



## **FSSAI urges state food safety chiefs to dispose of pending PFA cases**

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In what could be a test case of how responsive state food safety authorities are towards FSSAI's directives, the country's apex food regulator has again issued a letter instructing the states' and Union Territories' (UTs') food safety commissioners to share the outcome of special efforts undertaken in their respective state or UT and dispose of the cases pending under the erstwhile Prevention of Food Adulteration Act, 1954 (PFA) and other enactments repealed by the Food Safety and Standards Act, 2006.

This was the fifth time FSSAI has written to the states. And only a few states, including Gujarat, Rajasthan and Goa, have shown results. This was mentioned in the letter issued by the regulator, which added that others have not shown any major intention towards reducing the burden of litigation on food safety officers (FSOs). The latest letter was issued in March 2018.

In the past, FSSAI, in continuation, had issued letters dated July and October 2017, wherein it had shared the good work done by the three aforementioned states, urging other states and UTs to undertake a similar exercise.

The regulator, in its letter dated December 2017, advised all food safety commissioners to withdraw, or, at least, not pursue, cases for violation under the old norms and standards, unless these were still not in conformity with the new or revised standards, so that the avoidable harassment of FBOs could be prevented.

It shared the exemplary work done by the Government of Gujarat. Through an extensive exercise, they had segregated and identified 3,881 cases, out of a total of 4,239 cases, which could be disposed of or closed by imposing a fine or cost. Out of these 3,881 cases, they have disposed of 1,905 cases and realised an amount of Rs 1,29,70,000 as fine or cost. They are in the process of taking up the remaining 1,976 cases for disposal in the next special sitting, which is being scheduled in the near future.

H G Koshia, commissioner, Food and Drug Control Administration (FDCA), Gujarat, said, "The remaining 1,976 cases will be taken up in the next special sitting soon. The resultant reduction in workload due to the disposal of a large number of cases has enabled the officers of food safety departments to devote more time to

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constructive work to ensure safe and wholesome food for the citizens of the state. This has also lessened the burden on the judiciary and have made FBOs happier.”

“The state of Telengana has approximately 250 cases pending under the PFA Act, 1954,” said the deputy food commissioner of the southern state, adding, “The advisory was passed between December and January, but it has not been implemented in the state yet. The cases under the PFA Act, 1954, have to be segregated according to the new guidelines issued by the Food Safety Standards Act, 2006. We will soon start the drive to dispose the pending cases.”

An official from Maharashtra FDA said, “In the state, a total of 5,000 cases are pending under the PFA Act, 1954. Out of these 5,000, 2,000 cases were disposed of in normal hearings. Out of remaining 3,000 cases, till the end of March, 310 cases were disposed of, depending upon the offence. We have spoke to the registrar general of the High Court to provide us the date to clear the remaining pending cases. However, some of the FBOs are not satisfied with the fine or penalty given, and thus, do not come for the proceedings.”

Meanwhile, an official from Delhi mentioned that the state did not have any record as of now for pending cases. Also, a few cases are more than 10 years old, and cannot be solved in one court trail. A few other states like West Bengal, Kerala and Punjab refused to divulge any details on the matter.