**Food Safety and Standards Act, 2006**

The Food Safety Standard Act, 2006 was operationalized on August 2006.

Under this act an independent statutory Authority – the Food Safety and Standards Authority of India (FSSAI) was established in year 2008. FSSAI and the State Food Safety Authorities are responsible for enforcing various provisions of this Act.

**Why Food Safety & Standards Act, 2006?**

- Multiplicity of food laws, standard setting and enforcement agencies for different sectors of food
- Varied Quality/Safety standards restricting innovation in food products
- Thin spread of manpower, poor laboratories infrastructure and other resources non-conducive to effective fixation of standards
- Standards rigid and non-responsive to scientific advancements and modernization
- Poor Information dissemination to consumer level
Objective of FSSAI

The Food Safety and Standards Authority of India (FSSAI) has been established under Food Safety and Standards Act, 2006, for laying 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.

Food Product Categories

1. Dairy Products and Analogues.
2. Fats, Oils and Fat Emulsions.
3. Fruit & Vegetable Products.
6. Fish & Fish Products.
7. Sweets & Confectionery.
8. Sweetening agents including Honey.
12. Other Food Products and Ingredients.
Standards Development Process

Proposal for revision/new standard (Panel Secretariat) → Scientific Panel (19) → Scientific Committee → Food Authority → Approved

WTO-SPS/Draft Notification → Approved

Legal Vetting, Hindi translation, approval by MoHFW

Final Notification in Gazette of India

Regulations Notified

Section 92 of the FSS Act empowers the Authority to make Regulations

- Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011.
- Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011.
- Food Safety and Standards (Packaging and Labelling) Regulations, 2011
- Food Safety and Standards (Laboratory and Sample Analysis) Regulations, 2011.
- Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011.
- Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011.
- Food Safety and Standards (Food Recall Procedure) Regulation, 2017.
- Food Safety and Standards (Import) Regulation, 2017.

Existing FSS (Packaging and Labelling) Regulations, 2011

General Labelling Requirements

- Every pre-packaged food shall carry a label.
- The information on the label shall be in English or Hindi in Devnagari script. Any other language in addition may be used.
- The information shall not be false, misleading or deceptive.
- Where the container is covered by a wrapper, the wrapper shall carry the necessary information.
- The Regulation prescribes the minimum area of the container to be covered by the Principal Display Panel.
- The Regulation prescribes minimum height and width of the letters and numerals to be displayed on the label.

Food labelling & Its Importance

"Labelling" includes any written, printed or graphic matter present on the label, accompanies the food, or is displayed near the food.

- Food Labelling serves as a primary link of communication between the food manufacturer and consumer.
- Food labels provide information to help us make healthier and safer food choices.
- The goal of food labelling is to provide consumers with information that is factual and relevant.
Information for consumers

Labelling information includes:

- The Name of food
- List of Ingredients
- Nutritional Information
- Declaration regarding Veg & Non-Veg
- Declaration regarding food additives
- Name and address of the manufacturer
- Net Quantity
- Lot/Code/Batch Identification
- Date of manufacturing or packing
- Best Before and Use by Date
- Country of origin
- Instructions for use

Nutritional Information (Existing Regulations)

Nutritional Information or nutritional facts per 100 gm or 100ml or per serving of the product shall be given on the label containing the following:—

(i) energy value in kcal;

(ii) the amounts of protein, carbohydrate (specify quantity of sugar) and fat in gram (g);

(iii) the amount of any other nutrient for which a nutrition or health claim is made:

(v) Where the nutrition declaration is made per serving, the amount in gram (g) or milliliter (ml) in a serving shall be given.

Nutritional Information Panel

<table>
<thead>
<tr>
<th>Nutritional Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount per serving or 100g of product</td>
<td></td>
</tr>
<tr>
<td>Energy</td>
<td># kcal</td>
</tr>
<tr>
<td>Protein</td>
<td># g</td>
</tr>
<tr>
<td>Carbohydrates</td>
<td></td>
</tr>
<tr>
<td>Sugars</td>
<td># g</td>
</tr>
<tr>
<td>Fat</td>
<td></td>
</tr>
<tr>
<td>Saturated fatty acids*</td>
<td># g</td>
</tr>
<tr>
<td>Trans fatty acids*</td>
<td># g</td>
</tr>
<tr>
<td>Cholesterol*</td>
<td># mg</td>
</tr>
<tr>
<td>* When claim is made</td>
<td></td>
</tr>
</tbody>
</table>

Food Safety and Standards (Packaging and Labelling) Regulations, 2011

- Food Safety and Standards Authority of India (FSSAI) has undertaken revision of existing (Packaging and Labelling) Regulations, 2011 and it has been split into three separate regulations as under:

1. Draft Packaging Regulations.
2. Draft Labelling Regulations.
Changes in the proposed labelling regulation

Nutritional Information

Mandatory declaration of the following:

• Saturated fat (g), trans fat (g) and cholesterol (mg)
• Salt (sodium chloride) (g)
• Per serve percent (%) contribution of nutrients to Recommended Dietary Allowance (RDA).
• Number of servings per pack and serving size.

New Nutritional Information Panel

<table>
<thead>
<tr>
<th>No. of servings</th>
<th>Serving size:</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of servings:</td>
<td>Energy (kcal)</td>
</tr>
<tr>
<td></td>
<td>Per 100 g or 100ml</td>
</tr>
<tr>
<td>Protein (g)</td>
<td>Carbohydrate (g)</td>
</tr>
<tr>
<td>Sugars (g)</td>
<td>Total fat (g)</td>
</tr>
<tr>
<td>Saturated fat (g)</td>
<td>Trans fat (g)</td>
</tr>
<tr>
<td>Cholesterol (mg)</td>
<td>Salt (g)</td>
</tr>
<tr>
<td>Micronutrients</td>
<td>(minerals and vitamins)</td>
</tr>
</tbody>
</table>

Front of Pack (FOP) labelling provision

• To address Front of pack nutrition labelling, the mandatory declaration of Energy, total fat, total sugar and salt with their percent (%) contribution to RDA on the front of pack has been included as shown below:

Front of Pack labelling of High Fat, Sugar, Salt (HFSS) Foods

• “High Fat, Sugar and Salt” food shall be coloured ‘RED’ in the particular block, in case the value of energy (kcal) from total sugar is more than 10 per cent of the total energy (kcal) provided by the 100 g/100 ml of the product; the value of energy (kcal) from trans fat is more than 1 per cent of the total energy (kcal) provided by the 100 g/100 ml of the product; and total fat and sodium content provided by the 100 g/100 ml of the product is more than the threshold values as specified in Schedule – I of these regulations as indicated below:

‘No depiction’ of block for the above said Nutrient/Nutrients is required on Front of pack, if the nutrient is absent in the product.
Salient Features of the proposed Advertising and Claims Regulations

Aimed at establishing fairness in claims and advertisements of food products and make food businesses accountable for such claims/advertisements so as to protect consumer interests.

Defines general principles for claims and advertisements.

Defines criteria for: Nutrition claims, non-addition claims, health claims, claims related to dietary guidelines or healthy diets, conditional claims and Prohibited claims.

All claim statements & disclaimers related to claims shall be conspicuous and legible. And Includes provision for corrective advertisements.

Includes process for approval of Health Claims (Reduction of Disease Risk Claims).

Nutrition Claims

- Nutrition Claims
- Nutrient content claim
- Nutrient comparative claim

Non-addition Claims

- Non-addition claims
- Non-addition of sugars
- Non-addition of salt
- Non-addition of additives

Health Claims:

- Reduction of disease risk claim - It shall be based on statistically significant results from well-designed human intervention studies, conducted by or under guidance of established research institutions, in line with the principles of GCP (Good Clinical Practices)

- Nutrient function claim & Other Function claim - Nutrient function claim and other function claim may be made based on current relevant scientific substantiation.
Claims related to Dietary Guidelines or Healthy Diets -
Claims may be made related to a "healthy diet" or any synonymous term referring to the pattern of eating as per current ICMR Dietary Guidelines for Indians and the label shall carry a statement relating the food to the pattern of eating described thereof.

Conditional Claim - A claim may be made where a food is by its nature high or low or free of a specific nutrient provided the name of the nutrient or substance is preceded by the words ‘natural / naturally' in the claim statement e.g.

“a naturally (naming the nutrient or the substance) free food”.

Approval of Claims
Many claims, listed in various schedules of the proposed regulations with related criteria, are permitted to be made by food business operators without the need for seeking prior approval from the food regulator.

However, the food business operators shall seek prior approval from the Food Authority for reduction of disease risk claims other than those that are defined and for which criteria are laid out under these regulations.

Procedure for approval of claims.- FBO shall submit the following:

- claim to be made;
- Name of ingredient, nutrient or substance on the basis of which the claim is to be made;
- Validated Method of analysis of ingredient or substance for which the claim is to be made;
- Scientific information or materials substantiating the claim;
- How is the claim clear and meaningful and help consumers to comprehend the information provided;
- Well-designed human intervention studies in case of health claims conducted by or under guidance of established research institutions; and
- Any other useful information.

Redressal of Non-Compliance
Any person who advertises or is a party to the publication of any advertisement or claim(s) not complying with this regulation shall be penalised as per section 53 of Food Safety and Standards Act, 2006.

Corrective Advertisement
If the advertisement is found to be in violation of these regulations, the Food Authority by an order may require the concerned FBO/advertiser to stop it immediately and to issue corrective advertisement(s) within thirty days.

Schedules under proposed Advertising and Claims Regulations

Schedule – I: Nutrition Claims in respect of nutrients/components, the claims referring to energy, fat, cholesterol, saturated fat, trans-fat, sugar, or sodium salt being ‘low’ or ‘absent’, and unsaturated fat being ‘high’ in a food; a food being ‘source of’ or ‘high’ in respect of nutrients like dietary fibre, protein, vitamins or minerals; a food being ‘low’ in Glycemic Index etc.

Schedule – II: Synonyms which may be used for claims defined in these regulations. Example for claims reg. free (no, without etc.), low (little, low source of etc.), high (higher, more, rich etc.)

Schedule – III: Health Claims list nutrient/food health relationship and standardized statements for health claims (reduction of disease risk). E.g. a food low in sodium may have a label claim as ‘diets low in sodium may reduce the risk of high blood pressure. Such claim statements have been specified for several nutrients with health impacts

Schedule – IV: List of Health Claims for Fortified Food Articles which are fortified as per Food Safety and Standards (Fortification of Foods) Regulations, 2017