

URGENT
Email /SPEED POST

No. 2(1) CAC/Enf- II /2013/FSSAI
Food Safety and Standards Authority of India
Ministry of Health & Family Welfare, Govt. of India
3rd & 4th Floor, FDA Bhawan, Kotla Road,
New Delhi-110002

Dated: 16th April, 2013

MEETING NOTICE

Subject: Ninth Central Advisory Committee Meeting, 26th April, 2013 (Friday)

The undersigned is directed to refer the subject cited above and to say that ninth meeting of the Central Advisory Committee (CAC) is scheduled to be held on **26th April, 2013 (Friday)**, under the **chairmanship of Shri K. Chandramouli, Chairperson, FSSAI.**

The meeting will start at 10:00 am in the Conference Room of FSSAI at 4th Floor. Kindly find enclosed herewith the Agenda and Programme Schedule for the meeting. 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 Ms. Joshita Lamba, Technical Officer (Tel: 011-23231681 and Tele-fax: 011- 23220994,** will be highly appreciated.

-sd/
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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.

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4. PS to Dir (Codex & Imports)
5. PS to Dir (PA)
6. PS to Scientist (Standards)
7. All concerned officers of FSSAI



FOOD SAFETY & STANDARDS AUTHORITY OF INDIA



**Agenda for the
9th Meeting of Central Advisory Committee**

DATE: 26th APRIL, 2013

**VENUE: 4th FLOOR CONFERENCE
ROOM, FSSAI, NEW DELHI**

Programme Schedule
9TH Meeting of Central Advisory Committee

Date: 26th April, 2013

Venue: 4TH Floor Conference Room, FSSAI, New Delhi

10:00 hrs Registration

Session- I

10:30 - 10:45 Opening Remarks by Chairperson, FSSAI

10:45 – 11:00 Agenda Item No. 1 and 2

11:00 – 11:20 Presentation by M/s. Amarchand & Mangaldas & Suresh A. Shroff & Co

11:20 – 12:00 Discussion on Agenda Item No. 3

12:00 - 13:30 Discussion on Agenda Item No. 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8 and 3.9

13:30 – 14:30 Lunch Break

Session – II

14:30 – 15:30 Discussion on Agenda Item No. 3.10, 3.11, 3.12, 3.13, 3.14 and 3.15

15:30 – 16:00 Discussion on States/UTs specific issues

16:00 – 16:30 Actionable points

16:30 – 16:45 Vote of thanks

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AGENDA ITEM NO.1

Confirmation of Minutes - States can e-mail the same prior to the 9th CAC.

- 8th CAC meeting minutes held on **17th July 2012** (Please see ***Annexure I*** for minutes)
- Minutes of meeting with commissioners of selected states held on **31st October 2012** (Please refer ***Annexure II***)
- Minutes of meeting with commissioners of selected states held on **12th December 2012** (Please refer ***Annexure III***)

AGENDA ITEM NO.2

Progress of the States/ UTs regarding implementation of FSS Act, 2006

The Food Safety & Standards Act, 2006 has been operationalized w.e.f 05.08.2011 throughout the country; therefore, it is required to review the progress of States/UTs regarding effective implementation of FSS Act, 2006. Monthly & Annual reports from some of the States/ UTs have not been received. Annual reports for 2012-2013 upto 31st March, 2013 have to be given along with monthly reports for the month of April, 2013. The States/UTs need to fill the data as per the factsheet enclosed at ***Annexure IV***.

- Annual reports from few states are pending, request to furnish the same along with April 2013 monthly report.

AGENDA ITEM NO.3

Enforcement of FSS Act, 2006

All the States in India operationalized FSS Act, 2006 on 5th August, 2011. States/ UTs have appointed Food Safety Commissioners, notified Designated Officers, Adjudicating Officers and Food Safety Officers for respective areas within the State. The State laboratories continue to act as notified laboratories under FSS Act, 2006 and Public Analysts have been re-designated as Food Analysts. **Till date 2,82,774 numbers of licenses and 8,78,114 numbers of registrations** have been issued by State Governments under the new Act. States/UTs are taking samples of food products and are initiating both civil and criminal actions against Food Business Operators (FBOs) who are found to be deviating from the Act and its provisions. During all the Central Advisory Committee Meetings the main topic of discussion in

CAC meetings remains the effective implementation of FSS Act, 2006 in States/UTs.

Food Safety Commissioner	Appointed in all States/UTs
Designated Officer	Appointed in all States/UTs (to confirm Qualifications)
Food Safety Officer	Appointed in all States/UTs except Daman & Diu and Sikkim (To confirm Qualifications)
Special Cadre	States to provide their Food Safety Organisation Structure
Adjudication Officer	Appointed in all States/UTs except Arunachal Pradesh, Assam, Chandigarh, Dadara & Nagar Haveli, Daman & Diu, Jharkhand, Kerala, Meghalaya, Mizoram, Nagaland and Orissa
License & Registration	Started in all States/UTs except Delhi, Lakshadweep, Manipur, Orissa and Nagaland
Sample Collection	The following States have not started with the food sample collection process: Assam, Haryana, Himachal Pradesh, Kerala, Madhya Pradesh, Manipur, Nagaland, Orissa, Punjab, Rajasthan, Sikkim and Tripura
Steering Committee	Constituted in Meghalaya, Tripura, Mizoram and Andaman & Nicobar Islands. In Uttarakhand only State level Steering Committee has been constituted. Himachal Pradesh is in process of constituting the Committee.
Tribunal	Established in Tripura, Delhi, and Andhra Pradesh. Maharashtra, Chattisgarh, Gujarat, Uttar Pradesh and West Bengal are in the process of establishing Tribunal.

The readiness of the States for the implementation of IT enabled online licensing and registration system was sought during the last meeting with the States/UTs held on 31st October, 2012 and 12th December, 2012. NISG has started the work of

customization of software for the following 18 States/UTs which have indicated their willingness to start online licensing and registration: Tamil Nadu, Meghalaya, Himachal Pradesh, West Bengal, Rajasthan, Odisha, Madhya Pradesh, Haryana, Chhattisgarh, Kerala, Chandigarh, Delhi, Karnataka, Uttarakhand, Goa, Maharashtra, Andhra Pradesh and Gujarat. Other States/UTs may also send their willingness to start online license/registration, so that NISG can be deputed for this purpose. The MOA to be signed by States/UTs is placed at **Annexure V**.

The expected number of Food Business Operator to be licensed or registered under FSS Act, 2006 is approximately 5.5 Crore, but till date only 2% target is achieved. As the Act is new and FBOs are still adapting to it, so an extension of one year has been given to FBOs to convert their existing license.

Areas of Deliberation with States

Agenda No: 3.1 - Enforcement of Central Licenses in States (utilization of state DOs, FSOs for enforcement pertaining to Central licenses.

Agenda No: 3.2 - Adjudication Process

Agenda No: 3.3 - Licensing/Registration

- Full time qualified & Notified DO/FSO, Notification of DO/FSO as Registration Authority.
- Treatment of single premises/Local area in dairy and other cooperatives, first point of aggregation for sale (fruits, vegetables, dairy)
- Improvement notice, Prohibition orders,
- Notice of Suspension, Detention memo, Notice of search & seizure etc.- Process format
- License renewal process including penalty
- Cancellation/Transfer process
- Annual returns process
- Data digitization of manually issued L/R certificates
- Licenses getting expired at the time issuance itself (generation of expired licenses)
- License application Fees refund process
- License treatment for product approvals

- Railways, Cantonment areas, Defence, Airports, Seaports-Enforcement activities in these locations

Agenda No: 3.4 - Organizational structure in states

- Need for state level FSO apart from district level.
- Roll of Joint Food Safety Commissioners and midlevel cadre.
- Establishment of Tribunals.

Agenda No: 3.5 - Involvement of Panchayat, Municipalities & NGOs in the implementation of FSS Act, 2006

As per Clause No. 1.2.1 (5) of FSS (Licensing & Registration of Food Businesses) Regulation, 2011, State Food Safety Commissioner may involve officials of Panchayat, Municipal Corporations, NGO or any other local body in an area for the purpose of specifying them as registering authority. Presently it is observed that the pace of registration is not as per expectation of Authority, hence States may take initiative to involve all local bodies for the purpose of registration under FSS Act, 2006. The FSCs needs to Register/Issue Licenses to all the FBOs in the country including the small, medium and even temporary vendors in streets. The expected number of FBOs to come under the new regime is many folds the numbers handled so far. Adequate systems have to be in place at central, state, district and gram panchayat levels to handle this volume duly integrating Municipalities & Panchayats with Food Safety Administration. Registration & Advisory panels are to be created to beef up the activities of Food Safety Administration.

- powers to Registering Authority to inspect
- Revenue sharing between state authorities, municipalities and RAs

Agenda No: 3.6 - 12th Plan proposal – States/UTs will be provided funds for:

- IEC Activities
- Training
- Infrastructure for labs and for strengthening District Level Food Safety Office for 645 districts

Agenda No: 3.7 - Governance structure for enforcement activities for roll out of FSS act including Licensing/registration in states

- Suggested to include Chief Secretary as Chairmen of State Level committee
- Deputy food commissioner as chairman of district level committee

Agenda No: 3.8 - Clarification regarding licenses issued after Product Approval

- All manufacturers / processors/importers who will manufacture or import products covered under Section 22 of FSS Act, 2006 requires product approval from FSSAI (detailed procedure for product approval is attached at **Annexure VI**). All such products will be examined by the Product Approval Screening Committee and either a NOC or Product Approval will be given. In cases where NOC or Product Approval has not been granted, then the matter shall be referred to Scientific Panel. After obtaining NOC or Product Approval, license will be issued by State or Central Designated Officers as per the eligibility.

Agenda No: 3.9 - Pending Court Cases filed under the PFA Act, 1954

- Quick justice dispensation for cases filed under PFA and other Food Acts.

Agenda No: 3.10 - Training Activities in States-

- Training of FSO/DO about Act, System and Enforcement –
 - FSSAI has conducted several orientation/training programmes for Food Safety Commissioners(FSCs), Adjudicating Officers(AOs), Designated Officers(DOs), and Food Safety Officers(FSOs) in past. Under this programme, 33 Food Safety Commissioners, 138 Food Safety Officers, 716 Designated Officers and 203 Adjudicating Officers from various States/UTs were trained.
- Continuing the thrust on capacity building, FSSAI is also planning to start:
 - 180 days induction training for newly appointed Food Safety Officers.
 - 5 days orientation training to FSOs who have been upgraded from Food Inspectors.
 - FSSAI will continue to organise orientation/training programmes for Food Business Operators (FBOs), Food Analyst & Food Auditors.

- States (Apart from AP, Karnataka, Goa, Rajasthan, Uttarakhand, Gujarat, Maharashtra, Uttar Pradesh and Jammu & Kashmir) to submit tentative training schedule for FSSAI to release 2013 – 2014 training calendar.
- Awareness campaigns for target groups restaurants, dietary supplements, etc.
- Street food campaigns in every state - FSSAI came out with an initiative on street food safety, since large sector of the population rely on the same. The main objective is to develop safe street food zones as a pilot project in 15 cities across the Country viz Delhi, Hyderabad, Bangalore, Ahmedabad, Kolkata, Mumbai, Patna, Lucknow, Varanasi, Bhubaneswar, Dehradun, Chennai, Agartala, Jammu and Trivandrum. The work has already been initiated and FSSAI is in the process of preparing guidelines for managing street food on that basis States can modify as per their requirement and implement.
- FSSAI would provide financial support to the States for IEC and capacity building activities to promote safe street food.

Agenda No: 3.11 -: Awareness generation among different categories of stakeholders

- The Food Authority has been mandated with the responsibility to ensure that all the stakeholders involved in food business including general public receive rapid, reliable, objective and comprehensive information through appropriate methods and means about FSS Act, Rules and Regulations. Food Authority in order to generate awareness amongst common masses and stakeholders would be required to have a multi-pronged approach and shall be required to undertake multi media campaign for creating awareness about new law and organizations /institutions created for implementation and provisions related to licensing /registration etc. besides generating awareness about food safety issues. Awareness generation of general masses regarding existence of authority its roles and responsibilities shall also be necessary for their participation in food safety initiatives.
- A lot of activities have been organized at the FSSAI Head Quarter to make people aware about the essential elements of the Act through various medium involving print and electronic media. Advertisements are being released in multilingual mode across the country. Creative are designed and released in Newspapers/ Periodicals/ Magazines/ including Advertorial etc. Pamphlets,

Brochures on procedure of licensing, registration, labeling etc. are being developed and distributed.

- TV spots were made and released in various TV channels on issues related to Food Safety and General Hygiene. 6 episodes of 30 minutes “Kalyani Program” on Food Safety was telecasted through 8 regional Doordarshan stations.
- Radio jingles were broadcasted on FM Gold and other channels of All India Radio.
- Outdoor campaigns were carried out through Hoardings Banners etc. in bus shelters and railways. FSSAI also participated in events like Kumbh Mela and AAHAR, to spread awareness through posters display, leaflet distribution and involving experts from FSSAI to clarify the queries raised by the Food business operators.
- A dedicated website www.fssai.gov.in, blog and Social networking are in place to update the current happenings in the Authority.
- NGOs from different regions are involved to generate awareness in the field of food safety.
- The IEC materials that are being developed in the Authority will be provided to each state, which can be translated into regional language, and appropriate channel of communication can be taken by the respective states to address various stake holders. States/UTs need to prepare plans to have similar awareness campaigns in respective regional languages at district levels.

Agenda No: 3.12 - Citizen empowerment on drawl of samples

Section 40 of FSS Act, 2006 enables the purchaser of any article of food to get analysed such food from the Food Analyst after informing the food business operator at the time of purchase of his intention to have such articles so analysed.

Agenda No: 3.13 - SOP on roll out of Licensing in States to be developed with inputs from the focus group comprising of 3-4 States who are actively enforcing FSSA

Agenda No: 3.14 - Feedback on FSS Act, Rules and Regulation

Agenda No: 3.15 - FSSAI strategy on upgradation of public/ state laboratories

In 2010, FSSAI had commissioned out the Gap Analysis to assess the existing condition of State Food Testing Laboratories, for their up-gradation and to prepare them for testing under FSSAI and implement international standards for

accreditation. The gap study indicated an urgent need to upgrade infrastructure, strengthen staffing and training inputs and put in place more reliable laboratory management and operation procedures.

To enable harmonization of standards across the country, enabling food safety surveillance and monitoring, and with the objective to operate State Food Testing Laboratory at acceptable levels of reliability and competence, by incentivizing laboratories in the public sector to upgrade their technical skills, testing arrangements and infrastructure, a strategy has been framed and proposed for upgradation of State/Public Food Testing.

A two-tier food testing infrastructure has been proposed viz;

- A. Level-1 laboratory will undertake testing requiring more sophisticated and skilled testing procedure / techniques / equipments / manpower. These laboratories shall be top/ modern level Labs, well equipped with newer technologies, with state-of-art facilities at par with the international benchmarks.
- B. Level-2 laboratories will be involved in routine testing and capable of testing basic parameters of food as specified under FSS Regulations, 2011.

The entire laboratory upgradation strategy has been phased out, as below:

Phase 1: Upgradation of 72 State Food Laboratories to level-1 Category.

It has been proposed to upgrade 72 State Food Laboratory in two stages covering the upgradation of 36 laboratories in first stage and remaining 36 laboratories in the succeeding year. The cost of each Level-1 laboratory is expected to be Rs.12 Crores, which will be funded in proportion of 75% of Central share i.e. @ Rs. 9 crore/lab and 25% of States' share i.e. @ Rs. 3crore/lab.

Phase 2: Establish a Food Laboratories in every 20 districts to level-2 Category.

It is planned to establish 33 new State food laboratories over the country, ensuring at least one laboratory each state and the remaining 5 laboratory will be mapped as per requirement. The cost of each Level-2 laboratory is expected to be Rs.7 Crore, which will be funded in proportion of 75% of Central share i.e. @ Rs. 4.6 crore/lab and 25% of States' share i.e. @ Rs. 2.4 crore/lab.

Phase 3: Establish a Mobile Food Laboratory each state.

The work for establishment of mobile labs shall be initiated in 12th year plan, however, shall be put-in place in the next 13th five year plan i.e. 2017-2018.

FSSAI proposes to engage a competent agency (Programme Management Agencies-PMAs) e.g. CFTRI, NRC-Pune, QCI, IICT, UDCT etc. which shall formulate model documents for the labs to be upgraded, project management, issue/release of tender document for supply of equipments and frame specification

(in terms of manpower, equipments, training) of Food Testing Laboratory of each level. It is also proposed to have training and capacity building of personnel/staffs engaged in laboratory which would involve preparation of Guidance documents, operational protocols and reporting formats, training on method of sampling & analysis including the use of laboratory analytical instrumentation, NABL accreditation, procedures and certification systems, PT programs harmonization of procedures and recognition.

Role of State Governments:

- The laboratories to be upgraded belong to the states. Hence there will have to be a close collaboration in the entire process.
- MoU has to be signed by each state government w.r.t. designing of laboratory, equipment, infrastructure and manpower requirement, and implementation of the action plan for upgradation.
- 25% of the total cost of laboratory to be upgraded will be financed by state government. Hence necessary provisions will have to be made.
- Current status of infrastructure is to be provided by states for developing Detail Project Reports in consultation with Project Management Agency (PMA).
- Procurement operations will have to be done by individual state; of course, the PMA will provide support in finalising the specifications etc.
- Development of civil/electrical infrastructure for laboratory has to be planned and implemented through the State PWD.
- For all the above activities, the State Govts. will need to identify a single contact point to work with the PMA and FSSAI.
- Any other activity relevant to the upgradation process

▪ **WAY FORWARD**

ANNEXURE I

Minutes of the eighth meeting of Central Advisory Committee (CAC) held on 17th July, 2012 at Hotel-The Lalit, New Delhi under the chairmanship of Shri S.N. Mohanty, Chief Executive Officer, FSSAI, and Minutes of the meeting with Commissioner Food Safety of States/UTs held on 31st October, 2012 and 12th December, 2012 at FSSAI, New Delhi are enclosed for the reference.

Minutes of 8th meeting of CAC

Minutes of the 8th meeting of Central Advisory Committee of Food Safety and Standards Authority of India, held on 17th July, 2012 at Hotel-The Lalit, New Delhi.

Sh. S.N. Mohanty, CEO, FSSAI extended a warm welcome to all the members and their representatives to the eighth meeting of the Central Advisory Committee (CAC).

CEO in his welcome note mentioned that there still exists certain grey area since the Act has operationalized from 5th Aug, 2011 as some States/UTs are still giving licenses under PFA and there is lack of preparedness amongst States. He said that being a new Act, still it is in the process of interpretation and all these factors make it challenging to progress further. Thereafter CEO requested Chairperson to address CAC.

Chairperson Sh. K. Chandramouli in his key note address stated that the certain issues State Govt. needs to address on priority. These are:

1. Misconception/ lack of understanding of the Act has to be reviewed at all levels with all stakeholders including officials.
2. Since issues raised by traders are local, State Govt. must address the issues locally by talking to their traders / associations.

Lack of understanding whether at Enforcement level or FBO level has to be dealt by State Govt. as at the end of the day, enforcement of FSS Act rests with the State Govts. FSSAI has been conducting trainings and visiting States and issuing clarifications for proper implementation of the Act.

At the end of keynote address, Chairperson mentioned that the Central Govt. would help State Govt. in any manner possible but Authority is looking forward to have uniformity amongst all States in context to implementation of FSS Act, 2006. The State officials can contact FSSAI in case any problem is faced by officials in implementation of the Act.

Sh. S.N. Mohanty, Chairman, CAC initiated the meeting by starting discussion on agenda items.

Agenda Item No.1: Confirmation of minutes of the seventh meeting of the CAC held on 27th April, 2012

The Committee confirmed the minutes of the seventh meeting of the CAC held on 27th April, 2012.

Agenda Item No. 2: Progress of the States/ UTs regarding implementation of FSS Act, 2006.

The absence of representatives from Andaman & Nicobar Island, Assam, Dadara & Nagar Haveli, Daman & Diu, Goa, Gujarat, Lakshadweep, Manipur, Meghalaya, Nagaland, Orissa, Sikkim, Tripura, Uttar Pradesh were noted. It is a loss opportunity for cross – consultation for these States. The progress of States/ UTs is as follows:

1) ARUNACHAL PRADESH

- a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
- b. Total 3500 FBOs are there in the State out of which 2500 FBOs have been covered
- c. Till date 1750 Registrations and 400 Licenses are issued
- d. Appellate Tribunal is in place
- e. The provision for empowering DOs for compounding of offences is in consultation with law department
- f. The services of Laboratory of Assam is utilized for sample analysis

2) ANDHRA PRADESH

- a. Commissioner Food Safety, 23 DOs + 10DOs for Municipals, 48 FSOs, and AOs have been notified. Proposal for 92 FSOs is in process

- b. Training session has been completed in the State
- c. Establishment of two tribunals is in process
- d. Till date 2735 licenses have been issued. No online registration is started as yet. Manually, 2095 registrations have been issued
- e. The State is in process of starting AP Online in about 10 days.
- f. Till date 2232 samples have been tested. A fine of Rs. 234000 has been collected

3) BIHAR

- a. Separate Department of Food Safety has not yet been created.
- b. Commissioner of Food Safety, 9 Designated officers (full time) in 38 districts, 14 Food Safety Officers (full time) and 1 Food Analyst have been notified.
- c. State has 1 food laboratory which is not NABL accredited. There is shortage of Food Analyst, so deployment of retired person for the same is being looked into.
- d. Construction of website is in process.
- e. Helpline of health department is also being used for food safety.
- f. Awareness program have been started at district level.
- g. Adjudicating Officer and Special Court have been notified and proposal for appointment of Appellate Tribunal has been sent to Government.
- h. Out of 1145 samples collected, 365 were found misbranded/ adulterated/ substandard/ unsafe
- i. Total registration issued as on 30.06.2012– 3731
- j. Total licenses issued as on 30.06.2012– 2122
- k. Total Rs. 1,15,53,300 has been collected as License/ registration fee from October 2011 to June 2012.
- l. 1 day orientation training of AOs and 3 days orientation training of Dos has been done
- m. Prohibited sale of Guthka and Pan masala containing tobacco and nicotine as ingredients for 1 year.

Sh. A.K Panda, Joint Secretary , Ministry of Health & Family Welfare highlighted that States needs to identify atleast 2-3 resource person with legal and

food technology background for correct interpretation of Act, Rules and Regulations. He further informed that under 12th Plan, Central Government has proposed an ambitious scheme to strengthen State regulatory system and asked States/ UTs to prepare concept or status note indicating shortage of DO, FSO and roadmap for next 5 years. He also asked State/ UTs should utilise advocacy from FSSAI. It was also discussed that gap analysis for 50 labs already done should be used for strengthening of food laboratories and gap analysis for remaining labs to be done on priority. He also shared that FSSAI can collaborate with USFDA in area of capacity building improvement.

4) CHATTISGARH

- a. Commissioner of Food Safety, 18 Designated officers in 27 districts (9 new districts have been created), 14 Food Safety Officers have been notified.
- b. 465 licenses have been issued.
- c. Officials of Panchayat & urban Local Bodies have been involved as Registering Authority along with FSO.
- d. Proposal has been sent to the State Govt. for developing 1 regional lab at Bilaspur in the 12th plan
- e. 1 mobile lab runs in the State for analysis of adulteration in samples
- f. Awareness generation programme has been initiated by organising workshop at Raipur with FBOs through Chhattisgarh Chamber of Commerce Association
- g. Commissioner Food Safety has used the platform of Doordarshan & Gyanwani for spreading the message of FSS Act, 2006. Also, talk shows were organized and the participation with educational institutions to create awareness among students

5) CHANDIGARH

- a. Food Safety Commissioner, 1 DO and 3 FSO have been appointed. District Magistrate has been appointed as Adjudicating Officer.
- b. Chandigarh Administration utilizes the services of Punjab and Haryana Food Laboratory for analysis of food samples

- c. Food Safety Appellate Tribunal has been established but appointment of presiding officer is still pending. Special Courts has been constituted and 2 additional public prosecutors have been appointed.
- d. Out of 3374 applications received (till 13.07.12), 295 licenses have been issued and 59 registrations have been done.
- e. FSOs training have been done but DO and AOs training is yet to be done.
- f. For awareness generation among different categories of stakeholders, meeting was held with officials from Hotel Association of Chandigarh, Beopar Mandal Association and Flour Mills Association

6) DELHI

- a. Commissioner of Food Safety, 9 Designated Officers and 32 Food Safety Officers has been notified.
- b. State has 1 NABL accredited laboratory.
- c. 1 Special Court has been constituted and 9 additional district magistrates have been notified as adjudication officer.
- d. Out of 2037 samples, 63 were adulterated, 55 were misbranded and 31 were unsafe.
- e. For awareness generation, meeting was held with officials from market associations, traders including APMC, flour merchants etc.

7) HIMACHAL PRADESH

- a. Commissioner Food Safety, 82 Designated Officers, 12 AOs, 11 full time FSOs have been notified
- b. Till date 1400 licenses and 16000 registrations have been issued
- c. Rs. 2.4crore of revenue generated through licensing and registration
- d. The State is taking the implementation of FSS Act, 2006 at Block and Panchayat level through awareness programs like radio, TV talks etc.
- e. The State has banned Tobacco and Tobacco products
- f. Online licensing would be launched shortly as proposal has already been sent
- g. Training has been imparted to all the officers
- h. The State has financial implications

- i. There is 1 composite testing laboratory. 232 samples have been lifted out of which 46 were found adulterated and 9 prosecutions have been launched at High Court level

8) MAHARASHTRA

- a. All Dos and FSOs have been assigned on the basis of density of food business operators.
- b. Developed monitoring system
- c. 1, 29,851 registration and 61,789 licenses have been issued.
- d. Devised template for Food Safety Management System for various sectors
- e. Surveillance of food sample is being done especially for milk

9) JHARKHAND

- a. Commissioner Food Safety, AOs, DOs, 7 FSOs have been notified. Proposal for notification of 39 FSOs has been forwarded
- b. Till date 288 licenses and 385 registrations have been issued
- c. No laboratory is functioning in the State as no food analyst has been notified
- d. The clarification was raised regarding 3 months training program for FSOs as till yet no institute has been identified for the training purpose
- e. The State wanted to conduct 1 day more training for DOs/FSOs and AOs training must be conducted at Regional level.

CEO mentioned that the manual for handling prosecution cases is under process and would be sent once finalized. Also, he stated that the States must talk to consumer forums in regard to interest in food safety for consumers.

10) PUNJAB

- a. Commissioner Food Safety, 20DOs, 23 FSOs, 2AOS, 2 Food Analysts have been notified. Notification of 27 more FSOs is in process
- b. There is 1 lab in the State
- c. Training has been imparted to the officers
- d. Till date 2097 licenses and 817 registrations have been issued
- e. Throughout the State SMSs through NGOs for spreading awareness are being sent

- f. 4331 samples have been lifted out of which 3931 samples were found sub-standard and 4 were found unsafe
- g. Establishment of tribunal is in process
- h. The officers are going at grass root level to meet FBOs for increasing Licensing/ Registration
- i. The State had organized Mela wherein 135 registrations were done

CEO suggested that 'Food Melas' can be organized to speed up registrations throughout the Country.

11) JAMMU & KASHMIR

- a. Food Safety Commissioner, 2 Deputy Commissioner, 23 DO, 70 FSO and 23 AO have been notified.
- b. 8500 registration has been done
- c. Out of 175 samples, 61 were misbranded/ adulterated/ unsafe and 31 prosecution has been launched and 9 have been disposed off.

12) KERALA

- a. Food Safety Commissioner, Dos and FSOs has been notified.
- b. 21,049 registration and 8964 licenses issued.
- c. Adjudication Officer has not been notified and establishment of Appellate Tribunal is yet to be done.
- d. Distribution of pamphlets is being done with the help of trader's association to encourage licensing/ registration
- e. Require support from Centre in regard with up-gradation of laboratories especially for water testing.

13) KARNATAKA

- a. Food Safety Commissioner, 30 DO, 30 AO and 106 FSO have been notified.
- b. 3300 licenses and 10,200 registration have been done
- c. Baseline data for online licensing/ registration has been provided to NISG.
- d. Budget of Rs.10.4 crores allotted by State Govt. which includes
 - Mobile testing facility
 - Procurement of equipments
 - Capacity building programmes
 - Development of website

- Awareness and workshops for FBOs

14) WEST BENGAL

- Commissioner Food Safety, Assistant Commissioner Food Safety have been given additional charge
- 19 DOs have been appointed on additional charge
- 17 FSOs have, 25 Food Inspectors of Kolkata Corporation have been notified
- Till date 5809 registrations and 914 licenses have been issued and amount of Rs. 3528000 have been collected
- For online process, the State would get in touch with NISG

15) MIZORAM

- 152 licenses issued but no registration done till now.

16) RAJASTHAN

- Food Safety Commissioner, 7 Zone level DO & 33 District level DO, 92 FSO and 8 food analyst has been appointed.
- Additional District Magistrate has been notified as Adjudicating Officer for 33 districts
- Establishment of Food Safety Appellate Tribunal and Special Court is under process.
- Out of 16,634 applications, 14,820 licenses have been issued and 46,151 out of 49,657 registrations have been done.
- Out of 4917 samples, 910 samples were found misbranded/substandard/unsafe and 8 cases were penalised by AOs

17) UTTARAKHAND

- Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
- All the officers in the State have been notified
- Till date 728 licenses and 11577 registrations have been issued
- 671 samples have been drawn out of which 93 samples were found adulterated/ misbranded
- Training for DOs and AOs is organized next month but also would want the training of FSOs in the State

- f. The State has only one Public Laboratory in Rudrapur. An amount of Rs. 4750000 has been sanctioned through NRHM for up-gradation of laboratory
- g. Awareness programs have been organized. The department has published information related to the Act in the leading newspaper of the State
- h. Counseling has been conducted for different categories of FBOs

18) PUDUCHERRY

- a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
- b. Till date 746 registrations and 146 licenses have been issued
- c. Total 441 samples have been analyzed in the month of June, 2012
- d. Proposal to create 21 posts have been submitted to Govt.
- e. For Online Licensing/ Registration, Helpline facility, Mobile Lab facility; the State is short of funds and manpower
- f. NABL accreditation is in process

19) MADHYA PRADESH

- a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
- b. Orientation program for DOs and AOs have been conducted in the month of April
- c. Establishment of Tribunal is in process
- d. Till date 3360 licenses and 13909 registrations have been issued

20) TAMIL NADU

- a. Commissioner Food Safety, 32 Designated Officers, 545 Food Safety Officers, Food Analyst and 32 Adjudicating Officer have been notified
- b. Till date 70714 registrations and 9438 licenses have been issued
- c. Food laboratory is not NABL accredited
- d. Budget of Rs. 6 crore has been sanctioned for procuring equipment of food lab
- e. 457 samples have been collected out of which 453 have been tested and 38 were found misbranded/ adulterated

- f. For generating awareness, the State has tied up with Consumer association of India and has identified 11 areas for spreading awareness

21) HARYANA

- a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
- b. Establishment of Appellate tribunal is in process
- c. The State has two labs – 1 at Chandigarh and 1 at Karnal
- d. 1381 samples has been seized under new Act and 198 samples were found substandard/ misbranded
- e. The State has organized workshop for milk vendors at Patiala
- f. Till date 2758 registration and 528 licenses have been issued
- g. Proposal has been sent to department regarding shortage of manpower

Agenda Item No. 3: Progress regarding online licensing and registration in States/ UTs.

The online licensing system was introduced to have uniformity, easy accessibility and transparency in the system. Some States showed their interest of starting the online licensing. CEO mentioned that if the licenses cannot be issued at the same time application is submitted, thus there is need to issue acknowledgement for FBO for its future reference and States can devise their own way of acknowledgement of applications.

Agenda Item No. 4: Status of Public Labs functioning labs in States/ UTs

CEO mentioned that the Agenda item has been covered by most of the States/UTs as a part of Agenda Item No. 2. The fund which can be transferred to the State Govt. for the up-gradation of laboratories to make it NABL status based on GAP analysis will be released only after 12th Plan is approved. Also, in regard to the list of consultants available for upgrading the labs; Dir (E) can be contacted.

Agenda Item No.5: Status of Training for different categories of Regulatory Staff (DOs, FSOs & AOs)

CEO, FSSAI highlighted that training should be an on-going process and State should devise permanent system of training wherein some institutes for carrying out such trainings should be identified. Director (Enforcement) informed that training programme for regulators will be of two types viz. Induction training for DOs & FSOs for newly recruited and Orientation training for AOs, DOs & FSOs for upgrading the existing personnel. Induction training for FSO and DO will be of 180 days and 15 days respectively and FSSAI is working with NIFTEM for organising such training programmes. Apart from this, training for Laboratory personnel for food analyst will also be conducted for (i) Qualifying training/course for appearing in exam of food analyst; (ii) Induction programme for Food Analyst and (iii) Orientation programme for Food Analyst. Duration of such training has to be decided and will be a kind of certification programme. It was also highlighted that a dedicated lab only for training will be created by NIFTEM.

Agenda Item No.6: Awareness generation among different categories of stakeholders especially FBOs

CEO, FSSAI highlighted that IEC activity is the backbone for enforcing the Act and awareness generation is one of the important component of rolling out of FSS Act. He informed that Food Safety Commissioner should take up with their Govts. to plough back at least 75% of license fee collected for carrying out IEC activities and should include (i) IEC activity- local language advertisement, jingles in FM, (ii) 24 x7 food safety helpline and (iii) webpage preparation for food safety in local language. He also said that whatever IEC materials has been developed by FSSAI, HQ may be circulated to State which can be translated in local language by respective States. CEO, FSSAI informed that the budget of Rs. 350 crore has been proposed in the 12th Five Year Plan for States to carry out IEC activities, therefore State/UT s need to prepare plan for IEC activities and send it across

Agenda Item No.7: Extension of time for the transition period

The Agenda Item was kept on the house for discussion. The general sense of the house was that the last date cannot be extended without amending the Regulations. Amendment in the Regulation would take time hence Authority would issue a Statutory Advisory based on today's discussion in this regard. Extending the

time by six months as only a small percentage of FBOs are covered so far and the licensing and Registration will be meaningless without extending time to enable FBOs to take it.

Agenda Item No. 8: License Fee

CEO stated that as per Schedule-1 of FSS (Licensing and Registration of Food Businesses) Regulation, 2011 Air-Airports, Seaport, Defence etc. falls under Central Licensing. For small vendors working in these areas, Authority would issue a modified advisory to deal with the matter.

Maharashtra Commissioner Food Safety enquired about the jurisdiction of the officer in Cantonment Board as it is also a local body but different from municipalities. In reply to this, CEO mentioned that the Authority is holding meeting with the officials in the matter on 19th July, 2012 and matter will be decided after consultations with defence/ port officials.

Kerala Commissioner Food Safety inquired about the jurisdiction in Railways. In this regard, it was mentioned that jurisdiction in Railways is well defined as FSSAI has notified DOs and FSOs in Indian Railways.

Agenda Item No.9: Role of Local Bodies

CEO, FSSAI referred Section 18 (2)(d) of the Act "General principles to be followed in Administration of Act" wherein Food Authority shall ensure that there is open and transparent public consultation, directly or through representative bodies including all levels of panchayats, during the preparation, evaluation and revision of regulations. He asked the States to take initiative to involve all local bodies for the purpose of registration under FSS Act, 2006 and also appreciated Chattisgarh efforts for involving local bodies for the same. He also stressed that adequate systems have to be placed at Central, State, District and Gram Panchayat levels to handle licensing/ registration duly integrating Municipality and Panchayats with Food Safety Administration. Registration and Advisory Panels are to be created.

Agenda Item No.10: Work Plan for the State/ UT Governments

CEO, FSSAI informed that funds has been allocated for States in the area of enforcement, IEC activities, e-governance and upgradation of laboratories under 12th Five Year Plan. He asked States/ UTs to prepare plan and strategy accordingly taking into consideration financial allocation for States under 12th Five Year Plan. Financial assistance to State/ UTs will be provided through a “Memorandum of Understanding” during the 12th plan through binding commitment. The States should be ready with their work plan.

Agenda Item No.11: Product Approval of Health Supplements, Nutraceuticals

Referring Section 22 of FSS Act, CEO, FSSAI informed that any unit manufacturing novel food, genetically modified food, irradiated food, organic foods, nutraceuticals, proprietary foods etc. have to apply for product approval in the prescribed format before obtaining Central license which is available on our website: www.fssai.gov.in. State FSCs were requested to issue necessary instructions to DO to cancel licenses of above mentioned units as it comes under jurisdiction of Central Licensing.

FSC, Maharashtra asked whether product manufactured since long requires product approval and whether license issued for certain formulations under Schedule M of Drugs & Cosmetic Act is valid as they follow Good Manufacturing Practice and invariably test the raw materials before manufacturing and also test the efficacy of the formulation. To this, CEO, FSSAI replied that any item that addresses therapy comes under drug and item which addresses nutrition is food. He further said that litmus test for food used since long is to proved its safety.

The meeting ended with a vote of thanks by the Chair

List of participants who attended the meeting is at **Sub Annexure I**.

SUB ANNEXURE – I

The following were present during the Eighth Meeting of Central Advisory Committee of FSSAI held on 17th July, 2012, at 10:00 am, Hotel – The Lalit, New Delhi.

1. Sh. K. Chandramouli, CP, FSSAI
2. Sh. S.N. Mohanty, CEO, FSSAI
3. Sh. Arun Kumar Panda, Joint Secretary, Ministry of Health & Family Welfare
4. Dr. Anil Sharma, Consultant FSSAI, Uttarakhand
5. Sh. G.C. Kandwal, DO Food Safety, Uttarakhand
6. Sh. Nazir Ahmed Wani, Dy. Commissioner Food Safety J & K, Srinagar
7. Sh. U.K. Mitra, Dy. Commissioner Food Safety, Directorate of Health Services, Naharlagun – 791110
8. Sh. B. Prashanta Kumar, Director, Deptt. of AH, D & F, Ministry of Agriculture
9. Sh. R.P.S. Jadon, Joint Controller, Food & Drugs, Madhya Pradesh
10. Sh. B.C. Joshi, Dy. Commissioner, D/o Food & Public Distribution, Krishi Bhawan, New Delhi
11. Sh. Manoj Parida (IAS), Joint Secretary, Ministry of Consumer Affairs, Govt. of India
12. Sh. S.B. Reddy, Additional Director, FICCI
13. Dr. G.L. Upadhyaya, Dy. Commissioner Food Safety, Puducherry
14. Dr. P. Sucharitha Murthy, Director IPM, PH (Labs), Hyderabad
15. Sh. R.K. Gupta, Dy. Commissioner, Department of Animal Husbandry, Dairy and Fisheries, Ministry of Agriculture
16. Dr. Y.C. Nijhawan, Chief Director, Department of Food & Public Distribution, New Delhi
17. Sh. K.J.R. Burman, Commissioner Food Safety, Delhi
18. Sh. Ashish Singh, Designated Officer, Patna, Bihar
19. Sh. Lal Sawma, Dy. Commissioner Food Safety, Aizawl, Mizoram
20. Sh. D.L. Alwadhi, Consultant, Ministry of Panchayati Raj
21. Sh. J.H. Panwal, Joint Technical Adviser, Food and Nutrition Board, Ministry of Women and Child Development
22. Dr. T.P. Barnwal, Director in chief (Food), Jharkhand
23. Sh. Biju Prabhakar, Commissioner Food Safety, Kerala
24. Dr. K. Jayakumar, Additional Commissioner Food Safety, Tamil Nadu
25. Dr. Satbir Singh, Designated Officer, Chandigarh
26. Dr. Surekha Chopra, OSD, Director, Health Safety and Regulator, Shimla, Himachal Pradesh
27. Sh. Mahesh Zagade, Commissioner Food Safety, FDA, Maharashtra
28. Sh. K.V. Sankhe, Joint Commissioner (Food), FDA, Maharashtra
29. Dr. K.U. Methekar, FSO, FDA, Maharashtra
30. Sh. Surinder Kumar, Dy. Director (Food Safety), Delhi
31. Dr. G.L. Singh, Joint Commissioner, FDA
32. Sh. Ashok Khullar, Joint Commissioner (Food), FDA, Haryana

33. Dr. Ramawatar Jaiswal, Dy. Director (FSSA), Jaipur, Rajasthan
34. Ms. Anuradha Prasad, Joint Secretary, Ministry of Food Processing Industries
35. Sh. K. Subramaniam, Commissioner Food Safety, Chhattisgarh, Raipur
36. Sh. Rajan Sehgal, Chief Director (Sugar), DFPO
37. Sh. Debashis Bose, Commissioner Food Safety, West Bengal
38. Sh. Ajit Tripathy, Joint Secretary, Ministry of Commerce
39. Dr. Karanjit Singh, Director Health Services cum Joint Commissioner Food Safety Standards
40. Sh. R. Desikan, Trustee, CONCERT
41. Ms. Rajni, Joint Secretary, Dairy Development DADF, Ministry of Agriculture
42. Sh. S.K. Nanda, Dy. Commissioner (Food Safety), Deptt. of Food Safety, GNCT of Delhi
43. Sh. S.M. Bhardwaj, Food Analyst, Deptt. of Food Safety, GNCT of Delhi
44. Dr. Srinivasa Gowda, Joint Director (PHI), Bangalore
45. Dr. R.M. Shukla, Joint Director (Entomology), Secretariat of CIB & RC, D/o PPR & S, Ministry of Agriculture, Faridabad
46. Sh. A.K. Ojha, Assistant Director, O/o Dy. Commissioner, MSME, Nirman Bhawan, New Delhi
47. Sh. Vinod K. Sharma, FSO, Rajasthan
48. Sh. Ashwani Kumar, C/o Ministry of Food

*** 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.**

ANNEXURE II

Minutes of meeting with Commissioner Food Safety of States regarding implementation of FSS Act, 2006

Minutes of the meeting with Commissioner Food Safety of States held on 31st October, 2012 in the Conference Room of FSSAI at 4th Floor, **New Delhi.**

Sh. S.N. Mohanty, CEO, FSSAI extended a warm welcome to all the members and their representatives to the meeting

CEO in his welcome note mentioned that there still exists certain grey area since the Act has been operationalized from 5th Aug, 2011. Meeting with states is important as it helps to identify potential risk and prioritizing the steps to take corrective actions on failures. He further added tribunal need to be established and there is gap in judicial framework. States need to start with the online Licensing and Registration procedure at the earliest. IEC activities need to be started by states. He also mentioned that States should upload their data regularly and make use of the facility on the website.

Director (Enforcement) gave presentation on the various issues that need to be catered by states.

CEO initiated the meeting by starting discussion on agenda items.

Agenda Item No.1: Awareness Generation in States

CEO suggested that to increase awareness among people two low cost methods i.e. a 24hr helpline and a webpage can be created. The webpage should be in local language for effective implementation. He further added that the helpline can also act as a control center at the time of any epidemic. IEC activities can be initiated by states. He also mentioned that further a provision would be made that all packaged foods carry their unique license number.

Director (Codex & Imports) mentioned that advertisements and jingles are being prepared on different issue like licensing & registration and misbranding etc. for public awareness. Karnataka Commissioner Food Safety suggested that the licensing advertisement could be released as early as possible for creating awareness among the stakeholders.

CEO further suggested that the Authority can share the advertisements and jingles with the states which could be further translated into local languages.

When enquired Odisha Additional Director mentioned that they have released advertisements. Gujarat Joint Commissioner stated that they have conducted 51 programs in local language to create awareness. Madhya Pradesh Food Safety Commissioner also added that they have used electronic and print media in the district and also had series of question & answers sessions.

CEO further added that each state could engage NGO's to effectively carry out IEC Activity. And apart from this each state should share the information about the activities conducted in the state with the authority.

Agenda Item No.2: Licensing and Registration

The online licensing system was introduced to have uniformity, easy accessibility and transparency in the system. Some States showed their interest of starting the online licensing. CEO mentioned that if the licenses cannot be issued through online system, States need not to wait for online Licensing & Registration system to be implemented, they can issue the licenses manually and then later on convert it to electronic version. The states should organize their set up for Licensing & Registration as the last date i.e. 4th February, 2012 will not be extended. CEO further mentioned that the money collected by licensing and registration could be utilized for IEC activities.

Agenda Item No.3: Enforcement structure in States/UTs (Manpower)

CEO stated that the Food Safety Commissioner should get a sanction order from the state govt. for creation of the post of FSOs and Food analysts. If post is already created they should recruit them. Maharashtra Food Safety Commissioner suggested that Authority should fix the number of FSO required for a particular number of FBO's.

CEO mentioned that due to the shortage of manpower we may skip the requirement of inspection for some categories of FBOs like transporter, retailer of food etc., where food is not handled, as these steps would be covered in Food Safety Management System Certification.

When enquired Haryana joint commissioner mentioned that there is shortage of FSOs as there are 10 FSO for 21 districts. Uttarakhand Food Safety Commissioner stated that 52 new posts have been created. Karnataka Food Safety Commissioner mentioned that 187 posts have been created, out of that 87 personnel have been recruited and process is still going on. Rajasthan Joint Director also added that they are creating new posts and are organizing camps twice a week for on the spot licence & registration.

It was further suggested that Designated Officers designation could be changed to District Food Safety Officer for more effective representation. Some states mentioned that they are already using the nomenclature of Assistant Commissioner. Coordination of states and centre is also important for effective working.

Agenda Item No.4: Training

Director (Enforcement) informed that training schedules are being prepared for Regulators, Food Analyst and FBO's. He stated that training programme is scheduled for Food Safety Officer in each state, which will be completed by February 2013. He further added that more than 100 universities have been approached for the self-sustaining training of FBO's all over the country. Induction training for FSO and DO will be of 180 days and 15 days respectively. A curriculum has been designed for the training of Food Analyst. 3 month training program is prepared in coordination with 4 Universities i.e. NIFTEM, CFTRI, UDCT and IIT Kharagpur. Then a centralised exam would be conducted. He invited opinions and suggestions from the state. The detailed scheme will be e-mailed to all Food Safety Commissioner.

CEO, FSSAI highlighted that training should be an on-going process and State should devise permanent system of training wherein some institutes for carrying out such trainings should be identified. Maharashtra Food Safety Commissioner suggested that training for food analysts can be conducted for better understanding of their scope of work.

Agenda Item No.5: Laboratories

CEO mentioned that States should take initiative regarding upgradation of the public labs. The fund which can be transferred to the State Govt. for the up-gradation

of laboratories to make it NABL status based on GAP analysis will be released only after 12th Plan is approved. He further added that 6 months from now all the State and Central Government labs should have a work plan and implementation of the same should also be started to meet the requirements of NABL Accreditation.

Agenda Item No.6: E-governance

Gujarat Joint Commissioner mentioned that the only problem they are facing is that the software is not in local language. It would be better that local language can also be included in the software. NISG official said that it is difficult to incorporate local language as it is difficult to type in local language. CEO asked whether states are ready for the online Licensing and Registration system to be implemented in their states. In response to this Haryana and Uttarakhand also showed their willingness to start online Licensing and Registration system.

Kerala Commissioner Food Safety informed that they have their own system for licensing & registration. CEO suggested that same system should be followed for licensing & registration in each state. Different software will create problems of handshake. Uniformity is required in the system because in future if there is need for conversion from state to central license and vice versa then it would be helpful and training and tracking requirement under the act. Mr. Moorthy of NISG said in the software they can make use of the information collected for the existing software.

Agenda Item No.7: Work Plan of the State/UT Govt.

CEO mentioned that each state should prepare their own work plan according to the needs of their respective states. Maharashtra Commissioner Food Safety suggested that a template work plan can be made which could be followed by every state.

CEO stated that we need to know the view of points of every state/ UT as each state has a different problems to cater. CEO further enquired about the work plan of different states and requested them to share their work plan with the authority.

Agenda Item No.8: Constitution of Steering Committee & District Committees

Steering Committee with Chief Secretary as Chairperson in State Level Committee and Deputy Commissioner as Chairperson in District Level Committee could be constituted.

Agenda Item No.9: Counterpart Agreement for transfer of funds during the 12th Five Year Plan

CEO, FSSAI informed that funds have been allocated for States in the area of enforcement, IEC activities, e-governance and upgradation of laboratories under 12th Five Year Plan. He asked States/ UTs to prepare plan and strategy accordingly taking into consideration financial allocation for States under 12th Five Year Plan. Financial assistance to State/ UTs will be provided through a “Memorandum of Understanding” during the 12th plan through binding commitment. The States should be ready with their work plan.

Director (Enforcement) mentioned that suggestions are welcomed from state on 12th 5yr plan and food code. He further mentioned that it is dynamic process and thus the suggestions could be incorporated.

Agenda Item No.10: Involvement of Panchayati Raj & Municipalities in the implementation

CEO , FSSAI referred Section 18 (2)(d) of the Act “General principles to be followed in Administration of Act” wherein Food Authority shall ensure that there is open and transparent public consultation, directly or through representative bodies including all levels of panchayats, during the preparation, evaluation and revision of regulations. He asked the States to take initiative to involve all local bodies for the purpose of registration under FSS Act, 2006. Further Panchayat should also be benefitted from this which would ensure their participation. He also added that panchayat and Municipal Corporation may be included only in specific areas.

Punjab Food Safety Commissioner enquired that if the registration would be done by Panchayat, Municipal Corporations then how will they issue unique registration number. CEO suggested that in that case use of software could address this problem. He also stressed that adequate systems have to be place at Central, State, District and Gram Panchayat levels to handle licensing/ registration duly integrating

Municipality and Panchayats with Food Safety Administration. Registration and Advisory Panels are to be created.

Agenda Item No.11: Incorporation of Food Safety Inspectors within the Food Safety Administration

CEO stated that for ease of implementation of FSS Act 2006, technically qualified Food Safety Inspectors who are meeting our requirements may also be included in our system. But the states will have to contextualize it for their own need.

At the end CEO added that the Central Govt. would help State Govt. in any manner possible but Authority is looking forward to have uniformity amongst all States in context of implementation of FSS Act, 2006. The State officials can contact FSSAI in case any problem is faced by officials in implementation of the Act.

The meeting ended with a vote of thanks by the Chair

List of participants who attended the meeting is at **Sub Annexure I**.

SUB-ANNEXURE I

The following were present during the Meeting with Commissioner Food Safety of States of held on 31st October, 2012 in the Conference Room of FSSAI at 4th Floor, New Delhi.

1. Sh. S.N. Mohanty, CEO, FSSAI
2. Dr. S.S. Ghonkrota, Director (Enforcement)
3. Sh. Sanjay Dave, Advisor
4. Sh. Dhir Singh, Director (Quality Assurance)
5. Smt. Vinod Kotwal, Director (Codex & Imports)
6. Dr. Meenakshi Singh, Scientist (Standard)
7. Sh. Pradip Chakraborty, Director (product Approval)
8. Col. C.R Dalal, Director (Administration)
9. Sh. K.J.R. Burman, Commissioner Food Safety, Delhi

- 10.Sh. Mahesh Zagade, Commissioner Food Safety, FDA, Maharashtra
- 11.Sh. K.V. Sankhe, Joint Commissioner (Food), FDA, Maharashtra
- 12.Dr. K.U. Methekar, Senior FSO, FDA, Maharashtra
- 13.Sh. Ashok Khullar, Joint Commissioner (Food), FDA, Haryana
- 14.Dr. Aditya Atreya, Joint Director, Jaipur, Rajasthan
- 15.Sh. V.B Patil, Commissioner Food Safety, Karnataka
- 16.Sh. R.L Vaishya, Joint Commissioner , Gujarat
- 17.Dr. Jai Kumar, Joint Director, Bangalore
- 18.Dr. P.K. Parida, Additional Director, Odisha
- 19.Smt. Raji Shrivastava, Commissioner Food Safety, Punjab
- 20.Sh. Ranbir Singh, Principal Secretary, Uttarakhand
- 21.Sh. Anil Kumar, Commissioner Food Safety, Kerala
- 22.Dr. M. Geetha, Commissioner Food Safety, Madhya Pradesh
- 23.Sh. K.K Mittal, DO (HR), Delhi
- 24.Sh . S. Kumar Gupta, DO (SW), Delhi

*** 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.**

ANNEXURE III

Meeting with Commissioner Food Safety of States/UTs held on 12th December, 2012 in the Conference Room of FSSAI at 4th Floor, New Delhi.

Dr. S.S Ghonkrokta, Director (Enforcement), FSSAI extended a warm welcome to the Food Safety Commissioner of States/UTs and their representatives to the meeting. In his welcome note he mentioned that the idea of this meeting is to share experiences and difficulties they are facing in implementation of FSS Act.

Deputy Director (Enforcement -II) gave presentation on the various issues that need to be catered by States/UTs. Director (Enforcement) requested States/UTs to timely submit the monthly report. Most of the States/UTs updated their monthly report and other data. Final data is attached at Annexure II.

Sh. Moorthy, General Manager NISG gave presentation on online Licensing & Registration System. He mentioned that it maybe customized according to the requirements of the States/UTs and further requested States/UTs to open SBI account for payment as online system has mode of payment through SBI only.

Director (Enforcement) initiated the meeting by starting discussion on agenda items. There was a suggestion from States that requirement of documents for each State/UT are different and thus States must be given liberty to decide on documents to be submitted by FBO according to the prevailing conditions & requirements of particular State/UT. The suggestion was accepted by all participants. Meghalaya Deputy Food Safety Commissioner further suggested that we may highlight this point after the list of documents to be submitted by Food Business Operator for Licensing & Registration.

Agenda Item No.1: Awareness Generation in States/UTs

Director (E) informed that FSSAI with partnership of CII, FICCI, PHD Chamber of Commerce & Industry in organizing melas in the country at about 60 locations for education & creating awareness among FBOs especially small level manufacturers. State Food Safety Commissioner may co-ordinate and help in

organizing them and Central & State Licenses will also be issued on the spot. Director (E) further added that to increase awareness among people two low cost methods i.e. a 24hr helpline and a webpage can also be created.

Director (Codex & Imports) mentioned that advertisements and jingles are being prepared on different issues like licensing & registration and misbranding etc. for public awareness. On the request of the participants CDs were distributed to the participants during the meeting. She further added that these CDs may further be translated in regional language.

Goa Food Safety Commissioner informed that they have given advertisements and in one months' time videos will be released. He also pointed that small advertisements by States/UTs could be released and States/UTs can participate in programs on Doordarshan for food business operators. J&K Food Safety Commissioner added that giving advertisements in local newspapers and channels would be more beneficial. Director (E) requested States/UTs to publish and advertise the work they have accomplished which would be used for generating awareness amongst other States/UTs. Few States were of the view that some of the papers have better readership and they can suggest names of the local newspaper for publishing the advertisements. Director (E) suggested that such names be sent to FSSAI. Arunachal Pradesh Deputy Food Safety Commissioner requested for a letter from FSSAI to the States/UTs Government to provide funds for the awareness generation.

Agenda Item No.2: Licensing and Registration

Director (E) informed that the number of Food Business Operators registered till date is very low in comparison to the volume of Food Business Operators in the country. Director (Codex & Imports) mentioned that it is proposed to give an advertisement in local newspapers to expedite process of Registration. All were unanimous that these advertisements may be given.

Goa Food Safety Commissioner suggested that advertisements could also be given for creating awareness among public regarding FSS Act, 2006. He further added that there are many queries related to registration that whether people working from home should get registration or not. In this regard Director (E) suggested that advertisement on registration which FSSAI is going to publish should also consist of categories of Food Business Operators to be included for

registration. So that all concerned FBOs are clear that they have to get themselves registered.

Meghalaya Deputy Food Safety Commissioner enquired whether Licenses should be issued in case of alcohol and wines also. Director (E) clarified that alcohol and wines are to be included for Licensing as it is a food product and an advisory is likely to be issued by FSSAI shortly. He also added that in next 6 months the States/UTs should try to achieve 100% registration of Food Business Operators as it is manageable in case of small States/UTs as number is less.

Director (E) suggested that States/UTs can take help of NGOs to facilitate FBOs in the process of registration. It was also emphasized that before starting with online Licensing & Registration hardware resources should be ready with States/UTs. Director (E) requested NISG official to mail the presentation on working of Online system to all the States/UTs. So that States/UTs are prepared and can plan regarding online Licensing and Registration.

Agenda Item No.3: Enforcement structure in States/UTs (Manpower)

Meghalaya Deputy Food Safety Commissioner enquired that what will be the minimum number of Designated Officer required per state. Director (E) clarified that the minimum requirement is one Designated Officer per district and no. of Food Safety Officer depends on the volume of FBOs in the district. FSSAI has already circulated suggested enforcement structure also. In this matter, States suggested that a committee can be constituted which can examine these issues and it can be similar to Mashelkar Committee in case of Drug Department.

Agenda Item No.4: Training

Director (Enforcement) informed that training schedules have been prepared for Regulators, Food Auditors, Food Analyst and FBO's. He stated that training programme is scheduled for Food Safety Officers in each States/UTs, which will be completed by February 2013 and more than 100 Universities have been approached for the self-sustaining training of FBO's all over the country. Induction training for FSO and DO will be of 180 days and 15 days respectively which will be conducted by National Institute of Food Technology Entrepreneurship and Management, Sonipat. A curriculum has also been designed for the training of Food Analysts and Food Auditors. Different Institutes are being contacted to undertake these training

courses on behalf of FSSAI. FSSAI will enter into MOU with these Institutes/University and all these courses are self-sustaining.

Jharkhand Director-in-Chief suggested that it is not possible for the states to provide full financial support for the training of FSO. TA maybe borne by States/UTs and rest of the expenditure including boarding/ lodging maybe provided by FSSAI. Director (E) suggested that state should provide list of DOs & FSOs whom training to be given so that training schedule could be prepared accordingly. Tripura P.O (FSSA) suggested that 2-3 small States/UTs can be combined for trainings. Jharkhand and North-East states wanted that training of AO's may be conducted Division wise or State wise as it becomes difficult for AO's to spend more time for training.

Agenda Item No.5: Laboratories

Tripura P.O (FSSA) suggested that there should be relaxation in experience for the post of public analyst i.e. from 3 years to 2 years. Director (QA) clarified that the number of papers required to clear for the post of Public Analyst has already been reduced and as such experience cannot be reduced. In this regard Andaman & Nicobar Islands Food Safety Commissioner requested to upload names and contact details of the qualified Food Analyst on the website as they are not finding any food analyst to man their laboratory. Puducherry have four Analysts, some working arrangements can be worked out with that State.

Director (E) mentioned that States/UTs should take initiative regarding upgradation of the public labs as per the Lab Analyst or otherwise. All the States/UTs are required to have a work plan ready before April, 2013 for upgradation of their labs.

Agenda Item No.6: E-governance

Director (Enforcement) informed that the authority receives lot of queries related to FSS Act, 2006 but besides FSSAI these queries should be addressed by States/UTs thus States/UTs website is very essential. There is need to setup States/UTs helpline to guide FBOs.

Agenda Item No.7 & 9: Work Plan of the State/UT Govt.

Director (E) briefed that each state should prepare their own work plan according to the needs of their respective States/UTs. FSSAI had already circulated the area/activities where action has to be taken under the 12th Five Year Plan. We have to have a plan so that action can be taken without wasting time once 12th plan funds are released.

Director (E) informed that funds under 12th 5 year plan are likely to be allocated for enforcement, IEC activities, e-governance and upgradation of laboratories under 12th Five Year Plan. The States/UTs may prepare their plan and strategy accordingly taking into consideration financial allocation for States/UTs under 12th Five Year Plan. Financial assistance to States/ UTs will be provided through a “Memorandum of Understanding” which will be signed by respective State/UT Government and FSSAI. Meghalaya Deputy Food Safety Commissioner suggested that there should be provision of funds for manpower required in IEC activities, Director (E) clarified that the cost for manpower has to be borne by States/UTs.

Jharkhand, Director in Chief mentioned that all the files and cases related to ghutka ban should be merged in this matter Director (E) clarified that this has been already decided and all court cases are being clubbed and placed before Supreme Court. In case there are such cases in States, the States/UTs can contact legal section of FSSAI, so that we can club these cases.

Agenda Item No.8: Constitution of Steering Committee & District Committees

Director (E) stated that steering Committee with Chief Secretary as Chairperson in State Level Committee and Deputy Commissioner as Chairperson in District Level Committee may be constituted. This process has already been implemented in most of the States.

Agenda Item No.10: Involvement of Panchayati Raj & Municipalities in the implementation

Director (E) requested the States/UTs to take initiative to involve all local bodies for the purpose of registration of FBOs under FSS Act, 2006. Director (E) further suggested to include Market Associations for registration purpose.

Andaman & Nicobar Islands Food Safety Commissioner suggested that it would be convenient if this type of meetings can be conducted at other suitable places (out of Delhi) where 5-7 States/UTs can participate and discuss their issues with the Authority.

Actionable Points on suggestions from the meeting: based on the discussions held during the meeting the following actionable points emerged.

1. Two low cost methods i.e. a helpline and a webpage can be created by States/UTs for generating awareness and solving queries of FBOs.
2. States/UTs may participate in programs on Doordarshan etc for creating awareness among food business operators.
3. Giving advertisements in local newspapers and channels would be more beneficial. Names of the local newspaper which have better readership may be sent to FSSAI by States/UTs and same will be forwarded to IEC section.
4. States/UTs to publish and advertise the work they have accomplished which would be used for generating awareness amongst other States/UTs.
5. A letter maybe sent from FSSAI to the States/UTs Government to provide funds for the awareness generation in the States/UTs.
6. Advertisement may be given in local newspapers by FSSAI to expedite process of Registration along with the categories of Food Business Operators to be included for registration.
7. A committee may be constituted which can examine the issues related to Enforcement structure in States/UTs (Manpower) and it can be similar to Mashelkar Committee in case of Drug Department.
8. States/UTs should provide list of DOs & FSOs whom training to be given so that training schedule could be prepared accordingly to be examined by FSSAI. For the training of FSOs TA maybe borne by States/UTs and rest of the expenditure including boarding/ lodging maybe provided by FSSAI.
9. Training of AO's may be conducted Division wise or State wise for Jharkhand and North East States. (Feasibility to be examined by FSSAI)
10. FSSAI may upload names and contact details of the qualified Food Analyst on the website, as some States/UTs are not finding any food analyst to man their laboratory

11. Each State/UT should prepare their own work plan according to the needs of their respective States/UTs before April 2013.
12. Meetings can be conducted at other suitable places (out of Delhi) where 5-7 States/UTs can participate and discuss their issues with the Authority. (Feasibility to be examined by FSSAI)

The meeting ended with a vote of thanks by the Chair

List of participants who attended the meeting is at **Sub Annexure I**.

SUB ANNEXURE I

The following were present during the Meeting with Commissioner Food Safety of States/UTs of held on 31st October, 2012 in the Conference Room of FSSAI at 4th Floor, New Delhi.

1. Dr. S.S. Ghonkrokta, Director (Enforcement)
2. Sh. Sanjay Dave, Advisor
3. Sh. Dhir Singh, Director (Quality Assurance)
4. Smt. Vinod Kotwal, Director (Codex & Imports)
5. Dr. Meenakshi Singh, Scientist (Standard)
6. Sh. Pradip Chakraborty, Director (product Approval)
7. Col. C.R Dalal, Director (Administration)
8. Dr. S.K Paul, Commissioner Food Safety, Andaman & Nicobar Islands
9. Sh.S.N Sangma, Deputy Commissioner Food Safety, Meghalaya
10. Sh.U.K Mitra, Deputy Commissioner Food Safety, Arunachal Pradesh
11. Dr.T.P Barniwal, Director in Chief (Food), Jharkhand
12. Sh.R F Lotha, Additional Commissioner (Food), Nagaland
13. Dr. K Bhandari, Commissioner cum Secretary, (Health), Sikkim
14. Dr. G.L Upadhyaya, Deputy Commissioner Food Safety, Puducherry
15. Dr. Vangjapao Singson, Directorate of Health, Assam
16. Sh. Salim A. Veljee, Director (Food& Drug), Goa
17. Sh. Satish Gupta, Commissioner Food Safety, Jammu & Kashmir
18. Sh. I.N Moorthy, General Manager, NISG
19. Sh. N.Thapa, Designated Officer, Sikkim
20. Dr. K. Chakraborty, P.O (FSSA), Tripura
21. Dr. Satbir Singh, D.O, Chandigarh

*** 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.**

ANNEXURE IV

Factsheet of State/UT

Name of the State/UT-

1.	Food Safety Commissioner	
2.	Correspondence Address	
3.	Contact details & e-mail	
4.	Nodal Officer & Contact Details	
5.	Number of Districts	
6.	Number of Municipalities/Sub divisions/Blocks/Tehsils	
7.	Number of DO (attach the detailed list)	
8.	Number of AO (attach the detailed list)	
9.	Other Cadre staff members (attach the detailed list)	
10.	Number of FSO (attach the detailed list)	
11.	Number of Notified Registering Authority(RA) other than FSO (attach the detailed list)	
12.	Number of Food Analyst(attach the detailed list)	
13.	Status of Food Laboratories	
14.	NABL Laboratories in State	
15.	Whether Tribunal is Established	
16.	Estimated Food Business Operator Population	
17.	Major sectors of Food Businesses in the State	
18.	Food Business Units licensed	
19.	Food Business Units registered	
20.	Number of food samples collected during the year 2012-13	
21.	Number of food samples found unsafe and substandard during the year 2012-13	
22.	Number of FBOs challaned during the year 2012-13	
23.	Number of FBOs convicted during the year 2012-13	
24.	Training Facilities	
25.	Whether Steering Committee constituted	

Specific issues of the State/UT:

ANNEXURE V

Format for Memorandum of Agreement (MoA) with States/UTs

This Memorandum of Agreement (MoA) is drawn on the ----- day of -----,20

Between

Food Safety and Standards Authority of India represented by the Chief Executive Officer (CEO) acting through the Director having office at Food Safety and Standards Authority of India (FSSAI), FDA Bhavan, Next to Rashtriya Bal Bhavan, Kotla Road, New Delhi- 110002, India hereinafter referred to as “FSSAI” (which term or expression shall mean and include its successors – in office and assigns) of the first part:

AND

The State Government of ----- represented by the Governor (hereinafter referred to as “State”) through the Principal Secretary of Health, Government of Of the second part:

1. Whereas the Food Safety and Standards Authority of India has notified Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011 on 1st August 2011 which has come into force from 5th August 2011. Section 2.1 of the (Licensing and Registration of Food Businesses) Regulations, 2011 stipulates that all Food Business Operators in the country will be registered or licensed in accordance with the procedures laid down thereinafter;
2. Whereas FSSAI has set up a central IT infrastructure to implement an integrated, centralized, secure, scalable & robust Web based IT application for Licensing & Registration of all the FBOs across the States and Union Territories of India.
3. Whereas the State realizes its Constitutional obligation to provide the Licensing/Registration services to the Food Business Operators in the State, the State also realizes that introduction of Online Licensing/Registration will assist the District administration and the local bodies to improve service delivery mechanism, achieve better information management and transparency.

4. Whereas the State has expressed its willingness to use the central IT application with minimal customization changes as per the local information needs vide letter ref: dated..... to FSSAI and have met the essential criteria (given in sub annexure) set out by FSSAI for roll out of licensing/Registration in the State. The Commissioner of Food Safety appointed by the State shall be the nodal officer for implementation of the roll out of Licensing/Registration in the State/UT.
5. Now the parties witnessed as follows:
 - 5.1** FSSAI will be hosting the application centrally in the server of NIC (National Informatics Centre) at New Delhi, Provide technical assistance; training and hand holding support to State for an initial period of three months from the date of Go-Live as indicated in the “Bundled services offer” of FSSAI to States and bear the cost of Maintenance of the system perpetually
 - 5.2** State has agreed to appoint Designated Officers, Food Safety Officers as required by the FSS act and employ support resources in the state and district level, provide user end IT infrastructure, provide trainings, Notify RA (Registering Authorities), Conduct awareness campaigns and an indicative timeline to perform the activities for implementing the Licensing/Registration in the State as given in Sub Annexure I
 - 5.3** State agrees to setup Governance committees at the State level and District level and ensure they meet regularly to discuss issues, remove roadblocks and facilitate smooth implementation.
 - 5.4** State shall ensure the implementation and roll out of Licensing/registration in conformance to the guidelines and as per the time lines given by FSSAI
 - 5.5** State agrees to follow the existing guidelines and benchmarks issued on the FSS Act, its Rules & Regulations read along with corrigendum and any further guidelines to be issued by FSSAI from time to time during the tenure of the Roll out.
 - 5.6** State agrees to submit a monthly progress report on the progress of the Roll out to FSSAI along with the minutes of the meetings held by the State and District committees formed for Governance of this Roll out
 - 5.7** That FSSAI or any agency nominated by it may undertake site visits to ascertain the progress of the work.

5.8 Any further assistance to State shall be considered only if the timelines indicated in detail in Sub Annexure I to this MoA to implement the Licensing/Registration as per the guidelines of FSSAI are adhered to by the State.

5.9 State agrees to submit the completion report at the end of the Roll out.

5.10 That in case of any breach of terms and conditions of this agreement, FSSAI is entitled to withhold subsequent assistance that it may plan to offer in future.

6. In witness hereof all the parties have put their hands on these presents of Memorandum of Agreement and agreed to abide by the terms and conditions as laid down herein in totality

Signatories

1. For Food Safety and Standards Authority of India

2. The Government of ----- represented by the Governor through the Principal Secretary of Health, for State of

Witness

1. -----

2. -----

Sub Annexure-I

I. *Indicative milestone list for activities*

S. No	Activity	Milestone	Timeline
1.	Appointment of DOs/FSOs	Notified and Recruited as per FSS act 2006	
2.	Infrastructure	Provide Manpower (DO,FSO) as per suggested table Provide IT infrastructure as per suggested table	
3.	Notifying Registering Authorities(RA)	Notify & Appoint RA at the Municipal and Village Panchayat Levels	
4.	Governance	Establish State and District Committees as suggested	
5.	IEC Activities	Establish Helpline at the office of the FSC Food safety Helpline(Toll free) for the State/UT (To support in State/UT official language)	
6.	Service Delivery	Customize requirements as per the local needs of the State Piloting, Go-Live User Acceptance Test(UAT)	Before 4 th February 2014
7.	Coverage of FBOs	To cover atleast 80% of the enumerated FBO population in the State/UT before 4th February 2013	Before 4 th February 2014
8.	Monitoring & Reporting	Monthly Reporting on the progress of Roll out of Licensing/Registration in the State/UT by Commissioner of Food Safety	Before 10 th of every succeeding month until Roll out is complete

ANNEXURE VI

No. P 15025 /24/2012-PA/FSSAI
Food safety and standards Authority of India
(Ministry of Health and Family Welfare)
FDA bhawan, Kotla Road,
New Delhi.

PROCEDURE REGARDING NEW PRODUCT APPROVAL PROCEDURE

Several advisories relating to procedures for obtaining Product Approval before application for license have been issued and published on FSSAI website. Authority has also received several queries and concerns from the Food Business Operators regarding the complexity and time lines for product approval. Further to streamline the product approval procedure and the licensing of these foods in a timely manner with due consideration to the safety of foods and public health as well as for the smooth continuance of trade the following procedure shall be followed:

- a. All advisories and clarifications regarding Product Approval issued previously will be superseded with the new procedure referred as "New Product Approval Procedure".
 - b. This shall come into force from the date of notification on the FSSAI website.
 - c. The following guidelines given below shall apply.
1. Foods or food categories covered under the NPA procedure and required to obtain product approval:
- a. Proprietary Foods that have been granted license under previous Acts/Orders (PFA, MMPO, MFPO etc) and have been in the market prior to 31st March 2011 or new food products intended to be placed on the market and **do not contain** Novel Foods, Functional Foods, Food Supplements, Irradiated Foods, Genetically Modified Foods, Foods for Special Dietary Uses or extracts or concentrates of botanicals, herbs or of animal sources shall be granted product approval under the following condition:
 - i. The FBO has provided a complete list of ingredients and food additives as mentioned on the label (copy of label to be attached for products in market) and
 - ii. The FBO has provided the category number as applicable under the Indian Food Category Code.

- iii. Where the application is in accordance to conditions as in 1(a) above and in the format (Format 1a) – FSSAI shall grant Product Approval and the FBO may proceed to obtaining a license as provided under paragraph (2) below
- b. Foods labelled as proprietary foods, whether licensed under previous Act/Orders or are intended to be placed on the market and contain Novel Foods, Functional Foods, Food Supplements, Irradiated Foods, Genetically Modified Foods, Foods for Special Dietary Uses or extracts or concentrates of botanicals, herbs or of animal sources shall be apply for product approval and grant of provisional NOC as provided under paragraph (2) below.
- c. Foods products requiring product approval shall be made in the application form as provided by FSSAI (Format 1b).Further
 - i. Safety documentation is required for all ingredients except for vitamin and minerals or food additives approved under FSSR 2011 or Codex (JECFA).
 - ii. The FBO shall also declare the category under which he intends to market the product as specified under Section 22 – namely food supplement, food for special dietary uses, functional food etc or any other recognised under international regulations.

2. Licensing Conditions:

- a. All licenses granted under the Product Approval Procedure shall be issued under Central Licensing Authority for a period of 1 year and thereafter they will be considered for migrated to the respective State Licensing Authority in accordance with the rules and regulations thereunder.
- b. Products falling under Clause 1(a) of this advisory shall apply for license as per the general requirements as applicable to the food product under FSS (Licensing & Registration of Food Business) Regulations 2011.
- c. Products falling under Clause 1(b) shall be considered for issuance of a Provisional No Objection Certificate (PNOC) only after grant of Product Approval and subject to the conditions as under:
 - i. For new products which are yet to be placed on the market a No Objection Certificate (NOC) will be issued for application of license under conditions of the FSS (L&R) 2011 as applicable. Where the safety data is insufficient to make the determination the FBO will be called upon to submit the same prior to grant of an NOC.

- ii. In the case of products currently in the market both domestic and imports and licensed under previous Acts/Orders shall be granted a provisional NOC (PNOC) for a period not exceeding one year from date of granting of the NOC, on the condition that the FBO obtains the required Food/Ingredient/Additive approval in the stipulated time.
- iii. In case of rejection of application under the Approval Procedure the product under reference shall be recalled as per provisions laid down FSSR 2011.

3. Fees:

- a. For products under 1(a) a fee of Rs 25,000/- for a group of 5 products which are significantly similar will be collected. If the products are dissimilar Rs 25,000/- for each product will be collected.
- b. For all products under 1(b) an application fee of Rs25000 is payable on each product application submitted except where the only differences in product composition are flavours or colours they may be grouped together and considered a single application for five products.
- c. Where the applicant is informed that the application for food product/ingredient approval requires further safety assessment by the Scientific Panel an additional fee of Rs. 25000 is payable.
- d. For all existing applications differential may be collected before going the product approval.

This issue with the approval of CEO, FSSAI

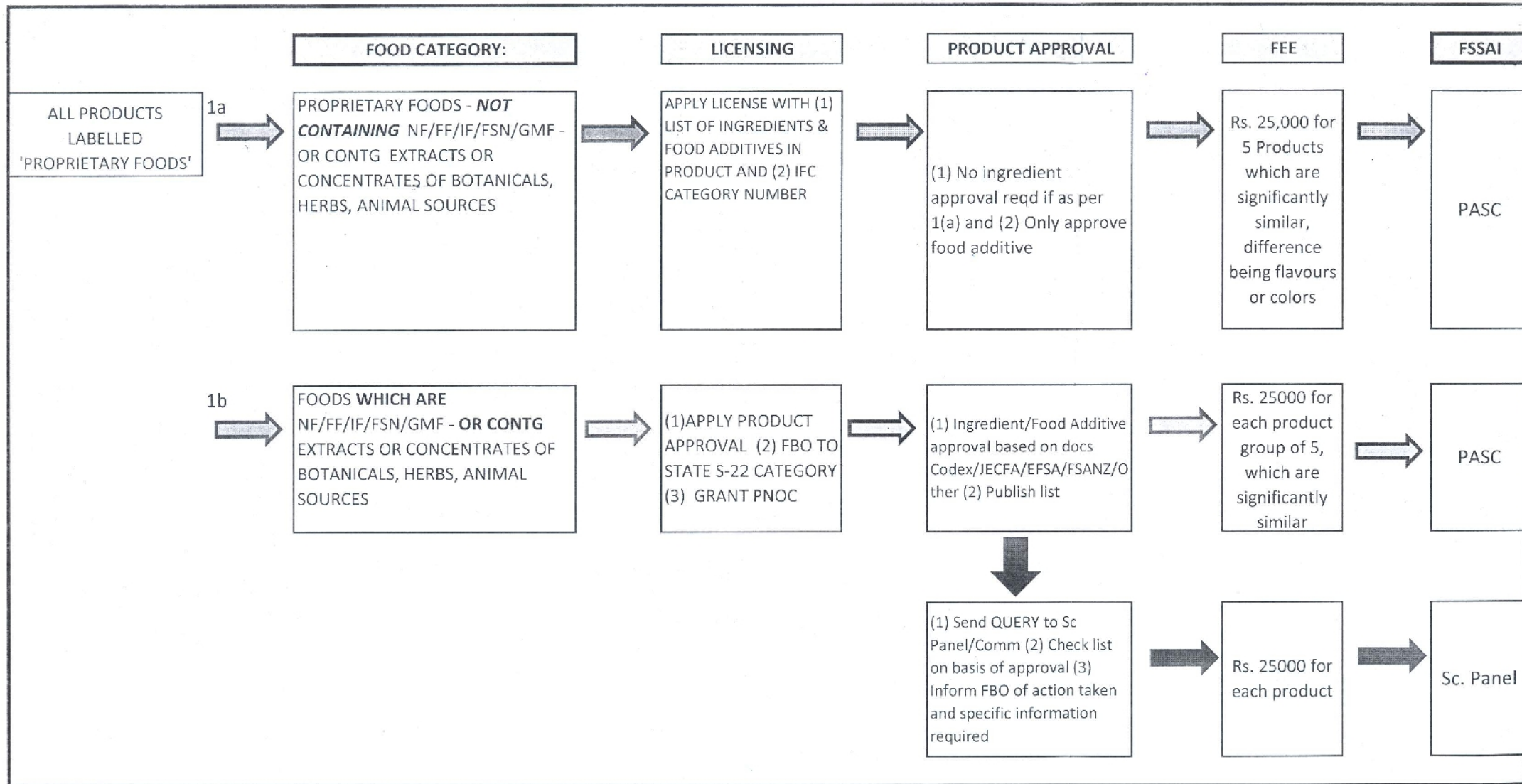


(Col.C.R.Dalal)

Director (In charge Product approval)

To

1. PS to CP
2. PPS to CEO
3. All Directors, FSSAI
4. All Central Dos/AOs
5. Website, FSSAI



FOOD SAFETY & STANDARDS AUTHORITY OF INDIA
PRODUCT APPROVAL PROCEDURE
Product falling under 1(a) of Advisory No

FOR FSSAI USE ONLY

Date of Application
Registration No:

A ADMINISTRATION DETAILS

- 1 Name of FBO
- 2 Contact Address (incl tel no etc)
- 3 Previous License Details

B PRODUCT DETAILS

Complete List of Ingredients	Complete List of Additives
1	1
2	2
3	3
4	4

C INDIAN FOOD CODE DETAILS

Name of Product as under above Code

Code Number

Product Label Attached

YES NO

Note: (1) Use separate sheet for each product. (2) Use additional sheets if required)

APPLICATIONS FOR APPROVAL OF NEW PRODUCT/INGREDIENT

The following information is required for approval of new product/ingredient that has not been approved for use under the FSS Regulations:

1. Administrative Information

1.1. **Name of Applicant:**[Company Name] _____

1.2. **Complete Company Address:** [postal, telephone, fax, email]
.....
.....

1.3. **Name of Contact Person :** _____ [Position, telephone fax, email]

[Authorization letter from the company shall be attached]

1.4. **Manufacturer Address:** manufacturer(s) of the substance (if different from above)
.....
.....

1.5 Whether applicant is having the licence under FSS 2006. If yes give details.

2. Technical Information

2.1 Name of I.) New ingredient

II.) New product

2.1.1. Common Name: _____

2.1.2. Chemical or other name (in case of I above) _____

2.1.3. Name of food in which it is proposed to be used and concentration of usage (in case of ingredient)

2.1.4. Composition of product (in case of new product)

2.1.5. Brand Name (s) [if applicable] _____

2.2. Functional use of ingredient/product

2.3. **Technological Function:** [as applicable below in not more than 10 lines – supporting documents shall be attached]

2.3.1 Details on the functional / Technical need and advantage for the product/ingredient

2.3.2 Details of the benefits of a new product/ingredient

2.3.3 Details on the functional / Technical need for an increased level.

- 2.3.4 Provide information to demonstrate that the new product or the ingredient will not adversely affect any specific population groups (Pregnant women, lactating mothers, children, elderly etc.)
- 2.3.5 Specify the name of the food proposed to be marketed
- 2.3.6 Provide intended use of the new product, specific benefits the consumers or food manufacturers will get if the new food product/ingredient is allowed, specific advantages of the new food product to the consumers and manufacturers.
- 2.3.7 Specify the disadvantages attached if the manufacturer/consumer use the ingredient/product.
- 2.3.8 Provide information on the proposed usage of packaging material and its impact on the product / ingredient.

2.4. Specifications/ Purity

- 2.4.1. Composition of the product/ingredient
- 2.4.2. Percentage of each ingredient (nutrients and additives), name of additives with their category such as thickening agent, emulsifier, colour etc
- 2.4.3. Status of additives whether approved under FSSA Regulations, identify categories with INS no.
- 2.4.4. Food grade reference may be taken from Food Chemical Codex or any other internationally recognized source.
- 2.4.5. Tests for purity and conformance to Food Grade

2.5. Method of Manufacture: Brief description of the method, raw material source etc.

- 2.5.1 Detail of New technology involved if any.
- 2.5.2 Shelf Life Stability of product
- 2.5.3 Specific conditions of storage

2.6 Safety Information: Safety Approval of the product /ingredient by Recognized Safety Agencies. (Documents on risk assessment/toxicity studies to be attached)

- 2.6.1 History of new ingredient/product in other countries (Documents to be attached)
- 2.6.2 Attach published or unpublished reports of allergenicity or other adverse effects in humans associated with the food
- 2.6.3 Attach reports prepared by WHO or by other national or international agencies responsible for food safety or public health like Codex, USFDA, EU, FSANZ etc.

2.7 Regulatory Status: Mention the countries where the product/ingredient is permitted for use in the food. If so provide the level and purpose of consumption by the consumers and the relevant regulations be attached.

2.8 Method of Analysis:

- 2.8.1 Qualitative test of the subject material
- 2.8.2 Method of detection of the subject material when present in the mixture with foods and limit of this detection method.

Method of quantitative separation and analysis of the subject material when present in the food mixture. Limits of this method of analysis (LOQ, original reference, if published must be quoted)

- 2.8.3 How the subject material is to be specifically identified in presence of other food additives of similar nature?

2.9 List of documents attached:

- 2.9.1 The applicant shall attach an indexed list of documents in support of the application and identify these in relation to the information code herein.
- 2.9.2 Where the applicant requires certain documents to be treated as confidential the same shall be stamped on such documents and a formal request to this effect, shall accompany the application.

3. Information on dietary exposure, nutritional impact and potential impact on the consumer

- 3.1 Give details about the compositional analyses

- 3.2 Provide nutrient profile studies to demonstrate that the use of the new product or the new food ingredient will not cause a nutritional imbalance in the diet.
- 3.3 Provide information on the projected consumption levels of the new product(s) containing the new food ingredient, and frequency of consumption
- 3.4 Does the new product requires any specific labelling standards
 - 3.4.1 If yes, Provide information on the proposed labelling

4. Efficacy – Health claim/Nutritional claim/Risk reduction claim

- 4.1 Published literature supporting the Health claim or Nutritional claim or Risk Reduction claim or clinical study carried out on the product to make such claims
- 4.2 Proposed label (as per labelling requirements under FSSA regulations, copy of prototype label to be attached).

5. Details of fees to be enclosed -

Name and Signature of the applicant

NB:

- i) Applicant will make such application with an initial payment of INR 25000 in the form of Demand Draft towards initial screening of the application by the "Approval Screening Committee". Subsequently, in case of "Category-B approval" the applicant will make an additional payment of INR 25000(non refundable).
- ii) Application fee in the form of demand draft shall be in favour of "Senior Account Officer, FSSAI" at New Delhi.