

The Food Safety and Standards Act - 2006

Issues Related To Anand Pattern Cooperatives

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The Food Safety And Standards Act, 2006

and Rules & Regulations, 2011

The Act

The Food Safety and Standards Act 2006 has come into force w.e.f 5th Aug 2011. It defines a Food Business Operator (FBO) as a person engaged in the business of manufacture, processing, packaging, storage, transportation, distribution and import etc and includes food services catering services sale of food of food ingredients.

IMPORTANT FEATURE

- Single line control
- Self regulation and compliance
- Food safety offices with proper technical qualifications
- No licensing for SFBO ,only registration required
- Regulation of imported food
- GM , Organic, Functional foods etc are covered
- Provision for surveillance, traceability and food recall
- Fast track courts, graded punishments/penalty etc.....

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Some Important Definitions

Food Business : Food Business means any undertaking whether for profit or not and whether public or private, carrying out any of the activities related to any stage of manufacture, processing, packaging, storage, transportation, distribution of food import and includes food services catering services sale of food of food ingredients. (Provision 3.1(n))

Food Business Operator : in relation to food business means a person by whom the business is carried on or owned and is responsible for ensuring the compliance of this Act, rules and regulations made there under. (Provision 3.1(o))

Manufacture : Manufacture means a process or adoption or any treatment for conversion of ingredients into an article of food, which includes any sub-process, incidental or ancillary to the manufacture of an article of food. (Provision 3.1(zc))

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Some Important Definitions **cont....**

Petty Food Manufacturer : Petty food manufacturer means any food manufacturer, who

(a) Manufactures or sells any article of food himself or a petty retailer, hawker, itinerant vendor or temporary stall holder; or distributes foods including in any religious or social gathering except a caterer.

or

(b) 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.-

(i) Production capacity of food (other than milk and milk products and meat and meat products) does not exceed 100 kg/ltr per day.

or

(ii) Procurement or handling and collection of milk is up to 500 litres of milk per day. (Provision 1.4 (b) (II))

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Some Important Definitions **cont....**

MILK : Milk is the normal mammary secretion derived from complete milking of health milch animal without either addition thereto or extraction therefrom unless otherwise provided in these regulations.

STANDARDS of RAW MILK : For Madhya Pradesh **the** Standards conformed under the act for Cow Milk is 3.5% FAT and 8.5% SNF and for Buffalo Milk is 5.0% FAT and 9.0% SNF (**Provision 2.1.1**)

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Status of Implementation in M P

All the Dairy Plants and Milk Chilling centers affiliated with MP Cooperative Dairy Federation (MPCDF) have obtained licence under FSSAI.

The MPCDF has already initiated action for registration and licensing of Dairy Cooperative Societies (DCS). 4038 (80%) DCS have already got registration and 369 (50%) DCS have obtained license as per the provisions of the act.

The MPCDF has already fixed the deadline obtaining the registration and licences to DCS latest by 31st Dec. 2014.

The Quality Control laboratories of all the Milk Unions have been re-strengthened and upgraded.

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ISSUE – Meaning of any undertaking

- In the definition of food business whether the term “***any undertaking***” includes
 1. Anand Pattern Milk Producers Cooperative(DCS),
 2. Raw milk transporters engage for transporting raw milk from DCS to Dairy/CC in cans, CC/BMC to Dairy in tankers.
 3. Any other person/institution(Outsourcing) engaged by Milk Union to look after the Dairy Activities mainly manufacturing, processing, packaging, storage, transportation & distribution.

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Licensing & Registration of Food Businesses

Licensing & Registration : All Food Business Operators in the country will be registered or licensed. No person shall commence or carry on any food business except under a license.

ISSUE- Registration or licensing of Dairy Cooperative Society

Since the -

1. Dairy Cooperative Society(DCS) registered under Co-operative Societies Act is also carrying the same nature of activities like Milk Producers i.e. supplies or sells the entire milk (to Milk Union).
2. Registered/licensed Food Business Operator has to adhere the rules & regulation of the Act.

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Licensing & Registration of Food Businesses

3. The act has already conformed the standards of Milk & Milk Products.
4. The act provided that a producer of milk who is a registered member of a dairy Co-operative Society registered under Co-operative Societies Act and supplies or sells the entire milk to the society shall be exempted from this provision for registration.
5. DCSs undertake milk procurement activities on behalf of Milk Union.

Therefore, to safeguard the milk procurement activities of the DCS and looking to the possibility of occurrence of shortfall in the standards laid down under the Act for milk, the DCSs also be exempted from provision for registration/licensing else *Members of DCS also be included in the purview of FSSAI.*

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Penalty for sub-standard food.

Any person who whether by himself or by any other person on his behalf manufactures for sale or stores or sells or distributes or imports any article of food for human consumption which is sub-standard, shall be liable to a penalty which may extend to five lakh rupees. (*Provision 51)*

ISSUE

Whether such penalty is applicable to DCSs and milk producers also.

Who is liable to make the payment of such applicable penalty i.e.
Nominated Officials or Business Organization.



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Sanitary Requirements for Storage.

Provision Part III (III.3,4,5)

3. If raw milk is brought to the dairy plant by a producer or farmer then it shall be ensured that he brings it within four hours of milking and it shall be cooled as soon as practicable to a temperature of 4°C or lower and maintained at that temperature until processed.
4. Where raw milk is collected daily from a producer, it shall be cooled immediately to a temperature of 4°C to 6°C or lower and maintained at that temperature until processed.
5. When the pasteurization process is completed pasteurized milk shall be cooled immediately to a temperature of 4 °C or lower.

ISSUE

Practically many a times it is not possible to immediately maintain 4°C temperature at DCS level and some time at Dairy Plant also.

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NOMINATION

The company which is having different establishments or branches, units, any establishment or branch shall inform the licensing Authority in Form IX the particulars relating to the concerned head or the person in- charge of such establishment, branch, unit with due certification that the concerned person has been so nominated for the purposes of the section 66 of the Act and regulations made under section 31 of the Act. *(Provision 2.5.1)*

ISSUE

Whether nomination of group officials are permissible



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SUGGESTIONS

- **Adulteration check at rural areas should be effective.**
- **Awareness programme/literature on FSSA provision.**
- **Training to the officials of the Milk Unions.**
- **Augmentation & standardisation of quality control lab of milk unions.**

THANKS

