

URGENT
Email /SPEED POST

No. Dir(F&VP)/43/CAC/FSSAI/09
Food Safety and Standards Authority of India
Ministry of Health & Family Welfare, Govt. of India
3rd & 4th Floor, FDA Bhawan, Kotla Road,
New Delhi-110 002

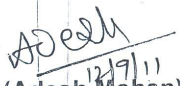
Dated: 12th September, 2011

MEETING NOTICE

Subject: Fifth Meeting of Central Advisory Committee of FSSAI on 27th September, 2011 (Tuesday) – reg.

The undersigned is directed to refer the subject cited above and to say that fifth meeting of the Central Advisory Committee (CAC) is scheduled to be held on **27th September, 2011 (Tuesday)** under the **chairmanship of Shri V.N.Gaur, Chief Executive Officer, FSSAI and Additional Secretary to Government of India.** Agenda for the meeting is enclosed herewith. Detailed programme schedule and venue for the meeting will be communicated separately.

You are requested to kindly make it convenient to attend the meeting. A line in confirmation to your availability for the meeting to the **undersigned or Sh. S. S. Ghonkrota, Director (Enforcement) (Telefax: 011- 23220994, Email: sghonkrota@fssai.gov.in)** will be highly appreciated.


(Adesh Mohan)

Senior Inspecting Officer
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To

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12. Secretary, Department of Biotechnology, Ministry of Science & Technology, Government of India, CGO Complex, Lodhi Road, New Delhi. Fax: 24362884

The above mentioned Ministries/ Departments are requested to kindly nominate, preferably a JS level officer but not below the rank of Director, for attending the meeting.

13. Sh. Satish Gupta, Food Safety Commissioner for J&K & Controller, Drugs & Food Control Organisation, State Food Health Authority, Patoli-Mangotrian, Jammu-180007, J&K. Tele-fax: 0191-2538527, 2538626, Mobile: 09419180734, E-mail: controllerdrugsfood@yahoo.in
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24. Shri Kaling Tayang, IAS, Commissioner Food Safety for Arunachal Pradesh cum Secretary (Health & FW), Government of Arunachal Pradesh, Department of Health & Family Welfare, Narharlagun. Fax No:0360-2244184
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50. Dr. J. Tonpangyongdang Walling, Village-Sungratsu, Distt.-Mokokchung, Nagaland.
51. Shri Arun Balamatti, 815, 7th Cross, Banashankari, 3rd Phase, 3rd Block, 3rd Stage, Bangalore-560085
52. Shri R. Desikan, Founder Trustee, CONCERT and Consumer Association of India, 3/242, Rajendra Garden, Vettuvankeni, Chennai - 600 041. Tel/Fax: (044)24494576, (044)24494578, E-mail: nirdesi@gmail.com, cai.india1@gmail.com
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54. Dr. S.P. Vasireddi, Chairman and Managing Director, VIMTA Labs Limited, 142, IDA, Phase-II, Cherlapally, Hyderabad-500051, Andhra Pradesh. Tel: 040-27264141, 040-27264444, Fax: 040-27263657, E-mail: mdo@vimta.com
55. Prof. Gopal Naik, Indian Institute of Management Bangalore (IIMB), Bannerghatta Road, Bangalore-560 076. Ph: 080-26993194, E-mail: gopaln@iimb.ernet.in

Copy to:

1. Sr. PS to Chairperson, FSSAI.
2. PS to CEO, FSSAI
3. DD (GA) - with request for necessary arrangements for the meeting including finalization of venue etc.
4. JIO (PK) - with request to upload the meeting notice on website.
5. All concerned officers of FSSAI.



FOOD SAFETY & STANDARDS AUTHORITY OF INDIA



Agenda

for the

5th Meeting of Central Advisory Committee

DATE: 27th SEPTEMBER, 2011

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AGENDA ITEM NO.1

Confirmation of minutes of the fourth meeting of CAC held on 24th May, 2011

Minutes of the fourth meeting of Central Advisory Committee (CAC) held on 24th may, 2011 at Hotel Atrium, Suraj Kund, Faridabad under the chairmanship of Shri V.N.Gaur, Chief Executive Officer, FSSAI, are enclosed for the reference.

Minutes of the Fourth Meeting of Central Advisory Committee of FSSAI held on 24th May, 2011 at 1100 Hrs at Hotel Atrium, Faridabad, Haryana.

Shri V.N.Gaur, CEO, FSSAI and Chairperson Central Advisory Committee, extended a warm welcome to all the members or their representatives to the fourth meeting of the Central Advisory Committee. List of participants who attended the meeting is at Annexure-I.

Chairperson in his opening address mentioned that most of the States have now appointed Food Safety Commissioners. States were not able to move ahead with other appointments in absence of Rules although all sections of the Act were notified. Now that the FSS Rules have been notified on 5th May, 2011 we are just two steps short of implementation of long awaited Food Safety and Standards Act, 2006. Implementation of the Act will start 3 months from the date of notification of Rules along with formal repeal of PFA Act & other Orders. Regulations will also be notified in the meantime. Key points of address are given below:

- ✓ Working group on Drug and Food Regulation has been constituted by the Planning Commission and assessment of fund requirements for 12th Five Year Plan for implementation of FSS Act is being done. States/UTs may also do some exercise on assessment of fund required along with justifications for implementation of the Act. In this context, an exercise need to be taken by the States to assess the linkage of food safety with public health and quantification of economic losses to the society due to poor hygiene & sanitation conditions in terms of expenditure on health care loss, work loss, happiness index etc.
- ✓ In India, data on economic losses due food safety are either not available and if available, it is scattered with various agencies. The FSSAI is in dialogue with Indian Statistical Institute, Kolkata in the matter. States may also consider to take up the project on 'Food Safety related economic losses' to convince the decision makers in the States to understand the importance of food safety and how it can contribute to GDP.
- ✓ The FSSAI has already taken the Food Import Clearance Process at major ports and airports in phased manner and MIS system to put import activities online has

already been developed. While expressing his grief toward the recent mishap at JNPT, CEO took note of hazards involved in the activities at ports and considered that provision for Insurance/ Compensation even for outsourced staff needs to be in place.

- ✓ IT enabled Licensing system at Central level for capturing the required data, processing applications, carrying out inspections and monitoring is being developed. It may be examined with the help of NIC whether the same software could be adapted with suitable modifications for use by States.
- ✓ Awareness generation and communication with stakeholders is going to be crucial in implementation and the FSSAI has already initiated with food safety messages. The FSSAI is also in dialogue with Department of Consumer Affairs for dissemination of specific food safety messages and impact of new Act. Need for public oriented jingles carrying food safety messages and printed material in regional languages to reach larger masses was also considered.
- ✓ NABL accredited food testing labs have already been authorized for analysis of samples of imported food items. The feasibility and mechanism of using the services of NABL accredited labs for domestic enforcement need to be examined specifically in terms of private lab report as basis for prosecution. The FSSAI has already recommended posting of a Food Analyst with every Designated Officer to overcome this difficulty. There was also the question raised by some States as to who will bear cost of testing samples in private labs.
- ✓ FSSAI is considering to introduce National Helpline to address issues in public mind pertaining to new Act and ideas/suggestions from States/UTs in this regard are always welcome.
- ✓ CEO shared his experience above recent participation in CODEX meeting on labelling and mentioned that FSSAI being the national codex contact point there is need for strengthening CODEX cell in FSSAI and at least one Research Associate per Shadow Committee should be there for efficient working. Awareness among States for the codex activities should also be encouraged.
- ✓ The FSSAI is also struggling with paucity of staff as the number of post sanctioned by Govt. of India against the original proposal are not sufficient and proposal for additional posts need to be moved urgently.

- ✓ States/UTs should consider sharing of information and best practices through regular updating of their websites. Some States are doing very well in handling the problem of adulteration including special drives during festive seasons. However, their activities go un-noticed as the data is not available online. Therefore regular updating of websites and sharing information (including the name of companies involved in adulteration) could be quite useful and will also lead to transparency in the system.

Agenda Item No.1: Confirmation of minutes of the third meeting of the CAC held on 22nd February, 2011

The Committee confirmed the minutes of the third meeting of the CAC held on 22nd February, 2011, without any observations.

Agenda Item No.2: Review of action to be taken by States/UTs for transition PFA to FSS Act following notification of the FSS Rules on 05.05.2011

The States/UTs briefed about the action already taken, plans of action and concern areas for the implementation of FSS Act.

Uttar Pradesh:

- Notifications for major functionaries have been finalized. Draft service rules are under finalization. Some exception & relaxation may be required in the appointment of Designated Officers in view requirements given in the FSS Rules.
- Food Laboratories are the major area of concern due to paucity of staff specially food analysts (5 laboratories and only 1 Public Analyst in State), poor work quality, and financial constraints. Consultancy has been put in place for up-gradation of food laboratories however option of using private labs need to be considered.
- After ToT programme for FSOs by FSSAI at Lucknow last year, further training could not be done. Refresher training of trainers needs to be done. This was agreed to by the Chairperson.
- Talks are on positive notes in terms of Tribunal and Special Courts.

Gujarat:

- State is ready for implementation of FSS Act. There are 3 corporation labs, 3 State Govt. labs and 3 private labs however reasonable time to be given for getting them NABL accredited.
- Trainings of FSOs and Public Prosecutors have already been organized.
- State Govt. has sanctioned additional 25 FSO posts, 7 vehicles, 1 mobile lab, 1 mobile exhibition van and grant for getting the labs NABL accredited and primary testing kits.

Nagaland:

- There are only 5 Food Inspectors and no Public Analyst in the state. Recently, District Health Officers have been appointed as Designated Officers. Training programmes are at very initial stage and lot of awareness work would be required.

Bihar:

- State Food Safety Commissioner has not been appointed so far.
- There are 24 Food Inspectors out of which 3 have taken ToT programme. Only 1 Public Analyst and that too on contract basis. Food laboratories are not up to mark and would require lot of work for up-gradation.

Tamil Nadu:

- State is almost ready for implementation for new Act. Working on the notification of FSOs, Designated Officers and Adjudicating Officer. Up-gradation of laboratories is being taken with NRHM funds. Training of FSOs has been completed.

Andhra Pradesh:

- Proposal for notification of FSOs, DOs and Adjudicating Officers are with State Government. Assistant Food Controllers are being notified as Designated Officers. Additional 13 Posts of DOs and 145 posts of FSOs have been requested to State government.
- State Govt. has taken help of QCI for up-gradation of lab and is in process of obtaining NABL accreditation. Two more labs at Vishakhapatnam and Guntur are

also being considered and staff is being taken on contract. 7-8 Public Analysts are available.

- Training of FSOs has been completed and self-help groups have also been trained.

Daman & Diu:

- Food Safety Commissioner, Designated Officers and Food Safety Officers have been notified and notification of Adjudicating Officers is under process.
- Help from Maharashtra and Gujarat is being taken for training and Baroda lab is being notified for analysis.

Manipur:

- Food Safety Commissioner has been notified. Additional Deputy Commissioner are being considered for Adjudicating Officer while Chief Medical Officer working as Local Health Authority under PFA may be appointed as Designated Officer. 9 posts of FSOs are being created.

Tripura:

- Food Safety Commissioner, Designated Officers and Food Safety Officers have been appointed and notified while notification of Adjudicating Officers with state government.
- There is one lab, Public Analyst has joined recently. Funds have been received from MFPI for lab up-gradation and is being done as per gap analysis. QCI has been requested for consultancy.
- Training need to be organized and support from FSSAI in terms of resource persons would be required. This was agreed to by the Chairperson.

Uttarakhand:

- Notification of Food Safety Commissioner, Designated Officers, Food Safety Officers and Adjudicating Officer is under process. There is no lab functioning in the state and the samples are being sent to Uttar Pradesh and Himachal Pradesh.

Karnataka:

- Food Safety Commissioner has been appointed and notification of Food Safety Officers is under process. Notification of Designated Officers is yet to be done.

- There are 4 laboratories (1 State and 3 regional laboratories) and up-gradation is being done for NABL accreditation. 6 Public Analysts will be notified as Food Analysts.
- Training of FSOs completed and notification of Adjudicating Officer to be issued soon.

Orissa:

- Food Safety Commissioner has been appointed and proposal for notification of Designated Officers & Adjudicating Officers is with department of finance.
- There is only one lab, no public analyst and no private lab in state. Gap analysis has been done and steps are being taken for up-gradation.
- Food Inspectors are not trained and training programme need to be planned.

Chhattisgarh:

- Food Safety Commissioner and Food Safety Officers have been notified. Chief Medical & Health Officers have been notified as Designated Officers but they are not full time officers.
- Help of retired public analysts is being taken and being notified as Food Analysis. Up-gradation of laboratories is being taken up with funds from NRHM.
- State government has sanctioned 30 posts for food which include laboratory and field staff.

Chandigarh:

- Food Safety Commissioner appointed, Local Health Authority notified as Designated Officers and Food Inspectors as Food Safety Officer. Training of FSOs completed.
- No lab is available and samples are being sent to Punjab and Haryana.
- Deputy Commissioners are being notified as Adjudicating Officer and notification of Appellate Tribunal done.

Punjab:

- Food Safety Commissioner appointed, 22 Food Inspectors are being notified as Food Safety Officers, 27 posts of Food Inspectors created and process of appointment is going on. 18 Food Inspectors have been trained and further training is to be taken.

- Up-gradation of laboratories is being taken up.

Haryana:

- Food Safety Commissioner has been appointed and the State is almost ready for implementation of new Act except FSO in each district. Recently, a new department Food and Drug Administration has been established in the State. Budget has been allocated for the labs and state government is working Electronic Development Corporation for online licensing system.

Madhya Pradesh:

- State is ready for implementation however adequate lab infrastructure is a problem. There is only 1 lab which is facing serious paucity of staff and infrastructure. One Public Analyst on deputation from local bodies has been notified as Food Analyst.

Dadra & Nagar Haveli:

- Food Safety Commissioner notified and notification of Designated Officers and Food Safety Officers is in process.
- Help from Gujarat is being taken for training and Baroda lab is notified for sample analysis.

Himachal Pradesh:

- Most of the structure is in place and notification of Food Safety Commissioner & other functionaries will be completed in next month. Proposal for appellate tribunal is with law department.
- Training of FSOs completed however trainings of Designated Officers, Adjudicating Officers and Public Prosecutors is yet to be taken. Lot of work is to be done for awareness about food safety at grass root level.
- There is only 1 lab and struggling with staff constraints. Up-gradation work is being taken up.

Rajasthan:

- Director Public Health has been notified as Food Safety Commissioner and Chief Medical & Health Officers in district as Designated Officers. Adjudicating Officers are to be notified shortly.

- There are 134 sanctioned posts of food inspectors in the state out of which 82 are in position. Notification of Food Safety Officers is under process.
- There are 6 PFA labs and 7 public analysts and up-gradation of laboratories will be taken shortly.

Puducherry:

- Food Safety Commissioner, Designated Officers and Food Safety Officers have been notified.
- Only 1 lab is there and facing shortage of staff. No food analyst is there and up-gradation of lab is under process.

Kerala:

- Food Safety Commissioner notified and Commissionerate is having detailed administrative structure for implementation. District Food Inspectors notified as Designated Officer and Food Inspectors as Food Safety Officers. First level of training of DOs and FSOs completed.
- Out of 3 labs, 2 are in the final stage of assessment for NABL accreditation.

Delhi:

- Food Safety Commissioner notified and notification of Adjudicating Officer is to be done shortly.
- Licensing and Registration of FBOs is going to be new mechanism for Delhi and is not going to work without IT enabled system. Software used in Municipal Corporation can be looked from the registration perspective. Further, physical inspection prior to licensing may not be possible and help of recognized inspection bodies would be required.
- Up-gradation of laboratory for NABL accreditation is under process.

Maharashtra:

- Food Safety Commissioner has been notified and State is almost ready for implementation. Yashwantrao Chavan Academy of Development Administration (YASHADA) is being used for training of Adjudicating Officers. Next batch of training will start in June,2011 and other states may like to join or send their officers for the programme.

- There are two labs under FDA, Maharashtra and facing the staff constraints as no public analysts is there. Aurangabad lab is in rental building and having inadequate infrastructure. It was suggested that MFPI may be approached for funds under scheme for up-gradation of food labs.

Meghalaya:

- Food Safety Commissioner has been notified and it is being considered to notify Assistant food safety commissioners as Designated Officers, District Food Inspectors as Food Safety Officers, District ADM as Adjudicating Officer and Chief Judicial Magistrate as Presiding Officer for Appellate Tribunal.
- The proposal for having Public Analyst on deputation is under consideration.

Assam:

- Food Safety Commissioner appointed, Local Health Authority as Designated Officer and Food Inspectors as Food Safety Officer notified. Notification in respect of Adjudicating Officer and Special courts to be done shortly. Trainings of FSOs and DOs have been done.
- State laboratory is overburdened with the analysis work as the neighboring states are not having their own laboratories.

Jammu & Kashmir:

- Food Safety Commissioner appointed, Assistant Controller (Food) notified as Designated Officer and Food Inspectors as Food Safety Officers. Training for FSOs and DOs completed.
- There are two labs at Jammu and Srinagar and assistance of Rs.5 lakhs per lab has been provided under NRHM for up-gradation however NABL accreditation may not be possible.
- The proposal for notification of ADCs as Adjudicating Officer is with law department and state government has not agreed for separate Food Safety Appellate Tribunal.

Jharkhand:

- The representative from Jharkhand participated for the first time in CAC meeting and informed that State had not taken even the first step i.e. notification of Food Safety Commissioner.

West Bengal:

- Food Safety Commissioner appointed and proposal for notification of other functionaries is under consideration. Suitable action as per checklist will be taken for smooth implementation of the Act.

During the discussion on preparedness of States/UTs for implementation of FSS Act, following key points were deliberated:

- ❖ Training and Capacity building of food regulators is going to be very important in the new Act. It was suggested that FSSAI should consider to establish National Food Safety Training Institute to support the on-going training requirements related to food safety. The FSSAI may consider to support States/UTs wherever required in 2nd level training programmes for major functionaries in their states by sending resources persons at FSSAI's cost. Some of the States are having good training infrastructure and possibility could be explored for using such institutes as Training Hubs for food safety. CEO suggested that a group may be constituted to identify the training institutions in the country.
- ❖ It was emerged that poor lab infrastructure and shortage of Public Analysts are going to be a major concern and challenge for implementation of the Act and following suggestion were made:
 - ✓ Permanent Policy and System should be in place for capacity building for public analysts. NABL has starting a training institute for Public Analysts. The FSSAI should consider to have a full time training institute.
 - ✓ A Committee may be constituted to review the shortage of Public Analysts in the country, reasons thereof, reasons for the post is not being considered attractive and possible practical measures to handle the situation. Option of hiring retired Public Analyst could also be considered by the committee.

- ✓ FSSAI may organize a workshop where prospective candidates for Public Analysts may be provided coaching for taking the Public Analysts Exam to enhance the success rate.
- ✓ Capacity Building of Public Analysts with the help of Private food laboratories could be considered like Vimta is training 8 scientists per month. Labs assisted under MFPI scheme can have mandate of capacity building of Public Analysts.
- ✓ Central grant/assistance should be provided to States/UTs for getting the labs NABL accredited. Further, considering the increased requirement of food laboratories with the implementation of FSS Act, the FSSAI should consider to establish food laboratories at each district with partnership of States.
- ✓ DONER is interested in having labs in the NE states with international borders. NE states may consider to approach DONER for funds for up-gradation or setting up of food labs. Further, States may consider approaching MFPI for grant/assistance under their scheme for setting up/ Up-gradation of food labs.
- ❖ States which are already working on the software for licensing should liaison with FSSAI so as to ensure that uniform module is developed. FSSAI may consider providing funds for faster development of software. A Panel consisting of representatives from Delhi, Maharashtra, Gujarat, Kerala, Andhra Pradesh, MSME, IIM Bangalore and FICCI may be constituted to discuss and review the matter with NIC regarding development of IT software for licensing /registration.
- ❖ Mechanism for co-ordination and sharing of information need to be developed between FSCs and Dairy Development Departments, to monitor the milk supply in the country. Considering the size of milk sector, MIS based system could be the option for data collection and the frequency for such reports may be fixed keeping in mind its practicability. Department of Animal Husbandry and Dairying may provide their comments on the regulations under FSS Act in which MMPO has been integrated. The focus of FSS Act is on food safety and therefore monitoring of milk supply which was earlier part of MMPO is to be looked by DoAHD.

- ❖ It was suggested that FSSAI may send another reminder to the Chief Secretaries to expedite the pending notifications.

Agenda Item No. 3: Whistle Blower Scheme

Chairperson briefed the members about the purpose of Whistle Blower Reward Scheme in relation to food adulteration and mentioned a whistle blower reward scheme is presently existing in the Central Drugs Standard Control Organization. Members appreciated the idea and suggested that while drafting Whistle Blower Reward Scheme, the FSSAI may consider the following points:

- ❖ Food and Drug Industry are quite different in nature as most of food industry is unorganized and includes not only big food establishments but also include street food vendors, dhabas etc. Industries should be categorized on basis of its nature and potential for hazard & incentives need to be fixed accordingly.
- ❖ To avoid gross misuse a line need to be drawn between the normal complaints and 'whistle blower' otherwise it may lead to bunching and loss of focus. The scheme should be based on tangible outcome.
- ❖ Provisions for dis-incentivization for malafide information / complaint.
- ❖ Rewarding the people within the organization.
- ❖ Mandating preliminary enquiry of all 'whistles blown' to understand the actionable and non-actionable.
- ❖ Linking reward with the probability and gravity of risk to consumers rather than value of seized food material. Linking with prosecution may not work.

Agenda Item No.4: Information Updation System for States/UTs

Members took note of the system developed by FSSAI for information updation and appreciated the initiative. Food Safety Commissioners have been requested to update the information on weekly basis.

Agenda Item No.5: Scheme for undertaking (I) Research & Development (II) Establishment of Food Safety Centers and (III) Centers of Excellence

Chairperson briefly explained about the objectives of the scheme and requested states to provide their ideas on the research projects on priority areas related to food safety. Training Institutions could also be developed under scheme for Food Safety Centers. Members appreciated the ideas and authorized CEO, FSSAI to move ahead with these initiatives.

Agenda Item No.6: Preparation of States for Online licensing registration system

It was agreed that the matter has already been discussed under agenda item no. 2 and States which are already working on the software for licensing may interact with FSSAI so as to ensure that uniform module is developed. FSSAI may consider providing funds for faster development of software. A Panel consisting of representatives from Delhi, Maharashtra, Gujarat, Kerala, Andhra Pradesh, MSME, IIM Bangalore and FICCI may be constituted to discuss and review the matter with NIC regarding development of IT software for licensing /registration.

Agenda Item No.7: Requirements of funds for implementation of FSS Act

CEO, FSSAI mentioned that keeping in view that Working group on Drug and Food Regulation has been constituted by the Planning Commission and assessment of fund requirements for 12th Five Year Plan for implementation of FSS Act is being done, States/UTs may also do some exercise on assessment of fund required (activity-wise) along with justifications for implementation of the Act. Every state should also build food safety components in its Plan. There was a strong demand from all the State Representatives that States would be facing great difficulty in implementation of Act due to various constraints and FSSAI should consider central assistance to States at least during 12th Five Year Plan in terms of infrastructure and manpower resources to have the system in place. The following suggestions were made during the discussion:

- ❖ Funding from Centre for establishing new food laboratories and up-gradating existing ones should be taken up by FSSAI as one-time provisions. Will give leverage funding from States.

- ❖ The FSSAI may consider one time assistance to States for NABL certification and consultancy cost.
- ❖ Grant/assistance for establishing offices of new statutory functionaries like Food Safety Commissioner, Designated Officer, Adjudicating Officer, Tribunals, District Labs, mobile laboratories etc. and purchasing vehicles for inspection and collection of samples.
- ❖ Funding of generation of awareness, IEC activities, E-governance, surveillance, rapid alert system or emergency response centers in the States, research activities, National level training institute, up-gradation of CFLs and a state of art research institution on food safety should be included in the Plan.

Agenda Item No.8: Any other item with the approval of Chairperson

- There was a suggestion that the FSSAI may consider to get conducted Market Basket Survey to have baseline data on food safety.
- Guidelines document for interpretation of regulations need to be developed.
- Industry may come forward to assess the lab requirements in the country and may come out with a commercial model to have network on food laboratories in the country like pathology labs to meet the requirement of Food Safety Management System.
- With regard to the problem of large pendency of cases under PFA, it was suggested that matter could be examined in consultation with legal experts whether the cases under misbranding sections or less serious offences could be disposed through the mechanism of Lok Adalats if the concerned State Government & High Court agreed to this.
- Manipur, Lakshadweep and Madhya Pradesh should expedite report for year 2009 regarding PFA implementation. Report from Andhra Pradesh, Bihar, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Lakshadweep, Madhya Pradesh, Maharashtra, Punjab, Tamil Nadu and West Bengal for the year 2010 regarding PFA implementation is awaited and same may be expedited.

Actionable Points from 4th meeting of CAC: Based on the discussion held during the meeting the following actionable points emerged.

1. States may also consider to take up the project on 'Food Safety related economic losses' so that importance of food safety and how it contribute to GDP could be appreciated by all.
2. Strengthening CODEX cell in FSSAI
3. Strengthening of FSSAI at central level in term of infrastructure & resources and proposal to Government for additional posts at Central FSSAI should be moved urgently.
4. A group may be constituted to identify the training institutions in the country which could be utilized as Training Hubs for food safety.
5. Establishment of National Food Safety Training Institute by FSSAI
6. Constitute a Committee to review the shortage of Public Analysts in the country, reasons thereof and possible practical measures to handle the situation.
7. The FSSAI should organize a workshop for coaching prospective candidates for Public Analysts for taking the Public Analysts Exam.
8. A Panel consisting of representatives from Delhi, Maharashtra, Gujarat, Kerala, Andhra Pradesh, MSME, IIM Bangalore and FICCI should be constituted to discuss and review the matter with NIC regarding development of IT software for licensing /registration.
9. The FSSAI may write to State Governments to expedite the notification of all statutory Officers in their states and Chief Secretary/Principal Secretary (Health) J&K regarding Food Safety Appellate Tribunal.
10. The feasibility of constituting Lok Adalats to dispose off long pending cases of less serious nature may be examined. The pending PFA cases under misbranding sections or less serious offences could be disposed through the mechanism of Lok Adalats if the concerned State Government & High Court agreed to this.
11. The FSSAI should develop a robust plan for 12th Five Year Plan period for smooth implementation of FSS Act to ensure that sufficient funds are available to strengthen the FSSAI at central level in terms of infrastructure and resources, having apex research institution & up-gradation of CFLs, national level training

institute, taking generation of awareness & IEC activities, surveillance & e-governance framework and also to support states through financial assistance for strengthening the Offices of regulatory functionaries proposed under the Act, laboratory infrastructure up to district level including mobile laboratories, awareness & training activities.

12. Most of the States have not furnished information in the checklist of steps to be taken for implementation of FSS Act. The same may be furnished at the earliest. Further, the information should also be updated in the online software system developed by FSSAI on fortnightly basis.

Meeting ended with thanks to all.

ANNEXURE-1

The followings were present during the Fourth Meeting of Central Advisory Committee of FSSAI held on 24th May, 2011 at 1100 Hrs at Hotel Atrium, Faridabad, Haryana.

1. Shri V. N. Gaur, Chairperson CAC and CEO, FSSAI
2. Shri K. Subramaniam, Food Safety Commissioner, Chhattisgarh
3. Shri Dharmendra Prakash, Joint Development Commissioner, Ministry of Micro, Small and Medium Enterprises, New Delhi.
4. Shri R.F. Lotha, Additional Commissioner, FDA, Nagaland
5. Shri S.N.Sangama, Deputy Food Safety Commissioner, Meghalaya
6. Dr. S.P.Vasireddi, CMD, Vimta Labs Ltd., Hyderabad
7. Shri Takeham Brojendro Khaba, Deputy Food Safety Commissioner, Manipur
8. Smt. Radha Chauhan, Commissioner, FDA, Uttar Pradesh
9. Dr. T.P.Barnwiz, Director-in-Chief cum Food Controller, Jharkhand
10. Dr. Sumedha R. Desai, Director Health & Family Welfare Services, Karnataka
11. Shri P.K.Dass, Commissioner, FDA, Haryana
12. Shri J.P.Bora, Public Analyst, Assam
13. Shri Saurabh Jain, Food Safety Commissioner, Kerala
14. Shri Satish Gupta, Food Safety Commissioner, J&K
15. Dr. Chander Mohan, Director Health Services, Chandigarh
16. Shri K.S.Singh, Food Safety Commissioner, Delhi
17. Shri Shiv Narayan Sahu, Joint Food Controller, Bihar
18. Dr. S.K.Paul, Food Safety Commissioner, Andaman & Nicobar Island
19. Dr. B.L.Sharma, Joint Director, Rajasthan
20. Shri Sameer Barde, FICCI, New Delhi.
21. Shri Raajiv Yaduvanshi, Secretary (Health), Puducherry
22. Smt. Seema Vyas, Commissioner FDA, Maharashtra
23. Dr. K. Sadasivam, Joint Director, Office of DPH&PM, Chennai
24. Dr. R.K.Dhar, Director (FW & PM), Tripura
25. Mr. D.R.Chann, Deputy Commissioner, FDCA, Gujarat
26. Dr. K.Y. Sultan, Director/Mission Director, Daman & Diu

27. Dr. L.N. Patak, Director (Health), Dadra & Nagar Haveli
28. Dr. Bharat Kishan, Additional Director Health, Uttarakhand
29. Shri Gopal Naik, Professor, IIM, Bangalore
30. Shri B.C. Joshi, Deputy Commissioner, D/O Food & Public Distribution, New Delhi
31. Dr. J.P. Singh, Director Health Services, Punjab
32. Shri H.G. Koshia, Commissioner, FDCA, Gujarat
33. Dr. Kul Bhushan Sood, Deputy Director (Health), Himachal Pradesh
34. Smt. Subha Mukherjee, Assistant Commissioner, West Bengal
35. Dr. (Mrs.) P. Suchritamurthy, Food Safety Commissioner, Andhra Pradesh
36. Shri Sanjeev Ranjan, Joint Secretary, DoAHD & F, New Delhi.
37. Dr. U.K. Sahoo, Food Safety Commissioner, Orissa

*** It may be noted that names of participants have been arranged as appeared in the attendance list and does not follow any seniority order. Any mistake in name spelling is regretted.**

AGENDA ITEM NO.2

Review of Action to be taken by States/ UTs for transition from PFA to Food Safety and Standards Act following the promulgation of FSS Act, 2006 with effect from 5th August, 2011

The Food Safety and Standards Act, 2006 was passed by the Parliament with the objective to consolidate all the present food laws and to have a single regulatory body. Accordingly, the Food Safety and Standards Authority of India (FSSAI) was established under the Food Safety and Standards Act, 2006 (34 of 2006) with the mandate to lay down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import, to ensure availability of safe and wholesome food for human consumption.

In pursuance of sub- section (1) of Section 97 of the Food Safety and Standards Act, 2006 (34 of 2006), the enactment and orders in the Second Schedule of the Food Safety and Standards Act, 2006 (34 of 2006) and the Milk and Milk Products Regulation, 1992 have been repealed w.e.f. 5th August, 2011.

Therefore, it is required to review the action taken by States/UTs for transition from PFA to FSS Act following the promulgation of FSS Act, 2006. States/UTs are also required to take certain actions, an indicative checklist of which is hereby enclosed.

Check list of steps to be taken for implementation of FSS Act by
State Governments and Union Territories

S.No.	Name of Activity	Action taken	Remarks (if any)
1.	Constituting a Department of Food Safety {Section 29(1)}		
2.	Appointment of Commissioner of Food Safety {Section 30(1)}		
3.	Appointment of Designated Officer for each district {Section 36}		
4.	Appointment of Food Safety Officers {Section 37}		
5.	Systems for registration and licensing of food businesses {Section 31}		
6.	Mechanism for IT based registration system- Panchayat/ Municipalities levels upwards {Section 31}		
7.	Strengthening/ upgrading existing Govt. Food testing labs{Section 43}		
8.	Appointment of Food Analysts {Section 45}		
9.	Appointment and notification of Adjudicating Officers {Section 68}		

S.No.	Name of Activity	Action taken	Remarks (if any)
10.	Establishment of Food Safety Appellate Tribunal {Section 70}		
11.	Constitution of Special Court {Section 74}		
12.	Appointment of Public Prosecutor/ Additional Public Prosecutor/Special Public Prosecutor {Section 74}		
13.	Induction Training to all officers- Transition from PFA Act to FSSA Act {Section 16(3)(h)}		
14.	Food Safety Plan for Local areas, Panchayats, Municipalities etc.		
15.	Making Rules whenever necessary {Section 94}		
16.	Preparation of plan proposal for strengthening Enforcement/ implementation		

AGENDA ITEM NO.3

Status of Public Laboratories functioning at State/UTs after the promulgation of FSS Act, 2006 with effect from 5th August, 2011

Under Section 43 of the FSS Act, the Food Safety and Standards Authority of India is required to notify food laboratories and research institutions accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL) or any other accreditation agency for the purposes of carrying out analysis of samples by Food Analyst. As such all labs in the countries need to be accredited by NABL or other accreditation agency to undertake the analysis of samples under the new Act.

After FSS Act, 2006 coming into force and repeal of PFA Act, 1954 w.e.f. 5th August, 2011, the existing 72 Public Health laboratories which were testing food samples under PFA Act have now been authorized by the Food Authority to function under Section 98 of FSS Act, 2006 till any further notification is issued under Section 43 of FSS Act, 2006. The Central Food Laboratories at Kolkata, Pune, Mysore and Ghaziabad have also been approved to function as the Referral Food Laboratories. In terms of FSS Rule 2.1.4 (ii) (b), it is clarified that all those who were qualified and notified as Public Analyst by the Board constituted under PFA Act, 1954 are eligible for holding the post of Food Analyst under the FSS Act, 2006 and are deemed to be Food Analyst from 5.08.2011.

It may be recalled that FSSAI undertook a Gap-Analysis Study covering 50 State/Central Public Food Laboratories to understand their status and capabilities to handle food analysis and thereafter to devise a strategy to make these labs enable to operate at acceptable level of reliability and competence in terms of new Act. The gap analysis reports received were sent and circulated during the third meeting of CAC held on 22nd February, 2011 to the concerned States for necessary action for upgradation of food laboratories. The steps taken by the States about the action plan for upgradation of food testing laboratories vis-à-vis gap analysis report were discussed during the third meeting of CAC.

After the implementation of the FSS Act, 2006, the status of functioning of Public laboratories at States/ UTs may be updated with regard to respective gap analysis report sent and circulated earlier including the status on

- Number of food analysts working/ yet to be appointed
- Human Resource Development
- Equipments available/ required to be procured

The laboratories for which gap analysis report has been made available to the States are:

S. No.	Laboratory	State
1.	Regional Food Laboratory	Tripura
2.	<ul style="list-style-type: none"> • Regional Public Analyst Lab, Agra • State Government Public Analyst Laboratory, Lucknow • Government Public Analyst Laboratory, Shivpur; Varanasi. 	Uttar Pradesh
3.	State Food Laboratory, Port Blair.	Andaman & Nicobar Islands
4.	<ul style="list-style-type: none"> • Foods Testing Laboratory, FDA, Bandra Mumbai • Central Food Laboratory, Pune (also acts as SPHL – State Public Health Laboratory) • Pesticides Residue Testing Laboratory, Pune • Food Testing Laboratory, Aurangabad (M.S.) - 431001 	Maharashtra
5.	State Food and Water Laboratory, Bangalore	Karnataka
6.	State Food Laboratory, Bhopal	Madhya Pradesh
7.	State public Health Laboratory, Bhubaneswar	Orissa
8.	<ul style="list-style-type: none"> • Public Health Laboratory, Ahmedabad Municipal Corporation • Food and Drugs Laboratory, Vadodara 	Gujarat
9.	<ul style="list-style-type: none"> • Central Food Laboratory, Kolkata • West Bengal Public Health Laboratory, Kolkata 	West Bengal
10.	Food Analysis Laboratory, Chennai	Chennai
11.	<ul style="list-style-type: none"> • Public Health laboratory, Udaipur • State Central Public Health Laboratory Jaipur 	Rajasthan
12.	Food and Drug Laboratory, Goa	Goa
13.	State Public Health Laboratory, Guwahati	Assam

14.	State Food, Water And Excise Laboratory , Chandigarh	Haryana
15.	<ul style="list-style-type: none"> • State Food Laboratory, Hyderabad • Regional Public Health Laboratory, Visakhapatnam 	Andhra Pradesh
16.	<ul style="list-style-type: none"> • Quality Control and Quality Assurance laboratory, • Indian Institute of Integrative Medicine (CSIR), Jammu • Public Health laboratory, Jammu • Public Health laboratory, Srinagar 	Jammu and Kashmir
17.	<ul style="list-style-type: none"> • Regional Analytical Laboratory, Kozicod • Government Analyst's Laboratory, Thiruvananthapuram 	Kerala
18.	State Public Health Food Testing Laboratory, Imphal	Manipur
19.	State public Health Laboratory , Kohima	Nagaland
20.	Food laboratory of the Directorate of PFA	Delhi
21.	Public Health Laboratory	Puducherry
22.	Punjab State Food, Drugs and Excise Lab., Chandigarh	Punjab
23.	State Food Testing Laboratory, Raipur	Chattisgarh
24.	State Food and Drug Testing Laboratory, Rudrapur	Uttarakhand
25.	State Food Laboratory , Singtam	Sikkim
26.	Himachal Pradesh Composite testing lab. Kandaghat, Distt, Solan	Himachal Pradesh
27.	Food Analysis Laboratory, Madurai	Tamil Nadu

AGENDA ITEM NO.4

Readiness of States for Online Licensing Registration System

The Food Safety and Standards Authority of India (FSSAI) has been established under Food Safety and Standards Act, 2006 which consolidates various acts and orders that have hitherto handled food related issues in various Ministries and Departments.

In exercise of the powers conferred under section 92 of the Food Safety and Standards Act, 2006, the Food Safety and Standards Regulations (Licensing and Registration), 2011 have been notified in the Gazette of India dated 1st Aug 2011, under which it is mandatory for all Food Business Operators in the country to be registered or licensed in accordance with the procedures laid down in the regulation. Development of IT enabled Central Licensing System of Food Business Operators in India (including Prototype design) was started on 1st June, 2011 and system was made online on 18th August, 2011 for FBO's and FSSAI Regional Offices.

Till September 6, 2011, numbers of Food Business Operators registered were 49 out of which 11 have started filling in the data.

The preparedness of the States for the implementation of IT enabled Online Licensing and Registration System was sought during the fourth meeting of CAC that was held on 24th May, 2011. It was decided that the States which are already working on the software of licensing should liaison with FSSAI so as to ensure that uniform module is developed. FSSAI may consider providing funds for faster development of software. A Panel consisting of representatives from Delhi, Maharashtra, Gujarat, Kerala, Andhra Pradesh, MSME, IIM Bangalore and FICCI may be constituted to discuss and review the matter with NIC regarding development of IT software for licensing /registration.

The agency assigned with the task will be making a presentation on this Information Update System before CAC. States may indicate their action plan about it/ action taken by them as regards preparation of licensing manual and development of online system of licensing.

AGENDA ITEM NO.5

Progress of Training Designated Officers/ Food Safety Officers/ Adjudicating Officers

Under the mandate of FSS Act, 2006, the Food Safety and Standards Authority of India has taken the initiatives in capacity building of the food safety regulators. The food safety personnel across the Country need to equip and enrich themselves about the shift, failing which the food safety works would suffer serious setbacks and would nullify the positive changes that are purported to be brought in by the new Act (FSSA). In this backdrop, FSSAI had devised and conducted interim induction programmes as an initial exercise to make existing food safety regulators well acquainted with wide spectrum of regulatory provisions and new concepts developed in various regulatory mechanisms under the FSS Act, 2006. This will enable the concerned States to cope with the changed mandate of the FSS Act, 2006.

Orientation programmes and training programmes for Food Safety Commissioners and Designated Officers have been conducted by FSSAI and it is proposed further to conduct these programmes in October, 2011 covering about 40% of Designated Officers in the country. Course modules for Food Safety Officers, Designated Officers, food handlers, housewives and young girls shall be developed shortly.

States/ UTs may come prepared with a report in light of the following points:

- ToT Programme for Designated Officers/ Food Safety Officers/ Adjudicating Officers conducted
- Training institutes identified
- Specific awareness communication scheme on food safety
- Future needs and requirements

AGENDA ITEM NO.6

Information Updation System for States/ UTs- Monthly Reports in Prescribed Format

It may be recalled that FSSAI developed a user friendly online software system for the States and Union Territories to update the information regarding implementation of FSS Act in their State. User Manuals on how to use the online software system along with username and password were also sent to the Food Safety Commissioners of all States/ UTs. The demonstration of the software was done during the third meeting of the CAC that was held on 22nd February, 2011. The status of online reporting system was discussed during the last meeting of CAC held on 24th May, 2011. The Food Safety Commissioners were requested to update the information on weekly basis. States/ UTs may update their information before this meeting and may discuss their problems, if any, in this regard during the meeting.

Information/ data are also required from the States/ UTs regarding testing of samples and Licensing/ Registration of Food Business Operators. The same is required for answering various Parliament questions and policy formulation. States/ UTs are requested to furnish this information in the prescribed format every month. The proforma of this will be sent separately.

AGENDA ITEM NO.7

Requirement of Funds for Implementation of FSS Act

As informed during the last meeting of CAC held on 24th May, 2011 that Working group on Drug and Food Regulation has been constituted by the Planning Commission and assessment of fund requirements for 12th Five Year Plan for implementation of FSS Act is being done. States/UTs were requested to work out on assessment of fund required (activity-wise) along with justifications for implementation of the Act. Every state should also build food safety components in its Plan.

As regards, State Governments have requested one time financial assistance for:

- Purchase of Vehicle at District Level Office covering Ex-showroom Price, Vehicle Registration, Vehicle Insurance, Basic accessories
- Strengthening of District Level Food Safety Office components like office premises, office furniture and equipments, deep freezer, visi cooler, sampling equipments kits.

States/ UTs may review their requirement and discuss the details of estimated expenditure furnished for inclusion in the 12th Plan (2012-2017).

AGENDA ITEM NO. 8

Establishment of Grievance Machinery / Helpline in each State/ UT- Nomination of Nodal Officer for handling Complaints/ Grievance

Food Safety and Standards Authority of India was established for laying down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import and to ensure availability of safe and wholesome food for human consumption and for matters connected therewith or incidental thereto.

Food safety is an increasingly important public health issue. FSSAI is intensifying its efforts to improve food safety in response to an increasing number of food safety problems and rising consumer concerns.

FSSAI has launched a National Helpline for counseling the consumers and food business operators to redress their grievances. It is still under development. Adequate publicity is also required to be given to the National Helpline so that the affected consumers could seek guidelines/counseling through the helpline. A grievance machinery/ emergency response centre also need to be set up in each State/ UT to redress the grievances both from the consumers and food business operators. It should be designed to deliver our consumers and food business operators with food safety support. They should be advised and given access to our expertise in order to meet statutory requirements. Nodal Officers shall be nominated in each State/ UT for handling complaints/ grievance.

As regards, States/ UTs may come prepared with their status/ comments/suggestions.

AGENDA ITEM NO. 9

Any other item with the approval of Chair