

**GOVERNMENT OF INDIA  
MINISTRY OF HEALTH AND FAMILY WELFARE  
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA  
UNSTARRED QUESTION NO. 2994  
TO BE ANSWERED ON 5<sup>TH</sup> JANUARY, 2018**

**FOOD RECALL POLICY**

**2994. SHRI B. SENGUTTUVAN:  
SHRI J.J.T. NATTERJEE:  
SHRI DUSHYANT CHAUTALA:**

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether the Food Safety and Standards Act has provisions for recalling food items which are not in compliance with the laid down food safety, regulatory and manufacturing norms;
- (b) if so, the details thereof indicating the number of cases where such items have been recalled under the said provisions during the last three years and the current year, State/UT-wise;
- (c) whether the Government has released specific food recall procedures and if so, the details thereof; and
- (d) whether the Government proposes to amend the Consumer Protection Act to recall food items which do not meet the requisite standards of Bureau of Indian norms and if so, the details thereof?

**ANSWER  
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND  
FAMILY WELFARE  
(SHRI ASHWINI KUMAR CHOUBEY)**

(a): Yes. Section 28 of Food Safety and Standards (FSS) Act, 2006 empowers the Food Safety and Standards Authority of India (FSSAI) to frame regulations detailing conditions and guidelines relating to food recall procedures to be followed by the Food Business Operators (FBOs) for recalling the food items which are not in compliance with FSS Act, Rules and Regulations, made thereunder. FSSAI has notified the Food Safety and Standards (Food Recall Procedure) Regulations, 2017 on 18.01.2017 and subsequently issued further guidelines for FBOs detailing the procedure to develop a recall plan its implementation on 28.11.2017.

(b): No products have been recalled by FSSAI under these Regulations so far. Information regarding action taken by States/UTs under these Regulations is not available. However, prior to notification of said Regulations, though prescribed guidelines/procedure for recall of the food products were not available, in the year 2015, 5 Food Business Operators were asked by FSSAI to withdraw/recall their products from the market due to various reasons such as the product not conforming to the prescribed standards, product not approved by the Food Authority etc.

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(c): Yes. The Food Safety and Standards (Food Recall Procedure) Regulations, 2017 lays down procedures covering issues such as Initiation of food recall process, Operation of Food Recall System, Food Recall Plan, Recall Communication, Recall Status report, Food recovery, post recall report, Termination of a recall, Follow up action, Responsibility of the Food Business operator, Responsibility of the Commissioner of Food Safety of the State or Union Territory, Responsibility of Food Authority .

(d): Department of Consumer Affairs has informed that the Consumer Protection Bill, 2015 has already been introduced in Parliament to replace the existing Consumer Protection Act, 1986. The said Bill seeks to establish an executive agency to be called the Central Consumer Protection Authority which will regulate matters relating to violation of rights of consumers, unfair trade practices etc. and shall also be empowered to order recall of unsafe goods, on the basis of its investigations.

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