

THE FOOD SAFETY AND STANDARDS ACT, 2006

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COMMISSIONER FDA MAHARASHTRA

FOOD SAFETY AND STANDARDS ACT 2006

ACT 34 OF 2006 DATED 23 AUGUST 2006

- OBJECT: An Act to consolidate the laws relating to food.
- To establish the Food Safety and Standards Authority of India for laying down science based standards for articles of food
- To regulate manufacture, storage, distribution, sale and import of food,
- To ensure availability of safe and wholesome food for human consumption.

Which laws consolidated under food safety and standards Act 2006

- 1. The Prevention of Food Adulteration Act, 1954 (37 of 1954).
- 2. The Fruit Products Order, 1955.
- 3. The Meat Food Products Order, 1973.
- 4. The Vegetable Oil Products (Control) Order, 1947.
- 5. The Edible Oils Packaging (Regulation) Order, 1998.
- 6. The Solvent Extracted Oil, De oiled Meal, and Edible Flour (Control) Order, 1967.
- 7. The Milk and Milk Products Order, 1992.
- 8. Any other order issued under the Essential Commodities Act, 1955 (10 of 1955) relating to food.

Act contains XII chapters and 101 sections

- CHAPTER I
- PRELIMINARY
- 1. Short title, extent and commencement.
- 2. Declaration as to expediency of control by the Union.
- 3. Definitions.
- ‘Food’ means any substance, whether processed, partially processed or unprocessed, which is intended for human consumption and includes primary food, genetically modified or engineered food or food containing such ingredients, infant food, packaged drinking water, alcoholic drink, chewing gum, and any substance, including water used into the food during its manufacture, preparation or treatment but does not include any animal feed, live animals unless they are prepared or processed for placing on the market for human consumption, plants, prior to harvesting, drugs and medicinal products, cosmetics, narcotic or psychotropic substances:
- Provided that the Central Government may declare, by notification in the Official Gazette, any other article as food for the purposes of this Act having regards to its use, nature, substance or quality;

- CHAPTER II
- FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA
- 4. Establishment of Food Safety and Standards Authority of India.
- 5. Composition of Food Authority and qualifications for appointment of its Chairperson and other Members.
- 6. Selection Committee for selection of Chairperson and Members of Food Authority.
- 7. Term of office, salary, allowances and other conditions of service of Chairperson and Members of Food Authority.
- 8. Removal of Chairperson and Members of Food Authority.
- 9. Officers and other employees of Food Authority.
- 10. Functions of the Chief Executive Officer.
- 11. Central Advisory Committee.
- 12. Functions of Central Advisory Committee.
- 13. Scientific Panels.
- 14. Scientific Committee.
- 15. Procedure for Scientific Committee and Scientific Panel.
- 16. Duties and functions of Food Authority.
- 17. Proceedings of Food Authority.

Sections of FSSA 2006

CHAPTER III

- GENERAL PRINCIPLES OF FOOD SAFETY
- 18. General principles to be followed in administration of Act.

CHAPTER IV

- GENERAL PROVISIONS AS TO ARTICLES OF FOOD
- 19. Use of food additive or processing aid.
- 20. Contaminants, naturally occurring toxic substances, heavy metals, etc.
- 21. Pesticides, veterinary drugs residues, antibiotic residues and microbiological counts.
- 22. Genetically modified foods, organic foods, functional foods, proprietary foods, etc.
- 23. Packaging and labelling of foods.
- 24. Restrictions of advertisement and prohibition as to unfair trade practices.

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- CHAPTER V
- PROVISIONS RELATING TO IMPORT
- 25. All imports of articles of food to be subject to this Act.
- CHAPTER VI
- SPECIAL RESPONSIBILITIES AS TO FOOD SAFETY
- 26. Responsibilities of the food business operator.
- 27. Liability of the manufacturers, packers, wholesalers, distributors and sellers.
- 28. Food recall procedures.

- CHAPTER VII
- ENFORCEMENT OF THE ACT
- 29. Authorities responsible for enforcement of Act.
- 30. Commissioner of Food Safety of the State.
- 31. Licensing and registration of food business.
- 32. Improvement notices.
- 33. Prohibition orders.
- 34. Emergency prohibition notices and orders.
- 35. Notification of food poisoning.
- 36. Designated Officer.
- 37. Food Safety Officer.
- 38. Powers of Food Safety Officer.
- 39. Liability of Food Safety Officer in certain cases.
- 40. Purchaser may have food analysed.
- 41. Power of search, seizure, investigation, prosecution and procedure thereof.
- 42. Procedure for launching prosecution.

Contd-

- CHAPTER VIII
- ANALYSIS OF FOOD
- 43. Recognition and accreditation of laboratories, research institutions and referral food laboratory.
- 44. Recognition of organisation or agency for food safety audit.
- 45. Food Analysts.
- 46. Functions of Food Analyst.
- 47. Sampling and analysis.

- CHAPTER IX
- OFFENCES AND PENALTIES
- 48. General provisions relating to offences.
- 49. General provisions relating to penalty.
- 50. Penalty for selling food not of the nature or substance or quality demanded.
- 51. Penalty for sub-standard food.
- 52. Penalty for misbranded food.
- 53. Penalty for misleading advertisement.
- 54. Penalty for food containing extraneous matter.
- 55. Penalty for failure to comply with the directions of Food Safety Officer.
- 56. Penalty for unhygienic or unsanitary processing or manufacturing of food.

Contd- Chapter Ix -Penalties

- 57. Penalty for possessing adulterant.
- 58. Penalty for contraventions for which no specific penalty is provided.
- 59. Punishment for unsafe food.
- 60. Punishment for interfering with seized items.
- 61. Punishment for false information.
- 62. Punishment for obstructing or impersonating a Food Safety Officer.
- 63. Punishment for carrying out a business without licence.
- 64. Punishment for subsequent offences.
- 65. Compensation in case of injury or death of consumer.
- 66. Offences by companies.
- 67. Penalty for contravention of provisions of this Act in case of import of articles of food to be in addition to penalties provided under any other Act.

Contd-

- CHAPTER X
- ADJUDICATION AND FOOD SAFETY APPELLATE TRIBUNAL
- 68. Adjudication.
- 69. Power to compound offences.
- 70. Establishment of Food Safety Appellate Tribunal.
- 71. Procedure and powers of the Tribunal.
- 72. Civil court not to have jurisdiction.
- 73. Power of court to try cases summarily.
- 74. Special courts and Public Prosecutor.
- 75. Power to transfer cases to regular courts.
- 76. Appeal.
- 77. Time limit for prosecutions.
- 78. Power of court to implead manufacturer, etc.
- 79. Magistrate's power to impose enhanced punishment.
- 80. Defences which may or may not be allowed in prosecution under this Act.

- CHAPTER XI
- FINANCE, ACCOUNTS, AUDIT AND REPORTS
- 81. Budget of Food Authority.
- 82. Finances of the Food Authority.
- 83. Accounts and audit of Food Authority.
- 84. Annual report of Food Authority.

CHAPTER XII

- MISCELLANEOUS
- 85. Power of Central Government to issue directions to Food Authority and obtain reports and returns.
- 86. Power of Central Government to give directions to State Governments.
- 87. Members, officers of Food Authority and Commissioner of Food Safety to be public servants.
- 88. Protection of action taken in good faith.
- 89. Overriding effect of this Act over all other food related laws.
- 90. Transfer of existing employees of Central Government Agencies governing various foods related Acts or Orders to Food Authority.

- 91. Power of Central Government to make rules.
- 92. Power of Food Authority to make regulations.
- 93. Laying of rules and regulations before Parliament.
- 94. Power of State Government to make rules.
- 95. Reward by State Government.
- 96. Recovery of penalty.
- 97. Repeal and savings.
- 98. Transitory provisions for food standards.
- 99. Milk and Milk Products Order, 1992 shall be deemed to be regulations made under this Act.
- 100. Amendments to the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992.
- 101. Power to remove difficulties.



Act, 2006 Rules, 2011 Regulations Advisories/Orders Notifications Codex EPayment

EPAAS

One Nation, One Food Law

- » Have globally benchmarked food standards and practices
- » Ensure consistency in enforcement
- » Manage food testing with standardised testing methods and protocols

n for Product Approval on ePAAS * **NEW** * Download admit cards for 08th FAE & 05th JAE, 2022. (Uploaded on: 18.04.2022) * **NEW** * Notice || De

What's New (Recent | All) ... rating Procedure (SOP) dated 02nd May 2022 for Central Licensing Authority (CLAs) to review Third Party Audit (TPA) Reports

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FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA

- **Chapter II, section 4 to 17**
- **Establishment of Food Safety and Standards Authority of India.—**
- (1) The Central Government shall, establish a body to be known as the Food Safety and Standards Authority of India to exercise the powers conferred on, and to perform the functions assigned to, it under this Act.
- (2) The Food Authority shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable, and to contract.
- (3) The head office of the Food Authority is at Delhi.
- (4) The Food Authority may establish its offices at any other place in India.

FSSAI STRUCTURE



Composition of Food Authority and qualifications for appointment of its Chairperson and other Members.—(1) The Food Authority shall consist of a Chairperson and the following twenty-two members out of which one-third shall be women, namely:—

- (a) seven *ex officio* Members, not below the rank of a Joint Secretary to the Government of India, to be appointed by the Central Government, to represent the Ministries or Departments of the Central Government dealing with—
 - (i) Agriculture,
 - (ii) Commerce,
 - (iii) Consumer Affairs,
 - (iv) Food Processing,
 - (v) Health,
 - (vi) Legislative Affairs,
 - (vii) Small Scale Industries,

- (b) two representatives from food industry of which one shall be from small scale industries;
- (c) two representatives from consumer organisations;
- (d) three eminent food technologists or scientists;
- (e) five members to be appointed by rotation every three years, one each from the Zones to represent the States and the Union territories;
- Zone I - 1. Andhra Pradesh 2. Goa 3. Karnataka 4. Kerala 5. Maharashtra 6. Orissa 7. Tamil Nadu
- Zone II - 1. Haryana 2. Himachal Pradesh 3. Jammu and Kashmir 4. Punjab 5. Uttaranchal 6. Uttar Pradesh
- Zone III - 1. Bihar 2. Chhattisgarh 3. Gujarat 4. Jharkhand 5. Madhya Pradesh 6. Rajasthan 7. West Bengal
- Zone IV - 1. Arunachal Pradesh 2. Assam 3. Manipur 4. Meghalaya 5. Mizoram 6. Nagaland 7. Sikkim 8. Tripura
- Zone V - 1. Andaman and Nicobar Islands 2. Chandigarh 3. Dadra and Nagar Haveli 4. Daman and Diu 5. Delhi 6. Lakshadweep 7. Pondicherry
- (f) two persons to represent farmers' organisations;
- (g) one person to represent retailers' organisations.

.FSSAI CONSTITUTION CONTD-

- (2) The Chairperson and other Members of the Food Authority shall be appointed in such a manner so as to secure the highest standards of competence,
- (3) The Chairperson shall be appointed by the Central Government from amongst the persons of eminence in the field of food science or from amongst the persons from the administration who have been associated with the subject and is either holding or has held the position of not below the rank of Secretary to the Government of India.
- (4) The Chairperson and the Members including part-time Members other than the *ex officio* members of the Food Authority may be appointed by the Central Government on the recommendations of the Selection Committee.
- (5) The Chairperson of the Food Authority shall not hold any other office.

Fssai constitution contd-

- **Selection Committee for selection of Chairperson and Members of Food Authority.**—(1) The Central Government shall, for the purpose of selection of the Chairperson and the Members other than *ex officio* Members of the Food Authority, constitute a Selection Committee consisting of—
 - (a) Cabinet Secretary—Chairperson,
 - (b) Secretary-in-charge of the Ministry or the Department responsible for administration of this Act as the convener—Member,
 - (c) Secretary-in-charge of the Ministries or the Departments of the Central Government dealing with Health, Legislative and Personnel—Members,
 - (d) Chairman of the Public Enterprises Selection Board—Member,
 - (e) An eminent food technologist to be nominated by the Central Government—Member. from amongst persons holding the post of Director or the Head, of any national research or technical institution.

FSSAI Contd-

- (2) The Central Government shall, within two months from the date of occurrence of any vacancy by reason of death, resignation, or removal of the Chairperson or a Member and three months before the superannuation or completion of the term of office of the Chairperson or any Member, make a reference to the Selection Committee for filling up of the vacancy.
- (3) The Selection Committee shall finalise the selection of the Chairperson and Members of the Food Authority within two months from the date on which the reference is made to it.
- (4) The Selection Committee shall recommend a panel of two names for every vacancy referred to it.
- (5) Before recommending any person for appointment as a Chairperson or other Member of the Food Authority, the Selection Committee shall satisfy itself that such person does not have any financial or other interest, which is likely to affect prejudicially his functions as a Member.
- (6) No appointment of the Chairperson or other Member of the Food Authority shall be invalid merely by reason of any vacancy in the Selection Committee.

- **7. Term of office, salary, allowances and other conditions of service of Chairperson and Members of Food Authority.**—(1) The Chairperson and the members other than *ex officio* Members shall hold office for a term of three years from the date on which they enter upon their offices, and shall be eligible for re-appointment for a further period of three years:

Provided that the Chairperson shall not hold office as such after he has attained the age of sixty-five years.

- (2) The salary and allowances payable to, and the other terms and conditions of service of the Chairperson and Members other than *ex officio* Members shall be such as may be prescribed by the Central Government.

- **Term of office, salary, allowances and other conditions of service of Chairperson and Members of Food Authority.—(contd-)**
- (3) The Chairperson and every Member shall, before entering upon his office, make and subscribe to an oath of office and of secrecy.
- (4) Chairperson or any Member may—
- (a) relinquish his office by giving in writing to the Central Government a notice of not less than three months; or
- (b) be removed from his office in accordance with the provisions.
- (5) The Chairperson or any Member ceasing to hold office as such shall not represent any person before the Food Authority or any State Authority in any manner.

Fssa contd-

- **Removal of Chairperson and Members of Food Authority:** The Central Government may, by order, remove from office the Chairperson or any other Member, if the Chairperson or as the case may be, such other Member,—
- (a) has been adjudged(guilty) an insolvent(Unable to pay debt); or
- (b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as a Member; or
- (d) has acquired such financial or other interests as is likely to affect prejudicially his functions as a Member; or
- (e) has so abused his position as to render his continuance in office prejudicial to the public interest.

Fssa contd-

- **Officers and other employees of Food Authority.**—(1) There shall be a Chief Executive Officer of the Food Authority, not below the rank of Additional Secretary to the Government of India, who shall be the Member-Secretary of the Authority, to be appointed by the Central Government.
- (2) The Food Authority may, with the approval of the Central Government, determine the number, nature and categories of other officers and employees required to the Food Authority in the discharge of its functions.
- (3) The salaries and allowances payable to and other conditions of service of, the Chief Executive Officer, officers, and other employees shall be such as may be specified by regulations by the Food Authority with the approval of the Central Government.

FSSAI CONT-

- **Functions of the Chief Executive Officer.**—(1) The Chief Executive Officer shall be the legal representative of the Food Authority and shall be responsible for—
- (a) the day-to-day administration of the Food Authority;
- (b) drawing up of proposal for the Food Authority's work programmes in consultation with the Central Advisory Committee;
- (c) implementing the work programmes and the decisions adopted by the Food Authority;
- (d) ensuring the provision of appropriate scientific, technical and administrative support for the Scientific Committee and the Scientific Panel;
- (e) ensuring that the Food Authority carries out its tasks in accordance with the requirements of its users, in particular with regard to the adequacy of the services provided and the time taken;
- (f) the preparation of the statement of revenue and expenditure and the execution of the budget of the Food Authority; and
- (g) developing and maintaining contact with the Central Government, and for ensuring a regular dialogue with its relevant committees.

FSSAI Functions of the Chief Executive Officer.—(contd-)

- (2) Every year, the Chief Executive Officer shall submit to the Food Authority for approval—
 - (a) a general report covering all the activities of the Food Authority in the previous year;
 - (b) programmes of work;
 - (c) the annual accounts for the previous year; and
 - (d) the budget for the coming year.
- (3) The Chief Executive Officer shall, forward, the general report and the programmes to the Central Government and the State Governments and shall have them published.
- (4) The Chief Executive Officer shall approve all financial expenditure of the Food Authority and report on the Authority's activities to the Central Government.
- (5) The Chief Executive Officer shall exercise the powers of the Commissioner of Food Safety while dealing with matters relating to food safety of such articles.
- (6) The Chief Executive Officer shall have administrative control over the officers and other employees of the Food Authority.

FSSAI

- **Central Advisory Committee.**—(1) The Food Authority shall, establish a Committee to be known as the Central Advisory Committee.
- (2) The Central Advisory Committee shall consist - two members each to represent the interests of food industry, agriculture, consumers, relevant research bodies and food laboratories and all Commissioners of Food Safety, and the Chairperson of the Scientific Committee shall be *ex officio* member.
- (3) The representatives of the concerned Ministries or Departments of the Central Government in Agriculture, Animal Husbandry and Dairying, Bio-technology, Commerce and Industry, Consumer Affairs, Environment and Forests, Food Processing Industries, Health, Panchayati Raj, Small Scale Industries and Food and Public Distribution or government institutes or organisations and government recognised farmers' shall be invitees to the deliberations of the Central Advisory Committee.
- (4) The Chief Executive Officer shall be *ex officio* Chairperson of the Central Advisory Committee.
- (5) The Central Advisory Committee shall follow such rules of procedure including its transaction of business as may be specified by regulations.

- **Functions of Central Advisory Committee.**—(1) The Central Advisory Committee shall ensure close cooperation between the Food Authority and the enforcement agencies and organisations operating in the field of food.
- (2) The Central Advisory Committee shall advise the Food Authority on—
 - (a) the performance of its duties and in particular in drawing up of a proposal for the Food Authority’s work programme,
 - (b) on the prioritisation of work,
 - (c) identifying potential risks,
 - (d) pooling of knowledge, and
 - (e) such other functions as may be specified by regulations.
- (3) The Central Advisory Committee shall meet regularly at the invitation of the Chairperson of Central Advisory Committee or at the request of at least one-third of its members, and not less than three times a year.

- **Scientific Panels.**—(1) The Food Authority shall establish scientific panels, which shall consist of independent scientific experts.
- (2) The Scientific Panel shall invite the relevant industry and consumer representatives in its deliberations.
- (3) Food Authority may establish as many Scientific Panels as it considers necessary in addition to the Panels on:
 - (a) food additives, flavourings, processing aids and materials in contact with food;
 - (b) pesticides and antibiotics residues;
 - (c) genetically modified organisms and foods;

Scientific Panels

- (*d*) functional foods, nutraceuticals, dietetic products and other similar products;
- (*e*) biological hazards;
- (*f*) contaminants in the food chain;
- (*g*) labelling; and
- (*h*) method of sampling and analysis.
- (4) The Food Authority may from time to time re-constitute the Scientific Panels by adding new members or by omitting the existing members or by changing the name of the panel as the case may be.

- **Scientific Committee.**—(1) The Food Authority shall constitute Scientific Committee which shall consist of the Chairpersons of the Scientific Panels and six independent scientific experts not belonging or affiliated to any of the Scientific Panels. The Scientific Committee shall-
- (2) be responsible for providing the scientific opinions to the Food Authority, and shall have the powers, where necessary, of organising public hearings.
- (3) be responsible for the general co-ordination necessary to ensure consistency of the scientific opinion procedure and in particular with regard to the adoption of working procedures and harmonisation of working methods of the Scientific Panels.
- (4) provide opinions on multi-sectoral issues falling within the competence of more than one Scientific Panel, and on issues which do not fall within the competence of any of the Scientific Panels.
- (5) set up working groups and in such cases, it shall draw on the expertise of those working groups when establishing scientific opinions.

FSSAI

- **Procedure for Scientific Committee and Scientific Panel.**—(1) The members of the Scientific Committee, who are not members of the Scientific Panel and the members of the Scientific Panel shall be appointed by the Food Authority, for a period of three years, which shall be renewable for such period, and the vacancy notice shall be published in the relevant leading scientific publications and on the Food Authority’s website for a call for expressions of interest.
- (2) shall **choose a Chairperson from amongst their members.**
- (3) shall act by a majority of their members and the views of the members shall be recorded.
- (4) The procedure for the operation and co-operation shall be specified by regulations.



- (5) These procedures shall relate in particular to—
- (a) The number of times that a member can serve consecutively on a Scientific Committee or Scientific Panel;
- (b) the number of members in each Scientific Panel;
- (c) the procedure for re-imbursing the expenses of members
- (d) the manner in which tasks and requests for scientific opinions are assigned
- (e) The creation and organisation of the working groups and the possibility of external experts being included in those working groups;
- (f) The possibility of observers being invited to meetings
- (g) The possibility of organising public hearings; and
- (h) Quorum of the meeting, meeting notice, agenda of the meeting and such other matters.

- **Duties and functions of Food Authority.**—(1) To regulate and monitor the manufacture, processing, distribution, sale and import of food so as to ensure safe and wholesome food.
- (2) may by regulations specify—
- (a) the standards and guidelines in relation to articles of food and specifying an appropriate system for enforcing various standards notified under this Act;
- (b) the limits for use of food additives, crop contaminants, pesticide residues, residues of veterinary drugs, heavy metals, processing aids, myco-toxins, antibiotics and pharmacological active substances and irradiation of food;
- (c) the mechanisms and guidelines for accreditation of certification bodies engaged in certification of food safety management systems for food businesses;

Duties and functions of Food Authority

- (*d*) the procedure and the enforcement of quality control in relation to any article of food imported into India;
- (*e*) the procedure and guidelines for accreditation of laboratories and notification of the accredited laboratories;
- (*f*) the method of sampling, analysis and exchange of information among enforcement authorities;
- (*g*) conduct survey of enforcement and administration of this Act in the country;
- (*h*) food labelling standards including claims on health, nutrition, special dietary uses and food category systems for foods; and

Duties and functions of Food Authority(contd-)

- (i) the manner in which and the procedure subject to which risk analysis, risk assessment, risk communication and risk management shall be undertaken.
- (3) The Food Authority shall also—
- (a) provide scientific advice and technical support to the Central Government and the State Governments in matters of framing the policy and rules in areas which have a direct or indirect bearing on food safety and nutrition;
- (b) search, collect, collate, analyse and summarise relevant scientific and technical data particularly relating to—
- (i) food consumption and the exposure of individuals to risks related to the consumption of food;
- (ii) incidence and prevalence of biological risk;
- (iii) contaminants in food;
- (iv) residues of various contaminants;
- (v) identification of emerging risks; and
- (vi) introduction of rapid alert system;

Duties and functions of Food Authority(contd-)

- (c) promote, co-ordinate and issue guidelines for the development of risk assessment methodologies and monitor and conduct and forward messages on the health and nutritional risks of food to the Central Government, State Governments and Commissioners of Food Safety;
- (d) provide scientific and technical advice and assistance to the Central Government and the State Governments in implementation of crisis management procedures with regard to food safety and to draw up a general plan for crisis management and work in close co-operation with the crisis unit set up by the Central Government in this regard;
- (e) establish a system of network of organisations with the aim to facilitate a scientific co-operation framework by the co-ordination of activities, the exchange of information, the development and implementation of joint projects, the exchange of expertise and best practices in the fields within the Food Authority's responsibility;

Duties and functions of Food Authority(contd-)

- (f) provide scientific and technical assistance to the Central Government and the State Governments for improving co-operation with international organisations;
- (g) take all such steps to ensure that the public, consumers, interested parties and all levels of panchayats receive rapid, reliable, objective and comprehensive information through appropriate methods and means;
- (h) provide, whether within or outside their area, training programmes in food safety and standards for persons who are or intend to become involved in food businesses, whether as food business operators or employees or otherwise;

FSSAI Functions(Contd-)

- (i) undertake any other task assigned to it by the Central Government to carry out the objects of this Act;
- (j) contribute to the development of international technical standards for food, sanitary and phyto-sanitary standards;
- (k) contribute, where relevant and appropriate to the development of agreement on recognition of the equivalence of specific food related measures;
- (l) promote co-ordination of work on food standards undertaken by international governmental and non-governmental organisations;
- (m) promote consistency between international technical standards and domestic food standards while ensuring that the level of protection adopted in the country is not reduced; and
- (n) promote general awareness as to food safety and food standards.

FSSAI Duties and functions of Food Authority(contd-)

- (4) The Food Authority shall make it public without undue delay–
 - (a) the opinions of the Scientific Committee and the Scientific Panel immediately after adoption;
 - (b) the annual declarations of interest made by members of the Food Authority, the Chief Executive Officer, members of the Advisory Committee and members of the Scientific Committee and Scientific Panel, as well as the declarations of interest if any, made in relation to items on the agendas of meetings;
 - (c) the results of its scientific studies; and
 - (d) the annual report of its activities.
- (5) The Food Authority may, from time to time give such directions, on matters relating to food safety and standards, to the Commissioner of Food Safety, who shall be bound by such directions while exercising his powers under this Act.
- (6) The Food Authority shall not disclose or cause to be disclosed to third parties confidential information that it receives for which confidential treatment has been requested and has been acceded, except for information which must be made public if circumstances so require, in order to protect public health.

- **Proceedings of Food Authority.**—(1) The Food Authority shall meet at the head office or any of its offices at such time as the Chairperson may direct, and shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at its meetings) as may be specified by regulations.
- (2) If the Chairperson is unable to attend a meeting of the Food Authority, any other Member nominated by the Chairperson in this behalf and, in the absence of such nomination or where there is no Chairperson, any Member chosen by the Members present from amongst themselves, shall preside at the meeting.
- (3) All questions which come up before any meeting of the Food Authority shall be decided by a majority of votes of the Members present and voting, and in the event of an equality of votes, the Chairperson or the person presiding over the meeting shall have the right to exercise a second or casting vote.

Proceedings of Food Authority.

- (4) All orders and decisions of the Food Authority shall be authenticated by the Chief Executive Officer.
- (5) The Chief Executive Officer shall take part in the meetings of the Food Authority but without a right to vote.
- (6) The Food Authority may invite the Chairperson of the Scientific Committee to attend its meetings but without a right to vote.
- (7) No act or proceedings of the Food Authority shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the constitution of Food Authority.