

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

**LOK SABHA
UNSTARRED QUESTION NO. 1058
TO BE ANSWERED ON 7th FEBRUARY, 2020**

COMPLAINTS FILED UNDER FSSAI ACT, 2006

**1058. SHRI RAVIKUMAR D.:
SHRI UDAY PRATAP SINGH:
SHRI PARVESH SAHIB SINGH VERMA:**

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

(a) whether the Government maintains any data on the cases/complaints filed/registered against companies who sold substandard, unsafe food items in the market;

(b) if so, the number of such cases/complaints filed/ registered under FSSAI Act, 2006 and action taken/ convictions made during the last five years, State/ UT-wise;

(c) whether a number of States in India are ill equipped to ensure food safety, owing to scarcity of staff and food testing laboratory infrastructure under Food Safety and Standards Authority of India (FSSAI), if so, the details thereof and the steps/measures taken by the Government to rectify this shortage;

(d) whether cases of adulteration, counterfeit brands and substandard quality of food products have come to light even after concrete steps being taken by the Government, if so, the details thereof along with the additional measures being taken/proposed to be taken by the Government to address this issue; and

(e) whether the Government has any data regarding the samples of food products collected, if so, the details thereof, State/UT/year-wise for the period 2017-18 and 2018-19?

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

(a) & (b): Enforcement of Food Safety and Standards Act, 2006 primarily lies with States/Union Territory Administrations. As per reports received from States/UTs, the details of food samples analysed and action taken during the last five years, State/UT-wise are at **Annexures I to V**.

(c): Many States/UTs have inadequate manpower for regulatory work and laboratory infrastructure. To overcome the shortage of regulatory staff for effective enforcement action, Food Safety and Standards Authority of India (FSSAI) impresses upon the States/UTs to create adequate number of posts of Designated Officers/Food Safety Officers and recruit full time staff against posts. FSSAI has also insisted upon the States that Food Safety Commissioner should be a full time officer, which in most of the States have additional charge of the post.

FSSAI has also assisted the States under Central Sector Scheme for “*Strengthening of Food Testing System in the Country including provision of Mobile Food Testing Labs*” (SoFTel) and a sum of Rs. 269.69 Crore has been sanctioned/released for the upgradation of 38 State Food Testing Laboratories, including purchase of high end equipments and setting up of microbiology labs. FSSAI has also provided 54 Mobile Food Testing Labs, called Food Safety on Wheel, to 31 States/UTs. FSSAI also regularly conducts Food Analysts Examinations for ensuring availability of adequate pool of food analysts and is providing training to lab personnel of States/UTs.

(d): Yes. To evolve the overall approach to compliance, FSSAI is adopting a Risk Based approach towards inspections and surveillance aligning to global standards. Risk Based Inspection System (RBIS) is meant to strengthen and protect safe food supply and fair trade practices and to prevent fraudulent practices. Its objectives are to (i) prevent unsafe food to be placed in the domestic market;(ii) to draw a food inspection system from a product-based process to a risk-based process that can be used by food inspectors across the entire food sector regardless of the specific product(s) handled or manufactured; and (iii) linking ‘Risk grade’ with Licensing and Registration System.

Further, Regular surveillance, monitoring, inspection and random sampling of food items have been carried out by the Food Safety Officers and samples are sent to the laboratories recognised by FSSAI for analysis. In cases where the samples are found to be non-conforming to the provisions of the Food Safety and Standards Act, 2006 and Rules and Regulations made thereunder, recourse is taken to the penal provisions under Chapter IX of the Act.

The details are available at **Annexure IV and V**.

Annexure-I

State-wise details of Samples analysed, found non-conforming and penal action taken for the year 2014-15

Sr. No.	Name of the State/ U.T.	No. of Samples Analysed	No. of Samples found non-conforming	No. of Cases Launched		No. of Convictions/ Penalties		
				Criminal	Civil	Convictions	Penalties	Amount of penalty raised in Rupees
1.	Andaman & Nicobar Islands	16	4	0	0	0	14	Rs.4,55,000
2.	Andhra Pradesh	2788	290	338	78	0	-	Rs.51,63,020
3.	Arunachal Pradesh	258	29	2	14		7	-
4.	Assam	595	74	28	32	8		Rs. 70,000
5.	Bihar	1320	7		16		5	Rs. 38,000
6.	Chandigarh	102	5	5				Rs. 1,50,000
7.	Chhattisgarh	540	195	0	0	0	17	-
8.	Dadra & N.H	2				Samples are analysed by Gujarat State Laboratory		
9.	Daman & Diu	65	3		3		3	Rs.30,000
10.	Delhi	1484	151	-	-	-	-	-
11.	Goa	800	81	1	4	4		Rs. 4,35,000
12.	Gujarat	11700	1243	37	464	30	178	Rs.56,13,500
13.	Haryana	2261	222	14	247	6		Rs.3459808
14.	Himachal Pradesh	725	461	34	42	18	-	Rs.8,88,500
15.	Jammu & Kashmir	2462	621	17	401	243	-	Rs.19,76,600
16.	Jharkhand	509	112	41	24	-	-	-
17.	Karnataka	2107	311	56			42	-
18.	Kerala	2735	464	41	161	0	280	Rs.72,39,700
19.	Madhya Pradesh	9131	1412	127	716	418	418	Rs.43,28,000
20.	Maharashtra	6985	1162	869	1426	75	-	Rs.1,65,41,499
21.	Meghalaya	34	4	0	4	2	1	Rs.10,000
22.	Nagaland	83	11	0	0	0	-	0
23.	Odisha	544	112	0	1		1	
24.	Puducherry	1946	39	0	0	0	-	0
25.	Punjab	7860	1458	846		82	-	-
26.	Rajasthan	3031	747	158	222	116	-	Rs. 8,45,500
27.	Tamil Nadu	2873	1047	64	486	203	-	Rs.34,99,700
28.	Telangana	312	32	4	24	11	10	Rs.17,57,100
29.	Tripura	933	2	0	0	0	-	0
30.	Uttar Pradesh	9605	4119		3489	186	1738	Rs.5,98,08,106
31.	Uttarakhand	1356	233	5	117	0	80	Rs.5,06,489
32.	West Bengal	120	65	0	17	0	1	Rs. 30,000
	Total:	75282	14716	2687	7988	1402	2795	Rs.11,28,45,522

Source: States/UTs

State-wise details of Samples analysed, found non-conforming and penal action taken for the year 2015-16

Sr. No	Name of the State/ U.T.	No. of Samples Analysed	No. of Samples found non-conforming	No. of Cases Launched		No. of Convictions/ Penalties		
				Criminal	Civil	Convictions	No. of cases in which Penalties imposed	Amount of penalty raised in Rupees
1.	Andaman & Nicobar Islands	156	25	0	0	0	-	Rs. 2,71,000
2.	Andhra Pradesh	4860	870	194	347	4	83	Rs. 52,15,000
3.	Arunachal Pradesh	290	30	0	28	0	5	Rs. 15,000
4.	Assam	503	72	10	80	2	4	0
5.	Bihar	1447	35	0	93	0	4	RS. 20,000
6.	Chandigarh	206	15		15	0	-	Rs. 10,52,000
7.	Chhattisgarh	1026	298	3	17	0	-	Rs. 85,000
8.	Dadra & N.H	65	5	0	2	0	-	0
9.	Daman & Diu	106	11	0	11	0	-	0
10.	Delhi	1472	239	149	0	0	-	Rs. 44,82,500
11.	Goa	1155	72	0	4	1	1	Rs. 5,000
12.	Gujarat	14891	1242	30	507	1	182	Rs. 1,90,05,906
13.	Haryana	2063	180	7	149	0	111	Rs. 27,43,600
14.	Himachal Pradesh	390	53	22	12	25	-	Rs. 9,50,000
15.	Jammu & Kashmir	1215	334	1	335	215	-	Rs. 22,14,400
16.	Karnataka	2340	433		58	0	-	Rs. 4,36,000
17.	Kerala	2196	459	138	246	17	44	Rs. 66,33,500
18.	Madhya Pradesh	9994	1311	82	879	36	447	Rs. 4,48,26,000
19.	Maharashtra	8066	2195	190	418	24	186	Rs. 59,16,053
20.	Manipur	67	0	0	8	8	8	Rs. 1,64,000
21.	Meghalaya	87	4	0	0	0	-	0
22.	Mizoram	17	4	0	0	0	-	0
23.	Nagaland	187	76		32	20	20	Rs. 10,000
24.	Odisha	211	61		2		1	0
25.	Puducherry	827	11	0	1	0	1	Rs. 5,000
26.	Sikkim	5	0	0	0	0	-	0
27.	Tamil Nadu	1783	607	107	308	23	202	Rs. 58,90,800
28.	Tripura	814	17		5	0	-	Rs. 2,750
29.	Uttar Pradesh	14833	7189	506	4864	164	2370	Rs. 11,51,20,480
30.	Uttarakhand	1073	183	10	95	0	-	Rs. 15,35,000
31.	West Bengal	154	102	1	13	0	-	0
	Total:	72,499	16,133	1,450	8529	540	3,669	Rs. 21,65,98,989

Source: States/UTs .

State-wise details of Samples analysed, found non-conforming and penal action taken for the year 2016-17

Sr. No	Name of the State/ U.T.	No. of Samples Analysed	No. of Samples found non-conforming	No. of Cases Launched		No. of Convictions/ Penalties		
				Criminal	Civil	Convictions	No. of cases in which Penalties imposed	Amount of penalty raised in Rupees
1.	Andhra Pradesh	4687	552	153	396	8	119	11107000
2.	Arunachal Pradesh	302	10	1	8	0	12	348400
3.	Assam	526	67	3	23	0	02	30000
4.	Bihar	2427	42	3	30	6		73000
5.	Chandigarh	251	19	2	14	1		300000
6.	Chhattisgarh	1693	425	-	-	-	-	-
7.	Dadra & Nagar Haveli	44	3		3			
8.	Delhi	1152	120	9	98	106	68	3741500
9.	Goa	874	111		5	1	01	20000
10.	Gujarat	11329	839	46	513	2		16681000
11.	Haryana	2033	188	18	243	14	71	2982170
12.	Himachal Pradesh	315	57		35	23		195000
13.	Jammu & Kashmir	2952	1114	24	611	1	320	
14.	Karnataka	2837	341	26	112		112	2195900
15.	Kerala	1784	457	83	124	15	04	375380
16.	Madhya Pradesh	5461	609	60	483	26	252	7427700
17.	Maharashtra	10030	2529	313	943	0	340	11080888
18.	Manipur	207	30	0	30	0	05	520000
19.	Meghalaya	43	3	-	-	-	-	0
20.	Mizoram	20	2	0	0	0	-	0
21.	Nagaland	285	42	0	0	0	-	0
22.	Odisha	508	75	12	52	0	02	20000
23.	Puducherry	495	32	0	0	0	-	
24.	Punjab	4054	2240	56	1442		-	1410921
25.	Rajasthan	4923	1276	193	169	0	65	115557
26.	Tamil Nadu	3022	970	244	617	109	442	7898500
27.	Telangana	1480	330	103	85	15	17	504000
28.	Tripura	173	12	0	6	0	-	0
29.	Uttar Pradesh	13567	5663	375	5101	1273	2906	101962350
30.	Uttarakhand	676	119	3	199	-	19	1004000
31.	West Bengal	190	48	11		5		200000
	Total:	78,340	18,325	13,080		1605	4757	17,01,93,266

Source: States/UTs.

Annexure-IV
State-wise details of Samples analysed, found non-conforming and penal action taken for the year 2017-18

S.No	Name of the State/U.T.	No. of Samples Analysed	No. of Samples found Non-Conforming	No. of Cases Launched		No. of Convictions / Penalties		
				Criminal	Civil	Convictions	No. of cases in which Penalties imposed	Amount of penalty raised in Rupees
1	Andaman & Nicobar Islands	234	49	Nil	285	Nil	285	36,91,500
2	Andhra Pradesh	3881	765	147	282	75	121	49,11,500
3	Arunachal Pradesh	269	09	04	07	Nil	09	75,500
4	Assam	610	78	04	39	Nil	06	1,22,000
5	Bihar	2248	215	28	122	-	-	-
6	Chandigarh	376	25	-	21	-	04	2,25,000
7	Chhattisgarh	1564	388	15	81	13	30	1,71,004
8	Dadra & N.H	67	04	04		-	-	-
9	Daman & Diu	71	06	02		Nil	Nil	-
10	Delhi	1271	120	127	0	39	-	2,68,98,000
11	Goa	1268	82	08		07	-	7,05,000
12	Gujarat	9576	713	27	481	382	382	2,59,82,503
13	Haryana	2067	380	33	303	08	280	31,12,360
14	Himachal Pradesh	164	50	09	08	05	43	9,81,000
15	Jammu & Kashmir	3643	992	-	921	310	512	54,89,200
16	Jharkhand	580	219	-	-	-	-	-
17	Karnataka	3257	426	53	236	-	236	40,27,270
18	Kerala	3783	703	48	332	88	147	39,89,880
19	Lakshadweep	Nil	Nil	Nil				
20	Madhya Pradesh	6270	904	27	547	10	507	2,39,42,000
21	Maharashtra	9022	1532	194	589	83	141	17,34,500
22	Manipur	830	295	09	19	00	04	2,60,000
23	Meghalaya	29	03	-	-	-	-	-
24	Mizoram	84	52	Nil	Nil	Nil	05	Nil
25	Nagaland	310	69	Nil	Nil	Nil	Nil	Nil
26	Odisha	229	54	13	77	Nil	Nil	Nil
27	Puducherry	3,156	-	-	-	-	-	-
28	Punjab	11057	3053	40	1022	22	568	46,23,650
29	Rajasthan	3549	1598	91	171	0	108	7,83,000
30	Sikkim	04	Nil	Nil	Nil	Nil	Nil	Nil
31	Tamil Nadu	7383	2461	496	825	896	-	2,24,66,700
32	Telangana	823	175	25	15	01	20	-
33	Tripura	268	18	-	-	-	-	-
34	Uttar Pradesh	19063	8375	102	7232	3237	4219	12,91,85,500
35	Uttarakhand	1119	120	-	-	-	-	-
36	West Bengal	1228	329	-	-	22	-	1,64,000
	Total	99,353	24,262	1,506	13,615	5,198	7,627	26,35,41,067

Source: States/UTs, Note:

State-wise details of Samples analysed, found non-conforming and penal action taken for the year 2018-19

S. No.	Name of State/UT	No. of Samples Analysed	No. of Samples found non-conforming	No. of Cases Launched		No. of Convictions / Penalties		
				Criminal	Civil	Convictions	No. of cases in which penalties imposed	Amount of penalty Raised in Rupees
1	Andaman & Nicobar Island	268	11	1	90	1	89	1274000
2	Andhra Pradesh	4715	692	104	456	29	344	10691300
3	Arunachal Pradesh	291	11	1	7	0	6	21000
4	Assam	515	111	7	14	0	5	77000
5	Bihar	4135	372	25	146	0	30	1065000
6	Chandigarh	315	30	37	21	30	15	335000
7	Chhattisgarh	988	208	23	27	17	8	995000
8	Dadara & Nagar Haveli	58	6	0	6	0	6	63000
9	Daman & Diu	145	4	0	4	0	0	0
10	Delhi	2461	485	29	110	38	31	4716001
11	Goa	1550	88	1	9	0	17	866000
12	Gujarat	9884	822	22	353	22	237	19589004
13	Haryana	2929	737	47	488	5	242	5116860
14	Himachal Pradesh	229	43	4	10	4	35	965500
15	Jammu & Kashmir	3600	1416	10	698	1	466	5718800
16	Jharkhand	499	208	10	71	0	22	485000
17	Karnataka	3945	456	71	249	0	146	950800
18	Kerala	4378	781	102	565	2	339	11117000
19	Lakshadweep	0	0	0	0	0	0	0
20	Madhya Pradesh	7063	1369	114	1095	8	557	1,82,28,200
21	Maharashtra	4742	1036	957	910	18	529	11996269
22	Manipur	388	56	0	16	0	12	689000
23	Meghalaya	81	3	1	0	0	3	193700
24	Mizoram	124	27	0	0	0	0	0
25	Nagaland	202	175	0	63	0	63	37500
26	Odisha	327	91	38	123	0	3	220000
27	Puducherry	2037	39	0	0	0	7	
28	Punjab	11920	3961	45	1840	3	1762	15703200
29	Rajasthan	5760	2147		657	141	686	2017000
30	Sikkim	182	17	0	0	0	0	0
31	Tamil Nadu	5730	2601	666	1718	306	1485	50111950
32	Telangana	1760	168	33	191	3	15	248000
33	Tripura	192	8	0	3	0	0	0
34	Uttar Pradesh	22583	11817	451	8524	73	5526	158981003
35	Uttarakhand	755	35	8	28	0	28	2853000
36	West Bengal	1,708	384	6	58	0	20	453000

S. No.	Name of State/UT	No. of Samples Analysed	No. of Samples found non-conforming	No. of Cases Launched		No. of Convictions / Penalties		
				Criminal	Civil	Convictions	No. of cases in which penalties imposed	Amount of penalty Raised in Rupees
Total		1,06,459	30415	2813	18550	701	12734	Rs.32,57,78,087

Source: States/UTs,