

The background is a vibrant, abstract composition of geometric shapes in shades of orange, yellow, green, and brown. A large, light green oval is positioned in the lower right quadrant, serving as a backdrop for the chapter title. The overall style is modern and artistic, with a focus on bold colors and clean lines.

# CHAPTER 12

Connect to Citizens

Consumers are the key stakeholder for every business. During the course of consumption, consumer may have a grievance towards the food product which needs to be redressed by the FBOs & FSSAI. To facilitate the consumers in getting their grievance redressed, FSSAI has placed a consumer grievance redressal mechanism with varied consumer interfaces. Consumer grievance redressal mechanism aims to empower, enable & equip the consumers and provide them tools of self-reliance.

A “Grievance / Complaint” is defined as any communication that expresses dissatisfaction about an action or lack of action, about the standard of service/ deficiency of service of a product for prompt redressal. A consumer may have a genuine cause for complaint, although some complaints may be made as a result of a misunderstanding or miscommunication of a product or services.

Grievances offer FBOs, state regulators an opportunity to correct immediate problems. In addition, they frequently provide constructive ideas for improving products, adapting marketing practices, upgrading services or modifying/upgrading technologies and practices and product information. Complaints and complaint trends tell business how to do its job better by alerting management to problems that need prompt attention and correction. Furthermore, they indicate long-range opportunities for product innovation and problem prevention. In many ways, consumer complaints are one of the more obvious indications that improvement can be achieved and this responsibility usually falls to the food safety manager within FBOs and regulator.

## A. Objective

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The objective of effective Consumer Grievance Redressal Mechanism is to—

- 1) To promptly resolve consumer grievances in an unbiased and equitability manner.
- 2) To provide enhanced level of consumer satisfaction or delight.
- 3) To educate the consumers about their rights and responsibilities to safe food.
- 4) To ensure that the consumers are responded with courtesy & intime.
- 5) To identify the root cause of the complaint and rectify the same in order to improve quality & safety.

## B. Rights of Consumers

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### a. Consumer Protection Act, 1986—

In general, the consumer rights in India are listed below:

1. Right to Safety
2. Right to be Informed
3. Right to Choose
4. Right to be Heard
5. Right to Seek redressal
6. Right to Consumer Education

## b. Food Safety & Standard Act, 2006

The mandate of FSS Act, 2006 is to provide safe and wholesome food for the human consumption. Consumer are major stakeholder in the food chain, accordingly consumers are empowered under section 40 of FSS Act, 2006 and 2.4.4 of FSS Rules, 2011.

As per the act, purchaser of any article of food, can get the article analysed by the Food Analyst according to the procedure notified by the Food Authority, on payment of fees and receive a report of analysis from the Food analyst within a period of 14 days. Such consumer shall inform the Food Business Operator at the time of purchase of his intention to have such article so analysed.

In case, if report of the Food Analyst shows that the article of food is not in compliance with the Act or the rules or regulations made thereunder, the purchaser shall be entitled to get refund of the fees paid by him under this section. The food analysts shall also forward the report to the Designated Officer to follow the procedure laid down in section 42 for prosecution.

In case, if report of the Food Analyst shows that the article of food is not in compliance with the Act or the rules or regulations made thereunder, the Designated Officer shall follow the procedure laid down in section 42 for prosecution. The Chapter IX of FSS Act, 2006 provides various Sections (49 to 59) for offences and penalties to FBOs against adulterated, misbranded, substandard etc.

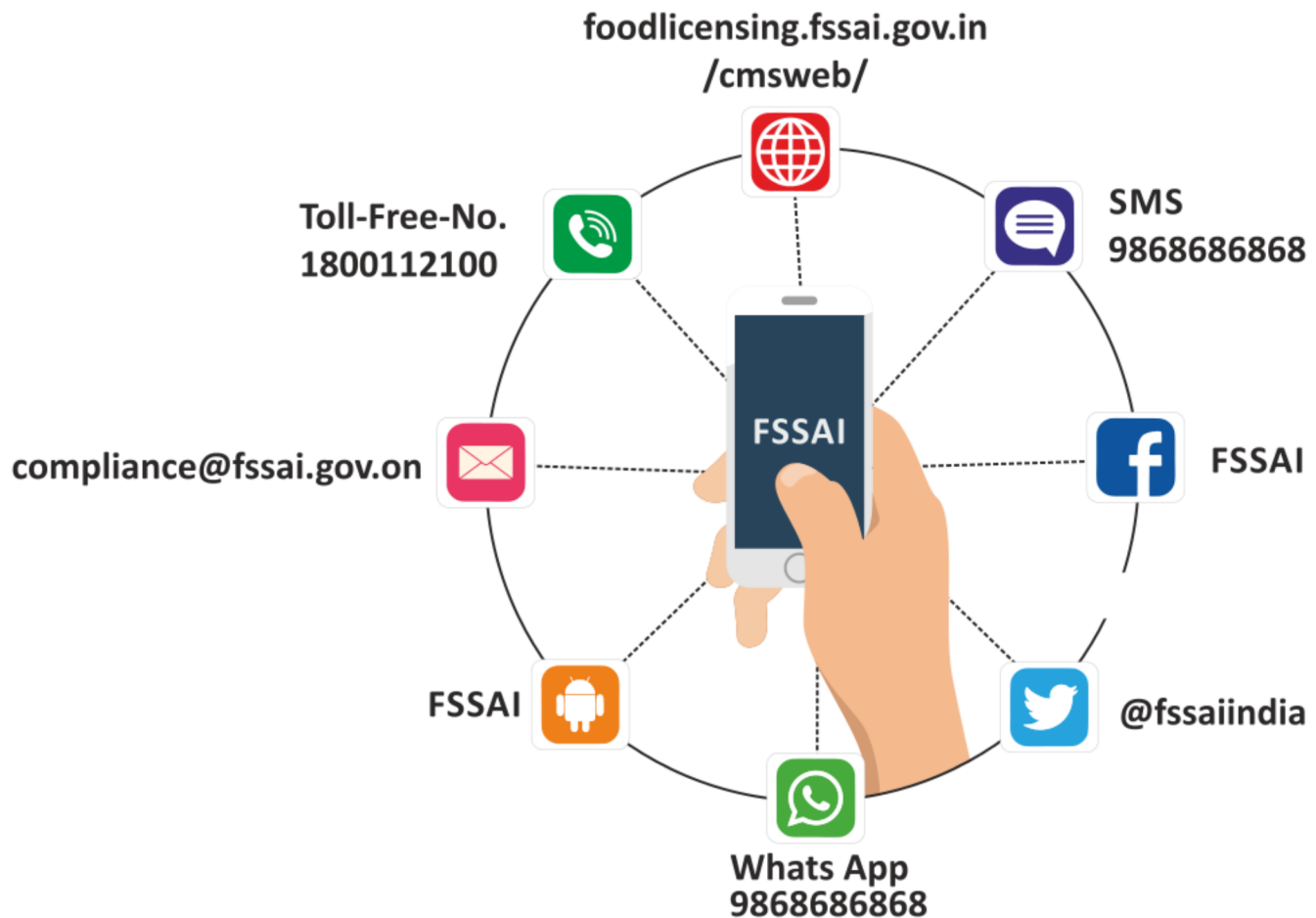
## C. CONSUMER CONNECT INTERFACES

FSSAI has developed various interfaces where, in case consumers have grievance against a FBOs, they can register their grievances. These interfaces have been developed to provide various channels to the consumers to register their grievances, according to their ease. FSSAI has also integrated with online portals of other government organizations which are also working towards redressal of consumer grievances. The details of these interfaces are listed below:

### a) Citizen Connect

Citizen Connect is an initiative of FSSAI to develop a credible and robust information and feedback mechanism across various channels to create a responsive ecosystem to bring each citizen on-board to share their concerns regarding food safety violations. FSSAI has provided accessibility to the citizens to raise their concern through following channels:

- |  |  |
|--|--|
| 1. e-mail - <a href="mailto:compliance@fssai.gov.in">compliance@fssai.gov.in</a>   | 2. Whatsapp - 9868686868                       |
| 3. Facebook Page - FSSAI   | 4. Twitter - @fssaiindia                       |
| 5. FSSAI concern web portal—Food Safety Connect<br><a href="https://foodlicensing.fssai.gov.in/cmsweb/">https://foodlicensing.fssai.gov.in/cmsweb/</a> | 6. SMS- 9868686868                             |
| 7. Toll- Free No. –1800112100  | 8. Application – Food Safety Connect (android) |
| 9. Letters – Director, Regulatory Compliance Division,<br>4th Floor, FSSAI, FDA Bhawan, Kotla Road, New Delhi – 110002.                                |  |
| 10. Walk-in - Director, Regulatory Compliance Division,<br>4th Floor, FSSAI, FDA Bhawan, Kotla Road, New Delhi – 110002.                               |  |



## D. Consumer Complaint Redressal Mechanism

These channels are constantly monitored by FSSAI and the grievances are registered in an online portal of FSSAI and forwarded the same to the state regulators and FBOs.

### b) Food Safety Connect

“Food Safety Connect” is a Consumer Centric App & an online portal by FSSAI that offers a centralised platform to the Indian consumers to raise concerns related to food safety and hygiene. Towards securing National Food Safety, FSSAI intends to bring each citizen onboard to share their concerns regarding food safety violations.

This “Food Safety Connect” initiative allows a consumer to share their concerns pertaining to food safety & hygiene in a pre packaged product and at eat out places such as restaurants, dhabba etc. It also guides the consumers about their rights and consumers can also track Food Business Operators license/registration certificate authenticity. The main objective of this initiative is to ensure satisfactorily & timely redressal of concern and to create a robust ecosystem of ensuring food safety in the country.





The FSSAI team, the State DOs/FSOs and the FBOs – all three stakeholders have online access to the grievances raised by consumers and recorded in a common online system. The food concerns that are filtered for completeness and genuineness are forwarded to concerned State or nodal officers of FBO. The FBO Nodal Officer after accessing the complaint, send a corrective action report to FSSAI which is then shared with the consumer.

In this system, consumer grievances are also fed by the Service Team Members of FSSAI, which are received through various channels. Independent of the channel through which the concerns are raised, the Service Team Members act as facilitators to qualitatively assess the grievance before logging-in the concern into the web based system processing centre. This helps in filtering non-serious and frivolous concerns from reaching the concerned authorities and also educating the consumers on the mandate of FSSAI.

## Benefits of “Food Safety Connect”

### Food Businesses

- Transparent and credible exchange of information with The State Regulators and FSSAI
- Opportunity to self-evaluate on Compliance
- Understand Consumer Expectations better
- Identify Vulnerabilities across the chain for prompt improvement
- Contribute in the development of the ecosystem on food safety and standards

### FSSAI and State/UT Officials

- Provides a “view on Food Safety Compass” in the State/Country
- Enables a tool for planning and Enforcement activities
- Enhanced self-compliance from the Food businesses
- Shares data on wilful violations by FBOs and ways to improve
- Identify & Forecast Points of Risk for improving GMP and HACCP

### c) Food Smart Consumer website –

FSSAI adopts a holistic approach to aid the Food Smart Consumer who is an informed, alert, pro-active and a persuasive, by providing the requisite information through its online portal and also providing them platform to raise their voice and address their grievance. “Food Smart Consumer” is an engagement portal which serves as complete guide to food safety for the consumers. This portal also provides a platform to address all the issues a consumer may have when their right to information, right to grievance redressal or right to education about food safety may get violated.



FSSAI in its endeavour to build a robust system, is working very closely with the nodal officers as appointed by FBOs to redress the grievances of the consumers by training the nodal officers in logical process of handling the grievances such as RCA (Root Cause Analysis) & CAPA (Corrective & Preventive Approach). FSSAI is also bringing the State Food Safety Authorities on board by training and sensitizing them to effectively & timely redress the grievance of the consumers. To further tighten the grievance mechanism, FSSAI also provide a provision of escalating the complaints to FSSAI Central Authority, in case, grievance is not redressed satisfactorily at the FBOs & state levels.

### d) GAMA Portal

Department of Consumer Affairs (DoCA) has launched a web based GAMA (Grievances against Misleading Advertisements) portal wherein Misleading advertisements related to Food and Beverages are being forwarded to FSSAI through this portal. Food Safety and Standards Authority of India (FSSAI) has signed an MoU with Advertising Standard Council of India (ASCI) on 28th June, 2016. ASCI will comprehensively monitor cases of misleading advertisements in the Food and Beverage sector (F&B) across various media. ASCI have been given a suo motu monitoring mandate by FSSAI to process complaints against misleading F&B advertisements. MoU also requires ASCI to report to FSSAI non-compliance of ASCI's decisions for further action as required per provisions of FSSAI Act.



### e) Smart Consumer App

Department of Consumer Affairs, Govt. of India has launched its **“Smart Consumer App”** mobile app on 24th Dec'16 to educate & empower consumers to make better choices & furthering the vision of digital consumers and digital India. It enable consumers use their mobile phones to access information about products which is required to be provided by manufacturers/brand owners/importers under Legal Metrology (Packaged Commodities) Rules 2011.

FSSAI intends to use the same 'smart consumer' mobile app to additionally capture information related to FSSAI licence numbers, whether any products are under recall and URL link to food product test certification. This information along with Dept. of Consumer Affairs requirements would need to be provided and linked for each of the food products by the Food Business Operator with its corresponding GTIN(EAN/UPC code). It would get displayed on the mobile phone when the GTIN barcode on a consumer item is scanned using the 'smart consumer' mobile app.

**“Smart Consumer App”** powered by GS1 India, empowering a billion consumer to connect digitally with brands/ manufacturers. Through a simple scan of barcode, consumer can get complete product details such as product name, manufacturer details, month & year of manufacturer, MRP, Net Content & consumer care details on the mobile phone along with the option to directly register their complaints.

These complaints are forwarded by GS1 to FSSAI for immediate and appropriate action. Consumers can also share their grievances through this channel and the issues are then fed into online system and forwarded to state regulatory authority and FBOs.



### f) CPGRAM Portal

Central Public Grievance Redress and Monitoring System (CPGRAM) is a Government of India portal aimed at providing the citizens with a platform for redress of their grievances. The Department of Administrative Reforms &



Public Grievances is the nodal agency to formulate policy guidelines for citizen-centric governance in the country. Redress of citizen's grievances, being one of the most important initiative of the department, DAR&PG formulates public grievance redress mechanisms & effectively coordinate with different Ministries & Departments of the Government for effective and timely redress/settlement of citizens' grievances.

To ensure that consumers get safe food, FSSAI has adopted CPGRAMS (Central Public Grievance Redress and Monitoring System) for handling citizen complaints/ grievances. Citizen can also use this system to raise grievances against FBOs.



CPGRAMS is a standardized web based solution and an integrated application to register and to redress the grievances received online, by post and by hand. CPGRAMS is functional at the Nodal level, where grievances lodged by citizens are received by the Nodal officer and then forwarded electronically to the concerned officer for redress and appropriate action. The redress is monitored at the Nodal level, both for timelines and quality.

## E. CONSUMER GRIEVANCE REDRESSAL MECHANISM BY FSSAI

FSSAI in its endeavours to ensure that all the consumer grievances are redressed satisfactorily and in timely manner, FSSAI has formulated a Consumer Grievance Redressal Mechanism. This mechanism effectively coordinate with different State FDA's & Food Business Operators and resolve the grievances by addressing the root cause, thus ensuring accessibility to safe food to the citizens. The Consumer Grievance Redressal Mechanism followed at FSSAI is as follows -

### a) Grievance Handling Cell

FSSAI has constituted a grievance handling cell which comprises of the officials from different departments. FSSAI also involves expert from the industry as per the requirement.

### b) Grievance Redressal Mechanism

1. Consumers may lodge the complaints/grievances through various channels such as facebook, twitter, whatsapp, SMS, FSSAI App, letters, walkin, FSSAI website, Mail, toll free no. All the complaints received through various channels are fed in online portal ie "Food Safety Connect" by FSSAI. Consumer can also directly lodge

their complaint in this online portal. The complaints through GAMA Portal, CPGRAM Portal & Smart Consumer App are not fed in the online portal.

2. The online portal i.e. "Food Safety Connect" is then scrutinized by Regulatory Compliance Division (RCD) for the authenticity and completion of the complaint. If grievance is found incomplete or doesn't come under the purview of FSSAI, the same is informed to the consumer, giving suitable reason. Upon successful feeding of the complaint in the portal, a unique complaint no. is generated and shared with the consumer. Consumer can track the status of these complaints using this unique ID.
3. Based on the details of the complaints, the RCD then forward the complaint to the Designated Officer of the state. RCD may also directly forward the complaint to the nodal officer as appointed and informed by FBO to the FSSAI. The complaints through GAMA Portal, CPGRAM Portal & Smart Consumer App are directly forwarded to state DOs through DO Letter.
4. The DOs then forward the concern to the Food Safety Officer, who will then inspect the product/premise, collect evidence, send sample for testing and/or contact nodal officer of the FBO for redressal of the grievance. FBOs shall nominate one nodal officer for handling consumer complaints as forwarded by FSSAI and the same shall be intimated to FSSAI in the Form attached at Annexure 1. FSO/Nodal Officer can contact the consumer in case some clarification or other information is needed. FBO's upon receiving the complaint, are required to do root cause analysis (RCA) of the complaint, do correction and take corrective and preventive actions (CAPA). Upon completing the procedure, Nodal officer is required to submit a CAPA report to the FSO
5. The FSO will then review & submit the report to the DO, who will then inspect the report. The DO may forward the complaint to the Food Safety Commissioner or FSSAI for their intervention, if he seeks some more clarification. If DO is satisfied, he may send the Closure report to the FSSAI
6. The FSSAI will then review the report for completion and if found satisfactory, may forward the same to the consumer and the complaint is then considered as redressed.

### c. Time Period

S. No.	Procedure	Time Period
1	Manual feeding of complaints in the online portal and creating Unique ID.	Within 24 hours
2	First scrutiny of the complaint by RCD & forwarding the same to the DO/reverting to consumer with suitable reason in case grievance is not suitable.	Within 24 hours
3	Time taken by DO to submit report to FSSAI	Approx 15 days
4	Time taken by Nodal Officer to submit corrective action report to DO/FSO	Approx 15 days
5	Total time taken by FSSAI to redress the grievance	Approx 30 days