

PREVENTION OF FOOD ADULTERATION (... AMENDMENT) RULES, 2006

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

NOTIFICATION

New Delhi, the 6th/9th June, 2006

***G.S.R. 355(E).**— The following draft of certain rules further to amend the Prevention of Food Adulteration Rules, 1955, which the Central Government, after consultation with the Central Committee for Food Standards, proposes to make in exercise of the power conferred by the sub-section (1) read with sub-section (1A) of section 23 of the Prevention of Food Adulteration Act, 1954 (37 of 1954), is hereby published as required by sub-section (1) of section 23 of the said Act, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of sixty days from the date on which the copies of the Gazette of India in which this notification is published, are made available to the public.

The objections and suggestions, which may be received from any person with respect of the said draft rules within the period specified above, will be considered by the Central Government.

Objections or suggestions, if any, may be addressed to the Secretary, Ministry of Health and Family Welfare, Government of India, Nirman Bhavan, New Delhi-110011.

DRAFT RULES

- (1) These rules may be called the **Prevention of Food Adulteration (... Amendment) Rules, 2006**.
- (2) They shall come into force after six months from the date of their final publication in Official Gazette.
2. In the Prevention of Food Adulteration Rules, 1955, after rule 49, the following rule shall be inserted, namely:-

"49A Food Recall Procedure:- (1) No person shall himself or by any person on his behalf, manufacture for sale or store, sell, distribute or exhibit for sale any article of food which is pre-packed unless he ensures that –

- he shall be able to identify persons from whom he has obtained supplies of an article of food or any ingredient or any substance;
- he shall have in place a system and procedure, so that he may make available information about the food and its ingredients to the competent authorities on demand or otherwise;
- he shall have in place a system and procedure to identify to whom he has supplied an article of food or any ingredient or any substance and this information shall be made available to the competent authorities on demand or otherwise;
- he shall ensure that the food which is placed in the market or is likely to be placed in the market in the country shall be adequately labelled and he shall be able to identify and locate his products and withdraw the same from the market through relevant documentation or information maintained by him; and
- he shall ensure that no food shall be placed in the market which is not meeting the requirements for facilitating recall as specified under these rules.

(2) Where any article of food or any ingredient or any substance is adulterated or misbranded or injurious to health and the manufacturers or food business operators do not voluntarily withdraw such article of food from the market, the Government shall order to recall such article of food and the manufacturers or the food business operators, as the case may be, shall recall such article of food product without delay.

Explanation - 'food business operator' in relation to food business means a person by whom the business is carried on or owned and is responsible for ensuring the compliance of these rules."

[F. No. P-15014/9/2005-PH (Food)]
RITA TEAOTIA, Jt. Secy.
