

Minutes of the 38th meeting of the Food Authority held on March 02, 2022 at 16:30 hrs through virtual medium

The thirty eighth meeting of the Food Safety and Standards Authority of India (FSSAI) was held at 16:30 hrs on 2nd March, 2022 under the chairmanship of Mr. Rajesh Bhushan, Chairperson, FSSAI. The meeting was conducted online. The list of participants is at **Annexure -1**.

Sh. Arun Singhal, CEO, FSSAI in his opening remarks, welcomed Sh. Rajesh Bhushan, Chairperson and Smt. Roli Singh, Additional Secretary, M/oHFW to the Authority meeting. Further, he brought to the notice that Dr. S. Ayyappan, Chairperson of Scientific Committee has been conferred with Padma Shree recently and placed on record the contribution and services rendered by him to FSSAI.

Head (GA) welcomed the members of the Authority and requested the members to submit duly signed Annual Declaration of Interest and Specific Declaration of Interest at the end of the meeting.

Item No.	Description
I	Confirmation of minutes of 37th meeting held on 23/11/2021
	Since there were no comments, the minutes of the 37 th meeting held on 23 rd November, 2021 were confirmed and adopted, as placed.
II	Action Taken Report of 37th meeting
	Authority was apprised that order has been issued regarding agenda item No. 37.1.2. Since there were no other comments, the Action Taken Report was noted by the Authority, as placed.
III	CEO's Report (to be presented during the meeting)
	<p>CEO, FSSAI in his report, simultaneously tabled during the meeting, highlighted the action taken and developments since the last meeting of the Authority. He apprised the Authority that draft MoUs have been received from 22 States for the year 2022-23. Further, he briefed about the survey conducted by IIM- Ahmedabad on most appropriate FOPL model and the report submitted by them. Based on the recommendations of IIM-Ahmedabad, the draft FOPL would be framed and placed before the next Authority meeting.</p> <p>He also apprised about the recent draft notification of GM Regulations and comments received thereon. Most of the comments were similar in nature and the major ones were related to not allowing GM food or seeking 6-month time for comments.</p> <p>With regard to providing 6-months time for comments, the Committee on Sub-Ordinate</p>



	<p>Legislation emphasizes that every regulation/amendments should be finalized within six months from the date of draft publication. In view of this, granting six months time for comments is not possible. However, keeping in mind the large number of comments received, the timeline for comments was extended by about 15 days to make it coincide with last date for WTO comments.</p> <p>He emphasized that there are no laws in the country at present which stipulate that GM foods cannot be marketed, produced, sold and imported without approval. The draft regulation makes it clear that no one shall market or sell GM goods without prior approval of the Authority. There is a need to have a proper definition of GM foods and to have proper testing protocols for analyzing GM foods. Only when these are put in place can violators be prosecuted. Therefore, this regulation is necessary.</p> <p>The comments received are being examined by the relevant Scientific Panel and the draft final regulations would be placed in next meeting.</p> <p>Authority took note of the CEO's report. The detailed report is placed at Annexure-2.</p>
8.	<p>FOOD STANDARDS</p>
	<p>ITEMS PROPOSED FOR FINAL (DRAFT) NOTIFICATION</p>
	<p>Amendment to FSS (Labelling and Display) Regulations, 2020</p>
	<p>Relating to the warning on the label of pan masala products and nomenclature of various bread</p>
	<p>Discussion: In order to facilitate product reformulation, secretariat proposed that in case of multi-grain bread, limit shall be min 10% (in alignment with Multi grain atta) in the 1st year of enforcement and 20% thereafter.</p> <p>Special invitees had some comments with respect to levels of milk solids and honey in the respective specialty bread which will have impact on formulation of the products. The Authority noted that globally products are already available with the levels specified. Moreover, these are specialty breads and therefore, higher level is justified irrespective of price concerns.</p> <p>CEO suggested to proceed with this final notification and the issues, if any, submitted by the industry would be addressed through subsequent amendments if adequate scientific evidence is provided.</p> <p>Decision: The Authority approved the final (draft) notification, as proposed with the correction at column (4) as "Min. amount of specialty Ingredient as %flour dry mass basis" . Authority also agreed with the proposal of enforcing the provision related multigrain bread in phased manner.</p>

	<p>Action Point: Science and Standards (S&S) division to proceed with the final (draft) notification with the above changes.</p>
	<p>Relating to changes in font size & exemptions etc.</p>
	<p>Discussion: To harmonize with the existing regulation, it was proposed to change 'Use by date' as 'Use by date /expiry date' in the proposal for exemption of declaration relating to package having surface area of less than 30 cm². One of the special invitees stressed that the proviso under Schedule II of FSS (labelling and display) Regulations for declaration of the quantity of Added Caffeine content should be deleted as there is provision already existing for caffeine such as "High Caffeine: X mg/serving size" and the same was agreed to by the Authority.</p> <p>Decision: The Authority approved the draft notification, as proposed with following modifications-</p> <ul style="list-style-type: none"> • to include expiry date along with use by date • to delete proviso 1(1).3. under schedule -II of FSS (labelling and display) regarding declaration of the quantity of added caffeine content. <p>Action Point: Science and Standards (S&S) division to proceed with the final (draft) notification with the above changes.</p>
	<p>Amendment to FSS (Advertising and Claims) Regulations, 2018 Related to claims regarding virgin coconut oil, chia oil, avocado oil, sunflower seed oil-high oleic acid, and safflower seed oil-high oleic acid</p>
	<p>The Authority considered the agenda item and approved, as proposed.</p>
	<p>Action Point: S&S division to proceed with the final (draft) notification.</p>
	<p>Amendment to FSS (Approval for Non-Specified Food and Food Ingredients) Regulations, 2017</p>
	<p>Discussion: Advisor (S&S) briefed FA about the comments received, which are scientific and administrative in nature. Further, he also apprised that the comments of administrative nature were mainly received on Procedure for grant of prior approval and Form-I.</p> <p>The secretariat proposed not to agree with comments related to Engagement of FBO in the preliminary scrutiny of application; Suspending/revoking of approval granted to FBO, only in case of food safety issue; increase in timeline to file an appeal; lowering of the application fees or charging fees in parts; member(s) of expert committee(s) to be recommended by FBO; and protection of confidential information provided by FBO along with application. However, the comments related to prototype label as per relevant FSSR and increase in timeline to submit additional documents/clarification(s) may be agreed.</p> <p>After discussions, it was decided to retain the existing clause regarding Certificate of</p>

	<p>Analysis (CoA) from one batch, since the requirement to submit analytical results from three different batches was introduced afresh during finalization and stakeholders have not had an opportunity to offer comments. This requirement, if needed, may be proposed as a new amendment later. He also suggested the following editorial corrections;</p> <ul style="list-style-type: none"> • In Form I, S. No 15, 'Functional use' to be revised as 'Functional benefit'. • In Form I, S. No 21 (Claim support documentation), the closing bracket should be placed after the words "Annexure-B" and then the sentence "as per FSS (Advertising and Claims) Regulations, 2018" to be added after the words "if applicable" <p>Decision: Authority approved the final (draft) notification with the changes as suggested above.</p> <p>Action Point: S&S division to proceed with the final (draft) notification after incorporating the above changes.</p>
	<p>Amendment to FSS (Packaging) Regulations, 2018 Relating to specific migration limits</p>
	<p>The Authority considered the agenda item and approved, as proposed.</p> <p>Action Point: S&S division to proceed with the final (draft) notification.</p>
	<p>FSS (Vegan Foods) Regulations, 2021 5</p>
	<p>Discussion: One of the special invitees requested to remove provision regarding display of vegan foods distinctly in retail merchandise as this is not a safety concern. In response, it was clarified that sufficient flexibility is already given in the regulation in this regard.</p> <p>The special invitees also raised a concern about the requirement for packaging materials not being of animal origin and contended that this was not a part of ISO guidelines. During discussion, CEO sought clarification regarding the extent of adoption of ISO criteria for defining vegan. For which, Advisor (S&S) clarified that only the definition is harmonized with ISO but not all the clauses of the final (draft) notification.</p> <p>CEO also outlined practical concerns in using words like 'endorsement' for vegan foods and certificate to be issued by government authority in case of imported product. The Chairperson of Scientific Committee, Dr Ayyapan agreed with these concerns.</p> <p>Decision: Authority approved the final (draft) notification with the changes as below:</p> <ul style="list-style-type: none"> • to delete the sentence 'provided those material are not of animal origin/derived' from provision 3 (3), • to replace the word 'the endorsement' with the word 'approval' in provision 4 (2), and

	<ul style="list-style-type: none"> to replace the word 'authorized government authorities' with 'recognized authorities' in provision 5 (3). Secretariat to correct numbering of clauses. <p>Action Point: S&S division to proceed with the final (draft) notification after incorporating the above changes.</p>
	<p>Amendment to FSS (Prohibition and Restriction on sales) Regulations, 2011 Relating to BIS certification for food for infant nutrition</p>
	<p>The Authority considered the agenda item and approved, as proposed.</p> <p>Action Point: S&S division to proceed with the final (draft) notification.</p>
	<p>Amendment to FSS (FPS & FA) Regulations, 2011 Relating to formulated supplements for children</p>
	<p>One of the Special invitees informed that currently no products are available under this category and separate suggestions in this regard will be submitted later for the consideration of Authority.</p> <p>Decision: The Authority considered and approved the final (draft) notification, as proposed.</p> <p>Action Point: S&S division to proceed with the final (draft) notification.</p>
	<p>Amendment to FSS (Foods for infant nutrition) Regulations, 2020 Relating to infant milk food, vitamin B12 and additives</p>
	<p>One of the Special invitees had informed that there are alternative ISO methods are available for determination of certain vitamins and minerals, for which it was informed to submit details on the same for consideration of Scientific Panel.</p> <p>Decision: The Authority considered and approved the final (draft) notification, as proposed.</p> <p>Action Point: S&S division to proceed with the final (draft) notification.</p>
	<p>FSS (Ayurveda Aahaar) Regulations, 2021</p>
	<p>Discussion: Chairperson, SP-05 and representatives from Ministry of AYUSH (Dr. Tanuja Nesari & Dr. Anupam Srivastava) were present as special invitees during discussion of this agenda. Advisor (S&S) proposed the following related to administrative issues:</p> <ul style="list-style-type: none"> Manufacturing of Ayurvedic drug and Ayurveda Aahara (AA) in same premises may be allowed subject to the condition that both have the separate processing lines. BAMS graduate in the production places may not be required, since the firm has to comply with schedule 4 requirements of licensing regulations. Chairperson, FSSAI suggested that it may not be a mandatory requirement; however, the firm may appoint such employees, if required.

- It may not be mandatory to have Food Safety Officer/Licensing Authority to be BAMS graduate for inspection/licensing of such premises. Whenever required, FSSAI may request M/o AYUSH for deputing an officer for the purpose of licensing / Inspection.
- For the purpose of recommendation on licensing/product and claim approval/ conversion of existing products to AA, an Expert Committee(EC) consisting of relevant experts including representatives from FSSAI should be constituted under M/o AYUSH. A detailed mechanism in this regard to be developed and issued through a separate order after notification of the final regulation.

One of the special invitees requested allowing flexibility in processing methods to provide scope for innovation; inclusion of Ayurvedic Formulary of India; and, extending list of additives by permitting all FSSR additives.

In response to this, AYUSH representatives clarified that the regulation already has the scope to present Ayurveda Aahara in modified formats. Adoption of processes for industrial scale manufacturing and packaging is permitted in the draft. Further, Formulary of India has already been included in Schedule A and food formulations specified under the same is already permitted.

Regarding permitting all additives specified under FSSR, it was clarified that, currently only natural additives based on principles of pristine ayurveda have been allowed to retain the essence of ayurveda.

Decision: The Authority approved the final(draft) notification, as proposed with the following modifications-

- To retain the word 'and/or' in definition of Ayurveda Aahara to provide clarity regarding flexibility in processing method.
- Administrative issues to be addressed as proposed above, appropriately.
- with respect to conversion of existing products into Ayurveda Aahara, a timeline of '30 days from receiving the recommendations of EC' may be prescribed in the regulation, suitably.

Action Point: S&S division to proceed with the final (draft) notification with the changes as proposed above.

ITEMS PROPOSED FOR DRAFT NOTIFICATION

2.1	Amendment to FSS (Food products Standards and Food Additives) Regulations, 2011
	2.1.1 Relating to 2.1. Dairy Products and Analogues, Standard for Cow or Buffalo Colostrum and Colostrum products; 2.1.2 Relating to 2.2 Fats, oils and fat emulsions
	A. Allowing aeration in Interesterified vegetable fats meant for bakery products applications

	<p>B. Amendment in fatty acid composition of olive oils as determined by gas liquid chromatography (expressed as percentage of total fatty acids)</p> <p>2.1.3 Relating to 2.4 Cereals and cereal products</p> <p>A. Revision of parameter related to pin point damage in rice</p> <p>B. New standards of rice flour (for preparation of FRK), vitamin-mineral premix for preparation of FRK and fortified rice kernels</p> <p>2.1.4 Relating to 2.10 Beverages Limit of iron filing in tea</p> <p>2.1.5 Relating to Chapter 3: Appendix A</p> <p>A. Extending usage of oligofructose in wider categories of foods</p> <p>B. Anomaly in the descriptor of Food Category 14.1.2 Fruit and vegetable juices</p> <p>C. Allowing emulsifiers in interesterified vegetable fats meant for bakery products applications</p> <p>2.1.6 Relating to Chapter 3: Appendix B</p> <p>A. Microbiological Standards for Baker's yeast – Food Safety criteria and Process Hygiene criteria</p> <p>B. Microbiological Standards for NEERA (Pasteurized) - Food Safety criteria and Process Hygiene criteria</p>
2.2	Amendment to FSS (Contaminants, Toxins and Residues) Regulations, 2011.
	<p>A. Relating to 2.1 Metal contaminants- Limits of arsenic in fish oil</p> <p>B. Relating to MRLs</p> <p>(i) Fixation of Maximum Residue Limits (MRLs) of pesticides residues (ii) Deletion of MRL for Triaccontanol on milk and milk products</p>
	<p>The Authority approved the aforesaid draft notifications, as proposed. Special invitees had some comments on the draft notifications. In response, it was suggested to submit the comments at the stage of draft notification.</p> <p>Action Point: S&S division to proceed with the Draft notification</p>
	Amendment to FSS (Labelling & Display) Regulations, 2020
	Tolerance limit
	<p>The Authority approved the aforesaid draft notifications, as proposed. Special invitees had some comments on the draft notification. In response, it was suggested that the comments may be submitted at the stage of draft notification.</p> <p>Action Point: S&S division to proceed with the Draft notification</p>
	Non-retail containers
	<p>Discussion: It was highlighted that in codex document of NRC, the requirement to provide Date Marking and storage instructions on the label is required only for establishing the safety and integrity of the product. One of the special invitees raised concern over providing list of ingredients in accompanying document of NRC as the</p>

shipments generally contain multiple items. To which, it was informed that the requirement of list of ingredients is as per the Codex proviso which mentions that *“information sufficient to enable the safe preparation and to meet the requirements for labelling of prepackaged foods from the food in the non-retail container.”* Further, it was suggested that comments, if any, may be submitted at the stage of draft notification.

In addition, the secretariat proposed to include all logos notified under FSSR in the exemption given for food products packages with area less than 100 cm².

Decision: The Authority approved the aforesaid draft notifications with the modification in the regulations 10 (1) (c) as “Date marking and storage instructions shall be provided when required for establishing the safety or integrity of the product. Further, the Authority also agreed with proposal as suggested by secretariat relating to exemption of logos.

Action Point: S&S division to proceed with the Draft notification after incorporating the changes as mentioned above.

Amendment to FSS (Packaging) Regulations, 2018

One of the Special invitees appreciated the step taken by the FSSAI and also requested to reach out to BIS for amendment in their standards, for which it was clarified the matter has already been communicated to BIS.

Decision: The Authority took note of the agenda and ratified the draft notification and its operationalization, as proposed.

Action Point: S&S division to proceed with the draft notification.

Amendment to FSS (Nutraceuticals...,) Regulations, 2016

Discussion: Advisor (S&S) briefed the Authority regarding the background, overview of changes proposed to bring more clarity in the overhauled nutraceutical regulations. In addition, he also proposed a few editorial corrections in the draft as follows:

- In 5 (l) (g), after the word “recommended daily allowances” the sentence “unless exempted by any other regulations in force” to be added.
- In 5 (m), in the last para the words “schedules”, “health” and “or DRR” to be deleted.
- In category Health supplement and Nutraceutical, after the words “15% of RDA” the sentence “where a nutrient content claim is being made” to be added. Further, after the words ‘in any case’ the sentence “In case such standards are not specified, the standards laid down by an international food standards body namely, Codex Alimentarius Commission shall apply” to be added.
- Under FSDU category relating to scope, at the end of first paragraph “and other

health conditions” to be added.

- To delete words “(excluding products intended for weight reduction)” from title of FSDU for weight management

Further, as the overhauled regulation is reformatted and no major substantial changes are involved, CEO suggested to operationalize the same from 1st April, 2022.

One of the special invitees had a concern on date of operationalization as new RDAs are being implemented from 2023 and the FBOs are in the process of reformulating products. She also requested for additional time to go through the document to submit any additional *editorial* comments.

With regard to the new RDA and extension of time line, CEO opined that sufficient time upto July, 2023 is available to FBO to reformulate products. Unless industry submits specific concerns to address, it is not possible to consider the request for such extension.

Decision: Authority approved the overhauled nutraceutical regulations with the changes as proposed above and authorized the secretariat to make any additional editorial changes without altering the intent of the regulations before proceeding for draft notification. Further, the Authority agreed to operationalize the draft from 1st April, 2022.

Action Point: S&S division to proceed with the draft notification and operationalization after incorporating the editorial changes.

OTHER ISSUES

Final (Draft) SOP-Guidance Document on MRL fixation of Pesticides

One of the members requested additional time to submit comments as they need to approach pesticide manufacturers. Advisor (S&S) clarified that the comments of CIB&RC including pesticide manufacturers have already been considered while finalizing the document. Further, it was informed that comments, if any, may be given at later stages for examination.

Decision: The Authority approved the SOP as proposed.

Action Point: S&S division to take necessary action.

Proposal for fixation of MRLs for Spices and Culinary Herbs (SCH)

The Authority approved the agenda as proposed.

Action Point: S&S division to take necessary action.

Exemption from MRL fixation regarding ‘Polyoxin D zinc salt’

	The Authority approved the agenda as proposed. Action Point: S&S division to take necessary action.
3	Issues related to Guarana & its products in India
4	
	The Authority took note of agenda item and ratified as placed.
3	Method for determination of niacin in food stuff
5	
	The Authority approved the agenda as proposed. Action Point: QA division to take necessary action.
8.	FOOD SAFETY COMPLIANCE
2	
	Comprehensive plan for conducting food safety inspections and auditing of FBOs
	Authority was apprised that comments were received to include Indian sweets only, and not Indian Snacks and Savouries under high risk category. After considering the safety concerns, it was decided to include only Indian sweets under high risk category. Decision: The Authority approved the agenda along with the exclusion of Indian Snacks and Savouries as proposed. Action point: RCD division to take necessary action.
8.	HEALTHY DIETS
3	
	Nutrition and Fortification Resource Centre Society
	The Authority approved the agenda as proposed. Action Point: SBCD division to take necessary action.
8.	FOOD TESTING SURVEILLANCE
4	
	<ol style="list-style-type: none"> 1. Ratification of Notification/Recognition/Discontinuation of Food Testing Laboratories 2. Strengthening of Referral Food Testing Laboratories 3. Information on Food Safety on Wheels 4. Information on PAN India Surveillance of Food Products 5. Information on Capacity Building Programs <p>The Authority ratified the agenda item. 1 above and took note of other agenda items as circulated for information. However, Chairperson suggested to share the performance update on FSW from next meeting onwards.</p> <p>Action Point: QA division to share the performance update of FSW from next meeting onwards.</p>
8.	IMPORT
5	

A.	Agenda Items for information and ratification by Authority
	<ul style="list-style-type: none"> • Notification of Authorised Officers at Food Import Entry Points • Notification of Authorised Officers at ICD Rewari • Import of raw cashew nuts as 'Food not specified'
	The Authority took note of agenda item and ratified.
	Agenda Item for information of Authority relating to order regarding import of products or ingredients containing beef
	The Authority took note of agenda item as circulated for information.
38.6	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.
38.7	FINANCE AND ACCOUNTS
	Amendment in Draft Financial Regulations 2020
	The Authority considered and approved the draft notification, as proposed.
	Action Point: Finance division to proceed with the draft notification as proposed.
	SUPPLEMENTARY AGENDA
38.I	Regulations proposed for final notifications
V.1	
	<ol style="list-style-type: none"> 1. Amendment to FSS (alcoholic Beverages) Regulations, 2018 relating to non-alcoholic counter part of alcoholic beverages and flavoured beer. 2. Amendment to Nutra regulations regarding Foods intended for Special diagnostic purpose & Schedule-II
	The Authority considered and approved the final (draft) notifications, as proposed.
	Regarding changes proposed in amendment to nutraceutical regulations, Authority recommended to incorporate the same in the schedules issued under overhauled nutraceutical regulations also in future.
	Action Point: S&S division to proceed with the final (draft) notifications as proposed above.
38.I	Notification of new offices in terms of Section 4(4) of FSS Act, 2006
V.2	
	The Authority approved the agenda as proposed.
	Action Point: HR division to take necessary action.
38.I	Food safety and standards Authority of India (Recruitment and Appointment) amendment Regulations, 2022.
V.3	
	The Authority took note of the justification for the amendment and ratified the draft as proposed.
	Action Point: HR division to take necessary action.
38.I	Operationalization of standards/ Regulations and directions issued by FSSAI

V.4	
	The Authority considered the agenda item and ratified, as placed.

Chairperson in his concluding remarks expressed his gratitude and thanked all the members of Authority and officials of FSSAI for their contribution in efficient conduct of meeting. He also expressed the view that mandate of FSSAI can be delivered, only if contributions are received from all relevant sectors like line ministries, consumer organizations, industry and expressed the hope that they will all continue to contribute towards this objective.

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



Chief Executive Officer



Chairperson

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

1. Dr. Mandeep Kumar Bhandari, Joint Secretary, Ministry of Health & Family Welfare;
2. Shri Diwakar Nath Misra, Joint Secretary, Ministry of Commerce and Industry;
3. Shri Minhaj Alam, Joint Secretary, Ministry of Food Processing Industries;
4. Shri Ranjit Singh, Director, Dept. of Agriculture and Farmers Welfare, Ministry of Agriculture and Farmers Welfare, [for Shri Ashwani Kumar, Joint Secretary];
5. Shri Neeraj Arora, Deputy Director, Ministry of Micro, Small and Medium Enterprises, [for Smt. Alka Nangia Arora, Joint Secretary];

B. Special invitees:

1. Shri V.R. Vinod, Commissioner of Food Safety, Kerala;
2. Shri Manoj Khosla, Joint Commissioner (Food Safety), O/o Commissioner Food & Drug Administration, Punjab;
3. Shri A.K. Singh, Designated Officer, Department of Food Safety Govt. of NCT of Delhi;
4. Prof. S Ayyappan, Chairperson, Scientific Committee, FSSAI;
5. Ms. Meetu Kapur, Confederation of Indian Industry (CII);
6. Ms. Shreya Pandey, All India Food Processors' Association (AIFPA);
7. Ms. Parna Dasgupta, Federation of Indian Chambers of Commerce & Industry (FICCI);
8. Shri Thanglura, Mizoram Consumer's Union, Aizwal, Mizoram;
9. Shri George Cheriyan, CUTS International, Jaipur, Rajasthan;

C. Special invitees (in respect of particular agenda items)

1. Professor (Dr.) Tanuja Manoj Nesari, Director, All India Institute of Ayurveda, Ministry of Ayush;
2. Dr. DBA Narayana, Chairperson, Scientific Panel on Nutraceuticals (SP05); FSSAI;

D. Officers of the FSSAI

1. Ms. Inoshi Sharma, Executive Director (SBCD/Regulatory Compliance);
2. Shri Rajeev Kumar Jain, Executive Director (HR/Finance & Accounts);
3. Dr. N. Bhaskar, Advisor (Science & Standards);
4. Dr. Harinder Singh Oberoi, Advisor (QA);
5. Shri Raj Singh, Head (GA);
6. Shri R K Mittal, Head (Regulatory Compliance);
7. Shri Sunil Bakshi, Head (Regulations);
8. Ms. Sweety Behera, Director (Quality Assurance);
9. Dr. Sanu Jacob, Director (Science & Standards);
10. Dr. Amit Sharma, Director (Trade and IC);
11. Lt Col Lejy Jacob John, Director (GA);
12. Sh. Rakesh Kumar, Director (QA);
13. Shri Anil Mehta, Director (Regulatory Compliance);
14. Shri B.S. Acharya, Director (Science & Standards);
15. Ms. Lily Prasad, Chief Technology Officer.

Annexure-2

38th Meeting of Food Authority on 02.03.2022

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 23.11.2021

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 and the same have been placed in the Agenda for the approval of the Food Authority.

1.1 Scientific Committee meetings (1): The 40th meeting of the Scientific Committee was held on 28.12.2021.

1.2 Scientific Panel meetings (13): Following Panels met during the period:

SP. No.	Name of Scientific Panel	Meeting No.	Date
SP-02	Pesticides Residues	70	30.11.2021
		71	18.01.2022
SP-05	Functional foods, Nutraceuticals, Dietetic Products and Other similar products	57	16.12.2021
		58	28.01.2022
SP-08	Labelling and Claims/Advertisements	39	16.12.2021
SP-09	Method of Sampling and Analysis	35	30.09.2021
SP-11	Cereals, Pulses & Legume and their products (including Bakery)	32	03.12.2021
SP-13	Meat & Meat products including poultry	18	02.12.2021
SP-15	Oils & Fats	24	29.11.2021
SP-19	Spices and Culinary herbs	12	25.11.2021
SP-20	Packaging	05	23.12.2021

1.3. Three Final notifications relating to amendment in Food Safety and Standards (Import) Regulations, 2017, Food Safety and Standards (Packaging) Regulations, 2018 & Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 have been notified in the Gazette of India. Four draft amendment notifications relating to Food Safety and Standards (Alcoholic Beverages) Regulations, 2018, Food Safety and Standards (Advertising and Claims) Regulations, 2018 and Food Safety and Standards (Food Products Standards and Food Additives)

Regulations, 2011 have been published in the Gazette of India to invite comments and suggestions from stakeholders.

2. GOVERNANCE AND ADMINISTRATION

- 2.1. The proposal for regular promotion, in place of ad-hoc promotion, of the absorbed employees of FSSAI under Section 90 of the Food Safety and Standards Act, 2006 was put up before the Food Authority for ratification and sent to the Ministry of Health & Family Welfare (MoH&FW). In reply, [vide their letter no. 15025/74/2020-FR\(PT\)](#) dated 04.01.2022 MoH&FW gave one-time relaxation in the provision specified under FSSAI (Recruitment and Appointment) Regulations, 2018 related to minimum qualifying service.
- 2.2. Accordingly, vide order no [13/2022](#), [14/2022](#) and [27/2022](#) all these officers have been promoted to the next position, they were eligible for.

3. TRAINING AND CAPACITY BUILDING

3.1. Training of Regulatory officials

Clause 2.1.2 and 2.1.3 of Food Safety and Standards Rules, 2011 mandates the need of training for Food Safety officers and Designated Officers. Considering this mandate, FSSAI has devised a Training Policy in 2016 for regulatory officials according to which induction, refresher and orientation training is provided to them. Accordingly, the following training programmes were conducted during the period from **23.11.2021 to 17.02.2022**:-

Name of Training Programme	Date	No. of participants
Orientation Training Programme for Adjudicating Officers of Bihar, Chandigarh, Chhattisgarh, Delhi, Goa, Madhya Pradesh, Mizoram, Nagaland, Punjab and Rajasthan	27 th - 28 th January, 2022	139
5 days Induction cum Refresher training programme for Designated officers of Assam, Sikkim, Manipur, Meghalaya, Nagaland, Tamilnadu, Punjab, Odisha and 1 Central Designated Officer of FSSAI	17 th - 21 st January, 2022	36

3.2. Training of FSSAI officials

The following training was conducted for FSSAI's Officials.

Name of Training Programme	Date	No. of participants
Two-day Orientation Training Programme for officers of Internal Finance wing	29 th - 30 th November, 2021	14

3.3. Food Safety Training & Certification (FoSTaC):

As per Section 16(3) (h) of the Food Safety and Standards Act 2006, has developed Food Safety Training and Certification (FoSTaC) for training of food business operators. Moreover, as per Section 30 (2) (c) of the Act, it is the duty of the Commissioner of Food Safety of the State to conduct or organise training programme for different segments of food chain.

Hence, it is the responsibility of all States to take up FoSTaC for State/ Central Licensed food businesses as early as possible. In this context, it is to mention again, that, all food businesses having either Central License or State License are recommended to have at least one trained & certified "Food Safety Supervisor" for every 25 "Food Handlers" or part thereof in each of their premises. These supervisors would carry out periodic training of all Food Handlers in the premises and maintain records for food safety audit and inspections.

3.4. Till date, **23319** trainings have been conducted and more than **7.74** lakh people have been trained. **262** training partners have been empanelled for imparting the Training. Moreover, **77,731** persons involved in food handling operations have been trained on COVID-19 guidelines related to food safety through **2329** training programmes. For the period from 23.11.2021 to 17.02.2022, **2831** trainings of Food Safety Supervisors have been conducted and **102461** Food Handlers are trained and assessed under FoSTaC Programme and also **20** Trainings of Covid - 19 have been conducted and **479** people are trained on Covid-19 guidelines.

4. IMPORT

4.1. FSSAI has notified Authorised Officers at 7 additional food import entry points and posted FSSAI official as Authorised Officer at ICD Rewari (INREA6). With these notifications total number of Food Import Entry points has now increased from 150 to 157 of which total 56 PoEs are under direct control of FSSAI officials.

4.2. Due to ongoing efforts for streamlining food imports and continuous monitoring, the average time taken by FSSAI for food import clearance has now further reduced to around 104 hours in January, 2022.

- 4.3 Considering its significant import, the standards of raw cashew nuts are reviewed by the scientific panel and it has been decided that till such time the standards for raw cashew nuts are notified, it may be considered as “food not specified” and standards for same shall be adopted.
- 4.4 Directions have been issued to keep a strict vigil on imports and not to issue NOC to products or ingredients containing beef in any form in compliance to DGFT Import Policy, 2017 wherein import of beef and beef products in any form is prohibited.

5. SOCIAL BEHAVIOURAL CHANGE

5.1. Eat Right Challenge - Cities and Districts

Eat Right Challenge, launched for Cities and Districts, has come to the final phase, 188 Cities/ Districts enrolled in the Eat Right Challenge. Review of the activities uploaded by the cities and districts is under process and top 75 Champions will be announced by the end of March, 2022.

5.2. Eat Right Research Awards and Grant

Under Eat Right Research Awards and Grant invited entries under 3 Eat Right India themes. A total of 285 entries were received.

- 115 Entries were received under Eat Right Research Awards
- 20 Entries were received under Eat Right Research Institutional Awards
- 150 entries were received under Eat Right Research Grant

Screening of applications is under process by the Evaluation Committee. Winners will be announced by the end of March, 2022.

5.3. Eat Smart City Challenge

Among 108 participating smart cities, top 11 cities have been selected as finalists for deeper engagements, the 11 selected cities will be supported financially by the Ministry of Housing and Urban Affairs (Smart Cities Mission) and will be provided with technical assistance from the Food Foundation, UK and FSSAI to implement their food plans over the coming year.

6. FOOD SAFETY COMPLIANCE

6.1. Addressing the issue of delay in the processing of Manufacturing license applications with multiple food products:

It has been observed that in many cases, the delay in processing of manufacturing license applications is because of inadequate information or document submissions

by the FBOs with regard to certain products. In order to address this issue, FSSAI has issued an Advisory on 16th December 2021, where the Licensing Authority may advise the FBO to delete the products from the licensing application for which FBO is unable to make corrections despite making queries several times. FBO may apply for modification of license to include the remaining products (with modification fee of Rs. 1000/- plus the differential fees, if any).

6.2. Mandatory Submission of Annual Returns through FoSCoS wef FY 2020-21:

Food Business Operators involved in manufacturing (including relabellers and repackers) and importers are required to mandatorily submit the Annual Return for each financial year, latest by 31st May of every year. Earlier, Food Business Operators used to submit it through off-line or emails that resulted in manual compilation and tracking of all Annual Returns. Keeping it into account, it has been decided that Food Businesses mandatorily submit Annual Returns online through FoSCoS portal only w.e.f. FY 2020-21 vide Order No. 15(31)2020/FoSCoS/RCD/FSSAI dated 18th December 2020.

6.3. Availability of multilingual Inspection Checklist and Conditions of License for Food Business and Regulatory Authorities:

In order to ease in understanding, FSSAI has made available Inspection Checklist and Conditions of License in following languages :-

Hindi, Bengali, Gujarati, Sikkimese, Marathi, Kannada, Malayalam, Odia, Tamil and Telugu.

6.4. 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 MoUs since 2020-21. FSSAI sought Work Plan proposals for 2021-22 from all the States & UTs. Work Plan proposals were received from 35 States/UTs except Telangana. All the proposals have been finalized with a total budget of about Rs 147 Crore. As on 25.02.2022, Rs 88.03 Crore have been released to 33 States/UTs for Work Plan 2021-22. To ensure timely release of funds to the States/UTs in the first month of the next financial year 2022-23, the States/UTs were advised to initiate the process of preparing annual Work Plan proposals. As on 25.02.2022, Work Plan proposals have been received from 17 States/UTs for FY 2022-23.

7. FOOD TESTING AND SURVEILLANCE

7.1. Strengthening of Referral Food Testing Laboratories

An amount of Rs 0.77 Crore was released to Punjab Biotechnology Institute, Mohali (PBT) towards procurement of high-end equipment. With this, the total grant released towards strengthening of referral laboratories has risen from Rs. 29.43 Crore to Rs. 30.20 Crore INR covering 12 Referral Food Laboratories.

7.2. National Food Laboratory at JNPT, Mumbai has become operational in PPP mode on 8th February 2022. All the CAPEX and OPEX is the responsibility of the PPP Partner Vimta Labs Ltd.

7.3. Mobile Food Testing Laboratories (MFTLs) – As on date FSSAI has sanctioned 170 MFTLs to 33 States/UTs, details of which are as below:

7.3.1. MFTLs sanctioned under Central Sector Scheme (CSS)

Under the CSS, 97 MFTLs or Food Safety on Wheels have been sanctioned to 33 States/UTs for Testing, Awareness Generation and Training. Out of these, 92 MFTLs have been delivered and operationalized by the States/UTs and the remaining 05 (01 in Tripura and 04 in Chhattisgarh) will be delivered shortly.

7.3.2. MFTLs provided to States out of CSS

73 MFTLs have been sanctioned to 18 States/UTs. Out of these, 61 MFTLs have been delivered and operationalized by States. Delivery of 02MFTLs to Uttar Pradesh will take place shortly. The funds to procure 10 MFTLs have been sanctioned to U.P (03), J&K (06) and WB (01).

FSSAI is also providing a recurring grant of Rs.10 lakh/FSW/year for 2 years towards operational expenses for meeting the operational expenses for the FSWs.

7.4 Surveillance

FSSAI carried out the PAN-India surveillance on Jaggery on 1st& 2nd February, 2022 through National Commodities Management Service Ltd. (NCML) to find out the levels of adulteration and contamination and also the hotspots of adulteration, if any. The surveillance was carried out in selected 250 Cities/Districts from 36 States/UTs through the Food Safety Officers of the concerned districts and the samplers from NCML.

A surveillance on spices is going to start from 3rd& 4th March, 2022 in association with NCML.

7.5 Training and Capacity Building

Thirty three training programs were conducted out of which 27 were online training programs; and in addition, 6 Physical training programs were organized by FSSAI in co-ordination with (i) National Food Laboratory Kolkata (ii) International Training Centre on Food Safety and Applied Nutrition (ITC – FSAN), Mumbai (iii) Cashew Export Promotion Council of India (CEPCI), Kerala from 4th December, 2021 till 25th February, 2022 for the laboratory personnel from States/UTs, FSSAI Notified laboratories, Food Analysts, Central Licensing Authorities, Consumers, INS Navy Officers HAMLMA, Mumbai and Central Food Safety officers. In all, 2886 persons participated in these training programs.