



Worldwide: Food Safety Standards- The International Perspective Usa, Canada, Japan, Singapore And India

23 September 2019

The Food Safety and Standards Authority of India (FSSAI) is an autonomous body established under the Ministry of Health & Family Welfare by the Government of India (GOI).

It sets the standards for food in order to maintain the required quality so that there is no chaos in the minds of consumers, traders, manufacturers and investors.

The Food Labelling bridges the gap between the manufacturer and the consumer which covers both, food safety and information in the favour of consumer's interest.

To ensure the labelling regulations to be further more effective, FSSAI is on the run to make revisions in the previously existing Food Safety and Standards (packaging and Labelling) Regulations, 2011 with the objective of having three different regulations dealing separately with Packaging, Labelling & Display and Advertisements and Claims.

The FSSAI has laid down certain regulations pertaining to the labelling, display and packaging of packed food products and a draft regulation for the same was released in 2019.

The ultimate aim of the FSSAI is to maintain food standards and make the manufacturers comply with the said rules and regulations.

The FSSAI's new Labelling and Display regulations is ready for Draft notification and it will supersede the food safety and standards (Packaging and Labelling) Regulations, 2011.

The main focus behind this regulation is to enable citizens to know more about the composition of food which will allow them to make informed choices while purchasing food products.

One of the major rules in the Regulations state that the packaged food company should declare the nutritional information such as calories(energy), Saturated Fat, Trans Fat, Added Sugar, and Sodium as per serve on the front pack.

The Food Labels will also declare, per serve percentage contribution to the recommended dietary allowance (RDA) on the front pack

The Food Safety and Standards (Labelling and display) Regulations, 2019, helps a consumer to understand the contents of a product and make informed choices. (This is a draft regulation and still under review.) Therefore, in order to make the labelling requirements more effective, certain changes are being made.

Such changes include printing of best before date and expiry date on the food packaging and offer discounts if the food is being sold after the best before date. "Best before" and "expiry/ Use by date" are two labels of a product, usually used to indicate the shelf life of a product

THE BATTLE

Until recently the industry practice was to put manufacturing date and expiry date at two different places over the pack which was posing difficulty for the consumers to see both at a glance.

Hence, the new regulation proposed that the Date Marking included the "Date of Manufacturing" and the "Date of Expiry" at one place to make it easily visible.

According to FSSAI "Best before" means the date until which the food will be marketed and sold in the markets for the consumers.

It also means that during this period, the food is completely fit for consumption. Hence, as opposed to the general understanding, after the said date, the food can be consumed; **however its quality may be deteriorated.**

On the other hand, the meaning of the term "use by date" or "expiry date" signifies the date after which the food cannot be consumed even if stored according to the specified conditions.

The food shall not have the desired quality and attributes, thus making it unhealthy for consumption.

In simple terms, "best before" date states that the food is edible, however it may not have the desired quality as guaranteed by the manufacturer after the said date has passed. The food may no longer be in perfect condition and lack the exact taste, aroma and certain nutrients.

On the other Hand, "Expiry date" means that the food has gone bad and should not be eaten at all after the said date as it may cause illness and in rare cases even death.

The High Court of Madras, in the year 2005, in the matter of Amrut Distilleries Limited emphasized and recognized the importance and difference between the two dates.

Justice S Vaidyanathan while dismissing the petition held that,

"Best before date" and "Expiry date" are two different things and hence manufacturers should mention both the dates on their products. Even after the "best before" date a product can be consumed. However, after the "expiry date" is passed the product will lose its value and cannot be consumed."

The Court further had imposed a penalty of INR 30,000 on the defaulting company.

The idea of the proposed change is to empower the consumers and also save the manufacturers from wastage of food as the food is fit to be eaten even after the "best before" date has passed.

Retailers often try to offer discounts on products close to their "best before" date. Therefore, Consumers must be aware of the products they are buying and how far is it safe to consume the same.

At present, "use by" date is only used in a few products like bread and packaged dairy. India being one of the top 5 markets for packaged food needs to inculcate this provision at the earliest.