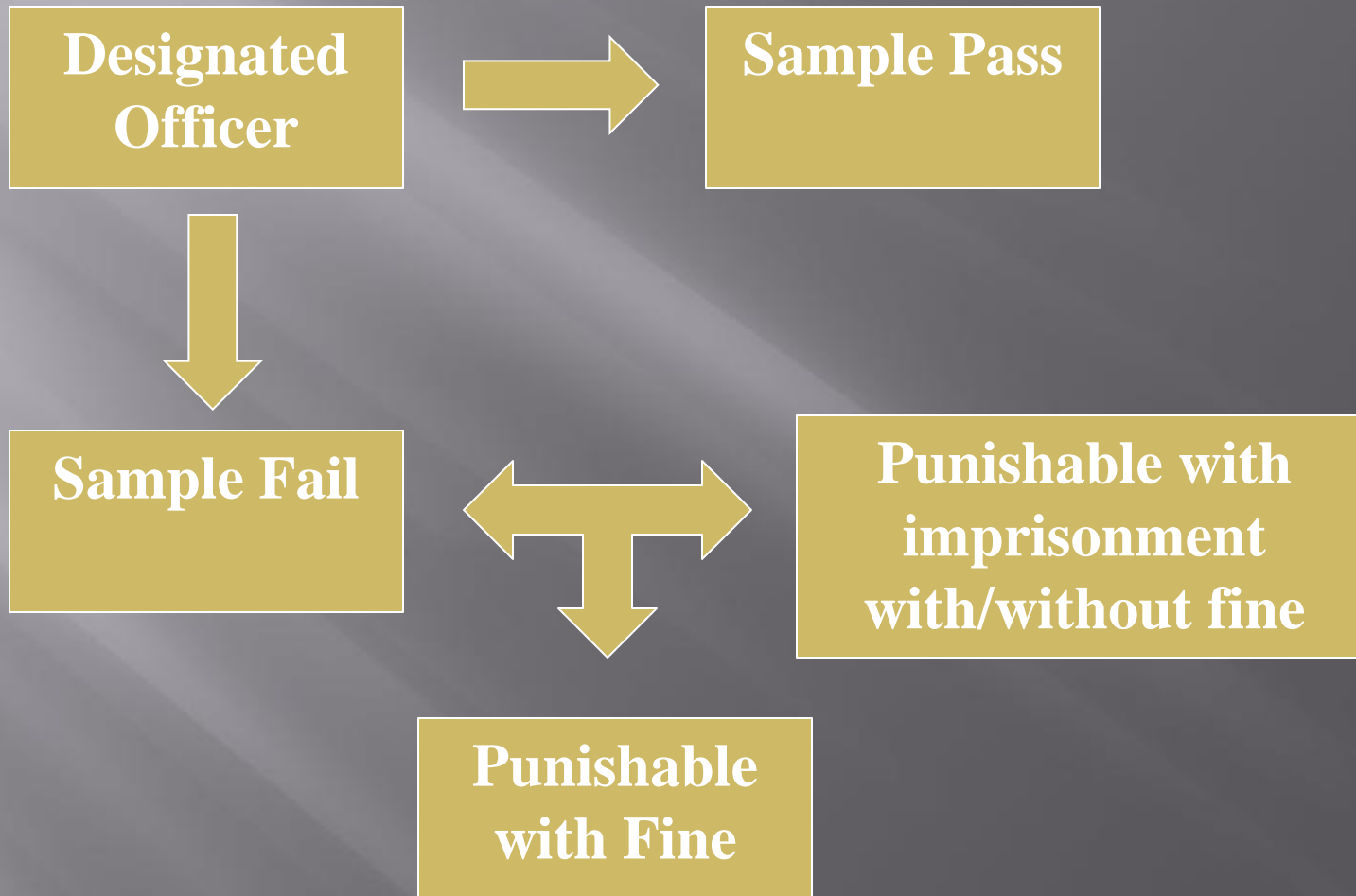
Penalties

Section	Offence	Persons covered	Imprisonment	Fine (Rs.)	Petty Manufacturer
62	Obstruction or impersonation of FSO without reasonable excuse	Any person	3 months	1 Lakhs	-
63	Carrying on business without license	Any person or Food business operator	6 months	5 Lakhs	Exempt
57	Where no specific penalty provided	Any person contravening	-	2 Lakhs	-

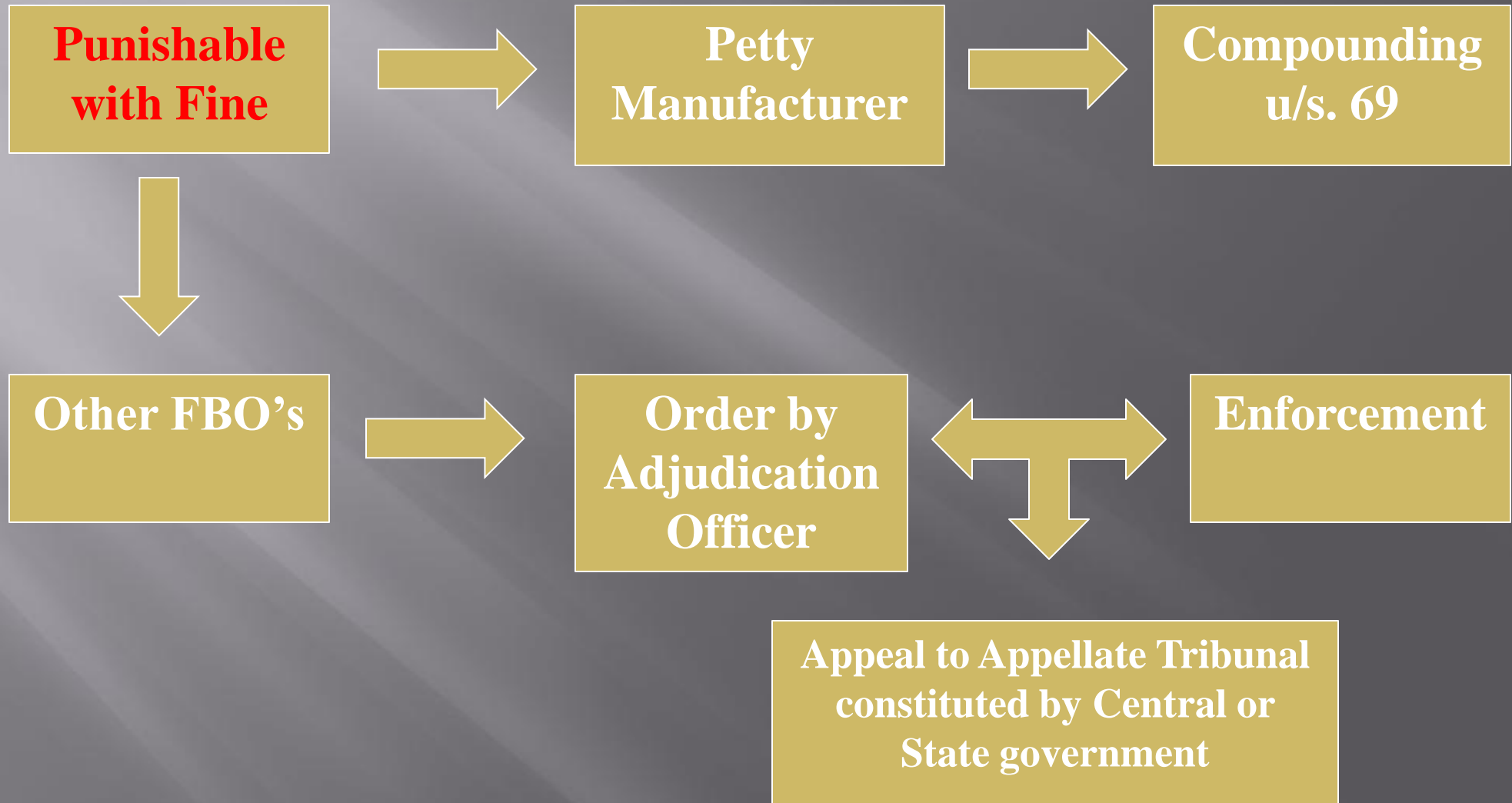
Establishing offence



Establishing offence



Prosecution – Punishable with Fine only



Adjudication

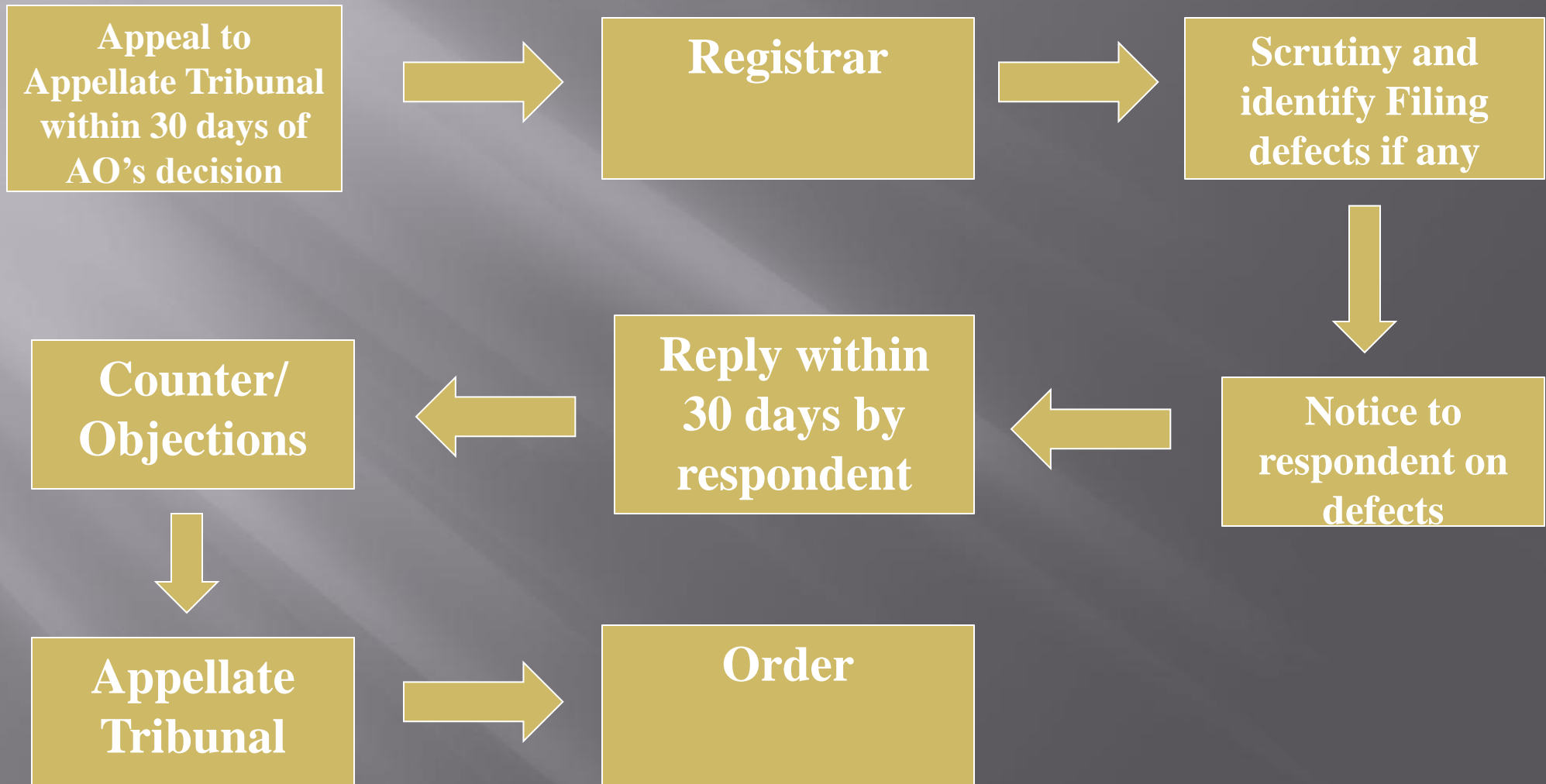
Adjudicating officer

- ▣ not below Additional District Magistrate- with powers of a civil Court - responsible for handling penalty in the form of fine.
- ▣ power to hold inquiry for such offences and is the final authority to finalize the quantum of penalty in accordance with the gravity of offence
- ▣ power to
 - decide, subject to reasons recorded in writing, matters ex-parte
 - Requisite issue of summons and enforcement of attendance of personnel
- ▣ Should give a hearing to the FBO before deciding
- ▣ Can dismiss the case if upon consideration of the evidences satisfied that the contravention has not taken place

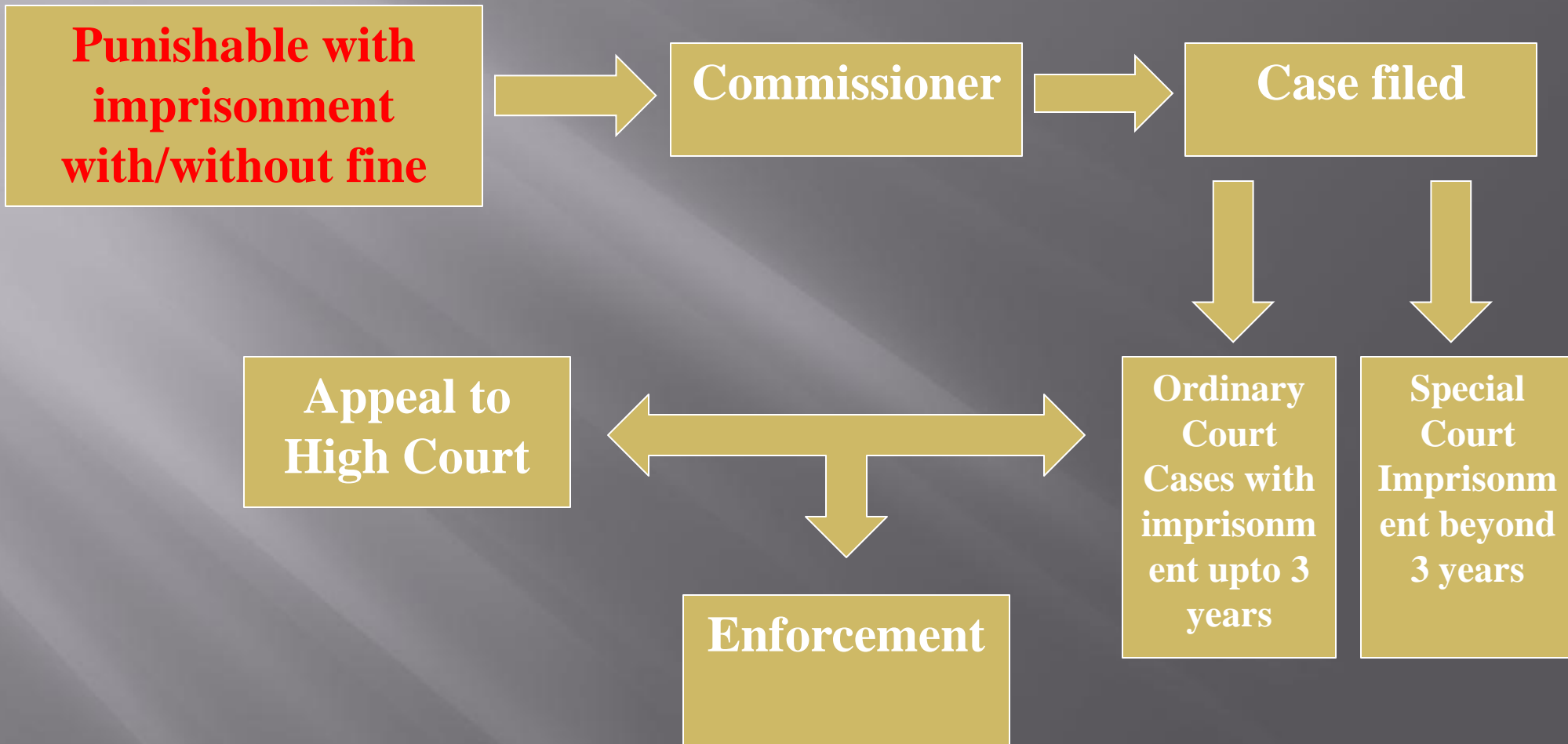
Adjudication

- ▣ All proceedings before the Adjudicating Officer - deemed to be judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code (45 of 1860);
- ▣ Deemed to be a court for the purposes under the Code of Criminal Procedure, 1973
- ▣ No civil court shall have the jurisdiction to entertain any suit or proceedings in respect of any matter which an Adjudicating officer or the Tribunal is empowered under this Act.
- ▣ The Adjudicating Officer or the court may also
 - Order cancellation of licence ,
 - Order re-call of food from market ,
 - Order forfeiture of establishment and property in case of grievous injury or death of consumer;
 - issue prohibition orders.

Appeal against decision of AO



Prosecution – Punishable with Imprisonment



Defences

- ▣ Valid defence - person took all reasonable precautions and exercised all due diligence to prevent the commission of the offence
- ▣ May be evidenced by:
 - all checks were carried out, i.e.:
 - ▣ Person complied with the food safety programmes; or
 - ▣ Complied with a scheme, such as quality assurance or industry code of practice designed to promote food safety on national or international standards, codes etc.

Product compliance related - Labelling, Standards & Additives

- ▣ The requirements notified in a structured format - different regulations for
 - Packaging & Labeling
 - Food Standards and Additives
 - Contaminants & Toxins
 - Prohibitions and restrictions
 - Laboratory sampling and Analysis

- ▣ Act has mentioned few areas where new work would have to start
 - Food Recall - Authority shall make regulation to lay down conditions and guidelines on food recall
 - New standards for GM foods, nutraceuticals, Food supplements etc.

Guidelines in Act for setting standards - A major change

- (a) Endeavour to achieve appropriate level of protection of human life and health and the protection of consumer's interests, including fair practices in all kinds of food trade with reference to food safety standards and practices;
- (b) Carry out risk management which shall include taking into account the results of risk assessment and other factors relevant to the matter;
- (c) Where on the basis of assessment of available information, the possibility of harmful effects on health is identified but scientific uncertainty persists, provisional risk management measures necessary to ensure appropriate level of health protection may be adopted
- (d) The measures adopted on the basis of clause (c) shall be proportionate and no more restrictive of trade than is required to achieve appropriate level of health protection,
- (e) regard being given to
 - Technical and economic feasibility and other factors regarded as reasonable and proper in the matter under consideration;
 - Taking into account prevalent practices and conditions in the country including agricultural practices and handling, storage and transport conditions; and
 - International standards and practices, where international standards or practices exist

Food Labelling, Standards & Additives

- ❑ Same as PFA – standards - About - 300 odd standards
- ❑ All others proprietary - require Approval from Authority – application to be filed in prescribed format
- ❑ Novel Foods
- ❑ Labelling on products
 - Standardised products
 - Proprietary products

Food Labelling

- ▣ lays down the requirements for labeling of prepackaged foods
- ▣ mandatory that every package of food should carry a label that bears all the information required under FSSR
- ▣ The label should not carry a false, misleading or deceptive description or presentation of the prepackaged food and the labeling should not create an erroneous impression regarding the character of food in any respect

General Requirements

- Labels shall be in English or Hindi in Devnagri script:**
- Label in pre-packaged foods shall be applied in such a manner that they will not become separated from the container;**
- Contents on the label shall be clear, prominent, indelible and readily legible by the consumer under normal conditions of purchase and use;**
- Where the container is covered by a wrapper, the wrapper shall carry the necessary information or the label on the container shall be readily legible through the outer wrapper and not obscured by it;**

Label Must Carry...

- ▣ Name of the food
- ▣ List of ingredients in descending order
- ▣ Nutritional information
- ▣ Name and complete address of manufacturer -
- ▣ Net content by weight or Volume
- ▣ Lot no/Batch identification
- ▣ Date of Manufacturing /Packing
- ▣ Best Before Date
- ▣ Veg/Non Veg logo of appropriate dimensions

List of Ingredients

- If the ingredient is a product of two or more ingredients - ingredient declaration shall be accompanied by a list, in bracket, of its ingredients in descending order of weight or volume
- Every package of food sold as a mixture or combination shall disclose the percentage of the ingredient used at the time of the manufacture of the food if such ingredient–
 - (i) is emphasised as present on the label through words or pictures or graphics;
or
 - (ii) is not within the name of the food but, is essential to characterize the food and is expected to be present in the food by consumers, and if the omission of the quantitative ingredient declaration will mislead or deceive the consumer.
- A compound ingredient, constituting less than five percent of the food, other than food additive, need not to be declared;
- Disclosure of such ingredient is not required if the Ingredient is used as flavouring agent

Nutritional Information

- ▣ Nutritional information is the declaration of the nutritional composition of the food - Mandatory for all foods
- ▣ Always to be stated in numerical terms per 100g or 100ml or per serving of the food on the label. For declaration made per serving, the amount in g or ml should be mentioned beside the serving measure
- ▣ This declaration should compulsorily comprise of the following:
 - Energy value in kcal
 - Protein, fat and carbohydrate along with sugar quantity in g
 - Amount of any other nutrient for which a nutrition / health claim is made
 - The amount of vitamins & minerals in metric units
- ▣ Food claimed to be enriched with nutrients, such as, minerals, proteins, vitamins, metals or their compounds, amino acids or enzymes shall give the quantities of such added nutrients on the label.
- ▣ When a claim is made on the amount or type of fatty acid or the amount of cholesterol, the amount of saturated fatty acids, monounsaturated fatty acids and polyunsaturated fatty acids in g and cholesterol in mg should be declared. Along with this, the amount of trans fatty acids in g should also be stated.

Nutritional Information

Nutritional information not necessary for the following:

- ❑ foods such as raw agricultural commodities like, wheat, rice, cereals, spices, spice mixes, herbs, condiments, table salt, sugar, jaggery
- ❑ non -nutritive products, like, soluble tea, coffee, soluble coffee, coffee-chicory mixture, packaged drinking water, packaged mineral water
- ❑ alcoholic beverages
- ❑ fruit and vegetables, processed and pre- packaged assorted vegetables
- ❑ fruits, vegetables and products that comprise of single ingredient, pickles, papad
- ❑ foods served for immediate consumption such as served in hospitals, hotels or by food services vendors or halwais or food shipped in bulk

which is not for sale in that form to consumers.

Other Product Specific Requirements

CINNAMON (DALCHINI)

Coffee blended with Chicory
This mixture contains

Coffee..... Per cent

Chicory..... Per cent

(i) This contains (Name of the artificial sweeteners).

(ii) Not recommended for children.

(iii) (a) *Quantity of sugar added gm/100 gm.

(b) No sugar added in the product.

(iv) *Not for Phenylketonurics (if Aspartame is added)

MALTED MILK FOOD IN THIS PACKAGE CONTAINS
PERMITTED NATURAL COLOURING MATTER

CONDENSED MILK SWEETENED

This tin contains the equivalent of (x)..... litres of toned milk with sugar added

IODIZED SALT / IRON FORTIFIED COMMON SALT* CONTAINS PERMITTED ANTICAKING AGENT

DRIED GLUCOSE SYRUP FOR USE IN SUGAR CONFECTIONERY ONLY

This has been sterilised by UHT Process

CASSIA BARK (TAJ)

PACKAGED DRINKING WATER

Light Black Pepper (Light berries)

IT CONTAINS ADDITIONAL
SODIUM/POTASSIUM SALT

“FLAVOURED TEA” (common name of permitted flavour/percentage)
Registration No....

CONTAINS PERMITTED NATURAL COLOUR(S)
OR
CONTAINS PERMITTED SYNTHETIC FOOD COLOUR(S)
OR
CONTAINS PERMITTED NATURAL AND SYNTHETIC FOOD COLOUR(S)

Manner Of Declaration

General Conditions

- Any pictorial device/graphic matter on label shall not be in conflict with the regulations
- Declarations shall be legible, conspicuous, plain, bold and in contrast of the background color

Height Of Numerical In The Declaration

Sr. no.	Net Qty.	Minimum Ht. of numeral
1	Up to 50g/ml	1mm
2	Above 50g/ml up to 200g/ml	2mm
3	Above 200g/ml up to 1kg/L	4mm
4	Above 1kg/L	6mm

Manner Of Declaration

Principal Display Panel (PDP)

- ▣ PDP- that part of the container/package which is intended or likely to be displayed or presented or shown or examined by the customer under normal and customary conditions of display, sale or purchase of the commodity contained therein

- ▣ All label information shall be given on the PDP
- ▣ All information required on label shall either be
 - Grouped together at one place
OR
 - Pre printed info. at one place and online info in another place

Special Requirement for Imported Food

- ▣ All Imported foods to comply with all labeling and claim Regulations
- ▣ Country of origin for imported food:
 - (i) The country of origin of the food shall be declared on the label of food imported into India.
 - (i) When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be considered to be the country of origin.

Special Requirement for Imported Food

Special instructions on Manner of declaration

- **Only Veg/non veg logo and Name and address of importer can be affixed as a sticker - upon arrival of import on Indian shores but before import clearance (in customs bonded warehouses) and the sticker should not mask any original declarations**
- **No other label requirements like name and address of manufacturer, Net weight, Ingredients list, information to determine date of manufacture and best before or Expiry date, batch no/code no etc can be given on a separately attached sticker by the importer**
- **A relaxation on printing of Date of manufacture on sticker –only in cases where the original printing on the label is in Julian format. In such case the date can be given in Date/month/year format as required under FSS regulation on a sticker and the sticker should not mask the original print**

Food Standards & Additives

- ▣ Specific Regulation on Standards
- ▣ Proprietary products - need to follow the general requirements
- ▣ Specific regulation on Additives
- ▣ Product specific allowance
- ▣ Proprietary –
- ▣ Contaminants and Toxins
- ▣ Prohibitions and restrictions
- ▣ Import regulations – draft

Special Requirement for Imported Food

- ▣ All Imported foods to comply with all mentioned Regulations
- ▣ Balance shelf life
- ▣ Procedures for Import clearance – a draft regulation issued
 - ▣ Authorised officer having similar powers as FSOs
 - ▣ License from Central Licensing Authority
 - ▣ Provision of Risk Based Framework
 - ▣ Alerts
 - ▣ Accelerated clearance – Agreement with exporting countries
 - ▣ Pre Approval Notification
 - ▣ Accredited food importer programme
 - ▣ Special consideration for specific type of Import

Additional Labelling requirement under Legal Metrology (Packaged Commodities) Rules

- ▣ MRP
- ▣ Specific conditions for declaring Net weight - Metric unit
- ▣ Consumer care no/email
- ▣ Packaging in specific sizes for commonly used products

References

- ▣ www.fssai.gov.in
- ▣ <http://fcamin.nic.in>
- ▣

Thank You

Privileged & Confidential