

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

**LOK SABHA
UNSTARRED QUESTION NO. 984
TO BE ANSWERED ON 07TH FEBRUARY, 2020**

QUALITY OF FOOD SOLD BY PETTY VENDORS

984. SHRI SAPTAGIRI SANKAR ULAKA:

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

- (a) whether the Government is aware of the newspaper reports that there is ambiguity in Section 31(1) and 31(2) of Food Safety and Standards Act, 2016 as far as registration of petty vendors, retail hawkers and temporary stall-holders of food is concerned, if so, the details thereof;
- (b) whether there is any mechanism with Government to check the quality of food being supplied by these petty vendors;
- (c) whether the Government would ensure the availability of safe and wholesome food to the consumers and for keeping a check on the problems of food adulteration in the country; and
- (d) if so, the details thereof?

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

(a): No. No such report has come to the notice of Food Safety and Standards Authority of India (FSSAI). It is informed that clause (1) and clause (2) of Section 31 of Food Safety and Standards (FSS) Act are specific and there is no ambiguity. Clause (1) of Section 31 of FSS Act is an omnibus clause stating therein that no person shall commence or carry on any business except under a license. Clause (2) is an exception clause which allows the petty business of the kind mentioned therein to carry on business by merely registering themselves.

(b) to (d): Implementation and enforcement of Food Safety and Standards Act, 2006 primarily lies with State/UT Governments. Regular surveillance, monitoring, inspection and random sampling of all food items are being done by the Food Safety Officers of the States/UTs and the samples are sent to the laboratories recognised by FSSAI for analysis. In cases where samples are found to be non-conforming to the provisions of the Act and the Rules and Regulations made thereunder, recourse is taken to the penal provisions under Chapter IX of the Act. FSSAI regularly interacts with State food safety authorities through meetings of Central Advisory Committee, video conferencing and regular visits of senior officials to States/UTs to ensure proper enforcement activities by States/UTs.

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As per the information available from States/UTs, number of samples of food products analysed, found non-conforming and prosecution launched during the year 2018-19 is as under:

(a) food samples analysed	1,06,459
(b) Samples found Non conforming	30,415
(c) Non-conforming samples-	
(i) Unsafe	3,900
(ii) Substandard	16,870
(iii) labelling defects/misleading/Miscellaneous	9,645
(d) No. of cases launched –Criminal	2,813
(e) No. of cases launched - civil	18,550
(f) No. of convictions	701
(g) No. of cases in which penalty was imposed	12,734
(h) Total amount of penalty imposed	Rs. 32.57 crore

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