

**Minutes of the 37th meeting of the Food Authority held on November 23, 2021 at
10:30 hrs through virtual medium**

The thirty seventh meeting of the Food Safety and Standards Authority of India (FSSAI) was held at 10:30 hrs on 23rd November, 2021 under the chairmanship of Ms. Rita Teatota, Chairperson, FSSAI. The meeting was conducted through online virtual forum due to covid-19 pandemic. The list of participants is at **Annexure -1**.

Head (GA) welcomed the members of the Authority and highlighted that this is the eighth meeting of the Food Authority held through virtual platform since COVID-19 pandemic.

Head (GA) requested the members to submit duly signed Annual Declaration of Interest and Specific Declaration of Interest at the end of the meeting. Thereafter, he invited Chairperson for her opening remarks.

Chairperson, in her opening remarks, welcomed the members of the Authority and thanked all for facilitating the work of the Authority in ongoing COVID pandemic.

Item No.	Description
I	Confirmation of minutes of 36th meeting held on 23/09/2021
	Since there were no comments, the minutes of the 36 th meeting held on 23 rd September, 2021 were confirmed and adopted, as placed.
II	Action Taken Report of 36th meeting
	Since there were no comments, the Action Taken Report was noted by the Authority, as placed.
III	CEO's Report (to be presented during the meeting)
	CEO, FSSAI in his report, simultaneously tabled during the meeting, highlighted the action taken and developments since the last meeting of the Food Authority. He apprised the Authority about the enforcement of Section 22 (2) of FSS Act related to Genetically Modified (GM) foods and subsequent draft notification on GM foods which is available in public domain for stakeholder's comments. He also emphasized to focus on having proper testing protocols for analysing GM foods. Further, he also apprised about various activities viz. Food Safety Connect Mobile Application,

	<p>FoSCoS portal, Food Safety on Wheels (Mobile Food Testing Lab), TFA Survey, launching of Eat Right India (ERI) Initiatives like ERI Research Awards etc.</p> <p>Authority took note of the CEO's report. The detailed report is placed at Annexure-2.</p>
FOODSTANDARDS	
37.1	Other Issues
37.1.1	Review petition on application for approval of "Biosil (Choline stabilized orthosilicic acid)" from M/s Sundyota Numandis Probiocentials Pvt. Ltd.
	<p>Discussion: As decided in 36th meeting of the Food Authority, representative from M/s Sundyota Numandis Probiocentials Pvt. Ltd. presented his case in-person and expressed to obtain Provisional Approval for importing "Biosil (Choline stabilized orthosilicic acid)" in India so as to undertake its clinical trials for further studies and data generation on Indian population.</p> <p>CEO, FSSAI asked the applicant whether their product has history of safe use for last 30 years. In response, the applicant mentioned that it is in the market since 2004 and thus do not comply this requirement. Further, CEO questioned the need to have Provisional Approval for clinical trials as the FSS (Import) Regulation, 2017 allows import of a product for R&D purpose with a declaration as prescribed in the regulation. The reasons for not conducting clinical trials in India earlier and focussing only on observational trails were also sought.</p> <p>Decision: It was decided that provisional NOC cannot be issued to the applicant for import of the materials for conducting clinical trials. The applicant, if desires, may conduct Clinical trials of Biosil (Choline stabilized orthosilicic acid) in India as per extant protocols laid down by ICMR; and, then submit a fresh application along with the duly authenticated data for consideration by the Authority. The Review Petition is accordingly disposed off.</p>

	Action Point: Science and Standards (S&S) division shall communicate the aforesaid decision of the Authority to the applicant.
37.1.2	Notification of Inborn Errors of Metabolism (IEM) conditions under FSS (Foods for Infant Nutrition) Regulations, 2020
	<p>Discussion: One of the special invitees highlighted that the two hypoallergenic conditions under IEM needs to be addressed in the regulation. In response to this, Advisor (S&S) clarified that these conditions have already been subsumed in the regulations and a clarification if required, may be issued.</p> <p>Decision: The Authority approved the draft notification, as proposed.</p> <p>Action Point: S&S division to proceed with the draft notification, as proposed.</p>
37.1.3	Review of FSS (Food Products Standards and Food Additives) Regulation, 2011
	<p>Discussion: The members were in agreement of the proposal. However, Chairperson recommended to frame Terms of Reference (ToR) and systematic work plan with reasonable timeline.</p> <p>Decision: The Authority approved the proposal in-principle, as placed.</p> <p>Action Point: S&S division to take necessary action.</p>
FOOD SAFETY COMPLIANCE	
37.2	Monitoring of safe disposal of Used Cooking Oil (UCO) by the Food Business Operators (FBOs)
	<p>Discussion: Chairperson questioned the functionality of footnote “<i>No topping up of Cooking Oil at 25% TPC with Fresh Oil</i>” and enquired about the scientific evidence that the addition of fresh oil to oil with 25% TPC is harmful for consumers. Advisor (S&S) highlighted about the lack of testing protocols to differentiate addition of fresh oil in used oil; and, also mentioned that lack of evidence to prove that the addition of fresh oil in used oil is harmful to consumer. The Authority agreed with the fact that there will be difficulty in enforcing the said footnote in absence of testing protocol and lack of evidence.</p> <p>Decision: The Authority approved the proposal, as placed. The direction</p>

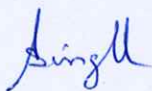
	dated 30.01.2019 should be revised to delete the foot note. Further, the revision in Annual Return Form shall be communicated to the Ministry of Health and Family Welfare so as to incorporate under the FSS (Licensing and Registration of Food Businesses) Amendment Regulation, currently with the Ministry for approval. Action Point: RCD/ Regulations divisions to take necessary action.
37.3	MoU between FSSAI and States/UTs for Strengthening of Food Safety Eco-system in the Country- latest status
	The Authority took note of agenda item as circulated for information.
37.4	Mapping of 08 New/Revised standardised food products with Food category System in FoSCoS for Licensing and Registration
	The Food Authority considered the agenda item and approved, as proposed.
GOVERNANCE AND ADMINISTRATION	
37.5	FSSAI's related Accounts w.r.t.
(I)	Annual Accounts for FY 2020-2021
	The Authority considered the agenda item and ratified, as placed.
(II)	Scheme of Constitution of IFD at FSSAI Regional Offices (RO's) & National Food Laboratories (NFL's)
	The Authority took note of agenda item as circulated for information. Chairperson suggested to include the statement that IFW shall exercise powers based on overall plan approved by the Authority.
ANY OTHER AGENDA ITEM WITH THE APPROVAL OF THE CHAIR	
Supplementary Agenda Item 37.IV	
1.	Proposal to amend the appeal procedure in the FSS (approval of non-specified foods & food ingredients) Regulations, 2017 [FSS(NSF&FI)]
	The Authority approved the proposal, as placed. However, Shri Sajji Kumar, JS (Legislative Dept.), Ministry of Law and Justice suggested to fix a timeline for both appellate authority and reviewing authority for facilitating timely disposal of appeal. The Authority agreed to make necessary amendment in regulation to fix 30 days' timeframe for disposing off the cases with enabling proviso for extension of timeline beyond 30 days, for reasons to be recorded in writing.

2.	1. Ratification of Notification / Recognition / Discontinuation of Food Testing Laboratories 2. Ratification of Rapid Analytical Food Testing (RAFT) Kit/Equipment/Method
	The Authority considered the agenda item and ratified, as placed.
3.	Comprehensive plan for conducting food safety inspections and auditing of FBOs
	The Authority took note of the withdrawal of the agenda item.
4.	Operationalization of standards/ regulations and directions issued by FSSAI
	The Authority considered the agenda item and ratified, as placed.
5.	Implementation of Basic Food Import Clearance Fee (BFICF)
	The Authority approved the proposal, as placed. However, CEO suggested to work in association with the Custom Office for effective implementation of import process.

At the end Authority, while noting that this meeting will be the last meeting of Chairperson due to her superannuation at the end of this month, placed on record the appreciation of Chairperson in driving the Authority for the last three years with her dynamic leadership. The members of Authority and special invitees also placed on record the deep appreciation of Chairperson in her service in the Authority during last three years.

Chairperson expressed her gratitude and thanked all the members of the Authority and officials of FSSAI in their contribution to drive her vision with high spirits and strengthening the food safety ecosystem across the nation. She believed that the accomplishments of her predecessor as taken forward by her will also be taken forward in future in a collaborative and continuous manner.

The meeting concluded with a vote of thanks to all the participants.



Chief Executive Officer



Chairperson

Annexure-1**List of Participants****A. Members of the Authority:**

1. Ms. Rita Teaotia, Chairperson, FSSAI;
2. Shri Arun Singhal, Member Secretary;
3. Dr. Mandeep K. Bhandari, Joint Secretary, Ministry of Health & Family Welfare;
4. Shri K.R. Saji Kumar, Joint Secretary, Ministry of Law and Justice, Legislative Department;
5. Shri V. Thirukumaran, Assistant Industrial Advisor, Ministry of Food Processing Industries [on behalf of Shri Manoj Joshi, Special Secretary];
6. Shri U.C. Shukla, Director, O/o DC-MSME, Ministry of Micro, Small and Medium Enterprises [on behalf of Smt. Alka Nangia Arora, Joint Secretary];
7. Shri Sandeep Verma, Under Secretary, Ministry of Commerce and Industry [on behalf of Shri Diwakar Nath Misra, Joint Secretary];

B. Special invitees:

1. Dr. Hemant Koshia, Commissioner of Food Safety, Gujarat;
2. Shri Shakeel-Ul-Rehman Rather, Commissioner of Food Safety, Jammu & Kashmir (UT);
3. Dr. A. Muthama, Commissioner of Food Safety, Dadra & Nagar Haveli and Daman & Diu;
4. Prof. S Ayyappan, Chairperson, Scientific Committee;
5. Ms. Meetu Kapur, Confederation of Indian Industry (CII);
6. Ms. Shreya Pandey, All India Food Processors Association (AIFPA);
7. Ms. Parna Dasgupta, FICCI;
8. Shri Thanglura, Mizoram Consumer's Union

C. Officers of the FSSAI

1. Ms. Inoshi Sharma, ED (CS);
2. Shri Rajeev Jain, ED (HR);
3. Dr. N. Bhaskar, Advisor (S&S);
4. Dr. Harinder Singh Oberoi, Advisor (QA);
5. Shri Raj Singh, Head (GA);
6. Shri R. K. Mittal, Head (RCD);
7. Shri Sunil Bakshi, Head (Regulations)
8. Dr. Amit Sharma, Director (Imports);
9. Cdr. Sharad Agrawal, Director (Training);
10. Ms. Sweety Behera, Director (S&S);
11. Shri Rakesh Kumar, Director (S&S);
12. Shri Sanu Jacob, (S&S);
13. Ms. Lily Prasad, CTO.

37th Meeting of Food Authority to be held on 23.11.2021

CEO's Detailed Report- (As Tabled)

1. FOOD STANDARDS/REGULATIONS

1. Scientific Committee, Scientific Panel and the Work on Standard Setting after the 36th Food Authority meeting held on 23.09.2021

Certain Scientific Panels met during the period and made significant contributions in arriving at draft and final standards and suggestions on issues of food safety. Various recommendations made by these panels were deliberated in the Scientific Committee of the FSSAI which comprises the Chairperson of all Scientific Panels as well as independent eminent scientists and the same have been placed in the Agenda for the consideration of the Food Authority.

1.1 Meetings of Scientific Panels (13): Following Panels met during the period:

SP. No.	Name of Scientific Panel	Meeting No.	Date
SP-01	Food additives, Flavourings, Processing aids & Materials in contact with food	51	05.10.2021
SP-02	Pesticides Residues	69	29.09.2021
SP-05	Functional foods, Nutraceuticals, Dietetic Products and Other similar products	54	04. 10.2021
		55	06.10.2021
		56	20.10.2021
SP-07	Contaminants in the food chain	29	11.10.2021
SP-08	Labelling and Claims/Advertisements	37	06&07.10.2021
SP-09	Method of Sampling and Analysis	35	30.09.2021
SP-10	Fish & Fisheries products	23	07.10.2021
SP-11	Cereals, Pulses & Legume and their products (including Bakery)	31	27.09.2021
SP-12	Fruits & Vegetables	24	27.09.2021
SP-14	Milk & Milk Products	17	13.11.2021
SP-17	Water & Beverages	21	27.09.2021
SP-18	Nutrition and Fortification	18	08.10.2021
SP-21	Alcoholic Beverages	06	05.10.2021

- 1.2 Five Final notifications relating to amendment in the FSS (Food Products Standards and Food Additives) Regulations, FSS (Import) Regulations, FSS (Organic Foods) Regulations and FSS (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) have been notified in the Gazette of India.

Three draft notifications including new principal regulation on GM Foods have been published in the Gazette of India to invite comments and suggestions from stakeholders.

2. FOOD SAFETY COMPLIANCE

2.1 Implementation of One FoSCoS Login, One License/Registration:

In order to address the issue of control of user-ID, FSSAI has introduced a new methodology for filing applications for new License/Registration. Now, food businesses are not required to make name-specific user-IDs prior to filing of applications. Instead, they can now apply for FSSAI License/ Registration from the homepage according to the Kind of Business they are involved in and proceed to selection of food products category. After entering required details, FBOs are being assigned with a 17-digit application number based user ID on submission of 'Primary' and 'Secondary' contact details under 'Sign Up details'. Capturing of Primary and Secondary contact details will help in sending the notifications and Password reset OTPs to both contacts i.e. to food business and to person who has provided any assistance in filing the application. The system generated 17-digits User-ID valid for the future login purpose till the generation of License/Registration. After grant of License/Registration, the 14-digits license/registration number becomes the User-ID. The newly created User-ID can also be located through online utility available at Login page. Order dated 01st November 2021 containing instructions for the details of methodology adopted for conversion of existing FoSCoS User ids into 14-digits License/Registration number based User-id has been issued.

2.2 Food Safety Connect Mobile Application:

FSSAI has launched 'Food Safety Connect' Mobile Application for Consumers and Food Business Operators (FBOs). Users can now download this Mobile App from Google Play Store to stay updated with FSSAI news, important notifications or orders/advisories, events, initiatives and resource materials. Consumers can access Citizen Knowledge Hub such as Books, Videos, Myth Busters. Moreover, FBO can also file application for FSSAI Registration and access information related to Notified Laboratories for food product testing, Inspection Checklists, Third Party Audits, Product Standards, Food Safety Display Boards, Food Safety Mitra, FoSTaC Training, Guidance Documents etc.

2.3 Provision for renewal of License/Registration even after expiry date :

FSSAI vide order No. 15(31)2020/FoSCoS/RCD/FSSAI dated 29th October 2021, allowed food businesses to renew their expired license / registration certificate even after expiry date. Food Business Operator can now apply for renewal of their FSSAI License/Registration upto 180 days after the expiry date with the payment

of some penalties. However, FBOs shall not be allowed to conduct any food business in the period from original expiry date till the issuance of renewed license. Any food business conducted in such period will be subject to the penalties and punishment as per Section 63 of FSS Act, 2006.

2.4 Status of Memorandum of Understanding (MoU) between FSSAI and States/UTs :

FSSAI has extended both technical and financial support to the States/UTs for strengthening of Food Safety Eco-system in the country through a MoU. Based on the proposals received, MoU was executed with 24 States/UTs during 2020-21 and funds to the tune of Rs 64.66 Crore were released. FSSAI also sought Work Plan proposals for 2021-22 from all the States & UTs. Proposals from 34 States/UTs have been received so far and first tranche of payments released in respect of 13 States. Remaining Work Plan Proposals are under different stages of scrutiny and processing.

3. FOOD TESTING AND SURVEILLANCE

3.1 Strengthening of Referral Food Testing Laboratories

An amount of ~ Rs 1.77 Crore was released to Centre for Food Research and Analysis, *National Institute of Food Technology Entrepreneurship and Management* (CFRA-NIFTEM), Kundli, Sonipat towards advance payment for procurement of two high-end equipment. With this, the total grant released towards strengthening of referral laboratories has risen from Rs. 27.66 Crore to Rs. 29.43 Crore covering 12 Referral Food Laboratories.

3.2 Food Safety on Wheels (FSW)

37 more FSWs have been sanctioned to various States/UTs raising the total number of FSWs sanctioned/delivered from 118 to 155 to 33 States/UTs.

3.3 Trans- Fat Survey, 2021

The report of the PAN- India Survey for identifying the presence of industrially produced trans- fat content in selected 6 food categories was released by the Hon'ble Minister of Health & Family welfare on 20th September, 2021. Further the Press note and the Report of the Trans- fat Survey is available on the FSSAI Website.

The results of the survey revealed that only 3.14 % (196 samples) contained trans-fat exceeding 2%. About 90% (176 samples) of the 196 samples that exceeded 2% trans-fat belonged to the category 6 (Oils, Vanaspati, Shortenings and Margarine). The analysis of 5176 samples collected from the other five categories of food products (Category 1-5) revealed that nearly 0.4% (20 samples) contained more than 2% trans-fat. In category 6, comprising of Oils, Vanaspati, Shortenings and Margarines, 100 samples out of a total of 1,069 food products analysed had trans-fat content of more than 2% and less than 3%, while 76 samples contained more than 3% trans-fat. The findings of the Survey revealed that the Food Processing

Industry is positive about FSSAI's regulation for eliminating the industrially produced trans-fats in foods by 2022

3.4 Online Capacity Building Programs

34 online training programs have been organized by FSSAI in co-ordination with its two training centers viz. **(i)** Food Safety Solution Centre (FSSC) situated at National Food Laboratory Ghaziabad; and **(ii)** International Training Centre on Food Safety and Applied Nutrition (ITC – FSAN), Mumbai from 1st September to 30 October, 2021 for the laboratory personnel of State/UTs, FSSAI Notified laboratories, Food Industries, Students, Consumers, Navy Officers for INS HAMLMA Mumbai, Maharashtra Centre for Entrepreneurship Development (MCED) Officials, Food and Drugs Department Officials. Total 2181 participants attended these online training programs.

These online trainings focused on the areas of Regulations Program (Understanding Food Regulations of India), 8-weeks Training session on Food Import Regulations of India, Sample Preparation Strategies & Methods Used for the Analysis of Pesticide Residues in Rice, FoSTac Training, NABL Accreditation process as per ISO 17025:2017 & Laboratory Management System, Basics and advancement in ICP-MS and Food safety solutions.

4. TRAINING AND CAPACITY BUILDING

FSSAI has undertaken following activities in the last two quarters:-

- (a)** Induction training programme of FSSAI's officials for third batch was conducted from 16 August-04 September 2021 wherein 85 newly recruited officers/officials were trained.
- (b)** FSSAI has signed an MoU with MoFPI to undertake training and capacity building of nearly eight lakh microenterprises under Prime Minister's Formalisation of Micro Food Processing Enterprises Scheme (PM FME Scheme).

5. SOCIAL AND BEHAVIOURAL CHANGE

Eat Right Challenge for cities and districts for 188 districts participating will end on 31st December, 2021. Eat Right Research challenge for individuals and research institutions where under 38 entries were received so far will end on 15th December, 2021. Eat Smart Cities Challenge where 108 cities are participating will end on 15th January, 2022. Eat Right Mela and Walkathon is ongoing activity and stakeholders are continuing with this activity.
