

File No. RCD-02001/11/2021-Regulatory-FSSAI
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety and Standards Act, 2006)
Regulatory Compliance Division
FDA Bhawan, Kotla Road, New Delhi – 110002

Dated 23rd December, 2021

To,

1. The Directors of all Regional Offices, FSSAI
2. All the Central Licensing Authorities, FSSAI

Subject: Statutory inspections of premises of Food Business Operators as per FSS Act, 2006 – Reg
Sir/Madam,


It has come to the notice of this office that statutory inspections of the premises of Food Business Operators (FBOs) are being carried out by the Technical Officers and on the basis of such inspections various penal provisions as per FSS Act, 2006 including sanction for prosecution are being enforced.

2. In this regard, reference is drawn towards the provisions of **Section 38 of FSS Act, 2006** under which the **Food Safety Officers (State/Central)** are empowered to inspect the premises of the FBOs for taking enforcement action against defaulting FBOs as per the provisions of the Act and Rules/Regulations made thereunder.

3. In view of above, it is advised to strictly adhere to the above statutory provisions of the FSS Act, 2006 and diligently follow the procedure laid down under the Act and Rules/Regulations made thereunder while taking actions against the Food Business Operators, including carrying of inspections, sampling etc., so that the persecution/ adjudication cases are not vitiated due to technical and legal lacunae.

(This issues with the approval of the CEO, FSSAI)

Yours sincerely,


23/12/21
(Anil Mehta)

Joint Director (Regulatory Compliance)

Copy for information to:

1. PPS to Chairperson, FSSAI
2. PS to CEO, FSSAI
3. The Commissioners of Food Safety of All States/UTs
4. CITO- with the request for uploading the above advisory on the website