

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

to provide for the safety and standards of food and for establishment of the Islamabad Food Authority

WHEREAS, it is expedient to protect public health, to provide for the safety and standards of food, to establish the Islamabad Food Authority and for other connected matters;

It is hereby enacted as follows:-

Chapter-1

PRELIMINARY

1. **Short title, extent and commencement.**- (1) This Act may be called the Islamabad Capital Territory Food Safety Act, 2020.

(2) It extends to the whole of the Islamabad Capital Territory.

(3) It shall come into force on such date as the Government may by notification in the official Gazette, appoint.

2. **Definitions.**- (1) In this Act, unless there is anything repugnant in the subject or context.-

(i) "Act" means the Islamabad Capital Territory Food Safety Act, 2019;

(ii) "Adulterated Food" means an article of food,-

(a) which is not of the nature, substance or quality which it purports or represented to be; or

(b) which contains any such extraneous substance which may affect adversely the nature, substance or quality thereof; or

(c) which is processed, mixed, coloured, powdered or coated with any other substance in contravention of any provision of the Act rules or regulations; or

(d) any constituent which has been wholly or in part abstracted so as to affect injuriously its nature, substance or quality; or

(e) which contains any poisonous or other ingredient which may render it injurious to health; or

(f) the quality or purity of which does not conform to the prescribed standards; or

(g) which having been prepared, packed or kept under unhygienic and insanitary conditions, or has become contaminated or injurious to health;

- (iii) "**Advertisement**" means any publicity, representation or pronouncement made by any means for the purposes of promoting, directly or indirectly, the sale or other disposal of any food;
- (iv) "**Competent Authority**" means the Secretary Ministry of Interior;
- (v) "**Consumer**" means any person that purchases the food against consideration or otherwise;
- (vi) "**Director Food Authority**" means Officer appointed or nominated by the Competent Authority for the purposes of this Act;
- (vii) "**Fee**" means the amount prescribed by the rules;
- (viii) "**Food**" means anything whether processed, semi processed, raw or cooked and used as food adulterant for human consumption other than drugs as defined in the Drug Act, 1976 (XXXI of 1976) and includes.-
 - (a) any substance intended to be used in composition or preparation of food;
 - (b) any flavouring matter or condiment;
 - (c) any colouring matter intended to be used in food;
 - (d) chewing gum, confectionery and other products of the like nature; and
 - (e) water in any form, including ice, either for direct human or use in the composition or preparation of food:

Provided that Competent Authority may declare, by notification in the Official Gazette, any article as food for the purposes of this Act:

Provided further that an article shall not cease to be food by reason only that it is also capable of being used as a medicine;

- (ix) "**Food Additive**" includes any substance which, normally, is not consumed as food, by itself, but is used as a typical ingredient of the food, the addition of which to the food affects the characteristics of such food;
- (x) "**Food Authority**" means the ICT Food Authority established under section 3 of the Act;
- (xi) "**Food Business**" means any undertaking establishment or concern whether maintained for profit or otherwise, carrying on any of the activities related to any stage of manufacturing, processing, packaging, import, export, storage, transportation, distribution of food and includes services like catering, distribution and sale of food or food ingredients;
- (xii) "**Food Laboratory**" means any laboratory or institute to be declared by the Competent Authority;
- (xiii) "**Food Safety Officer**" means any officer appointed as such, by the Competent Authority;
- (xiv) "**Godown**" means a place where articles of food are received or stored for sale or delivery to a customer or consignee, and includes godowns of the Railways and other transport agencies, etc;

- (xv) "**Food Tribunal**" means any Magistrate, not less than First Class, notified as tribunal under the Act;
- (xvi) "**Government**" means the Islamabad Capital Territory;
- (xvii) "**Injury**" means causing of pain, harm, disease, infirmity either bodily or in mind;
- (xviii) "**Ingredient**" means any substance, including a food additive used in processing, manufacturing, preparation etc. of food to present its final food product either in modified form or otherwise;
- (xix) "**Label**" includes any tag, brand, mark whether pictorial or descriptive written, printed, stencilled, embossed, impressed on, or attached to or included in or belonging to or accompanying any food;
- (xx) "**Licence**" means a licence granted under this Act or the rules made there under, as may be notified by the Director Food Authority;
- (xxi) "**Misbranded food**" means an article of food,-
- (a) which is an imitation of, or resembles an other food in such a manner that is likely to deceive the consumers; or
 - (b) which is so coloured, flavoured, coated, powdered or polished as to conceal the true nature thereof; or
 - (c) Which is contained in any package which, or the label of which bears any statement, design, picture or description regarding the ingredients or the substances contained therein, which is false or misleading;
- (xxii) "**Package**" includes anything in which food is wholly or partly cased, covered, enclosed, contained, placed or otherwise packed in any way whatsoever and any such other receptacle of any kind whether opened or closed;
- (xxiii) "**Premises**" include any shop; stall, hotel, restaurant, airline services, canteens, place (open or closed by a boundary), building or tent or any other structure and any adjoining land used in connection therewith and any vehicle, conveyance, vessel or aircraft where any article of food is manufactured, stored, transported or sold etc;
- (xxiv) "**Prescribed**" means prescribed by the rules;
- (xxv) "**Public Analyst**" means an analyst appointed under the Act;
- (xxvi) "**Safe food**" means the food that is not unsafe;
- (xxvii) "**Sale**" with its grammatical variations and cognate expressions, means a Transfer of ownership of any article of food, and includes an agreement for sale, and also an attempt to sell any such article;
- (xxviii) "**Standard**" in relation to any article of food, means the prescribed and includes the standard notified by the Food Authority;
- (xxix) "**Sub-standard**" means the article of food that does not meet the prescribed but not so as to render the article of food unsafe;
- (xxx) "**Transit**" includes all stages of transportation from the place of manufacture, production, processing, or other source of origin to the consumer;