

G. Balachandhran

Additional Secretary

Telefax : 011-23063809

E-mail : ash-mohfw@nic.in



भारत सरकार

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

निर्माण भवन, नई दिल्ली - 110108

Government of India

Ministry of Health & Family Welfare

Nirman Bhawan, New Delhi - 110108

D. O. No. P. 15014/9/2001-PH (F) Vol-IV

Dated , 19th March, 2009

Dear

The Central Government issued a notification GSR No. 664(E) dated 19.9.2008 under the Prevention of Food Adulteration (PFA) Rules, 1955 making it mandatory for the manufacturers of all packaged food to indicate on the labels the nutritional information, any claim made regarding the amount or type of fatty acids or the amount of cholesterol, the amount of saturated fatty acids, monounsaturated fatty acids polyunsaturated fatty acid, claim about trans-fat free food items, nutritional claims etc. The notification aims to provide greater inputs to the customer for making an "informed" choice when purchasing packaged food. The notification comes into effect on 19.3.2009. It is necessary to give wide publicity to the new provisions under the PFA Rules so that the food manufacturers ensure that the products are suitably labelled and consumers, irrespective of their literacy level, are able to know and understand the significance of these labelling provisions on food packages.

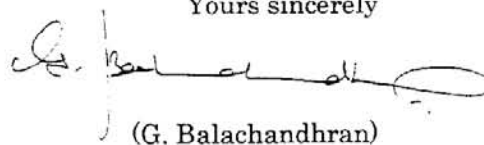
The provisions of the said notification are very significant from consumers' point of view and involves additional commitment from the manufacturers, who may apprehend some commercial implications in terms of sales of their products. The Government has received numerous representations from the industry on various aspects of the said notification, including for deferring its implementation. Government has given sympathetic hearing to the demands of the industry and issued a corrigendum GSR No. 135(E) dated 27.2.2009 to the said notification for taking care of some genuine problems. Government is, however, not oblivious to the ground realities in respect of immediate implementation of the provisions of the said notification. Some sectors of industry, especially the small scale manufacturers may face constraint in immediately implementing the provisions, though sufficient time was given to them to adapt to the new regulatory regime.

Since these are path-breaking provisions in the food sector, it is essential that they are carefully enforced through persuasion and education of the manufacturers, the retailers and the consumers, rather than through penal action in the initial periods of implementation. It would, therefore, be necessary to advise the health authorities not to book cases for violation of the provisions of the notification during the initial period of three months of implementation of the provisions of the said notification. The focus should primarily be on collecting information about the manufacturers who violate these provisions and writing to them advisory letters which provide information about the labelling regulations. Such letters can request compliance and advise that violations noted after 3 months of the notification coming into effect would invite strict penal action. Such a persuasive strategy could go a long way in facilitating smooth transition to the new nutritional labeling regime.

You are requested to issue instructions on the above lines to the food health authorities for implementing the notification and also to give wide publicity to their contents amongst both consumers and industry associations, and wholesale and retail associations. We would appreciate some feedback about the course of action taken by the State food authorities in this regard.

With regards,

Yours sincerely



(G. Balachandhran)

To: All Secretaries (Health and Family Welfare),
all States/ UTs