

1 (19) 2011/Gujarat/ FSSAI
Food Safety & Standards Authority of India
(Ministry of Health & Family welfare)

FDA Bhawan, Kotla Road

New Delhi - 110002

Date: 07.01.2014

To

All Commissioner of Food Safety

Subject: Repeal and savings under Section 97 of the Food Safety and Standards Act, 2006-reg.

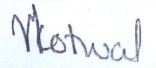
Sir,

It has come to the notice of the Authority that various local bodies are issuing food licenses under the provisions of its local bodies Act/Byelaws. This practice is continuing even after commencement of the Food Safety and Standards Act, 2006, rules and regulations made thereunder w.e.f. 5th August 2011.

In this connection, your attention is invited to Section 97 (2) of the Food safety and Standards Act, 2006, according to which, if there is any other law for the time being in force in any State, corresponding to this Act, the same shall upon the commencement of this Act, stand repealed and in such case the provisions of section 6 of the General Clauses Act, 1897 shall apply as if such provision of the State law had been repealed.

Further, as per Section 89 of the Act; "the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act". Under the above said provisions, the Food Safety and Standards Act, 2006 has overriding effect on all other legislations, and therefore the former would take precedence over the other food related laws.

Yours sincerely,


(Vinod Kotwal)

Director (Enforcement)

Copy to:

All Central Designated Officers, FSSAI