



# Food Safety and Standards Authority of India (FSSAI)

Last Updated: July 2022

## What is FSSAI?

- Food Safety and Standards Authority of India (FSSAI) is an autonomous statutory body established under the Food Safety and Standards Act, 2006 (FSS Act).
- **Ministry of Health & Family Welfare**, Government of India is the administrative Ministry of FSSAI.
- **Headquarters:** Delhi.

## How did it come into Being?

- FSS Act, 2006 consolidates various acts & orders that had earlier handled food related issues in various Ministries and Departments, such as-
  - Prevention of Food Adulteration Act, 1954
  - Fruit Products Order, 1955
  - Meat Food Products Order, 1973
  - Vegetable Oil Products (Control) Order, 1947
  - Edible Oils Packaging (Regulation) Order 1988
  - Milk and Milk Products Order, 1992
- These were repealed after commencement of FSS Act, 2006.
- FSSAI was consequently established in 2008 but work within the Food Authority effectively began in 2011 after its Rules and key Regulations were notified.
- This marked a shift from a multi-level to a single line of control with focus on self-compliance rather than a pure regulatory regime.

## What are the 7 Key Processes that FSSAI Follow?

- Set standards of food products
- Develop safe food practices
- License food businesses
- Ensure compliance through inspections
- Test food for standards
- Train and build capacity
- Citizens Outreach

## What are the Functions of FSSAI?

- Framing of regulations to lay down the standards and guidelines of food safety.
- Granting FSSAI food safety license and certification for food businesses.
- Laying down procedure and guidelines for laboratories in food businesses.
- To provide suggestions to the government in framing the policies.
- To collect data regarding contaminants in foods products, identification of emerging risks and

introduction of rapid alert system.

- Creating an information network across the country about food safety.
- Promote general awareness about food safety and food standards.

## What is the FSSAI Legislative Framework?

- Highlights of the Food Safety and Standard Act, 2006
  - The Act aims to establish a single reference point for all matters relating to food safety and standards, by moving from multi-level, multi-departmental control to a single line of command.
  - The Act established **FSSAI and the State Food Safety Authorities** for each State.
- Highlights of Food Safety and Standards Rule, 2011. The Rules provides for:
  - The **Food Safety Appellate Tribunal** and the Registrar of the Appellate Tribunal, for adjudication of food safety cases.
- Highlights of Food Safety and Standards Regulations 2011
  - It covers Licensing and Registration, **Packaging and Labelling** of Food Businesses, Food Product Standards and **Food Additives** Regulation.
  - It prohibits and restricts on sales or approval for **Non-Specified Food and Food Ingredients**, such ingredients may cause harm to human health.
  - It provides for Food Safety and Standards on Organic Food and regulates **Food Advertising**.

## What is the Structure of FSSAI?

- The FSSAI comprises of a Chairperson and twenty two members out of which one - third are to be women.
- The Chairperson of FSSAI is appointed by the Central Government.
- The Food Authority is assisted by Scientific Committees and Panels in setting standards and the Central Advisory Committee in coordinating with enforcement agencies.
- The primary responsibility for enforcement is largely with the State Food Safety Commissioners.

## What are the Challenges and Shortcomings Faced by FSSAI?

- The “petty **manufacturers**, retailers and hawkers” are exempted from FSSAI ambit. These segments greatly contributes to unorganised food sector and due to its low prices, most of the population prefer food consumption from these segments.
- **Lack of infrastructure** such as food testing laboratories. There are only 87 National Accreditation Board for testing and calibration Laboratories (NABL) accredited Labs, where as there are more than 1500 private labs in India.
- Shortage of qualified manpower and functional food testing equipment in state food laboratories and referral laboratories resulted in deficient testing of food samples.
- There is an acute shortage of licensing and enforcement officers in the states which severely affected food safety measures.
- The body has been only prescriptive in nature and failed to ensure safety, quality and hygiene in food industry.
- There are only 377 products mentioned in the FSSAI regulations - whereas other countries have over 10,000 standards. Moreover, the list is not regularly reviewed.
- FSSAI is highly underfunded to monitor the widening ambit of food laws. Also, there are no standard practices for food inspection, the process being mostly discretionary.
- Cumbersome and lengthy approval procedures have delayed the pre-launch approvals for products from the FSSAI for over a year.
- Consignments of imported food products often remain stuck at the ports awaiting clearance by the FSSAI - sometimes due to small issues like labelling of the packages not conforming to arbitrary norms specified by the FSSAI, which differ from the widely accepted global standards.
- Differences of opinion between the food regulator and the food processing ministry also handicap the FSSAI functioning.
- According to a CAG Report, FSSAI is yet to frame regulations and guidelines to govern different procedures.

- The CAG also found that "licenses were issued on the basis of incomplete documents in more than 50 per cent of cases, checked in Audit".

## What Landmark cases are Associated with FSSAI?

- Nestle India Limited Maggi Case: The maggi noodles were reported with excess lead unfit for human consumption and FSSAI prescribed for ban.
- Cadbury India: It was reported that worms was found in Cadbury's Dairy Milk. The FSSAI declared packaging was not proper or airtight and made it mandatory to change the packaging.

## What are the Initiatives of FSSAI?

- **Heart Attack Rewind** - It is the first mass media campaign of FSSAI. It is aimed to support FSSAI's target of eliminating trans fat in India by the year 2022.
- **FSSAI-CHIFSS** - It is collaboration between FSSAI and CII-HUL Initiative on Food Safety Sciences to promote collaborations between Industry, Scientific Community, Academia for food safety.
- **State Food Safety Index (SFSI)**: The FSSAI developed the [State Food Safety Index \(SFSI\) index](#) to measure the performance of states on five significant parameters of Food Safety.
  - The parameters include Human Resources and Institutional Data, Compliance, Food Testing - Infrastructure and Surveillance, Training & Capacity Building and Consumer Empowerment.
  - SFSI was started from 2018-19 with the aim of creating a competitive and positive change in the food safety ecosystem in the country.
  - The first State Food Safety Index for the year 2018-19 was announced on the first-ever [World Food Safety Day](#) on 7<sup>th</sup> June 2019.
- **Eat Right India Movement**: It is **an initiative of the Government of India and FSSAI** to transform the country's food system in order to ensure safe, healthy and sustainable food for all Indians.
  - It is aligned to the [National Health Policy 2017](#) with its focus on preventive and promotive healthcare and flagship programmes like [Ayushman Bharat](#), [POSHAN Abhiyaan](#), [Anemia Mukht Bharat](#) and [Swachh Bharat Mission](#).
- **Eat Right Station Certification**: The certification is awarded by FSSAI to railway stations that set benchmarks (**as per the Food Safety and Standards Act, 2006**) in providing safe and wholesome food to passengers.

## What can be the Way Forward?

- FSSAI should also bring the manufacturers under the responsibility of imposing food safety. The focus should be on covering each person in supply chain for assessment of food manufacturing, storing and distribution.
- FSSAI has recently notified the draft Regulations on Food Recall Procedure to provide guidance to Food Business Organisations (FBO). This will enhance the present regulatory system.
- FSSAI and the state food authorities should conduct surveys of food business activity under their jurisdiction to ensure a comprehensive and reliable database of FBOs and ensure better enforcement and administration of the FSS Act.
- Increasing limits of compensation and fine in cases of injury or death and providing adequate infrastructure such as food testing laboratories.
- CAG has recommended that FSSAI should frame standard operating procedures on the formulation and review of standards, and ensure that these are being followed in the near future.