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FSSAI proposes norms to hold e-tailers responsible for food quality

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The Food Safety and Standards Authority of India (FSSAI) has come up with a draft notification, putting the onus of quality of food products on [e-commerce](#) marketplaces that sell such products. The guidelines, released on Tuesday for public comments, include any online platform or [e-commerce](#) site of manufacturer involved in the food business in any form. The guidelines have been formed on the basis of discussions that the regulator had with the food business operators (FBO) on March 18.

Under the guidelines, any [e-commerce](#) FBO that sells, distributes, delivers, imports, stores, packages or manufactures food items would "have to obtain licence from the central licensing authority for the entire supply chain, including its head office, registered office, transportation, storage, distribution".

[E-commerce](#) entities providing only listing facility for sellers, restaurant owners, distributors, vendors, distributors and manufacturers would not have to obtain licences or registration under the Food Safety and Standards Act, 2006 (FSS Act). They have to ensure that no misleading information or false claims about or by the sellers, vendors, importers, manufacturers or the food products are made on their platform. "The [e-commerce](#) companies shall clearly specify on their platform that liability of any violation of the [FSS Act](#) and applicable rules and regulations made thereunder would be with sellers, restaurants, vendors, importers or manufacturers of the food products," said the notification. In line with the FSS Act, [e-commerce](#) firms would have to ensure the safety of food articles sold on their platform. Online firms would also have to get into legal agreement with sellers

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complying with the FSS Act.

The food regulator has been working to regulate the [e-commerce](#) companies for the past few months. However, lack of enough precedence at the global level had delayed the process, its chief executive officer [Pawan Kumar Agarwal](#) said last month. While most of the major [e-commerce](#) firms dealing with food items have already obtained licences, a set of guidelines to regulate their operations was required, Agarwal added.

Currently, there are around 20 [e-commerce](#) firms that focus on selling food items. These include Big Basket, Swiggy and Grofers. [E-commerce](#) giants such as Amazon, Flipkart and Snapdeal, too, offer food items on their platforms.

The guidelines also specify the requirements for display and listing. Apart from providing pictorial display of the food products, sellers would have to ensure their licence or registration obtained from [FSSAI](#) is viewable to the consumers. Like offline retailers, products sold by online sellers would also be "liable to sampling at any point of the supply chain". The firms are restrained from charging any extra money to its consumers seeking any information such as storage conditions, disclaimers and warnings about the food products.

According to the draft guidelines, any consumer complaint has to be intimated to the sellers immediately by the [e-commerce](#) firm and aggrieved customers would have to be directed to the consumer complaint cell of the manufacturer. "The [e-commerce](#) FBO will cooperate with the consumers to enable satisfactory resolution of the complaint by sharing with him all relevant information including seller details," the notification added.

In case of any product recall, the online platform provider would have to comply with FSSAI's rules by immediately de-listing the product in question.