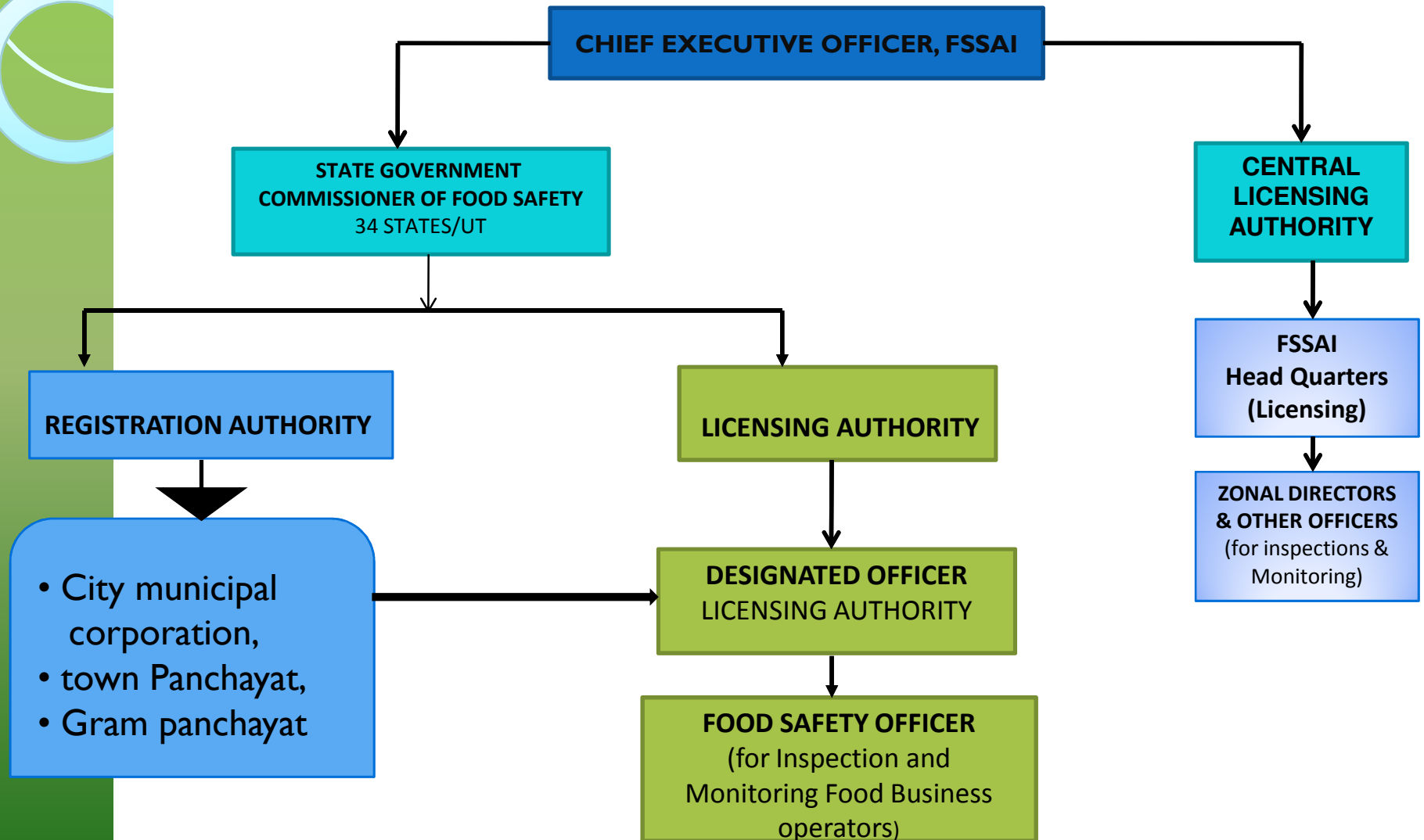




***FUNCTIONS, DUTIES AND
RESPONSIBILITY OF
FOOD SAFETY REGULATORS***

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FRAMEWORK OF FOOD SAFETY REGULATORS





COMMISSIONER OF FOOD SAFETY OF THE STATE

FUNCTIONS

- Prohibit the manufacture, storage, distribution or sale of any article of food.
- Survey of the Industrial Units.
- Conduct or organise training programmes.
- Uniform implementation of the standards and other requirements as specified.
- Ensure a high standard of objectivity, accountability, practicability, transparency and credibility.
- Sanction of prosecution for offences punishable with imprisonment under this Act.
- Other functions.



DESIGNATED OFFICER

- Issue or cancel licence.
- Prohibit the sale of any article of food.
- Receive report and samples of article of foods.
- Recommend to the Commissioner of Food Safety for sanction to launch prosecutions.
- Sanction or launch prosecutions.
- Maintain record of all inspections made by Food Safety Officers and action taken by them in the performance of their duties;
- Investigate any complaint.
- Other duties.



FOOD SAFETY OFFICER

Powers

- Take sample.
- Seize any article of food.
- Can enter and inspect any place.
- May destroy, deteriorated, perishable product after giving notice in writing.
- May seize any article of food and books of account or other documents found in position of manufacturer, distributor and dealer where position of adulterant found.
- In case of non availability of the FBO, the FSO may seize the adulterant food and seal the premises for investigation after taking a sample of such adulterant or food for analysis.
- May cause a person to be examined by a qualified medical professional duly authorized by the Designated Officer.



Duties

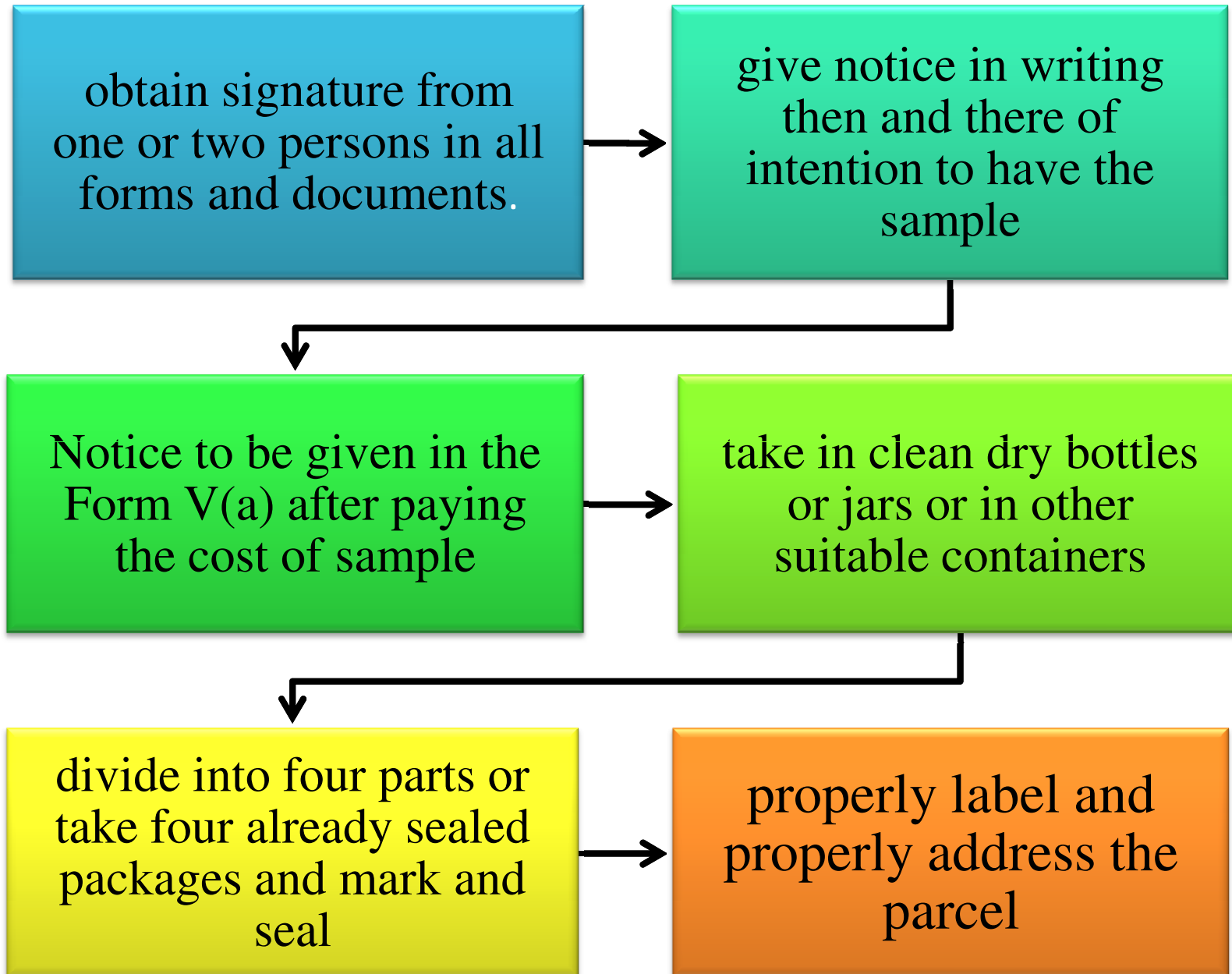
- Inspect all licensed units as frequently as may be prescribed by the Designated Officer;
- To verify/satisfy the conditions of licences are being complied and report to the Designated Officer;
- Procure sample and send for analysis in case contravention, surveillance;
- Investigate any complaint in respect of any contravention of the provisions of the Act;
- To maintain a data base;
- To recommend issue of improvement notices;
- To maintain a record of all inspections made and action taken by FSO;



Cont...

- Make inquiries and inspections as may be necessary;
- To stop and inspect any vehicle suspected to contain any unsafe food;
- Carry out food safety surveillance to identify and address the safety hazards;
- Respond to incidents of food poisoning in his area and to send report to the Designated Officer;
- Preparation of Food safety plans for Panchayat and Municipalities;
- To detain imported packages which are suspected to contain articles of food, the import or sale of which is prohibited;
- To coordinate and facilitate the introduction of food safety systems;
- Other duties,

SAMPLING OF FOOD FOR ANALYSIS



Labeling of the samples

- The label shall bear:
 - Code number of the sample
 - Name of the sender with his official designation
 - Date and place of collection
 - Nature of articles being sent for analysis
 - Nature and quantity of preservative, if any, added to the sample
- In case of Agmark the label shall bear:
 - Grade.
 - Agmark label No./Batch No.
 - Name of packing station.

MANNER OF PACKING AND SEALING

Stopper/Cap

Securely fasten

Prevent leakage



Completely wrap the container

Fold the end

Affix it by gums



Paste wrapper completely from bottom to top

Signature and code

Sign of FBO



Secure it by means of thread above and
across Then fasten it by wax with seal

MANNER OF DISPATCHING CONTAINERS OF SAMPLE



To analyst



Two parts to
Designated Officer



Remaining part, if FBO
Request send to accredited Lab



FORM VI
(Refer rule 3.4.3 (7))
MEMORANDUM TO FOOD ANALYST

From:

.....

.....

To

Food Analyst

.....

.....

Date: _____

MEMORANDUM

(Refer rule (v) a of 3.4.1(8))

1. The sample described below is sent herewith for analysis under ____ of ____ of section ____ of Food Safety and Standards Act, 2006

(i)

Code Number

(ii)

Date and place of collection

(iii)

Nature of articles submitted for analysis

(iv)

Nature and quantity of preservative, if any, added to the sample.

2. A copy of this memo and specimen impression of the seal used to seal the packet of sample are being sent separately by post/courier/hand delivery (strike out whichever is not applicable)

(Sd/)

Food Safety Officer

Address:



On request FBO

Send to food analyst

Send to accredited laboratory

Send to Referral Laboratory

Analysis report

Analysis report

Report shall be final

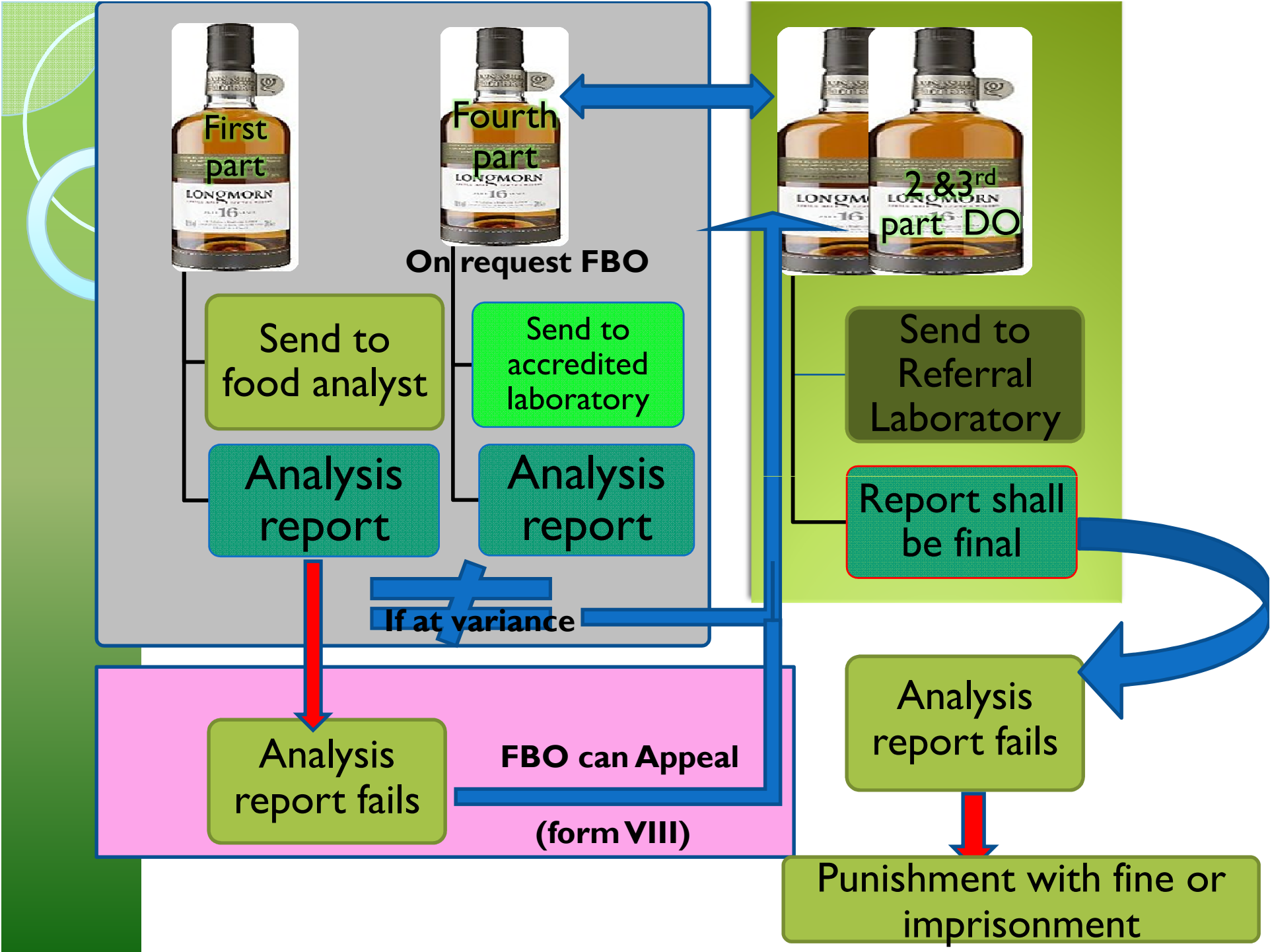
If at variance

Analysis report fails

FBO can Appeal (form VIII)

Analysis report fails

Punishment with fine or imprisonment



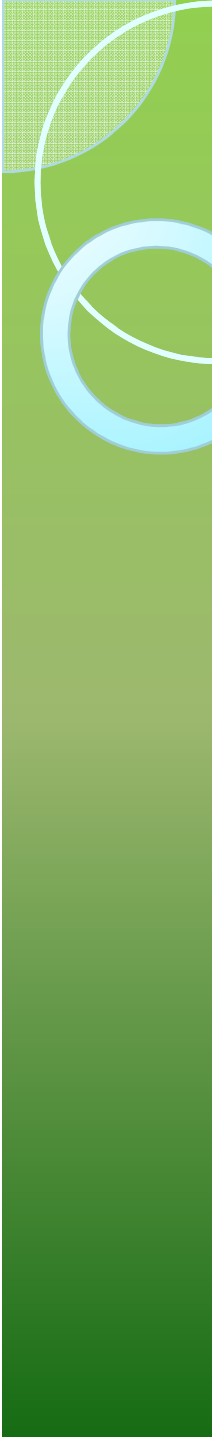
ADJUDICATING OFFICER (AO)

- The AO will have the powers of a civil court and all the proceedings before him shall be deemed to be judicial proceedings within the meaning of section 193 and 228 of the Indian Penal Code.
- The AO while adjudging the quantum of penalty shall have due regard to the following:
 - The amount of gain or unfair advantage (wherever possible to quantify) due to contravention.
 - The amount of loss caused or likely to cause to any person due to contravention
 - The repetitive nature of contravention.
 - Whether contravention is knowingly or unknowingly.



Cont...

- Issue direction to person found guilty of an offence, for taking corrective action to rectify the mistake or destruction of such article of food.
- Direct offender to pay compensation to victim or representative of victim in case of injury or death of consumer.
- Order for cancellation of license, re-call of food from market, forfeiture of establishment and property.
- Issue prohibition orders.



Synergizing Consumers, Industry and Local Bodies

- Multiplicity of Food Laws
- Rigid and non-responsive standards to Scientific advancements & modernization.
- Varied Quality/Safety standards proving restrictive in innovative food products.
- Lack of adequate manpower, poor Lab, infrastructure.
- Poor information dissemination level to consumer.



FSSA, 2006

- Single reference point for all matters relating to FSS, regulation and enforcement.
- Transparent and accountable regulatory framework.
- Investors friendly regulatory mechanism
- empowerment of consumers' with dissemination of adequate information.
- Spread of food safety concept to grass root level by involving local panchayat's and municipalities.

Responsibilities of Food Business Operator

- ensure that the articles of food satisfy the requirements of this Act and the rules and regulations made there under at all stages
- No food business operator shall himself or by any person on his behalf manufacture, store, sell or distribute any article of food –
 - unsafe; or
 - misbranded or sub-standard or contains extraneous matter; or
 - a licence is required, except in accordance with the conditions of the licence; or
 - prohibited by the Food Authority or the Central Government or the State Government in the interest of public health; or
 - in contravention of any other provision of this Act or of any rule or regulation made there under.



Cont...

- Shall not employ any person who is suffering from infectious, contagious or loathsome disease.
- shall not sell or offer for sale any article of food to any vendor unless he also gives a guarantee in writing in the form specified by regulations about the nature and quality of such article to the vendor
- Where any food which is unsafe is part of a batch, lot or consignment of food of the same class or description, it shall be presumed that all the food in that batch, lot or consignment is also unsafe, unless following a detailed assessment within a specified time, it is found that there is no evidence that the rest of the batch, lot or consignment is unsafe:

SAFE FOOD



Thank you