

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO.3076
TO BE ANSWERED ON 6TH DECEMBER, 2019**

FSSAI LICENCE TO PACKAGED DRINKING WATER

3076. SHRI JYOTIRMAY SINGH MAHATO:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

(a) whether the Government or its agencies have conducted any survey or safety audit to find out as to how the bottling units of packaged drinking water are functioning without appropriate licence;

(b) if so, the details thereof during the last three years and if not, the reasons therefor;

(c) whether all the drinking water operators are manufacturing and selling packaged drinking water with FSSAI or BIS certification across the country, if so, the details thereof indicating the number of units operating with proper certification; and

(d) if not, the action taken against such units which are not complying with the quality and regulatory standards during the last five years?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SHRI ASHWINI KUMAR CHOUBEY)**

(a) to (c): No such survey has been conducted by Food Safety and Standards Authority of India (FSSAI). However, as per Section 31(1) of Food Safety and Standards Act, 2006 “*No person shall commence or carry on any food business except under a licence*”.

Further, as per the sub-regulation 2.3.14 (17) & 2.3.14 (18) of Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011 “*No person shall manufacture, sell or exhibit for sale of packaged drinking water and mineral water except under the Bureau of Indian Standards Certification Mark*”. Therefore, a packaged drinking water unit is required to obtain license under Food Safety and Standards Act and also Bureau of Indian Standards (BIS) certification.

The standards of packaged mineral water and packaged drinking water (other than mineral water) have been prescribed under sub-regulations 2.10.7 and 2.10.8 of Food Safety and Standards (Food product standards and food Additives) Regulations, 2011 respectively.

As enforcement of provisions of FSS Act 2006, Rules and Regulations made thereunder primarily lies with States/UTs, FSSAI has issued instructions from time to time to States/UTs to carry out regular enforcement/surveillance activities in their area of jurisdiction and ensure that no bottling units of packaged drinking water operates their business without FSSAI License and BIS Certification and that the packaged drinking water meets the quality standards. Regular surveillance, monitoring, inspection and random sampling of food products including packaged drinking water is being done by the Officials of Food Safety Departments of the respective States/ UTs to check compliance of the standards laid down under Food Safety and Standards Act, 2006, and the rules and regulations made thereunder. In cases where the food samples are found to be non-conforming, penal action has been initiated against the defaulting Food Business Operators as per penal provisions prescribed under Chapter IX of the Food Safety and Standards Act, 2006.

Bureau of Indian Standards (BIS) has informed that they grant licences to manufacturing units producing Packaged Drinking Water for the use of BIS Standard Mark on their product conforming to Indian Standard IS 14543: 2016. As on 02.12.2019, 6214 licences to use BIS Standards Mark on Packaged Drinking Water as per Indian Standard IS 14543:2004, are in operation. In case of misuse of ISI mark by unlicensed manufacturers, search and seizure operations are carried out by BIS and legal action is taken.

(d): Based on information received from States/UTs, details of action taken against Food Business Operators by FSSAI for not meeting norms related to packaged drinking water for a period of five years upto 2017-18 is given at Annexure-I.

As per information provided by BIS, total number of search & seizure operations carried out in the last five years for Packaged Drinking water/Packaged Natural Mineral Water is given at Annexure-II.

Annexure-I

Year	no. of samples analysed	no. of samples found non-conforming	no. of cases launched	No. of convictions	No. of Penalties/Amount of Penalty
2013-14	2977	577	169	4	NA/10,79,150
2014-15	734	226	130	16	14/3,18,000
2015-16	767	345	176	39	64/30,49,100
2016-17	697	224	131	33	40/7,05,500
2017-18	1123	496	246	97	135/39,69,500

Annexure-II

No. of Search and Seizures carried out for the last five years for Packaged Drinking Water/Natural Mineral water

2015-16	2016-17	2017-18	2018-19	2019-20 (as on 03/12/2019)
74	51	41	56	12

Case of misuse in respect of Packaged Natural Mineral Water: Nil