

## MANUAL FOR FOOD SAFETY OFFICERS

**THIRD EDITION - MARCH 2024** 

## **ADISCLAIMER**

This manual is meant for information and knowledge purposes only for Food Safety Officers and it does not serve as a substitute for FSS Act, its Rules & Regulations or any Advisory, Guideline, Order, Notification, Circular, Office Memorandum, SoP or any other official communications released by FSSAI or any appropriate authority from time to time. In case of any discrepancies, it is essential to consult the relevant provisions of FSS Act, its Rules & Regulations or any Advisory, Guideline, Order, Notification, Circular, Office Memorandum, SoP or any other official communications released by FSSAI or any appropriate authority from time to time.

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# **ACRONYMS**

AGMARK	Agricultural Produce Grading and Marking
AO	Adjudicating Officer
APEDA	Agricultural and Processed Food Products Export Development Authority
BIS	Bureau of Indian Standards
CAC	Central Advisory Committee
CEO	Chief Executive Officer
CFL	Central Food Laboratory
CFS	Commissioner Food Safety
CLA	Central Licensing Authority
DART	Detect Adulteration with Rapid Test
DO	Designated Officer
EOI	Expression of Interest
FA	Food Analyst
FBO	Food Business Operator
FDA	Food & Drug Administration
FFRC	Food Fortification Resource Centre
FICS	Food Import Clearance System
FLRS	Food Licensing Registration System
FoSCoRIS	Food Safety Compliance through Regular Inspections and Sampling
FoSTaC	Food Safety Training and Certification
FoSCoS	Food Safety Compliance System
FSS Act	Food Safety and Standard Act, 2006
FSSAI	Food Safety and Standards Authority of India
FSO	Food Safety Officer
FSKAN	Food Safety Knowledge and Assimilation Network
FSMS	Food Safety Management System
FSM	Food Safety Mitra
FSS	Food Safety Supervisor

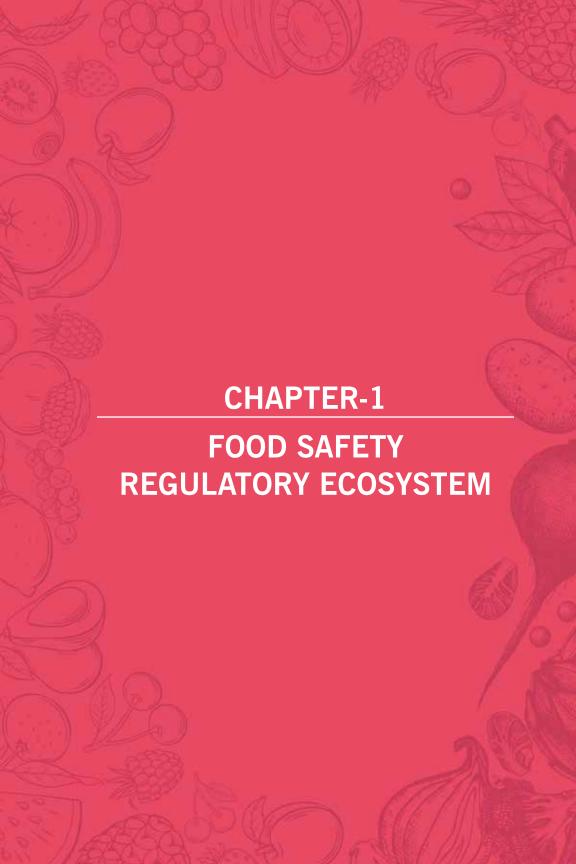
# **ACRONYMS**

НАССР	Hazard Analysis and Critical Control Point
HFSS	High Fat Salt & Sugar
GAP	Good Agricultural Practices
GFSP	Global Food Safety Partnership
GHP	Good Hygiene Practices
GM	Genetically Modified
GMP	Good Manufacturing Practices
INfoLNET	Indian Food Laboratory Network
LSG	Local Self Government
МДМ	Mid Day Meal
NABL	National Accreditation Board for Testing and Calibration Laboratories
NetProFan	Network of Professionals of Food & Nutrition
NFL	National Food Laboratory
NLRP	National Level Resource Person
PA	Product Approval
PFA	Prevention of Food Adulteration Act, 1954
QA	Quality Assurance
QC	Quality Control
RBIS	Risk Based Inspection System
RFP	Request for Proposal
RUCO	Repurpose Used Cooking Oil
SAC	State Advisory Committee
SC	Scientific Committee
SOP	Standard Operating Procedures
SHG	Self Help Group
тот	Training of Trainers
ТР	Training Partners
WHO	World Health Organization

# **IMPORTANT WEB LINKS**

S. No.	Particulars	Web Links
1	FSSAI	https://fssa i .gov.i n
2	Food Safety Standards Act, 2006	https://fssai.gov.in/cms/food-safety- and-standards-act-2006.php
3	FSS Rules	https://fssai.gov.in/cms/food-safety- and-standards-rules2011.php
4	FSS Regulations	https://fssai.gov.in/cms/food-safety- and-standards-regulations.php
5	FoSCoS (Food Safety Compliance System)	https://fssai.gov.in/cms/foscos.php
6	FICS (Food Import Clearance System)	https://fics.fssai.gov.in
7	INfoLNET (Indian Food Laboratory Network)	https://i nfol n et.fssa i.gov. i n/#
8	Food Safety Connect, FSSAI (Android)	https://play.google.com/store/ apps/details?id=com. fssai&hl=en_ IN≷=US
9	Food Safety Connect, FSSAI (Online portal)	https://foscos.fssai.gov.in/ consumergrievance/
10	FoSTaC (Food Safety Training and Certification	https://fostac.fssai.gov.in/fostac/index
11	FSWs (Food Safety on Wheels)	https://fssai.gov.in/cms/mobile-labs. php
12	Eat Right India	https://eatrightindia.gov.in/ EatRightIndia
13	NetProFan (Network of Professionals of Food\ & Nutrition)	https://fssai.gov.in/NetProFaN
14	Food Fortification	https://fortification.fssai.gov.in/

S. No.	Particulars	Web Links
15	FSSAI Books, Reports and Manuals	https://fssai.gov.in/knowledge- hub.php?hubname= Book,Report,Manuals
16	FSKAN	https://fssai.gov.in/fskan
17	RUCO	https://fssa i .gov.i n/ru co
18	ITCFSAN (International Training Centre for Food Safety and Applied Nutrition)	http://itcfsan.in
19	National Milk Quality Monitoring System	https://fssai.gov.in/MilkSurvey
20	Safe Food, Share Food	https://sharefood.fssai.gov.in
21	FSSAI Food Hygiene Rating Scheme	https://fssai.gov.in/hygieneRating/ home
22	FSSAI Video Library	https://fssai.gov.in/fssaivideolibrary
23	FSSAI Facebook page	https://www.facebook.com/fssai
24	FSSAI Twitter page	https://twitter.com/fssaiindia
25	FSSAl Youtube page	https://www.youtube.com/c/ FoodsafetyinIndia



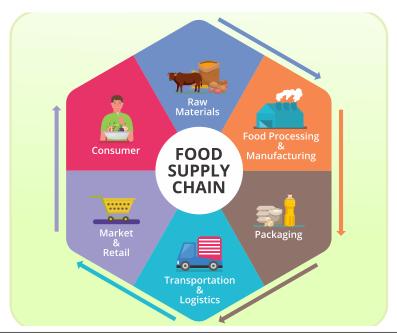
# 1 FOOD SAFETY REGULATORY ECOSYSTEM

#### WHAT IS FOOD SAFETY ECOSYSTEM?

Ecosystem includes all the living and non-living things in a given area, interacting and influencing each other and determining the health of the entire earth system. It also combines bio security meaning the protection from the environmental, economic and human health risks of potentially harmful plant and animal pests and diseases, alien invasive species and genetically modified organisms. In most of the countries, governments have created regulatory authorities to ensure food safety, animal health and plant health. These Authorities carry out inspections of the food chain "from farm to fork" with the aim to protect animal, plant and human life and health.

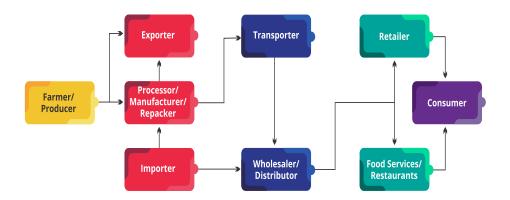
#### **FOOD SUPPLY CHAIN**

The term 'Food chain' was first introduced by African-Arab scientists and philosopher Al Jahiz in the 9th Century and later popularized in a book published in 1927 by Charles Elton, which also introduced the food web concept. Natural interconnections between food chains is called a food web starting from producer organisms and ending at apex predator species. In the context of food safety, the term "food supply chain" becomes relevant.



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A food supply chain refers to the processes that describe how food from a farm ends up on our tables. The processes include production, processing, distribution, consumption and disposal. The food supply chain is a complex network consisting of small and medium sized enterprises that can interact with larger companies and retailers as well. The food we eat reaches us via food supply chain through which food moves systematically in domino-like motion from producers to consumers.

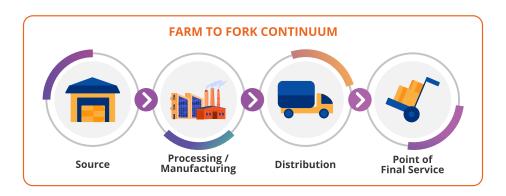


#### STAKEHOLDERS IN FOOD SUPPLY CHAIN

Different stakeholders are involved in the food production and supply chain as shown in the diagram below:

#### THE CONCEPT OF "FARM TO FORK"

The term 'food safety' as defined by CODEX Alimentarius Commission is the assurance that food will not cause harm to the consumer when it is prepared and/or eaten according to its intended use. Food safety is related to the occurrence of food safety hazards and does not include other human health aspects related to, such as malnutrition.



Food safety is relevant at different stages of supply, preparation/processing, distribution and serving. The food chain starts on the farm and ends on the fork. During every stage, great care must be taken to ensure that the end product will be safe for human consumption.

In modern context, the concept of food safety is described by the 'Farm to Fork' model. This concept captures the essence of food safety and forms the backbone of food safety. The path from food source to the point of final service is called **the farm-to-fork continuum** 

From "Farm to Fork" traces the different stages of the food chain system and examines the practices and procedures that ensure the safety of our food. The factors that led to this Farm to Fork model of food safety are:

#### 1. CHANGING FOOD PATTERNS

The industrial revolution, and more recently, modern food technology has changed the food patterns of all. The majority of people today are far removed from the sources of food they eat on daily basis. If we are living longer in a period of abundant, diverse and reliable food supply, it is in part due to the variety and safety of the food we eat.

#### 2. THE FARM: BEGINNING THE FOOD CHAIN

The origins of most food products such as bread, milk, meat, fruit, vegetables, sugar, etc. are in agriculture. They are either produced directly on farms or based on food coming from farms. Farmers grow food, which they harvest, store and transport to markets or to processing plants for preservation and transformation into a variety of food products. To ensure that the produce whether vegetable or animal in origin coming out from farms is produced in a safe manner, the farmers should make the correct use of fertilisers, pesticides, antibiotics and other products in crop and animal husbandry.

#### 3. FOOD PROCESSING

Almost all food must be processed in some way before it can be eaten. There are various levels of food processing and the food processors rely on food safety management systems (FSMS) to ensure the quality and safety of the products they produce.

#### 4. TRANSPORT AND STORAGE

Transport and storage form vital links in the food chain between the farmer's field and the consumer's table. While the role of the farmer, the food processor and the retailer in the food chain is easily understood, the importance and role of well-managed transport and storage should not be forgotten. Maintaining high standards while transporting food products transporters must implement quality standards in transport and storage as specified in FSMS to safeguard food.

#### 5. FOOD AND THE CONSUMER

Throughout the food chain, farmers, food processors, retailers and others utilise numerous practices based on long experience to ensure the quality and safety of food. Collectively, these procedures are known as "good agricultural practices", "good manufacturing practices" and "good hygienic practices". It is very important forthe consumer to understand and follow basic instructions and precautions set by professionals (as indicated on food labels) when purchasing, transporting, storing, preparing and consuming food. Good hygienic practices both in the home and outside can protect consumers against microbial contamination and the food borne diseases caused by it.

#### 6. EATING OUTSIDE THE HOME

One link in the food chain from farm to fork which deserves special attention is the preparation of meals outside the home, restaurants, hospitals, nursing homes, child care establishments, schools, canteens, wedding parties, business conventions etc. Considering the vast number of meals consumed in such public settings FBOs, chefs and caterers do and should ensure protecting the public against food borne disease. The consumer should look for recognised certificates of good hygiene (such as hygiene ratings) in public places.

Food safety is a shared responsibility of everybody involved with food from the Food Business Operator to regulator and consumer. All along the food supply chain, various procedures and good practices are implemented to ensure that the food which reaches the consumer's table is fit for consumption, that the risks of contamination are minimised and they get a safe and quality food. However, the responsibility for ensuring food safety should not only be the priority of FBOs but the consumer is also equally responsible to ensure the safety of food at home.

## FSS ACT 2006, FSS RULES, 2011 AND OTHER REGULATIONS

#### GENESIS OF THE FOOD SAFETY AND STANDARDS ACT 2006

Prior to the enactment of Food Standards and Safety Act in 2006, there were a number of food related legislation administered by different Ministries of Government of India. No less than eight legislation prescribed the minimum regulatory standards for various type of food and food products prior to FSS Act. Over a period of time, this led to a state of multiplicity of food standards (often overlapping and sometimes contradictory to one another) and enforcement agencies. This created confusion among food businesses, consumers, traders, manufacturers and investors and hampered the growth of a modern food processing sector in the country as well as fixation of safety standards. Further the existing laws on food had failed to match the rapid evolution of food related technologies and advancements in the production, distribution & marketing of the food.

The Second Schedule of the Act contains all the earlier food related legislations which are as follows.

- 1. Prevention of Food Adulteration Act 1954 (Act No 37 of 1954)
- 2. Food Product's Order 1955
- 3. The Meat Food Product's Order 1973
- 4. The Vegetable Oil Products (Control) Order 1947
- 5. The edible oil's packaging (Regulation) Order 1998
- 6. The Solvent Extracted Oil, de-oiled meal, & edible flour (Control) Order 1967
- 7. Milk & Milk Product's Order 1992
- 8. Any Other Order issued under the essential commodities Act 1955 (10of1955) relating to food Under Section 99 of the Act, Milk & Milk Product's Order 1992 shall be deemed to be Regulation issued by the Authority under this Act.

The intent of the Act lies in bringing almost all the food business areas within its scope & to promote the objective of "Food Safety" and not mere the" Prevention of Food Adulterations "as was the case with the previous laws

#### **FOODSAFETY AND STANDARDS ACT 2006**

Realizing that how inadequate these Acts and Orders were proving, the Prime Minister's Council of Trade and Industry in 1998 recommended enactment of a comprehensive legislation of food subsuming all the present food laws to modernize the food sector and ensure safety of food. In 2004, the Joint Parliamentary Committee (JPQ emphasized that all the present food laws should be converged and there should be just one regulatory body for the whole of India. The Food Standards and Safety Bill, 2005 was passed by both the Houses of Parliament after extensive discussions, consultations with stakeholders and forging a consensus on contentious issues and became an Act on **02 August, 2006**.

#### **OBJECTIVES, MANDATE AND SCOPE OF FSS ACT**

The objective of the FSS Act, 2006 is to make available safe and wholesome food to the public, in keeping with changing needs and requirements. The Act also aimed to establish Food Safety and Standards Authority of India (FSSAI), as the single reference point for all matters relating to FSS Act, Regulations and enforcement, by moving from multi-level, multi departmental control to a single line of common.

The salient features of FSS Act are as follows:

Food safety is the primary responsibility of the Food Business Operator (FBO) as it knows best how the food is manufactured and how safety can be compromised.

Risk assessment must form the basis of standard setting. The regulator needs to monitor the latest scientific development in the food sector, emerging safety issues across the world and anticipate safety risks before they actually hit

FBOs at various stages in the food chain need to adhere to applicable safety and hygienic practices as contamination can occur at any point in the food chain. Certification of food safety processes or safety audits become important to ensure food safety.

Transparency in setting standards wherein stakeholders are provided with reasonable time to give suggestions on proposed regulations as well as sufficient time to FBOs to make necessary changes in their processes to adopt the new regulations.

FBOs have a clear means of contesting the findings of government food laboratories by appealing to accredited referral laboratories.

In addition, the Authority in exercise of powers conferred by Sub-Section 1 of Section 97 of the Act, has also repealed the enactment and orders in the Second Schedule of the Act with effect from 5th August, 2011.

All kinds of food, whether unprocessed/semi-processed/processed, are covered under the scope of the FSS Act. It also includes all kinds of substances and water that is used in the preparation of food. It is important to mention that, the Act considers live animals or products of agriculture, horticulture or animal husbandry as food only when it has already passed on from the hands of a farmer. Thus all activities throughout the food value chain, after primary production through distribution to retail and catering are under the ambit of the Act.

The provisions of this Act shall not apply to any farmer or fisherman or farming operations or crops or livestock or acqua culture, and supplies used or produced in farming or products of crops produced by a farmer at farm level or a fisherman in his operations. The Act does not discriminate between a small hawker or big a FBO and makes it mandatory for everyone handling food to keep it safe and fit for human consumption. Therefore, this Act is applicable to every person that is in the food business.

#### FOOD SAFETY AND STANDARDS RULES 2011

Food Safety and Standards Rules, 2011 have been framed by the Central Government. The broad coverage of such Rules & Regulations are stipulated under Section 91 & Section 92

of the Act. The Rules mainly cover the administrative structure & functioning of FSSAI and various bodies under it. In addition, there are four amendments made in these Rules from time to time.

### Chapter-1

Provides the general description about the Rules and definitions applicable under these Rules.r 2

### Chapter-2

Provides the detailed description about the enforcement structure and procedures. It includes the qualifications, powers and duties of Commissioner of Food Safety, Designated Officer, Food Safety Officers and Food Analyst. It provides the procedural details of working of Food Safety Officers while conducting the inspections. Details of the documents and affidavits that are supposed to be extracted and other matters connected therewith. The manner the Food Safety Officers can take sample for analysis and also seize the articles of food. It also specifies the sampling and analysis procedures and the manner of sending samples for analysis to the food laboratories. The way the food analyst should receive the samples and analyze the same within the stipulated time periods (Regulatory samples, import samples and survey samples). In addition, this chapter also specifically describes action of Designated Officer on the report of Food Analyst and how the consumer (Section 40 of FSS Act) and Food Business Operator may have the food analysed.

## **Chapter-3**

This is about the adjudication proceedings the qualification and term of office of presiding officer of an Appellate Tribunal and procedure for appeal to Appellate Tribunal and connected matters therewith.

The Food Safety and Standards Rules, 2011 comprises of three chapters:

Complete details can be accessed through the link given below:

https://www.fssai.gov.in/upload/uploadfiles/files/FSSGazeteRules2011.pdf

#### THE FOOD SAFFTY AND STANDARDS REGULATIONS

Section 92 (1) of Food Safety and Standards Act, 2006 empowers the Food Authority to make regulations/standards in consistent with this Act and Rules made there under. After the enactment of the FSS Act, 2006, FSSAI has drafted six principle regulations through extensive consultation and deliberations with various stakeholders. These regulations were notified in the gazette of India on **01**st **August, 2011 and came into force on 05**th **August, 2011**.

	1	Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011
Six	2	Food Safety and Standards (Prohibition and Restriction of Sales) Regulation, 2011
principle regulations	3	Food Safety and Standards (Packaging and Labelin) Regulation, 2011*
notified on 1 <sup>st</sup> August, ( 2011	4	Food Safety and Standards (Contaminants, Toxins and Residues) Regulation, 2011
2011	5	Food Safety and Standards (Laboratory and Sampling Analysis) Regulation, 2011
	6	Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011

<sup>\*</sup>Food Safety and Standards (Packaging and Labelling) Regulation, 2011, now this regulation has been superseded by these two regulations:

- (a) Food Safety and Standards (Packaging) Regulation, 2018
- (b) Food Safety and Standards (Labelling and Display) Regulations, 2020

List of regulations notified by FSSAI as on date:-

- 1. Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011
- 2. Food Safety and Standards (Food Products Standards and Food Additives) Regulation, 2011
- 3. Food Safety and Standards (Prohibition and Restriction of Sales) Regulation, 2011
- 4. Food Safety and Standards (Contaminants, Toxins and Residues) Regulation, 2011
- Food Safety and Standards (Laboratory and Sampling Analysis) Regulation, 2011
- Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations, 2016
- 7. Food Safety and Standards (Food Recall Procedure) Regulation, 2017
- 8. Food Safety and Standards (Import) Regulation, 2017
- 9. Food Safety and Standards (Approval for Non-Specific Food and Food Ingredients) Regulation, 2017
- 10. Food Safety and Standards (Organic Food) Regulation, 2017
- 11. Food Safety and Standards (Alcoholic Beverages) Regulation, 2018

- 12. Food Safety and Standards (Fortification of Food) Regulation, 2018
- 13. Food Safety and Standards (Food Safety Auditing) Regulation, 2018
- Food Safety and Standards (Recognition and Notification of Laboratories) Regulation, 2018
- 15. Food Safety and Standards (Advertising and Claims) Regulation, 2018
- 16. Food Safety and Standards (Packaging) Regulation, 2018
- 17. Food Safety and Standards (Recovery and Distribution of Surplus food) Regulation, 2019
- 18. Food Safety and Standards (Safe food and balanced diets for children in school) Regulations, 2020
- 19. Food Safety and Standards (Foods for Infant Nutrition) Regulations, 2020
- 20. Food Safety and Standards (Labelling and Display) Regulations, 2020
- 21. Food Safety and Standards (Ayurveda Aahara) Regulations, 2022
- 22. Food Safety and Standards (Vegan Foods) Regulations, 2022
- 23. Food Safety and Standards Authority of India (Transaction of Business at its Meetings) Regulations, 2010
- 24. Food Safety and Standards Authority of India (Procedure for Transaction of Business of the Central Advisory Committee) Regulations, 2010
- 25. Food Safety and Standards Authority of India (Salary, Allowances and Other Conditions of Service of Officers and Employees) Regulations, 2013
- 26. Food Safety and Standards Authority of India (Transaction of Business and Procedure for the Scientific Committee and Scientific Panel) Regulations, 2016
- 27 Food Safety and Standard Authority of India (Recruitment and Appointment) Regulations, 2018
- 28 Food Safety and Standard Authority of India (Financial) Regulations, 2023

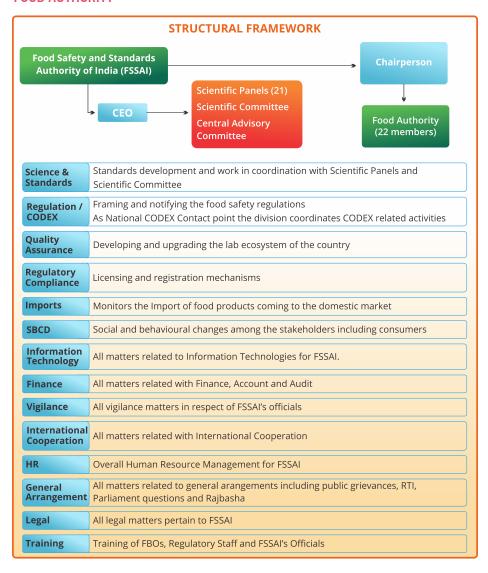
#### ESTABLISHMENT OF FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA

The Executive Authority under the Act is assigned to the Ministry of Health & Family Welfare, Government of India (MOHFW). On 5th September, 2008, Government of India notified the establishment of Food Safety & Standard Authority of India (FSSAI or the Authority) under Section 4 of the Act which is the central authority for enforcement & implementation of the Act. As per the Act the headquarter of FSSAI is in Delhi with four regional and three subregional offices in other parts of India

#### MANDATE OF FSSAI

The mandate assigned to FSSAI is develop science-based standards for food and to regulate and monitor the manufacture, processing, storage, distribution, sale and import of food, so as to ensure the availability of safe and wholesome food for human consumption. FSSAI under the legal frame work of FSS Act 2006 has both the administrative and technical role to execute in order to establish food safety ecosystem in the country. The structure of FSSAI is illustrated as below:-

#### **FOOD AUTHORITY**



Food Authority is the apex body under FSS Act and a single reference point related to food safety and standards in the country. It comprises of 22 members, of which atleast one-third are women representing various relevant Ministries and Departments such as Agriculture, Commerce, Consumer Affairs, Food Processing, Health, Legislative Affairs and other stakeholders representing farmers, scientists & technologists, small scale enterprises and consumer bodies. All members of the Food Authority are appointed by the Central Government, except for seven ex-officio members from various Departments of the Central Government who are selected by the selection committee formed under Section 6 of FSSAct 2006.

The Food Authority meets as per the directives of the Chairperson and decides on the questions coming up before any meeting of the Food Authority and takes decisions by a majority of votes of the members present and voting. Chairperson will have a casting vote. Chief Executive Officer of FSSAI is the member Secretary of the Food Authority.

The Food Authority is assisted by Scientific Committee and various Scientific Panels in setting standards of food products and by the Central Advisory Committee (CAC) in coordination with enforcement agencies.

#### **SCIENTIFIC PANELS**

As per Section 13 of the FSS Act, FSSAI may establish as many scientific panels as deem necessary consisting of independent scientific experts/scientists. The FSSAI however must establish scientific panels on:

- Food additives, flavourings, food additives, processing aids and materials in contact with food
- Pesticides and antibiotics residues.
- Genetically modified organisms and foods
- > Functional foods, nutraceuticals, dietetic products and other similar products
- Biological hazards
- Contaminants in the food chain
- Labelling
- Methods of sampling and analysis

Till date 21 Scientific panels have been constituted under the Act and the list is available in **Chapter 3** of this manual.

#### SCIENTIFIC COMMITTEE

As per Section 14 of FSS Act, FSSAI has constituted a scientific committee consisting of scientific experts. Chairpersons of all the Scientific Panels are also its members and besides the Chairpersons of all the Scientific Panels, it consists of six independent scientific experts who are not associated to any of the Scientific Panels. Scientific Committee is responsible

for providing scientific opinion to the Authority and has a power to hold public hearings where necessary.

#### **CENTRAL ADVISORY COMMITTEE (CAC)**

The main purpose of CAC is to ensure close cooperation between the Authority and the enforcement agencies operating in the field of food and specifically looks after prioritization of work identifying potential risks, pooling of knowledge etc. The CAC consists of two members each representing from Food Industry, Agriculture, Consumers, relevant Research Bodies and Food Laboratories, Commissioners of Food Safety and the Chairperson of the Scientific Committee. The CEO of the Authority is the Ex- Officio Chairperson of the CAC.

#### **CHAIRPERSON**

The functional head of the Food Authority is the Chairperson appointed for the period of three years by the Government of India from amongst the persons of eminence in the field of food science or amongst the person from the Administration holding or has held the position of not below the rank of Secretary to the Government of India.

#### CHIEF EXECUTIVE OFFICER

The Authority has a full time Chief Executive Officer appointed by Government of India who supervises the day to day administrative work, draws up proposals for work in consultations with CAC, implements those and ensures appropriate scientific technical and administrative support for the scientific panel and the scientific committee. CEO is also the legal representative of the Authority and responsible for the functions listed as in Section 10 of FSS Act. The Chief Executive Officer shall exercise the power of the Commissioner of Food Safety while dealing with matter relating to food safety of such articles.

#### THE MAIN ROLE OF FOOD SAFETY & STANDARDS AUTHORITY OF INDIA (FSSAI)

The main role of Authority is to regulate and monitor, manufacture, processing, distribution, sale and import of food while ensuring safe and wholesome food to the consumers. The Act lays down the following main functions for discharge by the Authority.

- Prescribing the Standards & Guidelines in relation to food and specified appropriate system for enforcement.
- Specifying limits for Additives, Contaminants, Pesticides & Veterinary Drug Residues, Heavy Metals, Processing Aids, Mycotoxins, Antibiotics and Pharmacological active substances and Irradiated Foods.
- > Lay down food labelling standards including claims on health, nutrition, special dietary uses and food category system for foods.

- Lay down methods of sampling, analysis and exchange of information among enforcement agencies prescribing procedures and guidelines for accreditation of certification bodies and laboratories.
- Taking up, summarizing and analysing relevant scientific and technical data on incidence and prevalence of biological or emerging risk, residues of various contaminants and introduction of rapid alert system among others.
- Prescribing the procedure and the enforcement of quality control in relation to any imported article of food into India.
- Creating an information network across the country to disseminate rapid reliable and objective information about food safety and issues of concern.
- Providing Training Programs for persons who are involved or intent to get involved in food businesses.
- Promoting general awareness about food safety and food standards and promoting coordination of work on food standards undertaken by International Governmental and Non-Governmental Organization.

#### RESPONSIBILITIES AS TO FOOD SAFETY

The Food Authority shall also:

- Provide scientific advice and technical support to the Central Government and the State Governments in matters of framing the policy and rules in areas which have a direct or indirect bearing on food safety and nutrition.
- Promote, co-ordinate and issue guidelines for the development of risk assessment methodologies and monitor and conduct and forward messages on the health and nutritional risks of food to the Central Government, State Governments and Commissioners of Food Safety
- Provide scientific and technical advice and assistance to the Central Government and the State Governments in implementation of crisis management procedures with regard to food safety and to draw up a general plan for crisis management and work in close co-operation with the crisis unit set up by the Central Government in this regard.
- Establish a system of network of organizations with the aim to facilitate a scientific cooperation framework by the co-ordination of activities, the exchange of information, the development and implementation of joint projects, the exchange of expertise and best

practices in the fields within the Food Authority's responsibility.

- Provide scientific and technical assistance to the Central Government and the State Governments for improving co-operation with international organizations.
- Provide directions from time to time, on matters relating to food safety and standards, to the Commissioner of Food Safety, who shall be bound by such directions while exercising his powers under Section 16(5) of this Act.

#### PROVISIONS RELATED TO IMPORTS OF ARTICLES OF FOOD

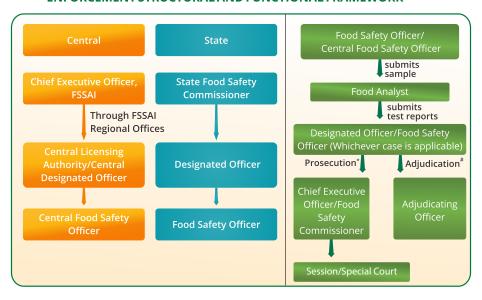
As per Section 25 of the Act, no person shall import into India that is unsafe or misbranded or substandard or containing any extraneous matter. The importer shall require a license as per the Act for importing the articles of food in accordance with the conditions of the license.

The Central Government shall, while prohibiting, restricting or otherwise regulating import of article of food under the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992), follow the standards laid down by the Food Authority under the provisions of this Act and the Rules and regulations made there under.

#### DECENTRALIZED REGULATORY DELIVERY (CENTRE VS STATE ROLE)

India is a vast country with over 1.3 billion population and the sheer magnitude of food safety enforcement is a challenging task. The Food Authority and the State Food Authorities jointly share this responsibility. While Food Authority provides policy intervention through notification of various food safety regulations, provides direction and coordination at National level, States/UTs conduct enforcement at the field level to verify compliance by FBOs to food standards. FSSAI provides support in the form of imparting training and capacity building of the enforcement staff of States/UTs. The Food Safety Authority in States/UTs is headed by the Commissioners of Food Safety for efficient implementation of FSS Act, Rules and Regulations made thereunder. All Commissioners of Food Safety are members of CAC and the CAC ensures close cooperation between Food Authority and state enforcement agencies. The CAC advises the Food Authority on its work programme, prioritization of work, identifying potential risks and pooling of knowledge.

#### ENFORCEMENT STRUCTURAL AND FUNCTIONAL FRAMEWORK



<sup>\*</sup>in case of unsafe

#in case of misbranded/substandard or both

#### STAT FOOD AUTHORITY STRUCTURE AND FUNCTIONS

The enforcement of the Act in states is carried out through the State/UT Commissioner of Food Safety (CFS) and Designated Officer, Food Safety Officer, Food Analyst and Panchayat Raj/Municipal bodies.

#### **COMMISSIONER OF FOOD SAFETY**

As per Section 30 of FSS Act, the State Government appoints the Commissioner of Food Safety not below the rank of Commissioner & Secretary to the State Government for efficient implementation of Food Safety & Standards Act. The Chief Executive Officer of FSSAI under Section 10 of the Act shall exercise the powers of the Commissioner of Food Safety while dealing with matters relating to food safety of such articles. The powers and duties of the Commissioner of Food Safety are as follows:

- Prohibit in public health interest, the manufacture, storage, distribution or sell of any article or food in the whole of the State for a maximum time of one year.
- Carry out survey of the food industrial unit in the State for compliance to standards notified by the Food Authority for various articles of food.
- Conduct or organize training program for the regulatory staff and generating awareness on food safety.

<sup>⚠</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

- Ensure an efficient and uniform implementation of the standards and other requirements as specified and also ensure a high standard of objectivity, accountability, practicability, transparency and credibility.
- Sanction prosecution for offences punishable with imprisonment and also perform other function prescribed by the State Government in consultation with the Food Authority.

#### **DESIGNATED OFFICER (DO)**

As per Section 36, the Commissioner appoints the Designated Officers to be in charge of Food Safety Administration in a specified area. Further, as per Rule 2.1.2 Designated Officer must be a whole time officer not below the rank of Sub Divisional Officer or equivalent. Each district or a specified area must have at least one DO. The functions to be performed by the Designated Officer are as follows:

- To issue or cancel licence of Food Business Operators
- > To prohibit the sale of any article of food which is in contravention of the provisions of this Act and Rules and Regulations made thereunder
- To receive report and samples of article of foods from Food Safety Officer under his jurisdiction and get them analysed
- > To make recommendations to the Commissioner of Food Safety for sanction to launch prosecutions in case of contraventions punishable with imprisonment
- > To sanction or launch prosecutions in cases of contraventions punishable with fine
- > To maintain record of all inspections made by Food Safety Officers and action taken by them in the performance of their duties
- > To get investigated any complaint which may be made in writing in respect of any contravention of the provisions of this Act and the Rules and Regulations made thereunder
- To investigate any complaint which may be made in writing against the Food Safety Officer and
- > To perform such other duties as may be entrusted by the Commissioner of Food Safety.

#### **FOOD SAFETY OFFICER**

As per Section 37, Commissioner of Food Safety appoints Food Safety Officers for such local areas as the Commissioner may assign to them for the purpose of functioning under the Act & Rules & Regulation made thereunder. The appointment will be according to the need and through issuance of notification, once the FSO has successfully completed the training as

specified by Food Authority. The qualifications, role and functions of FSO are provided in detail in the next Chapter (Chapter2).

#### **FOOD ANALYST**

As per Section 45, Commissioner appoints Food Analysts for specified local areas as deemed fit by the Commissioner. Different Analysts may be appointed for different articles of food. However, any person who has any financial interest in manufacture or sale of any article of food cannot be appointed as an Analyst. The qualifications, role and functions of a Food Analyst are provided in detail in the **Chapter 6** of this book.

#### ADJUDICATING OFFICER

For the purpose of Adjudication, the State Government are required to notify Adjudicating Officers not below the rank of Additional District Magistrate of the district. The Adjudicating Officer has the power of the civil court and all the proceedings before him shall be deemed to be judicial proceedings within the meaning of Section 193 and 228 of the Indian Penal Code.

#### FUNCTIONS OF ADJUDICATING OFFICER

The Adjudicating Officer shall have the powers of a civil court.

All proceedings before him shall be deemed to be judicial proceedings within the meaning of Section 193 and 228 of the Indian Penal Code (45 of 1860) and shall be deemed to be a court for the purposes of Section 345 and 346 of the Code of Criminal Procedure, 1973 (2 of 1974). While adjudicating the quantum of penalty to be decided by Adjudicating Officer shall be as specified in section 49 of FSS Act, 2006.

#### **AUTHORIZED OFFICER (FOR IMPORT SAMPLES)**

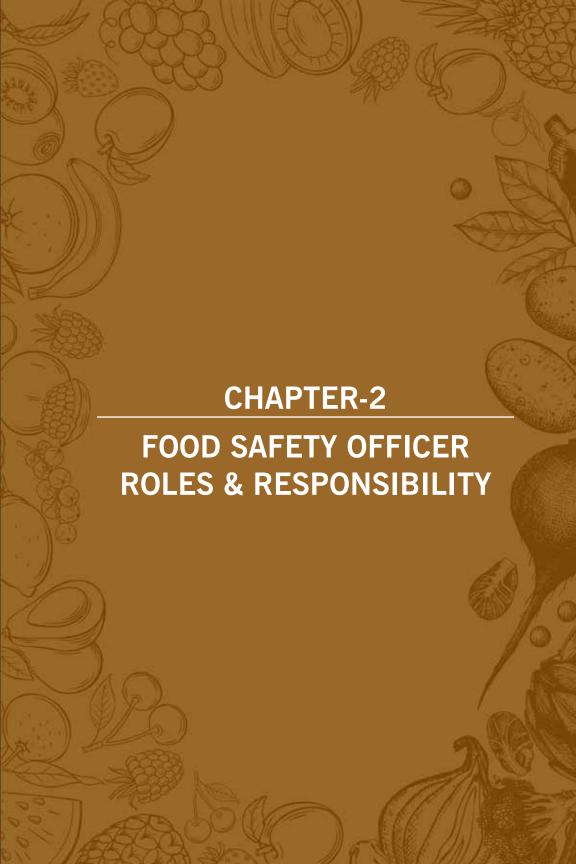
**Authorized Officer**, is an officer appointed by the CEO, FSSAI by an order for the purpose of performing functions at different ports of entry, for import clearance of food. The Authorized Officer, under Clause (5) of Section 47, shall take the samples of imported food. The definition and functions of authorized officer are elaborately define in FSS (Import Regulation, 2017) which consists 14 chapters. According to chapter IX of FSS Import Regulation, 2017 the authorised officer shall have the following powers & duties.

Articles and send to the Food Analyst of notified laboratory for analysis who shall send the report within a period of five days to the Authorized Officer.

The Authorized Officer shall have the following powers and duties:

- To receive applications for food import clearance.
- To make such inquiry and inspection as maybe necessary to verify that the import of articles of food is not in contravention of any provision of the Act, rules and regulations made thereunder.
- > To ensure compliance of all the conditions specified in regulation.
- > To draw samples for testing of the imported food, if all the conditions specified in regulations are complied with and forward the samples to a food analyst of a notified laboratory in proper manner for analysis and receive the report of the laboratory analysis.
- To inform the Food Authority of any novel food or food ingredients, previously unknown hazards, or any other technical difficulties.
- To maintain record of food imports, inspection, sampling and related activities, action taken, review process within the jurisdiction of customs ports assigned to him and such other duties assigned by the Food Authority from time to time in writing and by photographs and audio.
- > To report to the concerned Licensing Authority of any violation of any conditions of licensing by the Food Importer.
- To recommend destruction or re-export of imported articles of food with necessary conditions as he may deem fit and ensure compliance of the same.
- To seek data or information on imported articles of food consignment from the customs authorities.
- To store the remaining parts of the food sample in appropriate conditions for re-analysis at referral food laboratory on the basis of appeal or application received from the Food Importer or return to the Food Importer with acknowledgement, after issue of no objection certificate
- To issue no objection certificate or non-conformance report, as the case may be, to the customs authorities and Food Importer.
- > To carry out any other duties as may be assigned by Food Authority from time to time.

NOTES



# 2 FOOD SAFETY OFFICER ROLES & RESPONSIBILITY

#### **FOOD SAFETY OFFICER**

CEO, FSSAI or Commissioner of Food Safety, shall by notification, appoints such person as he thinks fit, having the qualification prescribed by the central government as Food Safety Officers (FSO)--, for such local areas as he may assign to them for the purpose of functioning under the Act & Rules & Regulation made thereunder. The State Government may authorize any officer of the State Government having the prescribed qualification to perform the functions of the Food Safety Officers. The Food Safety Officer is appointed as a whole time officer.

#### **QUALIFICATION OF FOOD SAFETY OFFICER**

An officer must have the following qualifications before he can be appointed as a Food Safety Officer:

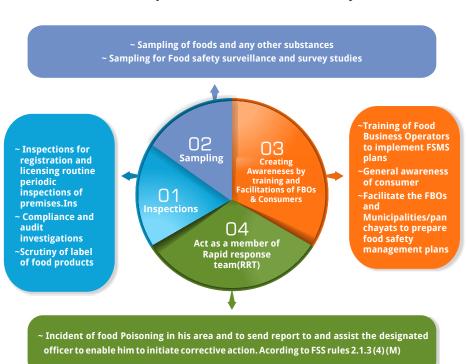
- A Bachelor's or Master's or Doctorate degree in Food Technology or Dairy Technology or Biotechnology or Oil Technology or Agricultural Science or Veterinary Sciences or Bio-Chemistry or Microbiology or Chemistry or medicine from a recognized University or any other equivalent/recognized qualification notified by the Food Authority with the prior approval of the Central Government.
  - The reason the Central Government has prescribed such technical qualifications for FSOs is because the FSO must be able to understand the technical nature of food and the factors that affect the composition of food in order to effectively discharge the functions assigned to him/her under the Act. The FSO is required to successfully complete training as specified by the FSSAI.
- No person who has any financial interest in the manufacture, import or sale of any article of food can be appointed as a FSO. This is to prevent any situation where there may be a conflict of interest for a FSO. A person, who has already been appointed as a Food Inspector under the erstwhile PFA Act, 1954, may perform the duties of the FSO if notified by the State/Central Government and if the necessary conditions are met. Similarly, in states where a Medical Officer was performing the functions of a Food Inspector under the PFA Act, such an officer may be assigned as a FSO under the FSS Act. This will help provide a smoother transition from the PFA Act regime to the FSS Act regime.

#### POWERS OF FOOD SAFETY OFFICER IN TERMS OF FSS ACT AND RULES

The FSO has important role under the FSS Act. for enforcement of, act, rules and regulation made thereunder. The FSO is the face of food legislation and FSSAI who interacts directly with the Food Business Operators (FBOs) on a frequent basis. Thus, it is important that the FSO imbibes and personifies the intent of the FSS Act and acts as a counsellor and guide to the FBOs in our country. More importantly, it is the functions and duties of the FSO that will ensure that safe food is produced/manufactured and sale/marketed in India. Since FSO interacts with the FBOs and the food industry therefore they can play a crucial role in implimention of the Act and its compliance. Keeping this in mind, inspections should not just involve a checking for non-compliance, rather it should be based on coaxing and enabling compliance and thus ensuring sustainable food safety ecosystem in India. FSOs should play the role of enabler rather than strict enforcers.

Food safety is a collective responsibility of the Regulators, Industry and Consumers. However, the Regulators are responsible for carrying out measures to protect public health by ensuring availability of safe and wholesome food to the consumers. Besides having a thorough knowledge of food law and regulation, Food Safety Officers must know and understand their role and responsibility in food safety.

## Role and Responsibilities of Food Safety Officer



#### **DUTIES AND FUNCTIONS OF FOOD SAFETY OFFICER**

- 1. The FSO Shall carry out inspections of all food establisments within the area assigned to him.
- The FSO has to carry out periodic inspections of licensed food establishments within his area to check the compliance of condition of license by all licensed FBOs and report his findings to the DO.
- 3. Sampling of food articles for enforcement and surveillance purposes and send it to the food analyst for analysis and additionally has the power to take extracts of books and records of a FBO. The FSO must remember that when drawing samples for surveillance, survey and research, such samples cannot be used for prosecution against the person from whom the samples have been lifted. The prime objective of carrying out surveillance is to be able to identify and assess the food safety hazards and he can guide the FBO about the corrective measures to be followed.
- 4. Examination of label
- 5. The FSO must maintain records of all inspections made and action taken by him with respect to FBOs such as, taking of samples and seizure of stocks etc. As a good practice, a copy of all such records should be made available to the DO as soon as possible. The importance of record keeping will be discussed in following sections in more detail. However, the key point to remember here is that all this information will be helpful for risk analysis and risk assessment.
- 6. The FSO must maintain a database of all Food Businesses within the area assigned to him/her. This also relates to record and information keeping.
- 7. The FSO can recommend issuance of improvement notices by the DO to FBOs. A DO can issue an improvement notice to a FBO if the DO has reasonable grounds for believing that there is some noncompliance with the provisions of the FSS Act. While the FSS Act does not prescribe a format, it does prescribe the content of the improvement notice. The objective of the improvement notice is to ensure that an opportunity is given to the FBO to correct any deficiency that may exist in his operations.
- 8. The FSO also serves the Prohibition Order on FBOs on instruction of the court which issues the Prohibition Order. Where the Prohibition Order relates to restricting a person from participating in the management of a food business, the FSO must affix a copy of the order at a conspicuous place on the premises used for the food business. The process of lifting of the Prohibition Order starts with the FSO. The FBO approaches the FSO and if the FSO is convinced that the FBO has taken adequate measures to justify

the lifting of the Prohibition Order then the FSO may issue a certificate to this effect. The FSO must undertake inspections and must be completely satisfied before issuing such a certificate as this certificate must withstand the scrutiny of the courts. After issuing such a certificate, the FBO approaches the court that issued the Prohibition Order to request a lifting of the order. The court will do so only if it is convinced that it is proper to do so after having regard to all circumstances especially the conduct of the FBO while the Prohibition Order was in place.

- 9. The FSO has the duty to serve an Emergency Prohibition Order on FBOs on instruction of the DO. The FSO must serve a copy either to the FBO or must affix a copy of the order at a conspicuous place on the premises used for the purpose of the business. An Emergency Prohibition Order is issued by the Food Safety Commissioner of the State (the Commissioner) who will do so on the recommendation of the Designated Officer (DO).
- 10. The FSO initiates the adjudication process on instruction of the DO. Once the DO instructs the FSO to do so, the FSO must immediately file the application to commence the adjudication process before the adjudicating officer appointed for the area. While the FSS Act does not prescribe anytime period within which this application must be filed, the FSO must ensure that it is done immediately. Any delay in such an initiation may have an impact on the outcome of the adjudication process.
- 11. The FSO can search and seize any adulterant if he has reasonable doubt that such adulterant may be involved in the commission of any offence relating to food. This has been discussed in greater detail in the later sections.
- 12. The FSO can have persons engaged in selling, handling or manufacturing any article of food to be examined by a qualified medical professional duly authorized by the DO if he has reason to believe that such a person is suffering from or harbouring the germs of any infectious disease. If such a person is a female, the FSO must ensure that a qualified lady medical professional duly authorized by the DO is carrying out the examination. After the examination, if it is found that such a person is in fact suffering from any such disease, the FSO may by an order in writing, under intimation to the DO, direct such person not to take part in selling or manufacturing any article of food. A suggested format for both the medical examination and the order stopping a person from participating in the food business has been provided at Annexure 5 of auditor manual for auditors. This format may be used subject to any modifications, clarifications or instructions issued by the FSSAI in this regard. The FSO must investigate any complaint which maybe made to him in writing in respect of any contravention of the provisions of the FSS Act.

13. The FSO can stop and inspect any vehicle suspected to contain any unsafe food or food which does not comply with the provisions of the FSS Act and Rules, intended for sale or delivery for human consumption. However, the FSO may only inspect vehicles within his jurisdiction and should be mindful of the intended purpose of the food products being transported, i.e., it must be meant for human consumption.

The FSO must also be careful only to stop the vehicle for inspection and not to seize the vehicle itself. The products in the vehicles may be seized subject to the products being food products meant for human consumption and provided that all the mandatory procedures for seizure of food products are followed. The aim here is to ensure that all throughout the food supply chain, including transportation; compliance with the FSS Act is maintained.

The priority for the FSO should be to check for compliance with the safety and hygiene requirements for transportation. Thus the FSO must be well versed with safety, sanitary and hygiene requirements prescribed under the FSS Act and Regulations for different stages of food production and handling.

- 14. The FSO has to track cases of food poisoning in his area and to send report to and assist the DO in taking corrective action. This will enable both the FSO and DO to take corrective actions to ensure that the food poisoning event does not occur in future.
- 15. In addition to the above, the FSO must also perform any other duties and tasks that may be assigned to him by the DO or the Commissioner.

#### OTHER RESPONSIBILITIES OF FSO

- 1. Under Schedule IV of Food Safety and Standards (Licensing & Registration of Food Businesses) Regulations, 2011, the food premises of every Food Business Operator where food is processed or prepared must develop, maintain and follow a Food Safety Plan to ensure that a health hazard does not occur in the operation of the facility. FSO has to facilitate in preparation of Food Safety Plans for Panchayats and Municipalities in accordance with the parameters and guidelines given in Schedule IV of the said regulation. Food Safety Plans should focus on the critical steps within the preparation of the food to prevent hazards from entering the food chain.
- 2. Awareness generation among FBOs regarding the FOSTAC training, implementation of FSMS plan and organising programmes to make consumers aware about the Eat right India initiatives of FSSAI.

#### LIABILITY OF FOOD SAFETY OFFICER IN CERTAIN CASES

Under Section 39 of the Act any FSO while exercising powers under this Act or the Rules and Regulations is found to vexatiously and without any reasonable ground seize any article of food or adulterant or commits any other act to the injury of any person without having reason to believe that such Act is necessary for the execution of his duty he/she shall be guilty of an offence under this Act and shall be liable to a penalty which may extend to one lakh rupees. In case any false complaint is made against a Food Safety Officer and it is proved so, the complainant shall be guilty of an offence under this Act and shall be punishable with fine which shall not be less than fifty thousand rupees but may extend to one lakh rupees.

#### SEARCH, SEIZURE, INVESTIGATION AND PROSECUTION PROCEDURES

#### **SEARCH**

The clause (2) of Section 41 of the FSS act, 2006, states the provision of CrPC relating to search, seizure, summer, investigation and prosecution shall apply to all the actions taken by the FSO under the FSS Act 2006.

Under this provision, the FSO may search any place, seize any article of food or adulterant, if there is a reasonable doubt about the involvement of the FBO in commission of any offense related to food.

On demand of the FSO, if the person against whom action is sought to be taken does not provide access to the place the FSO acting under sub Section 2 of Section 100 read with subsection 47(2) of CrPC can break open any outer or inner door or window of any premises. However, if such premise is an apartment and the occupant is a female (not being a person against whom action is sought to be taken) who, according to the customs of the country does not appear in public, the FSO must allow her to withdraw and give her reasonable facility to withdraw, and then may break open the apartment and enter it.

#### OTHER PRINCIPLES TO BE KEPT IN MIND

- If any person is "reasonably suspected" of concealing in his person any article for search needs to be made, the FSO may search that person except if the person is a woman than the search should be made by a woman with strict regard to decency, see 700(3) CrPc.
- > Before making the search the FSO has to call upon two or more independent witness of the locality and if none comes forward, issue an order in writing to them to do so and the search should be made in their presence.

- A list of all things seized in the course of the search and the places in which they are respectively found should be prepared by the FSO and signed by the witness.
- > The occupants of the place searched or the attendants should be all the time present at the time of search and the copy of the list prepared by the FSO signed by the witness should be given to him/them.

#### SEIZURE

Clause (1) of Section 38 empowers the FSO to seize any article of food which appears to be in contravention of the Act or the Regulations made thereunder. Clause (2) of Section 41, further states the provisions of CrPC relating to seizures shall apply to all actions taken by the FSO under this FSS Act.

This power can be exercised against both licensed and unlicensed FBOs under the Act. Further the FSO has to thereafter inform the Designated Officer of the actions taken by him in writing. Every FSO has the discretionary power to seize (in suitable cases) and carry away any article of food which is found under circumstances which create suspicion of the commission of any offence.

#### FOOD SAFETY SURVEILLANCE AND RECALL PROCEDURE

The food safety surveillance is done with this objective so as to determine whether a food safety hazard exists, assess the nature and extent of the issue, and take appropriate actions to eliminate or minimize potential risks to consumers. FSO should be a part of food safety surveillance and recall procedure, when there is an evidence that food for consumers is potentially contaminated with some hazard and can pose health risk.

#### Steps for Food Safety Surveillance

- Prepare a food safety surveillance plan for identification and addressing safety hazards in their jurisdiction. The plan should be based on focused commodities to betaken up for survey.
- 2. Start sampling on targeted food products and the number of samples to be lifted has to as per the surveillance place by the Food Authority of State food authority
- 3. Get the samples analysed in food laboratories. For FSSAI organized surveillance projects, the samples have to be tested in prescribed laboratories.
- 4. Upload Laboratory Analysis Report into the database for further analysis and interpretation

5. State Food Authority and FSSAI will use the data for hazard identification and other risk assessment activities

#### Learning from food safety surveillance

- Points of contamination
- Areas for improvement in food production
- Knowledge on common & emerging pathogens associated with food borne illnesses
- Trend in food borne disease

#### **FOOD RECALL PROCEDURE (SECTION 28)**

Section 28 of the FSS Act, 2006, emphasizes the need for product recall, if a Food Business Operator considers or has reasons to believe that a food which he has processed, manufactured or distributed is not in compliance with this Act, or the Rules or Regulations, made thereunder, he shall immediately initiate procedure to withdrawal of the food product from market and inform competent authorities of the risk and also the action taken.

#### PROCEDURE FOR LAUNCHING PROSECUTION

- 1. The Food Safety Officer shall be responsible for inspection of food business, drawing samples and sending them to Food Analyst for analysis.
- 2. The Food Analyst after receiving the sample from the Food Safety Officer shall analyse the sample and send the analysis report mentioning method of sampling and analysis within fourteen days to Designated Officer.
- 3. The Designated Officer after scrutiny of the report of Food Analyst shall decide as to whether the contravention is punishable with imprisonment or fine only and in the case of contravention punishable with imprisonment, he shall send his recommendations within fourteen days to the Commissioner of Food Safety for sanctioning prosecution.
- 4. The Commissioner of Food Safety shall, if he so deems fit decide, within the period prescribed by the Central Government, as per the gravity of offence, whether the matter be referred to
  - a) A court of ordinary jurisdiction in case of offences punishable with imprisonment for a term up to three years;or
  - (b) A special court in case of offences punishable with imprisonment for a term exceeding three years where such Special Court is established and in case no Special Court is established, such cases shall be tried by a Court of Ordinary jurisdiction.

The Commissioner of Food Safety shall communicate his decision to the Designated Officer and the concerned Food Safety Officer who shall launch prosecution before Courts of Ordinary jurisdiction or Special Court, as the case may be and such communication shall also be sent to the purchaser if the sample was taken under Section 40.

#### FOOD SAFETY INVESTIGATION

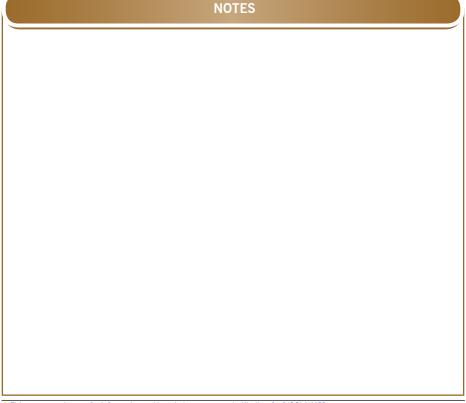
The food safety investigation is done with this objective so as to determine whether a food safety hazard exists, assess the nature and extent of the issue and take appropriate actions to eliminate or minimize potential risks to consumers. FSO should be a part of this investigation when there is an evidence that food for consumers is potentially contaminated with some hazard and can pose health risk.

#### GENERAL PRINCIPLES FOR FOOD SAFETY OFFICER

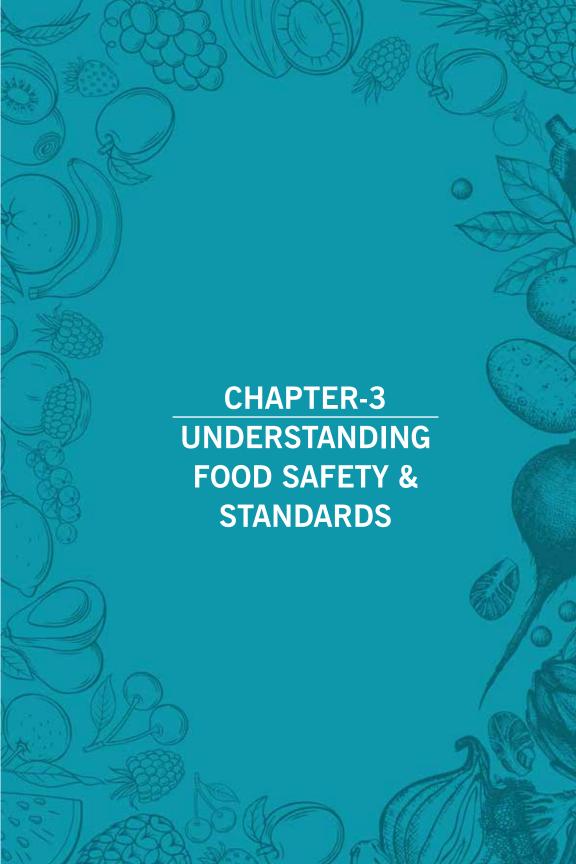
- 1. The FSO has an important role to play, as they can be a counsellor for FBOs in their effort to comply with the provisions of the FSS Act. For eg- if the FSO, on inspection identifies any contraventions by any FBO, then he can issue a caution stating the regulation to be followed for the contraventions and can also counsel the FBOs for various preventive and corrective actions to be taken for that contraventions. This is especially true for petty FBOs who may not be aware of the compliances required under the FSS Act.
- 2. The FSO must stay updated with all the regulations, amendments, and notified advisories etc. are issued under the FSS Act. This is a technical legislation and compliance under this legislation involves scientific technical processes. The Act mandates scientific risk based analysis. To ensure the best in class vigilance, the FSO should stay updated with all such relevant developments. The FSO should also stay in touch with allied legislations such as the BIS Act, the Legal Metrology Act and other laws affecting safety of food such as environmental laws and municipal sewage and water mechanisms. In this regard, the FSO may turn to the DO and the Commissioner of Food Safety, whenever he feels training is beneficial or if any clarifications are required.
- 3. It is very beneficial for FSO to have a background in or at least some exposure to food science and technology and in public health. This is because food processing and manufacturing has become a highly specialized, technology intensive sector involving complex physiological disciplines. There are also innumerable interactions between food components and with multiple external factors that may have an effect on the quality and safety of food. These factors may be microbiological, chemical, physical or sensory. Thus a technical background will help the FSO understand the legislation and implement it better for the ultimate benefit of the consumers.
- 4. It is also important for an FSO to have a thorough understanding of prerequisite hygiene and sanitation programmes and also requires a prior knowledge of the properties of various types of cleaning and sanitizing compounds, and their interactions with

food matter, with each other and with other materials, particularly those materials that equipment is made of (e.g. chlorine and steel)

- 5. The FSO should have a thorough knowledge about the Hazard Analysis and Critical Control Point (HACCP) as its elements are useful for risk based inspections. Ideally, the FSO should have taken a course and been certified in the application of HACCP.
- 6. The FSO should be well equipped to undertake risk analysis and risk communication. There should be periodic studying of general risks that affect a category of food or food business. For example by maintaining records of inspections etc., the FSO will be able to do risk analysis and judge what are the critical control points in a particular food business. This will help him understand what his inspections should focus on and what areas FBOs may require guidance for.
- 7. **The FSO should have good knowledge of testing techniques** so that he/she can make informed decisions about sampling methods and properly interpret the results of testing.
- 8. The FSO must possess good communication skills to enable him/her to adequately convey technical and regulatory information regarding safe food handling to others. In addition, the FSO must have professionalism and confidence.



NOTES



# 3 UNDERSTANDING FOOD SAFETY & STANDARDS

#### WHAT IS FOOD?

Food is defined as any substance consumed to provide nutritional support for our body. It can be usually of plant or animal origin and contains essential nutrients such as carbohydrates, fats, proteins, vitamins or minerals that provide energy for activity, growth and all functions of the body such as breathing, digestion, for the growth and repair of the body and for keeping the immune system healthy. Fats, proteins and carbohydrates constitute the major sources of energy derived from food.

As per FSS Act 2006, the "Food" means any substance, whether processed, partially

processed or unprocessed which is intended for human consumption and includes primary food, genetically modified or engineered food or food containing such ingredients, infant food. packaged drinking water, alcoholic drink, chewing gum and any substance including water used into the food during its manufacture, preparation or treatment but does not include any animal feed, live animals unless they are prepared or processed for placing on the market for human consumption, plants, prior to



harvesting, drugs and medicinal products, cosmetics, narcotic or psycho tropic substance.

As per section 18(3) of FSS act 2006 The provisions of this Act shall not apply to any farmer or fisherman or farming operations or crops or livestock or acquaculture, and supplies used or produced in farming or products of crops produced by a farmer at farm level or a fisherman in his operations.

As per the FSS Act, 2006 "food safety" means assurance that food is acceptable for human consumption according to its intended use.

Access to sufficient amounts of safe and nutritious food is key to sustaining life and promoting good health. Unsafe food containing harmful bacteria, viruses, parasites or chemical

substances can cause more than 200 different diseases - ranging from diarrhoea to cancers. Unsafe food creates a vicious cycle of diarrhoea and malnutrition, threatening the nutritional status of the most vulnerable. Where food supplies are insecure, people tend to shift to less healthy diets and consume more "unsafe foods" - in which chemical, microbiological and other hazards pose health risk.

Each year, 1 in 10 people get ill by eating unsafe food. While food safety is a shared responsibility; individual consumers and food handlers play a huge role in preventing food borne diseases.

The "Five keys to safer food", developed by WHO to educate safe food handling behaviours to all consumers and food handlers to preventfood borne diseases are:





#### **KEEP CLEAN**

- Wash your hands before handling food and often during food preparation
- Wash your hands after going to the toilet
- Wash and sanitize all surfaces and equipment used for food preparation
- Protect kitchen areas and food from inspects, pests and other animals



#### SEPARATE RAW AND COOKED



#### **COOK THOROUGHLY**

- ✓ Cook food thoroughly, especially meat, poultry, eggs and seafood
- Bring foods like soups and stews to boiling to make sure that they have reached 70°C. For meat and poultry, make sure that julces are clea not pink. Ideally, use a thermometer



#### **KEEP FOOD AT SAFE TEMPERATURES**

- ✓ Do not leave cooked food at room temperature for more than 2 hours
- Refrigerate promptly all cooked and perishable food (preferably below 5°C)
- ✓ Do not store food too long even in the refrigerator
- ✓ Do not that frozen food at room temperature

Microorganisms can multiply very quickly if food is stored at room temperature. By holding at temperatures below 5°C or above 80°C, the growth of microorganisms is slowed down or stopped. Some dangerous microorganisms still growbelow 6°C.



#### **USE SAFE WATER AND RAW** MATERIALS

- ✓ Use safe water or treat it to make it safe
- ✓ Select fresh and wholesome foods
- Choose foods processed safety, such as pasteurized milk
- Wash fruits and vegetables, especially if eaten raw
- ✓ Do not use food beyond its expiry date

Raw materials, including water and ice, mo contaminated with dangerous microorgar and chemicals. Toxic chemicals my be form damaged and mouldy foods. Care in select raw materials and simple measures suc washing and peeling may reduce the risk.

#### THE IMPORTANCE OF FOOD SAFETY

#### Why food safety is important?

- Reduce food borne illness
- Protect and enhance the business reputation leading to increased profits to FBOs
- Enhance consumer confidence on domestic and international foods
- Reduce food wastage and associated costs

#### **FOOD BORNE DISEASE**

Food borne diseases include a wide spectrum of illnesses and are a growing public health problem worldwide. Food borne diseases is a problem in both developing and developed countries. They are caused by ingestion of foodstuffs contaminated with microorganisms or chemicals. The contamination of food may occur at any stage in the process from food production to consumption ("farm to fork") and can result from environmental contamination, including pollution of water, soil or air. The symptoms may occur very quickly after eating the food or may take days or even weeks to appear. For most food borne diseases, symptoms occur 24 -72 hours after the food has been eaten. Food borne disease can lead to longterm health problems. The symptoms of food borne diseases range from mild and self-limiting to debilitating and life-threatening (such as kidney and liver failure, brain and neural disorders, paralysis and potentially cancers), leading to long periods of absenteeism and premature death. The most common symptoms of food borne disease are nausea, stomach pains, vomiting and diarrhoea.

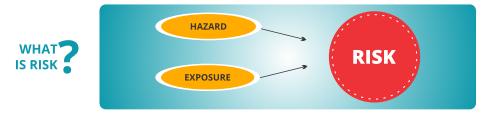
#### **CLASSIFICATION OF FOOD BORNE ILLNESS**

Infection	Caused by eating food that contains living disease causing microorganisms, example Salmonella.
Intoxication	Caused by eating food that contains a harmful toxin or chemical produced by bacteria or other source example
	Clostridium Botulinum
Toxin mediated infection	Caused by eating a food that contains harmful microorganisms
	that will produce a toxin once inside the human body. Example
	staphylococcus toxin

#### **FOOD SAFETY RISK ANALYSIS**

In order to manage safe food production, it is important to have a thorough knowledge of food safety hazards and the associated risks which can enter at any stage in the food supply chain.

International Agencies like Food & Agriculture Organisation (FAO) and World Health Organisation (WHO) as well as CODEX Alimentarius Commission recommend Risk Analysis Approach for managing the risk in the food production process.



Probability of risk is associated with the exposure to hazard. The likelihood of occurrence of risk is when there is exposure to hazard and the rate of the likelihood of a specific risk can be high, medium or low.

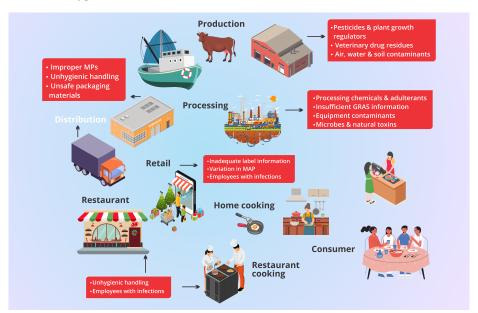
#### How Risk can enter in to the food chain?

**Production:** Poor agriculture practices

Processing: Improper handling and processing, storage and packaging

**Transportation:** Improper unhygienic transportation

Retail: Poor hygiene and sanitation



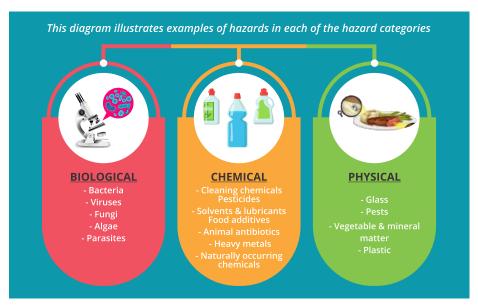
#### FOOD HAZARDS-THE BIGGEST THREAT TO FOOD SAFETY

Hazard is defined as a biological or chemical or physical agent in a food or condition of the food with the potential to cause an adverse effect.

**Biological hazard** are living organisms, including microbiological organisms, bacteria, viruses, fungi and parasites.

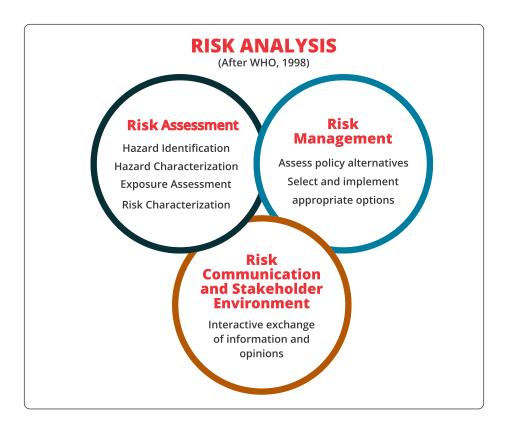
Chemical hazard are in two categories: naturally occurring poisonous substances and chemicals or deleterious substances. The first group covers natural constituents of foods that are not the result of environmental, agricultural, industrial or other contamination examples being aflatoxins and shell fish poison. The other group covers poisonous chemicals or deleterious substances which are intentionally or unintentionally added to food at some point in the production chain, examples are pesticides and fungicides as well as lubricants and cleaners.

**Physical hazard** is any physical material not normally found in food which causes illness or injury. Physical hazards include glass, wood, stone, bone and metal.



#### **RISK ANALYSIS APPROACH**

Risk analysis plays an important role for a National Food Control System. It is a powerful tool to carry out science based analysis and to achieve a sound and consistent solution to food safety problems. It provides information on hazard in food to be linked directly to data on the risk to human health and to improve food safety decision making process. It comprises of three stages:



Risk analysis involves identifying the risk and weighing their likelihood and impact on health and then establish system to reduce or mitigate the risks.

#### The FSS Act 2006 defines:

Risk assessment: is a scientifically based process consisting of four steps:

**Step 1 Hazard identification:** "Could this food or anything in it be harmful?" Risk assessors collect and review scientific data and identify biological or chemical hazards in food.

**Step 2 Hazard characterisation:** "What effects do the hazards cause?" Risk assessors evaluate scientific data to determine whether evidence is strong enough to demonstrate that a substance has the potential to cause harm and the nature of the harm.

**Step 3 Exposure assessment:** "Who may be harmed and at what level of exposure may be harmful?" Experts estimate how much of the food or ingredient consumers in general population groups (e.g. infants, children, adults) or sub-populations (e.g. vegetarians, vegans) are likely to be exposed to under real-life conditions where both dose and duration are considered. The exposure must be evaluated to determine if a hazard presents an actual risk (step 4). With increased exposure, the risk also increases.

Step 4 Risk characterisation: "How likely is it that people will experience exposure at a level that can cause harm in real life?' The level of exposure that can cause harm is compared to the actual level of exposure that someone would experience in real life. If the exposure level is higher than that which causes harm, there may be a safety concern for consumers in general or for specific groups.

Risk assessment is carried out by the independent Scientific Panels and Scientific Committee (of FSSAI) to provide scientific inputs on the risk and potential adverse effect of the risk to the health of the consumers. These inputs are based on sound scientific principles, data and evidence.

Risk management: It is the process of weighing policy alternatives in consultation with all interested parties, considering risk assessment and other factors relevant for the health protection of consumers and if needed, selecting appropriate prevention and control measures. A range of risk management options are available to FSSAI as risk managers for preventing or reducing health risks associated with food. These options can be regulatory i.e. those specified in the Regulations, such as end product standards or outcome based standards or non-regulatory, such as industry codes of practice, guidelines or information campaigns.

Risk Communication: is the interactive exchange of information and opinions throughout the risk analysis process concerning hazards and risks, risk related factors and risk perceptions, among risk assessors, risk managers, consumers, industry, the academic community and other interested parties. FSSAI is responsible for risk communication, which is a two-way process and involves sharing the information internally with risk analysis team and with external stakeholders including general public in an open and transparent way including the explanation of risk assessment findings and the basis of risk management decisions. Risk communication is also important to bridge the gap which sometimes exists between the scientific assessment and consumers perceptions of risk.

#### WHY SHOULD FSO KNOW ABOUT FOOD SAFETY RISK ANALYSIS?

A well established and integrated information and data generation system across the food chain on the occurrence of food safety hazards and associated risks are essential to complete the cycle of Risk Analysis. Information & Data generation should be of quality and precision, to the extent that will minimize uncertainty in the risk estimates. Purpose of such activity in our regulatory system is to find out, the food safety hazards and risk associated with the foods and such activities are being carried out by FSOs under the terms "Monitoring" and "Surveillance".

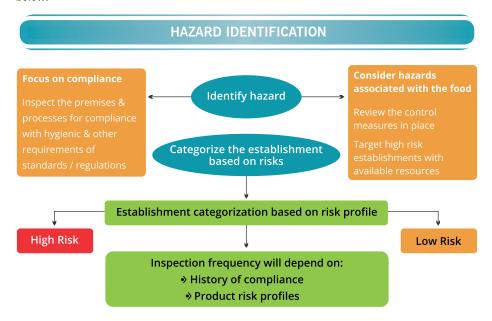
The role of FSO in identification of food safety hazards, capable of causing an adverse health effect becomes one of the important sources of input for risk assessors in completing the steps of Risk Assessment. Risk Analysis is the foundation on which food control policy and

consumer protection measures are based. The scientific inputs from risk assessment will provide basis for policy decisions to risk managers for developing standards and guidelines to minimize or control the food safety risks.

#### **HOW TO IDENTIFY HAZARD?**

Hazards can enter the food supply chain at any point from production, packing, transporting, storing to distribution. Therefore, hazards need to be controlled and minimised from production, across all the steps to the consumer the approach called "Farm to Fork". Thus food safety is ensured through the combined efforts of all the stakeholders participating in the food chain.

Hazard identification will be predominately a qualitative process and Food Safety Officers will help in hazard identification and address this by carrying out Food Safety Surveillance. In an attempt to identify potential hazards, it is necessary to follow the process as mentioned below:



#### RISK IDENTIFICATION

Since food will always present some minimal risk, the approach used is to minimize the hazards and risks to a safe and acceptable level.

#### Risk is the probability of a hazard occurring

#### Risks in food establishments depend on type of foods handled, process and products:

High risk establishments which are food establishment involved in processing and production of:

- Ready to cook and ready to eat products
- Products like raw chicken/ meat and fish products as they naturally carry a high load
  of pathogenic bacteria. For such products, practices related to cross contamination
- Products having wide distribution & large consumption, products meant for children, infants, vulnerable segment of population pose more risk

#### RISK CHARACTERISATION

The quality and/or quantitative estimation of the probability of occurrence and severity of adverse effects

#### Matrix to assign a priority ranking for inspections of establishments

Establishment compliance profile (e.g. non-compliance and violations are reported)	Product risk profile (e.g. new products, new formulas, new nrnrpssps)	Inspection priority profile
Low	High	Top Priority
Low	Low	Medium Priority
High	High	Medium Priority
High	Low	Low Priority

The establishment categorization or priority level for inspection thus obtained should be reviewed and updated after each inspection.

FSSAI has developed sector-specific inspection checklists for facilitating FSOs to efficiently inspect the Food Business Operators (FBOs). The inspection checklists are based on revised Schedule 4 of Food Safety & Standards (Licensing & Registration of Food Businesses) Regulation, 2011 and these are used to identify the level of compliance with each requirement that is set out in the regulation.

#### Benefits of risk-based food inspection

- Emphasizes on a preventative approach rather than corrective approach Uses limited resources in a more effective manner
- Investigate & apply enforcement action proportionate to risk
- Provide advice & information to food industry workers & management

#### **FOOD STANDARDIZATION**

The basic purpose of establishing food standards is protection of public health mitigation, promoing fair trade in food also to prevent is leading or deceptive product and to enable consumers to make informed choice by providing adequate information It is important that such standards should be uniform nationally so that FBOs in all parts of the country have only one set of requirements to be complied with and hencea level playing field.

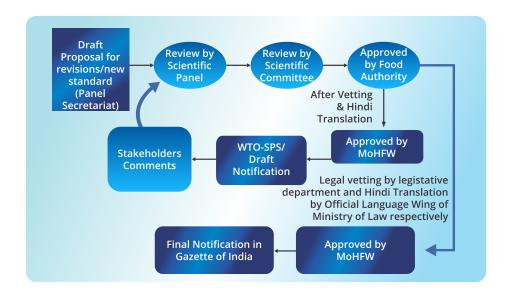
The entire process of standard setting is carried out in a transparent manner involving all stakeholders. FSSAI has constituted scientific bodies, namely the Scientific Committee and 21 subject specific Scientific Panels comprising of eminent independent subject experts/ scientists. The Scientific Committee comprises of Chairpersons of all Scientific Panels and six independent experts, responsible for providing consistent opinion to Food Authority while harmonizing working methods of Scientific Panels. The Committee provides opinions on cross industry and sectoral issues and covers areas that are unique and not covered under the competence of the Scientific Panels

The scientific risk assessment and setting of standards is carried out on the basis of latest developments in food science along with various factors like emergence of new additives, changes in processing technology, identification of new risks associated with metallic contaminants, residues of veterinary drugs, microbiological contaminants, nutritional aspects, advances in analytical methods etc.

#### STANDARDIZATION (VERTICAL AND HORIZONTAL)

FSSAI notified standards are mandatory standards and compulsorily to be followed by the food businesses, there are other organizations and agencies that frame food standards which are voluntary standards. However, some of these are considered as a basic requirement for the FBO to obtain FSSAI licenses which include the BIS certification for manufacturing of packaged drinking water and" AGMARK" label for sale of some agricultural products.

The scientific Panels and Scientific Committee provide the scientific opinion and assist Food Authority in development of standards through a well-defined process. The Scientific Panels are constituted under Section 13 of the Food Safety & Standards Act, 2006. Formulation of standards of any article of food involves several stages. After recommendation by the Scientific Panel and validation by the Scientific Committee, a standard is approved by the Food Authority and by Ministry of Health and Family Welfare. Thereafter, a draft notification is issued for inviting (domestic and international stakeholders) public comments within a period of 60 days. The comments received are then considered by the relevant Scientific Panel and after approvals of the Scientific Committee, Food Authority and the Ministry, the standard is finally notified as either an amendment to an existing regulation or a new/revised regulation.



FSS Act 2006 defines "standard", in relation to any article of food, means the standards notified by the Food Authority. FSSAI is also responsible for framing and notifying food product standards which include both vertical and horizontal standards and specify an appropriate system for enforcing various standards.

Horizontal Standards cut across various food categories and primarily relate to food safety covering limits for various food additives, contaminants (chemical and biological), toxins in food and also requirements for packaging, labelling and claims. These are covered under FSS (Contaminants, Toxins and Residues) Regulations, 2011, under Appendix B of FSS (Food Product Standards and Food Additives) Regulations, 2011, FSS (Packaging) Regulations, 2018, FSS (Advertising & Claims) Regulations, 2018 and FSS (Labelling & Display) Regulations, 2020.

**Vertical Standards** mainly include identity and compositional standards of specific food products and are covered under FSS (Food Product Standards and Food Additives) Regulations, 2011 and under FSS (Health supplements, Nutraceuticals, Foods for special dietary use, Foods for special medical purpose. Functional food and Novel food) Regulations, 2016.

Currently Food Authority has commissioned 21 scientific panels that comprise of 11 Vertical and 10 horizontal panels. The web-link for the same is appended below:

http://fssai.gov.in/cms/committees-panels-and-groups.phps http://fssai.gov.in/cms/products-standards.php All the vertical and horizontal SPs are listed below-

Horizontal Panels	Vertical Panels
<ul> <li>Food additives, Flavourings, Processing aids &amp;</li> <li>Materials in contact with food</li> </ul>	<ul> <li>Functional foods, Nutraceuticals, Dietetic Products and Other similar products</li> </ul>
	Fish and Fisheries Products
⇒ Pesticides Residues	<ul> <li>Cereals, Pulses &amp; Legume and their products (including Bakery)</li> </ul>
⇒ Antibiotic Residues	`
⇒ Genetically Modified Organisms and Foods	Fruits & Vegetables and their products (including dried fruits and nuts)
⇒ Biological Hazards	⇒ Meat & Meat Products, including poultry
	⇒ Milk & Milk Products
⇒ Contaminants in the Food Chain	⇒ Oils & Fats
⇒ Labelling and Claims/Advertisements	⇒ Sweets, Confectionery, Sweeteners Sugar & Honey
Method of Sampling and Analysis	⇒ Water (including flavoured water) &
⇒ Nutrition and Fortification	Beverages (non-alcoholic)
* Nutrition and Fortineation	⇒ Spices and Culinary Herbs
⇒ Packaging	⇒ Alcoholic Beverages

#### **Global Standards**

The international food standards are set through the joint collaboration between FAO/WHO, CODEX Alimentarius. The work of CODEX provides governments with a valuable resource to achieve public health objectives such as food safety and nutrition, while providing a basis for trade to take place.

Harmonization of Indian food standards with global standards is one of the principles mandated under the FSS Act. Standards set by FSSAI are based on international best practices and all efforts are made to harmonize with CODEX so as to promote international trade and higher levels of food safety. The Indian Food Categorization system is in harmony with the Food Categorization System by CODEX in General Standard for Food Additives (GSFA). Wherever, suitable and appropriate, CODEX standards are considered for adoption with or without modifications provided they are in line with domestic industry and consumer practices.

FSSAI has lanched an online portal "Food-'O'-Copoeia during the Global Food Regualtors summit 2023. Food-'O'-Copoeia is an online portal consists of collection of food categorywise monographs which is single point reference for all applicable standards for a specific product category specifying quality & food safety standards, labelling and claim requirements, specific packaging requirements etc. according to various Food Safety & Standard Regulations.

#### FOODS REGULATED UNDER SECTION 22 OF FSS ACT 2006

#### SECTION 22 IN THE FOOD SAFETY AND STANDARDS ACT, 2006

Defines genetically modified foods, organic foods, functional foods, proprietary foods and novel foods and states "Save as otherwise provided under this Act and regulations made thereunder, no person shall manufacture, distribute, sell or import any novel food, genetically modified articles of food, irradiated food, organic foods, foods for special dietary uses, functional foods, nutraceuticals, health supplements, proprietary foods and such other articles of food which the Central Government may notify in this behalf.

#### PROPRIETARY FOODS

In the FSS (Food Products Standards and Food Additives) Regulations, 2011, Proprietary Food is defined under the regulation 2.12. FSS (Food Products Standards and Food Additives), Amendment Regulations, 2016, and the sub-regulation 2.12.1 defines proprietary foods as an article of food that has not been standardised under these regulations. The proprietary product may deviate in quality parameters of a standardised food, as specified in the Food Safety and Standards Regulations made under the FSS Act, 2006. Proprietary Foods shall to comply with the horizontal parameters of the nearest product category it falls under. Mere deviation in quality parameters of a standardized food shall not qualify the resultant product as Proprietary Food

Standards for Health supplements and Nutraceuticals are specified under FSS (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional Food and Novel Food) Regulations, 2016. These regulations cover eight categories of Functional Foods namely, Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Specialty food containing plant or botanicals, Foods containing Probiotics, Foods containing Prebiotics and Novel Foods.

#### **FUNCTIONAL FOODS**

Functional Foods are defined as products that resemble traditional foods but possess demonstrated physiological benefits and provide such benefits beyond basic nutrition and may play a role in reducing or minimizing the risk of certain diseases and other health conditions, as described in these regulations. The likely categories where functionalities can be linked to either ingredients or the products so made, have been created under these regulations and fall under the basic definition of' Functional Foods'.

**Health Supplements and Nutraceuticals** are any substance that is a food or a part of food and provides medical or health benefits, including the prevention and treatment of disease.

FSS Act, 2006 (Section 22) defines Nutraceuticals and Health supplements as foods which are specially processed or formulated to satisfy particular dietary requirements which exist because of a particular physical or physiological condition or specific diseases and disorders and which are presented as such, wherein the composition of these foodstuffs must differ significantly from the composition of ordinary foods of comparable nature, if such ordinary foods exist and may contain one or more of the following ingredients, namely:

- > Plants or botanicals or their parts in the form of powder, concentrate or extract in water, ethyl alcohol or hydro alcoholic extract, single or in combination;
- Minerals or vitamins or proteins or metals or their compounds or amino acids (in amounts not exceeding the Recommended Daily Allowance for Indians) or enzymes (within permissible limits);
- Substances from animal origin;
- A dietary substance for use by human beings to supplement the diet by increasing the total dietary intake;

Health supplements may be used to supplement the normal diet of a person above the age of five years. The health supplements shall contain concentrated source of one or more nutrients, namely, amino acids, enzymes, minerals, proteins, vitamins, other dietary substances, plants or botanicals, prebiotics, probiotics and substances from animal origin or other similar substances with known and established nutritional or beneficial physiological effect, which are presented as such and are offered alone or in combination, but are not drugs as defined in the clause (b) of section 3 of the Drugs and Cosmetics Act, 1940 (23 of 1940) and the rules made thereunder.

The health supplements shall contain any of the ingredients specified in Schedule I or Schedule II or Schedule IV or Schedule VII or Schedule VIII or enzymes only of Schedule VI of the said regulation.

Every package of health supplement shall carry the following information on the label, the words "HEALTH SUPPLEMENT" and other labelling requirements as specified in the regulations.

As per the regulations the nutraceuticals shall provide a physiological benefit and help maintain good health. A Food Business Operator may extract, isolate and purify nutraceuticals from food or non-food sources, that is preparing amino acids and their derivatives by bacterial fermentation under controlled conditions the FBO can prepare and sell the nutraceuticals in the food-format of granules, powder, tablet, capsule, liquid, jelly or gel, semi-solids and other formats and may be packed in sachet, ampoule, bottle, and in any other format as measured unit quantities except those formats that are meant for parenteral administration.

The nutraceuticals shall contain any of the ingredients specified in Schedule-I or Schedule-II or Schedule-VII or Schedule-VII or Schedule-VIII of the said regulation.

Every package of food containing nutraceutical shall carry the following information on the label, the word "NUTRACEUTICAL" and other labelling requirements as specified in the regulations.

Food for Special Medical Purpose (FSMP) means food that is specially processed or formulated for the dietary management of persons to satisfy particular dietary requirements which exist because of a particular physical or physiological condition or specific diseases and disorders (or) for exclusive or partial feeding of persons with a limited, impaired or disturbed capacity to take, digest, absorb, metabolize or excrete ordinary foodstuffs or certain nutrients contained therein or metabolites (or) for other medically determined nutrient requirements, whose dietary management cannot be achieved only by modification of the normal diet, by food for specific nutritional use, or a combination of them.

Foods for Special Dietary Uses (FSDU) are foods specially processed or formulated to satisfy particular dietary requirements which may exist or arise because of certain specific health conditions like underweight, obesity, diabetes, high blood pressure, pregnant and lactating women, aging population and celiac disease etc.

#### Novel Foods are those that:-

- May not have a history of consumption by humans; or
- May not have any history of consumption of any ingredient used in it or the source from which it is derived; or
- A food or ingredient that is obtained by using new technology and innovative engineering process. This procedure may change the size, composition, or structure of the food or its ingredients which may in turn change its nutritional value, metabolism or level of undesirable substances

In India, the Novel foods are classified under non-specified foods and have no defined safety parameters and approval is required for manufacture, distribution, sale, or import of these products. In order to regulate such products, the Food Authority provides the opportunity to Food Business Operators to get the approval for novel foods and any innovations in food products through FSS (Approval of Non-Specified Food and Food Ingredients) Regulations, 2017. The regulation covers the following articles of food or food ingredients:-

- Novel Food or novel food Ingredients or processed with the use of novel technology
- New additives
- New processing aids including enzymes

> Articles of food and food ingredients consisting of or isolated from microorganisms, bacteria, yeast, fungi oralgae.

In European Union the Novel Foods or novel food ingredients is the food with no history of "significant" consumption prior to 15 May, 1997. Any food or food ingredient that falls within this definition must be authorised according to the Novel Food legislation.

In Canada, novel foods are regulated under the Novel Foods Regulations. The regulations define novel food as:-

- Products that have never been used as food,
- Foods that result from a process that has not been previously used forfood or,
- > Foods that have undergone genetic modification and have newtraits.

#### WHAT IS ADULTERATION?

Food Adulteration is an act of intentionally debasing the quality of food offered for sale either by the admixture or substitution of inferior substances or by the removal of some valuable ingredient. Adulterated food is dangerous because it may be toxic and can affect health and it could deprive nutrients essential for proper growth and development.

"Adulterant" means any material which is or could be employed for making the food unsafe or sub-standard or misbranded or containing extraneous matter.

Food is declared adulterated if:-

- A substance is added which depreciates or injuriously affects it
- > Cheaper or inferior substances are substituted wholly or in part
- > Any valuable or necessary constituent has been wholly or in part abstracted
- It is an imitation
- > It is coloured or otherwise treated to improve its appearance or if it contains any added substance injurious to health
- > For whatever reasons its quality is below the Standard Common Adulterated Food

#### COMMON ADULTERATED FOODS

Some of the common adulterated foods are milk and milk products, atta, edible oils, cereals, condiments (whole and ground), pulses, coffee, tea, confectionary, baking powder, non-alcoholic beverages, vinegar, besan and curry.

#### TYPES OF ADULTERANTS

- Poisonous or Deleterious Substances.
- 2. Filth and Foreign Matter
- 3. Economic Adulteration
- 4. Microbiological Contamination and Adulteration

#### ADULTERATION IN MILK AND MILK PRODUCTS

History of milk adulteration is very old. Adulterants in milk mainly include addition of vegetable protein, milk from different species, addition of whey and watering which are known as economically motivated adulteration These adulterations do not pose any severe health risk. However, some adulterants are too harmful to be overlooked. Some of the major adulterants in milk having serious adverse health effect are urea, formalin, detergents, ammonium sulphate, boric acid, caustic soda, benzole acid, salicylic acid, hydrogen peroxide, sugars and melamine.

#### ADULTERATION OF OILS AND FATS

Vegetable oils and fats (VOFs) have a big contribution in our diet as cooking or frying oil, salad oil or in food products formulation. Also, VOFs are so important by regard to economic point of view. Adulteration of vegetable oils with some non-edible oils can cause serious health problems in some cases like Spanish olive oil syndrome caused due to selling non-edible rapeseed oil as an edible rapeseed oil and even as olive oil. Another example is adulteration of mustard oil with poisonous argemone oil.

#### **ADULTERATION OF HONEY**

Because of its high nutritional value and unique flavour. Honey is susceptible to adulteration with cheaper sweeteners and adulterants that have been detected in adulterated honeys include sugar syrups and molasses inverted by acids or enzymes from corn, sugar cane, sugar beet and syrups of natural origin such as maple. Adulteration of pure honey with synthetic honey (based on C4 plant sugars) has become much more prevalent in recent years.

#### ADULTERATION IN SPICES AND CONDIMENTS

India is a leader in the global spice market and is known the world over as "the Home of Spices". It caters to 48 percent of the world demand for spices. Spices are consumed in various forms as whole spices, ground spices, oleoresins and extracts and are used to enhance the flavour and taste of processed foods. Spices most often sold in the ground of powder form makes it easy to adulterate them. To add weight to the spices less expensive or low-quality spices, flour, corn starch, sawdust and chalk powder are mixed into these spices. Sometimes toxic and carcinogenic dyes are also added to the old stock to enhance their appearance and hide the presence of the adulterants Adulteration is intended for economic gains but it leads to serious public health risk. Long-term consumption of adulterated spices may lead to stomach disorders, vomiting, diarrhoea, liver and skin disorders, neurotoxicity and even cancer.

#### Common adulterants in ground spices

- 1. **Turmeric powder-** Addition of lead chrome, metanil yellow, chalk powder or yellow soapstone powder and starch; substitution with other rhizomes like arrowroot.
- 2. **Chilli powder -** Addition of brick powder, sudan dye, salt powder or talc powder. artificial colours and dyes, colour, grit, sand, dirt, filth, sawdust dried tomato skin
- 3. **Asafoetida (Hing)-** Addition of soapstone or other earthy material, starch and foreign resin.

#### Common adulterants in Whole spices

- 4. **Cinnamon-** Substitution with cassia
- 5. **Saffron-** Addition of coloured dried tendrils of maize cob, sandalwood dust, Tartrazine and coconut threads
- 6. **Cardamom-** Substitution with de-oiled cardamom, artificial colorant like 'apple green' and malachite green
- 7. **Black pepper-** papaya seeds
- 8. **Cumin seeds-** grass seeds coloured, fennel seeds

The details of the rapid tests for detection of adulterants are described in DART Book, and can be accessed through <a href="http://fssai.gov.in/dart/">http://fssai.gov.in/dart/</a>

## ARTIFICIAL RIPENING OF FRUITS USING CALCIUM CARBIDE

#### WHAT IS ARTIFICIAL RIPENING?

Unsaturated hydrocarbons such as acetylene, ethylene etc. can promote ripening and induce colour changes effectively. Although the cosmetic quality of such artificially ripened fruits improves, organoleptic quality gets impaired especially when harvested fruits are subjected

to treatment without considering their maturity status. The quantity of ripening agent required to induce ripening for better cosmetic quality, including appearance will be much more than conventional dose, when properly mature fruits are not used for such purposes.

#### RIPENING WITH CALCIUM CARBIDE

The most commonly used chemical for artificial ripening is Calcium Carbide ( $CaC_2$  and is popularly known as "Masala", though banned under FSS (Prohibition and Restrictions on Sales) Regulations, 2011 made thereunder. As per sub-regulation 2.3.5 of the said regulation "no person shall sell or offer or expose for sale or have in his premises for the purpose of sale under any description, fruits which have been artificially ripened by use of acetylene gas, commonly known as carbide gas.

Calcium Carbide is colourless when pure, but greyish-white to black in colour otherwise,

IDENTIFICATION OF CALCIUM CARBIDE RIPENED FRUITS		
Quality Parameters	Fruit ripened using Calcium Carbide	Naturally ripened fruit
Weight per fruit	Fair	Good
Texture	Not very attractive but uniformly colored	Attractive but not uniformly colored
Aroma	Mildly good	Good
Firmness	Fair	Fair
Taste	In-core sour, mildly pleasant	Sweet, Longer
Shelf-Life	Shorter, Black Blotches appear on the skin in 2 or 3 days	Longer

with garlic like odour. When it reacts with water, it produces acetylene gas (popularly referred to as carbide gas) which is an analogue to ethylene and quickens the ripening process. It is said to have the same effect as ethylene the natural ripening hormone. However, acetylene is not nearly as effective for ripening as is ethylene and acetylene is not a natural hormone as ethylene. Calcium Carbide contains traces of arsenic and phosphorous hydride. Calcium Carbide has carcinogenic properties and is used in gas welding. Being cheap and easily available in the local markets, CaC<sub>2</sub> is indiscriminately being used in preference to other recommended practices of inducing ripening in fruits.

#### EFFECTS OF CALCIUM CARBIDE ON FRUIT QUALITY

Fruits ripened with Calcium Carbide are overly soft, are inferior in taste and flavour. They also have a shorter shelf life. The fruit ripened with Calcium Carbide may develop uniform attractive surface colour, but the tissue inside would not be ripe or may remain green or raw. When Calcium Carbide is used in very raw fruit, the amount of the chemical needed to ripen the fruit has to be increased. This results in the fruit becoming even more tasteless, unhealthy and possibly toxic.

#### POTENTIAL HEALTH EFFECTS ASSOCIATED WITH CALCIUM CARBIDE

Calcium Carbide is a dangerous and corrosive chemical. Carbide ripened fruits on consumption cause several harmful effects to human health. Calcium Carbide has cancer causing properties and contains traces of arsenic and phosphorous hydride. The early symptoms of arsenic or phosphorous poisoning include vomiting, diarrhoea with or without blood, burning sensation of chest and abdomen, thirst, weakness, difficulty in swallowing, irritation or burning in the eyes and skin, permanent eye damage, ulcers on the skin, sore throat, cough and shortness of breath. Higher exposure may cause a build-up of fluids in the lungs. It may affect the neurological system by inducing prolonged hypoxia which causes headache, dizziness, mood disturbances, sleepiness, mental confusion, memory loss, cerebral edema (swelling in the brain caused by excessive fluids) and seizure. CaC<sub>2</sub> is banned in many countries because it has carcinogenic properties and hazardous effects.

Examples of fruits and vegetables where artificial ripening by use of Calcium Carbide is generally practised-Mango, Banana, Papaya and sometimes for Sapota (Chiku), Dates and Tomatoes.

## **CONTAMINANTS AND ITS TYPES**

Contaminants are substances either added to food or not intentionally added to food in the process of their production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging transport or holding of articles of such food as a result of environmental contamination called **Crop Contaminants**. Since contamination generally has a negative impact on the quality of food and may imply a risk to human health, so measures to minimise contaminants in foods up to the levels that can pose no risk to human health are in place. The basic regulatory control of chemical contaminants in food are laid down in **FSS** (Contaminants, Toxins and Residues) Regulation, 2011.

There are three categories of food contamination:

- 1. Physical
- 2. Chemical
- 3. Biological

#### PHYSICAL CONTAMINANTS

Physical contaminants are any physical objects that can be present in food, and not meant to be in the food. This can include hair, glass, and insects. Some physical contaminants, such as hair, are not considered food safety concerns. While others, such as glass, are considered food safety concerns.

Physical contaminants often enter the product by not following good manufacturing practices (GMPs) which include wearing proper protective equipment, such as hair nets. It also includes keeping the premises clean with well-maintained equipment and having a pest control policy in place to prevent infestation with insects and pests.

#### **CHEMICAL CONTAMINANTS**

Chemical contaminants mean chemicals in food that are not meant to be in the food products and their presence in food is unintentional and undesirable. These include antibiotics residues, pesticides residues and cleaning agents. Many of these contaminants have food safety and quality concerns. Chemical contaminants may be harmful to health at certain levels. It is necessary to manage their levels in food and reduce dietary exposure of consumers. Several measures are required to be in place to manage the risk from these contaminants and reduce the levels at which they are present in food - including good practices and regulatory controls.

Examples of chemical contaminants include the following:

- Mycotoxins
- Heavy metals Lead and Mercury, Arsenic, Cadmium
- Pesticides and dioxins
- Antibiotics and veterinary drug residues

#### MYCOTOXINS

Mycotoxins are toxic compounds that are naturally produced by certain types of moulds (fungi). Moulds that can produce mycotoxins grow on numerous foodstuffs such as cereals, dried fruits, nuts and spices. Mould growth can occur either before harvest or after harvest, during storage, on/in the food itself often under warm, damp and humid conditions. Most mycotoxins are chemically stable and survive food processing.

Several hundred different mycotoxins have been identified, but the most commonly observed mycotoxins that present a concern to human health and livestock include aflatoxins, ochratoxin A, patulin, fumonisins, zearalenone and nivalenol/deoxynivalenol. Mycotoxins appear in the food chain as a result of mould infection of crops both before and after harvest. Exposure to mycotoxins can happen either directly by eating infected food or indirectly from animals that are fed contaminated feed, in particular from milk.

#### HOW TO MINIMISE THE RISK FROM MYCOTOXINS

Moulds that produces mycotoxins can grow on a variety of different crops and foodstuff and can penetrate deep into food and do not just grow on the surface. Moulds usually do not grow in properly dried and stored foods, so efficient drying of commodities and maintenance of the dry state, or proper storage, is an effective measure against mould growth and the production of mycotoxins.

To minimize the health risk from mycotoxins, it is advisable to:

- Inspect whole grains (especially corn, sorghum, wheat, rice), dried figs and nuts such
  as peanuts, pistachio, almond, walnut, coconut, hazelnuts etc. which are prone to
  contamination with aflatoxins for evidence of mould, and discard any that look
  mouldy, discoloured or shrivelled;
- 2. Avoid damage of grains before and during drying and in storage, as damaged grain is more prone to invasion of moulds and therefore mycotoxin contamination;
- 3. Buy grains and nuts as fresh as possible;
- 4. Make sure that foods are stored properly kept free of insects, in dry and not too warm conditions;
- 5. Do not keep foods for extended periods of time before being used;

Aflatoxins are a class of mycotoxins produced primarily by Aspergillus Flavus and Aspergillus parasitic group of fungi. The spores of these fungi grow on a suitable food substrate under favourable conditions. Aflatoxins prevalence is aggravated in pre-harvest crops by conditions of drought, floods, delayed harvest, pest infestation, inadequate drying including improper postharvest handling and storage of crops and food.

#### **REGULATORY STATUS**

The maximum limits for mycotoxins including aflatoxins are prescribed under FSS (Contaminants, Toxins, and Residues) Regulations 2011.

CODEX Alimentarius Commission has developed various code of practices for prevention and reduction of mycotoxin contamination including AFTs in various food commodities like in cereals (i.e. CAC/RCP 51 -2003, it can be downloaded from link: https://www.fao.org/input/download/standards/406/CXP\_051e\_2014.pdf. These COPs recommends practices based on good agricultural practices (GAP) and good manufacturing practices (GMP) at levels of pre harvest, harvest, transport and storage and it also provides complementary management systems to be considered in the future.

#### 2. HEAVY METAL CONTAMINANTS IN FOOD

Heavy Metal contaminants in food crops is an issue of global concern that ultimately results in toxicity and diseases in humans and animals through consumption of contaminated soils and food crops. Metals such as arsenic, cadmium, lead and mercury that are naturally occurring chemical compounds present at various levels in the environment, e.g. soil, water and atmosphere can also occur as residues in food because of their presence in the environment. The presence of these metals in foods is the result of human activities such as farming, industry or from contamination during food processing and storage. People can be exposed to these metals from the environment or by ingesting contaminated food or water. Their accumulation in the body can lead to harmful effects over time. Due to the adverse effects of these heavy metals on humans, FSSAI has established maximum levels for these commonly occurring metal contaminants in foods. Additionally, these standards are in a constant state of revision because of ongoing studies. The commonly occurring metal contaminants found in food products are lead, copper, arsenic, tin, zinc, cadmium, mercury, chromium, nickel and their limits in ppm across different food products is prescribed in FSS (Contaminants, Toxins and Residues) Regulations, 2011.

#### 3. PESTICIDES IN FOODS

Pesticide residues in food commodities and their entry into the food-chain has become a major cause of concern all-over the world. Food safety has become crucial for all involved in the value chain and consumers have to be assured that they are not exposed to an unacceptable level of pesticide residues. The presence of the residues above the permissible level is also a major bottleneck in the international trade of food commodities.

#### **REGULATORY STATUS**

FSSAI regulates the pesticide residues detected in various food items through FSS (Contaminants, Toxins and Residue) Regulations, 2011. The regulation covers more than 150 insecticides/pesticides whose tolerance limits have been prescribed under this regulation. There is a harmonized monitoring of pesticide residues in the country which started under central sector scheme called, "Monitoring of Pesticide Residues at National Level" (MPRNL) in food commodities since 2005. Pesticide residues in the crops are monitored through the use of maximum residue limits (MRL), which are based on the analysis of the quantity of a given chemical remaining on food product samples. Regulating pesticides on the ground revolves around this regulatory yardstick called the MRLs of the pesticides in a food commodity.

# 4. ANTIBIOTIC RESIDUES AND AMR (ANTI-MICROBIAL RESISTANCE) - AN EMERGING ISSUE OF FOOD SAFETY

Antibiotics are naturally formed metabolites derived from fungi or bacteria or are produced by modern biotechnology and chemical synthesis as well. Antibiotics are able to kill microorganisms or inhibit their growth. In human and veterinary medicine, antibiotics are therefore used as drugs for the treatment of bacterial diseases.

#### **REGULATORY STATUS**

FSSAI has notified the FSS (Contaminants, toxins and Residues) Amendment Regulations, 2018 specifying 'Tolerance Limits' of antibiotics and other veterinary drugs in meat/meat products, poultry, fish and milk. Through this amendment, the existing regulations have been further expanded to include new tolerance limits for 103 antibiotics and veterinary drugs in meat/meat products (including poultry and fish) and milk.

Among the new provisions, tolerance limits for 76 antibiotics (these are either prohibited or not-intended for use in food producing animals) have been specified at 0.01 mg/kg of the listed food and largely reflects the level of detection of such antibiotics/drugs by existing method of analysis. The amendment also includes revisions to the prohibited list of antibiotics and veterinary drugs applicable to meat and meat products, and poultry and eggs, sea foods including shrimps, prawns or any variety of fish and fishery products.

#### ORIGIN AND HEALTH RISKS OF ANTIBIOTIC RESIDUES IN FOOD

The use of antibiotics as drugs for the treatment of diseased animals is a matter of animal welfare and therefore inevitable. As a result of application failures, such as non-compliance with the statutory withdrawal period or use of prohibited antibiotics, misuse of antibiotics as growth promoters, residues of antibiotics can occur in food of animal origin such as meat, milk or eggs and this can pose health risk for consumers.

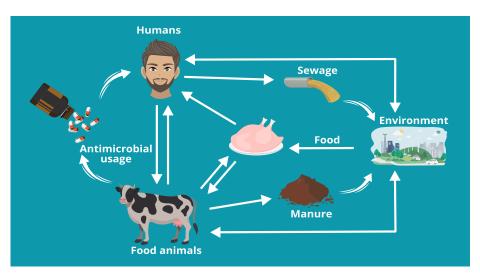
The major public health significances of antimicrobial residues include the development of antimicrobial drug resistance, hypersensitivity reaction, carcinogenicity, mutagenicity, teratogenicity, bone marrow depression, and disruption of normal intestinal flora. Indiscriminate use of antimicrobials in aquaculture is also resulting in occurrence of residues in aquaculture products and associated harmful health effects in humans and requires control measures to ensure consumer protection.

#### ANTIMICROBIAL RESISTANCE (AMR)

Antimicrobial resistance (AMR) has emerged as a major threat to public health estimated to cause 10 million deaths annually by 2050. India carries one ofthe largest burdens of drug-resistant pathogens worldwide. AMR develops when microbes develop mechanisms to evade the action of antimicrobials. The driving factors that contribute to AMR include:

- 1. Misuse/overuse of antimicrobial in Human and Animal sectors
- 2. Environmental contamination (including sewage and heavy metals)
- 3. Use of antibiotics for non-therapeutic purpose
- 4. Few regulations against non-therapeutic use of antibiotics.
- 5. No stringent implementation protocols even when there are regulations.
- 6. Poor sanitation plays a major role in the spread of antibiotic-resistant bacteria and acquiring of Antibiotic Resistant Genes (ARG).
- 7. No proper surveillance system in place.

#### TRANSMISSION DYNAMICS OF ANTI-MICROBIAL RESISTANCE



#### NATIONAL ACTION PLAN ON ANTIMICROBIAL RESISTANCE

In May 2014, the World Health Assembly requested the development of the Global Action Plan (GAP) on antimicrobial resistance. In May 2015, the Sixty-Eight World Health Assembly endorsed the GAP-AMR to tackle antimicrobial resistance, including the most urgent drugresistant trend - the antibiotic resistance. India developed its AMR National Action Plan (NAP), aligned well with the Global Action Plan and released it in May 2017 by MoHFW.

<sup>▲</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

#### **OBJECTIVES OF NAP-AMR**

- 1. Define the time line and allocate the budget to slow the emergence of AMR in India and to strengthen the coordination between various organisations.
- 2. Strengthen the surveillance; optimise the use of antibiotics in all sectors enhanced investments in AMR activities, research and innovations.
- 3. Monitor and evaluate the NAP-AMR implementations.

#### STRATEGIC PRIORITIES OF NAP-AMR

- 1. Improve awareness and understanding of AMR through effective communication, training and education.
- 2. Strengthen knowledge and evidence through surveillance
- 3. Reduce the incidence of infection through effective infection prevention and control.
- 4. Optimize the use of antimicrobial agents in health, animals and food.
- 5. Promote investments for AMR activities, research and innovations.
- 6. Strengthen India's leadership on AMR.

#### **BIOLOGICAL CONTAMINANTS**

Contaminations of food items by others living organisms is known an biological contaminations. When microbes are unintentionally present in food they are considered biological contamination.

The presence of biological contaminants in food causes food borne disease there are 250 known causes of biological contamination.

The most common biological hazards are mainly categorized into following types:

**Bacteria:** Bacteria are microscoping living organisms and are omnipresent. They are characterized by lack of distinct nucleus. Example: Salmonella, L.monocytogenes, Staphylococcus, pathogenic E.coli etc.

**Virus:** Viruses are ultra microscopic, requires living host for multiplication. Virus contains either DNA or RNA as their nucleic acid. Example: Norwalk virus, hepatitis E virus, Noro virus etc.

Fungi: Fungi are saprophytic organisms that lack chlorophyll and dead/decaying organic matter or living organisms. Example: Aspergillus flavus, Penicillium verrucosum

Protozoa: Protozoa are unicellular, eukaryotic organisms. Example: Toxoplasma gondii

Helminthes: Parasitic, large multicellular. Example: Trematodes

**Algae:** Large group of eukaryotic organisms. Example: Alexandrium sp., Gymonodinium sp., Dinophysis sp., and Prorocentrum sp.

Four main sources of biological contamination include soil and water, cross contamination, raw materials and pests.

Biological contaminants were curb through appropriate FSMS in Food chain.

## FOOD SAFETY MANAGEMENT SYSTEM (FSMS)

FSSAI recognizes that the responsibility for the supply of food that is safe, healthy and nutritious is shared along the entire food chain - by all involved with the production, processing, trade and consumption of food, as food can be contaminated at any step in the food chain unless effective controls are not put in place. This approach encompasses the whole food chain from primary production to final consumption and the stakeholders include farmers, food processors, transport operators, distributors (wholesale and retail) and consumers. In fact, the food chain approach extends to the very end of the food chain -- the consumer - by advocating training and education on the safe storage, preparation and consumption of food.

One weak link can make the whole food chain collapse. This necessitates the adoption of practices in food production, post-harvest treatment, processing and handling that reduce the risk of microbiological, chemical and physical hazards from entering the food chain (or controlling at source, if feasible). There are some cases in which the hazard simply cannot be removed from foodstuffs, for example, those hazards involving chemical contaminants. The adoption of sound practices along the food chain - based on the principles defined in Good Agricultural Practices (GAP) and Good Manufacturing Practices (GMP) - are the keys to discharging this responsibility along the food chain.

Keeping this in view, FSSAI has laid down detailed sanitary and hygienic practices that should be followed by FBOs irrespective of their position in the food chain in order to ensure food safety. These practices are commonly called as **Schedule 4 requirements** provided under Schedule 4 of FSS (Licensing and Registration of Food Business) Regulations, 2011. Compliance to these practices has to be ensured by FBOs in the same way as compliance to standards of end product.

#### Schedule 4 requirements and its significance

To provide assurance of food safety, FBOs should strive to implement an effective Food Safety Management System (FSMS) based on Hazard Analysis and Critical Control Point (HACCP) and suitable pre-requisite programmes by actively controlling hazards throughout the food chain starting from food production till final consumption.

Every licensed FBO must have a documented Food Safety Management System (FSMS) plan and is required to comply with Schedule 4 of FSS (Licensing and Registration of Food Business) Regulation, 2011. Schedule 4 introduces the concept of FSMS based on implementation of Good Manufacturing Practices (GMP) and Good Hygiene Practices (GHP) by food businesses and is divided into five parts as under:

Schedule 4	General Requirements
Part 1	General hygienic and sanitary practices to be followed by food business operators applying for registration - Petty food operators and Street food vendors
Part 2	General hygienic and sanitary practices to be followed by food business operators applying for license - Manufacturing/processing/packaging/storage/distribution
Part 3	General hygienic and sanitary practices to be followed by food business operators applying for license - Milk and milk products
Part 4	General hygienic and sanitary practices to be followed by food business operators applying for license - Slaughter house and meat processing
Part 5	General hygienic and sanitary practices to be followed by food business operators applying for license - Catering

**Note:** The details of the sanitary and hygiene requirements for the different kinds of businesses have been given in Chapter-5.

#### **ADVANTAGES OF FSMS**

- > Continuous prevention of food borne illness and related public relations disasters
- Food safety compliance during routine inspections
- Improved inventory control
- Reduction in product loss
- More consistency in product preparation and improved product quality
- Increased employee understanding and involvement in food safety
- More effective communication and collaboration with industry regulators

#### FSMS GUIDANCE DOCUMENTS

A series of sector specific Food Safety Management System (FSMS) Guidance Documents have been developed with the help of domain experts with the intent to provide implementation guidance to food businesses (especially the small and medium businesses) involved in manufacturing, packing, storage and transportation to ensure that critical food safety related aspects are addressed throughout the supply chain.

These documents are primarily based on Schedule 4 of Food Safety & Standards (Licensing & Registration of Food Businesses) Regulation, 2011 and lay down general requirements on good hygienic practices to be followed by Food Business Operators & indicate practical approaches which a business should adopt to ensure food safety. The documents are recommendatory in nature and provide the basic knowledge and criteria for implementation of Hazard Analysis and Critical Control Point (HACCP) system by the food businesses. Sample HACCP Plans have been included from some established practising industries. These plans could be used as reference by the industry and modified or altered based on their operations. Inspection checklists for FBOs to audit their facility & operations are also included in these documents. The FBOs can evaluate themselves based on the indicative scoring. Also, these documents provide important templates and forms to facilitate the FBOs to maintain the records. These include mandatory forms as prescribed by FSSAI & few templates for maintaining records of processes critical for food safety. FSSAI has developed FSMS documents as guidance to the food businesses of following sectors:

- Spices
- > Fish and Fish Products.
- Meat and Meat Products (Poultry).
- Health Supplements and Nutraceuticals.
- Vegetable edible oils and fats sectors

- Bakery sector
- Food grain warehouses
- > Flour milling sector
- Catering sector

#### FOOD SAFETY DISPLAY BOARDS (FSDB)

As per the FSS Regulation, there is a mandatory requirement of displaying FSSAI License/ Registration number at food premises. Usually, the FSSAI license number is not visible to the consumers. Thus, to change the overall consumer perceptibility and to strengthen food safety, FSSAI introduced Food Safely Display Boards (FSDBs) for various food businesses on a voluntary basis.

FSDB is an informative board which primarily displays basic food safety and hygiene practices to be followed by FBOs in their establishment. FBOs are required to display them at a prominent location.



(Please Mention Your License no.)

Restaurant

## With Us You Will Get Safe Food

## We Follow These 12 Golden Rules

#### **Hygiene Rule Codes** Hygiene Rule Codes Keep premise clean and Wear clean clothes/ have regular pest control uniform offin Wash hands before & after Use potable water for 8 handling food and after using food preparation toilets, coughing, sneezing, etc. Cook food thoroughly. Use water proof 9 Keep hot food above 60°C bandage to cover cuts or burn wounds and cold food below 5°C Store veg & non veg Do not handle food food, raw & cooked food when unwell in separate containers Store cold food below Use clean and separate 5°C and frozen products at dusters to clean surfaces and wipe utensils -18°C or below Use separate chopping Keep separate & covered boards, knives, etc. for raw/ dustbins for food waste cooked & veg/non veg food Give your Feedback If any concern to Company Name

Call toll free 1800 112 100

SMS or Whatsapp 9868686868

Always quote FSSAI Number for quick action

(Company Name) (Contact Details)





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## FOOD SAFETY TRAINING AND CERTIFICATION (FOSTAC)

Food Safety Training & Certification (FOSTAC) is a large scale training and capacity development programme initiated by FSSAI for training of food handlers working in the food businesses at supervisor level, to ensure that the establishments in which food is being handled, processed, manufactured, stored, distribute conform to the food safety requirements. This initiative was started with the aim to enhance the availability of skilled manpower in order to ensure better implementation and self-compliance to FSS Regulations.



Once trained the food handlers are certified as "Food Safety Supervisor". Recently, FSSAI has mandated that all food businesses having Central Licences or State Licenses should have at least one trained and certified food safety supervisor for every 25 food-handlers on all their premises.

There are 19 courses in three levels, Basic, Advanced and Special. The FSSAI provides these training programs for people who are in the food businesses, whether as Food Business Operators or employees or otherwise through authorised training partners.

#### **FOOD SAFETY AUDITS**

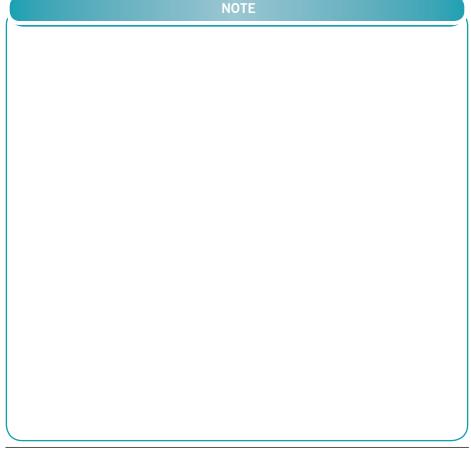
Section 44 of the Food Safety and Standards Act, 2006 empowers the Food Authority to recognize an organization or an agency for carrying out food safety audit and checking compliance with the Food Safety Management Systems and Section 16(2)C of the Act, provides for a mechanism and guidelines for accreditation of certification bodies for Food Safety Management System (FSMS).

To strengthen the food safety surveillance system, FSSAI has developed a framework for conduct of food safety audits of FBOs to ensure compliance to sanitary and hygienic requirements, through Recognized Auditing Agencies as per FSS (Food Safety Auditing) Regulations, 2018. It is envisaged to use food safety audits as a complement to regulatory inspections by Central or State FSOs thereby leading to less frequent regulatory inspections

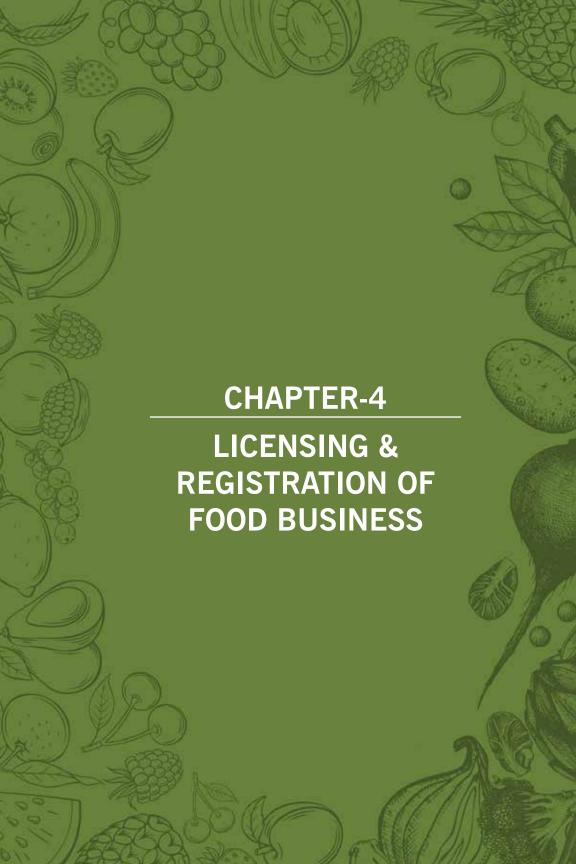
except for regulatory sampling. This will strengthen food safety surveillance system and encourage self-compliance while at the same time assuring safe food to the consumers. Food Businesses are required to get their businesses timely audited by recognised Auditing Agencies. Food Businesses having undergone satisfactory audits will be subjected to less frequent audits by Central or State licensing authorities.

Food Authority shall classify some food businesses for mandatory Food Safety Audits and these Food Businesses shall be liable to get their businesses timely audited by recognised auditing agencies. This classification will be based on factors like food type, intended customer, nature of activity of the business, volume of the business, compliance history of the FBO, method of processing/any other factors prescribed by Authority. Food businesses holding central license and falling under High Risk Categories are subjected to mandatory Food Safety Audit.

**Note:** Detailed description is available in Chapter -5



NOTE



# 4 LICENSING & REGISTRATION OF FOOD BUSINESSES

Under Section 31 of Food Safety and Standards Act 2006 to commence or carry on any food business, licensing/registration of food businesses is mandatory. Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation 2011 prescribe the procedure for licensing and registration of food businesses. Licensing/registration conditions, sanitary and hygienic requirements for all food businesses have been covered under these regulations. All Food Business Operators in the country will have to be registered or licensed in accordance with the procedures laid down in the Act and Regulation made thereunder. As mandated by the Act, distinction has been introduced between "Registration" and "Licensing" as per the annual turnover, capacity of production and other qualifying conditions.

# SECTION OF FSSAI, 2006 SING & REGISTRATION

# 1. Section 3 (j):

- Definition of "Food" means any substance, whether
- Processed, partially processed or unprocessed,
- Intended for human consumption and includes primary food,
- Genetically modified or engineered food
- Food containing such ingredients, infant food, packaged drinking water, alcoholic drink, chewing gum
- Any substance, including water used into the food during its manufacture, preparation or treatment
- Does not include any animal feed, live animals unless they are prepared or processed for placing on the market for human consumption
- Does not include plants prior to harvesting, drugs and medicinal products, cosmetics, narcotic or psychotropic substances

# 2. Section 3 (n):

"Food business" means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of manufacture, processing,

packaging, storage, transportation, distribution of food, import and includes food Services, catering Services, sale of food or food ingredients.

Manufacturing/processing, packaging, storage, transportation, distribution of food, import, includes food services, catering services, sale of food or food ingredients;

# 3. Section 3 (o):

**"Food business operator"** in relation to food business means a person by whom the business is carried on or owned and is responsible for ensuring the compliance of this Act, Rules and Regulations made thereunder.

# 4. Section 3 (zk):

"Primary food" means an article of food, being a produce of agriculture or horticulture or animal husbandry and dairying or aquaculture in its natural form, resulting from the growing, raising, cultivation, picking, harvesting, collection or catching in the hands of a person other than a farmer or fisherman.

# 5. Section 31:

It states that-

- No person shall commence or carry on any food business except under a License/ Registration.
- Appeal against order of rejection for grant of license lies before Commissioner Food Safety.

# **6. Section 32: Improvement Notice -** (Detail covered in Chapter 5)

Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011

# **Definitions (Regulations):**

- "Central Licensing Authority" means Designated Officer appointed by the Chief Executive Officer of the Food Safety and Standards Authority of India in his capacity of Food Safety Commissioner.
- "State Licensing Authority" means the Designated Officer appointed under section 36
   of the Act by the Commissioner of Food Safety of the State or U.T.
- 3. "Registering Authority" means Designated Officer/ Food Safety Officer or any official in Panchayat, Municipal Corporation or any other local body or Panchayat in an area,

notified as such by the State Food Safety Commissioner for the purpose of registration as specified in FSS (Licensing & Registration of food businesses) Regulations, 2011

- 4. "Petty Food Manufacturer" means any food manufacturer, who
  - a) Manufactures or sells any article of food himself or a petty retailer, hawker, itinerant vendor or temporary stall holder or distributes foods including in any religious or social gathering except a caterer or
  - b) Such other food businesses including small scale or cottage or such other industries relating to food business or tiny food businesses with an annual turnover not exceeding Rs. 12 lakhs and/or whose:
    - (i) Production capacity of food (other than milk and milk products and meat and meat products) does not exceed 100 kg/ltr per day or
    - (ii) Procurement or handling and collection of milk is up to 500 litres of milk per day or
    - (iii) Slaughtering capacity is 2 large animals or 10 small animals or 50 poultry birds per day or less.

# **AUTHORITIES RESPONSIBLE FOR LICENSING & REGISTRATION**



List of food businesses falling under the preview of Central Licensing Authority is as below:

**SCHEDULE 1** [List of food business falling under the purview of Central Licensing Authority]

# [See Regulation 2.1.2 (3)]

- > Dairy units including milk chilling units equipped to handle or process more than 50,000 litres of liquid milk/day or 2500 MT of milk solid per annum.
- Vegetable oil processing units and units producing vegetable oil by the process of solvent extraction and refineries including oil expeller unit having installed capacity more than 2 MT per day.
- All slaughter houses equipped to slaughter more than 50 large animals or 150 or more small animals including sheep and goats or 1000 or more poultry birds per day.
- Meat processing units equipped to handle or process more than 500 kg of meat per day or 150 MT per annum.
- All food processing units other than mentioned under (I) to (IV) including re-labellers and re-packers having installed capacity more than 2 MT/day except grains, cereals and pulses milling units
- 100% Export Oriented Units.
- All Importers importing food items including food ingredients and additives for commercial use.
- All Food Business Operators manufacture any article of food containing ingredients or substances or using technologies or processes or combination thereof whose safety has not been established through these regulations or which do not have a history of safe use or food containing ingredients which are being introduced for the first time into the country.
- ➤ All FBO dealing in manufacturing of Proprietary Food.
- E-commerce kind of business
- > Food Business Operator operating in two or more states. Head Office KoB
- > Food catering services in establishments and units under Central Government Agencies like Railways, Air and Airport, Seaport, Defence etc.

Further, through various orders, following kind of Businesses are also covered under Central License Category

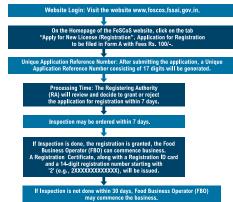
- > All FBO dealing in manufacturing of Proprietary Food.
- > E- commerce kind of business
- > Exporter Manufacturer
- Trader/Merchant- Exporter
- > Radiation Processing of Food

FSSAI license is based on premise and all kinds of food business activities which are being conducted at the same premise can be applied for in a single FSSAI license. FSSAI has launched Food Safety Compliance System called FoSCoS to provide one point stop for all engagements of an FBO with the department for any regulatory compliance transaction and to facilitate the Food Business Operators in applying for the licenses by minimising the number of documents.



Primary Requirement for Starting a Food Business: Process a valid FSSAI License / Registration Certificate as per Section 31 of Food Safety and Standards Act, 2006

# ONLINE PROCEDURE FOR REGISTRATION





# ONLINE PROCEDURE FOR LICENSING

Website Login and Application Submission:

- Visit the FoSCoS website www.foscos.fssai.gov.in. On the Homepage, click on tab "Apply for New License /Registration".
- File an application in Form 'B' along with necessary documents and an initial fee of Rs 1000/- + GST [as applicable]. Online payment options are available.
- Differential payment along with GST [as applicable] towards license fee to be paid once application is set as eligible for grant of license by the concerned licensing authority

**Unique Application** Reference Number:

- After submitting the application, a Unique Application Reference Number consisting of 17 digits will be generated
- The Authority may request additional information if needed or if the application is incomplete.
- If there is no response within 60 days, there is an auto-grant of approval for the license application and the Food Business Operator (FBO) can commence business after this 60-day period after payment of differential amount.
- The Designated Officer may also decide to conduct pre-license inspections in specific cases.
- If Inspection is done but inspection report not processed, FBO can commence business after 60-day period after payment of differential amount.

License Grant:

- The FBO is required to make payment of the remaining fee within 30 days once the Status of Application is set as 'Application is eligible for grant of license subject to payment of remaining fee' by the concerned authority.
- Once remaining payment made, the license is granted instantly with a 14-digit number starting with '1' (e.g., 1XXXXXXXXXXXXXXX).
- . The FBO is now authorized to start the business.



**Helpline Email** helpdesk-foscos@fssai.gov.in



**Helpline Contact** 1800112100 [from 7AM to 11 PM on all 7 days]

## **AVAILABILITY OF GUIDANCE DOCUMENTS**

FBOs can also read Sector Specific Guidance Documents available on FSSAI's website: https://www.fssai.gov.in/cms/guidance-document.php

# SALIENT FEATURES ABOUT LICENSING & REGISTRATION

- 1. Food Business Operators can start their businesses only after obtaining an FSSAI license/registration.
- Petty manufacturer who himself manufactures or sells any article of food or a petty retailer, hawker, itinerant vendor or a temporary stall holder or small scale or cottage or such other industries relating to food business or tiny Food Business Operator; have to register themselves with Registering Authority.
- 3. There is a unified Licensing/Registration procedures for both Centre and State throughout the country-Single Window Online System through FoSCoS with Completely online submission of documents, and no physical interference is required. FSSAI License/Registration for the premises/units at Airport/Seaport or Railways or Central Govt. Establishments are being issued from the same portal with the same procedures and forms. The online payment gateways are available for making payment of fee for licenses and registrations. The licenses and registrations are being dispatched through e-mode only with embedded QR code. Hence, no required license/registration copy. signature on the This makes license/registration procedure completely online.
- 4. Licenses/Registrations are premise based. This means one premise can have only one FSSAI license or registration. Food business involved in multiple Kind of Businesses can endorse it on same license, e.g. Manufacturing, Storage and Retailing of food products, if conducted on same premises, then only one license is required.
- 5. The timelines for processing of licenses and registration certificates are specified in the regulations:
  - a) In case of Registration, after receipt of application, Registering Authority may either grant registration or reject it with reasons to be recorded in writing or issue notice for inspection, within 7 days of receipt of application and in the event if Registering Authority after inspection satisfied with the safety, hygiene and sanitary condition of premises as specified in Part II of Schedule 4, may grant Registration within 30 days. If registration is not granted, or denied, or inspection not ordered within 7 days or no decision is communicated within 30 days after inspection if required, the petty FBO may start his food business, provided that it will be the responsibility of the FBO to comply with any improvement suggested by the FSO in the future.
  - b) In case of Licenses, the application goes to Designated Officer and FSO has the responsibility of carrying out the inspection of FBO's premises. The FSO has to check for the compliance with the conditions of the license and safety requirements mentioned in Schedule IV under different parts dependent on nature of business, before the DO grants a license to the FBO. DO will either grant or reject the license

within 60 days of receipt of completed application or within 30 days from receipt of inspection report.

- 6. An auto-issuance of license and registration has been implemented by FSSAI, in case of unattended applications by the authorities within stipulated time and auto-rejection of FBO's application on 31st day, if not responded to the queries raised within 30 days. In case of auto-rejected licensing and registration applications [due to non-response to the queries of the authorities within 30 days], FSSAI vide Order F. No. 15(31)2020/FoSCOS/RCD/FSSAIpt1 dated 04th Dec 2023 has provided the provision for reactivation to FBOs themselves on the FoSCoS dashboard under submitted applications, subject to following conditions-
  - (I) The provision is provided only once for any filed application.
  - (ii) Within 30 days of rejection: FBO can self-reactivate without any fee.
  - (iii) During the period of 31st to 60th day of rejection: FBO can self-reactivate the application subject to payment of fee as per below:
    - a). For Registration application: Rs. 50 + GST [as applicable]
    - b). For License application: Rs. 500 + GST [as applicable]

The provision is not applicable to case where the grant of license has been rejected by DO/RA as per Section 31(4) of the FSS Act, 2006.

- 7. Pre license inspection- No pre-licensing inspection is required except in case of Manufacturer/Processor of Milk and Milk products, Meat and Meat Products, Fish and Fish Products, Fortified Rice Kernels (FRKs) and Slaughter house where inspection is mandatory before grant of license.
- 8. Pre- Registration Inspection: No pre-registration inspection is required except.

# REGISTRATION OF FOOD BUSINESS OPERATOR UNDER FSS ACT 2006

# **REGISTRATION OF PETTY FBO**

- Every petty Food Business Operator will register themselves with the Registering Authority by submitting an application for registration in Form A along with a fee of Rs. 100/- for a year. Registration certificate can be applied maximum for 5 years at a time,
- 2. The petty food manufacturer has to follow the basic hygiene and safety requirements provided in Part I of Schedule 4 of these Regulations and provide a self- attested declaration of adherence to these requirements with the application in the format provided in Annexure-1.

- 3. The Registering Authority will consider the application and may either grant registration or reject it with reasons to be recorded in writing or issue notice for inspection, within 7 days of receipt of an application for registration.
- 4. In the event of an inspection being ordered, the registration will be granted by the Registering Authority after being satisfied with the safety, hygiene and sanitary conditions of the premises as contained in Part-I of Schedule 4 within a period of 30 days. If registration is not granted, or denied, or inspection not ordered within 7 days or no decision is communicated within 30 days the petty food manufacturer may start its business, provided that it will be incumbent on the Food Business Operator to comply with any improvement suggested by the Registering Authority even later. The registration can not be refused without giving the applicant an opportunity of being heard and for reasons to be recorded in writing.
- 5. The Registering Authority will issue a registration certificate and a photo identity card, which has to be displayed at a prominent place at all times within the premises or vehicle or cart or any other place where the person carries on sale/manufacture of food in case of Petty Food Business.
- 6. The Registering Authority or any officer or agency specifically authorized for this purpose carries out food safety inspection of the registered establishments at least once in a year. Provided that a producer of milk who is a registered member of a dairy Cooperative Society registered under Cooperative Societies Act and supplies or sells the entire milk to the Society shall be exempted from this provision for registration.

# **EXCEPTIONS FOR FSSAI REGISTRATIONS**

Following categories of FBOs have been kept out of the list of FSSAI Registration subject to adherence of conditions by parent entities:-

- Producer of milk who is a registered member of a dairy Cooperative Society registered under Cooperative Societies Act and supplies the entire milk to the Society
- Last mile delivery Persons
- Direct Sellers
- > Food Carts/Vendors of a food chain
- Vending Machines/Food ATMs

# DOCUMENTS REQUIRED FORA REGISTRATION CERTIFICATE

Photo of Food Business Operator Document for Identity Proof like Ration Card, Voter ID Card, PAN Card, Driving License, Passport, Aadhar Card, Senior Citizen Card, Department Issued ID

Proof of Premises of food activity, if premises is different from as mentioned in ID proof

# LICENSE FOR FOOD BUSINESS OPERATOR UNDER FSS ACT 2006

License for commencing or carrying on food business, which falls under **Schedule 1**, **shall be granted by the Central Licensing Authority**, provided that Food Authority may through notification make such changes or modify the list given in the Schedule I as considered necessary. License for commencing or carrying on food business, which are not covered under Schedule 1, shall be granted by the concerned State/UT's Licensing Authority.

Food Business Operators, excluding the one mentioned in Schedule I (apart from petty Food Business Operators) under the category of license lies under the purview of State Licensing Authority.

# APPLICATION FOR LICENSE TO THE LICENSING AUTHORITY

As per Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, an application for grant of License shall be made in Form B of Schedule 2 to the concerned Licensing Authority accompanied by relevant documents as mentioned in Annexure 2 of Schedule 2.

# APPLICATION PROCEDURE

The whole process for applying for license to the licensing authority has been digitalised through online system i.e. Food Safety Compliance System (FoSCoS). Submission of Form B has been digitalised. The list of Kind of Business -wise required documents (as approved by Food Authority) has been incorporated in the FoSCoS. The declaration has been embedded within the online application (Form B) in the system.

# DOCUMENTATION FOR LICENSE APPLICATION

The KoB-wise proposed list of mandatory documents is divided into two parts i.e. **Documents for Non-Manufacturing KoBs** and **Documents for Manufacturing KoBs**. The KoB-wise mandatory documents are represented below:

# A1: List of Documents for non-Manufacturing/Processing Kind of Businesses

# Sr. No. 1 to 5 - applicable for all Kind of Businesses List of Directors/Partners/Proprietor/Executive Members of Society/Trust with full address and contact details\* Photo I.D and address proof issued by Government authority of Proprietor/Partner/Director(s)/Authorised Signatory Proof of possession of premises. (Sale deed/Rent agreement/Electricity bill, etc.) Partnership Deed/Self Declaration for Proprietorship/Memorandum & Articles of Association towards the constitution of the firm/copy of certificate obtained under Coop Act -1861/Multi State Coop Act - 2002 in case of Cooperatives Form IX: Nomination of Person as per Clause 2.5 of FSS Rules, 2008 (Not applicable in case of Proprietor)\*

<sup>⚠</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

# A2: List of additional specific documents related to type of food business activity

Food Services such as Hotels/ Restaurants, Food Vending Establishments, Club/Canteen or any other prepared food establishment.	Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from a recognized/public health laboratory to confirm the portability indicating the name of authorized representative of Lab who collected the sample and date of collecting sample (Not applicable if water is not being used as ingredient)
Importer	Import Export Code (IEC) document issued by DGFT     Recall Plan*
Merchant Exporter	<ol> <li>Import Export Code (IEC) document issued by DGFT</li> <li>Undertaking for not selling the food products (which are not as per FSSAI Standards) in domestic market.*</li> </ol>
Head Office/Registered Office/eCommerce	1. Recall Plan*
Transporters	1. List of Vehicle Registration Numbers*

# **B1: List of Documents for Manufacturers/Processors**

	Sr. No. 1 to 10 - applicable for all Manufacturing/Processing KoB
1	List of Directors/Partners/Proprietor/Executive Members of Society/Trust with full
	address and contact details*
2	Photo I.D and address proof issued by Government authority of Proprietor/Partner/
	Director(s)/Authorised Signatory
3	Proof of possession of premises. (Sale deed/Rent agreement/Electricity bill, etc.)
4	Partnership Deed/Self Declaration for Proprietorship/Memorandum & Articles of
	Association towards the constitution of the firm/copy of certificate obtained under Coop
	Act - 1861/Multi State Coop Act - 2002 in case of Cooperatives
5	Form IX: Nomination of Person as per Clause 2.5 of FSS Rules, 2008 (Not applicable in case
	of Proprietor)*
6	Blueprint/layout plan of the processing unit showing the dimensions in metres/
	square metres and operation-wise area allocation *
7	Production unit photographs
8	Name and List of Equipments and Machinery along with the number, installed capacity
	and horse power used*
9	Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from
	a recognized/ public health laboratory to confirm the portability indicating the name of
	authorized representative of Lab who collected the sample and date of collecting sample.
	(Not applicable if water is not being used as ingredient)
10	Recall Plan*

# B2: List of additional specific documents related to type of Manufacturing/ Processing Activity

Dairy Processing	Source or procurement plan for milk*	
Meat Processing	1. Source of raw material*	
	2. NoC from Municipal Corporation/Local Body	
Slaughter House	NoC from Municipal Corporation/Local Body	
Relabellers and	1. NOC from Manufacturers	
Repackers	2. Relabellers are not required to submit documents mentioned at	
	Sr. no. 6 to 9 of the above list B1.	
Nutraceuticals	Product Specification (ingredients as per applicable Schedule) of	
	each product mentioning the purity criteria adopted for ingredients	
	of Nutraceutical and health supplement products as per the	
	prescribed format*	
Proprietary Foods	Composition of the each product as per the prescribed format*	
Novel Foods	Product Approval from FSSAI Hq for each product	
Packaged Drinking	Pesticide residues report of water to be used as ingredient in case	
Water	of units manufacturing Packaged drinking water, packaged Mineral	
	water and/or carbonated water from a recognised public health	
	laboratory indicating the name of authorised representative of Lab	
	who collected the sample and date of collecting sample, including	
	source of raw water and treatment plan.	

# **B3**: Additional Documents for Manufacturer - Exporters (in addition to above)

- 1. Import Export Code(IEC) document issued by DGFT
- 2. Undertaking of not selling the food products which are not conforming with FSSAI Standards in domestic market\*
- 3. Ministry of Commerce Certificate for 100% EOU (if availing the Scheme)

# C: Other Document list irrespective of Kind of Business

- 1. In case of extraction of ground water, NOC from CGWA as per FSSAI order dated 2nd Jan 2018
- 2. Any document which is required by the licensing authority to ensure safety of food
- 3. Any document specified by FSSAI or Commissioner of Food Safety through a public orderfor any particular Kind of Business activity or in general

# d: Documents required for Modification of License (for all KoBs)

- 1. Supporting document for the purpose of modification on the letterhead
- 2. Any document which is required by the licensing authority to ensure safety of food

# **NOTE:**

- 1. All documents shall be self-attested by authorized signatory mandatory prior to uploading the documents on the online system for applying license and registration.
- 2. All \* marked documents in the above proposed KoB-wise list of required documents for licensing to be submitted on the letterhead of the Food Business.

# PAYMENT MECHANISM FOR MAKING APPLICATION FEE FOR LICENSE AND REGISTRATION

The method for making payment for license fee has been made completely online w.e.f. 01st January 2021. No offline payment method is allowed. However, treasury challan method continues for making application fee for registrations in some States/UTs. The applicable fee is prescribed under Schedule 3 of said regulations and same has been implemented in FoSCoS.

# PROCESSING OF APPLICATION FOR LICENSE

- A license shall, subject to the provisions of these Regulations, be issued by the concerned Licensing Authority within a period of 60 days from the date of issue of an application ID number.
- 2. If, upon scrutiny of the application within 15 days from the date of receipt of the application, the concerned Licensing Authority requires any additional information with respect to an application or if the application is incomplete, the Licensing Authority shall inform the applicant in writing, to furnish such additional information or complete the application, as the case may be, within 30 days from such notice. In case the applicant fails to furnish the required information within the stipulated time of 30 days, the application for license shall stand rejected. In case of auto-rejected licensing and registration applications [due to non-response to the queries of the authorities within 30 days], FSSAI vide Order F. No. 15(31)2020/FoSCOS/RCD/FSSAIpt1 dated 04th Dec 2023 has provided the provision for reactivation to FBOs themselves on the FoSCoS dashboard under submitted applications, subject to following conditions -
  - (i) The provision is provided only once for any filed application.
  - (ii) Within 30 days of rejection: FBO can self-reactivate without any fee.
  - (iii) **During the period of 31st to 60th day of rejection:** FBO can self-reactivate the application subject to payment of fee as per below:
    - a). For Registration application: Rs. 50 + GST [as applicable]
    - b). For License application: Rs. 500 + GST [as applicable]

The provision is not applicable to case where the grant of license has been rejected by DO RA as per Section 31 (4) of the FSS Act, 2006.

- 3. On the receipt of a complete application including the additional information if asked for, the Licensing Authority may direct the Food Safety Officer or another person or agency specially designated for such functions to inspect the premises in the manner prescribed by the Food Safety and Standard Authority of India in accordance with these Regulations. Such Inspecting Officer or person may issue a notice to the applicant, if it deems fit, guiding Food Business Operator on necessary steps to be taken or changes or alteration to be made in the premises in order to ensure general sanitary and hygienic conditions as specified in Schedule 4 of FSS (Licensing and Registration of Food Business) Regulation, 2011.
- 4. The applicant shall carry out the required steps, changes or alterations and intimate the Licensing Authority within 30 days or such period as may be allowed by the Licensing Authority. Within a period of 30 days from receipt of an inspection report excluding the time taken by the applicant in complying with the advice, if any, given in the inspection report and verification thereof, the concerned Licensing authority shall consider the application and may either grant license or reject the application. Provided that before refusing license an applicant shall be given an opportunity of being heard and the reasons for refusal shall be recorded in writing
- 5. The Licensing Authority shall issue a License in Format C under Schedule 2 of FSS (Licensing and Registration of Food Business) Regulation, 2011, a true copy of which shall be displayed at a prominent place at all times within the premises where the Food Business Operator carries on the food business.

# PROCEDURE FOR LICENSE IN CERTAIN LOCAL AREAS

A single license may be issued by the Licensing Authority for one or more articles of food and also for different establishments or premises in the same local area including collection and chilling units run by milk cooperatives or its members.

# **COMMENCEMENT OF BUSINESS**

An applicant may commence his food business and the concerned licensing Authority shall not deny the applicant to commence such business if, from the date of making the completed application, a license is not issued within 60 days or the applicant has not received any intimation

# **VALIDITY AND RENEWAL**

A Registration granted under these Regulations shall be valid and subsisting, unless otherwise specified, for a period of 1 to 5 years as chosen by the Food Business Operator, from the date of issue of registration subject to remittance of fee applicable for the period and compliance with all conditions of license.

The validity of New License and Renewal License is for 1 year only.

Any application for the renewal of a registration or license granted under these Regulations shall be made in Form A or B of Schedule 2 of FSS (Licensing and Registration of Food Business) Regulation, 2011, as the case may be, can be made as early as 180 days prior to the expiry date indicated in the license/registration.

Any Registration or license for which renewal has not been applied for within the period mentioned shall expire and the Food Business Operator shall stop all business activity at the premises. The Food Business Operator will have to apply for fresh Registration or license as provided in.

There is provision to renew the FSSAI License/Registration even after expiry date with following penalties:

- a. Three times of the existing annual license/registration fee in the period 1<sup>st</sup> day to 90<sup>th</sup> day from the original expiry date.
- b. Additional two times of the existing annual license/registration fee (i.e. total 5 times) in the period 91<sup>st</sup> day to 180<sup>th</sup> day from the original expiry date.

Renewal is instant based on the complying of checklist of FBO.

Renewal of License for FBOs (eligible for filing Annual Return) is subject to filing of Annual Return and payment of penalty, if any for FY 2021-22 onwards.

# ROLE OF FOOD SAFETY OFFICER IN LICENSING AND REGISTRATION PROCESS

- The FSO has the responsibility of carrying out the inspection of the FBO's premises.
   This inspection is of the sanitary & hygiene conditions of the premises along with conditions as specified in Annexure 3 of Schedule 2 of FSS (Licensing and Registration of Food Business) Regulation, 2011. The FBO has to comply with these conditions before the DO grants a license to the FBO.
- 2. In FoSCoS, FSO has to first acknowledge the application forwarded by DO for inspection and then announce date of inspection to FBO through online system. The idea here is to ensure that the FBO is as prepared as possible for the inspection thus making the inspection more fruitful. Once at the premises, the FSO should take detailed notes and ensure that all sanitary & hygiene conditions of the premises along with conditions as specified in Annexure of Schedule 2 of FSS (Licensing and Registration of Food Business) Regulation, 2011 to be complied with are followed to the maximum extent possible.
- 3. The FSO should do the inspection as per the checklist available in the online FOSCOS licensing / registration system. This will help ensure that the inspection is objective and systematic. The FSO should immediately record any additional observations made by him during the inspection. FSO can do inspection with manual checklist also and can

take the FBO's signature on the checklist for inspection to ensure that the FBO is also aware of the FSO's inspection findings. Preparing these records in such a manner will help with future risk assessment and will also help the FSO provide correct and relevant guidance to each FBO during the licensing process.

- 4. Once the inspection is complete, the FSO must issue a notice to the FBO pointing out the lack of compliance with the sanitary & hygiene and other conditions, wherever such deficiencies exist either through online FoSCoS system or FSO may issue written notice. In fact, the checklist will help to identify the gaps in compliance, making it easier for the FSO to issue the notice to the FBO.
- 5. The FSO may also counsel the FBO with the kinds of measures to be undertaken to ensure general hygiene and safety and the expectation of the regulator in terms of on-going compliance. This will be invaluable advice to the FBO and can ensure the FBO's co-operation in the future.
- 6. The Food Business Operator shall ensure that all conditions of license as provided in Annexure 3 of Form B in Schedule 2 and safety, sanitary and hygienic requirements provided in the Schedule 4 contained under different parts depends on the nature of businesses are fulfilled before applying for a license.

# **CONDITIONS OF LICENSE-ANNEXURE-3**

- Display true copy of License
- ➤ Give necessary access to Licensing Authorities to the premises
- > Inform authorities about any change or modification of activities
- Employ at least one technical person
- ➤ Furnish periodic Annual/Half-yearly Return (Form D-1 / D-2)
- No product other than indicated in License is produced
- Maintain Factory's Sanitary and Hygienic standards. Also workers' hygiene and health check-up as prescribed in Schedule 4 to be done on regular intervals.
- Maintain daily records of production, raw materials utilizations and sales etc. Source and standard of raw material used is of optimum quality
- > Testing of relevant chemical and/or microbiological contaminants of food products in accordance with these regulations
- > Required temperature shall be maintained throughout the supply chain
- Manufacturer/Importer/Distributor shall buy or sell food products only from, or to Licensed/Registered Vendors and should maintain record thereof.

- Hotels/Restaurant and other food stalls shall put up a notice board containing separate lists of articles which have been cooked in ghee, edible oil, Vanaspati & other fats for information to purchaser.
- Every manufacturer [including ghani operator] or wholesale dealer in butter, ghee, vanaspati, edible oils. Solvent extracted oil, de oiled meal, edible flour and any other fats shall maintain a register showing the quantity of manufactured, received or sold, nature of oil seed used and quantity of de-oiled meal and edible flour used etc. as applicable and the destination of each consignment of the substances sent out from his factory or place of business, and shall present such register for inspection whenever required to do so by the Licensing Authority.
- > No producer or manufacturer of vegetable oil, edible oil and their products shall be eligible for license under this Act, unless he has own laboratory facility for analytical testing of samples.
- No Food Business Operator shall sell or distribute or offer for sale or dispatch or deliver to any person for purpose of sale any edible oil which is not packed, marked and labelled in the manner specified in the regulations unless specifically exempted from this condition vide notification in the official Gazette issued in the public interest by Food Safety Commissioners in specific circumstances and for a specific period and for reasons to be recorded in writing.

# SUSPENSION OR CANCELLATION OF LICENSE/REGISTRATION CERTIFICATE

Section 32 of the Food Safety & Standards Act, 2006 and the Regulations 2.1.8 of Licensing & Registration of Food Businesses, 2011 details the reasons and process to be followed by the Licensing/Registering Authority in suspension or cancellation of a registration certificate.

- The Registering or Licensing Authority in accordance with the provisions of Section 32 of the Act may, after giving the concerned Food Business Operator a reasonable opportunity of being heard, suspend any registration or license in respect of all or any of the activities for which the registration/license has been granted under these Regulations after recording a brief statement of the reasons for such suspension, if there is reason to believe that the Food Business Operator has failed to comply with the conditions within the period mentioned in any Improvement Notice served under Section 32 of the Act. A copy of such statement shall be furnished to the concerned Food Business Operator whose Registration or license has been suspended.
- > The registering or Licensing Authority, as the case may be, may direct an inspection of the Food Business Operator's premise(s) within a reasonable period which shall not be less than 14 days from the date of order of suspension.

- ➤ In the event that the Registering or Licensing Authority is of the opinion, on a review of the inspection report, that the Food Business Operator has still failed to rectify the defects or omissions or comply with the conditions of the improvement notice causing the suspension, such authority may cancel the license/registration of the Food Business Operator after giving him an opportunity to show cause as provided under Section 32 (3) of the Act.
- Not withstanding anything contained in these Regulations, the Registering or Licensing Authority may suspend or cancel any registration or license in the interest of public health for reasons to be recorded in writing.
- A suspension or cancellation of registration or license under these Regulations shall not entitle the Food Business Operator for any compensation or refund of fee(s) paid in respect of the registration certificate or license or renewal thereof.
- After a period of 3 months from the date of cancellation under Regulation 2.1.8 (3) above the Food Business Operator may make fresh application for Registration or license to the concerned authority if all observations made in the improvement notice have been complied with.

# MODIFICATIONS, EXPANSION OR CHANGES IN PREMISE(S) AFTER GRANT OF LICENSE OR REGISTRATION

- Food Business Operators shall ensure that the Registering or Licensing Authority always
  has up-to-date information on their food business establishments and shall inform
  the relevant Authority of any modifications. Provided that any change that alters the
  information contained in the license certificate shall require an approval or endorsement
  in license prior to start of business with such changes.
- The Food Business Operator in the online licensing system have to apply for modification by way of submitting relevant documents along with fee. The fee for modification of license is Rs.1000/-. FSSAI has made instant modification of license in case of addition/deletion of non-high risk standardized food products in case of existing licensed manufacturers.
- 3. In case of High-risk food businesses, the licensing Authority may approve and issue an amended license incorporating such changes in activities within 30 days from the date of receipt of such information.

While approving the afore mentioned changes the concerned registering or Licensing Authority shall take into account the feasibility of carrying on the business and the legal and other relevant aspects of the desired modifications or additions or changes in activities and, if required, may order an inspection of the premises before granting the approval.

# TRANSFER OF REGISTRATION CERTIFICATE OR LICENSE IN CASE OF DEATH

- In the event of death of the holder of a Registration certificate or license, such certificate or license shall subsist for the benefit of the legal representative or any family member of the deceased or until the expiry of:
  - a. The period of 90 days from the date of death of the holder of a Registration certificate or License: or
  - b. Such longer period as the Designated Officer may allow, for reasons to be recorded in writing.
- > The legal representative or family member of the deceased holder of the registration certificate or license shall apply to the concerned Authority for transfer of such certificate or license in his favour.
- The registering or Licensing Authority, as the case may be, may, after making such enquiry as it may deem fit, either approve the transfer of the Registration certificate or license if satisfied that the applicant is the legal representative, or refuse the request. Provided that the registering or licensing authority shall not refuse the request without giving the applicant an opportunity of being heard and for reasons to be recorded in writing.
- Upon filing of application for transfer and pending the decision of the authority, the registration or license shall continue to be in force.

# **RETURN**

➤ Every (manufacturer, importer, exporter-manufacturer & 100% EOU who has been issued a license) shall on or before 31st May of each year, submit a return electronically in FoSCoS portal, in 'Form D-1' provided in Schedule 2 for food handle by him during the course of previous financial year.

Any delay in filing return beyond 31st May of each year shall attract a penalty of Rs 100 per day of delay. Maximum Penalty that can be levied shall not exceed 5 times the annual license fee.

# **APPEAL**

A Food Business Operator aggrieved by an order of the Registering Authority or Licensing Authority can prefer an appeal to the concerned Designated Officer or the Food Safety Commissioner, as per provisions laid down under Section 31 (8) and 32 (4) to 32 (5) of the Act.

# FOOD BUSINESS OPERATOR TO BE BOUND BY DIRECTIONS OR ORDER

- Every Food Business Operator to whom any direction or order is issued in pursuance of any provisions of this regulation is bound to comply with such directions or regulations and any failure on the part of the Food Business Operator to comply with such direction or order shall be deemed to be contravention of the provisions of these Regulations and will attract legal action under the provisions of the Act.
- > Every manufacturer, distributor or dealer selling an article of food to a vendor shall give guarantee either separately or in the bill, cash memo, or label a warranty in Form E.

# FOOD SAFETY COMPLIANCE SYSTEM (FoSCoS)

# FOOD BUSINESS OPERATORS UNDER PURVIEW OF CENTRAL LICENSING & STATE LICENSING

State Food Safety Officers on the directions of the Designated Officers carry out inspections of State or Central Licensed Food Business Operators in their area of jurisdiction. They also carry out enforcement activities in the area assigned to them, hence it is required that the Food Safety Officers should have information regarding the food licensing.

In the year 2020, FSSAI has launched Food Safety Compliance System (FoSCoS) replacing Food Licensing and Registration System (FLRS) in phased manner.

- ➤ FoSCoS is conceptualised to provide one point stop for all engagement of an FBO with the department for any regulatory compliance transaction. It is already integrated with:-
  - Online module for submission of Annual Return
  - Food Consumer Grievance Module 2.0
  - FoSCoRIS2.0
  - Audit Management System
  - Hygiene Rating System
  - Online module for making request to concerned authorities for reactivation of rejected application.

FoSCoS has been launched with unified flow of applications across pan-India. Kind of Business wise mandatory list of documents, payment mechanism, pdf format of Licenses and Registration including digital Registration ID cards have been standardised through FoSCoS.

Further, FoSCoS has been developed with informative user interfaces such as 'Search Tools' provided on the homepage of FoSCoS for searching standardised food products and eligibility criteria for food businesses. For manufacturers of standardised food products,

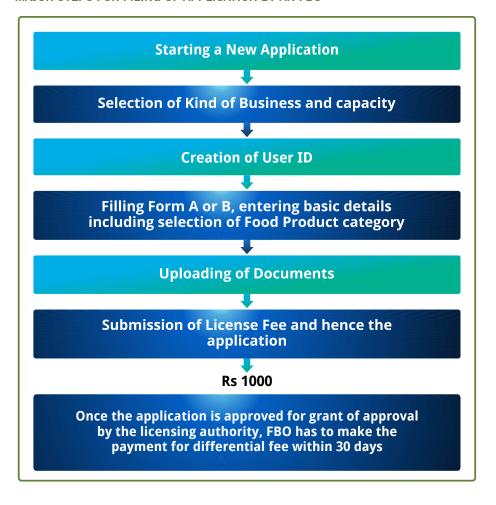
listing of food products based approach has been incorporated to ease out the application process for license.

A comprehensive tool for authorities to search food businesses on various parameters has been developed within the FoSCoS. This tool is capable of providing reports to authorities to conduct day to day activities like enforcement, surveillance, organising camps related to particular food sector etc. and thus reducing their dependence on FSSAI Hq for the requirement of data.

# OTHER KEY FEATURES OF FoSCoS

- Informative Home page
- Resource material (Recorded Session of Webinar in English and Hindi, Video Tutorials, Guidance notes, User Manuals on key flows. Flyers, Presentation for Training purpose) is available on https://foscos.fssai.gov.in/user-manual
- > Ease of flow (OTP based sign in) for petty/small FBOs to apply for registration certificate.
- Task specific dashboard for FBOs and Authorities.
- Creation of New Kind of Businesses for sensitive foods such as Nutraceuticals, Proprietary Foods and Substances added to food.
- ➤ List based approach for Standardised Food Products instead of earlier textbox based approach.
- Capturing of PAN, GST and CIN has been enabled.
- Capturing of Head Office license (if exist).
- Capturing of Food Safety Mitra code (if filing of application by FSM)
- Documentation based on Selected Kind of Businesses in the application.
- Only online payment modes for making License fee to ensure transparency in the process. Payments through Treasury Challan mode are still continue for registration applications in some States/UTs.
- Change of Jurisdiction of application, if required, can be done by Licensing/ Registration authorities.
- Ease of license application processing flow for authorities.
- License and Registration in PDF formats have been standardized across the country.
- ➤ Incorporation of Non-Form C annexure (consisting details of Person In-charge of Operations and declared Nominee in Form IX) in the copy of license.
- Incorporation of ID card in the copy of Registration Certificate.

## MAJOR STEPS FOR FILING OF APPLICATION BY AN FBO



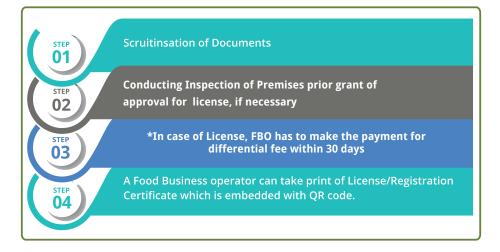
A 17-digit application reference number is generated for future references.

## FOOD PRODUCT CATEGORY

- 01 Dairy products and analogues, excluding products of food category 2.0
- 02 Fats and oils, and fat emulsion
- 03 Edible ices, including sherbet and sorbe
- 04 Fruits and vegetables (including mushrooms and fungi, roots and tubers, pulses and
- 05- Confectionery
- 06 Cereals and cereal products, derived from cereal grains, from roots and tubers, pulses, legumes and pith or soft core of palm tree, excluding bakery wares of food category 7.0
- 07 Bakery products
- 08 Meat and meat products including poultry
- 09 Fish and fish products, including molluscs, crustaceans, and echinoderms

- 10 Eggs and egg products
- 11 Sweeteners, including honey
- 12- Salts, spices, soups, sauces, salads and protein products
- 13- Foodstuffs intended for particular nutritional uses
- 14- Beverages, excluding dairy products
- 15- Ready-to-eat savouries
- 16- Prepared Foods
- 18- Indian Sweets and Indian Snacks & Savouries products
- 99- Substances added to food
- 100- Products having specified standards but no additives allowed
- 101- Hemp Seeds and Seed Product

# PROCESSING OF APPLICATIONS?



Licensing or Registering Authority may raise query at any stage of scrutinization of application, if he/she finds any anomaly in the application.

User IDs and Passwords to Authorities are created by FSSAI HQ on the request received from nodal officer of concerned State enclosing the proof of posting/transfer of that officer.

# RESPONSIBLE PERSONS AT FOOD UNITS

- 1. Authorised Signatory/Proprietor
- 2. Technical Person incharge of Operation having degree as prescribed in Condition of License. (FBOs can have trained Food Safety Supervisors)
- 3. Person responsible for Complying with Condition of License Nomination to be filed in Form IX of FSS Rules, 2011. He is responsible for any type of communication with Licensing Authorities.

He is the nodal person for the FBO to handle Consumer Grievances, until or unless FBO designates any other person for this purpose.

Any change in the nominations shall be conveyed to Licensing Authority by way of Non-Form C modification of license.

# FoSCoRIS . (FOOD SAFETY COMPLIANCE THROUGH REGULAR INSPECTION AND SAMPLING)

Food Safety Compliance through Regular Inspection and Sampling (FoSCoRIS) is a digital tool for recording observations during inspections. FoSCoRIS 1.0 was launched in 2018 and primarily meant for Designated Officers (DO) and Food Safety Officers (FSO). FoSCoRIS 1.0 was a standalone (mobile App and web) system and was not integrated with Food Licensing and Registration System (FLRS) then due to technical limitations for upgrading the FLRS.

FoSCoRIS 2.0 is further enhanced and launched along with FoSCoS. FoSCoRIS 2.0 is fully integrated with FoSCoS that means if a DO allocates an inspection on FoSCoS, it will be visible to the concerned FSO on the FoSCoRIS mobile app. If an FSO conducts inspection through FoSCoRIS mobile app, concerned DO can view it on FoSCoS. After the submission of inspection report, the same is also accessible to the concerned FBO. In case of area of low internet connectivity, FSO can record observations in FoSCoS within 48 hours of conducting inspection. Additional roles for officers specially designated for allocating and conducting inspections have been created in the system.

Further, in FoSCoRIS 2.0, there is also a provision for capturing sample details for samples that have been lifted during the inspection. Provision for conducting inspections on non-licensed/registered food units and capturing details of Samples (without inspection) and Generating Form VA along with authentication of FBO, FSO and witness to be provided in future developments of the FoSCoRIS app. An offline version of FoSCoRIS app is also being developed for areas of low internet connectivity.

It has been decided in the 29th meeting of Central Advisory Committee (CAC) held on 05th August 2020, that inspections shall be mandatorily conducted through FoSCoRIS. Mandatory Inspections through FoSCoRIS help in building National level database and to identify hotspots, trends and patterns in food safety to take corrective measures and policy interventions. This will help assess the performance of FSOs and help improve their efficiency.

CEO, FSSAI and Commissioner of Food Safety of States/UTs can access the inspection reports through their FoSCoS logins.

# **FOOD SAFFTY MITRA**



Food Safety Mitra is a individual professional certified by FSSAI and performs limited actions on behalf of/for FBOs with respect to the implementation of FSS Act, Rules & Regulation.

# JOB ROLE DESCRIPTION



# FOOD SAFETY MITRA FOR LICENSING & REGISTRATION

- > Filing of new application for License/Registration
- > Further online correspondence regarding queries raised by Authorities
- > Filing application for modification of License/Registration
  - Filing of Annual Returns/Declarations
- Filing applications for approval of Product/label/Advertisement Claim
- Filing appeal for revocation of Suspended Licenses/Registration

## **ELIGIBILITY**

**FOOD SAFETY MITRA:** Candidates between the age of 21 to 60 years, possessing bachelor's degree from a recognised university along with working knowledge of computers, internet etc.are eligible to apply.

\*Tentative

# CODE OF CONDUCT OF FSM

## INTEGRITY

As individuals responsible for helping FBOs with compliance, the first norm for a FSM is integrity at all times. This may include:-

- > Due diligence at all times filing applications, conducting hygiene audit
- > Advising FBOs correctly about processes, regulatory requirements & liabilities
- ➤ Advising FBOs to correct mis-declarations and non-compliance
- > Charging only prescribed fees from clients, against receipt.

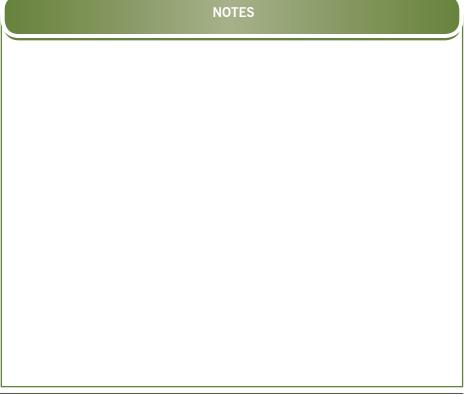
# **TRANSPARENCY**

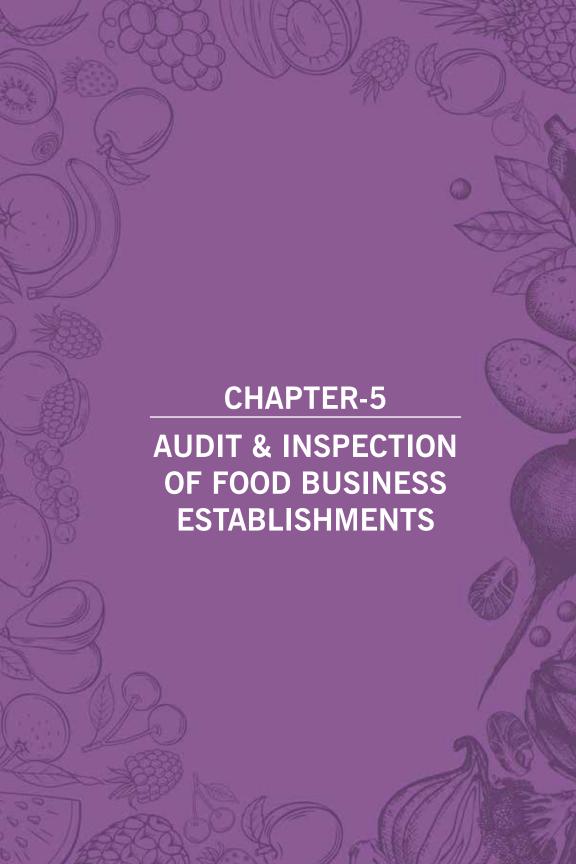
As they are the human face of FSS Act for FBOs, it is essential that FSMs maintain transparency about their services.

- Applications filed by them on behalf of FBOs they must quote their unique identification number whenever a service is offered by them to the FBOs
- Service charges should be transparently communicated to FBOs. All receipts & acknowledgements must be shared with FBOs
- FSM will not represent themselves as officers of FSSAI or use its name or logo without authorisation.

# QUALITY

- Whether it is training, audit or filing of applications, FSMs will maintain a highest quality standard
- Apart from the work itself, FSMs will ensure quality service level by being knowledgeable, friendly and available to their client FBOs.





# 5 AUDIT & INSPECTION OF FBO

# CONCEPTS AND APPROACH TO INSPECTIONS AND AUDITS UNDER FSS ACT 2006

The inspection and audits are the main activities for enforcing the Food Safety Act, Rules and regulations and to ensure the food safety compliance. In the times of PFA Act 1954, the inspection activities were focused on sampling and testing of end products to determine their compliance with standards and regulations. Under the FSS Act 2006, it is considered more efficient to focus inspection activities on ensuring compliance of systems for food safety management (FSMS) that can minimise the occurrence of food safety problems. This shift from a "reactive" towards a "preventive" approach to food safety risks is subject to a general international consensus.

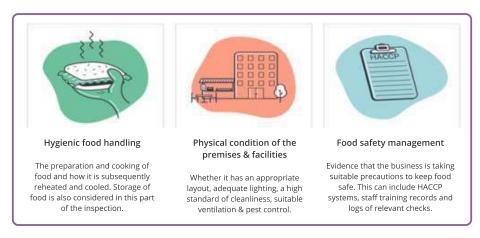
# **GENERAL INSPECTION AND AUDIT PROCEDURES**

The Food Safety Officers are empowered by law and regulation to conduct inspections, so it is necessary for the Food Safety Officers to have a thorough knowledge about these laws and regulations and about the scope of the authority vested on him/her. They should have copies of all the pertinent law(s) and regulations for consultation in case of any disagreement. In absence of laws and regulations to allow an FSO to implement a risk based approach to food inspection, areas for improvement identified during the inspection can be raised as recommendation instead of noncompliance while legislation is reviewed.

- » Thorough knowledge of food law(s) and pertinent regulations.
- » Background information on the field of safety and quality.
- » Prerequisite sanitation, hygiene and pest control practices.
- » HACCP principles.
- » Inspection techniques.
- » Sampling techniques for product testing
- » Compliance verification skills.
- » Skill of creating awareness about food safety and quality among food producers and processors for compliance verification.
- » Dissemination of concept of continuous improvement of the quality and safety management system.
- » Recognition of organization or agency for food safety audit (Section 44).

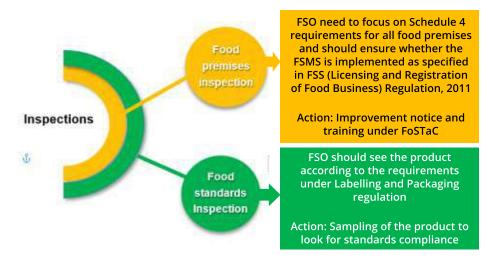
# PRINCIPLES FOR INSPECTION

- > During the inspection, inspecting officer should behave professionally and demonstrate proper sanitary practices.
- > The output of inspection should be based on evidences and food safety officer should not be prejudiced.
- > The inspecting officer should inform the Designated Officer, if they perceive any impartiality with the establishment to be inspected
- Inspection should be conducted in a planned manner and as per schedule only after approval by the Designated Officer.
- Improvement notices as per provisions of the act should be issued in place of penal measures wherever possible.
- ➤ Electronic reporting of findings of inspection should be submitted by the Food Safety Officer within 24 hours to the Designated Officer and Food Safety Commissioner.
- Confidentiality of outcome of inspection should be maintained by the officer unless required in public interest.
- Food Safety Officers are prohibited from demanding/receiving any compensation directly or indirectly from Food Business Operator or any other part. Avoid gifts and lunches outside the premises.
- **Final decision and action** shall be decided by supervisory officers within stipulated time.
- Monitoring of inspection findings should be done in the steering committee meetings at the state level.



# PLANNING OF INSPECTION

Food Safety Officer should have a planned inspections or interventions for all food premises and there can be two important concepts for planned inspections as depicted in the flow diagram below:



# **FOOD PREMISES INSPECTION**

Food premises inspections are routinely carried out and is an integral part of inspections and evaluation of food premises. The focus of the inspection should be on the Schedule 4 requirements as specified in FSS (Licensing and Registration of Food Business) Regulation, 2011 and at the end of the inspection, a copy of the inspection report (in the form of a checklist) should be provided to the FBO to self-evaluate the conditions of the premises. The FSO recommend to the Designated Officer to issue an improvement notice and which can include recommendations for training of the food handlers under FoSTaC if required.

# TYPES OF FOOD PREMISES INSPECTIONS

Either for License/Registration, for information basis, on complaint basis, for routine basis-Risk based inspection and Inspection Plan



Examination of food, food preparation, serving area, personnel, equipments, vessels, premises to assure wholesome and clean products, free from unsafe microbes or chemical, physical contamination, natural or added deleterious substances and decomposition during raw materials and ingredient receiving, cleaning, production, processing, packaging &

delivery with an objective of providing safe, right and wholesome food to all consumers.

# CODE OF ETHICS OF FSO

- ➤ All Inspections shall be done in a planned manner and the inspection shall be approved by the Designated Officer
- ➤ Improvement notices shall be issued in place of penal measures wherever possible.
- ➤ Electronic reporting of findings shall be submitted by FSO within 24 hours of inspection to the Designated Officer and food safety commissioner.
- Confidentiality of inspection shall be maintained by the officer unless required in public interest.
- ➤ FSOs are prohibited from demanding/receiving any compensation directly or indirectly from any FBO.
- Final decision on actions/outcome shall be decided by the superior officer within the stipulated time frame.
- ➤ Monitoring of inspection findings must be done in the steering committee meetings at the state level.

Grievance redressal mechanism should be available at the offices of the Designated Officers and the Food Safety Commissioner's level

# PRE- REGISTRATION INSPECTION

Informed inspection of the petty Food Business Operator premises as a part of issue of registration-When a petty Food Business Operator submits the application for registration, then an inspection may be ordered within 7 days. If the safety, hygiene and sanitary conditions are satisfactory as contained in Part I of Schedule IV of FSS (Licensing and Registration of Food Business) Regulation, 2011, then the registration is granted. If any deviations are there, it is informed to FBO for rectification and upon completion of deviations satisfactorily, the registration certificate is issued. This inspection is a pre-informed one.

# PRE-LICENSE INSPECTION

Informed inspection of the Food Business Operator premises as a part of issuance of license-based on the license application, the Designated Officer in the specified area may order an inspection of the premises to FSO. If the conditions are satisfactory based on the provisions of the FSSAI Regulations in the premise, at the time of inspection, then the license is granted.

If any deviations are there, then FSO shall report to Designated Officer. The deviations will be reported to FBO with a time frame and upon satisfactory completion license is issued.

This inspection is a pre-informed one.

# **ROUTINE INSPECTION**

The food safety inspections of the registered food safety establishments at least once na year by the Registering Authority/Designated Officer-The licensed FBOs shall be inspected at least once in a year by FSOs. The FBO's food safety, hygiene and sanitary conditions have to be satisfactory as contained in Part II of Schedule IV of FSS (Licensing and Registration of Food Business) Regulation, 2011 & under different parts, depending on the nature of business, all times. To achieve this Licensing Authority/Designated Officer shall ensure periodical food safety audit and inspection of the licensed establishments through the food safety officers. The food safety officer will inspect the food establishments as frequently noted by the food safety officer.

If FSO finds that the food establishment is laid down and is working as per the provisions of the act & various regulations as under, will submit a report to the Designated Officer, if the food safety officer observes that the food establishment is not laid down or functioning as per the provisions of the act and regulations made there under, FSO recommends the Designated Officer to issue an improvement notice to the Food Business Operator to comply with the conditions of the license within the prescribed limit.

This inspection is routine inspection where a Food Safety Officer has to check whether the unit is following all the provisions of the law in the perfect way.

## **FOLLOW UP INSPECTION**

The Food Safety Officer undertakes follow up inspection of the premise of a petty Food Business Operator to ensure and satisfy himself/herself that the Food Business Operator has fulfilled all the improvement suggestions provided by the Food Safety Officer either during pre- registration inspection or routine inspection.

The Food Safety Officer on the direction of the Designated Officer undertakes followup inspection of the food establishment of an FBO to ensure that the Food Business Operator has complied with all the suggestions mentioned in the improvement notice issued by the Designated Officer at the time of pre-license inspection or routine Inspection. This inspection is follow up inspection to see whether the FSO has complied with the suggestion mentioned in the Improvement Notice.

# INSPECTION BEFORE RENEWAL OF LICENSE

The Food Safety Officer may inspect a food establishment of a petty Food Business Operator

before renewal of a registration certificate, if considered necessary for reasons to be recorded in writing. A Designated Officer may order an inspection before renewal of a license if considered for reasons to be recorded in writing. This is normally done in the case where the Designated Officer feels that there is a necessity of doing it in the interest of public health at large.

# INSPECTION FOR INVESTIGATION OF COMPLAINT

The Food Safety Officer should investigate any complaint which is made to him in writing in respect of any contravention of the provisions of the Act or Rules & Regulations made there under.

# INSPECTION FOR FOOD SAFETY AUDITS (THIRD PARTY AUDIT)

In order to cultivate and foster the growth of compliance culture, FSSAI is enabling compliance through private recognized audit agencies. Food Safety Audits will reduce the burden of regulatory inspections done by Central or State Licensing Authorities. Satisfactory audits will lead to less frequent regulatory inspections by Central or State Licensing Authority except the regulatory sampling. This will strengthen food safety surveillance system and encourage self-compliance while at the same time assuring safe food to the consumers.

# INSPECTION FOR HYGIENE RATING SCORE SCHEME

To promote a culture of self-compliance amongst food businesses by encouraging them to understand the gaps and further improve their hygiene standards and thus reduce the incidence of food borne illness FSSAI has introduced Hygiene Rating Scheme. The display of score certificates will also help consumers in making informed choices. Higher hygiene rating audits may be linked with risk based inspection system to finalize the frequency of audits of those FBOs awarded 4/5 hygiene rating.

#### **FOOD STANDARDS INSPECTIONS**

The FSO will check the product by visual inspection before going for sampling. The FSO can very easily notice the defect in labelling through visual inspection provided he/she has thorough knowledge about the Act and relevant regulations. There may be no need for sending a sample for analysis to identify the labeling defects. If the food product is not labeled in accordance to the regulations or it does not provide the required complete information or the food product is promoted for sale with false, misleading or deceptive claims then it is considered as misbranded food and attracts the penalties as per Law. If during inspection the FSO notices any labelling defect that creates doubt in the mind of the FSO about the quality of the food product also, then invariably the sample of such food product is taken and sent for analysis to check its quality. On analysis if the sample is found non-complying to the Standards, then the food product can be declared as Unsafe, Substandard or Misbranded. In case of unsafe product, prosecution case will be launched

against the FBO and in case of substandard and misbranded (labelling defect) product, adjudication is launched. And if the sample is found confirming to standards on analysis but shows the label contravention only then the abjuication is launched for mirsbranding only.

# WHAT ALL THE FSO HAS TO CHECK ON VISUAL INSPECTION OF THE PRODUCT

FSSAI is working to transform the food ecosystem from Inspector Raj to Self-Compliance, so the focus needs to be changed from product testing to compliance. However, to verify the regulatory compliance for labelling and packaging the product is checked by visual inspection by the Food Safety Officer and other inspecting officers. The FSO can very easily notice the defect in labelling through visual inspection provided he/she has thorough knowledge about the Act and relevant regulations. There may be no need for sending a sample for analysis to identify the labelling defects. If the food product is not labelled in accordance to the regulations or it does not provide the required complete information or the food product is promoted for sale with false, misleading or deceptive claims then it is considered as misbranded food and attracts the penalties as per Law.



# Ingredient List

This shows all the ingredients that make up the product. The ingredients are listed in descending order by weight.

# Nutrition Information

This panel shows the nutrients found in one serving or in 100 g / 100 ml of the food.

# Usage Instructions

These are instructions for storing or using the product.

# Manufacturer's Details

Every label includes the name and address of the manufacturer, importer or distributor.

- ✓ The name of Food
- ✓ List of Ingredients,
- ✓ Nutritional Information,
- ✓ Declaration regarding Veg or Non-Veg,
- ✓ Declaration regarding Food Additives,
- ✓ Name and complete address of the manufacturer or packer
- ✓ FSSAI License Number on principal display panel
- ✓ Net Quantity.
- ✓ Code No./Lot No./Batch No.,
- ✓ Date marking (Date of manufacture or packing/Best Before and Use by Date)
- ✓ Labelling of imported food
- ✓ Country of Origin for imported food and
- ✓ Instructions for use
- ✓ Declaration regarding Food Allergen
- ✓ Declaration of claims/benifits e.g. for health, immunity etc., if any

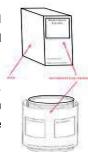
#### PRINCIPAL DISPLAY PANEL OF THE FOOD PRODUCT

Principal Display Panel (PDP) means that part of the container or package that the customers will first read if it is on display in a shop or which they will pick up to read and examine if they want to purchase that commodity. The principal display is what the salesperson will show to the customer if the customer has asked to buy that particular packaged product.

According to regulations the Principal Display Panel normally gives the identity of the food like, Jam, Pickle in a specific way, where the letters have to be of specific height. It also mentions the net quantity or amount of the product in the specific container of package, the numerals for which have to be of specific height as mentioned in regulations. The information on the Principal Display Panel has to be clear, easily readable and cannot be obscured by design, vignettes or crowding. For the packages of the same size the quantity of the contents need to be in uniform size as directed by regulations.

In case the container is rectangular then the space occupied by the Principal Display Panel must be in 40% of the available space when height is multiplied by width of the package in the area where the package is the broadest.

In case the container is cylindrical or nearly cylindrical, round or nearly round, oval or nearly oval container then the Principal Display Panel must be on 20% of the available space when the height of the container is multiplied by the average circumference.



In case the container/package is of any other shape then 20% of the total surface area will contain the Principal Display Panel but only if there is no label affixed securely to the container. If a label has been affixed, then the surface area of the label that works as the PDP must not be less than 10% of the total surface area of the container. In the case of package having a capacity often cubic centimeters or less, the principal display panel may be card or tape affixed firmly to the package and bearing the required information under these regulations, (as per Food Safety and Standards (Labelling and Display) Regulations, 2020)

## SPECIFIC LABELLING REQUIREMENTS FOR FOOD CATEGORIES

Food category	Labelling requirement		
Infant milk substitutes	Prior approval of the food and the label from the Authority,		
and infant foods	shall contain "IMPORTANT NOTICE" for statements namely:		
	MOTHER'S MILK IS BEST FOR YOUR BABY"		
	Infant food shall be used only on the advice of a health worker.		
	▶ Infant food or infant substitute is not the sole source of nourishment of an infant.		
	Warnings and captions about the use and storage of these foods.		
	► Label on infant milk substitutes or infant food shall have <b>NO</b> picture of infant or women or both.		
	► The label shall indicate the additional information if recommended as PREMATURE BABY, LOW BIRTH WEIGHT and TO BETAKEN UNDER MEDICAL ADVICE in capital letters.		
	▶ Infant milk substitutes or infant food for lactose intolerant infant the label shall indicate "LACTOSE FREE or SUCROSE FREE statements.		
	Infant milk substitutes or infant food for infants allergic to cows/ buffalo milk or soy protein shall have label with statement HYPOALLERGENIC FORMULA, composition of Nutrients/IOOgms as well as ISI mark.		
Edible Oils and Fat	Label shall not use the expressions which are an exaggeration of the quality of the product (Extra refined. Ultra refined, Anti-Cholesterol etc.)		

<sup>▲</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

Permitted food colours	•	Label shall state the word " Food Colours" with complete	
		chemical and the common name and colour index of the	
		dye stuff.	
Irradiated foods		The label shall have bear the declaration "PROCESSED	
		BY IRRADIATION METHOD, DATE OF IRRADIATION and the	
		Logo License Number of Irragdiation Unit and purpose of	
		Irradiation	

Exemptions from Labelling Requirements (Sub-Section 8) (Labelling and Display) Regulation 2020

Under Sub-Section 8 of FSS (Labelling and Display) Regulation 2020, certain cases where one or more of the mandatory information required to be given on the labels such as list of ingredients, Lot Number or Batch Number or Code Number, nutritional information, the 'date of manufacture' or 'best before date' or 'expiry date' and instructions for use, need not be given on the labels. Such cases are as given below:

#### LABEL DECLARATION EXEMPTIONS

- If the surface area of the package is not more than 100 square centimeters. List
  of ingredients, Lot Number or Batch Number or Code Number, nutritional information,
  labelling of irradiated food, declaration of food additives, License no and logo the name
  and complete address of the importer and instructions for use, but these information
  shall be given on the multi-unit packages.
- 2. If the surface area of the package is less than 30 square centimeters. List of ingredients, Lot Number or Batch Number or Code Number, Nutritional information the 'date of manufacture' or 'best before date' or 'expiry date' and Instructions for use, need not be given on the labels, but these information shall be given on the wholesale packages or mu lti-piece packages, as the case may be. date of mfg. & Use by Date or expiry may not required not be mention.
- 3. In case of liquid products marketed in bottles and the bottle is intended to be reused for refilling. List of ingredients need not be given on the label. But the nutritional information specified in regulation 5(3) shall be given on the label.
- 4. In case of food with shelf-life of not more than seven days. The 'date of manufacture'; need not to be mentioned on the label of packaged food articles, but the expiry/use by date is required to be mentioned on the label by the manufacturer or packer.

- 5. In case of prepared food served for immediate consumption such as in hotels or by food service vendors or caterers or halwais or hospitals or at religious gathering or food served in airline/railways/passenger vehicle or any in hotels mobile unit shall accompany or display the minimum information as specified below at the point of sale/serve of the food.
  - (a) Specific declarations prescribed under sub-regulations 1.1(1), (2), (3), 1.4(3), (4) and 1.9 of schedule II of these regulations;
  - (b) information relating to allergen; and
  - (c) logo for veg or non-veg. Provided that in case of food served through vending machine the labelling requirement as prescribed in regulation 5(3) of these regulations shall be displayed in addition to the requirements mentioned in 8(4) above, through appropriate presentation on the outside of vending machine or through poster, leaflet or on the container.
- 6. The following labelling requirements are exempted if they are provided in a Barcode/Global Trade Identification Number (GTIN);-
  - (a) Address of the brand owner whether or not, he himself is the manufacturer, marketer, packer or bottler, as the case may be,
  - (b) the license number of the manufacturer or marketer or packer or bottler, as the case may be, if different from the brand owner
- 7. For Assorted packs, Shelf life declared on assorted pack should be that of the product having the earliest shelf life declared amongst the different pre- packaged food packed inside.

#### PRODUCT RECALL INSPECTION

The Food Safety Officer should investigate the product recall incident. This shall be based on the information received from the Designated Officer on product recall. If any product recall is there, the procedure of product recall handling shall be followed by the FSO. The Food Authority's main role in a recall is to monitor the progress of the recall and assess the adequacy of the action taken by the FBO in this regard. After a recall is completed, the Food Authority will make sure that the product is destroyed or suitably improved. Where the recall is related to serious defects in the manufacturing process, the concerned authority may review the license of the FBO concerned. The Food Authority will publicize the recall when it is of the opinion that the public need to be alerted about a health hazard or that clarification of the situation needs to be made to allay public worries.

The recall will be terminated when FSO/Designated Officer determines that all reasonable efforts have been made in accordance with the recall strategy and it is reasonable to assume that the food product subject to the recall has been removed and proper disposition or correction has been made commensurate with the degree of hazard of the recalled food product. Written notification that a recall is terminated will be issued by the Food Authority to the company. In case of

unsatisfactory reports, the concerned Food Safety Officer may consider further action like stepped-up inspection, seizure or any other legal action.

# Action to be taken by an FSO following an Inspection:

Inspection	Action to be taken by	Remark
	FS0	
Pre license/ Registration -  New premises, and type of food establishments	<ul> <li>Report for issuing         License by         Designated Officer         Issue Registration         Certificate     </li> </ul>	Depending on the kind of business the inspection is required for issuance of license/registration and the focus of inspection should be on the structural requirements and documentations of the food premises as per Schedule 4 of the Regulations.
Routine Unannounced as a part of planned inspection programme	<ul> <li>If required issue hygiene Improvement notice and revisit to ensure the compliance</li> <li>Seizure and Sampling (seizure and sampling to be made different point)</li> </ul>	Recommendation for improvement and training of food handlers under FoSTaC.  Seizure and sampling will depend on the condition of the premises at the time of inspection.
Hygiene Rating Score inspection Requested by the FBO	Audits and Hygiene Rating	Audits can be requested by FBOs through a third party agencies notified by FSSAI.  FBOs after self-assessment can request for Hygiene Rating Score.  Request for rescores in case of lower scores in HRS.
Following a complaint	<ul> <li>Improvement Notice can be issued if required and revisit to ensure the compliance</li> <li>Sampling of the food product</li> <li>Food Recall procedure</li> </ul>	After verifying the complaint, the FSO can initiate the action.  If FBO has been careless in that case the action as per the law can be initiated.

Inspection	Action to be taken by	Remark
Following a confirmed food poisoning report from the local health agency	<ul> <li>Inspections of premises along with sampling of the suspected food product if available.</li> <li>If not, sampling of ingredients used in the preparation of the suspected</li> </ul>	Depending on the circumstances the actions could vary. The FSO can sample the food products / ingredients and request the DO/CFS for issuing an emergency prohibition order in case it is evident that the food poisoning is as a result of food being served in the particular food premises.
	<ul> <li>foods.</li> <li>Emergency         prohibition order for         the production and         closure of premises.     </li> </ul>	
	FSO required to coordinate with the concerned Health authorities as per the guidelines issued vide letter dated 27.10.2020 under Food Safety Emergency Response (FSER) System'	
Scrutinization of label of food products'	Inspection of the food ingredient/ product in compliance with the labelling and packaging regulation.	FSO will do a visual inspection of the label and packaging of the product Sampling and analyses to see if the product complied with the standards laid down for the products under FSSR.
	Sampling of the product to ensure compliance to Quality and safety standards (Vertical & Horizontal standards).	

## RISK BASED INSPECTION SYSTEM (RBIS)

## I. General principles for Inspections

- As a general rule, inspection should be undertaken with the objective of bringing about systematic improvements rather than in the form of raids/searches and should be undertaken with prior notice to FBO unless the concerned officer has reason to believe/definite information about serious food safety issues which could be in the contravention of FSS Act or the regulations made thereunder.
- 2. It is mandatory to use the inspection checklist developed and prescribed by FSSAI for different KOBs.
- 3. It is also mandatory that all inspections to be carried out only using Food Safety Compliance through Regular Inspection & Sampling System (FoSCoRIS) developed by FSSAI. In case owing to any reason FoSCoRIS app is not used, the report of inspection must be uploaded on FoSCoS within 24hrs of inspection. Any additional aspect may be inspected/checked and recorded in the report.
- 4. As a general rule, all inspections should be accompanied with sampling. In case sampling is not feasible to be carried out along with inspection, the reason for the same must be recorded in writing.
- 5. E-Inspection When regular inspection is not feasible (reason to be recorded in writing), e inspection of FBO's premise/unit may be conducted. The authority may record the observations by the way of videos or images submitted by FBO. The mode of submission of videos or images related to the inspection may be through any possible media available including live streaming preferably, if possible. If the facility of downloading of videos or images is available through that media, the concerned authority shall download and keep a copy of these visuals in their electronic devices for future reference.
- 6. The frequency where ever prescribed for any year, the year should be taken as financial year.
- 7. FSSAI has identified the following food categories as high risk categories:
  - a) 01-Dairy products and analogues
  - b) 08 Meat and meat products including poultry
  - c) 09- Fish and fish products, including molluscs, crustaceans, and echinoderms
  - d) 10- Eggs and egg products
  - e) 13- Foodstuffs intended for particular nutritional uses
  - f) 16-Prepared Foods
  - g) 18.1-Indian Sweets

- h) 99.5 Nutrients and their preparations (Fortified Rice Kernels only)
- 9. Mandatory Third Party Audit shall be conducted annually only for the Manufacturers/Processors holding Central License for high risk categories mentioned in point (8) above. The inspection of high risk food categories shall be carried out on priority and other inspections may be conducted only when mandatory inspections of all high risk food categories are exhausted.

## II. Types of Inspections:

- 1. Pre-License Inspection: No pre-licensing inspection is required except in case of Manufacturer/ Processors of Milk & Milk products, Meat & Meat products, Fish & Fish products, Fortified Rice Kernels (FRKs) and Slaughter houses, where inspection is mandatory before grant of license. In other cases, the license may be granted and inspection may be conducted in due course. The timelines given under 2.1.4 of FSS (Licensing and Registration of Food Businesses) Regulations, 2011 for conducting Pre-License Inspection shall be adhered to and any delay in processing of application should be avoided.
- 2. Pre-Registration Inspection: No pre-registration on inspection is required except Manufacturer/ Processors of Fortified Rice Kernels (FRKs) where it is mandatory to carry out inspection before issuing Registration Certificate. The time lines given under 2.1.1 of FSS (Licensing and Registration of Food Businesses) Regulations, 2011 for conducting Pre-Registration Inspection shall be adhered to and any delay in processing of application should be avoided.
- **3.** Routine Inspection: Regular inspections for Enforcement and Surveillance are undertaken as per the plans developed by each State on the basis of their respective risk profile and scale of operations of FBOs as reflected in Table 3.1. The Food Safety Officer should carry out inspections of FBOs as per the frequencies and exemptions prescribed below.

# 3.1 Frequency of mandatory inspections of Food Business Operators

The frequency of the inspections has been calculated on the basis of the risk categorisation of the KoBs. The following inspection frequency is valid for both licensed and registered FBOs.

S.No.	Kind of Business (KoB)	Food Product Category	Frequency of Inspection
i	Manufacturer / Processer	1, 8, 9, 10, 13, 16 & 18.1, 99.5 (only FRK)	Once a year
		Other than 1, 8, 9, 10, 13, 16, 18 & 99.5 (only FRK)	Once in every two years
ii	Food Service Establishments*	All licensed FBOs	Once in every two years
iii	Storage (Frozen, Refrigerated & Controlled Atmosphere)*	All licensed FBOs of Milk artdilk products, Fish and Fish products. Meat and Meat products FPC-1,8	Once in every two years
iv	Transporter (Frozen & Refrigerated)*	and 9	Once in every two years
V.	Other KoBs	5 % of licensed FBOs and 2 % registered FBOs selected randomly or on the basis of the risk profile	Once a year

<sup>\*</sup>For Registered FBOs, State may draw their own inspection plan in accordance with number of the registered FBOs in these categories, number & FSOs/DOs available and scale o operation of BOs

s. No.	Eligible KoB	Criteria	Exemption
i.	All KoBs*#		2 years (two Financial Years i.e. First FY, in which Third Party Audit is conducted and succeeding FY)
ii.	Food Service Establishments, Meat Retail Shops, Sweet Shops, Bakery Retail Shops	, , ,	2 years (two Financial Years i.e. First FY, in which Hygiene Rating Certificate has been awarded is conducted and succeeding FY)

<sup>\*</sup>Third Parly Audit report shall be used for awarding Hygiene Rating Certificate to FBO eligible for the same under Hygiene Rating (HR) Scheme (Food Service Establishments, Meat Retail Shops, Sweet Shops and Bakery retail shop). No separate audit will be required to award certificate to such FBOs.

# Note: Hygiene Rating Scheme cannot replace Third Party Audit in Case of KoBs such as High Risk Categories where Third Party Audits been mandated by the Food Authority or Commissioners Food Safety of States/UTs

## FSSAI, by way of issuing order from time to time, may also exempt any other Kind business from the inspections and frequency thereof, on the basis of any other scheme designed to ensure the safety and hygiene of such Food Business Operators.

**Illustration:** If an FBO "X" has obtained Audit Score of 80% or above in FY 2021-2022 then the inspection by FSO during F.Y. 2021-2022 & F.Y. 2022-2023 will be exempted however, in the next FY i.e. 2023-2024, the inspection by FSO shall be carried out. If the FBO 'X' obtained audit score of 80% or above in the F.Y. 2023-2024 as well then inspection by FSO during F.Y. 2024-2025 will be exempted but shall be carried in the next F.Y. i.e. 2025-2026.

Further, the above exemption from inspections may also be extended to other Kind of Businesses (KoBs) as identified and decided by the Food Authority from time to time.

## 4. Follow-up inspections:

- 4.1 The FSO undertakes follow up inspection of the FBO's premise in cases where he believes, the reason for the same must be recorded in writing, that it is necessary to follow up to ensure and satisfy himself that FBO has fulfilled all the improvement suggestions provided by the FSO during previous inspection. Such an inspection may be a pre-informed or surprise inspection.
- 4.2 Similarly, the FSO on the directions of the DO, undertakes follow up inspection of the food establishment of a FBO to ensure and satisfy himself that the FBO has complied with all the suggestions mentioned in the improvement notice issued by the DO either at the time of Pre- License Inspection or Routine Inspection. Follow up inspections must be done within 3 months of previous inspection or issue improvement notice.
- 4.3 Further, at least 2% of FBOs who have undertaken Hygiene Rating in that financial year shall be inspected by FSOs.
- 5. Inspection before renewal/modification of license: Pre-renewal inspection is not mandatorily. However, it may be done selective cases for the reasons to be recorded usually based on previous inspection/audit score. In case of modification of the license, inspection is not mandatory unless the modification is to include products type/kind of business which were not manufactured/processed/ undertaken earlier and require inspection to be done.

- **6.** Inspection for investigation of complaint: The Food Safety Officer should investigate any complaint which is made to him in writing in respect of any contravention of the provisions of the Act or Rules & Regulations made there under. Food businesses shall be inspected as soon as possible on receipt of the complaint, irrespective of any food product category. It should be invariably done within 15 days of receipt of the complaint
- 7. <u>Inspection in case of food safety emergency:</u> The FSO will initiate investigation and inspect premises of the FBO as per guidelines laid down by FSSAI for management of food borne illness outbreaks in India. This may be pre-informed or surprise inspection and needs to be done at the earliest.
- 8. Inspection in case of report of major non-conformity during Third Party

  Audit or Hygiene Rating Scheme: In case of referral of a major non-conformity
  by an audit or agency during food safety auditor hygiene rating, an inspection
  of the premises must be done within 30 days of receipt of such information.
- 9. Inspection of expired licenses: At least 1% of FBOs, whose licenses have expired in a given month, shall be inspected within next succeeding two months. For rest of Food businesses whose licenses have expired (remaining 99% or less as the case may be), the DO shall give notices within 15 days from the month. In cases, if there is no response received from the FBO within 15 days from the date of receipt of the notice or if response is found unsatisfactory then the DO shall direct inspection of such food businesses. Appropriate action against the FBO shall be taken as per the provisions of the FSS Act, 2006 and the Rules/Regulations made thereunder on the basis of findings of inspection reports.
- **10.** <u>Other Inspections</u>: Any other inspections prescribed by the Food Authority from time to time.

Note: The expression FSO also refers to Central Food Safety Officer CFSO) and the expression DO also refer to Central Licensing Authority (CLA)

Disclaimer: This is a suggestive inspection plan to draw a minimum number of food safety inspections to be conducted by any State/UTs. The States/UTs may revise the inspections frequency/numbers on the basis of the number of FBOs per KoB and availability of FSO/DOs.

## PROCEDURES TO BE FOLLOWED FOR AN INSPECTION

Some general guiding principles to follow during inspections are also set out below:

- Announce the approximate time for inspection unless inspection is to check for a specific violation.
- Prepare for inspection in terms of preparing all required documents, identity of FSO,

- copies of past inspection records if relevant etc. and review all relevant documentation related to the FBO
- > During inspection explain the applicable regulations, the FBO's rights during and after the inspection and the purpose of the inspection.
- Inform the FBO that the result of the inspection will remain confidential.
- > Request and encourage co-operation from the FBO and its management.
- Review the facility's quality, critical control points and safety management system with a focus on the risk factors and provisions made in the safety management system for these risk factors.
- Verify that these provisions are adequate and appropriate.
- Other factors to check storage/transportation of finished products, packaging and labelling, verifying processing control measures, verifying that critical limits are observed, facility assessment, equipment assessment, employee / staff health, hygiene and training provisions, facilities for employees, raw material and additives reception / storage, general facility sanitation and pest control, surrounding environment assessment.
- At the time of closing of inspection, advice FBO on appropriate measures and caution and counsel FBO if FSO has found any non-compliance, potential non-compliance or any objectionable or questionable practices.

The FSO and FBO must communicate freely and the FSO must provide guidance to the FBO to ensure compliance rather than use the threat of penalty. The FSO should discuss his observations and findings with the FBO and they should agree on the time line for corrective action.

> The FSO must provide a signed copy of the inspection report to the DO and keep a copyforhisown records. The FSO has to give a copy of the inspection report to the FBO.

## **LOGISTIC PREPARATION**

	1
Forms and checklists*	General Manufacturing
Inspection Checklists to be referred as per KoB of Food business which is accessible through FoSCoS/FoSCoRIS	Milk Processing
	Meat Processing
	> Slaughter Houses
	Catering
	> Retail
*Sample Checklist is attached as	> Transport
Annexure to this Mannual.	> Storage & Warehouse
	> Water based beverages
	<ul> <li>Alcoholic beverages</li> </ul>
	Vegetable oils and fats
	> Bakery products
List of documents related to FBO to be	1. Medical Fitness Certificate
verified	2. Form E-Form of Guarantee
	3. Foreign matter source control record
	4. Incoming material evaluation record
	5. Personnel hygiene checklist
	6. Vehicle inspection
	7. Operation log sheet
	8. Employee muster
	9. NC product control
	10. Product evaluation record
	11. Product traceability
	12. Product recall
	13. Calibration
	14. Equipment maintenance records
	15. Complaint monitoring record

Sampling kit for sampling the food 1. White coats product / ingredient. A sampling kit 2. White hats based on the nature of sample and the 3. Chill packs purpose of sampling. Below enlisted 4. Lockable or secure freezer (-18 0C) are the basic requirements that are to 5. Insulated boxes he fulfilled

- 6. Adequate supply of hard frozen ice blocks
- 7. Food grade sampling bags
- 8. Sample Labels
- 9. Seals
- 10. Hairnets
- 11. Disposable paper towels
- 12. Measuringjug(s)
- 13. Funnel(s)
- 14. Scissors
- 15. Knives
- 16. Spoons
- 17. Can Opener
- 18. Sample containers (various sizes)
- 19. Glass bottles
- 20. Thermometer (Calibrated)
- 21. Disinfectant wipes
- 22. Sterile sample jars (various sizes)
- 23. Sterile knives and spoons as necessary
- 24. Swabbing equipment
- 25. Candle
- 26. Matchstick
- 27. DO slips
- 28. Thread
- 29. Cello tape
- 30. Glue
- 31. Stirrer
  - Water sampling bottles
  - Latex gloves
  - Isopropanol (70%)

#### REQUIREMENTS FOR INSPECTION OF ALL FOOD BUSINESSES

The food establishment wherein the food is being handled, processed, manufactured, packed, stored and distributed by the Food Business Operator and the personnel handling them should conform to the sanitary and hygienic requirement, food safety measures and other standards as specified in the regulations and it should also be deemed to be the

responsibility of the Food Business Operator to ensure adherence to necessary requirements. In addition to the requirements specified in regulations, the FBO shall identify steps in the activities of food businesses, which are critical to ensuring food safety.

## **GENERAL FOOD SAFETY SYSTEM REQUIREMENTS**

Pre Requisite Programmes (PRPs) are code of good practices that comprises the fundamental principles, procedures and means needed for safe food production. PRPs are defined as basic conditions and activities that are necessary to maintain a hygienic environment throughout the food chain suitable for the production, handling and provision of safe end products and safe food for human consumption.

Good Agricultural Practices (GAP) and Good Hygienic Practices (GHP) are these essential preconditions and are together called pre requisite program(PRPs) in Food Safety System.

## PRE REQUISITE PROGRAMME (PRPS)

# Schedule 4 requirements of Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011

- Location and surrounding
- Layout and design of food establishment
- Equipment
- Facilities
  - Water supply (potable/non-potable water)
  - Drainage and waste disposal
  - Personal hygiene
  - Air quality and ventilation
  - Lighting
  - Food operations and Controls
  - Procurement of raw materials
  - · Storage of raw materials and final products
  - Food processing/preparation, packaging and distribution/services
  - Time and temperature controls
  - Food packaging
  - Food distribution/services
- Management and supervision
- Food testing facilities
- Audits, documentations and records
- Sanitation and maintenance of establishment
  - Cleaning and maintenance
  - Pest control system

- Health and Personal Hygiene
- Product information and consumer awareness

## GOOD MANUFACTURING PRACTICES(GMP) AND HACCP

In any food operation, food safety management is achieved through the application of HACCP. Prior to implementation of HACCP, food processors must operate in accordance with Good Hygiene Practices (GHP) and Good Manufacturing Practices (GMP). HACCP principles are not mandatory under the present regulation, but are strongly recommended and should be incorporated in the Food Safety Plan developed by the Food Safety Officer. The prerequisites are important as they can often be used to reduce or eliminate a food safety hazard.

Good Manufacturing Practices (GMP) is a process of food control where the requirements for maintaining the quality and safety of products are written down in a GMP manual which becomes a key reference for the operation of a food manufacturing business. HACCP may form part of GMP requirements but, where HACCP focuses on product and their manufacturing processes, GMP takes a wider perspective and covers all aspects of the business which may impinge on food quality and safety.

#### KFY ASPECTS OF GMP

- > Consideration of requirements for the premises and maintenance of their suitability for food manufacturing operations.
- The facilities and their adequacy for involvement in food manufacturing.
- The manufacturing, storage and distribution operations and their appropriateness for the manufacture and supply of food safety management.
- > Requirements for hygiene and food safety management.
- Management responsibility for the quality and safety of foods including the maintenance of good manufacturing practices.

#### HACCP (HAZARD ANALYSIS AND CRITICAL CONTROL POINT)

HACCP system for food safety control was initially developed for the US Space Programme. HACCP provides a means of ensuring that food eaten by astronauts was safe and did not contain any food poisoning organisms which may have added to the difficulties of space mission. The FSS Act 2006 also encourages all food services establishments, industry to follow HACCP principles to ensure food safety.

There are seven HACCP principles that will be a part of your food safety plan. Principles one to five are required and principles six and seven are highly recommended:



#### **TYPE OF SAMPLES**

- Legal sample- Legal samples are those samples, where after analysis, if an adverse result is received legal action shall be initiated along with relevant enforcement action for quick relief.
- Surveillance & monitoring sample -The sample drawn for purposes of surveillance is to be monitor the safety and quality of food manufactured, sold or imported in the country.

## CIRCUMSTANCES OF DRAWING A SAMPLE

When a Food Safety Officer has reason to believe that a food article being manufactured, stocked or sold or exhibited for sale in contravention of the provisions of the act or rules and regulations framed there under:

- Consumer complaints
- > Food hazard warnings and food suspected of contamination generally
- Changing local concerns
- Additional national surveillance programs
- New businesses
- New products or manufacturing practices in existing businesses
- Observation during the factory inspections

#### INSPECTION MATRICES FOOD SAFETY INSPECTION CHECKLISTS

Food Safety & Standards Authority of India (FSSAI) has developed inspection checklist for facilitating Food Safety Officers to efficiently inspect the Food Business Operators (FBOs). The inspection checklists are used to identify the level of compliance with each requirement that is set out in the regulation. These inspection checklists are based on Schedule 4 of Food

Safety & Standards (Licensing & Registration of Food Businesses) Regulation, 2011 and have been developed for following sectors



#### MARKING & GRADING SYSTEM

The inspection checklist includes food safety observations which will be given marks by the Food Safety Officers. Based on the marking, the FBOs will be graded as A+, A etc. A marking and grading scheme has been developed to facilitate the Food Safety Officers in doing the inspection.

The inspection checklist has been divided into five major sections namely:-

- Design & facilities
- > Control of Operation
- Maintenance & sanitation
- Personal Hygiene
- Training & complaint handling

The Food Safety Officer will inspect the facility of the FBO according to the requirements as laid down in the inspection checklist and accordingly will mark the finding as compliance (C), non-compliance (NC), partial compliance (PC) & Not applicable/Not observed (NA). All the requirements are allotted 2 marks and there are few requirements which are asterisk marked (\*) which are allotted 4 marks. Non-observance to any of the asterisk marked (\*) finding will lead to Non-Compliance(NC), as they are critical to food safety. Each finding will be awarded marks as mentioned below:-

**Compliance** - Yes, the requirement is fully documented and implemented. Adherence with the requirement with no major or minor conformance is observed.

**Non-compliance** - No, the requirement is not documented and implemented. Non-adherence with the requirement with major non - conformance is observed.

Partial compliance - Requirement is partially implemented but not documented or partially documented but not implemented. A non-conformity that, based on the judgement and experience of the FSO, is not likely to result in the failure of the food safety management system or reduce its ability to assure controlled processes or products. It may be either a

<sup>⚠</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

failure in some part to a specified requirement or a single observed lapse. Partial Compliance is not applicable to asterisk marked (\*) requirements as they are critical to food safety.

**Not Applicable/Not observed (NA)** - Requirements are not applicable to FBO & hence cannot be observed.

Sub-sequentially awarding the marks as per the finding against the requirements, total marks are calculated & based on the final marks, grading of the FBOs is done. The grading has been divided into 4 levels, i.e.

Grade	Status	Marks Required
A+	Compliance - Exemplar	90 & above
А	Compliance - Satisfactory	80-89
В	Needs Improvement	50-79
No grade	Non-Compliance	Below 50

## Mapping of Inspection Checklist with Kind of Business

The inspection checklist has been developed for major business activities such as manufacturing, retail etc. and there are specific kind of businesses in Food Licensing and Registration System. Thus, to facilitate the Food Safety Officers and Food Business Operators in selecting the inspection checklists according to their kind of business, a mapping of inspection checklists & kind of business has been done.

S. No.	Kind of Business	Inspection Checklist
1	Manufacturer	
i	Dairy units including milk chilling units equipped to handle or process	Milk processing
ii	Vegetable oil processing units and units producing vegetable oil by the process of solvent extraction and refineries including oil expeller unit	General manufacturing
iii	Slaughtering units	Slaughter house
iv	Meat processing units	Meat processing
V	All food processing units including labellers and repackers	General manufacturing

S. No.	Kind of Business	Inspection Checklist
vi	Food business operators manufacturing any article of food containing ingredients or substances or using technologies or processes or combination thereof whose safety has not been established through these regulations or which do not have	General manufacturing
	a history of safe use or food containing ingredients which are being introduced for the first time into the country. They need to apply for product approval at FSSAI (HQ) separately before applying for license)	
2	Other Businesses	
i	Storage (Except Controlled Atmosphere and Cold)	Storage
ii	Storage (Cold/ Refrigerated)	Storage
iii	Storage (Controlled Atmosphere + Cold)	Storage
iv	Wholesaler	Depending on the activity they are performing; the relevant inspection checklist would be applicable (Transport, retail, storage etc.)
V	Retailer	Retail
vi	Distributor	Depending on the activity they are performing; the relevant inspection checklist would be applicable (Transport, retail, storage etc.)
vii	Food Vending Agencies	Retail
viii	Supplier	
ix	Caterer	Catering
X	Dhaba, Boarding houses serving food, Banquet halls with food catering arrangements. Home Based Canteens / Dabba Wallas, Permanent / Temporary stall Holder, Food stalls/Arrangements in religious gatherings / fairs etc., Fish / Meat / Poultry shop / seller or any other food vending establishment.	Catering
xi	Club/Canteen	Catering
xii	Hotel	Catering
xiii	Restaurant	Catering

S. No.	Kind of Business	Inspection Checklist
xiv	Transporter (having a number of	Transport
	specialised vehicles like insulated	
	refrigerated van /wagon, milk tankers	
	etc.)	
XV	Marketer	Depending on the activity they are
		performing; the relevant inspection
		checklist would be applicable (Transport,
		retail, storage etc.)
xvi	Petty retailer of snacks / tea shops	Retail
3	Premises at Central Govt. Agencies	
i	Food Catering / Canteen Services in	Catering
	Central Government Agencies	
ii	Storage (Except Controlled Atmosphere	Storage
	and Cold)	
iii	Storage (Cold / Refrigerated)	Storage
iv	Storage (Controlled Atmosphere + Cold)	Storage
V	Wholesaler	Depending on the activity they are
		performing; the relevant inspection
		checklist would be applicable (Transport,
		retail, storage etc.)
vi	Retailer	Retail
vii	Distributor	Depending on the activity they are
		performing; the relevant inspection
		checklist would be applicable (Transport,
		retail, storage etc.)
4	Mid- Day meal	
i	Caterer	Catering
ii	Canteen	Catering

#### STEPS FOR INSPECTION

## Inspection is an important component of our food safety system.

The Food Safety Officer have the right to enter and inspect premises at all reasonable hours - normal opening hours for the food business. Visits are generally made without any warning so that the Officers can get a true picture of how the business usually operates.

Food Safety & Standards (Licensing & Registration of Food Businesses) Regulations, 2011, provides details for procedure of inspections of various food establishments.

It is the responsibility of the Food Safety Officers to ensure food safety and quality within the area assigned to him. In other words, the major part of enforcement of the Act and various Regulations on food lies with them.

An inspection is a careful, critical, official examination of a facility to determine its compliance with the laws and regulations administered by FSSAI. Inspections may be used to collect evidence to document compliance and violations and to support regulatory action, when appropriate. It is now considered more efficient to focus inspection activities on ensuring compliance of systems for food safety management (implementation of the general principles for food hygiene and HACCP based approaches that can minimise the occurrence of food safety problems.



#### PRE INSPECTION ACTIVITIES

## 1. Preparation for inspection

It is always important to prepare yourself prior to the start of any inspection or investigation. We may need to follow number of activities to prepare our self for inspection. These will differ based on whether this is an inspection or an investigation.

- (i) Plan and preparations for Inspection- Pre-announcement (Except if inspection in response to complaint /violation)
- (ii) Review inherent risk factors/products (iv) Schedule opening meeting
- (iii) Examine Records/study Schedule IV/GHP/GMP requirements and documents required to be maintained by the FBO.
- (iv) Foresee food borne disease risk factors
- (vii) Review/facility's quality and safety management system documents

The Food Business Operator may be informed about the inspection schedule of inspection few days prior to the inspection to be commenced (except if the inspection is in response to a complaint or any violation of the FSS Act, 2006 & Rules & Regulations made there under). The inherent risk factors of the process of manufacturing or ingredients or product should be reviewed. Before visiting the premise all the records and documents pertaining to the file of the FBO is to be studied

Review establishment's history, e.g. previous inspection reports if any, complaints, recalls information from website.

It is also important to ensure or review what kind of personal safety requirements to be ensured before visiting the establishment i.e. any health hazard, requirements for climbing, inspection needs to enter walk-in chillers etc.

Please identify if you need any technical expert along with you for inspection of the establishment. The need for technical expert may arise in case of some new technology or new risk associated with the establishment.

Prior to initiating any inspection, you should become familiar with the reporting requirements for the specific assignment.

As soon as FSO reach the establishment he/she should introduce himself/herself to the available top management along with the team member if any. If, possible FSO should show his Government official ID card.

Be clear about your purpose of visit and confirm if they need to invite more employees before you start with your inspection process.

#### **DURING THE INSPECTION**

The Food Safety Officer will introduce himself, produce identification and explain why the inspection is being made. This could be due to complaint or it could be just a routine.

During the inspection, Food Safety Officer should behave professionally and demonstrate proper sanitary practice. Planning of inspection shall be such that at the time of inspection the inspected facility shall be in operation for key processes. And inspection activity shall cover aspect like shift/plant change over unless otherwise required.

Any diverging opinions regarding the inspection findings or conclusions between the Food Safety Officer and the firm shall be discussed and resolved where possible.

Any diverging opinions that are not resolved shall be recorded and referred to the authority.

The Officer will usually ask to speak with the Food Business Operator, but if he is not available, whoever is responsible in the unit should be referred. If the FBO is not found present in the unit then FSO should try to communicate with him and convey about his visit to him and should further communicate that he is doing the inspection of the premises in the presence of responsible person present in the unit.

During the visit, the Officers may do the following:

- look at the condition and layout of all of the areas within and outside the premises watch how food is being processed / prepared,
- ask questions from staff or the Food Business Operator relating to food handling practices and procedures.

A general procedure may be followed by the Food Safety Officer for carrying out inspections of a food establishment,

A process flow chart of the kind of business and product should be prepared in advance. Food Safety Officer should schedule an open meeting with the FBO and the management.

## 2. Conducting the opening meeting

A formal opening meeting, shall be held with the top management and, where appropriate, those responsible for the functions or processes to be inspected and legal nominee. The purpose of the opening meeting, usually conducted by the Officer, is to provide a short explanation of how the inspection activities will be undertaken. The degree of detail shall be consistent with the familiarity of the establishment with the audit process and shall consider the following:

- a) Introduction of the participants, including an outline of their roles;
- b) Confirmation of the scope and purpose of Inspection;
- c) Confirmation of the Inspection Plan (including type and scope of inspection, objectives and criteria) any changes, and other relevant arrangements with the establishment, such as the date and time for the closing meeting.
- d) Explain regulations and philosophy
- e) Confirmation of formal communication channels between the Food Safety Officer and establishment;
- f) Confirmation that the resources and facilities needed by the Food Safety Officer are available;
- g) Confirmation of matters relating to confidentiality;
- Confirmation of relevant work safety, emergency and security procedures for the Food Safety Officer Please follow the establishment procedure and rules for work safety;
- i) Confirmation of the availability, roles and identities of any guides and observers;

- j) The method of reporting, including any grading of inspection findings;
- k) Information about the conditions under which the inspection may be prematurely terminated
- Confirmation of the status of findings of the previous review or Inspection, if applicable;
- m) Methods and procedures to be used to conduct the Inspection based on sampling;
- n) Confirmation of the language to be used during the Inspection.
- o) Request management collaboration
- p) Opportunity for the establishment to ask questions.

The Food Safety Officer shall inspect a FBO premise. The Food Safety Officer should put on neat and clean dress and if possible carry aprons, head gears and gloves at the time of visit of FBO premise. FSO should carry inspection check lists, relevant forms for sampling, seizure and detention forms and all other relevant documents along with all tools required for sampling. During the meeting the FSO shall make the FBO & his management aware about the FSS Act, Rules & Regulations and the duties of a FBO. The FSO should encourage FBO to cooperate in the inspection.

All the documents required to be maintained by the FBO as per the concerned Regulations is inspected by the FSO. The FSO may seek various information from the food handlers.

#### 3. Process flow chart

- (i) Obtain/ prepare operation flow chart
- (ii) Method of monitoring & validation
- (iii) Anticipate CCPs
- (iv) Focus on risk factors
- (v) Check CCP critical limits

The FSO may ask for a process flow chart of the products being manufactured in the premise, methods of monitoring and validation. FSO may anticipate CCPs and focus on risk factors. FSO may also check CCP critical limits.

## 4. Inspection Walk Through

A walk through inspection of the premises should be conducted as early as possible to become familiar with the operation and to plan the inspection strategy. A walk through visual inspection of the manufacturing site is helpful in establishing the depth of the inspection, learning about products and processes, identifying sources of manufacturing records and identifying potential areas of concern. The size of the facility, the number of employees, employee practices, environmental conditions inside and outside the plant, raw materials, manual and automated processes, sources of contamination, manufacturing flow, method of data collection including computer terminals, are some of the areas to be taken into consideration in establishing the depth of the inspection. A visual inspection of a manufacturing site should also be used to check obvious potential problem areas such as: general housekeeping, state of operation for processes and processing equipment, and people dependent operations. Visual inspections of areas used for failure investigation, product sampling and testing, product reworks, return goods and product quarantine areas should be inspected for obvious potential product problems. Depending on the product being inspected, some of the general inspectional equipment an investigator should have available, may include, eye and ear protection, boots and protective clothing.

Where the available inspection evidence indicates that the inspection objectives are unattainable or suggests the presence of an immediate and significant risk (e.g. safety), the Inspector shall report this to the establishment/firm in charge and if possible, to the office to determine appropriate action. Such action may include reconfirmation or modification of the Inspection Plan, changes to the Inspection scope or termination of the Inspection. Alert the firm's person in charge when an immediate corrective action is necessary.

## 5. Obtaining and verifying information

During the inspection, information relevant to the scope and criteria (including information relating to interfaces between functions, activities and processes) shall be obtained by appropriate sampling and verified to become inspection evidence.

Use suitable methods to obtain information and may include, but are not limited to:

- a. Interviews;
- b. Observation of processes and activities;
- c. Review of documentation and records. Review and evaluate the appropriate records and procedures for the establishment's operation and effectively apply the information obtained from this review [during the inspection].

Collect adequate evidence and documentation to support inspection observations in accordance with State program procedures

## 6. Identifying and recording audit findings

Inspection findings summarizing conformity and detailing nonconformity shall be identified, classified if needed and recorded to enable an informed outcome to be made or the licence to be maintained. Opportunities for improvement may be identified and recorded, unless prohibited by the regulator.

Any non-compliance shall be recorded against a specific requirement and shall contain a clear statement of the noncompliance, identifying in detail the objective evidence on which the noncompliance is based. Noncompliance shall be discussed with the establishment/firm to ensure that the evidence is accurate and that the noncompliance/sare understood. The Food Safety Officer however shall refrain from suggesting the cause of noncompliance or their solution. Inspection should be carried out from least contaminated area to most contaminated area i.e. from Finished Goods to Processing and then to raw materials storage/preparation area (fruits, vegetables, milk, fish, meat etc.) to avoid contamination.

## General inspection checklist:

- (i) Storage/transportation of finished products, Packaging and Labelling
- (ii) Product characteristics/labelling/sampling
- (iii) Processing-verify control measures
- (iv) Verify that critical limits are observed
- (v) Facility assessment
- (vi) Equipment assessment
- (vii) Employee/staff health, hygiene &Training
- (viii) Sick employee policy/ hand washing
- (ix) Examine employee facilities
- (x) Check raw material reception/storage
- (xi) Additives and non-food chemicals
- (xii) Packaging material specifications/storage
- (xiii) Sanitation and pest control
- (xiv) Site & surrounding environment assessment
- (xv) Inspect laboratory facility wherever necessary and check the proper functioning of the various equipments.

During inspection the FSO should make inspection as per Schedule IV of FSS (Licensing & Registration of Food Businesses) Regulations, 2011 applicable for the particular kind of business and product. FSO should review the critical control points and safety management systems with a focus on risk factors and provisions made in the food safety management system for these risk factors. Accordingly, he should cover all the points mentioned in the Schedule IV and inspection checklist. All the areas provided in the premise should be inspected. If any area is locked the FSO should make sure that the room/area is unlocked for inspection.

## 7. Closing Meeting

- (i) Discuss finding (especially non-compliance & Violation)
- (ii) Agree on time line for corrective action
- (iii) Sign report, get it signed by the FBO and handover a copy to the FBO and retain one copy of the inspection report which is to be submitted to the Designated Officer for issuing a improvement Notice to the FBO.
- (iv) Discuss possible improvements and prepare the draft of improvement notice,
- (v) Schedule follow-up inspection.

After the physical inspection of the food establishment is over, the Food Safety Officer will note down all the observations as an inspection report in the inspection checklist. He will discuss the findings and possible improvements with the FBO and the management (especially in case of noncompliance & violation of law) and also timeline for corrective action. The FSO & FBO should interact freely and FSO should advice the FBO to comply with the provisions of the Act, Rules & Regulations made there in to avoid any kind of penalty. FSO will then sign the report, get it signed by the FBO and handover a copy to the FBO and retain one copy of the inspection report which is to be submitted to the Designated Officer for issuing a Improvement Notice to the FBO. Confidentiality of outcome of inspection should be maintained by the officer unless required in public interest.

#### INSPECTION FLOW



## Process overview from collecting information to reaching Inspection conclusions

When in doubt, start at the beginning. Follow the process flow from receiving to shipping. However, this may not make the best sense if you handle raw and cooked products or pasteurized and unpasteurized products. In those cases, to protect finished product, a better plan of action would be to start in the finished product areas and work backward through the process. This will reduce the risk of pathogenic bacteria being transferred from the raw-to the cooked-product side of the facility.

#### PREPARING INSPECTION CONCLUSIONS

Prior to the final conclusion or the closing meeting, the inspector shall:

- a) Review the inspection findings, and any other appropriate information obtained during the inspection, against the inspection objectives and inspection criteria and identify the non-compliance) agree upon the Inspection finding,
- b) Taking into account the uncertainty inherent in the Inspection process;
- c) Agree any necessary follow-up actions.

#### CONDUCTING THE CLOSING MEETING

An Food Safety Officer should able to distinguish between significant and insignificant observations, and isolated incidents versus trends. A formal closing meeting, shall be held with the client's management and where appropriate, those responsible for the functions or processes inspected. The purpose of the closing meeting, usually conducted, is to present the Inspection findings and outcome.

Food Safety Officer shall explain findings clearly and adequately throughout the inspection. He should answer questions and provide information in an appropriate manner and write findings accurately, clearly, and concisely on the format and provide a copy to the firm's person in charge

The closing meeting if conducted should also include the following elements

- a) The method and time frame of responses.
- b) The regulators process for handling non-compliances including any consequences relating to the status of the client's licence or registration.
- c) The authority's post inspection activities.
- d) Information about the complaint and appeal handling processes.
- e) The establishment shall be given opportunity for questions.

#### **DOCUMENTATION - INSPECTION REPORT**

The Food Officer should provide a written report for each inspection. The Food Safety Officer may identify opportunities for improvement but specify the measures which, in the opinion of the said Authority, the Food Business Operator must take, in order to secure compliance.

The Food Safety Officer shall ensure that the inspection report is prepared and shall be responsible for its content. The inspection report shall provide an accurate, concise and clear record of the finding and shall include or refer to the following:

- a) Identification of the Name of the inspector or inspecting team;
- b) The name and address of the establishment and the establishment's representative
- c) The type of Inspection (e.g. initial, routine, follow-up or special inspection)
- d) The inspection criteria including the year
- e) The scope, particularly identification of the organizational or functional units or processes inspected and the time of the inspection
- f) Information on evidences positive and negative both
- g) Information, where sampling has been exercised.
- h) The dates and places where the inspection activities (on site or offsite, permanent or temporary sites) were conducted
- i) Inspection non-compliances

The FSO may also schedule a follow up inspection in case of registration but in case of a licensed unit the schedule will be finalized by the Designated Officer and then assigned to the FSO.

## 8. Follow Up Inspection

- (i) Schedule inspection after the prescribed time period of corrective action by FBO is over in case of registered unit. However, in case of licensed units the same will be scheduled by the Designated Officer and assigned to the Food Safety Officer.
- (ii) Follow up inspection is carried out to verify whether the suggestions for improvement have been carried out by the FBO within the prescribed time limit. This may be surprise after prior information.

Note: Inspection of Various Food Establishments as per Schedule IV, GHP/GMP {Refer to FSS (Licensing & Registration of Food Businesses Regulation, 2011)}. For Inspection Checklists of various Food Establishments (fssai.gov.in/cms/inspection-matrices.php)

Documents to be inspected during inspections of various Food Manufacturing Units and Food Service Establishments

> Blueprint/layout plan of the processing unit showing the dimensions in metres/ square metres and operation wise area allocation.

- Name and List of Equipment and Machinery along with the number, installed capacity and horse power used.
- Analysis report (Chemical & Bacteriological) of water to be used as ingredient in food from a recognized/public health laboratory to confirm the potability indicating the name of authorized representative of Lab who collected the sample and date of collecting sample
- Proof of possession of premises. (Sale deed/Rent agreement/Electricity bill, etc.)
- Partnership Deed/Affidavit/Memorandum & Articles of Association towards the constitution of the firm. Copy of certificate obtained under Coop Act - 1861/Multi State Coop Act-2002 in case of Cooperatives.
- NOC from manufacturer in case of Re-labellers & Re-packers
- > Food Safety Management System plan or certificate if any,
- > Source of milk or procurement plan for milk including location of milk collection canters etc in case of Milk and Milk Products processing units.
- > Source of raw material for meat and meat processing plants.
- Pesticide residues report of water to be used as ingredient in case of units manufacturing Packaged Drinking Water, Packaged Mineral Water and/or Carbonated Water from a recognized/public health laboratory indicating the name of authorized representative of Lab who collected the sample and date of collecting sample, including source of raw water and treatment plan.
- > Recall plan wherever applicable, with details on whom the product is distributed.
- NOCs from Municipality or local body and from State Pollution Control Board except in case of notified industrial area.
- List of workers with their Medical fitness as per the Medical Fitness Performa by the Food Authority.
- > Pest Control document along with day to day records of treatments.
- Documents related to transportation of raw materials and finished goods. If food is transported under controlled conditions the records of temperature controls.
- Cleaning and sanitation programme of the premise along with day to day maintenance records of the same.
- Records of source and standards of raw material used are of optimum quality as per the Regulations and Standards.
- ➤ Test Reports from NABL accredited/FSSAI notified laboratories regarding microbiological contaminants in food.

- > Records of daily production, raw material utilized and sales.
- Records of sale and purchase that the food product is sold to registered/licensed vendor and raw material purchased from registered/licensed supplier.
- Records for periodic audit of the whole system according to Standard Operating Procedure conducted regarding GHP/GMP system.
- Appropriate records of food processing/preparations, food quality, laboratory test results, pest control, etc. for a period of one year or the shelf life of the product, whichever is more.
- Training records of food production personnel and production floor managers/ supervisors on food hygiene.
- Food labels for requisite information as per the Food Safety and Standards (Labelling and Display) Regulations, 2020
- Form no. IX (Form of Nomination-Refer rule 2.5.1) nomination of persons by a company.

## Procedure of taking extracts of documents and matters connected therewith

- h) Rule 2.2 of the Food Safety & Standards Rule, 2011, details the manner in which the extracts from any books of accounts and other relevant documents are taken by a Food Safety Officer.
- i) When a Food Safety Officer has seized any books of account and other relevant documents in exercise of powers conferred upon him under Sub-Section (6) of Section 38 of the Act, he has to return the same to the person from whom they were seized within a period not exceeding thirty days from the date of such seizure.
- j) Before returning the books of account and other documents, the Food Safety Officer can take for copies thereof or extracts therefrom, as the case may be.
- k) When a communication has been received from the Food Safety Officer, the person from whom the books of account and documents were seized has to provide the copies or extracts as the case may be, duly authenticated by the Food Business Operator.
- 1) The extracts can be taken by the Food Safety Officer or by any person authorized by him.
- m) The person making the extracts cannot in any manner cause dislocation, mutilation, tampering or damage to the records in the course of making extracts.

- n) The person making extracts cannot make any marking on any record or paper.
- o) The extracts or the copies above, has to be initialled on each page of such extracts or copies by the person from whom the books of account and other documents were seized and such authenticated extracts or copies is to be provided to the Food Safety Officer and the same has to be accompanied by an Affidavit in Form I of the person from whom the books of account and other documents were seized, certifying the authenticity of such extracts or copies.

Samples, including "Factory Food Samples" (in-lines) and packaged finished products collected during inspections provide the necessary key to establish routes of contamination and/or actual product adulteration. They also document the character of products packed prior to the inspection. Collect samples for laboratory examination only when they contribute to confirming the suspected violation.

Impressive exhibits are extremely effective and important forms of evidence to establish existence of violative conditions or products. They should relate to insanitary conditions contributing or likely to contribute, filth to the finished product, or to practices likely to render the product injurious or otherwise violative. Diagrams of the establishment, floor plans, flow charts, and schematics are useful in preparing a clear concise report and in later presentation of testimony. A small compass is useful in describing exact locations of objectionable conditions in the plant, in your diagrams and locations from which samples were taken, etc. Submit as an sample exhibits (except photographs) collected during an inspection or investigation. Describe each subsample and assign a unique subsample number to each exhibit. Group similar subsamples on one collection report. Examples of exhibits include:

- Live and dead insects, insectfrass, webbing, and insect chewed materials; nesting material of rodents and/or other animals; and other behavioral evidence of the presence of insects, rodents and other animals.
- Components and finished dosage forms.
- Samples of in-process ingredients, in-process materials and unpackaged finished products. ("Factory Food Samples" or "in-lines.") Note: Samples of packaged finished products and ingredients are official samples.
- Manufacturing and control devices or aids.
- Physical samples if possible and practical or photographs with descriptions of scoops, stop-gap expediencies, other unorthodox manufacturing equipment or makeshift procedures.

#### **DOCUMENTATION - PHOTOGRAPHS**

Photos taken during inspections are not investigational samples. They are exhibits. Photos are not attached to collection reports unless the photos are part of an Official Sample. Only use a Government issued camera to take photographs. Since photographs are one of the most effective and useful forms of evidence, every photo should be taken with a purpose. Photographs should only be taken for evidentiary purposes, e.g., to document violations and environmental surface subsample sites. Photographs should be related to insanitary conditions contributing or likely to contribute filth to the finished product, or to practices likely to render it injurious or otherwise violative.

CAUTION: Evaluate the area where flash photography is contemplated. Do not use flash where there is a potentially explosive condition; e.g. very dusty areas or possible presence of explosive or flammable vapors. In these situations, use extremely fast film and/or long exposure time instead of flash. Examples of conditions or practices effectively documented by photographs include:

- Evidence of rodents or insect infestation and faulty construction or maintenance, which contributes to these conditions.
- Routes of, as well as, actual contamination of raw materials or finished products.
- > Condition of raw materials or finished products.
- Employee practices contributing to contamination or to violate conditions.
- Manufacturing processes.
- Manufacturing and various control records showing errors, substitutions, penciled changes in procedure, faulty practices, deviations from GMP's, altered or inadequate assays or other control procedures and any variation from stated procedure.
- Effluent contamination of water systems.

When photographing labels, make sure your picture will result in a legible label with printing large enough to be read by an unaided eye. Photograph whited out documents by holding a flashlight against the whited outer side and taking a close up photo of the reverse using high speed film. This will produce a photo with a mirror image of the whited outer side. If you use a Polaroid camera or color slide film, explain the facts in your inspection report to alert reviewers that there are no negatives.

Don't request permission from FBO to take photographs during an inspection because taking photographs is part of the Agency's authority to conduct inspections. If management objects to taking photographs, explain that photos are an integral part of an inspection and present an accurate picture of firm conditions.

#### SEIZURE/SEALING OF BOOKS OF ACCOUNTS OR OTHER DOCUMENTS

The Food Safety Officer shall, in exercising the powers of entry upon, and inspection of any place under this section, follow, as far as may be, the provisions of the Code of Criminal Procedure, 1973 (2 of 1974) relating to the search or inspection of a place by a police officer executing a search warrant issued under that Code.

The Food Safety Officer may seize any article of food which appears to the Food Safety Officer to be in contravention of this Act or the regulations made thereunder; and keep it in the safe custody of the Food Business Operator such article of food after taking a sample; and in both cases send the same for analysis to a Food Analyst for the local area within which such sample has been taken.

Provided the Food Safety Officer keeps such article in the safe custody of the Food Business Operator, he may require the Food Business Operator to execute a bond for a sum of money equal to the value of such article with one or more sureties as the Food Safety Officer deems fit and the Food Business Operator shall execute the bond accordingly.

Where any article of food seized is of a perishable nature and the Food Safety Officer is satisfied that such article of food is so deteriorated that it is unfit for human consumption, the Food Safety Officer may, after giving notice in writing to the Food Business Operator, cause the same to be destroyed.

Any adulterant found in the possession of a manufacturer or distributor of, or dealer in, any article of food or in any of the premises occupied by him as such and forthe possession of which he is unable to account to the satisfaction of the Food Safety Officer and any books of account or other documents found in his possession or control and which would be useful for, or relevant to, any investigation or proceeding under this Act, may be seized by the Food Safety Officer and a sample of such adulterant submitted for analysis to a Food Analyst.

#### POST-INSPECTION STEPS

Once the Officer has completed the inspection, he will discuss the findings of the inspection with a suitably responsible person. The Officer will make clear which issues are contraventions (these must be sorted out) and which are recommendations (these are suggestions for good hygiene practice). He will agree time scales within which the work should be completed. He will leave a summary report at the time of the inspection and a more comprehensive report will be sent later detailing all legal requirements and recommendations for good practice.

Sometimes it may be necessary to serve an improvement notices for significant contraventions or imminent risks to health. These might be left following the visitor they may be sent at a later date. Failure to comply with the notice may result in more formal action such as prosecution.

A follow up visit may be necessary to check that any matters requiring attention have been suitably resolved. The Food Business Operator should always contact the Inspecting Officer before the time elapses if he feels the work cannot be completed within the time period.

All documentation arising from the inspection will be kept in the premises file and will be available for inspection

## FOLLOW-UP OF INSPECTION (INCLUDING DOCUMENTATION)

## Improvement Notice

The Act provided power to Designated Officer to issue improvement notice towards corrective action if he has reasonable ground to believe that the FBO has failed to comply with the regulation. Usually before the issuance or grant of license or grant of registration, the Licensing Authority is required to inspect the unit or the establishment to check the compliance of the applicable conditions if not satisfied, an Improvement Notice may be issued in accordance to Section 32 of the Act.

## Role of Food Safety Officer in issuance of Improvement Notice

Food Safety officer after inspection can recommend Designated Officer to issue improvement notices to the Food Business Operators whenever necessary.

The FBO shall take the required measures, or measures which are at least equivalent to them, within a reasonable period (not being less than 14 days) as may be specified in the notice. As it is clear that improvement notices should depict the areas for the FBOs to quickly close the non-compliance's (which also involve explanation or clarifications) which were identified during the FSSAI inspection. It is also important for the FBO to adequately respond within the timelines specified by the Authority failing which the results can be detrimental for the business (like suspension of license, show cause notice followed by cancellation of license).

## How do food businesses respond to Improvement Notices?

As is evident that improvement notices has to be addressed carefully by gathering, analysing data from internal departments, vendors and other stakeholders of the business. Corrective actions post third party (or internal) audits are seen as analogy to improvement notice responses. Below are the critical steps that can be adapted by the parties in articulating the responses

Comprehend the notice: Upon the receipt of notice, the senior management should comprehend the document and understand the risks to the business. Also, they should nominate a competent person to complete the initial draft along with necessary approvals to expedite the closure prior to the deadline. This will enable the management to vet the

draft and tweak the content.

- Assembling a team: The senior management (or its representative) should engage a team comprising of individuals from quality, internal audit, legal & compliance, supply chain, procurement and any other as applicable and relevant to the nonconformities. Also, external consultants (or SMEs) would bring industry experience and aid the internal team for a quick closure of draft.
- > Root-cause analysis: Basis the observations, the team should perform a root cause analysis and come with corrective & even preventive action plan considering the risk and impact. Subsequently, the team should prioritize the tasks based on the time taken for completion and initiate the corrective action.
- ➤ **Gathering evidence**: Upon completion of the corrective actions, it is important to demonstrate the compliance to the nonconformities observed. Hence, capturing images of these actions would be helpful for the authorities to gain confidence on the FBO. Evidences include registers, destroying raw materials, segregation of raw materials, pest activity, laboratory reports and so on.
- > Collation of responses & final review: its time for collating the explanations, clarifications and evidences to make a final draft with assurance to Authority on the organization commitment to food safety. It is often recommended to get the final draft reviewed by a consultant (who can bring in a neutral view) before dispatch. Obtain the postal acknowledgment receipt upon dispatching the dossiers to FSSAI.
- Course correction: To err is human; therefore, being in food business it is important to develop a course correction plan post such incidents. The senior management has to assemble and draw a strategy to mitigate such risks and product the brand equity. Few corrections like training, increased internal audits, random safety testing, supply chain audits etc. are most prevailing practices in the industry.

In conclusion, food businesses should shift towards being self-compliant in the light of unscheduled inspections from the Authority. This attitude will keep the FBO prepared of the regulatory audits and help themselves attain a good compliance score. Also, FBOs as a best practice should retain records & documents for at least one year to demonstrate the food safety compliance. Further, it is recommended that food businesses should adapt the inspection checklist introduced by FSSAI for various businesses.

#### SUSPENSION AND CANCELLATION OF LICENSES

Suspension or cancellation of license may happen only after the Improvement Notice has not been complied with by the FBO. After issuance of the Improvement Notice, during inspection, if it is proved that the FBO has not taken the corrective action as expected form him, his License/registration may be suspended till the time he corrects the Non-Conformation. Before taking the action of suspension the reasonable opportunity of hearing must be given to the FBO and during the curse of hearing, if FBO has submitted that he has complied with the contravention recorded in the improvement notice then again reinspection should be done to verify the fact. If it is found that the FBO has complied with the contravention as mentioned under the improvement notice then no further action should be taken in that regard and, If on re-inspection it is found that the FBO has not complied with the contravention showed in the improvement notice then there is a need of issuing show cause notice. The show cause notice will demonstrate details of contravention and in the notice, the authority should ask the FBO as to why his licence should be not suspended in this circumstances?. The reply giving time for show cause notice will be there in the said notice. Now if the reply is received or not received in the given time the authority has to take the final decision of suspension of licence. By following the above procedure of giving all the opportunity of improvement to the FBO, As per the FSS act, rules and regulations made thereunder, reasonable opportunity for making representation and improvement in the matter should be given to the FBO for doing compliance/improvements even if the appeal is made by the FBO infront of CFS.It means each and every opportunity must be given to the FBO for doing compliance/improvements and if it is found that after giving all the opportunities of improvement the FBO does want to respond to it and is not willing to comply with the contravention then the action of suspension will be proper. After the suspension of licence. If the FBO still failed to rectify the defects or omissions or comply with the condition of improvement notice causing suspension, then authority may cancel the licence after giving the opportunity to show cause. So note that, there is a requirement of a show cause notice in the Act, to provide the FBO with all the opportunities to improve on the aspects of contravention.

#### ROLE OF FOOD SAFETY OFFICER IN SUSPENSION OR CANCELLATION OF LICENSE/ REGISTRATION

FSO can recommend to the Designated Officer giving specific grounds, suitable action in regard to licenses issued to any Food Business Operator, if on Inspection the Food Safety Officer finds that the Food Business Operator has violated the conditions for grant of license.

#### **APPEAL**

A FBO aggrieved by an order of the Registering Authority or Licensing Authority, as the case may be, under these regulations may prefer an appeal to the concerned Designated Officer or the Food Safety Commissioner, as per provisions laid down under Section 31 (8) and 32(4)-(5) of the Act.

**Section 31(8)** Provides For An Appeal Against The Order Of Rejection For The Grant Of Licence Shall Lie To The Commissioner Of Food Safety.

**Section32(4)** deals with appeal before the Food Safety Commissioner against an Improvement Notice served on the FBO or refusal to issue a certificate as to improvement or cancellation or suspension or revocation of license.

**Section 32(5)** sets the time limit for appeal within 15 days of receiving the order. In case the order is issued by the Designated Officer for many noncompliance or failure by the FBO then the time frame is mentioned in that order (if Any) or 15 days, whichever is earlier.

PROCEDURE OF TAKING EXTRACTS OF DOCUMENTS AND MATTERS CONNECTED THEREWITH

#### MANNER OF TAKING EXTRACTS

- Where the Food Safety Officer has seized any books of account and other relevant documents in exercise of powers conferred upon him under Sub-Section (6) of Section 38 of the Act, he shall return the same to the person from whom they were seized within a period not exceeding thirty days from the date of such seizure. Provided that before returning the books of account and other documents, the Food Safety Officer shall be entitled for copies thereof or extracts there from, as the case maybe.
- On receipt of such communication from the Food Safety Officer, the person from whom the books of account and documents were seized shall provide the copies or extracts as the case may be, duly authenticated by the Food Business Operator.
- The extracts shall be taken by the Food Safety Officer or by any person authorized by him.
- The person making the extracts shall not in any manner cause dislocation, mutilation, tampering or damage to the records in the course of making extracts.
- The person making extracts shall not make any marking on any record or paper.

#### AFFIDAVIT

The extracts or the copies referred to in Rule 2.2.1 above, shall be initiated on each page of such extracts or copies by the person from whom the books of account and other documents were seized and such extracts or copies so authenticated shall be provided to the Food Safety Officer, accompanied by an Affidavit in Form I of the person from whom the books of account and other documents were seized, certifying the authenticity of such extracts or copies.

## SEIZURE OF ARTICLES OF FOOD BY THE FOOD SAFETY OFFICER AND MATTERS CONNECTED THEREWITH

Form of receipt for article of food seized by a Food Safety Officer: For every article of food seized under clause (b) of Sub-Section 1 of Section 38 of the Act, a receipt in Form II shall be given by the Food Safety Officer to the person from whom the article of food was seized.

Form of order/bond not to dispose of the stock: Where the Food Safety Officer keeps any article of food in the safe custody of the Food Business Operator under clause (c) of Sub-Section (1) of Section 38 of the Act.

He shall, after affixing the seal, on the article of food, make an order to the Food Business Operator in Form III and the Food Business Operator shall comply with such an order, and he may require the Food Business Operator to execute a bond in Form IV.

#### **FOOD SAFETY AUDITS OF FBOs**

#### WHAT IS A FOOD SAFETY AUDIT?

Before covering the specific character and nature of a food safety audit, let us first look at what an audit is in general. An audit is usually defined as a systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled. An audit is a process where an authorised auditor visits a facility to assess food safety compliance. During the audit the auditor carries out an inspection of the facility, observes the food handling practices, and reviews food safety documentation (including the food safety program and monitoring).

Food Safety Audit means a systematic and functionally independent examination of sanitary & hygiene compliances as per Schedule IV of FSS (Licensing and Registration of Food Business) Regulation, 2011, food safety measures (based on HACCP) and other standards (e.g. product standards) adopted by FBO to meet the regulatory requirements.

According to the FSS Act, 2006, a Food Safety Audit means, a systematic and functionally independent examination of food safety measures adopted by manufacturing units to determine whether such measures and related results meet with the objectives of food safety and the claims made in that behalf.

Audits on licensed food business will be carried out by the auditors of agencies recognised under the Food Safety and Standards (Food Safety Auditing) Regulation 2018.

#### FOOD SAFETY AUDIT STRUCTURE

Audits can be classified in 3 ways based on the auditor/auditee relationship:

- > **First Party**: This type of audit is a self-assessment, to internally verify that procedures and management strategies reflect the requirements of a standard and reflect business objectives.
- **Second Party**: Also known as proprietary audits, a primary organization evaluates the performance of a supplier or contractor.
- **Third Party**: Independent auditors from outside the organization conduct audits, often for purposes of certification.

#### THIRD PARTY AUDIT

To strengthen the food safety surveillance system, FSSAI has envisaged audits of Food Business Operators through Private Auditing Agencies. In order to cultivate and foster the growth of compliance culture, FSSAI is enabling compliance through private recognized Auditing Agencies.

The Food Safety Audits reduce the regulatory Food Safety Inspections conducted by Central or State Licensing Authorities. Satisfactory Audits will lead to less frequent regulatory inspections by Central or State Licensing Authority except the regulatory sampling. This will strengthen food safety surveillance system and encourage self-compliance while at the same time assuring safe food to the consumers.

Section 44 of the Food Safety and Standards Act, 2006 provides the power to Food Authority to recognize an organization or an agency for carrying out food safety audit and checking compliance with the Food Safety Management Systems.

Section 16(2)(c) of the Food Safety and Standards Act, 2006 specifies Food Authority may specify the mechanisms and guidelines for accreditation of certification bodies engaged in certification of Food Safety Management Systems (FSMS) for food businesses; Food Safety and Standards (Food Safety Auditing) Regulations, 2018, have been notified for the same.

#### FOOD SAFETY AND STANDARDS (FOOD SAFETY AUDITING) REGULATIONS, 2018

FSS Act, 2006 defines FSMS or "Food Safety Management System" as the adoption Good Manufacturing Practices, Good Hygienic Practices, Hazard Analysis and Critical Control Point and such other practices as may be specified by regulation, for the food business." The establishment in which food is handled, processed & packed, by the FBO and the persons handling them should conform to the sanitary and hygienic requirement (as described in Schedule IV), Food Safety measures (based on HACCP Principles) and other standards (including FSSAI product standards). It shall also be deemed to be the responsibility of FBO to ensure adherence to necessary requirements.

Food Safety (FSMS) audits will reduce the regulatory inspections conducted by Central or State Licensing Authorities. Food Businesses classified by Food Authority for mandatory Third Party Audits are liable to get their businesses timely audited by recognised Auditing Agencies. FSSAI may from time to time specify the kinds of businesses to be mandatorily audited. It shall be the responsibility of the FBO to get their businesses timely audited. Food businesses which are not subject to mandatory Third-party auditing can also conform to Auditing of their businesses.

#### I. FOOD SAFETY AUDIT PROCESS

	THE FOOD SAFETY AUDIT PROCESS
	The shortlisted Audit agency will collect all the information on FBO, Scope, Number of production lines / product group,
FBO will select the	consultancy/training details, number of food handlers, area for
audit agency	storage (in case of storage & distribution)
	FBO will finalise the audit date with the agency and decide
	upon the Audit fee to be paid by the FBO.
	The Audit Agency will log in FSSAI audit portal using their credentials and fill in the details of scheduled audit in Audit
	Intake Form (Annex 2 of Auditor Manual for Auditors of
The Audit agency	Recognized Food Safety Agencies).
fills in the audit intake form in FSSAI	Audit date, auditor details, audit man-days will be mentioned
Audit management	in the audit intake form. Once the form is filled, the information
system web pag	cannot be changed. Once filled, the details of the audit
	scheduled are visible to the Food Authority, concerned Agency
	and FBO.
	The agency will communicate the Audit Plan to FBO at least 8 days in advance.
	Auditor / audit agency will execute the audit as per inspection
	checklist and communicate the audit score and the draft audit
	report shall be submitted before leaving the FBO facility.
FBO will get their	All the findings shall be agreed by FBO. The FBO can represent
businesses audited	to the Food Authority in case of disagreements, if any.
as per the audit plan on the scheduled	In case of major non-conformity, the food authority will be
date.	informed through the web portal within 24 hours (also email /
	phone). Information about the same should also reach Director
	(RCD), Central Licensing Authority and Commissioner of Food
	Safety of concerned State / UT through web portal / mail / other means.
	incans.

#### THE FOOD SAFETY AUDIT PROCESS

In case of minor non-conformities, audit agency will close the findings within 15 days including its rectification and follow up.

FBO has to close the findings and take corrective actions. In case of delay by FBO, concerned CLA or SLA shall be intimated by the agency through web portal / mail / other means for necessary action at their end.

The final audit report shall be uploaded on the FSSAI Audit management web page within 15 days from the date of audit.

#### II. MANDATORY VS VOLUNTARY AUDITS AND ITS FREQUENCY

The Food Authority shall, from time to time specify the category or type of food businesses which shall be subject to mandatory food safety auditing, primarily based on their risk classification. The classification of food business shall be done after consideration of the major risk factors like food type, intended customer use, nature of activity of the business, volume of the business, method of processing and or any other factors that the Food Authority may specify in this behalf. Such food businesses shall get their business audited by the recognized auditing agency as per the frequency specified by the Food Authority. Food businesses which are not mandatorily subject to food safety auditing but are desirous of getting audited by the recognized auditing agency, can opt for the same.

Food businesses in which food safety audits have been satisfactorily conducted may be subject to less frequent inspections by the Central or the State licensing authorities except for regulatory purpose. Provided that in case of any complaints against the food businesses or when it comes to the knowledge of the Food Authority that the public health and safety is at risk, the Food Authority shall have the discretion to undertake more frequent inspections.

The audit process involved for assessing the food safety management system of a Food Business Operator shall be based on IS/ISO 19011:2011 (Guidelines for auditing management systems).

#### **III. AUDIT FREQUENCY**

The Audit. Frequency recommended by the Food Authority for FoSCoS to conduct the mandatory food safety audits is as per table below:

Product ID	Product	Audit Score Range	Audit Frequency
1	Dairy products and analogues,	Score: 81-100%	Once in 12 months
	excluding products of food	Score: 51-80%	Once in 09 months
	category 2.0	Score : < 50 %	Once in 06 months
2	Fats and oils, and fat emulsion	Score: 81-100%	Once in 18 months
	,	Score: 51-80%	Once in 12 months
		Score : < 50 %	Once in 06 months
3	Edible ices, including sherbet	Score: 81-100%	Once in 18 months
	and sorbe	Score: 51-80%	Once in 12 months
		Score : < 50 %	Once in 06 months
4	Fruits and vegetables (including	Score: 81-100%	Once in 18 months
	mushrooms and fungi, roots	Score: 51-80%	Once in 12 months
	and tubers, pulses and legumes, and aloe vera), seaweeds, and	Score: < 50 %	Once in 06 months
	nuts and seeds		
5	Confectionery	Score: 81-100%	Once in 18 months
		Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months
6	Cereals and cereal products,	Score: 81-100%	Once in 18 months
	derived from cereal grains, from roots and tubers, pulses, legumes and pith or soft core of palm tree, excluding bakery wares of food category 7.0	Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months
7	Bakery products	Score: 81-100%	Once in 18 months
		Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months
8	Meat and meat products	Score: 81-100%	Once in 12 months
	including poultry	Score: 51-80%	Once in 09 months
		Score: < 50 %	Once in 06 months
9	Fish and fish products, including	Score: 81-100%	Once in 12 months
	molluscs, crustaceans, and	Score: 51-80%	Once in 09 months
	echinoderms	Score: < 50 %	Once in 06 months
10	Eggs and egg products	Score: 81-100%	Once in 12 months
		Score: 51-80%	Once in 09 months
		Score: < 50 %	Once in 06 months
11	Sweeteners, including honey	Score: 81-100%	Once in 18 months
		Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months

Product ID	Product	Audit Score Range	Audit Frequency
12	Salts, spices, soups, sauces,	Score: 81-100%	Once in 18 months
	salads and protein products	Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months
13	Foodstuffs intended for	Score: 81-100%	Once in 12 months
	particular nutritional uses (eg.	Score: 51-80%	Once in 09 months
	Food for infant nutrition etc)	Score: < 50 %	Once in 06 months
14	Beverages, excluding dairy	Score: 81-100%	Once in 18 months
	products	Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months
15	Ready-to-eat savouries	Score: 81-100%	Once in 18 months
		Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months
16	Prepared Foods (catering etc)	Score: 81-100%	Once in 12 months
		Score: 51-80%	Once in 09 months
		Score: < 50 %	Once in 06 months
99	Substances added to food	Score: 81-100%	Once in 18 months
		Score: 51-80%	Once in 12 months
		Score: < 50 %	Once in 06 months

Note: The original scope for recognised agencies is as per the declaration submitted by them as per Annex 1 of Auditor Manual for Auditors of Recognized Food Safety Agencies. The Kind of Business and product categories as per the existing FoSCoS are as indicated.

List of agencies recognised by FSSAI as Food Safety Auditing Agencies under the Food Safety and Standards (Food Safety Auditing) Regulations, 2018 are mentioned in the official website of FSSAI.

Inspection checklist will be same as regulatory check list discussed under "preparation of an inspection" point 2-logistic preparation. The details with all annexure for the third Party Audits can be accessed through https://fssai.gov.in/cms/third-Party-Audits.php.

#### FOOD HYGIENE RATING SCHEME

Hygiene Rating Scheme is a certification system for the food service and retails establishments providing food directly to the consumers. The food businesses are rated based on food hygiene and safety conditions observed at the time of audit/inspection. The hygiene rating certificate will be displayed prominently in the food service area to create demand of high levels of food hygiene standards.

Purpose of the scheme is to:

- > Encourage food businesses to ensure high hygiene standards and continue maintaining them and showcase the same to their consumers.
- Motivate other food businesses having lower hygiene standards to improve.
- Allow consumers to make an informed food choice about where to eat and cultivate responsible eating habits.

Hygiene Rating will score FBO based on the audit checklist for compliance with food hygiene and safety procedures and structural requirements by the audit of the premises through Hygiene Rating auditor of the Hygiene Rating Auditing Agency.

#### TYPE OF FOOD BUSINESSES INCLUDED IN HYGIENE RATING SCHEME

The food establishments falling under this scheme includes food service establishments (which include hotels, restaurants, cafeteria, dhabas, etc.), meat retail shops and sweet shops (Mithai Shop).

#### THE KEY REQUIREMENTS TO GET HYGIENE RATING



Food Hygiene Rating Scheme will be implemented online through Hygiene Rating Portal (www.hygiene.fssai.gov.in). But prior to enrolling for this scheme FBOs or agency should ensure that the FBOs fulfil the following conditions:

#### 1. FBOs should have FSSAI License/Registration and follow Schedule 4 requirements

This is to provide for adequate measures that are to be adopted to ensure that food being served to the consumers is of good quality and safe to eat.

#### 2. FBOs should have certified Food Safety Supervisors and trained food handlers

A Food Safety Supervisor is a trained professional to be appointed by a FBO in his/her restaurant to supervise and maintain food hygiene practices and train other food handlers working in the premises. There should be one FSS per 25 food handlers.

# 3. Must have Food Safety Display Boards (FSDBs) prominently displayed in the premises

#### (Optional)

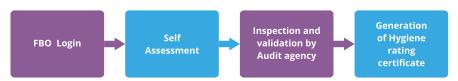
- Food Safety Display Board (FSDB) with the information to consumers and food handlers about important food safety and hygiene requirements.
- FSDB must provide options to consumers for sending feedback through WhatsApp, SMS or give feedback on FSSAI App.
- All FSDB must have the FSSAI registration/license number on it for consumers to verify.

#### 4. Get food samples tested periodically from any FSSAI approved Lab

- Water samples: to be tested biannually for organoleptic and physiochemical parameters as mentioned in Food Safety and Standards Regulations 2011
- Food samples: to be tested bi-annually for safety parameters (contaminants and microbiological parameters)

Ensure following preliminary information is available:

- > FSSAI License Number of the food service establishment.
- Name of Organisation (as in FoSCoS)
- Name of food outlet
- Location of the food outlet
- Validityof FSSAI License
- Name of FoSTaC trained Food Safety Supervisor(s) working in the food outlet. Also, note their details of FoSTaC Certificate such as Unique Certificate Number and Course Name and Course Code.



#### FOR FBOS WITH REGISTRATION

For petty food businesses who wish to enrol for hygiene rating scheme, the self is not required. For this category of businesses there will be direct verification of the hygiene requirements as per the HR checklist by the auditors.

<sup>▲</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

#### 1. What is the Assessment and Scoring Process?

- Hygiene Rating assessment checklist is based on the food hygiene and safety requirement stated in Schedule 4 of Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011. This food hygiene and safety requirement in this checklist is aligned with inspection checklist of regulatory staff of food safety department.
- There is a score awarded for compliance of each requirement mentioned in this checklist.
- The total score attained is converted into a percentage against which Hygiene Rating is awarded.

#### 2. How to interpret score?

- Indicated marks for each question marked as yes, will be added to arrive at the total score.
- Questions marked with "Asterisk" are critical and which can impact food safety.
- Failure to comply with these will lead to non-issuance of hygiene ratings. Score achieved is converted to percentage by the formula:
  - Total Score value\* Score Obtained during assessment/Total Score of checklist.
  - The score of the checklist is converted in per cent and numerical score (between 1-5). The table below provides detail of percent score wise rating

#### 3. What is the validity of Hygiene Rating awarded?

The ratings awarded under Hygiene Rating Scheme will be valid for two years. However, inspecting officer/agency may schedule an audit during this period in case any complaints are received.

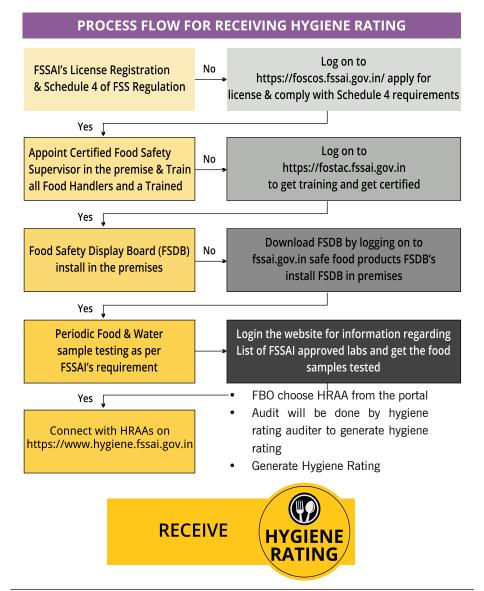
#### 4. How to improve Hygiene Ratings/Scores?

- Post audit, the auditor will share the report and suggest suitable practices to fill the gaps identified during the audit. FBO can check for non-compliant food hygiene and safety practices as per the checklist. Take clear, concrete steps to ensure and demonstrate compliance for each of these issues.
- In case the FBO again attains low score, then auditor shall inform the food safety department about the same and the State FDA may issue improvement notice to the FBO.

➤ FBO can request for re-audit of hygiene ratings, and the time will be 3 months from the date of last assessment done by Hygiene Rating Audit.

Hyg. Rating	Category	% Score
5	Excellent	81 to 100
4	Very Good	61 to 80
3	Good	41 to 60
2	Needs Improvement	21 to 40
1	Urgent Improvement	20 or below

PROCESS FOR FOOD HYGIENE RATING SCHEME



#### **AUDIT AGENCIES**

#### WHO CAN DO AUDIT FOR HYGIENE RATING?

#### Hygiene Rating Audit Agencies (HRAA)

FSSAI has recognized Hygiene Rating Audit Agencies (HRAA) for the purpose of hygiene rating audits. The trained auditors of HRAA will register on the hygiene rating portal and can perform the audit of the FBOs premise.

#### AUDIT PROCESS

- FBO can choose the HRAA from the portal itself. Hygiene Rating Auditor (HRA) deputed by HRAA will audit for the hygiene rating and submit the report to their designated HRAA. Once the HRAA verifies the audit report, hygiene rating will be generated. FBO will receive the certificate and display it at a prominent location in the food premise. The hygiene rating of FBO can also be displayed on e-commerce platforms.
- Once the inspection process is complete, a PDF of the inspection report and Hygiene Rating Certificate can be generated by HRA and provided to the FBO.
- A dashboard for HRAA and Hygiene Rating Auditor has been created on the Hygiene Rating Portal. The HRAA can register their qualified auditors on the Hygiene Rating Portal.
- After the audit process is completed, FBO will receive the 'Hygiene Rating certificate on their registered email.

Further Details about the hygiene Rating scheme can be accessed through <a href="https://www.hygiene.fssai.gov.in">https://www.hygiene.fssai.gov.in</a>

#### HYGIENE RATING CHECKLIST FOOD SERVICE ESTABLISHMENTS/BAKERY/RESTAURANTS

Date FSSAI Licence No.

Name of Organisation Outlet Name

Outlet Location FSS Name

FSS Certificate Code Course Code

S. No.	Audit Question	Score
Α.	General Requirements	
1.	The FSSAI license/Registration and Food Safety Display Board (FSDB) both are displayed at a prominent location. ( <b>Note</b> : The FSDBs are readable to both Food Handlers and Customers.)	2
I.	Design & facilities	
2.	The food premise located in a hygienic environment. The design of food premise provides adequate working space; permit maintenance $\&$ cleaning to prevent the entry of dirt, dust $\&$ pests.	2
3.	Internal structures $\&$ fittings are made of non-toxic and impermeable material.	2
4.	Walls, ceilings & doors are free from flaking paint or plaster, condensation $\&$ shedding particles.	2
5.	Floors are non-absorbent, non-slippery & sloped appropriately.	2
6.	Windows are kept closed $\&$ fitted with insect proof screens when opening to an external environment.	2
7.	Doors are smooth and non-absorbent. Suitable precautions have been taken to prevent the entry of pests. $ \\$	2
8*	Potable water (meeting standards of IS:10500 & tested semi-annually with records maintained thereof/Municipality Water) is used as product ingredient or in contact with food or food contact surface. (Note: Food businesses using water as an ingredient in food, shall get the water tested for BIS IS 10500 [except radioactive parameters] at least once in every financial year with at least six months gap between the two testing of water samples. Further, this requirement is not mandatory in the case of Food Business Operators using potable water supplied by Municipal Corporation [Government Body] subject to maintaining of water bill records. Food Businesses using Potable water supplied by Mall/Commercial Hub/Market or any private authorities shall obtain the water testing report from these authorities as per the mentioned frequency.)	4
9.	Equipment and containers are made of non-toxic, impervious, non-corrosive material which is easy to clean $\&$ disinfect.	2
10.	Adequate facilities for heating, cooling, refrigeration and freezing food $\&$ facilitate monitoring of temperature.	2

S. No.	Audit Question	Score
11.	The Premise has sufficient lighting. Lighting fixtures are protected to prevent contamination on breakage.	2
12.	Adequate ventilation is provided within the premise.	2
13.	An adequate storage facility for food, packaging materials, chemicals, personnel items etc. is available.	2
14.	Personnel hygiene facilities are available including an adequate number of hand washing facilities, toilets, and changing rooms for employees.	2
15.	Food material is tested either through an internal laboratory or through an accredited lab. Check for records.	2
11.	Control of operations	
16.	Incoming material is procured as per internally laid down specification from approved vendors. Check for records (like certificate of analysis, Form E, specifications, name and address of the supplier, batch no., mfg., use by/expiry date, quantity procured etc.) Only permitted colors and flavors to be used.	2
17.	Raw materials are inspected at the time of receiving for food safety hazards. (Farm produce like vegetables, fruits, eggs etc. must be checked for spoilage and accepted only in good condition). Ensure raw and finished products are free from visible adulteration.	2
18.	Incoming material, semi or final products are stored according to their temperature requirement in a hygienic environment to avoid deterioration and protected from contamination. FIFO & FEFO is practiced.	2
19.	Foods of animal origin are stored at a temperature less than or equal to $4^{\circ}\text{C}$	2
20.	All raw materials are cleaned thoroughly before food preparation.	2
21.	Proper segregation of raw , semi processed and cooked, vegetarian and non-vegetarian food is done.	2
22.	All the equipment are adequately sanitized before and after food preparation.	2
23*	Frozen food is thawed hygienically. No thawed food is stored for later use. (Meat, Fish and poultry is thawed in refrigerator at $5^{\circ}$ C or below or in microwave. Shellfish/seafood is thawed in cold potable running water at $15^{\circ}$ C or below within 90 minutes.	4
24*	Vegetarian items are cooked to a minimum of $60^{\circ}\text{C}$ for 10 minutes or $65^{\circ}\text{C}$ for 2 minutes core food temperature. Non vegetarian items are cooked for a minimum of $65^{\circ}\text{C}$ for 10 minutes or $70^{\circ}\text{C}$ for 2 minutes or $75^{\circ}\text{C}$ for 15 seconds core food temperature.	4
25*	Cooked food intended for refrigeration is cooled appropriately. (High risk food is cooled from $60^{\circ}$ C to $21^{\circ}$ C within 2 hours or less and further cooled to $5^{\circ}$ C within two hours or less.)	4

S. No.	Audit Question	Score
26.	Food portioning is done in hygienic conditions. High risk food is portioned in a refrigerated area or portioned and refrigerated within 30 minutes. When large amount of food is being portioned simultaneously it is done below $15^{\circ}\text{C}.$	2
27*	Hot food intended for consumption is held at $65^{\circ}\text{C}$ and non-vegetarian food intended for consumption is held at $70^{\circ}\text{C}$ . Cold foods are maintained at $5^{\circ}\text{C}$ or below and frozen products are held at $-18^{\circ}$ C or below. (*Hot food is kept above $65^{\circ}\text{C}$ and cold food is kept below $5^{\circ}\text{C}$ . In case of cold food is held below $10^{\circ}\text{C}$ , it should be ensured that it is held at this temp. for maximum 2 hrs, then chilled to below $5^{\circ}\text{C}$ again. Such food can be held for max. 42 hrs.)	4
28*	Reheating is done appropriately and no indirect of reheating such as adding hot water or reheating under bain-marie or reheating under lamp are being used. (The core temperature of food reaches 75°C and is reheated for at least 2 minutes at this temperature.)	4
29.	Oil being used is suitable for cooking purposes. Periodic verification of fat and oil by checking the color, the flavor and floated elements is being done.	2
30.	Unused/fresh vegetable oil or fat with not more than $15\%$ Total Polar Compounds (TPC) and used vegetable oil or fat with not more than $25\%$ TPC is being used for food preparation.	2
31.	Appropriate records are maintained if oil consumption is more than 50 L/day.	2
32*	Vehicle intended for food transportation are kept clean and maintained in good repair & are maintain required temperature. (Hot foods are held at 65°C, cold foods at 5°C and frozen items at -18°C during transportation or transported within 2 hours of food preparation).	4
33.	Food and non-food products transported at same time in the same vehicle are separated adequately to avoid any risk to food.	2
34.	Cutlery, crockery used for serving and dinner accompaniments at dining service are clean and sanitized free from unhygienic matters.	2
35.	Packaging and wrapping materials coming in contact with food are clean and of food grade quality. Newspaper or any such material is not being used for storing and wrapping of food.	2
36.	Labelling of food items as per the FSSAI norms. Shelf life of food products indicated properly. $$	2
III.	Maintenance & sanitation	

S. No.	Audit Question	Score
37.	Cleaning of equipment, food premise is done as per cleaning schedule & cleaning programme. There should be no stagnation of water in food zones.	2
38.	Preventive maintenance of equipment and machinery are carried out regularly as per the instructions of the manufacturer. Check for records.	2
39.	Measuring & monitoring devices are calibrated periodically.	2
40.	Pest control program is available & pest control activities are carried out by trained and experienced personnel. Check for records.	2
41*	No signs of pest activity or infestation in premises (eggs, larvae, feces etc.)	4
42.	Drains are designed to meet expected flow loads and equipped with grease and cockroach traps to capture contaminants and pests.	2
43.	Food waste and other refuse are removed periodically from food handling areas to avoid accumulation.	2
IV.	Personal Hygiene	
44.	Annual medical examination & inoculation of food handlers against the enteric group of diseases as per recommended schedule of the vaccine is done. Check for records.	2
45.	No person suffering from a disease or illness or with open wounds or burns is involved in handling of food or materials which come in contact with food.	2
46*	Food handlers maintain personal cleanliness (clean clothes, trimmed nails & water proof bandage etc.) and personal behavior (hand washing, no loose jewellery, no smoking, no spitting etc.)	4
47.	Food handlers are equipped with suitable aprons, gloves, headgear, etc.; wherever necessary.	2
V.	Training & records keeping	
48.	Internal / External audit of the system is done periodically. Check for records.	2
49.	Food Business has an effective consumer complaints redressal mechanism.	2
50.	Food handlers have the necessary knowledge and skills & trained to handle food safely. Check for training records.	2
51*	Appropriate documentation & records are available and retained for a period of one year, whichever is more.	4

#### Total points /122

Asterisk mark (\*) questions may significantly impact food safety & therefore must be addressed as a priority. Failure in any of the asterisk mark questions, will lead to Noncompliance.

Note: Hygiene Rating checklist on website provides Yes/No/Not Applicable option. On backend the score is automatically calculated.

#### HYGIENE RATING CHECKLIST FOR SWEET SHOP

Date Name of Organisation **Outlet Location FSS Certificate Code** 

**FSSAI** Licence No. **Outlet Name FSS Name Course Code** 

5	S. No.	Audit Question	Score
	A.	General Requirements	
	1.	The FSSAI license/Registration and Food Safety Display Board (FSDB) both are displayed at a prominent location.  (Note: The FSDBs are readable to both Food Handlers and Customers.)	2
	l.	Design & facilities	
	2.	The shop located in hygienic environment. The design of shop provides adequate working space; permit maintenance & cleaning to prevent the entry of dirt, dust & pests.	2
	3.	The internal structure & fittings are made of non-toxic and impermeable material.	2
	4.	Walls, ceilings & doors are free from flaking paint or plaster, condensation & shedding particles.	2
	5.	Floors are non-absorbent, non-slippery & sloped appropriately.	2
	6.	Windows are kept closed & fitted with insect proof screen when opening to external environment.	2
	7.	Doors are smooth and non-absorbent. Suitable precautions have been taken to prevent the entry of pests.	2
	8*	Potable water (meeting standards of IS: 10500 & tested semi-annually with records maintained thereof/Municipal water) is used as product ingredient or in contact with food or food contact surface.  (Note: Food businesses using water as an ingredient in food, shall get the water tested for BIS IS 10500 [except radioactive parameters] at least once in every financial year with at least six months gap between the two testing of water samples. Further, this requirement is not mandatory in the case of Food Business Operators using potable water supplied by Municipal Corporation [Government Body] subject to maintaining of water bill records. Food Businesses using Potable water supplied by Mall/Commercial Hub/Market or any private authorities shall obtain the water testing report from these authorities as per the mentioned frequency.)	4
	9.	Equipment and containers are made of non-toxic, impervious, non-corrosive material which is easy to clean & disinfect.	2
	10.	Adequate facilities for heating, cooking, cooling, refrigeration and freezing food & facilitate monitoring of temperature.	2
	11.	Premise has sufficient lighting. Lighting fixtures are protected to prevent contamination on breakage.	2

S. No.	Audit Question	Score
12.	Adequate ventilation is provided within the premises.	2
13.	An adequate storage facility for food both hot and cold, packaging materials, chemicals, personnel items etc. is available.	2
14.	Personnel hygiene facilities are available including adequate number of hand washing facilities, toilets, and changing rooms for employees.	2
15.	Raw and finished product to be tested periodically, Check records.	2
II.	Control of Operations	
16*.	Incoming material like color, flavor, raw material like milk, oil etc. is procured as per internally laid down specification from approved vendors. Check for records (like certificate of analysis, Form E, specifications, name and address of the supplier, batch no., mfg., use by/expiry date, quantity procured etc.). Only permitted colors and flavors to be used.	4
17.	Raw materials are inspected at the time of receiving for food safety hazards. (Farm produce like flour, milk etc. must be checked for spoilage and accepted only in good condition). Ensure raw and finished products are free from visible adulteration.	2
18.	Incoming material, semi or final products are stored according to their temperature requirement in a hygienic environment to avoid deterioration and protect from contamination. FIFO & FEFO is practiced.	2
19.	Foods of animal origin are stored at a temperature less than or equal to $4^{\circ}\text{C}.$	2
20.	All raw materials is cleaned thoroughly before food preparation.	2
21.	Proper segregation of raw , semi processed and cooked, vegetarian and non-vegetarian food is done.	2
22.	All the equipment is adequately cleaned and sanitized before and after food preparation.	2
23*	Frozen food is thawed hygienically. No thawed food is stored for later use.	4
24*	Vegetarian items are cooked to a minimum of $60^{\circ}\text{C}$ for 10 minutes or $65^{\circ}\text{C}$ for 2 minutes core food temperature. Non vegetarian items are cooked for a minimum of $65^{\circ}\text{C}$ for 10 minutes or $70^{\circ}\text{C}$ for 2 minutes or $75^{\circ}\text{C}$ for 15 seconds core food temperature. ( <b>Note</b> : If a food product requires cooking temperature less than $65/60^{\circ}\text{C}$ for cooking, then the product should be cooked at a specific temperature subjected to ensure the elimination of risk.)	4
25*	Cooked food intended for refrigeration is cooled appropriately. (High risk food is cooled from $60^{\circ}\text{C}$ to $21^{\circ}\text{C}$ within 2 hours or less and further cooled to $5^{\circ}\text{C}$ within two hours or less.)	4
26.	Cutting, portioning, slicing etc. of sweet is not done directly on floor. High risk food is portioned in a refrigerated area or portioned and refrigerated within 30 minutes. When large amount of food is being portioned simultaneously it is done below $15^{\circ}\text{C}$ .	2

S. No.	Audit Question	Score
27*	Hot food intended for consumption is held at $65^{\circ}$ C and non-vegetarian food intended for consumption is held at $70^{\circ}$ C. Cold foods are maintained at $5^{\circ}$ C or below and frozen products are held at $-18^{\circ}$ C or below. (Hot food is kept above $65^{\circ}$ C and cold food is kept below $5^{\circ}$ C. In case of cold food is held below $10^{\circ}$ C, it should be ensured that it is held at this temp. for maximum 2 hrs, then chilled to below $5^{\circ}$ C again. Such food can be held for max. $42$ hrs.)	4
28*	Reheating is done appropriately and no indirect of reheating such as adding hot water or reheating under bain-marie or reheating under lamp are being used. (The core temperature of food reaches 75°C and is reheated for at least 2 minutes at this temperature.)	4
29*	Oil being used is suitable for cooking/frying purposes. Visual inspection of fat and oil by checking the color, flavor, rancidity and floated elements is being done.	4
30.	Unused/fresh vegetable oil or fat with not more than 15% Total Polar Compounds (TPC) and used vegetable oil or fat with not more than 25% TPC is being used for food preparation.	2
31.	Appropriate records are maintained if oil consumption is more than $50$ L/day.	2
32*	Vehicle intended for food transportation are kept clean and maintained in good repair & are maintain required temperature. (Hot foods are held at 65°C, cold foods at 5°C and frozen items at -18°C during transportation or transported within 2 hours of food preparation.)	4
33.	Food and non-food products transported at same time in the same vehicle are separated adequately to avoid any risk to food.	2
34.	Cutlery, crockery used for serving and dinner accompaniments at dining service are clean and sanitized free from unhygienic matters.	2
35.	Packaging, wrapping and serving materials coming in contact with food are clean and of food grade quality. Newspaper or any such material is not being used for storing and wrapping of food.	2
36.	Labelling of food products is as per the FSSAI norms. Shelf life of the food products is indicated properly.	2
37*	Sweets are properly covered during the entire process and not kept exposed. Display of sweets in required temperature conditions according to the nature of sweets.	4
III.	Maintenance & sanitation	
38.	Cleaning of equipment, food premise is done as per cleaning schedule & cleaning programme. There should be no stagnation of water in food zones.	2
39.	Preventive maintenance of equipment and machinery are carried out regularly as per the instructions of the manufacturer. Check for records.	2

S. No.	Audit Question	Score
40.	Measuring & monitoring devices are calibrated periodically.	2
41.	Pest control program is available & pest control activities are carried out by trained and experienced personnel. Check for records.	2
42*	No signs of pest activity or infestation in premises (eggs, flies, larvae, feces etc.)	4
43.	Drains are designed to meet expected flow loads and equipped with grease and cockroach traps to capture contaminants and pests.	2
44.	Food waste and other refuse are removed periodically from food handling areas to avoid accumulation.	2
IV.	Personal Hygiene	
45.	Annual medical examination & inoculation of food handlers against the enteric group of diseases as per recommended schedule of the vaccine is done. Check for records.	2
46.	No person suffering from a disease or illness or with open wounds or burns is involved in handling of food or materials which come in contact with food.	2
47*	Food handlers maintain personal cleanliness (clean clothes, trimmed nails &water proof bandage etc.) and personal behavior (hand washing, no loose jewellery, no smoking, no spitting etc.)	4
48.	Food handlers are equipped with suitable aprons, gloves, headgear, etc.; wherever necessary.	2
V.	Training & records keeping	
49.	Internal / External audit of the system is done periodically. Check for records.	2
50.	Food Business has an effective consumer complaints redressal mechanism.	2
51.	Food handlers have the necessary knowledge and skills & trained to handle food safely. Check for training records.	2
52*	Appropriate documentation & records are available and retained for a period of one year, whichever is more.	4

#### Total points /130

Asterisk mark (\*) questions may significantly impact food safety & therefore must be addressed as a priority. Failure in any of the asterisk mark questions, will lead to Noncompliance.

Note: Hygiene Rating checklist on website provides Yes/No/Not Applicable option. On backend the score is automatically calculated.

#### HYGIENE RATING CHECKLIST FOR MEAT RETAIL

Date FSSAI Licence No.
Name of Organisation Outlet Name
Outlet Location FSS Name
FSS Certificate Code Course Code

S. No.	Audit Question	Score
Α.	General Requirements	
1.	The FSSAI license/Registration and Food Safety Display Board (FSDB) both are displayed at a prominent location.  (Note: The FSDBs are readable to both Food Handlers and Customers.)	2
1.	Design and Facilities	
2.	The meat shop located away from environmental polluted area like dust, dirt, fumes, smoke and other contaminants. The premise should be of appropriate size with adequate working space having size of minimum 3 meters.	2
3.	The layout of the premise shall be such that there is a unidirectional flow of men and material to avoid cross contamination which could be achieved by operation timings.	2
4.	Internal structure & fittings are made of non-toxic, cleanable, impermeable materials which prevents the entry of dirt, dust & pests.	2
5.	Floors are impervious, non-slippery, easy to clean/washable without possibility of stagnation.	2
6.	Walls are paved with imperious glazed tiles at least 5 feet height.	2
7.	Windows & other openings are free from accumulated dirt; those which when open are fitted with insect-proof screen.	2
8.	Doors are smooth, non-absorbent surface, close fitted $\&$ Self-closing (where appropriate) with tinted glass.	2
9.	Premise is well ventilated and properly lighted. Premise has sufficient lighting of at least 220 lux in dressing or work area.	2
10*	In case of poultry meat shop, adequate space for the handling, slaughter/dressing of poultry birds at the rear portion which is tiled, well lit and ventilated. The working and storage space should be separate.	4
11.	The chopping block should be made of food grade synthetic material or a hard wooden block without chipping at the surface, to be kept neat & clean all the times.	2
12.	Facility of hot and cold water for cleaning / sanitation and sterilization of equipment and premise.	2

S. No.	Audit Question	Score
13*	The premise is well equipped with chilling/ freezing equipment for keeping of the meat/ carcasses and not to be kept in open and / or wrapped in a wet cloth. In addition, the cooling/ freezing cabinets shall be provided to keep the processed meat (fresh/frozen or packaged) or value added/marinated meat products with temperature measuring or recording devices.	4
II.	Control of Operations	
14*	The duly stamped meat / carcasses or live poultry birds shall be procured from a Govt. Authorized or Municipal Corporation slaughter house and poultry market respectively.	4
	If the meat is outsourced, it should be from an FSSAI licensed/registered supplier or vendor.	
15.	The live poultry birds or carcasses should be transported in an appropriate temperature controlled vehicle without inflicting cruelty to the birds or preventing contamination. The birds should be kept in the cages avoiding overcrowding with provision of feed & water.	2
16.	The temperature of the premises for dressing / minor processing is controlled $\&$ held suitably low particularly if the height of the meat shop is less than 2.5 meter.	2
17.	Area used for preparing, packing or other handling of meat is equipped with adequate facilities for cleaning / disinfecting the implements such as knives, steel, cleavers, saws etc.	2
18.	Containers used for storing inedible parts, cleaning chemicals & other hazardous substance are clearly identified, kept separately from meat or its products.	2
19.	Knives and sharpeners (mushtala) are made of stainless steel or corrosion resistant metal and sanitized and sterilized before use.	2
20.	The meat shall be packed / dispensed using food grade materials in a hygienic manner.	2
21.	The meat portioning is done in hygienic conditions. Meat is portioned in a refrigerated area or portioned and refrigerated within 30 minutes.	2
III.	Maintenance and Sanitation	
22*	Clean potable water as well as supply of hot water is available in dressing /slaughter area.	4
23.	Cleaning/ sterilization of equipment e.g. butcher's knife/cleaver, hooks etc. and of premises with hot water not less than 82 degree Celsius is done daily.	2
24.	Floorings are washed daily with disinfectant. Lime washing, color washing or paint washing is done at least once in 12 months.	2

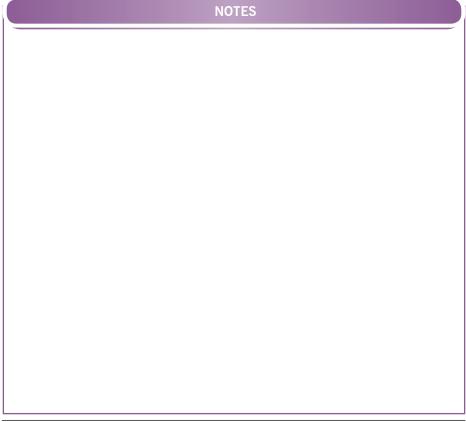
S. No.	Audit Question	Score
25.	Preventive and breakdown maintenance of equipment and machinery is carried out regularly.	2
26.	Effective pest control management be there.	2
27.	The entry of animals like dog, cats or mongoose into the premises should be prohibited.	2
28.	There is an efficient drainage system and all drains and gutters are properly installed / fitted with traps and screens.	2
29.	Liquid waste like waste water should be drained immediately into drains or sewers and not allowed to accumulate.	2
30.	Covered garbage bins with foot operated pedals should be used for waste disposal. Waste is removed from meat handling area at regular intervals & the receptacles are cleaned & disinfected immediately after use.	2
31*	There shall be proper arrangement for disposal of feathers, skin, offal or waste tissues /trimmings of the carcasses arising from the dressing of poultry birds /meat preparation through the concerned agency/ local authority/ Municipality /corporation as per solid waste management laws or rules in force from time to time.	4
IV.	Personal Hygiene	
32*	A medical health certificate on yearly basis for the butcher/meat handlers from a Registered Medical Practitioner to ensure they are free from any infectious / contagious disease with regular updation of health cards. The persons suffering from any infectious disease shall not be permitted to work. Inoculation of butcher/meat handlers against the enteric group of diseases as per recommended schedule of the vaccine is done. Check for the records.	4
33*	Food handlers maintain personal cleanliness (clean clothes, trimmed nails, shave properly & water proof bandage etc.) and personal behavior (hand washing, no loose jewellery, no smoking, no spitting etc.)	4
34.	The food handlers should wear clean protective clothing, beard/hair net (cap) during cutting / handling of meat. The meat handlers should not wear personal effects e.g. watch, rings, chains, other loose jewellery during the work.	2
35.	No person with open wounds or burns or skin infection is involved in handling of meat or materials which come in contact with meat. Any behaviour which can potentially contaminate the meat such as eating, use of tobacco, chewing, spitting, shall be prohibited in any part of the registered unit.	2
36.	Hand washing facility be fitted in the premises. Hands should be washed thoroughly before start of the work, after use of toilet, after handling chemicals / disinfectants or after touching unclean surfaces.	2

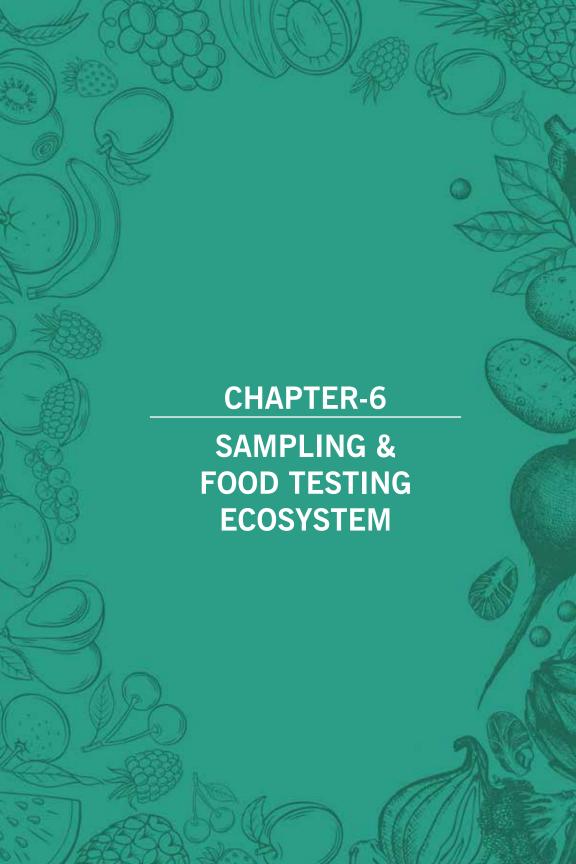
S. No.	Audit Question	Score
V.	Training & Record Keeping	
37.	Internal/External audit of the system is done periodically. Check for records.	2
38.	Food Business has an effective consumer complaints redressal mechanism.	2
39.	The personnel engaged (butcher, meat handlers) in the meat shop shall undergo training for hygiene. Check for training records.	2
40*	Appropriate documentation and records are available and retained for a period of one year, whichever is more.	4

#### Total points /96

Asterisk mark (\*) questions may significantly impact food safety & therefore must be addressed as a priority. Failure in any of the asterisk mark questions, will lead to Noncompliance.

Note: Hygiene rating checklist on website provides Yes/No/Not Applicable option. On backend the score is automatically calculated.





# 6 SAMPLING & FOOD TESTING ECOSYSTEM

#### INTRODUCTION

Food testing is at the heart of safety and quality monitoring. Sampling and analysis of food may be conducted for various purposes, such as surveillance, data collection, monitoring for enforcement, quality control/process monitoring, research and public information/survey.

Different types of samples are collected and submitted to the laboratory for testing. Some sample units from lots or consignments of foods or ingredients. This chapter briefly describes some of the major factors that should be considered when collecting sample units, during sample shipping them to a laboratory. The broad objectives of testing articles of food / ingredients are:

- a) Protecting Public Health The most important objective of food testing is to know food is free from adulteration. Detection of naturally occurring toxins, contaminants, use of unsuitable ingredients, addition of food-additives more than permitted level and failure of declaration of allergic ingredients will all contribute to this objective.
- b) Detecting fraudulent activities This is particularly true for imported food where inspection of the manufacturing process establishment is not an option.
- c) Providing customers with information to make informed choices -Product labelling plays a very important role to help consumers make informed choices about what products to buy. Labelling information range from details that may provide guidance on the quality of the food (e.g. Nutritional Facts) to information on the presence or otherwise of substances (e.g allergens, gluten, added sugar, veg, non-veg) that a consumer may wish to avoid, for ethical or health reasons. Sampling followed by analysis is a vital tool to help check the reality and accuracy of the labelling information.
- d) Ensuring compliance to the National Food Standards Sampling and analysis is an essential tool to evaluate whether foods meet the compliance to National Food standards. Enforcement alerts industry that products are being monitored for the purpose of consumer protection and legal compliance
- e) Surveillance and Enforcement Sampling and analysis aid inspection activities either as part of, or associated with, visits to establishments and identify food sector or products where enforcement attention is required. Sampling and analysis are also done during the investigation of complaints, break outs of food borne illnesses, and follow-up purposes.

- f) Providing advice on food safety and quality to Food Business Operator (FBO) Informing food producers or retailers of sampling and analytical results highlight issues that they were not aware of, thus allowing them to take prompt action.
- g) Promoting fair trade and deterring bad practice- Businesses and consumers alike need to know where they stand. It is, therefore, important that food law is effective and is enforced efficiently and consistently. Fair and effective enforcement helps honest and diligent food businesses and is supported by industry.

#### LEGAL PROVISIONS RELATED TO SAMPLING AND ANALYSIS

The following provisions provided in the Food Safety and Standards Act (2006) and Food Safety and Standards Rules and Regulations, 2011 are related to sampling and analysis of food and functioning of laboratories,

- i. Food Safety and Standards Act (FSSAI), 2006 -
  - Section 43 (Recognition and accreditation of laboratories, research institutions and referral food Laboratory)
  - Sec 45 Food Analyst
  - Sec 46 Functions of Food Analyst
  - Sec 47 Sampling and analysis
- ii. Food Safety and Standards (FSS) Rules, 2011 -
  - Rules 2.4.1 -Procedure for sample collection and manner of sending itfor analysis.
     Rules 2.4.2- Analysis of food samples by Food Analyst
- iii. Food Safety and Standards (Laboratory and Sample Analysis) Regulation, 2011
- Food Safety and Standards (Recognition and Notification of Laboratories) Regulation,
   2018

**Definition of Food Sample-** As per Section 3(zs) of FSS Act, 2006 "sample" means a sample of any article of food taken under the provisions of this Act or any rules and regulations made thereunder.

These samples are taken under formal enforcement, regulatory compliance and surveillance activities.

A. Compliance Sampling: Compliance sampling is a regulatory control measure to prevent the marketing of food product/item or removed from the market known to be contaminated or adulterated. It can be directed at specific samples suspected of not complying with specific regulations and guidelines governing the sale and distribution of food and for also for evaluation in case of certain concerns and /or issues.

The sample integrity, homogeneity and representativeness are vital for a fair and meaningful inference and subsequent actions. Hence, such samples have to be purchased or procured by the Food Safety Officer (FSO) /Authorized Officer before sending for analysis and the products are usually seized or kept in the custody until the test results indicate the proper disposition. In this type of sampling, the chain of custody has to be maintained. Such samples hold a legal entity and are challengeable in the court of law. The reports of these analyses are filed for legal actions.

- B. Surveillance/Survey Sampling: This type of sampling is done for information gathering. They are usually limited in scope and duration. The surveys may be used to perform risk assessments, monitor trends, identify potential problems and at-risk population groups, setting standards and guidelines, and evaluate the effectiveness of programs. It is an 'unbiased' sampling, and the purpose is the processing and analysis of samples to provide information on the occurrence and/or levels of chemical residues/contaminants, food additives, microbiological organisms and nutritional components. Sample taken for surveillance purposes does not hold any legal entity and are not challengeable in the court of law.
- C. Monitoring sampling: Monitoring sampling is conducted to assess human dietary exposure, perform risk assessments, monitor trends, identify potential problems and atrisk population groups, set standards and guidelines, and evaluate the effectiveness of programs. It is an 'unbiased' sampling, and the purpose is the processing and analysis of samples to provide information on the occurrence and/or levels of chemical residues/ contaminants, food additives, microbiological organisms and nutritional components in pre-defined sample populations. Monitoring information is normally obtained through random sampling. The sampled lots are not held and are usually available to consumers before the results are known.

#### RELEVANT DEFINITIONS USED IN SAMPLING PROTOCOLS

**Consignment:** The quantity of grain/ oilseeds/ milled/ first transformation products/ prepackaged foods dispatched or received at one time and covered by a particular contract or shipping document. It may be composed of one or more lots or parts of a lot.

**Lot:** A defined quantity of a commodity that has been produced or manufactured under the same basic conditions on the same day, at the same establishment, and identified under the same batch number or the entire production for a certain period of time from which samples are to be taken. In other words, it is the stated portion of the consignment which needs to be assessed (e.g a truck or ship load of grain; oil packages in the store). The lot may be homogenous or heterogeneous.

**Lot size:** It is the number of units of the product in a lot e.g (100 metric tonnes of wheat or 500 L of milk or 200 packets of biscuits).

**Primary Sample or Increment:** A small quantity of grain/oilseeds/first transformation products taken at one time from a single position from a stationary lot. A series of primary samples is taken from different parts of the stationary lot, so that when they are bulked, they are representative of the lot/container. if collected from a lot of prepacked products it will normally be in the form of a unit.

**Composite (Bulk) Sample:** Quantity of commodity (grain / oilseeds / first transformation product) obtained by combining and mixing the increments/ primary samples taken from a specific lot. The sample comprises all of the sample units drawn for examination or testing purposes from a particular lot.

**Representative (Random) sample:** A sample in which the characteristics of the lot from which it is drawn are maintained. It is in particular the case of a simple random sample where each of the items or increments of the lot has been given the same probability of entering the sample i.e. all elements in the lot have an equal and independent chance of being included in the sample.

**Laboratory Sample:** Representative quantity of commodity (grain/oilseeds/first transformation product/packages) obtained by division of the Composite (bulk) sample and intended for analysis finally submitted to the laboratory for analysis.

**Official (Legal) Sample:** Sample taken in a manner so that it can serve as the basis for enforcement and/or legal action and handled in a manner that preserves integrity as evidence including identity, ownership, traceability and a clear record of chain of custody.

**Surveillance Sample:** Taken as part of routine inspections or surveys to identify any lack of compliance with state, federal or other laws and regulations.

**Unit:** Each of the discrete, identifiable units of food that are suitable for removal from the lot (population) as samples and that can be individually described, analyzed or combined. These units form the basis of most food analysis work (e.g, 500 ml of Milk, a can of fruit Juice, a packet of biscuits, a package of oil etc.).

**Unit size:** The particular food portion or container selected as a sample and from which one or more units will be taken for analysis.

**Sampling plan:** Predetermined procedure for the selection, withdrawal, preservation, transportation and preparation of the portions to be removed from a lot as a sample.

**Sampling procedure (or protocol):** Operational requirements and / or instructions relating to the use of a particular sampling plan (i.e., the instructions for the implementation of the plan).

Note: The terms "individual" and "item" are synonymous with "unit".

## GENERAL PRINCIPLES FOR COLLECTING SAMPLE FOR LEGAL CONFORMANCE AND SURVEILLANCE

#### **GENERAL PRINCIPLES**

The FSOs shall be responsible for sampling, handling and packaging, storage and transport of the samples to the FSSAI notified laboratory for analysis. He/she will be responsible for maintenance of all the relevant documents/records of the collected sample.

- 1. Samples should be taken in the presence of the Food Business Operator (FBO).
- 2. All sampling operations shall be carried out over a sufficiently short period of time so as to avoid any alteration in the composition of the samples.
- 3. Increments from each lot shall be mixed to give a bulk sample of an appropriate quantity. Laboratory samples are obtained by the successive division and reduction of the bulk sample to get the prescribed size of the sample unit as given Table 10 and FSS (Laboratory and sample analysis) regulation 2011.
- 4. Samples shall be as representative as possible of the lots from which they are taken. Therefore, as the composition of a lot is seldom uniform, a sufficient number of increments shall be taken and carefully mixed, thus giving a bulk sample from which, the laboratory samples are obtained by successive divisions or otherwise.
- 5. All manual sampling equipment and mechanical samplers used shall be clean, dry and free from foreign odours and made from material, which will not contaminate the commodity being sample. Manual equipment must be sterilized with 70% alcohol immediately before use. The metal tool should be dry before being used to collect samples.
- 6. Sampling shall be carried out in such a manner as to protect the samples, sampling instruments, and the containers in which the samples are placed, from environmental contamination.
- 7. All precautions to prevent contamination/deterioration of the commodity and damage to pre-packaged units must be adopted.

#### **HEALTH AND SAFETY PRECAUTIONS**

While samplingthefollowing health and safety precautions must be adhered to:

- a. Use of protective clothing (lab coat with long sleeves and buttoned up).
- b. Wearinggloves and wash hands before and after sampling.
- c. Use of eye protection (safety glasses/goggles/face shield).
- d. Confining long hair (under a cap ortied and tucked into coat).
- ⚠ This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

- e. Use of face masks to protect from toxic fumes. In certain cases, the atmosphere can be asphyxiating or toxic due to the build-up of gases from grain and fungal metabolism.
- f. The sampler should have safe access to and egress from the place where the sample is taken, and the places where the samples are taken for storage.
- g. The sample storage areas should have adequate light and ventilation and should be arranged to satisfy the requirements for safety as well as any special ones arising from the characteristics of the material being sampled.
- h. Care should be taken to guard against collapse of stacked containers or solids in bulk.

#### TOOLS USED IN SAMPLING

All sampling tools must be designed and manufactured so as to serve their intended purpose and preserve the original characteristics of the sampled goods. Sampling tools must meet these general requirements:

- 1. They must be robust enough to withstand handling operations.
- 2. They must be easy to clean.
- 3. All parts must be made of materials resistantto:
  - I. the effects of the goods being sampled (e.g. fruit acid or chemicals).
  - II. the cleaning agents (e.g. bleach or surfactants).
  - III. they must also conform to safety requirements.
- 4. They must also conform to safety requirements.

Sampling devices used for different food products depend on the physical form of the food (e.g liquid, powder, granules, seeds, grains etc.). These include:

**Sampling liquids:** vacuum pumps, dipping vessels, pipette-type samplers, sampling scoops, piston-tube samplers etc.

**Sampling solids in powder or granulated form:** spear samplers, tube-type samplers, zone samplers, sampling trowels, spiral samplers,

Sampling frozen goods: hand-drill samplers, etc.

Examples of few samplers are described belowand representative pictures shown (Figure 7):

a) Stirrer (Plunger): It is a device used for manual mixing in vessels. It contains a surface sufficient to produce adequate disturbance of the products for mixing liquids and semi-solid products in large as well as small vessels. It is an equipment commonly used to mix the milk or cream to make it uniform in composition throughout the

container or can. It is usually made up of stainless steel or aluminum or any metal which will not adversely react with the milk or any other dairy product. It consists of a disc containing several perforations. A long handle is fixed to it at the centre which helps in its to and fro movement in the milk or dairy product. Design of the container should be such that it should not damage the inner surface of the container during mixing.



b) Agitator: It is an apparatus used for mechanical agitation of the liquid or semi-solid products. Agitators are mostly provided with a propeller and are introduced into transport, tanks through the inspection port. Paddles agitators consist of usually flat blades attached to a vertical shaft and normally operated at low speed (100rpm).



c) Dipper: This device consists of a small cup fixed to one end of a long handle and is mainly used to collect the sample from the container. The tapered form of the cup permits nesting of the dippers. The capacity of the dipper is usually 50 ml.



- d) Tube Samplers: The tube samplers are advantageous in that a representative sample can be obtained regardless of how long the milk has stood before sampling. A column of milk which represents the milk from top to bottom of the container is collected as sample.
- e) Piston-tube sampler: Syringe-like sampler consisting of a body and a piston. Made from PTFE or polypropylene (PP) with a stainless-steel connecting rod. The piston-tube sampler has three different uses: (i) it can be used like a large syringe to suck in liquids of medium viscosity; (ii) it can be transformed by a slight adjustment into a pipette which is especially suitable for drawing of aggressive liquids or foodstuffs; or (iii) thick or semi-solid materials may be sampled when the end is removed and the sampler is inserted into the material. After withdrawal the contents of the sampler are pushed out into a wide mouth container using the piston. It can be used for liquids, oils, emulsions and pastes.
- f) Piston-tube sampler: Syringe-like sampler consisting of a body and a piston. Made from PTFE or polypropylene (PP) with a stainless-steel connecting rod. The piston-tube sampler has three different uses: (i) it can be used like a large syringe to suck in liquids of medium viscosity; (ii) it can be transformed by a slight adjustment into a pipette which is especially suitable for drawing of aggressive liquids or foodstuffs; or (iii) thick or semi-solid materials may be sampled when the end is removed and the sampler is inserted into the material. After withdrawal the contents of the sampler are pushed out into a wide mouth container using the piston. It can be used for liquids, oils, emulsions and pastes.
- g) Borers: The borers are used for sampling of powdered products. For example, milk powder, flour etc. It should be made entirely of polished stainless steel. The protruding borer edge and point should be sufficiently sharp to serve as a scraper and to facilitate sampling.



h) Sampling Trowel (Sampling scoop/hand scoop): Trowel are made from plastics (PP) or metal (stainless steel), of variable volumes and different handle lengths. Sampling of solids such as grain, free flowing powders and granules.



i) Spiral screw sampler: The sampler consists of a robust spiral body and a handle made from metal (stainless steel). Usual dimensions: lengths from 35 cm, diameter up to 3 cm. The spiral sampler is pressed into the sampled material by pushing and twisting, which ensuresthe sample is loaded into the spiral. The sampler is then withdrawn and the sample is scraped off by a spatula or scraper into the wide mouth container. Used for paste-like foodstuffs such as peanut butter vegetable or animal fat, jam or honey.



j) Hand drill sampler: (Conical sampler, tubular sampler): Conical or tubular hand drill with sharp cutting edges and a solid handle, drilling depth 13 cm. Taking samples from soft and semi-solid materials. The sampler into is inserted into the material diagonally taking care drill does not touch the bottom. Then a half turn is made with the drill and pulled out of the sample. The upper approx. 2.5 cm of sampled material is removed. Useful for cheese, butter, cottage cheese paneer, solidified oils etc.



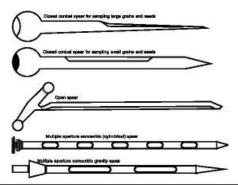
k) Spear-type sampler: This is a metal or plastic sampler. Made of stainless steel or polypropylene (PP). Usually equipped with a telescopic rod. Used for taking direct samples of bulk goods from sacks, bags or plastic drums, if these goods are in powder or granulated form. The sampler is introduced into the product by piercing the packaging. When the desired zone is reached the sample, chamber is opened using the telescopic handle. As soon as the probe is filled with the sample, the spike of the probe is screwed shut, the spike is withdrawn, and the sample is transferred into a wide mouth container. The hole in the packaging must be closed using tape or a sticker (or a control seal). Also suitable for vertical zone sampling of free-flowing materials such as grain, sugar, flour, semolina, milkpowder.



L) Zone sampler: The zone sampler is a metal spear-type sampler with a body having several openings (closed chambers) along its length. The sampler has a robust body made of stainless steel or anodised aluminium. Useful for taking of samples from bulk goods in transport containers, big bags, silos and tanks or goods packed in bags, sacks, barrels or drums. It is suitable for both very fine powders, granules and coarse grains, semolina and nuts. Sampling is possible up to a depth of 2.5 metres. Used for cross-sectional sampling. The zone sampler of appropriate length is introduced into the material at different angles. Samples can be taken from several depths at the same time. In this way, you can check visually whether the product is homogenous throughout its entire volume.



Spoons, scalpels, spatula, scoops, knives made up of stainless steel etc are used for solid and semi solid products. Other versatile tools may be useful for sampling, for example knives, stainless steel axes, scissors, swabs forceps, tongs, cleaning brushes and flashlights etc. Examples of samplers used in Bulk sampling are shown below



Sampling by hand: This method is appropriate for all species of grains, legumes, oilseeds etc. Moreover, it is potentially the most suitable method for seed that could get damaged using triers, seeds with wings, seeds with low moisture content. Hands must be washed and the procedure carried out wearing gloves. The open hand is pushed into the container, hand with seeds inside is closed and then hand is withdrawn, taking great care that fingers remain tightly closed around the seeds to prevent escape (Figure 9).



## SAMPLE CONTAINERS

Where foods are in retail packaging, the whole retail packages is the sample. Where goods that are in bulk or in wholesale packages smaller samples must be taken. It is important that the correct type of storage container is used for the foodstuff sampled, the container used for packing samples taken must meet the following requirements:

- I. it must not be affected by the sample (especially important for foodstuffs which may be acidic, etc.);
- II. it must ensure that the quality (integrity) of samples is maintained;
- III. it must be designed and manufactured in a way that allows leak-proof or air-tight closure;
- IV. it must be strong enough to withstand transport and storage;

The packaging material recommended for food stuff are: Paper bags, Polyethylene (PE) andpol

S. No.	Nature of Sample container	Illustration	
1.	Polyethylene (PE) and polypropylene (PP) bags		<ul> <li>Food taken in form of pieces such as confectionary, chewing</li> <li>gum, chocolates etc.</li> <li>Food in their retail sale packages</li> <li>Dried fruit and nuts</li> <li>Grains (wheat, rice etc)</li> <li>Pulses, oilseeds</li> <li>flour, semolina</li> <li>sugar</li> <li>starch</li> <li>coffee powder, tea leaves</li> </ul>
2.	Polyethylene (PE) and polypropylene (PP) bottles		<ul> <li>Non-volatile liquids, such as:</li> <li>High valued foods (Whole Spices, saffron)</li> <li>Vegetable oils</li> <li>Juices and syrups</li> <li>Non-alcoholic beverages</li> </ul>
3.	High Density Polyethylene bottles		<ul> <li>Powdered and granulate material or pastes, such as:</li> <li>Jam</li> <li>Sugar</li> <li>Starch</li> <li>Instant beverages</li> <li>Granulated tea</li> <li>Solidified vegetable oils and fats</li> <li>Semolina Soya Grits</li> </ul>
4.	Paper bags		<ul><li>Cereals and grains,</li><li>Legumes and pulses</li><li>Oilseeds</li></ul>
5.	Paper bags		<ul> <li>Milk and cream</li> <li>Light sensitive oils (e.g olive oil)</li> <li>Alcoholic beverages</li> </ul>

The packaging material recommended for food stuff are: Paper bags, Polyethylene (PE) and polypropylene (PP) bags, bottles, Glass jars, etc (Table 1). The stoppers and caps used for closing the sample holders (bottles/containers) must ensure a tight seal to prevent any leakage or evaporation of the samples. The material of which the containers and stoppers are made must not be susceptible to chemical attack by the samples and must not interact with or contaminate them. Depending on the nature of samples taken, cork plugs, crown caps, plastic or metal screw caps can be used. If cork plugs are used, they should be wrapped in polyethylene before closure. The use of rubber plugs is prohibited.

## METHOD OF SAMPLING FOR TAKING OUT REPRESENTATIVE SAMPLE

- The person responsible for drawing the samples should:
- Check all the available information about the commodities/retail packages etc. to be sampled and determine what quantities should be sampled.
- A representative sample from the lot should be collected.

## REPRESENTATIVE SAMPLING PROCEDURE

In a random selection method, the sampler must set up some process or procedure that assuresthatthe different units in the sample population have equal probabilities of being chosen. The following are the most common probability samplingtechniques:

Random sampling: In this case, the number of units in the population are known. Each unit is assigned an identification number and a certain number of these identification numbers are selected according to the sample size by using random number tables or computer-generated random numbers. The sample size is determined according to the lot size. The units selected randomly are analysed, and the results are taken as the estimate of the lot. A simple random sample is meant to be an unbiased representation of a group. Example of how to get a simple random sample: put 100 numbered small apples into a basket (this is the population N). Select 10 apples from the basket without looking (this is your sample n). Note that it's important not to look as you could (unknowingly) bias the sample. Simple random sampling is useful when the lot size is small.

Since we know the sample size (n) and the lot (N) and it becomes a simple matter of division:  $n/N \times 100$  or  $10/100\times 100 = 10\%$ 

This means that every apple in basket has a 10% or 1 in 10 chance of being selected using this method.

**Systematic sampling:** If a systematic pattern is introduced into random sampling, it is referred to as "systematic (random) sampling". For instance, if the pre-packaged foods (Biscuit packet) in a store are arranged in such a way that numbers can be attached ranging

from 0001 to 1000. Choose a random starting point, e.g. 25, and then pick every 25<sup>th</sup> packet thereafter (25,50,75,100...1000) to give a sample of 40.

This method is also used when a complete list of sample units is not available, but when samples are distributed evenly over time or space, such as on a production line. The first unit is selected at random followed by every n th unit after that or at regular time intervals (8h, 16h,24h nthh).

**Stratified sampling**: If the lot is widely dispersed, it may be extremely costly to reach them or perhaps, the lot is not homogeneous and the sub-groups are very different in size. In such a case, precision can be increased through stratified sampling.

The segments are based on some predetermined criteria such as geographic location, size or demographic characteristic. Stratified sampling involves dividing the population (size N) into a certain number of mutually exclusive homogeneous subgroups (size N1, N2, N3, etc.) or strata. Random samples are obtained from each or stratum. This can be used only when subpopulations of similar characteristics can be observed within the whole population. Let us consider a company that produces tomato juice in different plants. If the residual activity of poly galacturonase in tomato juice produced in a particular day is to be evaluated, we can stratify the samples from various batches of each production plant into a subgroup and then select samples from each subgroup for analysis.

Cluster sampling: In cluster sampling also, the population is divided into subgroups or clusters followed by randomly selecting only a certain number of clusters for analysis. The main difference between cluster sampling and stratified sampling is that in the latter samples are taken from every single subgroup, while in cluster sampling only randomly selected clusters are sampled. The clusters selected for sampling may be either totally inspected or subsampled for analysis. This sampling method is more efficient and less expensive than simple random sampling, provided clustering is possible. Considering the above said tomato juice example, when using cluster sampling we would group them similar to the previous case, but we would select randomly just a few subgroups forthe purpose of study.

**Composite (Bulk) sampling:** This is used to obtain samples from bagged products such as flour, seeds, and larger items in bulk. Small aliquots are taken from different bags, or containers, and combined into a single sample (the composite (Bulk sample) that is used for analysis after mass reduction. Collecting the sample can be at random (Figure 3) or systematic (Figure 4).

## SAMPLING FROM A STATIONARY LOT OF BULK GRAIN

Unless otherwise specified consignments shall be considered in lots of a maximum of 500 tonnes or such part thereof as constitutes a single consignment (Table 4).

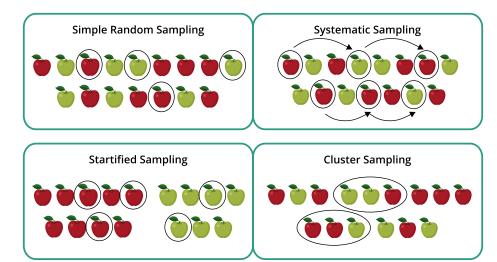


Figure-2 Schematic of for taking a representative sample.

(Adapted from https://www.scribbr.com/methodology/sampling-methods/ accessed on 7th September, 2020).

Figure- 3: Schematic of taking a representative sample by simple random sampling.

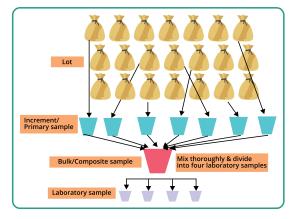
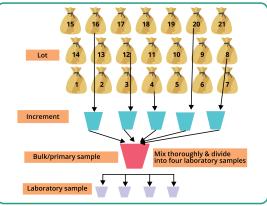


Figure- 4: Schematic of taking a representative sample by simple systematic sampling.



### A. SAMPLING FROM A STATIONARY LOT OF BULK GRAIN

Unless otherwise specified consignments shall be considered in lots of a maximum of 500 tonnes or such part thereof as constitutes a single consignment.

Table-2; Describes the manner in which an increment will be drawn from stationary lot of bulk grain, pulses and oilseeds upto 500tonnes.

Lot size (tonnes)	Size of the bulk sample (kg)*	Number of increments for the production of bulk sample
<50	5	10
75	7.5	15
100	10	20
200	20	40
250	25	50
£500	50	100

<sup>\*</sup>In case of lots from 50 to 500 tonnes, the size of the bulk sample should be 0.01% of the total lot size. In case of lots smaller than 50 tonnes, the size of the bulk sample should be 5 kg. In case of lots larger than 500 tonnes, the size of the bulk sample should be 50 kg.

Table 2; Number of increments for sampling stationary lots of bulk grain, pulses and oilseeds up to 500 tonnes.

## B. SAMPLING FROM BAGS, SACKS, TOTE BINS AND RIGID CONTAINERS

This procedure is for free-flowing material such as grain, pulses, oilseeds and products such as flour, sugar, semolina, grits, dalia etc. For lots in containers holding up to and including 100 kg, the sampling intensity is as follows:

For containers/bags holding between 15 kg and 100 kg (inclusive) of seed, the number of increments according to Table 3.

For containers holding less than 15 kg of seed/grain, containers must be combined into sampling units not exceeding 100 kg, e.g. 20 containers of 5 kg, 33 containers of 3 kg or 100 containers of 1 kg. The sampling units must be regarded as containers as described in Table 4.

Increments should be taken from different parts of a bag/container (for example top, middle and bottom) by means of a sack/bag spear from the number of bags/containers specified in Table4.

Table-3: Number of bags/rigid containers of holding up to and including 100 kg of free-flowing grain, pulses, oilseeds and semolina sugar etc. to be sampled:

Number of bags / containers in consignment	Minimum number of increments*	Approximate Size of bulk sample (kg)
1-4	3 increments from each	For 50 to 500 tonnes, the size of
	container/bag	the bulk sample should be 0.01 %
5-8	2 increments from each container/bag	of the total lot size.
9-15	1 increment from each container/bag	In case of lot sizes smaller than 50 tonnes, the size of the bulk sample
16-30	15 increments, one each from 15 different containers.	should be 5 kg.
31-59	20 increments, one each from 20 different containers	In case of lot sizes larger than 500 tonnes, the size of the bulk sample
60 or more	30 increments, one each from 30 different containers	should be 50 kg.

#At each sampling point (static sampling) the increment quantity should be decided and collected. All increments must be of equal size. Containers or bags chosen at random.

Lot size per bag/ container	Minimum number of increments	Approximate Size of bulk sample (kg)
Up to 500 kg	At least five	10
501-3000 kg	One increment for each 300 kg, but not less than five	10
3001-20,000 kg	One increment for each 500 kg, but not less than 10	10
20001 kg and above	One increment for each 700 kg, but not less than 40	20

When sampling seed in containers, holding more than 100 kg of seed per bag / container, the sampling intensity according to Table-7 is regarded as the minimum requirement.

## C. SAMPLING FROM CARTONS CONTAINING PRE-PACKAGED UNITS OF GRAINS / SUGAR/ FLOUR/SEMOLINA ETC.

Pre-packed units are usually place in outer cases or cartons containing a convenient number of units. The procedure shown in Table 8 shall be used to determine the appropriate number of outer cases or cartons to be sampled.

Care shall be taken to ensure that a prepacked unit is taken in a random manner from the entire contents of the case or carton for sampling. The selection of prepacked units occupying the same corresponding position in a number of cases or cartons shall be avoided. Each prepacked unit taken in this manner shall be considered as increments

Table-5: Number of cartons containing pre-packaged food products such as cereals, pulses, flour, sugar etc.

Number of cartons in consignment	Minimum number of prepacked units to be taken
	as an increment
Number of cartons in consignment	Minimum number of prepacked units to be taken as an increment
1-10	One from each carton
11-100	10, taken at random
>100	Square root (approx.) of total number, taken
	according to a suitable sampling scheme, (e.g see
	Box 2)

The cartons are chosen at random.

# Box 1- Sampling scheme for consignments of more than 100 cartons containing packaged grain/oilseeds/flour/semolina etc.

The consignment shall be divided into (n-1) group containing n or (n-1) cartons; the remaining cartons constitute a group

EXAMPLE 1:Aconsignment comprising 200 cartons

The square root of 200 = 14.142, therefore n=14

Make 14 groups of 14 bags(i.e total of 196 cartons);

Draw up a list from 1 to 14; cross out one number, for example 7;

sample the 7th carton from each group of 14;

the remaining group (i.e. 4) is smaller than 14, sample one bagfrom this group at random.

A total of 14 cartons has therefore been selected. Take one packaged unit from each carton

EXAMPLE 2: A consignment comprising 1200 cartons

The square root of 1200 = 34.64, therefore n=35

Make 34 groups of 34 cartons each (i.e. total of 1190 cartons);

Draw up a list from 1 to 34; cross out one number, for example 12;

Sample the 12<sup>th</sup> carton from each group of 34 cartons;

The remaining group (i.e. 10) is smaller than 34 cartons, sample one carton from this group at random.

A total of 35 cartons has therefore been selected. Take one packaged unit of grain from each

## D. SAMPLING PROCEDURES FOR RETAIL PACKAGES

Arrange all the packing cases in a systematic manner and count them as 1, 2, 3,4, 5. etc., up to r and so on. Every rth case so counted shall be withdrawn, r being the integral part of N/n where.

N= total number or cases in the lot

n= number of cases to be chosen (column 2 of Table 9)

if, r is a fractional number, its value should be taken as equal to its integral part.

Retail packages are defined as packages where the weight of the smallest individual pack within the consignment does not usually exceed 5 L or 5 kg, i.e., various cans, bottles, jars and bags. Several retail packages may be packed in a case.

Lot size (number of packing cases)	Recommended number of packing cases to be sampled	Recommended number of individual units to be selected
1-200	3	6
201-300	4	8
301-500	5	10
501-800	6	12
801-1300	7	14
1301-3200	8	16
>3201	10	20

Adapted from IS: 2860 -1984 Reaffirmed 2008 Methods of Sampling and Test for Processed Fruits and Vegetables.

A retail package should be considered to be any pack specifically prepared for direct sale to an individual for domestic use.

In any consignment, all the retail packages in the packing case must be of the same size containing material of the same type, style, and grade shall constitute a lot. The number of packing cases to be selected from a lot for drawing the samples shall depend on the size of the lot and shall be in accordance with Table 9. Depending on the quantity in the consignment, the recommended minimum number of packing cases to be sampled for the purpose of creating a bulk sample is shown in Table-6 and Box 2.

Table-6: Number of packing cases of retail packages to be sampled

From each of the packing cases selected two units shall be drawn at random so as to get the total number of cans from the lot as shown in col 3 of Table 6.

EXAMPLE A consignment comprising 1200 cases of packaged breakfast cereal.

$$r = 1200/7 = 171.43 r = 171$$

Arrange the packing cases in rows

Select one packing case for every 171 cases
e.g. 20th, 191st, 362nd, 533rd, 704th, 875th, 1046th

Take 2 packets of cereal from each of these cases to get 14 unit packs.

## Box 2- Sampling scheme for Retail packages

- Where the retail packages are not packed in a case (e.g. on the shelf of a grocery store), follow Table 5 where column 1 represents number of individual retail packages (e.g. if the lot contains 250 packs of potato chips/biscuits the sample collected will be 8 packs). Where the packages are small, ensure that the final sample is at least the minimum quantity prescribed as sample unit under FSS (Laboratory and sample analysis) regulation 2011.
- The consignment must be homogeneous (all packages have the same label, content, net weight or volume, production or batch number and/or expiry date).
- Different lots must be sampled separately. Labels on the packing may indicate whether the consignment contains different production batches or dates, and whether the products in different lots vary in quality. The integrity of packages and the expiry date must always be examined. Retail packages and finished articles taken as samples must not be opened or their contents moved to other sample containers.



Riffle splitters can perform well, but the results rely on the skill and training of the operator. The sample needs to be fed into the riffle splitter.

Centrifugal divider: This is another very useful sample divider, which uses centrifugal force to mix and scatter the material over the dividing surface. In this divider the material flow downwards through a hopper into a shallow disc. When this disc is rotated by an electric motor the material is thrown out by centrifugal force and fall downward. The circle or the area where the material falls is equally divided into two parts by a stationery baffle so that one half fall into one spout and another half in another spout.

**Boerner Divider:** Is an apparatus that divides a composite sample into two equal representative samples with gravity. The Boerner Divider is calibrated to provide accurate splits of +/-1% on a 1000g sample. The sample is placed in the hopper and then released by moving a valve or slide gate located in the hopper throat. The grain through gravity is evenly dispersed over a cone that has 38 pockets or openings. The grain falling down the sides of the cone is cut into 38 separate streams and all these steams re-joins into two streams and empties into the two pans at the bottom. Since the composite sample passes through 38 different streams to later join into two separate streams, it results into two accurate representative samples that are then collected in two pans for further processing.

### PREPARING THE LABORATORY SAMPLE FROM BULK SAMPLE

- > FSO must ensure that the bulk sample is sufficient to make four laboratory samples, where one is sent to the primary testing laboratory and three samples are stored in the custody of Designated Officer. (If FBO request for testing of 2nd part of the sample from FSSAI notified accredit lab, rest two parts are stored)
- Quantity of Sample: The sample finally submitted to the laboratory by the FSO is described as the laboratory sample. The bulk sample shall be divided to obtain the required number of laboratory samples. The minimum amount of sample that needs to be collected from the bulk sample for chemical and physical analysis other than microbiological analysis is defined in the FSS Rules and Regulations. The minimum quantity of sample to be sent to the laboratory is listed in Table 7. The FSO must ensure that he prepares four replicates of the sample for analysis and archiving as shown in flow chart (Figure 5).

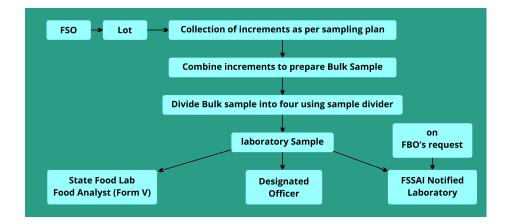


Figure-5: Flow chart of sampling procedure for preparing a laboratory sample for chemical and physical analysis

\*Note- "Provided that, in case of samples drawn for microbiological analysis, surveillance, import clearance, investigation of complaint and food safety emergency response, the requirement of four parts of a samples shall not apply and number of parts of a samples for such condition shall be as specified in the following Table 6.

Sr. No.	Condition of sampling	Number of parts of samples
1.	Microbiological analysis	As specified in Appendix B of Food Safety & Standards
		(Food Products Standards and Food Additives)
		Regulations, 2011
2.	Surveillance	As per the surveillance plan by the Food Authority
		State Food Authority.
3.	Food safety emengncy	Less than the mandated number of parts of the
	incidents	sample subject to reasons along with the evidence be
		recorded in writing
4.	Import clearance	As specified in the Food Safety and Standards (Food
		import) Regulations, 2017.
5.	Any other cases	Less than the mandated number of parts of the
		sample subject to reasons along with the evidence be
		recorded in writing"

Table-6; As stipulated in Rule 2.4.1 relating to Procedure for taking sample and manner of sending it for analysis

Table7: Quantity of the sample to be sent to the Food Analyst, as specified at 2.3.1 of FSS (Laboratory & Sampling Analysis, Regulation, 2011)

Milk   500 ml   Sterilized Milk / UHT Milk   500 ml   Malai / Dahi   200 g   7   7   7   7   7   7   7   7   7	Articles of Food/Material	Quantity
Malai / Dahi Yoghurt / Sweetened Dahi Chhana / Paneer / Khoya / Shrikhand 250 g Cheese / Cheese spread 200 g Evaporated Milk / Condensed Milk 100 g Milk Powder / Skimmed Milk Powder 101 Infant Food / Weaning Food 200 g Malt Food / Malted Milk Food 200 g Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening 200 g Vanaspati, Edible Oils / Fats 250 g Arrow root / Sago 250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder 250 g Spices, Condiments and Mixed Masala (Whole) 250 g Spices, Condiments and Mixed Masala (Powder) 250 g Suttreg / Mace 250 g Compounded Asafoetida 250 g Compounded Asafoetida 250 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried Glucose Syrup 250 g Rruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 250 g Pickles and Chutneys 0 ilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g Tea / Roasted Coffee / Roasted Chicory 500 g Tea / Roasted Coffee / Roasted Chicory 500 g 600 g 6	Milk	500 ml
Yoghurt / Sweetened Dahi Chhana / Paneer / Khoya / Shrikhand 250 g Chhana / Paneer / Khoya / Shrikhand 250 g Cheese / Cheese spread 200 g Evaporated Milk / Condensed Milk 200 g Ice-cream / Softy / Kulfi / Ice candy / Ice lolly 300 g Milk Powder / Skimmed Milk Powder 250 g Infant Food / Weaning Food 300 g Malt Food / Malted Milk Food 300 g Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening 200 g Vanaspati, Edible Oils / Fats 20 g Vanaspati, Edible Oils / Fats 21 g Saking Powder 250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder 250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder 250 g Spices, Condiments and Mixed Masala (Whole) 250 g Spices, Condiments and Mixed Masala (Powder) 250 g Saffron 250 g Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried Glucose Syrup Artificial Sweetener 7 ind Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Sterilized Milk / UHT Milk	500 ml
Chhana / Paneer / Khoya / Shrikhand  Cheese / Cheese spread  Cheese / Cheese spread  Evaporated Milk / Condensed Milk  Cong    Ice-cream / Softy / Kulfi / Ice candy / Ice lolly  Milk Powder / Skimmed Milk Powder  Infant Food / Weaning Food  Malt Food / Meaning Food  Malt Food / Malted Milk Food  Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening  Vanaspati, Edible Oils / Fats  Carbonated Water  Baking Powder  Arrow root / Sago  Corn flakes / Macaroni Products / Corn Flour / Custard Powder  Spices, Condiments and Mixed Masala (Whole)  Spices, Condiments and Mixed Masala (Powder)  Nutmeg / Mace  Asafoetida  Compounded Asafoetida  Saffron  Compounded Asafoetida  Saffron  Cone Sugar / Refined Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomatof Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  250 g  Tea / Roasted Coffee / Roasted Chicory  500 g	Malai / Dahi	200 g
Cheese / Cheese spread  Evaporated Milk / Condensed Milk  200 g  Evaporated Milk / Condensed Milk  200 g  Ice-cream / Softy / Kulfi / Ice candy / Ice Iolly  300 g  Milk Powder / Skimmed Milk Powder  250 g  Infant Food / Weaning Food  300 g  Malt Food / Malted Milk Food  300 g  Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening  200 g  Vanaspati, Edible Oils / Fats  400 g  Carbonated Water  3 L  Baking Powder  Arrow root / Sago  Corn flakes / Macaroni Products / Corn Flour / Custard Powder  Spices, Condiments and Mixed Masala (Whole)  Spices, Condiments and Mixed Masala (Powder)  Nutmeg / Mace  Asafoetida  100 g  Compounded Asafoetida  36 g  Saffron  20 g  Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  250 g  Tea / Roasted Coffee / Roasted Chicory  500 g	Yoghurt / Sweetened Dahi	500 g
Evaporated Milk / Condensed Milk   200 g   Ice-cream / Softy / Kulfi / Ice candy / Ice lolly   300 g   Milk Powder / Skimmed Milk Powder   250 g   Infant Food / Weaning Food   500 g   Malt Food / Malted Milk Food   300 g   Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening   200 g   Vanaspati, Edible Oils / Fats   400 g   Carbonated Water   3 L   Baking Powder   100 g   Arrow root / Sago   250 g   Corn flakes / Macaroni Products / Corn Flour / Custard Powder   200 g   Spices, Condiments and Mixed Masala (Whole)   500 g   Spices, Condiments and Mixed Masala (Powder)   500 g   Spices, Condiments and Mixed Masala (Powder)   500 g   Saffordia   150 g   Saffron   20 g   Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura   250 g   Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried   Glucose Syrup   Artificial Sweetener   100 g   Fruit Juice / Fruit Drink / Fruit Squash   1 L   Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce   Non-Fruit Jellies   200 g   Gilseeds / Nuts / Dry Fruits   250 g   Gilseeds / Nuts / Dry Fr	Chhana / Paneer / Khoya / Shrikhand	250 g
Ice-cream / Softy / Kulfi / Ice candy / Ice Iolly  Milk Powder / Skimmed Milk Powder  1250 g Infant Food / Weaning Food  Malt Food / Malted Milk Food  Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening  Vanaspati, Edible Oils / Fats  Carbonated Water  3 L Baking Powder  100 g Arrow root / Sago  250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder  Spices, Condiments and Mixed Masala (Whole)  Spices, Condiments and Mixed Masala (Powder)  Nutmeg / Mace  Asafoetida  100 g Compounded Asafoetida  Saffron  20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried Glucose Syrup  Artificial Sweetener  100 g Fruit Juice / Fruit Drink / Fruit Squash  1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  250 g Tea / Roasted Coffee / Roasted Chicory  500 g	Cheese / Cheese spread	200 g
Milk Powder / Skimmed Milk Powder 250 g Infant Food / Weaning Food 500 g Malt Food / Malted Milk Food 300 g Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening 200 g Vanaspati, Edible Oils / Fats 400 g Carbonated Water 3 L Baking Powder 100 g Arrow root / Sago 250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder 200 g Spices, Condiments and Mixed Masala (Whole) 500 g Spices, Condiments and Mixed Masala (Powder) 500 g Nutmeg / Mace 250 g Asafoetida 100 g Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried 200 g Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / 300 g Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Gilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Evaporated Milk / Condensed Milk	200 g
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Malt Food / Malted Milk Food Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening 200 g Vanaspati, Edible Oils / Fats 400 g Carbonated Water 3 L Baking Powder 100 g Arrow root / Sago 250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder 200 g Spices, Condiments and Mixed Masala (Whole) 500 g Spices, Condiments and Mixed Masala (Powder) 500 g Nutmeg / Mace 250 g Asafoetida 100 g Compounded Asafoetida 150 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 0ilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Milk Powder / Skimmed Milk Powder	250 g
Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening Vanaspati, Edible Oils / Fats 400 g Carbonated Water 3 L Baking Powder 100 g Arrow root / Sago 250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder 200 g Spices, Condiments and Mixed Masala (Whole) 500 g Spices, Condiments and Mixed Masala (Powder) 500 g Nutmeg / Mace 250 g Compounded Asafoetida 100 g Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 0ilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Infant Food / Weaning Food	500 g
Vanaspati, Edible Oils / Fats  Carbonated Water  Baking Powder  Arrow root / Sago  Corn flakes / Macaroni Products / Corn Flour / Custard Powder  Spices, Condiments and Mixed Masala (Whole)  Spices, Condiments and Mixed Masala (Powder)  Spices, Condiments and Mixed Masala (Powder)  Nutmeg / Mace  Asafoetida  Compounded Asafoetida  Saffron  Compounded Asafoetida  Saffron  Sugar / Jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  Tea / Roasted Coffee / Roasted Chicory  500 g	Malt Food / Malted Milk Food	300 g
Carbonated Water 3 L Baking Powder 100 g Arrow root / Sago 250 g Corn flakes / Macaroni Products / Corn Flour / Custard Powder 200 g Spices, Condiments and Mixed Masala (Whole) 500 g Spices, Condiments and Mixed Masala (Powder) 500 g Nutmeg / Mace 250 g Asafoetida 100 g Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried 200 g Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / 300 g Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Gilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Butter / Butter Oil / Ghee / Margarine / Cream / Bakery Shortening	200 g
Baking Powder  Arrow root / Sago  Corn flakes / Macaroni Products / Corn Flour / Custard Powder  Spices, Condiments and Mixed Masala (Whole)  Spices, Condiments and Mixed Masala (Powder)  Spices, Condiments and Mixed Masala (Powder)  Nutmeg / Mace  Asafoetida  Compounded Asafoetida  Saffron  Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  100 g  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  250 g  Tea / Roasted Coffee / Roasted Chicory  500 g	Vanaspati, Edible Oils / Fats	400 g
Arrow root / Sago Corn flakes / Macaroni Products / Corn Flour / Custard Powder Spices, Condiments and Mixed Masala (Whole) Spices, Condiments and Mixed Masala (Powder) Spices, Condiments and Mixed Masala (Powder) Soo g Nutmeg / Mace Asafoetida 100 g Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Carbonated Water	3 L
Corn flakes / Macaroni Products / Corn Flour / Custard Powder  Spices, Condiments and Mixed Masala (Whole)  Spices, Condiments and Mixed Masala (Powder)  Soo g  Nutmeg / Mace  Asafoetida  Compounded Asafoetida  Saffron  Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  250 g  Tea / Roasted Coffee / Roasted Chicory  500 g	Baking Powder	100 g
Spices, Condiments and Mixed Masala (Whole)  Spices, Condiments and Mixed Masala (Powder)  Spices, Condiments and Mixed Masala (Powder)  Nutmeg / Mace  Asafoetida  Compounded Asafoetida  Saffron  Sugar, Jesting Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  Tea / Roasted Coffee / Roasted Chicory  500 g	Arrow root / Sago	250 g
Spices, Condiments and Mixed Masala (Powder)  Nutmeg / Mace  Asafoetida  Compounded Asafoetida  Saffron  Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  Tea / Roasted Coffee / Roasted Chicory  500 g	Corn flakes / Macaroni Products / Corn Flour / Custard Powder	200 g
Nutmeg / Mace 250 g Asafoetida 100 g Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried 200 g Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / 300 g Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Spices, Condiments and Mixed Masala (Whole)	500 g
Asafoetida 100 g Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried 200 g Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / 300 g Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Spices, Condiments and Mixed Masala (Powder)	500 g
Compounded Asafoetida 150 g Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried 200 g Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / 300 g Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Nutmeg / Mace	250 g
Saffron 20 g Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura 250 g Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried 200 g Glucose Syrup Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / 300 g Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Asafoetida	100 g
Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura  Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried  Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  Tea / Roasted Coffee / Roasted Chicory	Compounded Asafoetida	150 g
Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  Tea / Roasted Coffee / Roasted Chicory	Saffron	20 g
Glucose Syrup  Artificial Sweetener  Fruit Juice / Fruit Drink / Fruit Squash  1 L  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  250 g  Oilseeds / Nuts / Dry Fruits  250 g  Tea / Roasted Coffee / Roasted Chicory	Gur / jaggery, Icing Sugar, Honey, Synthetic Syrup, Bura	250 g
Artificial Sweetener 100 g Fruit Juice / Fruit Drink / Fruit Squash 1 L Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade / 300 g Tomato/ Pure / Vegetable Sauce Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Cane Sugar / Refined Sugar / Cube Sugar, Dextrose, Misri / Dried	200 g
Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  250 g  Tea / Roasted Coffee / Roasted Chicory	Glucose Syrup	
Fruit Juice / Fruit Drink / Fruit Squash  Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /  Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies  200 g  Pickles and Chutneys  Oilseeds / Nuts / Dry Fruits  250 g  Tea / Roasted Coffee / Roasted Chicory	Artificial Sweetener	100 g
Tomato/ Pure / Vegetable Sauce  Non-Fruit Jellies 200 g Pickles and Chutneys 250 g Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Fruit Juice / Fruit Drink / Fruit Squash	
Non-Fruit Jellies200 gPickles and Chutneys250 gOilseeds / Nuts / Dry Fruits250 gTea / Roasted Coffee / Roasted Chicory500 g	Tomato Sauce / Ketch up / Tomato Paste, jam / Jelly / Marmalade /	300 g
Pickles and Chutneys250 gOilseeds / Nuts / Dry Fruits250 gTea / Roasted Coffee / Roasted Chicory500 g	Tomato/ Pure / Vegetable Sauce	
Pickles and Chutneys250 gOilseeds / Nuts / Dry Fruits250 gTea / Roasted Coffee / Roasted Chicory500 g		200 g
Oilseeds / Nuts / Dry Fruits 250 g Tea / Roasted Coffee / Roasted Chicory 500 g	Pickles and Chutneys	
Tea / Roasted Coffee / Roasted Chicory 500 g		
Instant lea / instant conee / instant conee-cincory whiture	Instant Tea / Instant Coffee / Instant Coffee-Chicory Mixture	100 g
Sugar Confectionery/Chewing Gum/Bubble Gum 200 gms. 200 g	·	
Chocolates 200 g		
Edible salt 200 g	Edible salt	
lodised Salt/Iron Fortified Salt 200 gms		

Articles of Food/Material	Quantity
Food Grains and Pulses (Whole and Split) Atta/Maida/Suji/Besan/	1 kg.
Other Milled Product/Paushtik Fortified	
Atta/Maida	500 gms
Biscuits and Rusks	200 gms
Bread/Cakes/Pasties	250 gms.
Gelatin	150 gms.
Catechu	150 gms.
Vinegar/Synthetic Vinegar.	300 gms
Food Colour	25 g
Food colour preparation (Solid/Liquid)	25 gm. Solid/100
	ml liquid
Natural Mineral Water/Packaged Drinking Water	4000ml in three
	minimum original
	sealed packs.
Silver Leafs	2 gm.
Prepared Food	500 gms.
Proprietary Food, (Non Standardised Foods)	500 gms.
Canned Foods	6 sealed cans
Food not specified	500 gms

**Sample Integrity:** Samples are collected and packaged in a manner that preserves the sample and the analytes of interest and assures that no significant change in composition occurs from the moment of sampling until the analysis is complete. Procedures assure that sample or analyte contamination or degradation does not occur. Suitable containers and storage temperatures are chosen to assure sample integrity.

For example, plastic packaging or permanent markers may interfere with pesticide or hydrocarbon analysis while foil packaging may interfere with metals analysis. Vitamins may degrade in sunlight. Some samples are frozen. Some samples require the use of a preservative to retain the analytes of interest.

**Transportation:** A large amount of time and effort is wasted if the sample arrives in a state which is unfit for the analysis.

- Samples should be transported in a manner that prevents deterioration of the sample matrix or contamination of the sample and preserves the analytes of interest. All samples are handled, packaged, temperature controlled and transported to prevent compromising the identity or integrity of the sample.
- Samples are packed with shock absorbing materials to protect against breakage of containers or damage to seals.
- Frozen samples should remain frozen.

- > Perishable products may be frozen, if freezing does not interfere with the planned analysis.
- Products requiring refrigeration (e.g., ice cream, meat and poultry for bacteriological analysis) are shipped with ice packs or in dry ice. e.g. For frozen samples, pre-chill sterile containers before use and keep frozen with dry ice. Use ordinary ice or ice packs for holding and transporting unfrozen samples that require refrigeration.
- > Samples for microbiological examination should remain aseptic

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### ASEPTIC SAMPLING FOR MICROBIOLOGICAL ANALYSIS

Aseptic sampling is a technique used to prevent contamination by the sampling method. Aseptic sampling involves the use of sterile sampling implements and containers. Samples are collected and submitted in a manner which will prevent multiplication or undue reduction of the bacterial population. Contamination from atmospheric conditions or handling is prevented. Samples collected using aseptic technique permit testimony that the microbiological findings accurately reflect the condition of the lot atthe time of sampling.

Refer "General Guidelines on Sampling for Microbiological Analysis", for detailed guidelines and food category-wise sampling procedures. The document is available at Sampling Guidelines Microbiology 07 10 2022.pdf (fssai.gov.in)

## PROCEDURE OF COLLECTION OF FOOD SAMPLES FOR MICROBIOLOGICAL ANALYSIS

- Wash your hands before sample collection.
- Wear clean gloves, clean lab coat, hair net.
- Collect all samples aseptically so as to not contaminate the sample.
- ➤ The food sample should be taken as per food category and micro-organism to be tested listed in Appendix B tables of Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011. Sample should be representative of the whole lot / batch / container and homogenized. Preservatives shall not be added to sample units intended for microbiological examination. E.g. Collect FIFTEEN (where n=5) or FORTY-FIVE (where n=15) sample units per lot unless otherwise specified in Appendix B.
- Select a systematic or random sample from the lot.
- ➤ Each sample unit should be of the prescribed quantity mentioned under part B of 'General guidelines on sampling for Microbiological Analysis', of intact, whole food sample in the form in which it will be sold or distributed.
- Unopened, original containers should be sampled, when possible.
- Make sure that the top of the bag is adequately closed.
- Place each food sample unit into a separate sterile sealable bag or clean plastic bag.
- Label the outside of the bag with detailed information that will identify each sample unit, including;
  - i. Code number of the sample.
  - ii. Name of the sender with his official designation.
  - iii. Date, time and place of collection.

- iv. Name and nature of sample.
- v. Storage temperature.
- vi. Use new sample bag for each sample unit.
- > Include the sample sheet/lab requisition form in a separate plastic bag with the sample.
- Place the food samples into a clean and sanitized cooler with ice packs.
- ➤ Keep the samples at refrigeration temperatures (i.e. 0°C to 4°C) and bring them or ship the cooler to the laboratory as soon as possible.
- The temperature of refrigerated samples must not exceed 7°C upon its arrival at the laboratory.
- Samples must be analysed within 24 h of sampling.
- > Do not freeze the samples unless laboratory has been consulted or it is a frozen food.

Three sets, each containing 'n' number of samples (n as defined in the sampling plan, e.g. if n=5, then total no. of samples to be drawn is 15) shall be drawn. Each of these three sets shall be tested in three different ISO 17025:2017 certified laboratories notified by FSSAI (Figure 6). The final decision shall be based on the results of three laboratories. In the case of Food Safety Criteria requirements given in FSS (Food Products Standards and Additives) Regulation, 2011, results from all the three laboratories should indicate compliance with specified criteria.

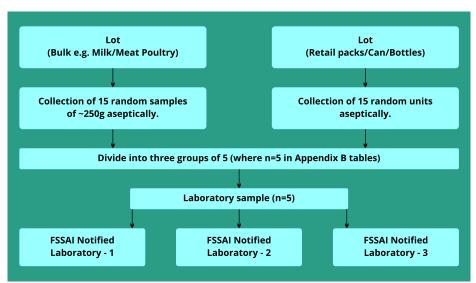


Figure-6: Flow chart of sampling procedure for preparing laboratory sample for microbiological analysis

For example, a single 10 kg wheel of cheese is to be analysed.

Cheese as per Appendix B, Table 1B of Appendix B for Salmoella the sampling plan is n=5, c=0 and Absent/25g

Fifteen samples of '200 g should be taken randomly from a wide variety of locations around the wheel.

Five samples each must be sent to three different laboratories

If Salmonella is present in a food, then the odds of detecting it are enhanced.

Cereal based Complementary Food in sealed cans in a store is to be analysed for Listeria monocytogenes.

As per Appendix B Table 2B ten '25 g' analytical units must be analysed and it should be absent in all 10

units (n=10, C=0, Absent/25g).

Since each can will be considered as a single unit 30 sealed cans must be sampled randomly. Ten cans each must be sent to three individual laboratories for analysis.

FSO must therefore collect 30 sealed cans

## PROCEDURE FOR SAMPLING UNDER FOOD SAFETY AND STANDARDS ACT, 2006

Authorized persons for taking food samples:-

- ➤ Food Safety Officer may take samples of food for analysis under clause A of sub section 1 of section 38 and clause (c) of sub section (1) of section 47 of the Food Safety and Standards Act. (2006).
- Authorized Officer may take samples of imported article of food for analysis under subsection (5) of section 47 of the Act.

## PROCEDURE FOR TAKING SAMPLE

Related Provision- section 47 of FSS Act, 2006 read with rule 2.4.1 of FSS rules, 2011 which mentions the procedure to draw samples under FSS Act, 2006 and manner of sending it for analysis. While taking the sample, the Food Safety Officer shall follow the procedure specified hereunder:

## I. Documentation for serving notice to FBO & calling for witnesses:

FSO shall call one or more witnesses at the time of drawing of the samples, obtain the signatures from the witnesses in all the forms and documents prepared and serve the notice in Form V A to the Food Business Operator, be it a manufacturer, a distributor or a supplier, then and there

Documents required**	
Form VA in FSS Rules,2011	Notice to FBO from whom the sample is to be taken;
Inspection report	On-spot inspection report detailing the findings of inspection and sampling activity. Inspection checklist as specified by the food authority at (https://www.fssai.gov.in/cms/inspection matrices.php) in Foscos and Foscoris.

## II. Sample withdrawing:

- The quantity of sample of food to be sent to the referral lab for analysis shall be as specified in regulations by the Food Authority:
- Explanation: Foods sold in packaged condition (sealed container or package) shall be sent for analysis in its original condition without opening the package as far as practicable, to constitute approximate quantity along with original label. In case of bulk packages, wherever preservatives are to be added as per the requirement under these rules, the sample shall be taken after opening sealed container or package in the presence of the Food Business Operator or in case of his refusal, in the presence of one or more witnesses and the contents of the original label shall also be sent along with the sample for analysis. However, such samples shall not be used for microbiological analysis.
- If a sample is drawn from an open container, a sample of the same article is also to be drawn from a container in original condition bearing the same declaration and intimate the same to the Food Analyst.
- Where food is sold or stocked for sale or for distribution in sealed containers having identical label declaration, the contents of one or more of such containers as may be required to satisfy the quantity prescribed, shall be treated to be a part of the sample.
- Food Safety Officer shall pay the cost (at market rate) of such sample to the person from whom the sample is taken.
- Sample shall be taken in clean dry bottles or jars or in other suitable containers which shall be closed to prevent leakage, evaporation or to avoid entrance of moisture in case of dry substance and shall be carefully sealed. If a sealed package is taken as a sample, no further sealing is required. The quantity of samples to be collected and sent for analysis to the food laboratory is specified in Sub-Section 2.3.1 (Table 07 above) of Food Safety and Standards Regulations (Laboratory and Sample Analysis) 2011.
- > Samples for Microbiological Analysis are collected following the schematic shown in Figure 6 and Box 3, following Special precautions described in Section. Preservatives shall not be added to sample units intended for microbiology analysis.

Note- For drawing a sample for testing microbiological parameters, the method of drawing sample, type of container, temperature to be maintained, method of transportation and any other condition to maintain the integrity of the sample shall be notified by the Food Authority from time to time.

The FSO or the Authorized Officer, while taking sample for the purpose of analysis under the provisions of the Act except in the case where the sample is meant for microbiological testing/analysis, may add to the sample, a preservative as may be prescribed from time to time in the regulations for the purpose of maintaining it in a condition suitable for analysis. Whenever any preservative is added to a sample, the nature and quantity of the preservative added shall be clearly noted on the label to be affixed to the container.

The quantity of sample of food packaging material to be sent to the Food Analyst / Director of referral lab for analysis shall be as specified below:.

Name of food packaging material	Approximate quantity/surface area to be supplied
Food packaging material when sample is taken from manufacturer.	8 x 1000 x 9 sq.cm. surface area.
When sample is taken from small consumer packages.	Complete packaging material used for one container.

The FSO or the Authorized Officer, while taking sample for the purpose of analysis under the provisions of the Act except in the case where the sample is meant for microbiological testing/analysis, may add to the sample, a preservative as may be prescribed from time to time in the regulations for the purpose of maintaining it in a condition suitable for analysis. Whenever any preservative is added to a sample, the nature and quantity of the preservative added shall be clearly noted on the label to be affixed to the container.

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Name of food packaging material	Approximate quantity/surface area to be supplied
Food packaging material when sample	8 x 1000 x 9 sq.cm. surface area.
is taken from manufacturer.	
When sample is taken from small	Complete packaging material used for
consumer packages.	one container.

## III. Labelling and manner of packing/sealing of sample for dispatch:

- Sealed sample shall be properly addressed and labelled (Figure 7) with following information:
  - i. Code number of the sample
  - ii. Name of the sender with his official designation
  - iii. Date and place of collection
  - iv. Nature of articles being sent for analysis
  - v. Nature and quantity of preservative, if any, added to the sample.



Figure 7: Labelling of Sample taken for Legal compliance by FSO

- The bottle, jar or other Container shall then be completely wrapped in fairly strong thick paper. The ends of the paper shall be neatly folded in and affixed by means of gum or another adhesive.
- A paper slip of the size that goes round completely from the bottom to top of the container, bearing the signature of the Designated Officer or any officer authorized by Food Safety Commissioner and the code number of the sample, shall be pasted on the wrapper (Figure 8)
- > The signature or thumb impression of the person from whom the sample has been taken, shall be affixed in such a manner that the paper slip and the wrapper both carry a part of this signature or the thumb impression. If the person from whom the sample is taken refuses to affix his signature or thumb impression, the signature or thumb impression of one or more witnesses shall be taken in the same manner.

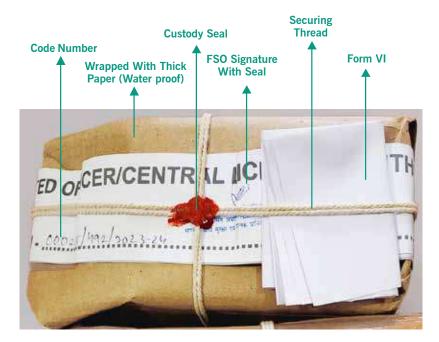


Figure-8: Details of packaging sample for dispatch to laboratory for analysis.

The paper cover shall be secured by means of strong twine/ thread both above and across the sample container and the twine/ thread shall be fastened on the paper cover by means of sealing wax and using seal, leaving distinct and clear impression, at the top and bottom of the packet and the other two on the body of the packet along with the knots of the twine/ thread (Figure 8).

The sample shall be divided into four parts or take four already sealed packages and mark and seal or fasten up each part in such a manner as its nature permits and take the signature or thumb impression of the person from whom the sample has been taken on the label.

The containers of the samples shall be dispatched forthwith in the following manner:

- i. The sealed container of one part of the sample shall be dispatched for analysis along with memorandum in Form VI shall be sent in a sealed packet to the Food Analyst under appropriate condition to retain the integrity of the sample.
- ii. The sealed container of the second and third parts of the sample and two copies of memorandum in Form VI shall be sent to the Designated Officer by any suitable means.
- iii. The sealed container of the remaining fourth part of the sample and a copy of memorandum in Form VI shall be sent to an FSSAI notified laboratory along with fee prescribed by the Authority, if so, requested by the Food Business Operator, under intimation to the Designated Officer.
- iv. The fourth part shall also be deposited with Designated Officer if Food Business Operator does not request to send the sample to an accredited lab.

<sup>⚠</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

**Note-** At the time of drawing of samples, the FBO can request the FSO in writing to send the fourth part of the sample and a copy of the memorandum in Form VI to a FSSAI notified laboratory along with the prescribed fee payable by FBO. The FSO must then send the sample to a lab within the state or in a neighbouring state under intimation to Designated Officer. The fourth part of the sample is deposited with the Designated Officer if the FBO does not have any request.

- The Food Safety Officer shall also send a copy of the memorandum (Form VI) and specimen impression of the seal used to seal the packet to the Food Analyst along with the sealed container of first part of the sample.
- Following detail should be documented and also included in Memorandum Form VI:
  - i. In case of bulk containers that were opened by the owner prior to sampling, its existing conditions should be described in detail.
  - ii. Whenever any preservative is added to a sample, the nature and quantity of the preservative added shall also be clearly noted in Memorandum VI.
  - iii. It is also important to mention about the perishability of the sample.
  - iv. Parameter to be tested (a) As per the Food Safety and Standards Authority of India Standards for the specific products.
  - v. It is very important that the FSO/Authorized Officer be able to document sample integrity from time of collection to delivery to the analyst, particularly when enforcement action is being considered.
  - vi. When rodent infestation is observed, the FSO/DO should select the portions actually sampled to reflect the violated nature of the lot. In addition, exhibits should include diagrams and photographs to demonstrate the violated conditions reported.

Documents** to be dispatched with the sample to laboratory		
Memorandum to Food analyst (Form	One part of the sample shall be sent	
VI of FSS Rule 2011)	in a sealed packet to the State Food	
	analyst.	
Memorandum to Designated Officer	Two copies to be sent to the	
(Form VI of in FSS Rule 2011)	Designated Officer by any suitable	
	means along with second and third	
	part of the sample;	
Memorandum to FSSAI notified	A copy shall be sent to an accredited	
laboratory (Form VI of FSS Rule 2011)	laboratory along with the fee prescribed	
	by the Authority, if so requested by	
	the Food Business Operator under	
	intimation of the Designated Officer.	

#### SEIZURE OF ARTICLES OF FOOD BY FOOD SAFETY OFFICER

Related provision- section 41 of FSS Act, 2006 read with rule 2.3 of FSS rules, 2011 which mentions the procedure of Seizure of articles of food by the Food Safety Officer and matters connected therewith.

FSO has been given the powers with respect to search, seizure and sampling for adulterants and sealing of premises (in limited cases).

If any adulterant is found in the possession of a manufacturer or distributor of, or dealer in, any article of food or in any of the premises occupied by him and such FBO is unable to explain why he is in possession of such adulterant, the FSO can seize such adulterants and take samples of it for analysis.

It is also recommended that the FSO records in writing any such decision to seize adulterants and provide a copy of such written record to the FBO if appropriate.

Apart from this, all other processes, forms, reports etc. with respect to the search, inspection, seizure, and sampling of the adulterants is the same as for any other food article.

The FSO must exercise caution and must base his decision on the actual activities of the FBO as there are instances where a food article could be used as an adulterant in another a food article but by itself does not constitute an adulterant. For e g – if water is mixed with milk, it will be considered an adulterant but water by itself is not an adulterant.

Documentation** for seizure of articles of food by Food Safety Officer	
Form VA in FSS Rules, 2011	Notice to FBO from whom the sample is to be taken;
Form of order/bond (Rule 2.3.2	He shall after affixing the seal, on the article of food
FSS Rules 2011 Form III &	make an order in Form III to the FBO not to dispose of
Form IV)	the stock and may require the FBO to execute a surety
	bond in Form IV;
Seizure Memo (receipt) in Form	For every article of food seized by the FSO and the
II (Rule 2.3.1 of FSS Rules	matters connected therewith (as per 2.3 of food Safety
2011	& Standards Rules 2011).

#### SAMPLE DISPATCH

- > Samples should be dispatched as per the procedure mentioned above. The sample drawn should be transported to the testing laboratory as quickly as possible preferably within 24 hrs. Following precautions should be taken:
- Dehydrated and dry foods stored without refrigeration should not be allowed to absorb any atmospheric moisture.

- ➤ Liquids or semi solid foods contained in unopened container should be transported to the lab in refrigerated condition (4°C to 8°C) or without refrigeration as mentioned in the label regarding storage requirements of the food products.
- > Samples drawn from original packing transferred to new container should be held at 4°C to 8 °C during transportation, but should not be frozen.
- Meat and meat products, poultry and fish should preferably be transferred under wet ice refrigeration to avoid dehydration at the surface of the sample.
- Frozen food products should be kept in dry ice while transportation.
- All samples packaged for dispatch must be secured with shock-absorbing materials to protect them from damage enroute.
- > Samples of frozen foods to be sent overnight may be packed in insulated cartons containing dry ice that will last for that length of time.
- If special precautions in handling or storing samples are needed, the FSO/ Authorized Officer should ensure that persons who will be handling the samples are informed.

## SAMPLING OF IMPORTED FOOD ARTICLES BY AUTHORISED OFFICER

Related provision- Food Safety and Standards (Import) Regulation, 2017

Authorised officer at the ports shall conduct visual inspection and take the sample of import food products. The Authorised Officer shall draw two parts of food sample of each description or measures (except for aseptic sealed packages); and forward to the food analyst such quantity of sample as specified under the Food Safety and Standards (Laboratory and Sample Analysis) Regulations, 2011. All the requirements of sampling, storage and transportation are the same as described above for the FSO.

## SAMPLING OF FOOD ARTICLES FOR SURVEILLANCE PURPOSES:

The sampling plan and procedures for drawing samples for surveillance purposes shall be as per the procedures specified by the Food Authority and will be notified prior to any such surveillance activities.

Section 43 (1) of FSSAI, 2006, provides that the Food Authority may notify food laboratories and research institutions accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL), India or any other accreditation agency for the purposes of carrying out analysis of samples by the Food Analysts under this Act. The testing laboratories that analyse samples for legal compliance are:

- State Food/Public Health Laboratories
- Referral Food Laboratories
- FSSAI Notified Laboratories

The role of each of these laboratories has been specified (Figure-9).

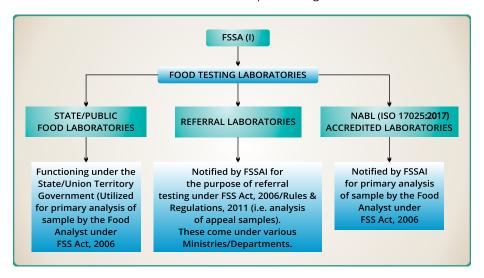


Figure-9: Schematic showing the framework of regulatory testing laboratories under FSSAI.

These food testing laboratories are involved in multiple functions:

- Enforcement of food laws by virtue of testing food against the prescribed quality and safety parameters
- In surveillance and monitoring activities to ensure compliance of the food product against the laid down standards
- Assist in testing of imported foods thereby ensure a transparent mechanism of trade and also compliance to national regulations
- Risk assessment activities for reviewing existing and developing new food safety standards

As per Annexure 3 of Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011, all FBOs must ensure testing of relevant chemical and/or microbiological contaminants in their food products in accordance with FSS Regulations as frequently as required on the basis of historical data and risk assessment to ensure production and delivery of safe food through their own or NABL accredited/FSSAI notified labs at least once in six months.

**State Food Testing Laboratories:** FSSAI inherited 72 State Food Testing laboratories notified under" Prevention of Food Adulteration Act (under the transition provision under Section 98 of FSS Act, 2006), These laboratories are involved in the primary testing of samples in their respective state for legal compliance and surveillance.

<sup>⚠</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

FSSAI recognizes and notifies NABL (ISO 17025:2017) accredited food testing laboratories in the following categories:

- Primary food testing laboratories
- Referral food laboratories
- Reference food laboratories

**Primary Food Testing Laboratories** means a food laboratory notified by the Food Authority under sub-section (1) of section 43 for the purposes of carrying out analysis of food samples taken under Section 47 of the said Act.

**Referral Food Laboratory** means a food laboratory established or recognized by notification by the Food Authority under sub section (2) of section 43. The Food Authority recognizes Referral Food Laboratories for the purposes of carrying out analysis of appeal samples. The Referral Laboratory analyses the food samples sent by DO or any authority authorized by the Food Authority and submits the certificate of the analysis (CoA) to the concerned authority. In addition, the laboratory is entrusted to:

- Carry out all relevant investigations in order to fix the standards for any article of food
- Carry out investigations as directed by the Food Authority in collaboration with other laboratories or Food Analysts in the various States or with any other food laboratories and institutes that the Food Authority may approve on its behalf for the purpose of standardising the methods chosen for analysis.
- Ensure that the laboratories follow the scientific protocol that has been laid down for handling/testing articles of food.
- Maintain high standards of accuracy, reliability and credibility in the operations of their laboratory and ensure that they are achieving and maintaining the required levels of accreditation and reliability.
- > Lay down mechanisms that ensure that the personnel of the laboratories follow the highest professional standards and discipline.
- Carry out any such conditions as the Food Authority may lay down for referral laboratories.
- Have the capacity to organize professional training, workshops and seminars for Food Analysts, laboratory personnel in those States as specified by the Food Authority.

Reference Food Laboratory means a food laboratory referred to in regulation 3 of Food Safety and Standards (Laboratory and Sampling Analysis) Regulation, 2011. FSSAI has recognised National Reference laboratory (NRL) to set up a countrywide standard for routine procedures, validation of such standard procedure/testing methods, development of

new methods and ensuring proficiency in testing across the food laboratories with special reference to the risks or food categories. The functions of the reference laboratory are to carry out the following functions:

- > To be a resource centre for provision of information for certified reference materials and reference materials;
- > To develop standards for routine testing procedures and reliable testing methods;
- To provide technical support in the area of competence;
- Evaluate the performance of other notified laboratories;
- Coordinate exchange of information amongst notified food laboratories;
- > Collaborate for data generation among the network of notified food laboratories and referral food laboratories and collate the data related to their specific domain; and
- Any other functions as may be specified by the Food Authority.

#### ROLE OF FOOD ANALYST AND THEIR FUNCTIONS

**Food Analyst (FA):** As per Section 45 of FSS Act, 2006, the State Commissioner of Food Safety may, by notification, appoint such persons as he thinks fit, having the qualifications prescribed by the or FSSAI Central Government, to be Food Analysts. Provided that no person, who has any financial interest in the manufacture or sale of any article of food shall be appointed to be a Food Analyst under this section. Different Food Analysts may be appointed for analysis of different articles of food.

- The required basic qualifications of a FA include Bachelor's or Master's or Doctorate degree in Chemistry or Biochemistry or microbiology or Dairy Chemistry or Agriculture Science or Animal Science or Fisheries Science or Biotechnology or Food safety or Food Technology, Food and Nutrition or Dairy Technology or Oil Technology or Veterinary Sciences from a university established in India bylawor is an associate of the Institution of Chemists (India) by examination in the section of Food Analysts conducted by the Institution of Chemists (India) or any other equivalent qualification notified by the Food Authority with the prior approval of the Central Government and has not less than three years experience in the analysis of food.
- The FA must be declared qualified for appointment as a Food Analyst by a board appointed and notified bythe FSSAI.
- Analysts who had previously been declared qualified as Public Analyst under Prevention of Food Adulteration Act, 1954 are also eligible to be considered as FAs. The FA should undergo all specialized training programs specified bythe Food Authority periodically and any other that enhances their knowledge of analysis.

Duties of Food Analyst (FA) is required to analyse the article of food sent to him for analysis. In analysing the article of food, the FA should follow all instructions and shall adhere to such procedure as adopted by the Food Authority from time to time. The report of analysis shall be signed by the Food Analyst. After completion of analysis of article of food, the Food Analyst shall send his report to the Designated Officer, the Purchaser of article of food, as the case may be, in Form VII A.

#### An FA must use:-

- a) Fit-for-purpose methods or methods otherwise identified as suitable by a regulatory/enforcement agency.
- b) Document procedures and records for method validation that, at a minimum, meet the requirements of a responsible regulatory agency.
- c) Use statistical procedures and data presentation as required by a regulatory agency
- d) Maintain confidentiality and data integrity.
- e) Follow all Good Food Laboratory Practices of sampling.
- f) Follow and implement all safety procedures.
- g) Be well versed with handling all safety equipment.
- h) Use all physical protection (lab coat, safety glasses, closed shoes).

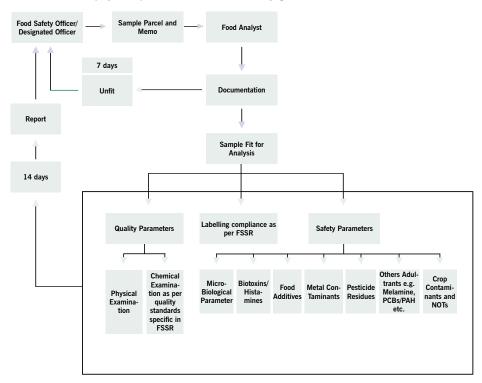


Figure-10: Flowchart showing the role of the Food Analyst in compliance testing

**Sample analysis:** On receipt of a package containing a sample for analysis from the FSO or any other person the FA carries out the following and takes action accordingly (Figure 10):

- Compares the seal on the container and the outer cover with specimen impression received separately and notes the conditions of the seal and documents the same. In case of a discrepancy the FSO/DO is informed.
- If the sample container is found to be in broken condition, signs of leakage or unfit for analysis, the FA should communicate the same to the FSO/DO within a period of seven days from the date of receipt of the sample and send requisition to him for sending second part of the sample.
- 3. The sample package is opened and details as suggested in Box 4 are documented

Box 4. Documentation of Sample Details by Food Analysis		
Registered Parcel Number and date	Copy of memorandum in parcel: Yes/No	
Name and Designation of sender	Name of the sample as per memorandum	
Date of parcel receipt	Code number of sample as per memorandum	
Date of opening parcel	Whether signature of FSO on sample container:	
	Yes/No	
Condition of seal	Name and Signature of witness	
Details of sample container	Name and signature of FA opening parcel	
Number of samples in parcel		

- 4. The analysis must be carried out as per the standards laid down for the food commodity, within a period of fourteen days from the date of receipt of the sample. The analysis includes testing for quality, physical examination, microbiology parameter, testing for food additives, mycotoxins, pesticide residues, heavy metals. In case of pre-packaged foods, the label must be evaluated to see if conforms to the FSS (Packaging and Labelling) Regulation, 2011(Figure 21).
- 5. The analysis report shall be prepared as per Form VIIA and four copies of the same shall be sent to the Designated Officer (Table 11), indicating the method of sampling and analysis, and with an opinion.
- 6. If the sample cannot be analysed within fourteen days of its receipt, the FA must inform the DO and the Commissioner of Food Safety giving reasons and specifying the time required for completing analysis.
- 7. The DO keeps two copies of analysis report, sends one copy to the FSO for record and one copy to Food Business Operatorfrom whom the sample was taken.
- 8. DO will analyse report to determine whether an offence has been committed under the FSS Act. If the DO believes an offence has been committed, he will determine whether the offence is punishable by adjudication or whether it is punishable by prosecution.

- 9. If the DO is of the opinion, for reason(s) to be recorded in writing, that the report delivered by the FA is erroneous, he must forward one of the parts of the sample kept with him to the Referral laboratory for analysis. The complete process is summarised in Figure 23.
- 10. FBO can file an appeal before the DO in Form VIII within 30 days of receipt of the report. The DO will give an opportunity of hearing to the FBO and shall decide on such appeal within 30 days. If the DO decides, he may forward one part of the sample to the Referral Laboratory for opinion and the report of the Referral laboratory in this matter shall be final.
- 11. In the case of the Microbiology parameters there is no provision for retesting. The sample is analysed simultaneously by three different laboratories.

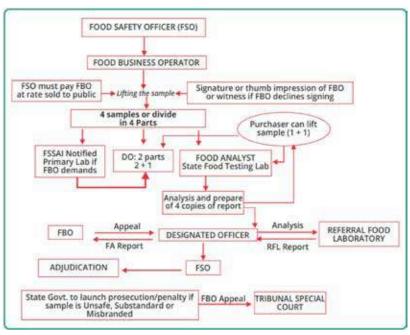


Figure-11: Flow diagram summarized the process of sample analysis for regulatory compliance under FSSAI Act 2006.

Forms related to Sample Analyese	
Form VIIA in FSS Rules, 2011	Report of the Food Analyst
Form XI in FSS Rules,2011	Certificate of Analysis by the Referral Food Laboratory

## INDIAN FOOD LABORATORY NETWORK (INFOLNET)

INFoLNET is an IT based system for Laboratory Management that connects and collates the network of food testing laboratories; the workflow precisely covers sample collection by Food Safety Officer up to test report generation by lab.

- The objective of this online platform is to manage all activities of food testing through online interface including enforcement, imports, surveillance, self compliance by FBOs etc. and to get real time statistics on food testing.
- INFoLNeT version 1.0 was launched in the year 2017 and gradually revamped; INFoLNeT 2.0 was launched on 19th March, 2021 with added features for easy reporting process & to get uniform test reports.
- All FSSAI notified laboratories have to register themselves on the portal; regularly update their profile and mandatorily upload the test reports as per the obligation of the labs given under Food Safety and Standards (Recognition and Notification of Laboratories) Regulations, 2018
- Profile detail includes:
  - i. Basic Lab details
  - ii. FSSAI recognition
  - iii. Manpower
  - iv. Equipment & their Calibration Details
  - v. Test parameters
  - vi. NABL Scope of accreditation
  - vii. Proficiency Testing etc.
- INFoLNeT 2.0 includes sample cycle starting from sample receiving and registration till generation of test reports by the laboratories. There are 4 roles on INFoLNET- Sample Receiver, Lab Admin, Food Analyst and Analyst.
- (URL:INFOLNET.FSSAI.GOV.IN)

## STRENGTHENING OF SAMPLE MANAGEMENT SYSTEM WITH COLD CHAIN FACILITY BY FSSAI IN ALL STATES/UTS AT THE DISTRICT LEVEL

FSSAI has created an effective Sample Management System with Box-to-Box (B2B) approach. Under this, sampling devices, both sampling tools as well as collection devices are developed and provided to each of the food safety machineries at district level. This includes providing chill boxes, sampling bags and battery-operated cold chain enabled boxes that will aid in collecting perishables that need to maintains low temperature for transportation to maintain the sample integrity. Also, provision is there to provide vehicle mounted cold chain enabled boxes which would ensure that the samples picked from the field and reach to the laboratory or food safety machinery as quickly as possible [Block to Block approach]. This would ensure efficient flow of material from field to the laboratory without compromising the integrity.

#### Components of the Sample Management System SM5 Component supplied to the State Product Description / Features ♦3 Storage Cabinets operating at different ♦ For storing Samples picked from the field at different temperatures @ -20° C, 4° C and temperatures ◆Capacity: 600L (740mm × 835mm × Ambient temperature. 2010mm) ♦ Installed at DO Office ♦Spring loaded Auto-shut Doors with Lock ◆Immobile Heavy duty lockable Castor Wheels ◆Battery Operated Vehicle mounted Freezer ◆Used by FSO. Units, Capacity: 181 For transporting perishable samples from Door Open Alarm, USB inlet for mobile the field to the lab or DO Office. charging, LED Light, Digital Display with Retains chiliness upto 48 hours Microprocessor **♦**Mobile ♦ Convertible: Freezer < > Chiller Portable Chill Boxes (without Battery) OUsed by FSO. ♦15L Gross capacity, and 12L Net capacity. ♦ For transporting perishable samples / other Product carrying capacity: Upto 8kg. samples from the field to the lab or DO Chill Pack(6 pcs) provided to maintain Office. Retains chiliness upto 24 hours temp. for 4 hrs between +4° C to +8° C under iced-gelled conditions. **♦**Mobile ◆20L Gross Capacity backpack cum handy ◆Used by FSO. Multiple pockets to carry samples as well bags as tool kits for sampling purpose.

#### CAPACITY BUILDING IN FOOD TESTING

Food testing is an integral and important part to ensure food safety. FSSAI through its Quality Assurance (QA) Division works towards fulfilling the vision of providing safe and wholesome food to the citizens of our country by strengthening its food testing laboratory infrastructure &capacitybuildingacross the country.

**♦**Mobile

Quality Assurance Division is responsible for:-

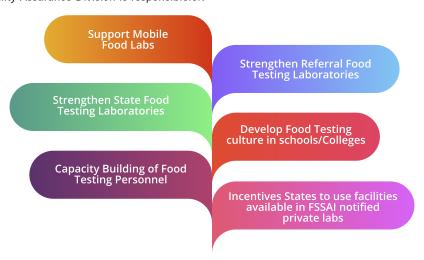


Figure-12: Six initiatives of FSSAI under the 'Scheme to Strengthening of Food Testing Laboratories (SOFTeL).

FSSAI has formulated a scheme to provide support to State Food Laboratories for upgrading the laboratory infrastructure along with trained manpower for utilizing the sophisticated test equipment. Six Initiatives of the scheme are shown in Figure 24.

The 'Scheme to Strengthening of Food Testing Laboratories (SOFTeL)' enable the States/UTs:

- To analyse the regulatory and surveillance samples drawn by the FSO within the shortest possible time frame;
- To analyse the safety parameters in food samples such as Heavy metals, Pesticide residues. Antibiotic and drug residues and naturally occurring toxic substances along with Microbiological examination;
- To ensure compliance of FSSAI standards on food;
- To enablethe laboratories to achieve ISO17025:2017 certification through NABL, India;
- > To become a resource point for training and facility up-gradation for other existing Government / Public Food testing laboratories in the State; and to introduce online laboratory data management system through Laboratory Information Management System (LIMS)

## LIST OF ISO AND OTHER STANDARDS ASSOCIATED WITH ACCEPTANCE SAMPLING

List of ISO standards concerning Acceptance Sampling:-

Seeds Toolkit Module 3: Seed Quality Assurance. Published by The Food and Agriculture Organization of the United Nations and Africa Seeds Rome, 2018.

- > ISO 2859-1:1999, Sampling procedures for inspection by attributes -- Part 1: Sampling schemes indexed by acceptance quality limit (AQL) for lot-by-lot inspection
- ISO 2859-1:1999/Cor 1:2001
- ➤ ISO 2859-2:1985, Sampling procedures for inspection by attributes -- Part 2: Sampling plans indexed by limiting quality(LQ) for isolated lot inspection.
- ➤ ISO/CD 2859-2, Sampling procedures for inspection by attributes -- Part 2: Sampling plans indexed by limited quality (LQ) for isolated lot inspection
- ➤ ISO 2859-3:2005, Sampling procedures for inspection by attributes -- Part 3: Skip-lot sampling procedures
- ➤ ISO 2859-4:2002, Sampling procedures for inspection by attributes -- Part 4: Procedures for assessment of declared quality levels
- ISO 2859-5:2005, Sampling procedures for inspection by attributes -- Part 5: System of sequential sampling plans indexed by acceptance quality limit (AQL) for lot-by-lot inspection.

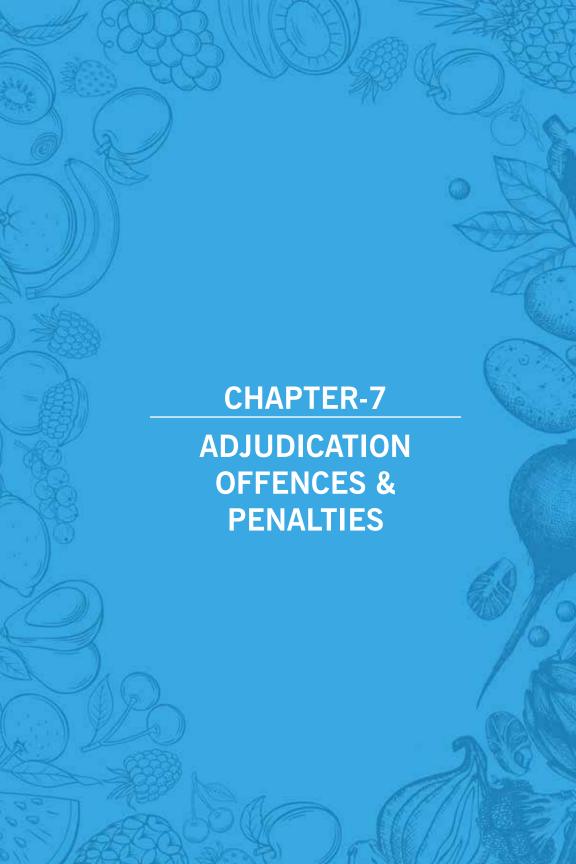
- ➤ ISO 2859-10:2006, Sampling procedures for inspection by attributes -- Part 10: Introduction to the ISO 2859 series of standards for sampling for inspection by attributes.
- ➤ ISO 3951-1:2005, Sampling procedures for inspection by variables Part 1: Specification for single sampling plans indexed by acceptance quality limit (AQL) for lot by-lot inspection for a single quality characteristic and a single AQL
- ➤ ISO 3951-2:2006, Sampling procedures for inspection by variables -- Part 2: General specification for single sampling plans indexed by acceptance quality limit (AQL) for lot by-lot inspection of independent quality characteristics.
- ➤ ISO 3951-3:2007, Sampling procedures for inspection by variables -- Part 3: Double sampling schemes indexed by acceptance quality limit (AQL) for lot-by-lot inspection
- ➤ ISO/WD3951-4, Sampling procedures for inspection by variables--Part 4: Procedures for assessment of declared quality levels
- ➤ ISO 3951 -5:2006, Sampling procedures for inspection by variables -- Part 5: Sequential sampling plans indexed by acceptance quality limit (AQL) for inspection by variables (known standard deviation)
- > ISO 8422:2006, Sequential sampling plans for inspection by attributes
- ➤ ISO/DIS 8423, Sequential sampling plans for inspection by variables for percent nonconforming (known standard deviation) 16) ISO 8423:1991, Sequential sampling plans for inspection by variables for percent nonconforming (known standard deviation
- ➤ ISO 8423:1991, Sequential sampling plans for inspection by variables for percent nonconforming (known standard deviation).
- > ISO 8423:1991/Cor 1:1993
- > ISO/TR 8550:1994, Guide for the selection of an acceptance sampling system, scheme or plan for inspection of discrete items in lots
- ➤ ISO/TR 8550-1:2007, Guidance on the selection and usage of acceptance sampling systems for inspection of discrete items in lots -- Part 1: Acceptance sampling.
- ➤ ISO/TR 8550-2, Guidance on the selection and usage of acceptance sampling systems for inspection of discrete items in lots -- Part 2: Sampling by attributes
- ➤ ISO/TR 8550-3:2007, Guidance on the selection and usage of acceptance sampling systems for inspection of discrete items in lots --Part 3: Sampling by variables.
- ➤ ISO 13448-1:2005, Acceptance sampling procedures based on the allocation of priorities principle (APP) -- Part 1: Guidelines for the APP approach

- ISO 13448-2:2004, Acceptance sampling procedures based on the allocation of priorities principle (APP) -- Part 2: Coordinated single sampling plans for acceptance sampling by attributes
- ➤ ISO 14560:2004, Acceptance sampling procedures by attributes -- Specified quality levels in nonconforming items per million
- ➤ ISO 18414:2006, Acceptance sampling procedures by attributes -- Accept-zero sampling system based on credit principlefor controlling outgoing quality
- ➤ ISO 21247:2005, Combined accept-zero sampling systems and process control procedures for product acceptance
- ➤ ISO/DIS 24153, Random sampling and randomization procedures
- ➤ ISO/CD 28801, Sampling by attributes -- Double sampling plans with minimal sample sizes indexed by producer's risk quality (PRQ) and consumer's risk quality(CRQ)
- ➤ ISO 3534-2:1993: Statistics-Vocabulary and symbols-Part2
- General Guidelines on Sampling CAC/GL 50-2004
- > IS 14818:2000 Cereals and pulses and milled products-Sampling of static batches
- IS013690:1999 Cereals and pulses and milled products-Sampling of static batches
- ➤ ISO 542:1990 Oilseeds Sampling. Reviewed and confirmed in 2006
- ➤ ISO 664, Oilseeds Reduction of laboratory sample to test sample.
- ➤ IS: 4905 -1968 (Reaffirmed 2001) Methods for random sampling
- BIS IS 2500-1: 2000(R2017) Sampling Procedure for Inspection by Attributes Part
   1: Sampling Schemes Indexed By Acceptance Quality Limit (AQL) For Lot-By-Lot Inspection
- ➤ BIS IS 4905:2014 Random Sampling and Randomization Procedures BIS IS 14818:2017 Cereal and Cereal Products Sampling
- Recognition and notification of Primaryand Referral laboratories.
- > Strengthening of the country's food testing system through the upgradation of 79 State Food Testing Laboratories (SFTLs). (45 under Central Sector Scheme)
- Strengthening of food safety ecosystem in the country through the provision of Mobile food testing laboratory (Food Safety on wheels) in all the states/UTs.

- Ensuring availability of approved Food Testing Methods by compilation of testing methods through Manuals of Methods of Analysis with constant updating.
- > Ensuring availability of approved Sampling guidelines e.g. General Guidelines on Sampling for Microbiological Analysis & Manual on General Guidelines on Sampling, with constant updating.
- Conducting Food Analyst Examination (FAE) and Junior Analyst Examination (JAE). Conducting of PAN India targeted Surveillance to ensure food safety in the country.
- Strengthening of Sample Management System with cold chain facility in States/UTs at district level.
- Approval of Rapid Food testing Kit, Equipment, or Method as per provision under Rules 2.4.1 & 2.4.2 of FSS Rules 2011 under RAFT(https://fssai.gov.in/cms/raft.php).
- Organizing training programs for strengthening capacity of the laboratory personnel of State Food, Primary Notified and Referral food testing laboratories.
- Partnership with various national and international bodies such as AOAC International, ICMSF for smooth function of activities related to quality assurance

# NOTES

NOTES



# 7 ADJUDICATION OFFENCES & PENALTIES

### **AUTHORITIES RESPONSIBLE FOR ENFORCEMENT OF THIS ACT**



### **OFFENCE**

Contravention of provisions of Food Safety and Standards Act 2006, Food Safety and Standards Rules, 2011 and its Regulations by any individual or companies is called an Offence.

Under FSS Act 2006, the offences are defined under Section 48 (General provisions relating to offences)

A person may render any article of food injurious to health by means of one or more of the following operations, namely:

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- Adding any article or substance to the food e.g. an adulterant, contaminant, extraneous matter etc.
- Using any article or substance as an ingredient in the preparation of the food. e.g. inferior quality of raw materials, or food additives which are not allowed in that food category as per FSS (Food Product Standards & Additives) & FSS (Prohibition & Restriction of Sales) Regulation- 2011.
- Abstracting any constituents from the food. e.g. nutrient (fat) from milk, while on label displaying the quantity as per norms.
- Subjecting the food to any other process or treatment, other than defined, e.g. heattreated honey as raw honey.

### (2) Following point need to be considered before declaring offence,

- (a) (i) Normal conditions of use of the food by the consumer and its handling
  - (ii) Information provided to the consumer via label on specific adverse health effects
  - (iii) Probable cumulative toxic effects
  - (iv) To health sensitivities and probable cumulative effect of a specific category of consumers where the food is intended for that category of consumers
- (b) Exemption: The fact where the quality or purity of the article, being primary food, has fallen below the specified standard or its constituents are present in quantities not within the specified limits of variability, in either case, solely due to natural causes and beyond the control of human agency, then such article shall not be deemed to be unsafe or sub-standard or food containing extraneous matter, e.g. fruits or dried fruit in packaged condition- moisture % will change gradually with time. Peeling of dried dates fruit- seems like extraneous matter but its outer skin (epicarp) of Dates.

### **OFFENCES WITH**

- Any foods sample, declared as sub-standard food by food analyst, is considered as an Offence (Section 51)
- Any false complaint against any food safety officer, is considered as an Offence (Section 39)

### Section 49: General provision relating to Penalties

Adjudicating Officer or the Tribunal, while delivering the quantum of penalty, shall give due consideration to following, as a result of contravention

- > The amount of gain or unfair advantage, wherever quantifiable
- The Amount of loss caused or likely to cause to any person
- The repetitive nature of the contravention,
- > Whether the contravention is without his knowledge, and
- Any other relevant factor.

# Penalties in relation with Food can be differentiated in two categories under below mentioned sections of Chapter IX

Penalties with Monetary fine only

Section 50 to Section 58 and Section 61 and 63

Penalties with Monetary fine + Imprisonment

Section 59 to Section 67 excluding Section 61 and 63

# Penalties in relation other than food i.e. For Enforcement of the Act mentioned under different sections of Chapter VII.

- 1. Section 33-Prohibition Orders
- 2. Section 34 Emergency prohibition notices and orders
- 3. Section 39- Liability of food safety officers in certain cases.

### Consolidated table for Penalties with Monetary fine plus Imprisonment

Section	Offence	Liability	Penalty in rupees
			(max.)
50	Penalty for selling food not	Seller If Petty food manufacturer	5 lakh 25 thousand
	of the nature or substance	registered as seller too {Sec 31	{Sec 31 (2)}
	or quality demanded	(2)}	
51	Penalty for sub-standard	Manufacturer / Seller, Distributor	5 lakh
	food	/ Storage /Importer	
52	Penalty for misbranded	Manufacturer / Seller, Distributor	3 lakh
	food	/ Storage /Importer	

Section	Offence	Liability	Punishment & Penalty in rupees (max.)
53	Penalty for misleading advertisement	Person who publishes, or is a party to the publication of a misleading advertisement	10 lakh
54	Penalty for food containing extraneous matter	Manufacturer / Seller, Distributor / Storage / Importer	1 lakh
55	Penalty for failure to comply with the directions of Food Safety Officer	FBO or Importer	2 lakh
56	Penalty for unhygienic or unsanitary processing or manufacturing of food	Manufacturer or Processor	1 lakh
57	Penalty for possessing adulterant. If adulterant (i) not injurious to health (ii) injurious to health	Manufacture, sales, distribution or import of any adulterant	(I) 2 lakh (ii) 10 lakh
58	Penalty for contraventions for which no specific penalty is provided	Any individual / person	2 lakh
59	Punishment for unsafe food. If unsafe food cause no injury, non- grievous injury, grievous injury, death	Manufacturer/ Seller, Distributor/ Storage, Importer	(I) 3 Months/3 lakh (ii) 1 Year/3 lakh  (iii)o Years/5 Lakh (iv) not less than 7 years but extended up to lifetime & fine shall not be less than 10 lakh
60	Penalty for interfering with seized item	Any person	10 lakh
61	Punishment for false information	Any person	10 lakh
62	Punishment for obstructing or impersonating a Food Safety Officer	Any person	03 months and 1 lakh

Section	Offence	Liability	Punishment & Penalty in rupees
63	Penalty for carrying	FBO-Manufacturer,	(max.) 10 lakh
	out a business without license	Packer, Distributor etc. [Note:-Only Exemption from licensing under sub-section (2) of section 31 of this Act)]	
64	Punishment for subsequent offences	Any person	(I) twice the punishment as imposed on a first conviction.
			(ii)fine on daily basis which may extend up to one lakh rupees (iii) cancellation of license
65	Compensation in case injury of death of consumer	FBO-Manufacturer, Packer, Distributor etc	(a) not less than five lakh rupees in case of death; (b) not exceeding three lakh rupees in case of grievous injury; and (c) not exceeding one lakh rupees, in all other case of injury: Also may be, (a) order for cancellation of licence, re-call of food from market, forfeiture of establishment & property in case of grievous injury or death of consumer; (b) issue prohibition orders in other cases
66	Offences by companies	Company and nominated for food safety / or In-charge / or responsible person of company/ establishment / branch	Penalty or Punishment accordingly to contravention as per act
67	Penalty for contravention of provisions of this Act in case of import of articles of food to be in addition to penalties provided under any other Act.	FBO/Importer	(1) Any penalty as per-Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) and the Customs Act, 1962 (52 of 1962). (2) Penalty or Punishment accordingly to contravention as per this act (FSS act 2006)

### OVERVIEW OF ADJUDICATION

### ADJUDICATION AND FOOD SAFETY APPELLATE TRIBUNAL (SECTION 68 TO 76)

### Section 68 & 69: Adjudication officer & its power

- Adjudication officer:-ADM of district or above (Notified by State Govt)
- Have powers of a Civil Court
- > Judicial proceedings as per section 193 and 228 of IPC (45 of 1860)
- A court as per sections 345 and 346 of the Code of Criminal Procedure, 1973(2 of 1974).
- Hear representation and decision based on inquiry
- Impose penalty for contravention and as per offence
- Quantum of penalty-due regard with Section 49

### Section 66: Offences by companies

- Where an offence under this Act which has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Provided that where a company has different establishments or branches or different units in any establishment or branch, the concerned Head or the person in-charge of such establishment, branch, unit nominated by the company as responsible for food safety shall be liable for contravention in respect of such establishment, branch or unit: Provided further that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.
- Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

### **EXPLANATION**

For the purpose of this section:-

- (a) "company" means anybody corporate and includes a firm or other association of individuals; and
- (b) "director" in relation to a firm, means a partner in the firm.

# Section 67: Penalty for contravention of provisions of this Act in case of import of articles of food to be in addition to penalties provided under any other Act

- Any person who imports any article of food which is in contravention of the provisions of this Act, rules and regulations made thereunder, shall, in addition to any penalty to which he may be liable under the provisions of the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) and the Customs Act, 1962 (52 of 1962) be also liable under this Act and shall be proceeded against accordingly.
- Any such article of food shall be destroyed or returned to the importer, if permitted by the competent authority under the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) or the Customs Act, 1962 (52 of 1962), or any other Act, as the case may be.

### Section 69: Power to compound offences

- Designated officer: Empowered by Commissioner of Food Safety
- Accept penalty up to Rs One lakh from petty food manufacturer, retailers, hawkers etc.
- No imprisonment under this act.

### Section 70: Establishment of Tribunal

- Formed by Central govt. or State govt. by notification
- > To hear appeal from decisions of Adjudicating Officer under Sec. 68
- > Tribunal has only one Person-Presiding Officer-appointed by Central or State govt.
- Presiding Officer- District judge only (current or previous)

### Section 71: Procedure & powers of Tribunal

- Guided by principles of natural justice and FSS Act, 2006 & FSS Rules, 2011
- > Same powers similar to civil court under the Code of Civil Procedure, 1908
- Tribunal proceedings are judicial proceeding-same as Civil court or Criminal Court
- > Appeal against Tribunal can be filed in High Court within 60 days of decision/order

### **SPECIAL COURT**

### Section 72: Civil Court not to have jurisdiction

Civil court have "NO" jurisdiction in respect of any matter which Adjudicating Officer or the Tribunal court is empowered.

### Section 73: Power of court to try cases summarily

Offences not triable by Adjudicating officer or by Special court can be tried in a summary way by judicial Magistrate of the first class or by a Metropolitan magistrate Section 74: Special courts and Public prosecutor

- > Empowers Central or State government to constitute "Special Courts".
- > Empowers Central or State government to appoint one Public Prosecutor (PP) and more than one Additional Public Prosecutor.
- Especially, for trials of offences related to grievous injury or death of the consumer.
- For such offence, where, punishment of imprisonment 03 years or more as per FSS act 2006.

### **REGULAR COURT**

### Section 75: Power to transfer cases to regular court

Special Court can transfer any offence (if found not triable by special court/or no such jurisdiction to try such offence), for the trial of such offence to regular court.

### Section 76: Appeal

Appeal against Special court can be filed in High Court within 45 days from the date on which order was served, after payment of fee. Appeal under this section shall be disposed by 2Judge (min.) bench of a High Court.

### Section 77: Time limit for prosecutions

Notwithstanding anything contained in this Act, no court shall take cognizance of an offence under this Act after the expiry of the period of one year from the date of commission of an offence. Provided that the Commissioner of Food Safety may, for reasons to be recorded in writing, approve prosecution within an extended period of up to three years.

### PREPARING AND FILING A CASE

### **Adjudication Proceedings**

- Designated Officer (DO), received Form VIIA (report of food analysis) from food analyst.
- > DO has to verify non-conformance of sample, appeal or no appeal and result of appeal
- > DO will examine case basis section and confirm penalty with fine only or penalty with imprisonment or no penalty.
- In case of no penalty on conformance of sample, FBO (Food Business Operator) will be informed.
- In case of penalty with fine only, DO will ask FSO (Food Safety Officer) to file an application for adjudication of offence with Adjudication officer against seller or manufacturer etc.
- > FSO will file application with Adjudicating officer.
- > Adjudicating Officer will initiate proceeding after receipt of application from FSO.
- Based on integrity of evidence and due regard of Section 49, Adjudication officer can either impose penalty or dismiss the case.

Adjudication Officer can also hold the proceeding under section 50 to 58, 61 and 63 to 67 of FSS Act, 2006 and issue notice to person/s for proper representation.

- After proper representation and evidence verification, Adjudicating Officer based on merit, can either impose penalty or dismiss the case.
- Every order will be signed by Adjudicating officer.
- Copy of the order will be send to concern person/s.

### Section 42: Procedure for launching prosecution

- > Food Safety Officer- Inspection of premises, sample drawn and sending to food analyst.
- Food analyst- analysis of sample, preparation of report and sending report within 14 days to Designated officer and Copy to Commissioner of Food Safety.
- DO based on report-decide whether contravention is punishable with imprisonment or fine.
- In case of contravention with imprisonment, within 14 days, DO send recommendation to Commissioner of Food Safety for sanctioning prosecution.
- Based on gravity of offence. Commissioner referred matter to Regular court or Special court.

- Commissioner of Food Safety communicates decision to DO and FSO, who then launch prosecutions in applicable court.
- In case sample was taken under Section 40, purchaser is also informed.

### Section 80: Defences which may or may not be allowed in prosecution

- (A) Defence relating to publication of advertisements
  - (1) In any proceeding for an offence under this Act in relation to the publication of an advertisement, it is a defence for a person to prove that the person carried on the business of publishing or arranging for the publication of advertisements and that the person published or arranged for the publication of the advertisement in question in the ordinary course of that business.
  - (2) Clause (1) does not apply if the person—
    - (a) Should reasonably have known that the publication of the advertisement was an offence; or
    - (b) Had previously been informed in writing by the relevant authority that publication of such an advertisement would constitute an offence; or
    - (c) Is the Food Business Operator or is otherwise engaged in the conduct of a food business for which the advertisements concerned were published.

### (B) Defence of due diligence

- In any proceedings for an offence, it is a defence if it is proved that the person took all reasonable precautions and exercised all due diligence to prevent the commission of the offence by such person or by another person under the person's control.
- 2. Without limiting the ways in which a person may satisfy the requirements of clause(1), a person satisfies those requirements if it is proved—
  - (a) that the commission of the offence was due to—
    - (i) An act or default of another person; or
    - (ii) Reliance on information supplied by another person; and
  - (b) (i) The person carried out all such checks of the food concerned as were reasonable in all the circumstances; or
    - (ii) It was reasonable in all the circumstances to rely on checks carried out by the person who supplied such food to the person; and

- (c) That the person did not import the food into the jurisdiction from another country; and
- (d) in the case of an offence involving the sale of food, that—
  - (i) the person sold the food in the same condition as and when the person purchased it; or
  - (ii) the person sold the food in a different condition to that in which the person purchased it, but that the difference did not result in any contravention of this Act or the rules and regulations made thereunder; and
- (e) that the person did not know and had no reason to suspect at the time of commission of the alleged offence that the person's act or omission would constitute an offence under the relevant section.
- (3) In sub-clause (a) of clause (2), another person does not include a person who was—
  - (a) an employee or agent of the defendant; or
  - (b) in the case of a defendant which is a company, a director, employee or agent of that company.
- (4) Without limiting the ways in which a person may satisfy the requirements of clause (1) and item (i) of sub-clause (b) of clause (2), a person may satisfy those requirements by proving that—
  - (a) in the case of an offence relating to a food business for which a food safety programme is required to be prepared in accordance with the regulations, the person complied with a food safety programme for the food business that complies with the requirements of the regulations, or
  - (b) In any other case, the person complied with a scheme (for example, a quality assurance programme or an industry code of practice) that was—
    - (i) Designed to manage food safety hazards and based on national or international standards, codes or guidelines designed for that purpose, and
    - (ii) Documented in some manner.
- (C) Defence of mistaken and reasonable belief not available

In any proceedings for an offence under the provisions of this Act, it is no defence that the defendant had a mistaken but reasonable belief as to the facts that constituted the offence.

### (D) Defence in respect of handling food

In proceedings for an offence under section 56, it is a defence if it is proved that the person caused the food to which the offence relates to be destroyed or otherwise disposed of immediately after the food was handled in the manner that was likely to render it unsafe.

### (E) Defences of significance of the nature, substance or quality of food

It shall be no defence in a prosecution for an offence pertaining to the sale of any unsafe or misbranded article of food to allege merely that the Food Business Operator was ignorant of the nature, substance or quality of the food sold by him or that the purchaser having purchased any article for analysis was not prejudiced by the sale.

### Legal Metrology (Packaged Commodities) Rule, 2011

Penalty or fine for contravention of Legal Metrology rules as per Legal Metrology Act.

### Rule 32. Fine for contravention of rules.

Whoever contravenes any provisions of these rules, for which no punishment is provided, shall be punished with fine of Rs 5000.

### Rule 32A. Sum of compounding of offences.

The sum of compounding of offences committed under the Act shall be as specified in the following Table, namely:-

S. No.	Offence	Compounding amount	
		If the application for	If the application for
		compounding is by	compounding is by
		retailers or wholesale	manufacturers or
		dealers	importers
1	Contravention of section	Rs. 2000	Rs. 10000
	29		
2	Contravention of sub	Rs. 5000	Rs. 25000
	section (1) of section 36		
3	Contravention of sub	Rs. 10000	Rs. 50000
	section (2) of section 36		

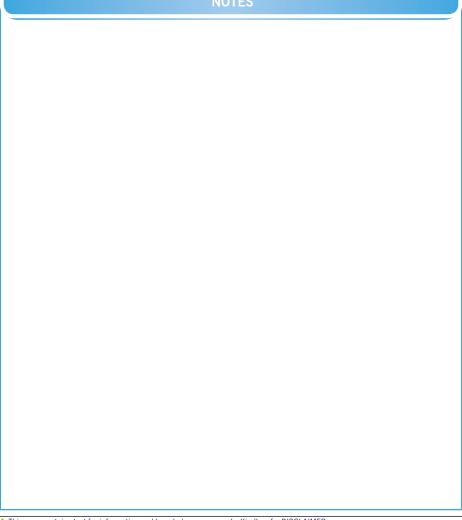
Above 32 rules mentioned below too with nature of contravention 520

### New Rule on Compounding of some offenses

A new sub-rule. Namely, Rule 32 (3) has been introduced

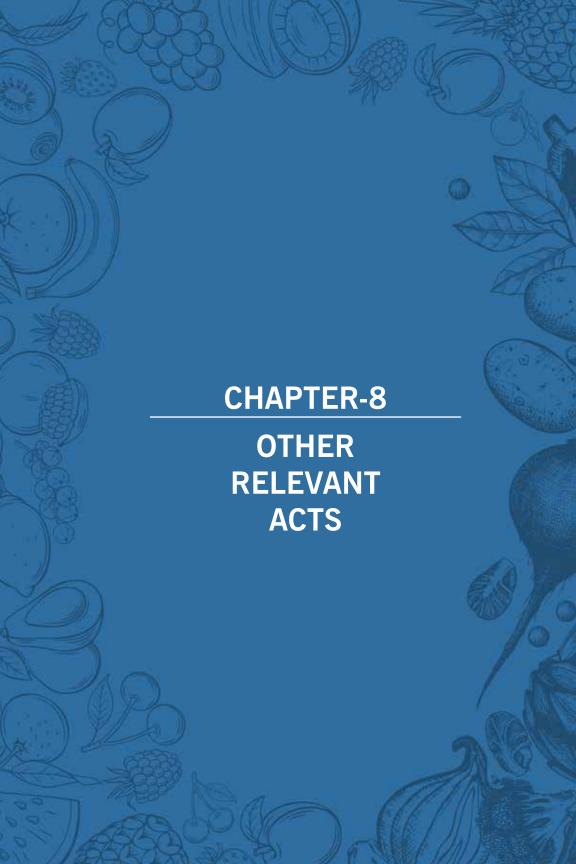
Rule 32(3)(1)	Quoting in non-standard units in packages (S.29)	2000/10000
Rule 32(3)(2)	Failure to confirm to the declaration on packages (S.36(1))	5000/25000
Rule 32(3)(3)	Error in net quantity beyond MPE (S.36(2))	10000/25000
Rule 32(3)(4)	Selling of products beyond MRP	2000/5000

Applicable to retailers / wholesalers /Applicable to manufacturers and importers



NO	OTES

NOTES



# OTHER RELEVANT ACTS

Directorate of Marketing & Inspection (DMI) in the Department of Agriculture, Cooperation and Farmers Welfare, Ministry of Agriculture, Cooperation & Farmers Welfare is implementing the provisions of Agricultural Produce (Grading & Marking) Act, 1937. The Act empowers the Central Government to make Rules for (a) fixing grade designation to indicate quality of any scheduled article, (b) Defining the quality indicated by every grade designation and (c) specifying grade designation marks to represent particular grade designations. Standards notified as per the provisions of the Act are popularly called AGMARK Standards. These standards differentiate between quality of agriculture produce through different grades and 2-3 grades are prescribed for each commodity. Grades help farmers to get prices for agricultural commodities as per the quality produced by them and consumers get the desired quality. Till date, grade standards for 227 agricultural commodities have been notified. These include fruits. Vegetables, cereals, pulses, oilseeds, vegetable oils, ghee, spices, honey, creamery butter, wheat atta, besan, etc.

### **AGMARK CERTIFICATION SCHEME:-**

Two types :(1) Voluntary (2) Mandatory

### **VOLUNTARY SCHEME**

- For agricultural commodities for domestic trade and export.
- Total 222 Commodities notified

S. No.	Group	Commodities
1	Food grains &allied products	32
2	Fruit & Vegetables	57
3	Spices and Condiments	27
4	Edible Nuts	8
5	Oil Seeds	18
6	Vegetable Oil and Fats	19
7	Oil Cakes	8
8	Essential Oils	8
9	Fiber Crops	5
10	Livestock, Dairy and Poultry	10
11	Other Products	35
	Total	227

Food products for which Agmark certification is mandatory as per Food Safety and Standards (Prohibition and Restriction on sales) Regulation, 2011 are as under:

<sup>⚠</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

- 1. Blended Edible Vegetable Oils (BEVO)
- 2. Fat Spread
- 3. Ghee having less RM value and a different standard for BR than that specified for the area in which it is imported for sale or storage

### **BUREAU OF INDIAN STANDARDS- BIS**

Bureau of Indian Standards (BIS) is the National Standards Body of India, functioning under the aegis of Ministry of Consumer Affairs, Govt. of India for harmonious development of the activities of standardization, conformity assessment and quality assurance of goods, articles, processes, systems and services.



BIS is engaged in formulating Indian Standards in

various technology areas and service sectors under the Bureau of Indian Standards Act, 2016 by a process of consultation involving Government and regulatory bodies, consumers, manufacturers, technologists, scientists and testing laboratories through duly constituted technical committees comprising of Sectional Committees, Subcommittees and Panels for dealing with specific group of subjects. In the Food and Agriculture sector, BIS has formulated over 2150 Indian standards covering food product and equipment specifications, test methods and hygiene codes covering the entire feed and food chain from farm to fork.

BIS does not make technical regulations. However, there are technical regulations which make compliance to BIS standards mandatory. Technical regulations are issued by various Departments/Ministries of Government of India.

BIS has its Headquarters at New Delhi and its 05 Regional Offices (ROs) are at Kolkata (Eastern), Chennai (Southern), Mumbai (Western), Chandigarh (Northern) and Delhi (Central). Under the Regional Offices are 28 branch offices (BOs) which offer certification services to the industry and serve as effective link between State Governments, industries, technical institutions, consumer organization etc. of the respective region.

BIS operates a product certification scheme by which it grants licences to manufacturers covering practically every industrial discipline. Though the BIS product certification scheme is essentially voluntary in nature, Government of India, in public interest (for example public health and safety, security, infrastructure requirements, mass consumption) has enforced mandatory BIS certification on various products through various quality control orders or under regulations issued from time to time under various Acts.

Food Products with mandatory BIS Certification as per Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011 are as under:

- Infant formula(IS 14433)
- Milk cereal based weaning food (IS 1656)
- Processed cereal based weaning food (IS 11536)
- Follow up formula (IS 15757)
- Packaged drinking water (IS 14543)
- Packaged mineral water (IS 13428)
- Milk Powder (IS1165)
- Skimmed Milk Powder (IS 13334, Part-1 & 2)
- Partly Skimmed Milk Powder (IS 14542)
- Condensed Milk, Partly Skimmed and Skimmed Condensed Milk (IS 1166)



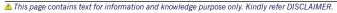
The EIC is the official export-certification body of India which ensures quality and safety of products exported from India. The EIC functions under the Ministry of Commerce and has a mandate to ensure that products notified under the Export (Quality Control and Inspection) Act, 1963 meet the requirements of the importing countries in respect of their quality and safety.

This assurance is provided through either a consignment-wise inspection or a quality assurance/food safety management based certification through its field offices, Export Inspection Agencies (EIAs) and a network of 30 sub offices backed by NABL accredited laboratories at various places. EIC provides mandatory certification for various food items namely fish &fishery products, dairy product, honey, egg products, meat and meat products, poultry meat products and meat by products, feed additives and pre-mixtures, while other food and non-food products are certified on voluntary basis.

# AGRICULTURAL AND PROCESSED FOOD PRODUCTS EXPORT DEVELOPMENT AUTHORITY AND MARINE PRODUCTS EXPORT DEVELOPMENT AUTHORITY

Agricultural and Processed Food Products Export Development Authority (APEDA) and Marine Products Export Development Authority (MPEDA) also function under Ministry of Commerce, Government of India. The main work of these authorities is to promote the export, assure the quality of the product as per international standards, formulate the standards for export etc.

APEDA is mandated with the responsibility of export promotion and market development of agricultural commodities and processed foods. The products under the purview of APEDA includes fresh fruits and vegetables, floriculture, processed foods, meat, poultry, milk and other livestock products, food grains, cereals, seeds and allied products.



MPEDA regulates exports and market promotion of marine products outside India. It is mandated to take all measures required for ensuring sustained, quality seafood exports from the country including carrying out inspection of marine products, implementation of financial assistance schemes for infrastructure development for better preservation & modernised processing, fixing standards, specifications, and imparting trainings to fishermen, fish processing workers, aquaculture farmers and other stake holders in the respective fields related to fisheries.

## OTHER IMPORTANT FOOD LABELLING LOGO TO BE SEEN ON THE LABELS FSSAI LOGO AND LICENSE NUMBER:

The FSSAI logo and license number under the Act shall be displayed on the label of the food package in contrast color to the background as shown below:

In case of multiple units, the FSSAI logo and license number of the brand owner shall be

displayed and in addition the license number of the multiple unit(s) where product is ultimately prepared shall also be displayed. In case of imported food products, the importer shall display FSSAI logo and license number along with name and address of importer. Every Food Business Operator shall display on all its premises, where food is stored, processed, distributed or sold, any/ all vehicles, transport equipment that carries food from one place to another, Registration/Licence



No. (as the case may be) along with other information as may be required and specified by the Authority from time to time. Fortified food and organicfood shall be marked with the logo as specified in Schedule-III of Food Safety and Standards (Labelling and Display) Regulation, 2020 Schedule-I regulations. FSSAI may specify logo for any otherfood as decided from time to time.

### VEGETARIAN AND NON-VEGETARIAN LOGO

As per FSS (Packaging and Labelling) Regulations, 2011, a "Non-Vegetarian Food" means an article of food which contains whole or part of any animal including birds, fresh water or marine animals or eggs or products of any animal origin, but excluding milk or milk products, as an ingredient and "Vegetarian Food" means any article of Food other than Non-Vegetarian Food. It is mandatory for all food manufacturers to

### Vegetarian and non-vegetarian marks





The green dot symbol (left) identifies vegetarian food, and the brown triangle symbol (right) identifies non-vegetarian food.

indicate as to whether the food item contains any non-vegetarian ingredients or not. To enable the consumer to know whether any packaged food is vegetarian or non-vegetarian, this will be indicated in the form of a brown triangle in square or green circle in a square on the package. A brown triangle is to indicate the presence of non-vegetarian ingredients in the food item, while a green circle indicates that the food item is vegetarian. The green circle and brown triangle in a square are indicated as veg & non-veg logos respectively.

### **ORGANIC FOODS (JAIVIK BHART)**

Organic foods are products of holistic agricultural practices focusing on biodiversity, soil health, chemical free inputs etc., and produced in accordance with Organic Production Standards as per the FSS (Organic Foods) Regulations, 2017. The Jaivik Bharat logo for organic food is an identity mark to distinguish organic products from non-organic ones. The logo is supported with the tagline "Jaivik Bharat", at the bottom, which signifies Organic Food from India. Employing a simple approach to communicate an effective message, the green color



of the logo symbolizes nature along with articulating that these foods are produced in environment-friendly manner without using chemical fertilizers and pesticides. It highlights the letter "O" used in the word "Organic" as well as represents the facet of holistic health at a global platform. To show a sturdy relationship with the same, leaves have also been used in the logo in the form of a tick mark incorporated inside the circle represented by the letter "O". The logo showcases that the product bearing it has been authenticated as organic for the choice for consumption. Effectively intertwining all the elements of environment, the logo communicates adherence to the National Organic Standards. Every certified organic food container shall have 'Jaivik Bharat' Logo.

### FOOD FORTIFICATION (F+ LOGO)

Fortification is the addition of key vitamins and minerals such as Iron, Iodine, Zinc, Vitamins A & D to staple foods such as rice, wheat, oil, milk and salt to improve their nutritional content. These nutrients may or may not have been originally present in the food before processing or may have been lost during processing. Deficiency of micronutrients or micronutrient malnutrition is a serious health risk. Access to safe and nutritious food is a must and sometimes due to lack of consumption of a balanced diet, lack variety in the diet or unavailability

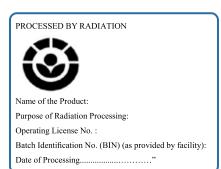


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of food, one does not get adequate micronutrients. Often, there is considerable loss of nutrients during the processing of food as well. One of the strategies to address this problem is fortification of food. This method complements other ways to improve nutrition such as diversification of diet and supplementation of food. The Food Fortification logo is an identity mark to distinguish fortified products from non-fortified ones as per the standards notified under FSS (Fortification of Food) Regulation, 2018.

### IRRADIATION OF FOOD ('RADURA' LOGO)

Food irradiation is a physical process in which food commodities, bulk or pre-packaged are exposed to controlled doses of energy of ionizing radiation such as gamma rays or X-rays to achieve different technological objectives. These technological process includes extension of shelf-life, destruction of storage and quarantine insect pests, and killing of parasites pathogens and spoilage microorganisms. Radiation processing can thus be used for enhancing



food safety, food security and international trade. It became mandatory in 2007 to treat Indian mangoes with gamma radiation for control of quarantine insect pests before export to the USA. In India more than a dozen irradiation facilities have been established by private entrepreneurs for treatment of food. For commercial application of the technology in India, Atomic Energy (Control of Irradiation of Food) Rules were notified in 1991, and later amended in 1996. In 2012, a new amendment resulted in the notification of the current Atomic Energy (Radiation Processing of Food and Allied Products) Rules, 2012. Atomic Energy Regulatory Board (AERB) is the regulatory authority in India for enforcing these rules. In 1994, Government of India amended Prevention of Food Adulteration Act (1954) Rules and approved irradiation of onions, potatoes and spices for domestic market. Additional items were approved in April 1998 and in May 2001.

Regulations on radiation processing have been notified under Food Safety and Standards (Food Products Standards and Food Additives) Amendment Regulations, 2011 in 2016. In February 2004, Ministry of Agriculture, Government of India, amended plant protection and quarantine regulations to include irradiation as quarantine measure in the Plant Quarantine (Regulation of Import into India) Order, 2003, enabling use of the technology in overcoming quarantine barriers and getting market access. The new regulations have approved radiation processing of food and agro commodities on generic food class basis. Licensed radiation processing facilities have to comply with the conditions of approval, operation, and process control prescribed under the Atomic Energy (Radiation Processing of Food and Allied Products) Rules, 2012. Further, as per FSS (Food Product Standards

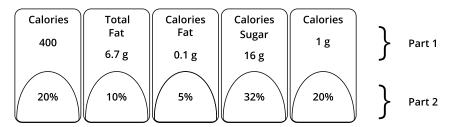
and Food Additives) Regulations, 2011, the irradiated products are labelled and can be identified with the 'Radura' logo.

### FRONT OF PACK LABELLING (TO BE INTRODUCED)

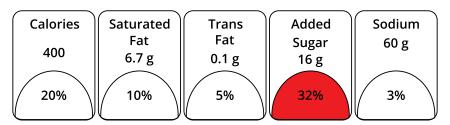
To curtail the rising consumption of processed foods that are high in fat, sodium, and sugar, Front-of-pack nutrition labelling is widely considered to be a powerful and simple tool for discouraging consumption of processed foods. FSSAI has proposed the symbol-based front-of-pack nutrition labelling, and intend to make it mandatory. In an attempt to encourage consumers, make healthier food choices, the new food labelling regulations propose to display red colour-coding on front-of-the-pack labels on packaged food products that have high-fat, high-sugar and high-salt content levels. Once the new regulations are notified, this requirement would be implemented in phased manner for a period of three years. The following information shall be declared on the front of pack:

- The name of food;
- Declaration regarding veg or non-veg;

Per serve contribution of energy, total fat, trans fat, total sugar and salt (sodium chloride) to RDA as is shown below:



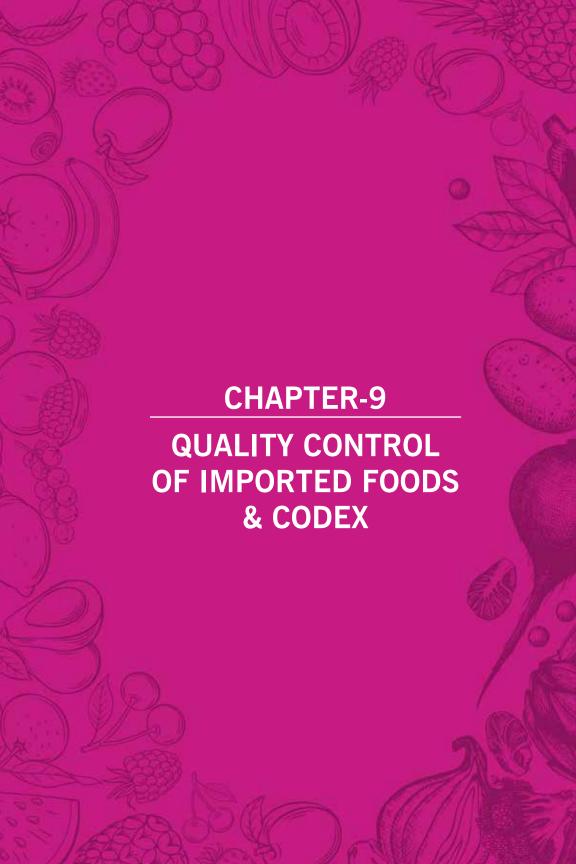
- Part 1- Declares the amount of energy, total fat, trans fat, total sugar and salt (sodium chloride) perserve;
- Part 2- Declares the per serve percentage (%) contribution to RDA as provided under regulation 4.2 (3)(b) of the proposed regulations. The block(s) of nutrient(s) for "High Fat, Sugar and Salt"(HFSS) food shall be coloured 'RED' as depicted below:



In case the value of energy Total 15 (kcal) from total sugar is more than 10 per cent of. the total energy (kcal) provided by the 100~g/100~ml of the product; the value of energy (kcal) from trans-fat is more than 1 per cent of the total energy (kcal) provided by the 100~g/100~ml of the product; and total fat or sodium content provided by the 100~g/100~ml of the product is more than the threshold values as specified in Schedule - I of the regulations.

NOTES

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# 9 QUALITY CONTROL OF IMPORTED FOODS & CODEX

### **FOOD IMPORTS SYSTEM**

FSSAI has the mandate to regulate import of foods into the country and ensure that it is safe and wholesome for human consumption. As per Section 25 of the Food Safety & Standard Act, 2006, all imports of articles of food are subject to the provisions of the Act. It 'stipulates that no person shall import into India any article of food in contravention of the Act for any rules and regulations made thereunder. Exercising the power of the Act, the Central Government on the recommendation of the Food Authority has notified the Food Safety and Standards (Import) Regulation, 2017, Further, FSSAI has issued various orders/instruction in this regard which are in public domain at: https://fssai.gov.in/advisories.php

### FOOD SAFETY AND STANDARDS (IMPORT) REGULATIONS, 2017

### **Key Highlights**

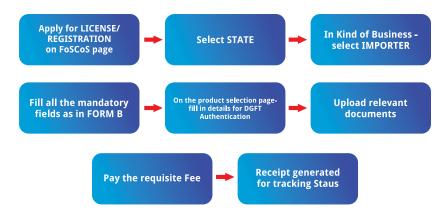
- a) No import of food article is permitted in India without a valid import license from the Central Licensing Authority of FSSAI.
- b) The consignments/ Bill of Entry (BoE) of food articles are referred to FSSAI for FSSAI procedure by the Customs Authorities through custom portal (ICEGATE) to Food Import Clearance System (FICS). Custom's ICEGATE refers the BoE to FSSAI FICS on the basis of Risk Management System (RMS).
- c) There is a three tier system of inspection in FSSAI. The food consignments are subject to scrutiny of documents, visual inspection, sampling and testing in order to determine whether or not they conform to the safety and quality standards laid down under various Food Safety and Standards Regulations, 2011.
- d) Food Authority may review the risks associated with articles of food imports from time to time and adopt a risk-based framework and risk based inspection process for clearance of imported articles of food or even include them in the prohibited items list.
- e) "Authorised Officer" has been defined under Regulation 2 (b) of Food Safety and Standards (Import), Regulations, 2017. Powers and duties of 'Authorised Officers' notified for the purpose of food import clearance is prescribed under Chapter IX of these Regulations.
- f) In case of imported packaged food consignments, special dispensation for rectification of labels is provided.

- g) Provisional No Objection Certificate (PNOC) can be issued for certain types of imported food consignments without waiting for the analysis report from lab on the basis of an undertaking from the Importer as prescribed under Chapter V of these Regulations.
- h) Importer can apply for retest, if the sample is found non-Conforming to the Food Safety Standards by the primary laboratory.
- i) Requirement of NOC from FSSAI is exempted under following conditions by submitting an undertaking (details are mentioned in Chapter 4 of FSS (Import) Regulations, 2017):
  - (i) Articles of Food imported for personal consumption.
  - (ii) Imported Food consignment meant for Display Purposes in Trade Fair/Exhibition.
  - (iii) Imported food consignment meant for Research & Development purposes.
  - (iv) Imported food consignment for Sports Events.
  - (v) Imported food consignment for 100% Export and Re-export.
- j) The custom shall not clear any article of food unless it has a valid shelf life of not less than sixty percent or three months before expiry whichever is less at the time of import. Further, as per Regulation 2(c) of FSS (Import) Regulation,2017, Balance shelf life means the period between the date of Import (Import General Manifest) and 'Best before' or 'Date of expiry' as the case may be".

### **IMPORT LICENSE**

For food import license, the applicant/ prospective Importer requires a valid Import Export Code (IE code) issued by the Directorate General of Foreign Trade (DGFT). Online portal for applying license, for Food Import, is Food Safety and Compliance System (FoSCoS) of FSSAI and the link to access the same mentioned as under https://foscos.fssai.gov.in.

Fig 1: Process Flow Chart for FSSAI Import License

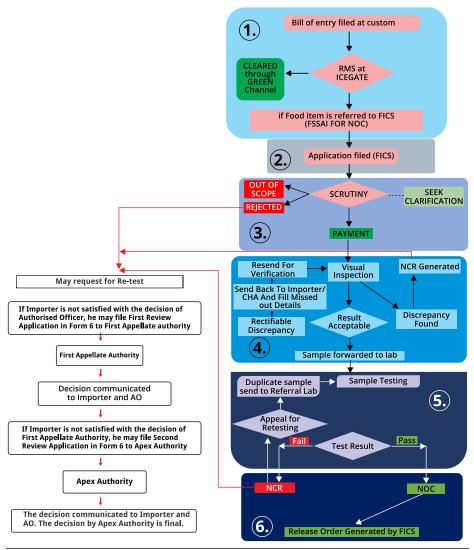


The importer can apply for the license for a period of one year and up to a maximum of five years and an annual fee for the import License is Rs 7500 plus GST. Further information related to Import License is provided in chapter 4 of this manual.

### OVERVIEW OF FOOD IMPORT CLEARANCE SYSTEM IN INDIA

A total of 161 points of entry throughout the country have been notified by FSSAI for Food import. FSSAI has its presence at 13 locations through its own Authorised Officers at Delhi, Mumbai, Kolkata, Chennai, Tuticorin, Hyderabad, Bangalore, Krishnapatnam,

### STEPS OF FOOD IMPORT CLEARANCE PROCESS AND REVIEW PROCESS



Vishakhapatnam, Kandla-Mundra, Kochi, Ahmedabad, Mangalore covering 62 points of entries. Further, for the remaining 99 point of entries, FSSAI has notified Customs officials as Authorised Officers to regulate food imports.

To regulate and ensure the safety of food being imported in the country and to envisage a robust import control system efficient monitoring and traceability of high risk products, import is permitted through 79 ports, out of which, 61 ports are directly manned and managed by FSSAI office/officials.

### RISK MANAGEMENT SYSTEM (RMS)

Food Safety & Standards (Import) Regulations, 2017 provides for selective sampling & testing of food article on the basis of risk profile and parameters as set by FSSAI. To minimise the sampling size and time and hence to expedite the clearance process of imports in line of ease of doing business, risk based sampling system called Risk Management System (RMS) has been introduced under Single Window Interface for Facilitating Trade (SWIFT) by department of Customs in consultation with FSSAI based on certain criteria like risk category of the food items, compliance history of the importers and country of origin etc. RMS has been introduced to encourage and incentivize self-compliant importers.

### **CLEARANCE OF IMPORTED FOOD BY THE FOOD AUTHORITY**

Upon arrival of the food consignments at the port, the importer or Custom House Agent (CHA) shall file Bill of Entry in Custom's ICEGATE. The BoE forwarded from Customs to the Food Import Clearance System of Food Safety and Standards Authority of India shall be processed step-wise as follows:

- The Importer/ CHA is required to file application along with relevant documents in FICS by login at https://fics.fssai.gov.in/
- The Authorised Officer shall scrutinize the documents and may seek clarification if required;
- After satisfactory scrutiny, the Authorized Officer shall intimate the details of date and time of inspection to the Food Importer to facilitate the presence of the Importer or his Custom House Agent or authorized representative at the time and place of inspection.
- Where a single bill of entry is made up of articles of food consignment consisting of multiple categories of articles of food, inspection fee shall be paid for each category of articles of food; as representative sample of each category of goods is sent for laboratory testing.

- On receipt of the fees, the Authorised Officer shall intimate the details of date and time of inspection (through FICS) to the Food Importer to facilitate the presence of the Food Importer or his Custom House Agent/ Authorised representative at the time and place of inspection.
- The Food Importer or his authorised representative shall remain present at the customs area at the appointed time to participate and facilitate visual inspection, assist in drawing of samples, if required, assist in the import clearance proceedings as instructed by the Authorised Officer or his representative and witness proceeding, sealing of samples by the Authorised Officer or his representative and affix his counter signatures on the sealed samples. If the Food Importer or his Custom House Agent is not present to facilitate the inspection and sampling in spite of two opportunities having been granted, the Authorised Officer may refuse to grant further appointment and carry out Inspection and sampling of Food consignment.
- Provided that on request of Food Importer or his Custom House Agent, any further opportunity in this behalf may be granted by the official authorized by CEO, after levy of suitable fee on the Food Importer as may be specified by the Authority from time to time.

# STORAGE FACILITIES FOR IMPORTED FOODS AND CONDITIONS FOR PROVISIONAL NO- OBJECTION CERTIFICATE

The imported articles of food shall be stored in accordance with the specified storage conditions in the custom warehouse before clearance, failing which, the concerned Authorised Officer may refuse to grant no objection certificate for import clearance of the food consignment. The port authorities and custodian of freight stations shall ensure adequate and conducive storage infrastructure; meeting the safe storage of various types of imported food consignments in the customs area till the imported articles of food is cleared by the custom authority. In case of nonavailability of storage facility, the Authorised Officer shall confirm from the department of custom their no objection to treat importer's warehouse as custom bounded area.

In case of imported article of food which requires special storage condition, the Authorised Officer shall verify the true storage conditions required for the consignment. The Authorised Officer shall confirm from the cargo operator or Custodian of freight stations regarding the availability of desired special storage facilities at the custom bonded area at the port or airport. The Authorised Officer shall take an undertaking from the importer in FORM-12 and issue a provisional no objection certificate to the importer to move the food consignment to a well-equipped storage facility. The Authorised Officer may issue a no objection certificate to the importer if he is satisfied on the basis of the analysis report conforming to standards. The importer or customs shall ensure sale only after clearance based on NOC.

In respect of imported articles of food having shelf-life of less than seven days, the applicant shall declare the same in FORM - 13 allowing the Authorised Officer to draw sample and issue provisional no-objection certificate to the customs, without waiting for the analysis report from the laboratory and on receipt of the report analysis from the laboratory, the Authorised Officer shall communicate to the Customs along with no objection certificate if products conform to the standard.

In case of imported pre-packaged retail food article, the Authorized Officer after successful completion of visual inspection and sampling, may issue a provisional no objection certificate with a declaration in FORM-13A from the importer to move the food consignment to a well-equipped storage facility and importer shall sell such prepackaged food article only after the issuance of no objection certificate by the Authorized Officer.

Provisional no-objection certificate is issued without waiting for the analysis report from the laboratory for the food consignment imported by FBOs. FSSAI has issued various orders in this regard covering different types of Importers/Food items, which may be accessed at FSSAI website: https://fssai.gov.in/advisories.php

# **VISUAL INSPECTION**

'Visual Inspection' as per Section 2(ab) of Food Safety and Standards (Import), Regulations, 2017 is defined as "the process of inspection by the authorised officer or an officer deputed by him for the purpose by which the physical condition of the food consignment, scrutiny of documents and compliance of packaging and labelling regulations are ascertained forthe food safety compliance prior to drawing of samples."

The Authorised Officer or his representative shall ensure compliance with the Food Safety and Standards (Packaging and Labelling) Regulations, 2011 and with avalid balance shelf life in respect of imported article of food. After visual inspection if the authorised Officer is satisfied that the Food Importer has complied with the provisions of these regulations, he shall draw two parts of representative food sample from the imported articles of food in the customs area in the presence of Food Importer or his Custom House Agent for testing the samples by FSSAI notifies labs. The Authorised Officer shall reject the consignment not complying with the provisions of Packaging and Labelling Regulations, 2011 at the visual inspection and no sample shall be drawn from the consignment.

Provision of FSSAI in FICS has been made for uploading the images of the food consignments. AO is expected to ensure that the picture of the consignment is taken and uploaded in such a way that container number along with the concerned cargo is clearly visible. In case of Non-Containerised Cargo, images should capture the background of the consignment also.

# Salient points to be remembered during the time of physical inspection by various officers or its representative.

- The label of Imported Food Products should be either in Hindi (Devnagari Script) or in English
- Name & Address of the Importer
- > FSSAI Logo with License No.
- Veg/Non Veg in case of pre-packaged food
- Date of Manufacture or Packaging and Date of Expiry/Use by date to calculate residual shelf- life as perthe instructions of DGFT/requirements under FSSAI Act/ Regulation.
- Name & Address of the Manufacturer or Packer
- > Generic name of the product
- Country of Origin
- Net contents Declaration
- List of Ingredients on the label
- List of Additives on the label
- Nutritional Declaration in case of pre-packaged food
- > In case of Proprietary food, generic name and nature of composition to be verified
- In case of food products like Health Supplements and Nutraceuticals, the content of nutrients should match within RDA limit.
- > Samples to be drawn out of each product description depending on batch No., Lot No., Date of manufacture, Nature of ingredients and variation of Additives
- Checking of temperature Log sheet in case of pre cooled and frozen product
- Matching of container No. or Airway Bill No. with Bill of Entry raised in EDI System
- In case of Aseptic or bulk frozen pack, the representative sample should accompany with consignment along with certificate showing integrity of the sample drawn out of same consignment, to be taken for analysis
- Consignment of imported alcoholic beverage should adhere to the label requirements and statutory wordings as mentioned in the Alcoholic beverages -"Drinking alcohol is injurious to health", "Drinking of alcohol during driving is prohibited", etc.
- All Proprietary Food Products should mention the nearest category as per the Food Safety and Standards (Food Product Standards and Food additives) Regulation, 2011 to match with the permitted allowed additives. Only approved ingredients under FSSR, 2011 are allowed for Proprietary Foods. All imported Proprietary Food consignment should accompany with Certificate of Analysis from any Laboratory accredited under IS 17025 of exporting country.

<sup>⚠</sup>This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

All combinations of imported Food Ingredients should match with the Standards mentioned in Food safety and Standards (Food Product Standards and Food additives) Regulation, 2011 or their ingredients and additives standard should match with the intended use for the product category mentioned in FSSR, 2011.

#### RECTIFIABLE LABELLING DEFICIENCIES

As per the Regulation 6(4) of FSS (Import) Regulations,2017, in case of imported packaged food consignments, the following special dispensation on labeling shall be allowed for the rectifiable labeling deficiencies at the custom bound warehouse by affixing a single non detachable sticker or by any other non-detachable method nexttothe 2[principal display] panel namely: -

- (a) Name and address of the importer;
- (b) Food Safety and Standards Authority of India's Logo and license number,
- (c) Non-Veg or Veg Logo
- (d) Category or sub category along with generic name, nature and composition for proprietary food
- (e) Any other labeling information as per instructions issued by the Food Authority from time to time.

For ease of doing business, Food Authority has issued various orders/ instructions from time to time in respect of rectifiable labelling deficiency which may be accessed at www.fssai.gov.in.

#### SAMPLING OF IMPORTED FOOD IN RESPECTOF IMPORTED ARTICLE OF FOOD

The Food Safety and Standards Authority of India shall notify the officers for the purpose offood import clearance to ensure compliance of the provisions of the Act, and it may also notify officers from other government agencies to maintain the standard operating procedure for food import clearance.

The power and duties of Authorised Officer is elaborated in Regulation 13(2) of FSS (Import), Regulations, 2017. The Authorised Officer is authorised to take the samples of import food products for analysis as per sub section (5) of section 47 of the FSS Act. He shall follow the procedure as specified in Food Safetyand Standards (Import) Regulation 2017.

The Authorised Officer shall draw two parts of food sample of each description or measures (except for aseptic sealed packages); and forward to the food analyst in such a quantity of sample as specified under the Food Safety and Standards (Laboratory and Sample Analysis) Regulations, 2011;

# Sealed samples:

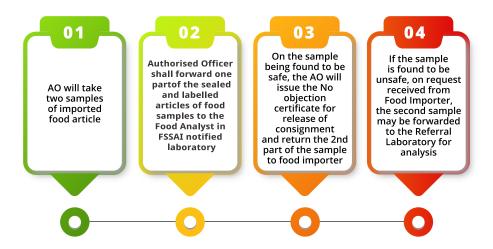
- a) If the imported articles of food is packed in a sealed bulk container by the manufacturer in order to maintain aseptic or hygroscopic condition, which is required to retain the character of the article of food, the manufacturer shall provide two representative sealed samples from the same batch along with a declaration by the manufacturer stating that the articles of food in the sealed container match with the representative samples placed in the sample containers.
- b) Where the representative sealed sample referred to in clause (a) with a manufacturer undertaking is not provided by the Food Importer, the Authorised Officer is empowered to break open the seal and collect a sample for lab analysis.
- c) The Authorised Officer may collect a representative sample from the sealed container, for lab analysis, wherever the provided sealed representative samples appear to be doubtful.

The sealed sample of imported articles of food shall bear the following information on the Label:

- Code number of the sample;
- Date and place of collection;
- Quantity of sample;
- Name of articles of food and
- Category as per the Food Safety and Standards (Food Product Standards and Food Additives) Regulations-2011.
- Name and quantity of preservative added while drawing the sample, if any;
- Name and signature of the Food Importer or his Custom House Agent and;
- Name and signature of the sender with official seal.

In respect of imported articles of food having shelf-life less than seven days, the applicant shall declare the same in FORM-13(of FSS (Import) Regulations, 2017) allowing the Authorised Officer to draw sample and issue provisional no objection certificate to the customs, without waiting for the analysis report from laboratory and on receipt of the report analysis from the laboratory, the Authorised Officer shall communicate to the customs along with no objection certificate if products conform to the standard. In case of non - conformance of the sample, the Authorised Officer shall immediately inform the Importer or Custom Broker, to initiate recall of that consignment and submit a compliance report as specified in the Food Safety and Standards (Food Recall Procedure) Regulations, 2017.

#### PROCESS FLOWOFSAMPLING AND ANALYSIS



The Authorised Officer shall forward one part of the sealed and labelled articles of food to the Food Analyst of FSSAI notified laboratory. The remaining parts of the food sample after forwarding one part of the sealed and labelled articles of food, shall be stored in appropriate conditions by the Authorised Officer or his authorised representative. On the sample being found to be safe, the remaining sample shall be returned to the food importer. If the sample is found to be unsafe, on request received from Food Importer, the second sample may be forwarded to the Referral Laboratory for analysis. The importer can apply for retest within fifteen days of receipt of the non-conformance report of primary laboratory

The Authorised Officer will inform the laboratory immediately on receipt of advance notice of arrival from the importer under the Pre-Arrival Document Review of the articles of food; to ensure that the laboratories authorised by the Food Authority comply with all the specified procedures and perform all parameters of testing as specified in the regulations or permissions accorded by the Food Authority. The laboratories authorised by the Food Authority shall maintain records of laboratory analysis of the imported articles of food in the format as specified by the Food Authority;

The Authorised Officer shall maintain the record of food imports, inspection, sampling and related activities, action taken, review process within the jurisdiction of customs ports assigned to him and such other duties assigned by the Food Authority from time to time in writing and by photographs and audio and videography.

#### **REVIEW PROCESS**

Any Food Importer aggrieved by one or more orders of the Authorised Officer, may file a review application in FORM-6 accompanied by such fee as may be specified by Food Authority from time to time to the Review Officer i.e, Regional Director on the following grounds-

- a) Rejection of the clearance of the imported articles of food for non-compliance with the conditions specified in Regulation 6 of Import Regulations,2017
- b) Any order directing the Food Importer to rectify the labelling of the articles of food.
- c) Order of rejection issued on receipt of a non-conformance report from the Food Analyst.

The review application shall be presented to the Review Officer along with the required documents within fifteen working days from the date of receipt of the report of rejection. The Review Officer may admit a review application after the expiry of the said period for an extended period of seven working days, if he is satisfied that the Food Importer had sufficient cause for not presenting it within that period. The order of the Review Officer disposing off the review application shall be in writing and shall state the points for determination, the decision thereon and the reasons for such decision. On the disposal of the review application, the Review Officer shall communicate the order passed in the review application to the Food Importer, customs and the Authorised Officer.

If the importer is not satisfied with the decision of the First Review, then he may file a second appeal against the order of the review officer in FORM-6 to the Chief Executive Officer, FSSAI within fifteen days from the date on which the review order is received.

The details of Review process is incorporated in Chapter XI, Regulation 15 of FSS (Import) Regulation, 2017.

# DISPOSAL OF REJECTED FOOD CONSIGNMENTS AND FOOD SAMPLES REJECTION OF IMPORTED FOOD CONSIGNMENTS

On receipt of the non-conformance report, the Custodian or importer shall dispose of the imported food consignment in accordance with the provisions of the Customs Act, 1962 (52 of 1962). However, no food consignment shall be disposed off until the period of limitation is over for filing of review application against the order of the Authorised Officer.

On receipt of non-conformance report, the remaining parts of the sample shall not be released to the Food Importer or his Custom House Agent and the same shall be retained in the safe custody of the Authorised Officer for a period of thirty days:

Provided that if any review application or any legal processing is filed by the Food Importer against the non-conformance report and the same is pending, then the second part of the

sample shall remain with the Authorised Officer until the review application or any legal proceeding is disposed of;

In case, no review is filed and the sample may pose risk to the public health the sample shall be disposed of as provided in sub - regulation (7) of regulation 14; and

If no review application is filed by the Food Importer within the specified period, from the date of receipt of the non-conformance report or if the review is disallowed, the Authorised Officer may dispose of the remaining part of the sample in the manner specified by the Food Authority.

# FOOD IMPORT CLEARENCE FOR SPECIFIC PURPOSES

# Chapter IV of FSS (Import) Regulation, 2017 explain about import of food items for specific purposes.

Nothing contained in these regulations shall apply to any person bringing in any article of food for his personal use provided that the value of such article of food shall not exceed the amount as allowed by custom from time to time.

The person carrying the imported articles of food for personal consumption shall submit the declaration in FORM- 7 of FSS (Import) Regulation, 2017.

The clearance of Food Imports shall be dealt in accordance with provisions of Vienna Convention on Consular Relations, 1963 (Article 50 of the Vienna Convention on Consular Relations, 1963). Unless otherwise specified, the customs authority need not refer the imported articles of food to Food Authority for clearance if such articles of food are meant for the following purpose, namely

# Imported food consignment meant for 100% export/ re-export

The articles of food imported by the manufacturers or processors for their captive use or production of value added products for 100 % exports; or the consignments of articles of food or ingredients or additives imported by the firms or companies for use of their sister concerns or wholly owned subsidiary companies, to be used for hundred per cent export production subject to a defined relationship agreement between the two entities in this behalf.

The importer shall declare in FORM -8 regarding the captive or end use of the imported product to the Customs Department at the time of filing the bill of entry, declaring that the imported articles of food is meant to be used by the importer for hundred per cent export or re-import of articles of food for export again as the case may be, and that no part thereof shall be supplied for domestic consumption. This facility is not applicable in the case of trading entities.

# Import of Food for Research and Development Purposes

The clearance of food imports for quality assurance, research and development purposes will be subject to furnishing of Undertaking as per FORM-9 of FSS Import Regulation, 2017 by the Food Importer that the imported food will be utilized for aforesaid purposes only and not to be utilized or released into the domestic market or used for test marketing or market research purposes. The details for the import of food for R&D purpose is given under 7(5) of the FSS (Import) Regulation, 2017.

# The food imported for the purposes of Exhibitions & Tasting

The clearance of food import exclusively for these purposes is exempted from the normal clearance procedures of the Food Authority subject to the submission of an undertaking as per the Form-10 of FSS Import Regulation, 2017 before the Customs Authorities. The details for the import of food for exhibition purposes are given under 7(6) of the FSS (Import) Regulation, 2017.

# Import of Food for sports person of concerned exporting country

The Food Authority may allow the clearance of food imports from a foreign country, exclusively meant for consumption by the sports persons of such exporting country.

The quantity of imported articles of food shall not exceed the bona fide requirements for captive use or consumption by the persons concerned of such exporting country for the duration of their stay or event, whichever is earlier and the balance unconsumed articles of food shall be re-exported to its country of origin by the Authorised member of the delegation under intimation to the Authorised Officer.

The importer shall submit the declaration in FORM - 11 for clearance of imported food consignment.

# Food Import as gratis in case of disaster/emergency situations

The quality or safety of imported articles of food shall be ensured through safety certificates issued by the competent authority of the donor country or agency, where any article of food is received gratis from other countries in case of any disaster or emergency situations in any part of the country.

# REGISTRATION OF FOREIGN FOOD MANUFACTURING FACILITIES

Chapter XIV, Regulation 18 of FSS (Import) Regulation, 2017 explain about the Registration and Inspection of Foreign Food manufacturing facilities.

The Food Authority may from time to time based on the risk specify the categories of food products intended for export to India for further regulating control as specified in these regulations.

Foreign Food manufacturing facilities falling under such categories and desirous to export such article of food to India shall register with the Food Authority before exporting to India.

- > Foreign Food manufacturing facilities may be inspected, if required in a manner as specified by Food Safety and Standards Authority of India.
- > FSSAI has issued an order no. TIC-B02/2/2022-IMPORTS-FSSAI dated 10th October, 2022 for registration of Foreign Food Manufacturing facilities.

The exporting countries have to comply with the standards (Regulations) of the importing countries. Thus, when India exports food products to another country, India has to comply with the Regulations of that country. Similarly, when any other country wishes to export its food products to India, that country have to comply with the Regulations notified under the Food Safety and Standards Act.

It must also be remembered that, in the context of food products, international standards in the framework of WTO are ONLY the CODEX standards laid down by CODEX Alimentarius Commission, a joint FAO/WHO body. While CODEX standards are international standards, these are voluntary in nature and the SPS Agreement encourages all WTO members to harmonize their National standards with CODEX standards.

It also needs to be understood that CODEX standards are the reference standard in the framework of WTO and under the SPS Agreement countries are expected to harmonize their National standards (Regulations) with those of CODEX. However, countries also have a right to adopt standards which are stricter than CODEX provided such standards are developed in a transparent manner and with sound scientific justification. Nonetheless, such standards have to be strict only to the extent necessary in the context of food safety. While adopting stricter standards, countries are required to ensure that they do not create unnecessary barriers to trade. Such barriers are against the spirit of WTO and can be challenged in the WTO system. While setting standards, countries are required to take into account the concerns (technical and economic feasibility) of developing countries.

In any case, if an exporting country finds it difficult to comply with the standards of the importing country due to lack of technical capacity, it can seek technical assistance for building capacity to meet the requirements of the importing country. The importing country has an obligation to provide the required technical assistance to the exporting country.

# International standards Setting Bodies

In order that countries can exercise their right to protect the life and health of its plants,

animals and human beings without creating unnecessary barriers to trade, the SPS Agreement has recognised the following three international standards-setting bodies, namely,

- (i) International Plant Protection Convention (IPPC), which is based in Rome, sets international standards for plant health. IPPC works to prevent the spread and introduction of pests of plants and plant products, and to promote appropriate mitigation measures for their control. In India, the nodal department is the Directorate of Plant Protection, Quarantine and Storage (DPPQ&S) in the Ministry of Agriculture and Farmers' Welfare. The DPPQ&S is the National Plant Protection Organisation (NPPO) and regularly participates in the IPPC meetings. The DPPQ&S is also designated as the SPS Enquiry Point for plant health in India.
- (ii) World Organization for Animal Health (WOAH), founded as OIE, also known as the World Organization for Animal Health is based in Paris and sets international standards for animal health. OIE's primary objective is to protect the health of animals and to ensure a safe and fairtrade in animals and animal products worldwide, by ensuring transparency in the global animal disease situation and by publishing health standards for international trade. It also sets guidelines for animal welfare although this mandate does not fall under the SPS agreement. In India, the nodal department is the Department of Animal Husbandry and Dairying (DAH&D), in the Ministry of Fisheries, Animal Husbandry and Dairying. The Department of Animal Husbandry regularly participates in the OIE meetings. The Department of Animal Husbandry is also designated as the SPS Enquiry Point for animal health in India.
- (iii) CODEX Alimentarius Commission (CAC) is an intergovernmental body of the United Nations, established jointly by FAO and WHO in 1963. The CODEX Alimentarius Commission functions with the help of a Chairperson and 3 Vice-Chairpersons. The CODEX Secretariat is located in Rome. CODEX Alimentarius Commission develops harmonised international food standards, guidelines and codes of practice to protect the health of the consumers and ensure fair practices in food trade. These standards are based on science and scientific opinion provided by the independent international risk assessment bodies of FAO and WHO. These food standards and related texts aim at protecting consumers' health and ensuring fair practices in the food trade.

The CODEX Alimentarius Commission shall be responsible for making proposals to, and shall be consulted by, the Directors-General of the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) on all matters pertaining to the implementation of the joint FAO/WHO Food Standards Programme, the purpose of which is:

- (a) Protecting the health of consumers and ensuring fair practices in the food trade;
- (b) Promoting coordination of all food standards work undertaken by international governmental and non-governmental organizations;

- (c) Determining priorities and initiating and guiding the preparation of draft standards through and with the aid of appropriate organizations;
- (d) Finalizing standards elaborated under (c) above and publishing them in a CODEX Alimentarius either as regional or worldwide standards, together with international standards already finalized by other bodies under (b) above, wherever this is practicable; (e) amending published standards, as appropriate, in the light of developments.

# CODEX

CODEX In India, the Food Safety and Standards Authority of India (FSSAI) is the National CODEX Contact Point (NCCP), which also regularly participates in the CODEX meetings and is involved in standard setting process in various CODEX Committees. The FSSAI is also designated as the SPS Enquiry Point for food safety in India.

The **CODEX Alimentarius** is a compilation of international standards for foods based on which a number of countries have developed their own national food regulatory policies and regulations. The CODEX international standards are a robust way to maintain consumer' health and prevent food borne illnesses. It includes standards for all the principal foods, whether processed, semi-processed or raw, for distribution. The CODEX Alimentarius includes provisions in respect of food hygiene, food additives, residues of pesticides and veterinary drugs, contaminants, labelling and presentation, methods of analysis and sampling, and import and export inspection and certification; and codes for the practices to prevent/reduce contamination of foods.

India is a member of CODEX Alimentarius Commission since 1964 and continues to be a partner in the international food standards development process.

Currently the membership of CODEX Alimentarius Commission includes 189 CODEX Members (i.e. 188 Member Countries (including India) and 1 Member Organization (European Union)), 235 CODEX Observers (only those observers can participate in CODEX meetings that are approved by the Directors-General of FAO and WHO on the recommendations of CAC).

# **BENEFITS OF FOLLOWING CODEX ALIMENTARIUS**

- It easy for countries to harmonize national legislations
- ➤ It provides flexibility in adaptation with international standards
- It saves financial resources in carrying out scientific risk assessment for framing standards (Regulations)
- Exchange of information between two or more countries is standardized and is easy
- It saves time and facilitates trade
- It helps countries to settle differences

#### NATURE OF CODEX STANDARDS THE CODEX STANDARDS CAN BE:

**General Standards:** Dealing primarily with food safety, consumer information and trade requirements. The General Standards, Guidelines and Codes of Practices adopted are the CODEX texts that apply to all products and product categories, which typically deals with hygienic practice, labelling, additives, inspection & certification, nutrition and residues of veterinary drugs and pesticides.

**Commodity standards:** have a common format stating what the commodity is, how it is made and what it may contain and refer to a specific product or food groups e.g. CODEX Standard for Mangoes, CODEX Standard for certain Canned Fruits etc.

As of 2023, CODEX has developed 379 texts including standards for food products, codes of practice and guidelines, which are available in public domain at the CODEX website: http://www.fao.org/fao-who-CODEXalimentarius/en/

CODEX standards and related texts are voluntary in nature and are not a substitute for, or alternative to national legislation. It is the law/regulations of a country that the food producers/processors/industries have to follow. Countries should take legal steps at the national level to incorporate CODEX standards into their legislation for enforcement purposes.

## COMMITTEES OF CODEX ALIMENTARIUS COMMISSION

CODEX Alimentarius Commission is assisted in its work by its subsidiary bodies that include an Executive Committee, ten General Subject Committees, 17 Commodity Committees (of which four are currently active). Ad-hoc Inter-Governmental Task Forces and six Regional Coordinating Committees (including one for Asia). The General Subject Committees carry out work that has relevance for all food commodities while Commodity Committees develop standards for specific foods or classes of food. Task Forces work on specific issues that do not fall underthe purview of any other CODEX Committee.

The current list of active CODEX Committees/Task Force functioning under the CAC is:-

- Executive Committee of the CODEX Alimentarius Commission (CCEXEC)
- 2. General Subject Committees/Task Force
  - CODEX Committee on Contaminants in Foods(CCCF)
  - CODEX Committee on Food Additives (CCFA)
  - CODEX Committee on Food Hygiene (CCFH)
  - CODEX Committee on Food Import and Export Inspection and Certification Systems (CCFICS)
  - CODEX Committeeon Food Labelling (CCFL)
  - CODEX Committeeon General Principles (CCGP)

- CODEX Committee on Methods of Analysis and Sampling (CCMAS)
- > CODEX Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)
- CODEX Committeeon Pesticide Residues (CCPR)
- ➤ CODEX Committee on Residues of Veterinary Drugs in Foods (CCRVDF)

# 3. Commodity Committees

- CODEX Committee on Fish and Fishery Products (CCFFP)
- CODEX Committee on Fresh Fruits and Vegetables (CCFFV)
- CODEX Committee on Fats and Oils (CCFO)
- CODEX Committeeon Spicesand Culinary Herbs(CCSCH)

# 4. Ad-hoc Inter-Governmental Task Forces

"Joint FAO/WHO Committee of Government Experts on the Code of Principles Concerning Milk and Milk Products (CGECPMMP)"

# 5. FAO/WHO Coordinating Committees

- ➤ FAO/WHO Coordinating Committee for Africa (CCAFRICA)
- > FAO/WHO Coordinating Committee for Asia (CCASIA)
- > FAO/WHO Coordinating Committee for Europe (CCEURO)
- ➤ FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC)
- ➤ FAO/WHO Coordinating Committee for North America and South West Pacific (CCNASWP)
- ➤ FAO/WHO Coordinating Committee for Near East(CCNEA)

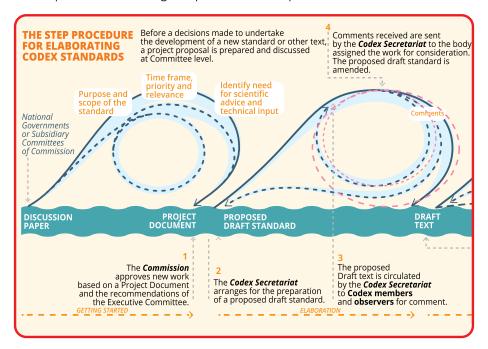
Each Committee meets once in a year or once in 2 years depending upon the workload and as perthe decision of CAC.

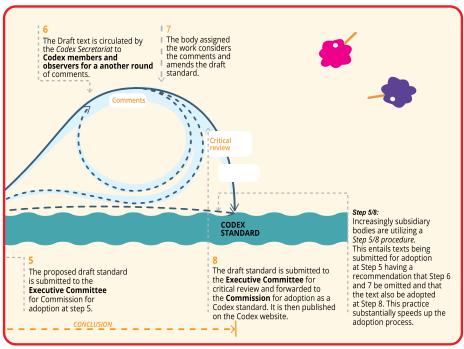
Electronic Working Groups (EWGs) are established by each CODEX Committee when deciding to develop work between sessions. The list of EWGs created since the 39th session of CAC (2016) are available at: https://www.fao.org/fao-who-codexalimentarius/committees/ewg/en/

# **HOW DOES CODEX ELABORATE STANDARDS?**

The legal basis for the commissions operations and the procedures it follows are as per Procedural Manual of the CODEX Alimentarius Commission. A national government or a CODEX Committee of the Commission usually makes the proposal for a standard to be developed. They then prepare a discussion paper that outlines what the proposed standard is expected to achieve, and then a project document that indicates the time frame for the work and its relative priority.

The CODEX procedure ensures that adequate consultation occurs between Member Governments, and that there is adequate opportunity for review and for stakeholder input into the process. There are eight steps involved in the procedures:





# Step1

The Commission decides to elaborate a worldwide CODEX standard and assigns the work to the appropriate CODEX Committee or a regional committee. The criteria for the establishment of work priorities that apply to general subjects and commodities are set out in the CODEX Procedural Manual.

# Step 2

The Secretariat of the Commission arranges for the preparation of a proposed draft standard and Member country, who initially proposed the development of the standard, prepares the proposed draft standard.

# Step 3

The proposed draft standard is sent to members of the Commission and interested international organizations for comments.

# Step 4

Comments received at Step 3 along with proposed draft standards are considered at a physical session of the concerned Committee and the standards are modified, as required and then advanced to Step 5 for preliminary adoption by the Commission.

# Step 5

The proposed draft standard submitted by the concerned CODEX Committee, through the Secretariat of the Commission, is considered by the Executive Committee (for critical review), and then adopted by the Commission as a draft standard.

## Step 6

The draft standard is sent to members of the Commission and interested international organizations for comments for the second time.

## Step 7

Comments received at Step 6 along with proposed draft standards are considered at a physical session of the concerned Committee and the standards are further modified, as required and in a limited way, and then advanced to Step 8 for final adoption by the Commission.

## Step 8

The draft standard submitted by the concerned CODEX Committee, through the Secretariat of the Commission, is again considered by the Executive Committee (for critical review),

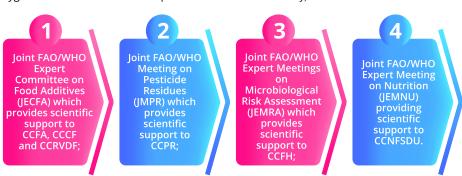
and then adopted by the Commission as the final CODEX International/Regional standard.

Thus, the normal elaboration process follows eight distinct steps, involving two rounds of comments by members and observers. A decision may be taken at step 5 to omit the second round of comments (steps 6 and 7). The Commission may also decide that standards be elaborated through an accelerated 5-Step Procedure with only one round of comments. However, while taking this decision, all appropriate matters shall be taken into consideration, including the likelihood of new scientific information becoming available in the immediate future.

This eight-step procedure for the elaboration of standards provides an opportunity for all countries to participate in the formulation of standards and other CODEX texts in an open and transparent way. The member countries also have the opportunity to interact in the process. In order to ensure that the standards do reflect the interest of member countries, each Member country should endeavour to effectively participate in the meetings of CODEX. As the standards are recognized as 'Benchmarks' by the WTO, the member countries should make every effort to harmonize their national standards with CODEX so that their domestic standards are science based and backed by the collective wisdom of member countries and international non-governmental organizations.

#### SCIENTIFIC BASIS FOR CODEX WORK

Since CODEX standards are science based, the CODEX committees apply Risk Analysis principles in the process of development of standards and accordingly rely, where required, on the independent scientific advice provided by expert bodies organized by FAO/WHO. Risk Analysis is fundamental to the scientific basis of CODEX Standards. These bodies also give direct scientific advice to Member Governments. There are four FAO/WHO Expert Committees, serving as independent scientific bodies which performs risk assessments and provide advice to FAO, WHO and the member countries of both organizations on the subject areas viz. food additives, pesticide residues, veterinary drugs residues, contaminants, hygiene and nutrition to the respective committees. Namely, these are:



India is a member of CODEX Alimentarius Commission since 1964 and continues to be a partner in the international food standards development process. FSSAI had been designated as the National CODEX Contact Point (NCCP) in India for liaison with CAC in the year 2011. Before 2011, the National CODEX Contact Point was the Ministry of Health and Family Welfare. India has evolved immensely over the past two decades, participating actively in the CODEX meetings, hosting and co-hosting CODEX Committee meetings. Chairing and co-chairing various electronic and physical working groups.

Participating in CODEX helps a country in understanding the ever evolving global aspects of food regulations and keeping pace with them. It also helps to promote harmonization of domestic food standards including national food regulatory system with the work already done by CODEX and other International Organizations in the area of contaminants, residues of veterinary drugs, pesticide residues, food additives and other vertical (products) standards.

As per Section 16(3) (m) of the FSS Act, 2006, it is the responsibility of FSSAI to promote consistency between international technical standards and domestic food standards while ensuring that the level of protection adopted in the country is not reduced with the relevant international standards. Further, the section 18 (2) (a) specifies that the Food Authority while framing regulations or specifying standards under this Act take into account international standards and practices, where international standards or practices exist or are in the process of being formulated.

The standards and other guidance texts adopted by CODEX Alimentarius Commission are the relevant international standards and are also the reference point within the frame-work of WTO as mentioned earlier. The FAO and WHO of the United Nations regularly encourage countries to harmonize their standards with those of the CODEX.

Accordingly, the CODEX standards can be adopted by India with or without modifications as required under the Indian conditions and based on science and has to be notified by FSSAI as regulations. This is called the Harmonization of national standards with CODEX and this is what FSSAI initiated in early 2013. Updation of food standards via the harmonization process is dynamic and continues on the basis of current science. Therefore, the importance of CODEX should never be undermined.

#### **CODEX FUNCTIONING IN INDIA**

The National CODEX Contact Point (NCCP) is set up at Food Safety and Standards Authority of India (FSSAI).

Functions of FSSAI as NCCP:

> FSSAI has established the National CODEX Committee (NCC) and various stakeholders for each committee are representatives from different Ministries like

Ministry of Health and family Welfare, Ministry of Commerce, Women and Child Development, Ministry of Agriculture, Ministry of Food processing and Department of Animal Husbandry and Dairy Fisheries, representatives from educational institutions, representatives from Industry Associations like Confederation of Indian Industry and FICCI and experts/scientists from concerned areas.

- National CODEX Committee (NCC) has been set up under the Chairmanship of Chairperson, FSSAI, and CODEX Coordination Groups are chaired by CEO, FSSAI/ concerned Joint Secretaries on subject matters corresponding to the CODEX Committees.
- Prepare a guideline for finalising India's position in the CODEX Committees has been laid down by NCCP, which are followed by every shadow committee for its smooth and active functioning.
- The NCCP acts as the link between the CODEX Secretariat and the member countries for coordinating all relevant CODEX activities at the national and international level.
- It works in consultation with other relevant stakeholders to develop/ formulate India's position on various CODEX draft standards/ texts under consideration of CODEX Alimentarius Commission and its various committees/taskforces.
- Wherever required, NCCP, also collaborates with other relevant organizations at national level for generating scientific data necessary to support India's intervention in CODEX meetings.
- Submit new work proposals to CODEX in consultation with relevant stakeholders for setting standards and submit monitoring/occurrence data, which were also considered while establishing MLs/MRLs in CODEX.

#### INTERNATIONAL CERTIFICATION SYSTEM FOR FOOD

Certification is a conformity assessment procedure (CAP) which has become very important these days in international trade due to limitation of resources. Certification procedure is carried out by a third party which gives a written assurance in the form of Certificate that a product or a process is in conformity with the corresponding standard. The certification programme is carried out by a certification body, which does the inspection and delivers the certificate. The certification body must always be a third party, without any direct interest in the economic relationship between the supplier and buyer.

A certification body can carry out certification programmes only if it is evaluated and accredited by an authoritative body (a governmental or para-governmental institute), which ensures that the certification body has the capacity for carrying out certification and inspection in compliance with guidelines set by ISO, the European Union or some other entity.

An increasing number of certification programmes exist for food safety, related to both good practices and management systems, most of which refer to CODEX Alimentarius standards. These programmes have been set up by various types of national and/or global groups including government institutions, national standardization organizations (mostly private associations mandated by government), private certification bodies and the private sector (buyers, retailers and producers).

The FSO while exercising their duties may come across with FBOs who might have obtained different types of certifications like BRC, SQF, IFS, Dutch HACCP, ISO 22000 etc., however, these certifications cannot always be considered as guarantee toward compliance to the regulations laid down under FSS Act. Therefore, the FSO should always verify/check the processes or products produced by such FBOs for their compliance to FSSAI's requirements despite to their having various certifications.

In addition to the private certification bodies, in some countries a mandatory pre-shipment certification for export is issued by competent authority of the country. In India, Export Inspection Council (EIC) issues such certificates (Health Certificate) for products notified by Government of India and meant for export. The certificates issued by the EIC are an assurance toward compliance of the product to the requirements of a particular importing country only and cannot be considered as compliance to Indian legislations.

Similarly, National Plant Protection Organization (NPPOs) of country issue Phytosanitary Certificate for food/agricultural products however Phytosanitary Certificate is not a compliance to food safety requirements but provides assurance that it is free from particular pest or disease only. Food Products of animal origin some time accompany with Export Health Certificate from competent authority which may not always related to food safety and sometime only provide assurance toward free from specific animal diseases.

On the similar lines, the imported food product cleared by the custom/FSSAI import control system and available in the market, can always be verified for its compliance to Food Safety & Standards Regulations by the FSOs.

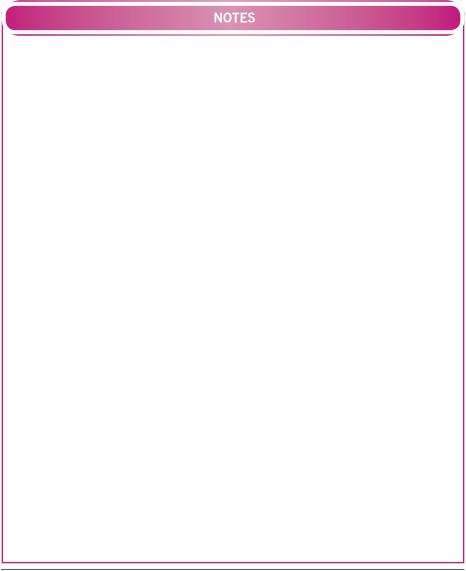
## ROLE OF STATE FOOD DEPARTMENTS IN CODEX ACTIVITIES

For active involvement and contribution in CODEX work, it is important that stakeholders have the basic knowledge about CODEX working procedures and agenda items under discussion in various CODEX Committees.

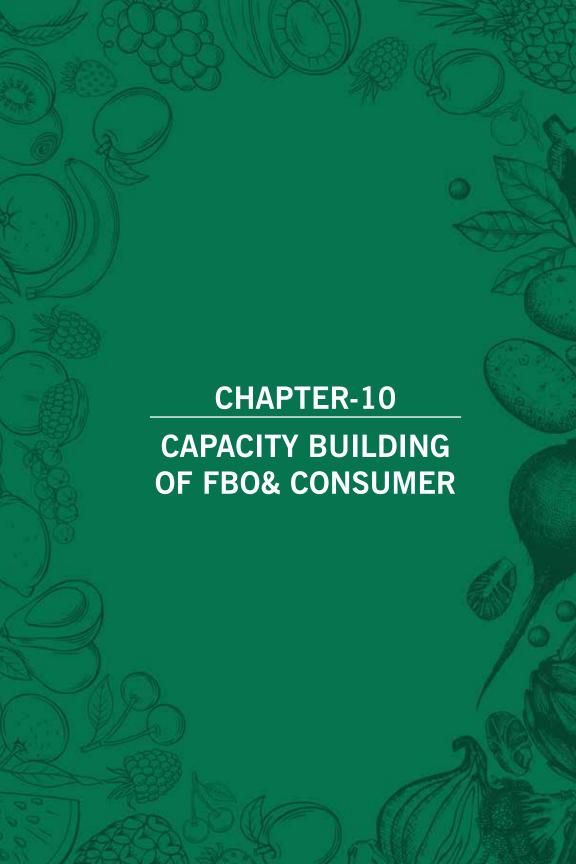
All the documents related to CODEX i.e adopted standards, Code of practices, guidelines, agenda and reports of committee (previous and forthcoming) can beeasily accessible from the CODEX website. (http://www.fao.org/fao-who-CODEXalimentarius/home/en/).

Stakeholders and FSOs , based on their interest, can send comments/ views/suggestions, if any, on the agenda items which are under consideration to NCCP, FSSAI (Email: CODEX-india@nic.in), and these further can be considered by the relevant shadow committee while finalizing India's comments. At this point, it is important to mention that while providing any comment on the agenda document, as per the CODEX procedure, it needs to be supported by rationale or justification.

For active and effective participation in CODEX work, members should have an interest in the development of national and international standards and also acquire knowledge of the working of CODEX. More details can be accessed through the link CODEX-india@nic.in.



I.	NOTES



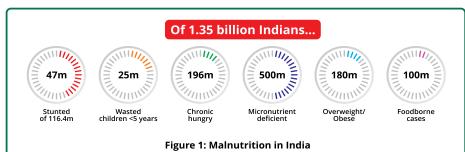
# 1 OCAPACITY BUILDING OF FBO& CONSUMER

# THE CHALLENGE: A SILENT EPIDEMIC

The deadly "silent epidemic" caused by our food habits goes largely ignored, despite multiple alarm bells. Nutrient deficiencies and toxicity from unsafe and poor dietary habits today are linked to nearly all modern health conditions. Diabetes and heart disease (that are rapidly increasing in India and other advanced nations) are also highly influenced by one's diet — and the same can be said for allergies, autoimmune disorders like arthritis, thyroid disorders and many more. The double burden of under nutrition coupled with increasing incidence of obesity, particularly among our children, is threatening our social and economic fabric.

- According to the study report "India: Health of the Nation's States"- The India State-Level Disease Burden Initiative in 2017 by Indian Council of Medical Research (ICMR), over 60% of deaths in India are caused by diet related non-communicable diseases\* like diabetes, hypertension and cardiovasculardisease
- ➤ Nearly 100 million cases of Food Borne Diseases (FBD) are reported every year in India which corresponds to around one in 12 people falling ill of FBD\*\*. This imposes a huge economic burden on the country.

# So, if ever there is a time to change our food habits, it is now!



#### Sources:

- Stunted and Wasted: Global Nutrition Report, 2018
- Chronic Hungry: FAO State of Food Security and Nutrition in the World, 2018
- Micronutrient deficiency: Rao ND, Min J, DeFries R, Ghosh-Jerath S, Valin H, Fanzo J (2018).
   Healthy, affordable and climate-friendly diets in India. Global Environmental Change 49: 154-165
- Foodborne cases: World Economic Forum and Harvard School of Public Health, 2014

The wisdom of the ages captured through Ayurveda and Yoga teaches us to be conscious and mindful of what we eat, when we eat and how we eat it. A balanced approach to preparing,

eating and digesting food, based on every individual's unique body-mind type is the key to wellbeing and sound health. But with our changing lifestyles, food habits are increasingly driven by convenience and impulse; food is becoming a method of instant gratification rather than a means of nourishment and good health. The resultant triple burden of food-borne illnesses, under-nutrition, widespread micronutrient deficiencies, obesity and NCD-related mortality cause suffering, disability, loss of life or foregone incomes and wages. According to a World Bank report in 2018, unsafe food costs India as much as \$15 billion annually—a very high economic burden caused by food-borne diseases making it imperative to address the problem with a sense of urgency.

Thus, all people, especially the poorest and most vulnerable, should have access to safe and nutritious food which is fundamental to good health and sustaining life with human dignity. Due to unsafe food and infection by food borne pathogens, there is poor absorption of nutrients from food, particularly of vitamins and minerals that impact nutritional status of an individual. Enhanced food safety can be linked to improvements in productivity, food accessibility, and the affordability of nutritious food.



The New National Health Policy released in March 2017 therefore focuses on the more sustainable concepts of preventive and promotive healthcare, in addition to palliative or "sick care". The most powerful tool of preventive and promotive healthcare is the consumption of safe and wholesome food.

## EAT RIGHT INDIA MOVEMENT

In the preamble to the Food Safety and Standards Act 2006 (FSSA, is expected to ensure availability of safe and wholesome food for the people in India. Inspired by the focus on preventive and promotive healthcare in the National Health Policy 2017 and flagship programmes like Ayushman Bharat, POSHAN Abhiyaan and Swacch Bharat Mission, FSSAI has embarked on a large-scale effort to transform the country's food system in order to provide people safe,healthy and sustainable food through the"Eat Right India"movement-

The Eat Right India Movement is based on three key themes/pillars - Eat Safe, Eat Healthy, and Eat Sustainably.

- > Eat Safe: Ensuring personal and surrounding hygiene, hygienic and sanitary practices through the food supply chain, combating adulteration, reducing toxins and contaminants in food and controlling food hazards in processing and manufacturing processes.
- **Eat Healthy:** Promoting diet diversity and balanced diets, eliminating toxic industrial

trans-fats from food, reducing consumption of salt, sugar and saturated fats and promoting large-scale fortification of staples to address micronutrient deficiencies.

➤ Eat Sustainable: Promote local and seasonal foods, prevent food loss and food waste, conserve water in food value chains, reduce use of chemicals in food production and presentation and use of safe and sustainable packaging.

These key themes are operationalised through six strategic priorities viz.

- 1) Robust standards and codes of practices
- 2) Credible food testing and effective surveillance
- 3) Strengthened compliance, enforcement and emergency response
- 4) Strong culture of self-compliance
- 5) Promoting healthy diets and sustainability
- 6) Empowered consumers

Priorities 1 to 3 are essentially core regulatory functions that are the basis of any national food control system. Here the focus is to strengthen food safety through science-based, robust and high-quality standards at par with global benchmarks, effective enforcement drives and efficient (or risk-based) compliance checks through judicious as well as innovative use of resources. This would include bringing all food businesses under the licence and registration regime, conducting periodic risk-based inspections and/or third-party audits, conducting robust checks on imported food, adopting integrated risk-based approach across the food value chain. For e.g., better regulation of food packaging materials, regulatory oversight on animal feed etc., increasing the level of surveillance, sampling and testing drives and building capacities for food testing through innovative approaches such as public-private partnerships, mobilefood testing vans, rapid food testing kits etc.

But given the size, spread and complexity of India, where a large proportion of the food businesses are in the unorganised sector, assuring safe and nutritious food to 1.4 billion citizens needs the participation of every stakeholder, and traditional regulatory tools alone cannot achieve this. Priorities 4 to 6 thus focus on the unaddressed areas of capacity building and social and behavioural change forall stakeholders viz. food businesses as well as consumers. The idea is to educate and inform the citizens on the one hand, and train and build capacities of food handlers on the other, to bring in a culture of safe and wholesome food processes and habits. Eat Right India would also contribute towards healthy diets and UN sustainable development goals (SDGs) which are linked directly or indirectly to the food system; hence accelerating India's journey towards fulfilment of SDGs through healthy diets that are good both for people and planet

To maximise outreach, FSSAI is working with civil society organisations, academic and research institutions, corporate (food or non-food) and every other stakeholder in the system. To bring a nationwide transformation, it is imperative for State machineries to take up implementation of these projects and to incorporate messaging on safe and nutritious food in their existing healthcare schemes.

## THE STRATEGY: EAT RIGHT INDIA MOVEMENT

As already stated, the strategy of Eat Right India is to ensure that our food is good for both, the people and the planet. The action plan thus encompasses a bouquet of initiatives to promote both the demand for, and supply of, safe and wholesome food, and do this in a sustainable way. While the supply side interventions are aimed at building capacities of food businesses to promote self-compliance, the demand side initiatives work towards motivating consumers to demand safe and healthyfood.

Food safety is primarily the responsibility of the FBO, who is in the best position to know the manufacturing processes and critical points where food safety can be affected. Internationally, the most effective regulatory systems are those based on self-compliance by the FBO.

However, in India, under the earlier Prevention of Food Adulteration regime the approach was essentially adversarial, a disproportionate reliance on monitoring, inspections and deterrent punishments by the regulatory authorities rather than on self-compliance by the FBO. In essence, this placed the responsibility for food safety and hygiene primarily in the hands of the regulatory authorities instead of in the hands of the FBO, which is not a workable model.

Given the complex landscape of India's food business ecosystem, where millions of small, unorganized entities co-exist with giant domestic and multinational companies, innovative ways to ensure self-compliance across the food value chain is not an easy task. A two-pronged approach has been adopted by FSSAI to promote self-compliance by FBOs:

- Large-scale training and capacity building and
- Benchmarking and certification schemes, both for clusters/agglomerations of FBOs and for standalone entities.

Enforcement is then ensured through an appropriate mix of enabling self-compliance, backed by deterrent measures in case of non-compliance. This approach does not overburden the regulatory system and helps to overcome the challenges of limited manpower and other resources. It also enables self-reliance among food businesses, making them equal and active partners in ensuring food safety for all.

# TRAINING & CAPACITY BUILDING OF FBOS

# FOOD SAFETY TRAINING AND CERTIFICATION PROGRAMME (FOSTAC)

In terms of Section 16 (3) (h) of the Food Safety and Standards Act 2006, Food Safety and Standards Authority of India (FSSAI) has to provide training programs in Food Safety and Standards for persons (whether within or outside their area) who are or intend to become involved in food businesses, whether as Food Business Operators or employees or otherwise.

In this respect, FSSAI had initiated the largest Food Safety Training & Certification (FoSTaC) program in July, 2017. The FoSTaC program is aimed at creating a pool of food safety supervisors (FSS), who are trained in good hygiene and manufacturing practices as per requirements in Schedule 4 of Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011. Under FoSTaC program, since July 2017, more than 44000 trainings have been organized in which more than 15 lakh food handlers have been trained.

Further, the "Draft Notification on Food Safety and Standards (Licensing and Registration of Food Businesses) Amendment Regulations, 2021", has inserted a requirement of "Food Safety Supervisor" under sub-regulation 2.1.20, wherein it is mentioned that, "Food Business Operators shall ensure training of Food Safety Supervisor under training programs of FSSAI. Food Authority may by an order prescribe the requirements regarding the training of Food Safety Supervisor and also the minimum number of Food Safety Supervisors required for any Food Business Operator. Food Safety Supervisor shall supervise the food handlers and also ensure their training." This draft regulation is being operationalized from time to time and last such order was issued on 25/11/2022, thereby mandating the requirement of Food Safety Supervisors in the Licensed Food businesses.

Objective: To help FBOs understand and comply with Schedule 4 requirements, a Food Safety Training and Certification (FoSTaC) program has been put in place, whereby Schedule 4 requirements have been simplified to deliver training. The objective of FoSTaC program are-

- To enhance the availability of skilled/ trained manpower in the food industry.
- Creating an improved environment of self-compliance to FSS Act, Rules and Regulations by the responsible Food Businesses.
- > Bringing a behavioral change and inculcating a culture of Food safety in the country

**About FoSTaC program:** There are 19 certification courses developed by a panel of domain experts empaneled by FSSAI that are offered at three levels: Basic, Advanced & Awareness, covering the entire food value chain. There is one self-learning training program for startups on FoSTaC website. Also, 5 more courses are under development. Following table provides

information about the name, type and duration of these courses-

	List FoSTaC Courses		
S.No	courses	Duration	
1	Basic Catering - General & COVID	4	Available
2	Basic Catering - Integrated Child Development Services & COVID *	4	Under development
3	Basic Catering - Mid Day Meal & COVID*	4	Under development
4	Basic Catering - Bakery Level 1 & COVID	4	Available
5	Basic Manufacturing - General & COVID	4	Available
6	Basic Retail and Distribution - General & COVID	4	Available
7	Basic Storage and Transport - General & COVID	4	Available
8	Advance Catering - General & COVID	8	Available
9	Advance Manufacturing - General & COVID	8	Available
10	Advance Manufacturing- Milk and milk products & COVID	12	Available
11	Advance Manufacturing - Animal Meat and meat products & COVID	8	Available
12	Advance Manufacturing - Poultry meat and meat products & COVID	8	Available
13	Advance Manufacturing - Fish and fish products & COVID	8	Available
14	Advance Manufacturing - Packaged water and water based beverages & COVID	8	Available
15	Advance Manufacturing - Bakery Level 2 & COVID	8	Available
16	Advance Manufacturing - Edible oils and fats & COVID	8	Available
17	Advance Manufacturing - Health supplements and nutraceuticals & COVID	8	Under development
18	Advance Manufacturing - Alcoholic beverages & COVID*	8	Under development
19	Advance Manufacturing - Organic food products & COVID	8	Available
20	Advance Retail and Distribution - General & COVID	8	Available
21	Advance Retail and Distribution - Point of sale of Health supplement & Nutraceuticals & COVID	8	Under development
22	Advance Storage and Transport - General & COVID	8	Available
23	Awareness - COVID 19 (Integrated with all the Basic and Advance courses)	8	Available
24	Awareness - Street Food Vending	2	Available
25	Awareness - Startup Course (Self Learning)	4	Available
	Courses marked as* are under development		
	Note: More sector specific courses may be added requirement in any kind of food businesses	in future bas	sed on the training

<sup>▲</sup> This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

In the FoSTaC program, Training is conducted in a cascading mode. First, the empaneled National Resource Persons (NRPs) train the trainers and then the trained trainers train hundreds of food safety supervisors. These food safety supervisors in turn train food handlers intheirfood business premises.

These courses are of short duration i.e. of 4 to 12 hours and are conducted over 1 -2 days which provides an ease of attending the training program for food handlers without disturbing their daily work. Presently, the trainings are given in offline mode. At the end of the training, the successful candidates are tested and awarded a Food Safety Supervisor (FSS) certificate by FSSAI. FSS will in turn train other food handlers periodically. In Training of Trainers (TOT) program, the person intending to become trainer/assessor shall check the training calendar uploaded in the portal and apply through the link provided. Later, they are shortlisted and shortlisted candidates attend the training program and shall qualify in the assessment test conducted by assessor and become eligible as trainers and assessors.

# FoSTaC Eco-system

In the FoSTaC program, following stake holders play vital role in the amplification of this program.



Role of Stakeholders- The role of each stake holder is described as below:

- State/UT FDA The role of State FDA is the most crucial since they act as a catalyst by
  pulling all stakeholders together. Responsibility of ensuring food safety is with the State/
  UT FDA, who has to coordinate with the training partners, food businesses, market
  associations or other similar associations.
- 2. **Training Partner -** These are the training providing agency who organize various kind of training programs under FoSTaC. They play a role of mentor besides providing trainings. At present, there are 257 training partners.

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- 3. **National Level Resource Persons (NLRP's)-** These are highly experienced persons who help in preparing the training manuals and help in empaneling of trainers through different training programs popularly known as Training of Trainers (ToT) programs. Presently, there are 97 NLRP's empaneled under FoSTaC program with FSSAI.
- 4. Trainers- These are having at least 3 years of experience in their respective field and are empaneled through ToT programs under FoSTaC program. These trainers further train food safety supervisors. Currently, there are 2308 trainers empaneled under FoSTaC program with FSSAI.
- Trainees- These are food handlers who are trained in various training courses like Basic, Advance and Awareness courses. They further train food handlers working in their FBO premise. There are about more than 13 lakhs Food Safety Supervisors all over India.

**FoSTaC Portal-** For ease of access and transparency, the entire training program is managed (i.e. creation of training calendar, selection of Trainers and Assessors, Venue and certificates delivered) through a dedicated online portal i.e. FoSTaC portal https://fostac.fssai.gov. inFssaiE-LearningSystemv2/login.fssai. There are a number of courses at different levels which are currently delivered through a wide network of Training Partners, who can schedule and organize FoSTaC trainings through a specialized web portal called FoSTaC portal. For increasing the efficiency of the training being organized through FoSTaC portal, a new upgraded FoSTaC portal has been launched on 5th August, 2022 by FSSAI with following new features:

- New restrictions on number of seating capacity of the training, fees being charged for the training, etc., have been introduced in the new portal so that the training partners will not be able to generate training calendars which do not abide by the limits set/ guidelines issued by FSSAI. This feature was not available in the old portal so that it was not able to monitor the defaulters.
- New portal has been provided with the option for modification/ cancellation of the training calendars created by the training partners, such that the training partners themselves can modify the trainer, assessor, date and venue of training etc. As this feature was not available in the old portal, the training partners had to approach FSSAI for any modification on the training calendars and this hindered the smooth conduct of the trainings.
- Increased monitoring of the training programs has been made possible in the new portal, as the new portal mandates the training partners/ assessors to submit the attendance sheet (with the name and signature of participants) on the same day of the conduct of training and the assessment sheet (along with the training video of participants & trainer) within 7 days from the completion of training. Failing to do so will

lead to automatic cancellation of the training calendar in the new portal. This feature has enabled FSSAI for stricter monitoring of the trainings - by providing means to make sure that the trainings are being conducted as mentioned in the training calendar and no FoSTaC certificates are issued without attendance and proper assessment

New feature for selection of venue of online training in their respective State/UT.

**FoSTaC Courses Fee Structure-** FSSAI has a prescribed fee structure for the FoSTaC courses, which is indicative only. The trainings can also be conducted free of cost or at a lower rate. However, the upper price limit should be adhered to strictly by the Training Partners. Fees can be met by the FBOs themselves whose employees are being trained or through other Government schemes or through CSR funds of Companies etc. The use of FoSTaC portal are provided free of charge by FSSAI. The course Fee Structure is shown in below figure-3

# FoSTaC Courses Fees Structure

(as per OM dated 23.06.2021 and 14.07.2021 File No: 1-2/Food Handler Training/FSSAI/2012)

S. No.	Mode	Course	Prescribed fees limit + GST per participants	Participans limit per batch	Duration
1	Offline	For Street food vending course	NIL	Max 100	4 Hours
2	Offline	For Basic courses	INR 700-1200		
3	Offline	For Advanced courses	NR 1500-2000		
4	Offline	Sector specific courses other than Milk and Milk Products	INR 2000-2500	Max 40	8 Hours
5	Offline	For Advance manufacturing -Milk and Milk Products	INR 2500-3000	Max 40	12 Hours
		Basic	25% lesser then the prescribedfee	1000+	2 hrs + 1 hrs COVID
6	Online	Advance & sector specific	limit mentioned above for the	Max 100	6 hrs + 1 hr COVID
		Advance Manufacturing	respective offline		7 hrs + 1 hr
		Milk and milk products:	course		COVID

Note:- please refer latest FoSTaC Courses fee stacture and duration from the FoSTaC website i.e. https://fostac.fssai.gov.in

# **Progress So Far**

As on 31.01.2024, more than 2000 trainers have been trained and 44,000 plus training programs were conducted since 2017. Also, 15,00,000 plus Food Safety Supervisors including standalone food vendors have been trained and certified so far under FoSTaC

program. To ensure training at scale, 257 Training Partners have been empaneled by FSSAI on a Pan-India basis. Organic growth of training capacity under FoSTaC shows that there is demand for these kinds of training courses. Development of such a large training capacity in the country under FoSTaC is evidence to the fact that country is undergoing major transformation as far as food safety is concerned. FoSTaC trainings are expected to bring in a culture of self-compliance on food safety measures amongst the food business and raise the bar for food safety and hygiene in the country.

# FoSTaC E-Learning App

Communicating general hygiene standards and cleanliness practices to street food vendors, mobile food cart operators, and other similar small-scale ventures (Food Business Operators) is indeed a challenging task. A better approach to meet this challenge is to involve these Food Business Operators in the process of learning and teaching.

As an initial tool for this learning and teaching process, a self-training learning App has been developed for Food Business Operators called "Online Self-Training Course for Street Food Vendors." This online course is available to everyone, and interested individuals can access the course material according to their convenience. They can learn aboutgeneral hygiene standards and cleanliness practices and implement them in their operations. Additionally, they can obtain necessary information about FSSAI registration/licenses.

By acquiring this training, individuals/operators will not only be capable of providing cleanandhygienicfood to consumers but will also be able to establish credibility and authenticity for their cleanliness standards and practices. This will contribute to the growth of their businesses through improved customer satisfaction and increased sales.

The App can be downloaded from play store/app store. The detailed structure of the modules of this app is elucidated below:

S. No	Description	Duration
Module I	Self-Learningvideo for Street Food Vendors as per Part I of	21 Minutes
	Schedule 4 of FSS (Licensing and Registration of Food	
	Businesses) Regulation, 2011- in Hindi From this video the	
	street vendors will be able to learn Basic hygiene practices	
	that are needs to be followed as per the Part I of Schedule 4	
	of Food Safety and Standards (Licensing and Registration	
	of Food Businesses) Regulations, 2011. After watching	
	this video, the street food vendors will be able to learn various	
	aspects related to Personal Hygiene of himself; about	
	Location, Surrounding and Layout of Food vending cart; Utensils	
	to be used for food preparations and serving; water used for	
	cleaning, washing and preparing food; raw material	
	purchase and storage and waste disposal management.	
* This name conto	ins text for information and knowledge purpose only. Kindly refer DISCLAIMER	

S. No	Description	Duration
Module II	COVID Awareness videos- in Hindi In this video, awareness of	12 minutes
	COVID-19 pandemic and the precautions that need to be taken	
	by petty food handlers are detailed in a simple manner.	
Module III	DART videos to educate on detection of adulteration using	41 minutes
	household items- in Hindi In this module, different videos	
	on the detection o adulterants in food are detailed in Hindi	
	languagethrough the DART (Detect Adulteration with Rapid	
	Test) videos. DART covers more than 50 tests that can be	
	performed easily at households with the help of water and	
	simple solutions like tincture of iodine for food products like	
	Milk & Milk Products, Oils & Fats, Sugar & Confectionary, Food	
	Grains & its products, Spices & Condiments etc. These tests	
	also include sensory evaluation tests for establishing	
	authentication of food products. DART depicts the	
	differences between pure and adulterated food product	
	through pictorial representations.	
Module IV	How to apply for FSSAI registration- for small food business?-	7 minutes
	in Hindi	
	This module will give idea to the user regarding the FSSAI	
	registration process on the Food Safety Compliance System	
	(FoSCoS) portal in an interactive and simple manner. A	
	step wise process for getting registration of the food business is	
	detailed in this module which will help users in applying and	
	getting the FSSAI registration easily.	
Module V	Assessment through Computer based Test (20 questions)-	20 minutes
	in Hindi After watching all the videos, users will be allowed	
	to go through a series of multiple choice questions section	
	i.e. Module V. In this module, users will have to provide the	
	correct answer to the questions displayed on the screen and	
	depending on the answers, score will be computed. If the score	
	is above 60% users will be able declared Pass and is allowed to	
	download their certificate i.e.Certificate of Competence in	
	Self-Learning Street Food Vending	

By acquiring this training, individuals/operators will not only be capable of providing clean and hygienic food to consumers but will also be able to establish credibility and authenticity for their cleanliness standards and practices. This will contribute to the growth of their businesses through improved customer satisfaction and increased sales. Following are the resources and links that can be useful for the various users of FoSTaC program-

Resources	Useful links-
	1. Website: https://fostac.fssai.gov.in/
	2. User Manuals: https://fostac.fssai.gov.in/usermanuals
	3. Training Partners: https://fostac.fssai.gov.in/tpdashboarddata
	Supplementary resources:
	Training manuals along with their translated versions are available at
	Basic: https://fostac.fssai.gov.in/basic.jsp
	Advance: https://fostac.fssai.gov.in/advance.jsp
	Awareness: https://fostac.fssai.gov.in/awareness.jsp
For more details	fostac@fssai.gov.in
email on:	

# STANDARD OPERATING PROCEDURE

Role of	1. State FDA-The role of State FDA is the most crucial since they ac
Stakeholders	as a catalyst by pulling all stakeholders together. Responsibility of ensuring food safety is with the state FDA who has to coordinate with the training partners, food businesses market associations or other similar associations.
	2. Training Partner - FSSAI empanelled training partner will play the role of mentor besides providing training. The trainer may handhold each of the trained FSS as a follow up to thei individual learning process.
	3. Funding Partner - Entire training & certification process involves some cost which can be borne by the FBO themselves any business house from their CSR funds, government bodies local bodies or the market association.
	4. Large FBO - Large food businesses have a larger catchmen area. Besides investing out of their CSR fund, industries car train their upstream and downstream supply chains.
Steps for Implementation	For ease of access and transparency, the entire training program is managed (i.e. trainers invited and empanelled, training schedules fixed and certificates delivered) through a dedicated online portal
	➤ The actual training under FoSTaC is delivered offline/in classroom modules through empanelled trainers.
	FSSAI has not prescribed any fixed fee for any course, though fees are expected to be nominal since the training content and use of FoSTaC portal are provided free of charge by FSSAI. However there would still be some cost involved and this can be met by the FBOs themselves whose employees are being trained or through other Government schemes or through CSF funds of Companies etc.
For more details, contact:	fostac@fssai.gov.in

## BENCH MARKING AND CERTIFICATION FOR CLUSTERS

For petty food vendors and hawkers, a cluster approach is adopted. A cluster is an aggregation of vendors located in a given geographical area with similar kind of business; for e.g. upto 20 or more street food vendors is a cluster and can be certified as a Eat Right Street Food Hub. A structured process of defining benchmarks, gap analysis, filling infrastructure gaps, training, capacity building and certification is adopted in a cluster. This is a systematic way to ensure compliance to food safety standards and helps to organize hawkers: and petty food vendors to improve food safety and hygiene. It is also an important convergence point, with local municipal authorities taking a lead in setting up clusters (e.g., clean street food hubs, vegetable and fruit markets etc) and with other government programs like Swachh Bharat Abhiyan (for cleanliness drives) and Jal Jeevan Mission (for potable water: supply).

Cluster certification model has five simple steps.

# Step1:

**Cluster Identification :** The State FDA, in association with the local bodies (Panchayat, municipalities, municipal corporations etc) will identify geographical areas with an aggregation/cluster of vendors and ensure they are licensed/registered as a first step.

# Step 2:

**Pre-Audit:** Benchmarks and checklists have been defined by FSSAI covering parameters like location, facilities, personal hygiene etc. to be followed by the FBO, based on Schedule 4 requirements. The State FDA, representatives from local bodies and an FSSAI empanelled auditing agency will conduct a pre-audit to identify gaps against the benchmarks, through a physical visit to the cluster.

## Step 3:

**Training and Infrastructure improvement**: After the pre-audit, training of Food Safety Supervisors will be conducted under the FoSTaC programme. The trainer will focus on the gaps identified during pre-audit. Further, for non-compliance due to infrastructural issues, the local FDA/municipalities/concerned state department/funding partner would help to plug the gaps; the trainer or training partner may guide the FBOs with suitable solutions. In certifying any given cluster, the audit agency and training partner will be two different entities to avoid conflict of interest.

## Step 4:

**Final Audit and certification:** The final audit has to be conducted within six months of the pre-audit, by the same audit agency that did the pre-audit. The report will be submitted to the concerned state FDA and if the benchmarks as prescribed are met, FSSAI and the State FDA will jointly issue a certificate with a plaque to the cluster, which will be prominently displayed. The plaque will help to assure consumers that the cluster meets food safety and hygiene standards, thereby increasing business and enhancing livelihood of the vendors.

## Step 5:

**Renewal of Certificate :** The certificate will be valid for (two years). In these two years, certified clusters will be routinely inspected and samples drawn and tested by the State FDA in accordance with FSSR, 2011. For renewal, an audit is to be conducted by an empanelled agency/State FDA one month prior to the expiry date of the certificate. On receiving approval from State FDA, the certificate will be renewed forthe next 2years.

Currently, cluster initiatives include:

- Eat Right Street Food Hub
- ➤ Eat Right Fruits and Vegetable Markets
- > Eat Right Place of Worship
- Eat Right Station

#### **CLUSTER INITIATIVE 1: EAT RIGHT STREET FOOD HUB**

Objective: This initiative aims at raising the quality of street food vending to the level of food courts and established hotels and restaurants. It also aims to upgrade food streets and build trust among consumers about enjoying safe and hygienic local eating experiences.

**About Eat Right Street Food Hub:** An Eat Right Street Food Hub may be defined as a hub or cluster of vendors/shops/stalls selling popular street foods, 70 per cent or more of which represent local and regional cuisines and meet the basic hygiene and sanitary requirements, excluding fine dining.

#### STANDARD OPERATING PROCEDURE

#### SUCCESS STORIES

# Role of Stakeholders

State FDA - has the most crucial role since they will act as a catalyst by pullingall stakeholders together. They would coordinate with local bodies, street food vendor association, audit & training partner etc. to get the certification done.

Local self-government [Panchayat/Municipality/MC] - Since local bodies are directly regulating aspects such as cleaning of street food vending area, managing waste, providing potable water, drainage, maintaining infrastructure etc they are indispensable to the whole process.

Street Food Vendors Committee - Street food vendors located in particular area/lane are managed by some association or committee. Such bodies are the real stakeholders and are responsible for implementation and sustenance.

Audit & Training Partner - FSSAI empanelled audit agency and training partner will play the role of mentor. While an auditor will identify the gaps, the trainer will handhold each one ofthem so that FBOs can mitigate those gaps.

Funding Partner - Entire certification process involves some cost which can be borne by business houses out of their CSR funds, government bodies, local bodies or the street food Committee/Association themselves. Funding partners contribution could be acknowledged on the Plaque/website etc.

# Steps for implementation

The 5 steps for cluster certification listed above are to be followed. Compliance to suggestions given during initial inspection to be done within 30-60 days, which is to be confirmed by concerned State FDA official. The cluster will be delisted from potential hub list if final audit is not conducted within six months of pre-audit.

FSSAI will certify the cluster as a "Clean Street Food Hub" and reward the hub with a plaque after the final audit if 80% compliance is achieved. If 80% compliance is achieved in the pre-audit, the cluster may be certified as "Clean Street Food Hub" post pre-audit.

#### Resources

**Guidance Documents:** Implementation guidelines

https://eatrightindia.gov.in/streetfoodhub/hubresources

Flyer:

https://eatrightindia.gov.in/streetfoodhub/hubresources

Website:

https://eatrightindia.gov.in/streetfoodhub/home

Partners: Auditing agency

https://www.fssai.gov.in/cms/third-party-audit.php Training partners:

https://fostac.fssai.gov.in/tpdashboarddata#

**Supplementary Resources**: Food safety and hygiene checklist for audit under ERSFH https://eatrightindia.gov.in/streetfoodhub/images / Clean%20Street%20Food%20Hub%20Latest%20Checklist.pdf

The project has seen great enthusiasm from several states, and more than 140 hubs have been certified across the country. till June 2023

Eat Right Street Food Hubs to be certified was in Kankariya, Ahmedabad. Other iconic Street Food Hubs which have been certified as Clean Street Food Hubs include Juhu Chowpatty and Girgaon Chowpatty (Mumbai), Chappan Dukaan (Indore), Urban Chowk (Ahmedabad), Sector 8 market (Chandigarh) etc. These hubs took several measures to improve hygiene and food safety standards. Food handlers started wearing gloves, mask, caps etc. in the correct manner. They made a policy for procurement of raw and packed products from FSSAI licensed/registered suppliers only. Products started being tested randomly at frequent interval of time. They replaced non-food grade disposables with food grade disposables for serving, which is healthy for consumer and environment too. Cast iron and wood utensils have been replaced with the stainless steel. Now proper arrangements for storage of raw food and semi-cooked food have been made. They have also started use of potable water for washing of utensils and demarcated a common pot washing area. The Municipality is taking care of timely disposal of waste. Proper hand washing points/ stations have been made available to consumers. License/Registration along with Food Safety Display Boards is prominently displayed in each vendor's stall.

#### CLUSTER INITIATIVE 2: EAT RIGHT FRUITS & VEGETABLES MARKET

**Objective:** This initiative aims at ensuring that safety standards are maintained in fruit and vegetable retail.

**About Eat Right Fruit & Vegetable Market:** An Eat Right Fruit & Vegetable Market may be defined as a cluster of vendors/stalls sellingfruits and vegetables. These mandis will also be a hub for consumer awareness with respect to fruits and vegetables. Under this cluster certification initiative, an entire 'Sabzi Mandi"will be audited, trained and certified. It is expected that the fruits & vegetable shops in such certified Mandis will follow food safety

Role of Stakeholders	Local self government [Panchayat/Municipality/MC] - Since
	local bodies are directly regulating other aspects such as
	cleaning of the market area, managing waste, providing potable
	water, drainage, maintaining infrastructure etc, therefore local
	bodies are indispensable in the whole process.
	Market Committee - Every market is managed by a market
	association or committee. Such bodies are the real stakeholders
	and are responsible for implementation and sustenance.
	State FDA-The role of State FDA is the most crucial one
	since they will act as a catalyst by pulling all stakeholders
	together. However, responsibility of ensuring food safety is with
	state FDA. They therefore have to coordinate with the local
	bodies, market association, audit & training partner to get the
	certification done.
	Audit & Training Partner - FSSAI empanelled audit agency and
	training partner will play the role of mentor. While an auditor
	will identify the gaps, the trainer will handhold each one of
	them so that FBOs can mitigate those gaps.
	Funding Partner - Entire certification process involves some
	cost which can be borne by any business houses out of their
	CSR funds, government bodies, local bodies or the market
	association themselves.
Steps for	All the 5 steps for cluster certification listed above are to be
Implementation	followed.
	The market will be delisted from potential market list if final
	audit is not conducted within six months of pre-audit.
	After proper examination post the final audit, FSSAI will certify
	the market as a "Eat Right Fruits & Vegetable Market" and
	reward the market with a plaque.
Resources	Guidance document on Implementation of Clean and Fresh
	Fruit & Vegetable Market Flyer on the scheme
	https://eatrightindia.gov.in/EatRightIndia/flyerBrochure.fssai
	Website:(https://eatrightindia.gov.in/fruitsandvegetablesmarket/)
For more details, contact:	cleanfreshfruitvegmarket@gmail.com

For more details, contact:	cleanfreshfruitvegmarket@gmail.com
	(https://eatrightindia.gov.in/fruitsandvegetablesmarket/)
	Website
	https://eatrightindia.gov.in/EatRightIndia/flyerBrochure.fssai
	Fruit & Vegetable Market Flyer on the scheme
Resources	Guidance document on Implementation of Clean and Fresh
	reward the market with a plaque.
	the market as a "Eat Right Fruits & Vegetable Market" and
	After proper examination post the final audit, FSSAI will certify
	audit is not conducted within six months of pre-audit.
	The market will be delisted from potential market list if final
Implementation	followed.
Steps for	All the 5 steps for cluster certification listed above are to be

#### SUCCESS STORIES/PROGRESS THUS FAR....

140 Eat Right Fruits and Vegetables Market have been certified across the country till June 2023

#### **CLUSTER INITIATIVE 3: EAT RIGHT PLACE OF WORSHIP**

Objective: Eat Right Place of Worship is an initiative to encourage places of worship to ensure the health and welfare of the pilgrims, by educating food handlers in the premises & vendors in the surrounding area about proper food safety and hygiene.

About Eat Right Place of Worship: Under this initiative, places of worship where offerings are cooked/handled are identified, audit conducted and basic training imparted to food handlers. Display of food safety messages and Food Safety Display Boards at prominent places in the place of worship to encourage adoption of safe and hygienic food habits by the devotees is an important element of this initiative. After successful completion of all the steps, identified place of worship is recognized/certified.

# STANDARD OPERATING PROCEDURE

Role of Stakeholders	State FDA - has the most crucial role since they will act as
	a catalyst by pulling all stakeholders together. They would
	coordinate with the local bodies. Temple Authorities/Association,
	audit & training partner to get the certification done.

Role of	Local self-government [Panchayat/Municipality/MC] - Since local
Stakeholders	bodies are directly regulating places of worship falling under their
	jurisdiction along with Local Municipality on aspects such as managing
	waste, providing potable water, drainage, etc, they are indispensable
	to the whole process. Temple Board/Trusts/Committee/Associations -
	Almost every Place of Worship is managed by Temple Board/Trusts/
	Committee/ Associations. Such bodies are the real stakeholders and
	are responsible for implementation and sustenance. Audit & Training
	Partner - FSSAI empanelled audit agency and training partner will
	playtheroleof mentor. While an auditor will identify the gaps, the trainer will handhold each FBO to help mitigate those gaps <b>Funding</b>
	Partner - Entire certification process involves some cost which can
	be borne by business houses out of their CSR funds, government
	bodies, local bodies or Temple Board/Trusts/Committee/Associations
	themselves. Funding partners contribution could be acknowledged on
	the Plaque/website etc.
Steps for	All the 5 steps for cluster certification listed above are to be followed.
Implementation	
Resources	<b>Resources</b> :https://eatrightindia.gov.in/eatrightplaceofworship/checklist.php
	<b>Guidance Document:</b> Guidance document and flyer for Implementation of Eat Right Place of Worship https://eatrightindia.gov.in/eatrightplaceofworship/learning-books.php
	Flyer of Eat Right Place of Worship: https://eatrightindia.gov.in/ EatRightIndia/flyerBrochure.fssai
	Website: https://eatrightindia.gov.in/eatrightplaceofworship/ Partners:
	Auditing agency: https://www.fssai.gov.in/cms/third-party-audit.php
	Training partners: https://fostac.fssai.gov.in/tpdashboarddata#
	Supplementary Resources : Food safety and hygiene checklist for
	audit under Eat Right Place of Worship https://eatrightindia.gov.in/eatrightplaceofworship/checklist.php
For more details,	bhogfssai@gmail.com
contact:	

Under Eat Right Place of Worship, more than 860 places of worship are certified across the country till June 2023.

Famous Temples like Mata Vaishno Devi, Katra, Jammu and Kashmir; Kedarnath, Uttarakhand; Shri Mahakal Mandir, Ujjain, Madhya Pradesh and Shri Ram Mandir, Raipur, Chattisgarh have implemented Eat Right Place of Worship and shown remarkable improvement.

They made significant changes in infrastructure & lay-out, based on the gaps identified during pre-audit, to ensure unidirectional flow of food. They have started usingfood grade lubricants & cleaning agents that come in contact with food items and utensils. Procurement managers are ensuring food grade material only with FSSAI logo. Other good practices initiated include use of temperature monitoring devices like thermometer or digital display to make sure food is adequately cooked and safe for consumption, discontinuing use of equipment & packing material made from non-food grade plastics, newspaper, thermocol etc., testing of water and maintaining test reports and proper documentation on procurement, maintenance, personal hygiene, medical certificates, pest control, visitors and trainings.

## **CLUSTER INITIATIVE 4: EAT RIGHT STATION**

Objective: Railway Stations in India house several petty food vendors/stalls and see heavy footfalls. The Eat Right Station initiative is designed to ensure that safe and wholesome food is served to passengers, visitors to railway stations and railway officials.

About Eat Right Station: Underthis initiative, all food vendors on the railway station will be audited, trained and certified. Railway Stations that fulfil benchmark criteria will then be recognized as "Eat Right Station" through plaques and/or certificate of excellence, which they would display prominently to enhance customer confidence.

#### STANDARD OPERATING PROCEDURE

#### Role of Stakeholders

Indian Railways/IRCTC/IRSDC: Conduct Self-Assessment as per the checklist; Overall support in identification, implementation and sustenance, mobilizing resources to become a certified 'Eat Right Station'.

FSSAI: Overall implementation and identification of railway stations; verification of self-assessment report and final audit report and recommendation for declaring Eat Right Station'

**Corporates/Funding Partners:** Adopting railway stations for Eat Right Station certification, promote awareness, use CSR funds for training, printing and translation of training material etc.

**Training Partners: (www.fostac.fssai.gov.in):** Mobilizing participants and conducting FoSTaC Food Safety Supervisor (FSS) trainings, translation of training material in local languages.

**Third Party Auditing Agencies:** (www.fssai.gov.in) : mobilizing participation, ensure timely audits, leveraging for further improvements.

All the 5 steps for cluster certification listed above are to be followed.
All the 3 steps for cluster certification listed above are to be followed.
Display of food safety messages and Food Safety Display Boards (FSDBs) at prominent places in the station is to be done.  Based on final audit score & recommendation by auditor, station complex will be declared as "Eat Right Station" with ratings from three star (least
score) till five star (max score) by FSSAI with a validity up to 2 years.
Half-yearly assessment of performance as per given checklist will be conducted by the Eat Right Fellow nominated by FSSAI. The score will
be considered in renewal of the certificate.
All food service establishments in the railway stations are to adopt Hygiene Rating.
Eat Right Station flyer
https://eatrightindia.gov.in/EatRightIndia/flyerBrochure.fssai
Website: https://eatrightindia.gov.in/eatrightstation/
Partners: Auditing agency: https://www.fssai.gov.in/cms/third-party-
audit.php
Training partners: https://fostac.fssai.gov.in/tpdashboarddata#
<b>Supplementary Resources:</b> https://eatrightindia.gov.in/eatrightstation/
resources.php
eatrightstation@gmail.com

Under this initiative, more than 70 railway stations have been certified across the country till June 2023.

Some of the major stations certified underthis initiative are New Delhi Railway Station Dr. MGR Central Railways Station, Chennai, Anand Vihar Terminal Railway Station, Delhi, Noida Sector Sector 51 Metro Station, Uttar Pradesh, Esplande Metro Station, Kolkata, Vadodara Railway Station, Kolkata Railway Station, Chandigarh Railway Station. Atthese stations, significant changes were made in infrastructure & lay-out, based on the gaps identified during pre-audit. Kitchen managers are ensuring purchase of ingredients with FSSAI logo. Other good practices initiated include use of temperature monitoring devices like thermometer or digital display to make sure food is adequately cooked and safe for consumption, discontinuing use of equipment & packing material made from non-food grade plastics, newspaper, thermocol etc., testing of water and maintaining test reports and proper documentation on procurement, maintenance, personal hygiene, medical certificates, pest control and trainings.

Benchmarking and Certification of Clusters can lead to a virtuous circle. For the vendor, since the certification is backed by robust processes of gap analysis, audit and systematic capacity building, they are empowered to ensure self-compliance. For the consumer, the Plaque and Certificate are a visible symbol of food safety and good hygiene practice and can lead to higher demand, thereby creating an economic incentive to sustain proper food safety management systems and practices.

#### BENCHMARKING AND CERTIFICATION FOR INDIVIDUAL OUTLETS

#### HYGIENE RATING CERTIFICATION

Hygiene rating (HR) is a technology-enabled, user-friendly scheme where individual food service establishments are given a rating for their hygiene and food safety compliance. Establishments participating in the scheme are awarded a consolidated "Star Rating" (between 1 to 5) based on the level of their compliance to multiple safety and hygiene parameters prescribed by FSSAI through a simple checklist.

The Hygiene Star Rating is a powerful visual symbol that allows consumers to make informed choices by finding out how hygienic and safe food preparation is at any of the star rated premises, while also boosting the business of the establishment. Moreover, it encourages businesses to improve their hygiene standards and reduce the incidence of food borne illnesses.

Hygiene Rating can be implemented in standalone food establishments such as restaurants (even those present in food courts or hotels), cafes, caterers, sweet shops, bakeries and meat shops etc. These food establishments can be located in a market, mall, tourist spots, airport, highways, institutes, hospitals, etc. **The Hygiene Rating Certification is valid for 2 years.** 

FSSAI has introduced "Hygiene Rating Scheme"for:

- Restaurants and Catering Establishments
- Meat Shops
- Mithai and Namkeen Shops

#### HYGIENE RATING INITIATIVE 1: RESTAURANTS AND CATERING ESTABLISHMENTS

Hygiene rating implies that a restaurant, including cafes, diners, eating joints and caterers is compliant to Schedule 4, FSS (Licensing and Registration of Food Busineess) Regulations, 2011. Once a Hygiene Rating certificate is earned by a FBO, it can be displayed prominently in their premises. This would boost their business as a safe place to eat by helping consumers to make informed choices.

# STANDARD OPERATING PROCEDURE

For more	<b>Checklist</b> : https://hygiene.fssai.gov.in/recources/sample_checklist.pdf servesafe@fssai.gov.in
	Supplementary Resources:
	https://fostac.fssai.gov.in/linsoftrainingpartner
	TrainingPartners:
	https://hygiene.fssai.gov.in/agency_list.php
	Partners: AuditAgencies:
	Website: www.hygiene.fssai.gov.in
	Document Jan21_VerIV.pdf
	https://hygiene.fssai.gov.in/resources/hygiene%20Rating%20
Resources	Guidance document:
Implementation	be followed.
Steps for	members, organizing workshops, etc.  The 3-step procedure for Hygiene Rating mentioned at page 159 is to
	Safety Department in implementation of this scheme by reaching out to
	<b>Restaurant Associations</b> : Associations can support State/UTs Food
	the implementation.
	responsible for mobilising FBOs to participate and overall monitoring of
	Food Safety Department of State/UTs: Food Safety Departments will be
	training thefood safety supervisor.
	understands the food hygiene and safety practices to be adopted by
	Training Partners: Training partners ensure the food establishment
	<b>Audit Agencies</b> : FSSAI recognized Audit Agencies play an important role of assessing /verifying the level of food safety compliance in a food establishment.
	applying for the scheme.
Clarenolders	establishments need to comply with the pre- requirements (ensuring valid License/registration and completing FoSTaC training) before
Role of Stakeholders	<b>Food Businesses</b> : The actual implementation of this scheme will be carried out by eligible food establishments and audit agencies. Food

More than 3600 food establishments (including leading hotels, international and national restaurant chains and traditional restaurants) have voluntarily opted for Hygiene Rating scheme in the states of Maharashtra, Tamil Nadu, Delhi, Gujarat, etc. This scheme gave an opportunity to food businesses to understand the gaps in implementation of Good Manufacturing Practices (GMP) and Good Hygiene Practices (GHP) mentioned in Schedule 4 of FSS (Licensing and Registration of Food Businesses) Regulation, 2011. FoSTaC training of staff supported them in finding solutions to fill the gaps identified.

Jubilant Foodworks Ltd. reported that this scheme has helped us build confidence amongst consumers as well as business partners, as it is comes from the apex food regulator of the country.

### HYGIENE RATING INITIATIVE 2: CLEAN AND SAFE MEAT SHOPS

Meat Retail Shops sell meat products after minor processing or no processing at all. They are considered a high risk retail sector, and must comply with licensing and food safety requirements, have a trained Food Safety Supervisor and ensure safe and hygienic practices.

FSSAI has advised Food Safety Department of States/UTs to conduct Third Party Audit of 1350 meat shops across India (50 shops in each state and 20 in each UT). Hygiene Rating will also be awarded to these shops by the audit agency.

#### STANDARD OPERATING PROCEDURE

Role of	Food Safety Department of State/UTs: Food Safety Departments will be
Stakeholders	responsiblefor overall monitoring of the implementation.
	<b>Meat Retail Shops</b> : The actual implementation of this scheme will be carried out by meat retail shops and audit agency. It is essential for meat retails shops to comply with the requirements and applyforthe scheme.
	<b>Audit Agencies</b> : Hygiene Rating Audit Agencies play an important role of assessing and verifying the level of food safety compliance in a food establishment.
	<b>Training partners</b> : Training partners ensure the food establishment understands the food hygiene and safety practices to be adopted by food establishment by training the food safety supervisor.
Role of	Associations : Associations can support State/UTs Food Safety
Stakeholders	Department in implementation of this scheme by reaching out to members, organizing workshops, etc.

Steps for	Identify and mobilise participation of meat retail shops and their
Implementation	association in the district with support of the Food Safety Department of State/UT.
	Organize an awareness drive along with food safety officers and audit agencies for meat retail shops to sensitize and draw a plan for implementation (with timelines) of this scheme.
	Follow the 3-step procedure for Hygiene Rating mentioned at Page 159.
	Regular monitoring of the progress of implementation of the scheme to identify challenges faced by stakeholders and provide support in overcoming them.
	Ensure that hygiene rated meat retail shops display the rating certificate prominently in the food premises.
For more	servesafe@fssai.gov.in

#### HYGIENE RATING INITIATIVE 3: CLEAN AND SAFE MITHAI SHOPS

Mithai (sweets) are an essential part of Indian cuisine and culture. Food Establishments involved in preparation and/or sale of dessert items (majorly traditional Indian sweets) prepared mainly from milk, milk products, cereals, pulses and nuts. Sweet shops handle high risk food products such as milk and milk products (where common issues of adulteration, use of artificial colours and food hygiene are common issues). It is essential that these establishments comply with licensing and food safety requirements stated under FSSA,2006.

## STANDARD OPERATING PROCEDURE

details, contact:

Role of	Food Safety Department of State/UTs: Food Safety Departments will be
Stakeholders	responsible for overall monitoring ofthe implementation.
	<b>Sweet Shops:</b> The actual implementation of this scheme will be carried out by mithai (sweet) shops and audit agency. It is essential for mithai (sweet) shops to comply with the requirements and apply forthe scheme.
	<b>Audit Agencies:</b> Hygiene Rating Audit Agencies play important role of assessing and verifying the level of food safety compliance in a food establishment.

Role of	Training partners: Training partners ensure the food establishment
Stakeholders	understands the food hygiene and safety practices to be adopted by
Stakenoiders	
	food establishment bytrainingthefood safety supervisor.
	Associations of sweet manufacturers : Association(s) can support
	State/UTs Food Safety Department in implementation of this scheme
	by reaching out to members, organizing workshops, sensitising about
	the scheme, etc.
Steps for	Identify mithai (Sweet) shops and their association in the district with
Implementation	the support of the Food Safety Department of State/UT.
	Organize an awareness drive along with food safety officers and audit
	agencies for mithai (Sweet) shops to sensitize and draw a plan for
	implementation (with timelines) of this scheme.
	Conduct a licensing drive and trainings to meet the prerequisite
	requirements of hygiene rating (if not fulfilled already).
	Ensure Hygiene Rating of shops by following the 3-step procedure for
	Hygiene Rating mentioned at para page 159.
	Regularly monitor the progress of implementation of the scheme
	to identify challenges faced by stakeholders and provide support in
	overcoming them.
	Ensure that hygiene rated mithai (Sweet shop) display the rating
_	certificate prominentlyinthefood premise.
For more	servesafe@fssai.gov.in
details, contact:	

To ensure that the FSMS practices are implemented effectively, FBOs are subject to periodic inspections by Central and State Licensing Authorities. Further, a system of Third Party Audits through empanelled auditors is in place through the Food Safety and Standards (Food Safety Auditing) Regulations, 2017. The Regulation stipulates that select food categories prescribed by the Food Authority will be subject to mandatory Food Safety Auditing. Food businesses not subject to mandatory food safety auditing will be encouraged to voluntarily opt for and meet the audit parameters. FBOs who participate in the benchmarking and certification schemes or voluntary audit may be subjected to reduced frequency of inspections by Central or State licensing authorities (needs confirmation).

# **DEMAND SIDE INITIATIVES: EMPOWERING CONSUMERS**

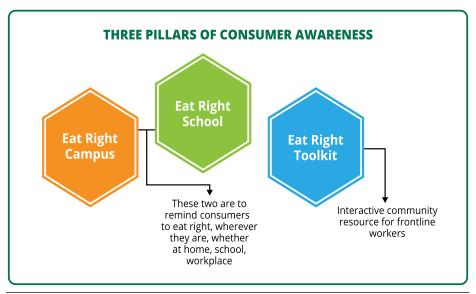
Empowering citizens to make informed choices in favour of safe and wholesome food creates a demand-pull; so if each citizen of India, young or old, is a **"Food Smart Consumer,"** FBOs will have no choice but to put in place systems to ensure that they deliver as per demand.

The Demand Side initiatives of FSSAI aim at large-scale social and behavioural change by engaging consumers and educating them on eating right. They work on three major focus areas as follows:

- Building Consumer awareness
- > Combating adulteration
- Enabling Healthy Choices

#### **BUILDING CONSUMER AWARENESS**

Nudging consumers to eat right calls for a slew of measures that not only create awareness, but constantly reiterate the importance of 'mindful' eating to ensure a sustainable change in habits. Since food is consumed not only at home, but also at the workplace, in schools/ colleges etc, there are opportunities in every space to promote safe and wholesome food habits. Home food choices can be influenced by targeting consumers directly through various IEC and awareness campaigns. Food choices in schools, workplaces or other campuses can be influenced by creating visible symbols/logos/ratings for a campus, based on compliance to a set of well-defined benchmarks that go beyond mere safety and hygiene, to include aspects of healthy and responsible food consumption.



▲ This page contains text for information and knowledge purpose only. Kindly refer DISCLAIMER.

The project has seen great enthusiasm from several states, and more than 140 hubs have been certified across the country. tillJune 2023

The Eat Right Toolkit is a community resource, delivered at the grassroots level by frontline health workers and other community resource persons, with informative content and simple reiterative messaging to remind consumers to be aware, be cognizant and demand safe and nutritious food.

These initiatives focus on bringing about social and behavioural change around food safety, hygiene, healthy diets and responsible consumption and should become a powerful tool available to every citizen-hence every stakeholder must play their part to ensure their Pan-India implementation.

## PILLAR 1: EAT RIGHT CAM PUS (ERC)

The Eat Right Campus initiative has a two fold objective:

- ➤ It helps to create an environment of safe food and healthy eating for residents and visitors in various campuses through compliance to a set of well-defined parameters; and equally importantly,
- ➤ It continuously reiterates the message of "mindful eating habits" in places that are part of our daily routine e.g. at people's workplaces, colleges, institutes or any other campus.

The ERC initiative can be taken up in any of thefollowing campuses:

- Workplaces/Corporates
- Colleges/Institutes/Universities
- Jails

Dolo of

- Hospitals/Health Institutions
- Tea Estate

## STANDARD OPERATING PROCEDURE

Kole oi	State/OT'S FDA: Overall implementation and identification of campus;
Stakeholders	Verification of self-assessment report and final audit report and
	recommendation for declaring eat right campus.
	<b>Training partners :</b> (www.fostac.fssai.gov.in): Mobilizing campuses to
	participate, Training Food Safety Supervisors; Creating trainer's pool,
	Translation etc.

State/LIT's EDA . Overall implementation and Identification of campus

Role of Stakeholders	Auditing agencies: (www.fssai.gov.in): Mobilizing participation, ensure timely audits, hand holding forfurther improvements. Corporates/ Funding Partners: Adopting campuses for ERC certification; promote awareness, use CSR funds for training, printing and translation of training material, etc. Academic Institutions/Colleges/Universities: Conduct self-assessment as per the checklist; Overall support in identification, implementation and sustenance; mobilizing resources to become a certified ERC.
Steps for Implementation	Identification of campus and submission of enrolment form. Self-assessment/Pre-auditon a clearly defined checklist to identify gaps. Food Safety Training & Certification through FSSAI empanelled Training Partners. Rectification of gaps by campus authority. Final audit by FSSAI empanelled third party auditing agency for certification & rating of the campus. The certificate will be valid for 2 years. Sustenance: Designate a staff/student as ERC Fellow, who will be trained for periodic internal audits. Local FSO will draw sample randomly as per the risk involved.
Resources	Website: https://eatrightindia.gov.in/EatRightCampus/home Partners: Auditing agency: https://www.fssai.gov.in/cms/third-party-audit.php Training partners: https://fostac.fssai.gov.in/tpdashboarddata# Supplementary Resources: https://eatrightindia.gov.in/EatRightCampus/communicationKit Success Stories https://www.eatrightindia.gov.in/EatRightCampus/successstories Flyers https://eatrightindia.gov.in/EatRightIndia/flyerBrochure.fssai
For more detail, contact	eatrigntcampus@gmail.com
<del></del>	

Eat Right Campus has been gaining momentum since its launch in 2019. On the first World Food Safety Day, 7th June 2019, seven campuses were awarded Eat Right Campus certification. Now, till June 2023, more than 2300 campuses have been certified under this initiative across the country. The following campuses were recognized for their exemplary standards - IIT Gandhinagar; IIT Roorkee; LBSNAA, Mussourie; Unilever, Bengaluru; Wipro, Bengaluru; HCL Noida and Genpact, Gurugram.

One of the first Eat Right Campuses to be recognized is the Lai Bahadur Shastri National Academy of Administration (LBSNAA), Mussourie. They have not only got the Hygiene Rating of their canteen done but have taken additional steps such as replacing plastic bottles with personalised glass bottles for probationers, introducing healthy snacks such as sprouts/

channa instead of fried items, adopting a healthy menu, putting posters on healthy habits in the premises and conducting sessions with nutritionists for officers in the institute.

#### PILLAR 2 OF CONSUMERAWARENESS: EAT RIGHT SCHOOL

Poor eating habits impact not only the physical, but also the mental and cognitive development of children, lower their immunity and can have serious implications on learning outcomes. Schools are well poised to influence dietary practices and promote lifelong healthy habits, as students spend an average of 7-8 hours per day in school and are strongly influenced by peers and teachers. Moreover, most of our food habits are established at a young age. Hence as a special focus, FSSAI has put together the Eat Right School Campaign, at the heart of which lies the creation of Eat Right Schools.

Eat Right School is designed to help school children inculcate the habit of eating safe, eating healthy and eating sustainably through an interactive learning model. The Yellow Books I & II that have been developed specifically for school children from grades 1-8 with age appropriate and scientifically credible content on healthy habits. Schools may also create Health and WellnessTeams, certified by FSSAI, to drive this programme in the school. Further, a comprehensive matrix has been created for schools that include curricular and extracurricular activities based on which points are awarded. Based on the score received on the matrix, a school may be certified as an Eat Right School.

### STANDARD OPERATING PROCEDURE

# Role of Stakeholders

**Individual Schools/School Foundations or Trusts :** Implementing the Eat Right School programme.

**Central and State Education Departments and School Boards :** To increase outreach, create regionalised content, integrate & to facilitate adoption of school programme.

MHRD - DIKSHA: Learning & certification platform for teachers & students with curated learning material on all topics. Diksha platform and Project Management Unit aid dissemination of content & certification of Health & Wellness Ambassadors under health and wellness track in all states. Outreach of 30 lac teachers in 28 states.

**NIOS** - MoU signed with National Institute of Open Schooling to integrate the Eat Right principles into the curriculum of the largest open schooling board in India with an outreach of over 5 lakh students.

**Anemia Mukt Bharat & UNICEF:** Joining hands to spread awareness among school children across India.

**Publishing Houses/Corporates:** To integrate content from the Yellow Books into text books, for outreach as well as printing/distribution of Yellow Books.

**Implementation partners such as NGOs, CSOs:** Integration of Eat Right Schools into mainstream curricular &co-curricular activities.

**Domain experts:** Lending expertise to create credible content and dissemination through SNF Fellows.

# Steps for Implementation

A School can register online on the School Portal:

https://eatrightindia.gov.in/eatrightschool/ - A user friendly and comprehensive online portal has been created for school registration, creation of Health & Wellness teams, and accessto many activities under Eat Right School.

Create and Certify Health and Wellness Ambassadors (HWA): School teachers and/or parents can be nominated as Health and Wellness Ambassadors/Health and Wellness teams. They would be certified by FSSAI by undertaking an online certification program at https://eatrightindia.gov.in/eatrightschool/ and drive the Eat Right School programme.

**www.fssai.gov.in/eatrightschool.** and drive the Eat Right School programme.

Conduct Eat Right Activities: Schools will create an activity calendar and conduct activities around eating right such as organizing 'Eat Right Carnival' and 'Healthy recipe day', include eating safe and healthy food as a part of SUPW activities, organise sessions with mothers for healthy & tasty snacks, identify 'Master & Miss Sehat' from each class on a weekly/monthly basis, create school kitchen gardens, paint a wall, participate in theatre, puppet activities based on Eat Right Themes etc. The evidence of these activities must be uploaded on the school website. Monitoring and Evaluation: Schools will use the Eat Right Matrix available on the website https://eatrightindia.gov.in/eatrightschool/ to monitor and evaluate the programme.

**Eat Right School Certification :** Suitable reward and recognition will be given to the schools on the basis of their performance.

#### Resources

**Guidance Document :** https://fssai.gov.in/eatrightschool/learning-books.php

**Yellow Books:** These are available in 11 languages (English, Hindi, Punjabi, Gujarati, Marathi, Telugu, Tamil, Malayalam, Kannada, Bengali & Assamese on https://eatrightindia.gov.in/eatrightschool/. The English version also available on DIKSHA - National Teacher's Platform, created by MHRD for teachers across India.

**Activity Book:** A fun-filled activity book has been designed to teach and reinforce the message of safe and nutritious food.

**Training Manual:** A teacher training manual has also been developed to give an in-depth understanding of the concepts on food safety and nutrition.

Website: www.fssai.gov.in/eatrightschool Supplementary Resources:

**The Pink Book:** A guide to eating safe, healthy and sustainably at https://eatrightindia.gov.in/EatRightIndia/books.jsp

**The DART Book:** Aguide to Detecting Adulterants with Rapid Testing (DART) at home: https://eatrightindia.gov.in/EatRightIndia/books.jsp

For more details, contact:

more snfatschool@fssai.gov.in

Over 1000 schools across the country have been certified till June 2023 as Eat Right Schools on the basis of their performance.

So far, Eat Right Creativity Challenge -1, Eat Right Creativity Challenge -2 and Eat Right Creativity Challenge-3 have been conducted to unleash creative talent of our young people and engage, excite and enable them to inculcate healthy eating habits.

#### **PILLAR 3: EAT RIGHT TOOLKIT**

Bringing about large-scale social and behavioural change to promote right eating habits at the grassroots level calls for 2 critical elements:

- Simple, powerful and reiterative messagingthrough engaging content.
- The services of resource persons who are trusted and recognised by the local community to deliverthe content.

The Eat Right Toolkit is an interactive training kit that has been designed to be integrated with the existing training modules of frontline health workers such as Anganwadi workers (AWW), ASHA workers, ASHA Sangini, Multi-Purpose Worker-Females (MPW-F), Community Health Officers (CHOs)/Mid-Level Health Providers (MLHPs), Medical Officer (MBBS) at Health and Wellness Centres. The Toolkit has been co-developed by FSSAI, National Health Systems Resource Centre (NHSRC) and Voluntary Health Association of India (VHAI). It has a training manual as well as useful tools in the form infotainment videos, posters, activity cards flyers, and interactive games to educate people about safe and healthy diets in a simple, clearand engaging manner.

Through this toolkit, community members would learn about eating safe by following safe food practices (including personal and surrounding hygiene) and combating food adulteration. They would also learn about eating healthy (i.e. balanced diet, fortified foods, avoiding foods high in salt, sugar and fat, and eliminating trans fats).

#### STANDARD OPERATING PROCEDURE

# Role of Stakeholders

**State Governments :** Facilitate procurement and placement of the 'Eat Right Toolkit' in HWCs as well as training of trainers at state and district level and frontline health workers.

**State Food Safety Departments:** Facilitate trainings and provide Food Safety on Wheels (Van) on the day of training. Identify other government programmes for integration of Toolkit.

National Health Systems Resource Centre (NHSRC): This is the nodal body for integrating the 'Eat Right Toolkit' in Health and Wellness Centres under Ayushman Bharat. Training of the trainers (at national, state and district level) along with FSSAI and Voluntary Health Association of India (VHAI). Training of frontline health workers and contextualization of the toolkit into regional languages.

**NetProFaN:** Members from NetProFaN will lend expertise to create a pool of master trainers at National/State level and integrate the toolkit/components from the toolkit in their community outreach efforts.

MHRD: Training of the Nodal Officers of the Mid-Day Meal Programme. Integration of Eat Right toolkit into school curriculum and/or as co-curricular activities.

Frontline workers at HWC [ASHA, CHO/MLHP, MPW (F)]: On ground implementation of toolkit.

# Steps for Implementation

The Eat Right Toolkit is available online on the Eat Right India website and on the Government e-Marketplace portal for direct procurement by stakeholders. The toolkit is available in Hindi and English and has been translated into four regional languages including Assamese, Odiya, Gujarati and Punjabi. It has been included in state PIPs (programme implementation plan) by Ministry of Health and FamilyWelfare(MoHFW).

- Training of the National trainers and followed by training of the State and district trainers to create a pool of Master Trainers.
- Master trainers will then train frontline health workers by integrating the toolkit in their existing training programmes as an additional module.
- Printing/Procurement of Toolkits for placement in Health and Wellness Centres across the country, by states in a phased manner.
- Frontline health workers to use the toolkit to educate their respective target audiences to educate them about eating right.
- Convergence with other Ministries: Ministries, with frontline worker force [Anganwadi workers MoWCD; Agriculture extension workers-Ministry of Agriculture and Farmers Welfare; Swachhta Preraks-Ministry of Drinking Water and Sanitation; Community Resource Persons-Ministry of Rural Development] can integrate the 'Eat Right toolkit' in their respective outreach programmes.

Resources	Guidance Document: Eat Right Toolkit Handbook
	https://eatrightindia.gov.in/EatRightIndiarbook/?rfspice&viewFilePath=file/
	Eat%20Right%20Toolkit%20Handbook2020_English.pdf#rbook/
	Website: Eat Right India: https://eatrightindia.gov.in/outreach.jsp
	Partners: NHSRC, VHAI, members from NetProFaN, state food safety
	department Supplementary resources:
	➤ E-Course in Eat Right for Frontline Workers Videos (15 Videos
	series) https://fssai.gov.in/erfw
	➤ Weblink for Eat Right Toolkit https://eatrightindia.gov.in/ outreach.jsp
	<ul> <li>Government E-Marketplace portal link for procurement: https://gem.gov.in/</li> </ul>
For more	Eatright.toolkit@gmail.com
details, contact:	

Training of the Trainers virtual sessions for National and State trainers for the 'Eat Right Toolkit' programme has been jointly completed by FSSAI, NHSRC and VHAI. In total, a pool of 455 trainers and observers [National trainers - 41; State Trainers and observers-414] has been created to smoothly conduct ASHA trainings on the "Eat Right Toolkit". The programme was successfully completed by December 2021.

#### SUSTAINABILITY INITIATIVE 2: SAVE FOOD, SHARE FOOD

The 'Save Food, Share Food' initiative aims to tackle the problem of surplus food wastage by bridging the gap between Food Business Operators, surplus food distribution organizations and those in need. This initiative was first showcased in front of Honorable Minister of State, Health and Family Welfare during World Food Day celebration 2017.

A network of Surplus Food Distribution Organizations known as 'Indian Food Sharing Alliance' (IFSA) has been created along with a technology platform (website and application) to scale up safe and hygienic food donation (pre-packaged, fresh, cooked food), reduce food waste and ensure safe food collection and distribution through registered agencies. Awareness generation about food loss and food waste amongst citizens through behaviour change strategies is also taken up.

# Role of Stakeholders

Surplus Food Distribution Agencies: These agencies constitute IFSA network and are th nodal point of this initiative. They are responsible for the core activity of food collection and distribution. Food Businesses and their Associations: Hotels and restaurants, retailers (perishables and packaged foods) and food processing industries which produce and handle food Food businesses should be encouraged to adopt practices to reduce food waste an donate surplus food to the needy Beneficiaries: Orphanages, Slums, Shelter homes, etc. are the end consumers who receive the food from food distribution agencies. State and Central Food Safety Departments: Responsible for hand holding these agencies to get FSSAI registration and organizing food hygiene and safety training for IFSA team. All Businesses: Can support in development of proper food safety management system in the supply chain for these agencies by providing refrigerators/ deep freezers/vans et through their CSR funds. Government Departments: Human Rights, Consumers, MoFPI etc. can help in spread in awareness about these initiatives to scale up the effort.

Identification of food distribution agencies: FSSAI (central and state department identify and connect new agencies with existing IFSA teams. Training cum Workshop: State Food Safety Department should conduct workshops fo surplus food distribution agencies and their volunteers where the key agenda will be: "FSSAI Registration of food distribution agencies" Food Safety Awareness training for food distribution agencies and volunteers Sensitization about Save Food Share Food Initiative, its campaigned Food Safety and Standards (Recovery and Distribution of Surplus Food) Regulations, 2019. Connect agencies with food businesses such as leading hotels, companies and the associations in the district/city. Consumer awareness drives should be conducted at public events/State Department Events, food donation drives etc.

Guidance Documents: » Food businesses-https://sharefood.fssai.gov.in/regulation-food-business.html » citizens-https://sharefood.fssai.gov.in/regulation-guidance-citizens.html and »Food distribution agencies - https://sharefood.fssai.gov.in/regulation-recovery-agency.html Website: https://sharefood.eatrightindia.gov.in/

Partners: Food CollectionAgencies Supplementary Resources: »Flyer: https://sha refood.fssai.gov. in/resource. htm I » Video :https://www.youtube.com/watch?v=XdQgnibrAaO

# For more details, contact

Savefood.sharefood@gmail.com

More than 80 food distribution agencies are part of IFSA network. These agencies are collecting surplus food and feeding the underprivileged in more than 100 districts. FSSAI was awarded SKOCH Platinum award for this initiative in year 2018.

## **COMBATING ADULTERATION**

Food adulteration must be addressed through a holistic approach of strengthening lab testing infrastructure; training of lab personnel; and guiding the consumer about common adulterants and the need to be vigilant. Further, in view of the increasing incidence of fake news that spreads rapidly in today's social media world and causes undue panic, it is equally critical to address 'perceptions' about adulteration through informing and educating consumer.

With these objectives in mind, FSSAIs initiatives to address adulteration are asfollows:

- Strengthening Food Testing Labs
- > FSW, DART Book, Food Safety Magic Box
- Consumer Guidance Notes and Myth Buster
- Periodic surveys/surveys in hotspots

All resources created for the initiatives above are available for use by States/UTs, Food Businesses, Consumers, Consumer Organizations, Schools, Colleges and others.

To combat adulteration effectively, every stakeholder is strongly encouraged to access these resources and ensure they are used extensively and disseminated through multiple channels.

## COMBATING ADULTERATION BY STRENGTHENING FOOD TESTING LABORATORIES

FSSAI is implementing a Central Sector Scheme for "Strengthening of Food Testing System in the Country Including Provision of Mobile Food Testing Labs" (SOFTeL). The scheme has been formulated for effective implementation of the Food Safety and Standards Act 2006 in a uniform and transparent manner in the country.

One of the components of the scheme is strengthening of State Food Testing Labs at least one in each State/UT and two in larger States. Under this component, a grant of Rs. 10 crore (approx.) is admissible for each State Food Testing Laboratory (SFTL), subject to the readiness of the concerned SFTL. This grant facilitates the creation/renovation of infrastructure for housing high-end equipment (HEE), procurement of 3 high end equipment viz. LC-MSMS, GC-MSMS and ICP-MS (alongwith consumables, CRMs, accessories, maintenance and associated manpower to run these equipments). An additional grant for setting up of microbiology laboratory is also admissible under this component. In addition to this, the North East States have been endowed with a grant of Rs. 3 crore each for setting up newfood testing laboratory in these States.

This would enable the States/UTs to analyse the regulatory and surveillance samples drawn by the FSO within the shortest possible time frame; to analyze the safety parameters in food samples such as Heavy metals. Pesticide residues. Antibiotic and drug residues and Naturally occurring toxic substances along with Microbiological tests; to reduce the time taken from sample collection to sample analysis; to ensure compliance of FSSAI standards on food; to enable the laboratory to achieve NABL accreditation within 2 years from the date of release of final installment; to become a resource point for training and facility upgradation for other existing Government/ Public Food testing laboratories in the State; and to introduce online laboratory data management system through Laboratory Information Management System (LIMS). This would benefit all stakeholders in ensuring safetyand quality of food products.

**For more details State/UTs may contact :** Quality Assurance Division, FSSAI (Email: labs@fssai.gov.in)

# COMBATING ADULTERATION: FOOD SAFETY ON WHEELS (FSW), DART BOOK, FOOD SAFETY MAGIC BOX

A series of innovative tools including mobile testing labs, portable testing kits and guidance booklets to empower consumers to deal with adulteration have been created by FSSAI and are available for wide dissemination across the country. Food Safety on Wheels (FSW)

- Reaching testing facilities in remote areas is a challenge. To address the issue of a lack
  of food testing infrastructure in remote areas and cater to the basic analytical needs
  of consumers, FSSAI has set up mobile food testing laboratories called Food Safety on
  Wheels (FSW) that are being provided to all the states/UTs.
- II. FSSAI is providing FSW with the vision of 'One district, One FSW' in order to have one dedicated FSW for each and every district, thus fostering the food testing ecosystem in the districts. Food Safety on Wheels performs 3 key functions Testing, Training, and Awareness generation.
- III. The mobile labs are equipped with basic testing infrastructure, including rapid kids for screening of milk quality and adulteration in milk, for screening of beverages and oil. Testing of foods for daily consumption like milk, oil, beverages, spices, fish, cereals, pulses, sweeteners, etc. can be analyzed for detection of adulteration. List of tests that can be performed through FSW are available at <a href="https://www.fssai.gov.in/upload/uploadfiles/files/Manual\_Testing\_Method\_Food\_Safety\_On\_Wheels\_30\_08\_2017(2)">https://www.fssai.gov.in/upload/uploadfiles/files/Manual\_Testing\_Method\_Food\_Safety\_On\_Wheels\_30\_08\_2017(2)</a> (1).pdf
- IV. Rapid kits/equipment/methods approved under RAFT scheme of FSSAI mayalso be included in FSW to increase its scope of detection of adulteration and other contamination in food products.
- V. The testing data obtained through FSW may be used for planning enforcement drives as

the monitoring activities helps in identifying hot spots and pattern of non-compliance in articles of food in a given area. The test report are shared on spot with FBO (in cases where FBOs come for testing of their food product exhibit for selling) will help them in identifying the gaps and thus improving the quality of food products and enable them in developing a culture of self- compliance.

- VI. The mobile lab is also facilitated with training facilities including an LED screen, mic, and awareness material in the form of a display scroller/videos/audio/flyers, and manuals. In all, FSW helps the enforcement machinery on the ground to increase its reach among the masses.
- VII. Few examples of topics on which Awareness and training may be imparted are as under: Awareness topics may include;
  - (a) Importance of testing and inculcating culture of food testing thus sensitizing general public on quality and safety of food that is being consumed,
  - (b) Healthy eating habits,
  - (c) Food safety and hygiene,
  - (d) Food safety laws and provisions therein
  - (e) other initiatives/schemes of FSSAI to promote safe food ecosystem in the country
  - (f) Prevention and management of NCDs through Food.

# Training topic may include;

- (a) Food safety plans/management based on schedule 4 of FSS regulation,
- (b) Methods for easy detection of common adulterants in food,
- (c) Licensing and registration of food business,
- (d) Self-compliance/self-regulation environment/culture in Food business,
- (e) Kind of business and laws, rules, regulation prescribed in FSS Act,2006 to ensure delivery of safe and wholesome food to the end consumer,
- (f) Safe packaging material for food, etc.
- VIII. FSW may also be used as a cold chain logistics for regulatory / surveillance samples, as an offsite wing of Labs, as a handy tool for training street food vendors and petty FBOs from all kinds of businesses, providing information and support for licensing and registration, with special emphasis on petty FBOs, street vendors, etc. Training and/or awareness programs for plantation workers about food safety, Training and awareness program for students, FBOs, and the public. FSW may be used as an effective tool in connecting and sensitizing the public at large with the 'Eat Right India' campaign, as a module for communicating IEC materials in vernacular languages, and as a tool for creating awareness during any pandemic or epidemic.
- IX. Information related to FSW and the soft copy of manuals is available on the website of FSSAI and can be freely downloaded and printed without charges by any individual or company or publisher for individual use or widespread dissemination.

## For more details on

- ➤ Mobile lab-https://fssai.gov.in/cms/mobile-labs.php
- > RAFT- https://fssai.gov.in/cms/raft.php





#### RAPID ANALYTICAL FOOD TESTING (RAFT) KIT/ EQUIPMENT/ METHOD (RAFT)

- ➤ FSSAI framed a procedure for approval of Rapid Analytical Food Testing (RAFT) Kit/ Equipment/Method for the purpose of testing of food articles. The guidelines mentioning the procedure for approval of rapid kit/equipment/method are in place.
- FSSAI has constituted a committee for the scrutinization of Rapid Analytical Food Testing (RAFT) Kit/ Equipment/ Method Applications received by FSSAI under its RAFT Scheme. The recommendations of RAFT committee shall be ratified by the Scientific Panel on Methods of Sampling and Analysis and approved by the Competent Authority before adoption/implementation. The recommended rapid kit/equipment/method meets the requirements of the Food Safety and Standard Regulations and are validated against International Standards.
- > The purpose of the approval by FSSAI to Rapid Analytical Food Testing (RAFT) Kit/ Equipment/Method is to facilitate carrying out on the spot field testing by Food Safety Officers (FSOs) or Mobile Testing Labs or to improve speed and reduce testing costs in food laboratories. The rapid food testing kit/equipment/method ensure "faster, better, cheaper" real-time testing of food. The rapid food testing kit/equipment/ method are better in terms of their size, faster in terms of their total run time and cheaper in terms of cost effectiveness as compared to conventional methods. The rapid food testing kit/equipment approved by FSSAI is to be used for screening and surveillance purposes only.
- ➤ The list of approved list of Rapid Analytical Food Testing (RAFT) Kit/Equipment/Method is available on Official website of FSSAI at https://fssai.gov.in/cms/raft.php. The list is dynamic and will be updated from time to time on website of FSSAI.

## DETECT ADULTERANTS WITH RAPID TESTING (DART)

To tackle economically driven adulteration, a booklet titled "Detect Adulteration with Rapid Test (DART) has been co-created with domain experts. DART is a compilation of common quick tests that consumers can conduct themselves at home, for detection of common food adulterants. The booklet depicts differences between pure and adulterated food products through pictorial representations. It covers more than 50 quick tests that can be performed easily for detection of food adulterants with the help of water and simple solutions like tincture of iodine in various food products like Milk & Milk Products, Oils and Fats, Sugar & Confectionary, Food Grains and its products. Spices & Condiments, etc. These tests also include sensory evaluation of food for establishing authentication of food product.

The soft copy of DART booklet is available on the website of FSSAI. The Food Safety Department of States/UTs are using this booklet as a tool to spread awareness for combating adulteration by downloading and printing free of cost in regional languages. Some States/ UTs are making videos based on DART for demonstration purposes to public. Schools/ colleges use DART for demonstrating and teaching students in their labs on these simple tests. This booklet is available in the form of pocket size booklet, keychain and in a smaller

size for better distribution and widerdissemination of information. To access resources:

#### DART Book

 $https://fssai.gov.in/upload/knowledge\_hub/1878035b34b558a3b48DART\%20Book. pdf$ 

Videos for testing common adulterants in food items https://mvw.youtube.com/playlist?list=PLe\_E1UOQ6EZ0x000kSMbSSkWV7W4YZpM

#### **FOOD SAFETY MAGIC BOX**

The Food Safety Magic Box is a self-contained portable food testing kit, useful as a pedagogical tool for school children, in primary health centres, for frontline health-workers etc. The Magic Box is a small-sized, light-weight box that contains a few basic chemicals, small instruments and safety gadgets. It also has a companion guidance book that illustrates testing across various food products in a very simple way through pictures.

A total of 102 very simple tests can be performed with the Magic Box, including tests to determine adulterants like water, urea, detergents, starch, pulverised soap etc in milk; starch and artificial colours in spices and condiments; mineral acid in beverages, adulteration in sugarand honey.

Institutions/State Authority/Schools can buy the reasonably priced Food Safety Magic box from Government e-Marketplace portal (https://gem.gov.in/) Further, the soft copy of Food Safety Magic Box Companion Book is available on the website of FSSAI and can be freely downloaded and printed without changes by any individual or company or publisher for personal use or widespread dissemination. The Companion Booklet forthe Magic Box can act as a standalone resource, wherein hands-on experiments can be done at school labs using materials available readily in their science laboratory.

To access the Food Safety Magic Box Companion Book - https://fssai.gov.in/upload/knowledge\_hub/1089415e550a12c9d0bBook\_Food\_Safety\_Magic\_Box\_25\_02\_2020.pdf

#### COMBATING ADULTERATION: CONSUMER GUIDANCE NOTES AND MYTH BUSTERS

#### **CONSUMER GUIDANCE NOTES**

In order to keep citizens informed about the latest developments in food safety, nutrition, food sustainability and related areas and clarify their doubts and queries, FSSAI releases consumer guidance notes from time to time and circulates them through social media as well as through its website.https://fssai.gov.in/cms/guidance-notes.php

The topics of these consumer guidance notes range from safety and quality of milk, concerns about pesticides in food to stickers on fruits and vegetables. These guidance notes provide credible information vetted by scientific experts associated with FSSAI. They provide complete and correct information on topics particularly about which there is a lot of misinformation.

#### **MYTH BUSTERS**

It has been observed time and again that various fake news articles are circulated through social media channels such as YouTube, WhatsApp, Facebook etc which have a wide reach among masses. These fake news messages are not based on scientific facts and create panic among citizens. With all the false and misleading information propagated through these media, FSSAI in consultation with the subject experts issues clarification on these fake news items from time to time under the 'Myth Busters' section on its website and through social media. https://fssai.gov.in/cms/myth-buster.php

These myth busters serve to provide citizens with clear and correct information and reassure them of the safety of food they are consuming.

# COMBATING ADULTERATION: FOOD SAFETY SURVEILLANCE-SURVEYS IN HOTSPOTS / PERIODIC SURVEYS

FSSAI undertakes periodic food surveys to build trust of consumers in safety and quality of food products, in association with other relevant government departments, throughout the country. The surveys may be conducted based on factors like hotspot areas, high-risk food products, increased seasonal demand as well as public perception. The survey may be conducted through state machinery or with help of third party. The hot spot areas and other risk-factors thus identified would help in stringent enforcement/surveillance activities. Also, the evidence-based results would dispel wide spread perception that food in the country is largely adulterated/unsafe.

#### STEPS FOR IMPLEMENTATION

Identification of product/commodity and area for survey Consultation with other departments/bodies dealing with the commodity 2 wherever available, for knowledge sharing 3 Formulation/revision/strengthening of standards for product under consideration 4 Formulation of survey guidelines 5 Sample collection, testing and results Findings and outcomes 6 Guidelines/action plan/guidance document for further action

#### **ROLE OF STAKEHOLDERS**

FSSAI: Identification of product and area for survey, Formulation/revision/ strengthening of standards for product under consideration, Formulation of survey guidelines. Guidelines/action plan/guidance document forfurther action.

- ➤ Other departments/bodies dealing with the commodity: Sharing of knowledge and experience, Other collaborations.
- > State governments : Identify target areas, Undertake/facilitate on ground sample collection.
- **Third party agencies :** Sample collection, testing and results, Findings and outcomes.
- Producers/Manufacturers: Follow Guidelines/action plan/guidance document for further action.

#### **ENABLING HEALTHY CHOICES**

FSSAI's mandate is to ensure both "safe" as well as "wholesome" food for human consumption. To nudge consumer demand towards healthier food choices, FSSAI has prioritised the following focus areas for enabling healthy choices:-

- Food Fortification
- Reduction of Salt, Sugar and Fat

## **FOCUS AREA: FOOD FORTIFICATION**

While a balanced diet and dietary diversification is always the primary source for fulfilling nutritional requirements, food fortification is a useful complementary approach to address the widespread micronutrient deficiencies in our country. It involves increasing the content of essential micronutrients to improve the nutritional quality of staple foods. FSSAI has set standards for fortification of food. Fortification Is a scientific and globally proven intervention to address micro nutrient deficiencies in population. Fortification does not bring any change in taste, texture or flavour of food, there by making it easy to adopt without calling for change in eating pattern of people.

An enabling ecosystem for large scale adoption of food fortification is now in place. FSSAI has gazette notified the Food Safety and Standards (Fortification of Foods) Regulation dated 2nd August, 2018 on fortification of food in key staples like Oil and Milk (with Vitamin A and D), Wheat Flour and Rice (with Iron, Folic Acid and Vitamin B12), and Double Fortified Salt Empose with lodine and Iron). The Logo (+F) for fortified foods, has created a rallying point for the industry to adopt fortification, placing fortification firmly on the national agenda. Various advisories for premix supplier, FRK+ FRK manufacturers FBO's endorsement of+F logo, and Scientific Health Claims for label declaration of fortified foods approved by the Scientific Panel on Nutrition and Fortification were also released.

For more details, contact: https://fortification.fssai.gov.in

#### SUSTAINABILITY INITIATIVES: RESPONSIBLE PRODUCTION AND CONSUMPTION

There is a symbiotic relationship between our food, our health and our planet - one cannot grow at the expense of the other. Unfortunately, unsustainable practices in production and consumption of food (that seem to have become the global norm) have grave environmental consequences like land degradation, water and air pollution, and biodiversity loss, thereby threatening our very survival.

We need to adopt responsible production and consumption practices with a sense of extreme urgency, starting NOW.

To encourage and support responsible production and consumption, FSSAI is spearheading the following initiatives:

- Jaivik Bharat
- > Save Food, Share Food
- > Safe and Sustainable Packaging in Food and Beverage Sector
- Repurpose Used Cooking Oil (RUCO)

## SUSTAINABILITY INITIATIVE 1: JAIVIK BHARAT

Organic Foods are grown in a system of agriculture without the use of chemical fertilizers and pesticides with an environmentally and socially responsible approach. India is becoming a growing market for organic foods and to maintain consumer's trust, there is a need to ensure genuineness of foods claimed as 'Organic' for which a regulatory mechanism backed by a robust certification system is required.

Under Section 22 of Food Safety Standards Act, 2006, FSSAI has the mandate to regulate manufacture, distribute, sell or import organic foods. Food Safety and Standards (Organic Food) Regulations, 2017 have been notified in the Gazette of India.

## STANDARD OPERATING PROCEDURE

# Role of Stakeholders

- ➤ The Agricultural & Processed Food Products Export Development Authority (APEDA) is implementing National Programme for Organic Production (N POP).
- Integrated Nutrient Management (INM), Division of the Department of Agriculture, Cooperation and Family Welfare (DAC & FW) through National Centre of Organic Farming is implementing Participatory Guarantee System for India (PGS-India).

# Role of Stakeholders

- Accredited Certification Bodies under NPOP are Accredited Certification Agencies authorized under the programme to certify organic producers.
- Regional Councils under PGS-India are authorized by PGS-NAC to coordinate, monitor and approve certification decisions of Local Group under PGS-India organic Guarantee programme
- The FBOs to ensure that they (i) get the organic food certified as per PGS-India or NPOP (ii) have valid FSSAI license for organic foods (iii) comply with labeling, quality and food safety requirements of FSSAI in addition to certification under NPOP or PGS- India.
- State Food Safety Commissioners ensure that (i) all the organic foods sold in the market bear "Jaivik Bharat" logo besides all mandatory labeling requirements for conventional foods (ii) Organic food is displayed separately from conventional foods in the retail outlets.

# Steps for Implementation

- The FBO has to get registered for certification under PGS-India or NPOP for the appropriate category i.e. Producer/Processor/ Trader. For PGS-India, they may contact the nearest Regional Council. The details of the Regional Councils can be had from the PGS-India website -https://pgsindia-ncof.gov.in. For NPOP, they may contact any of the Certification Body accredited under NPOP. The details of Accredited Certification Bodies are available at the APEDA website -https://apeda.gov.in
- ➤ The FBO should have valid FSSAI licence for organic foods. He can also get the existing licence endorsed for organicfoods.
- The FBOs will ensure that the organic food products bear "Jaivik Bharat" logo, carry certification or quality assurance mark of NPOP or PGS-India and are displayed separately from conventional foods in the retail outlets.
- ➤ The FBOs/Regional Councils/Accredited Certification Bodies to ensure that organic foods comply with the requirements of product standards as provided in the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 and with limits of contaminants specified in Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011
- State Food Safety Commissioners to ensure that all the organic foods sold in the market bear "Jaivik Bharat" logo besides all mandatory labeling requirements for conventional foods. They shall also ensure that organicfoods are displayed separately from conventional foods in the retail outlets.

	<ul> <li>For PGS-1 nd ia related issues; https://pgsindia-ncof.gov.in</li> <li>For NPOP related issues: https://apeda.gov.in</li> </ul>
	PGS-India and would help consumers verify the authenticity of organic foods.(https://jaivikbharat.fssai.gov.in/}.
	Organic Food Business Operators certified under NPOP and
	> "Indian Organic Integrity Database Portal", a repository of
	gov.in). Website:
Resources	Guidance Document : Food Safety and Standards (Organic Foods) Regulations, 2017. The Regulations can be accessed at (www.fssai.

# SUSTAINABILITY INITIATIVE 2: SAVE FOOD, SHARE FOOD

About Save Food, Share Food: It seems illogical, not to mention unethical, that huge quantities of usable surplus food are thrown away/wasted, even as the underprivileged are unable to afford just 1 square meal a day. The 'Save Food, Share Food initiative aims to tackle the problem of surplus food wastage by bridging the gap between Food Business Operators, surplus food distribution organizations and those in need. It is also geared towards encouraging food donation amongst food businesses and adopting robust practices to reduce food loss and food waste in the supply chain.

A network of Surplus Food Distribution Organizations known as 'Indian Food Sharing Alliance' (IFSA) has been created along with a technology platform (website and application) to scale up safe and hygienic food donation (pre-packaged, fresh, cooked food), reduce food waste and ensure safe food collection and distribution through registered agencies. Awareness generation about food loss and food waste amongst citizens through behaviour change strategies is also taken up. FSSAI make specific Regulation which is The Food Safety and Standards (Recovery and Distribution of Surplus Food) Regulations, 2019

#### STANDARD OPERATING PROCEDURE

Role of	Surplus Food Distribution Agencies : These agencies constitute IFSA
Stakeholders	network and are the nodal point of this initiative. They are responsible
	for the core activity of food collection and distribution.
	Food Businesses and their Associations : Hotels and restaurants,
	retailers (perishables and packaged foods) and food processing
	industries which produce and handle food. Food businesses should be
	encouraged to adopt practices to reduce food waste and donate surplus
	food to the needy.

# Role of Stakeholders

**Beneficiaries :** Orphanages, Slums, Shelter homes, etc. are the end consumers who will receive the food from food distribution agencies.

**State and Central Food Safety Departments:** Responsible for hand holding these agencies to get FSSAI registration and organizing food hygiene and safety training for IFSA team.

**All Businesses**: Can support in development of proper food safety management system in the supply chain for these agencies by providing refrigerators/ deep freezers/vans etc. through their CSR funds.

**Government Departments :** Human Rights, Consumers, MoFPI etc. can help in spreading awareness about these initiatives to scale up the effort.

# Steps for Implementation

**Identification of food distribution agencies :** FSSAI (central and state departments) identifyand connect new agencies with existing IFSA teams.

**Training cum Workshop:** State Food Safety Department should conduct workshops for surplus food distribution agencies and their volunteers where the key agenda will be:

- > FSSAI Registration of food distribution agencies
- Food Safety Awareness training for food distribution agencies and volunteers
- Sensitization about Save Food Share Food Initiative, its campaigns and Food Safety and Standards (Recovery and Distribution of Surplus Food) Regulations, 2019. Connect agencies with food businesses such as leading hotels, companies and their associations in the district/city.

Consumer awareness drives should be conducted at public events/ State Department Events, food donation drives etc.

#### Resources

#### Guidance Documents:

- Food businesses https://sharefood.fssai.gov.in/regulation-food-business.html
- citizens https://sharefood.fssai.gov.in/regulation-guidancecitizens.html and
- Food distribution agencies https://sharefood.fssai.gov.in/ regulation-recovery-agency.html Website: www.sharefood. fssai.gov.in Partners: Food Collection Agencies: Supplementary Resources:
- ➤ Flyer: https://sharefood.fssai.gov.in/resource.html
- **Video:** https://www.youtube.com/watch?v=XdQgnibrAaO

# For more details, contact:

savefood.sharefood@gmail.com

At present, 82 food distribution agencies are part of IFSA network. These agencies are collecting surplus food and feeding the underprivileged in more than 100 districts. Over 50 million meals have been donated by these agencies so far. FSSAI was awarded SKOCH Platinum award for this initiative in year 2018.

# SUSTAINABILITY INITIATIVE 3 : SAFE AND SUSTAINABLE PACKAGING IN FOOD AND BEVERAGE SECTOR

Safety and sustainability of food packaging (especially plastics) has become a subject of vital importance to all businesses due to its impact on health and environment. FSSAI has taken a lead in addressing these concerns by taking out advisories on alternative food packaging materials and awareness programmes towards plastic waste management.

### STANDARD OPERATING PROCEDURE

# Role of Stakeholders

**Food Businesses**: The food businesses to pledge to reduce the packaging/plastic footprint and to develop infrastructure and systems for its segregation/recycling.

Food Safety Departments of States/UTs: These departments may create awareness and educate the public on use of alternatives to plastics, proper plastic disposal and litter management.

**Consumers:** Consumers may responsibly segregate waste and properly dispose of packaging materials to ease collection and recycling.

**Regulators:** FSSAI has constituted a Scientific Panel on Packaging to deal with the challenges in the area and to address them accordingly in the regulations. The food authority has also linked various eminent research organizations working in the same field and constituted a Network for Scientific Co-operation for Food Safety and Applied Nutrition (NetSCoFAN), namely the safer & sustainable packaging group to provide necessary scientific research, data and knowledge.

# Steps for Implementation

Many Food businesses have pledged to eliminate single-use plastic in the coming years; develop environmental friendly substitutes and also adopt an efficient plastic collection and recycling/disposal system. This may be taken up appropriately during food inspection/audits etc by the field offices.

In alignment with the Swachhata Hi Seva Campaign, various awareness generation and collection drives were organized to free our houses, offices and workplaces from single use plastic. FBO's may be asked to organize such activity and this could be made a part of the social responsibility system.

Resources	Guidance Notes: Advisories
	https://www.fssai.gov.in/upload/
	advisories/2019/09/5d6e4cd671207Letter_Bamboo_Food_
	Material_03_09_2019.pdf
	https://www.fssai.gov.in/upload/
	advisories/2019/09/5d766553bfdacOrder_Paper_Sealed_Glass_
	Bottle_09_09_2019.pdf
	https://www.fssai.gov.in/upload/
	advisories/2020/02/5e3d4cdfba1ebDirection_Antinomy_limits_
	Packaged _Drinking _Water _07 _02 _2020.pdf
	Website: https://fssai.gov.in/cms/eatrightindia.php
For more	advisor@gov.in
details, contact:	

In September 2019,22 of the top food companies including multinational companies committed themselves to effectively manage plastic waste in their operations and reduce their plastic footprint in the coming years in the presence of Minister of Health and Family Welfare Dr. Harshvardhan. They also signed a voluntary pledge that includes the commitment from food businesses for reduction of plastic foot print in the coming years.

A plastic collection drive organised by FSSAI from 12th Sep - 19th Sep 2019 led to collection of approx. 305 Kgs of waste including PET bottles, Poly propylene pouches, Low/High density polythene, Hard plastic and Multi-layered plastics.

Cricket legend Shri Virat Kohli, who is a powerful influencer, joined hands with FSSAI and reached out to millions of fans through his social media accounts to spread awareness around plastic waste free India.

# SUSTAINABILITY INITIATIVE4:REPURPOSE USED COOKING OIL(RUCO)

Food Business Operators (FBOs) often use the same cooking oil for repeated frying. The consumption of Used Cooking Oil (UCO) poses adverse health effects since total polar compounds (TPC) are formed during frying. These compounds are associated with several diseases such as hypertension, atherosclerosis, Alzheimer's disease, liver diseases amongst others. Used cooking oil is either not discarded at all or disposed off in an environmentally hazardous manner choking drains and sewerage systems. Also, UCO from organised Food Business Operators reportedly finds its way to small restaurants/dhabas and road-side vendors.

In a perfect example of repurposing, used cooking oil has the potential to be used as a feedstock for manufacturing biodiesel and soap. To harness this potential at scale, FSSAI has launched Repurpose Used Cooking Oil (RUCO), an ecosystem to enable the collection and conversion of used cooking oil to biodiesel, which is good for the health of people and the planet.

#### STANDARD OPERATING PROCEDURE

### Role of Stakeholders

**Ministry of Petroleum and Natural Gas:** Monitoring and administrative matters for conversion of UCO to biodeisel Pollution Conservation Research Association: Research and technical support for conversion of UCO to biodeisel

**Food Business Operators**: Providing UCO to biodiesel / soap manufacturers/collection agencies instead of using it repeatedly Oil Marketing Companies: Ultimate suppliers of the biodiesel manufactured from UCO.

**Biodiesel Manufacturers :** Collection of UCO and its conversion to biodiesel Biodiesel/Biofuel Boards: Provide administrative support for conversion of UCO to biodiesel.

**Biodiesel Association of India:** Onboarding Biodiesel manufacturers to use UCO as feedstock and in turn help in creating an ecosystem to convert UCO to biodiesel and facilitating collection of UCO.

#### > FSSAIRole:

- Issuance of guidelines, SOPs, Checklist, Sticker etc.
- Provisional enrolment of biodiesel manufacturers for collection of UCO from FBOs. The enrolment is valid only till one year from the date of issue or until the registration mechanism in States/ UTs gets devised as per clause (xiv) of the Gazette Notification dated 30th April 2019 Vide No. P-13039(18)/1/2018-CC(P-26825) issued by Ministry of Petroleum and Natural Gas, whichever is earlier.

#### State FSCs role:

- Ensure compliance that FBOs whose consumption of edible oil frying capacity is more than 50 litres per day are maintaining usage records.
- Award of RUCO sticker as per SOPs & Checklist to RUCO compliant FBOs.

### Steps for Implementation

- State FDA to sensitise the FBOs who are involved in repeated frying of foods to sensitise them about the adverse health effects of used cooking oil using the content provided and available on FSSAI website.
- State FDAs to ensure that FBOs with consumption of more than 50 liters of cooking oil per day mandatorily maintain UCO disposal records as per the directions issued by FSSAI at https://eatrightindia. gov.in/ruco/direction.php

FSSAI to enroll eligible biodiesel manufacturers and update the same on RUCO website. The guidelines for collection of UCO from FBOs by biodiesel manufacturers are at https://eatrightindia.gov.in/ruco/guideline\_for\_collection.php

Also FSSAI to update the list of collection agencies who will collect UCO from FBOs on behalf of biodiesel manufacturers so that the FBOs can contact them for giving their UCO for conversion to biodiesel. The list of enrolled biodiesel manufacturers is available at https://fssai.gov.in/ruco/enrolled-biodiesel-manufacturers.php. The list of enrolled soap manufacturers is available at https://eatrightindia.gov.in/rucoEnrolled%20Soap%Manufacturers.php State FDAs to implement and monitor on regular basis to make it sustainable.

FSSAI to keep record of status of implementation in all states in order identify the gaps and assist States to address it.

FSSAI and State FDAs through its various social media platforms to conduct mass awareness among the citizens about the health hazards of UCO and about the RUCO initiative and by activities using posters, flyers, videos by playing them in public places or sticking posters in high visibility areas at https://fssai.gov.in/ruco/picture.php.

#### Resources

#### **Guidance Document:**

- Guidelines for UCO collection https://eatrightindia.gov.in/ruco/ guidelines for collection.php
- Directions for food businesses https://www.eatrightindia.gov.in/ ruco/direction.php
- Guidance Note for consumers: https://www.eatrightindia.gov.in/ ruco/guidance-note.php

Website: https://www.eatrightindia.gov.in/ruco

#### Resources

#### Partners:

- List of biodiesel manufacturers https://eatrightindia.gov.in/ruco/ enrolled-biodiesel-manufacturers.php
- List of biodiesel manufacturers https://eatrightindia.gov.in/ ruco/Enrolled%20Soap%20Manufacturers.php Supplementary resources:
- Gazette Notification (https://www.eatrightindia.gov.in/ruco/gazettenotifi cation)
- > Posters, Flyers on RUCO (www.eatrightindia.gov.in/ruco
- Resources Videos on RUCO: https://eatrightindia.gov.in/ruco/video

#### SUCCESS STORIES

RUCO was formally inaugurated in the state of Gujarat on 4 September 2018 in association with the Gujrat State Food and Drug Control Administration. At the launch programme, the stakeholders undertook a pledge to collect at least one crore litres of UCO each year for the generation of biodiesel from the state.

Within a short span of launch of this initiative, FSSAI has so far empanelled 40 Biodiesel Manufacturers, 7 Soap Manufacturers and 1 Biodiesel-Soap Manufacturer across the country for collection of used cooking oil and its conversion into biodiesel. These Biodiesel Manufacturers have so far collected around 25265 kilo liters of UCO and till March 2023.

In Haryana, an entrepreneur buys over 5,000 kg UCO from over a thousand restaurants in Delhi/NCR every day and converts it into biodiesel. It has sold over 10 million litres of biodiesel within the first year of its plant operations. This company is receiving huge demand from existing and new customers thereby cutting imported crude oil dependence, fighting pollution, managing illegal discharge of oil into drainage systems and checking edible oil adulteration.

#### CITIZEN CONNECT

Consumers are the key stakeholders for every business. During the course of consumption, the consumer may have a grievance towards the food product and needs to be redressed either by the FBO or the regulatory Authorities. To facilitate the consumers in getting their grievances redressed, FSSAI has developed a robust grievance redressal mechanism with varied consumer interfaces. FSSAI wishes to bring each citizen on board to share their concerns regarding food safety violations. The Food Safety Connect portal allows a consumer to share their concerns, know their rights, track Food Business Operators license/registration certificate authenticity and view related articles/videos on food safety.

A grievance/Compliant is defined as any communication that expresses dissatisfaction about an action or lack of action, about the standard of service/deficiency of service of a product for prompt redressal.

#### **OBJECTIVES**

- > To promptly resolve the consumergrievance in an unbiased and equitability manner.
- > To provide enhanced level of consumer satisfaction or delight.
- > To educate the consumer about their rights and responsibilities to safe food.
- > To ensure that the consumers are responded with courtesy and in time.
- To identify the root cause of the compliant and rectify the same in order to improve quality and safety.

#### CONSUMER COMPLAINT REDRESSAL MECHANISM

#### **FOOD SAFETY CONNECT**

Food Safety Connect is a Consumer Centric App and an online portal developed by FSSAI that offers a centralized platform to the consumers to raise concerns related to food safety and hygiene. The FSSAI, Central Licensing Authority, Central Food Safety Officers (CFSOs), State Designated Officers (DOs), & Food Safety Officers FSOs) and the Food Business Operators (FBOs) have the access to the grievances raised by the consumers. All the concerns are filtered out for completeness and authenticity and are forwarded to the Regional Offices of FSSAI or State Food Authorities.



The consumer grievance redressal mechanism of FSSAI is working effectively and coordinates with Regional Offices of FSSAI, State FDAs and FBOs to ensure that the consumer complaints/concerns are addressed in timely manner. The consumer can lodge the complaints/grievances through facebook, twitter, Whatsapp SMS, Food Safety Connect App, written letters, email or toll free helpline number.

All the complaints related to food safety and quality received through email, INGRAM, CPGRAMS and representations are then scrutinized by the Regulatory Compliance Division of the FSSAI for authenticity and completion. If the complaint is found to be incomplete or does not pertain to food safety, the same is informed to the consumer.

Once a complaint is lodged on the Food Safety Connect portal, related to the kind of business (KOB) such as restaurant, street vendors, e-commerce or for any other packaged food quality and safety issues, the system will automatically generate a unique ticket number. Further, within the system the complaints will be assigned to Food Business Operator (FBO) and/or Designated Officers (DOs) of the concerned State for resolution as per the type of complaints respectively. Accordingly, concerned Designated Officer then assigns the complaint to Food Safety Officer of the respective jurisdiction for further necessary action, who can either inspect the premise, collect sample for testing or record other evidences as per FSS Act, Rules and Regulations laid thereunder.

The FBO upon receiving the complaints from FoSCoS portal are required to do a root cause analysis of the complaint, and if the complaint is genuine, the FBO will take Corrective and Preventive Action (CAPA). Once the procedure is completed, the Nodal person nominated by FBO is required to submit the CAPA report to the consumer and apprise the authority.

Subsequently, once the resolution from Food Business Operator or Designated Officer is received and if the complainant is satisfied with the resolution he may close the complaint on the portal or he may mark dissatisfaction which may be considered for further necessary action. With the help of unique ticket number, the complainant can track their grievance status.

Moreover, based on the details of the complaints received on email, INGRAM CPGRAMS, the Regulatory Compliance Division at FSSAI forwards the complaints to the Commissioner of Food Safety or Designated Officer of the State/UTs. Accordingly, concerned Designated Officer then assigns the complaint to Food Safety Officer of the jurisdiction for further necessary action, who can either inspect the premise, collect sample for testing or record other evidences as per FSS Act, Rules and Regulations laid thereunder.

After reviewing the action taken report and if satisfied FSSAI may forward the same to the complainant and finally the complaint is considered disposed/redressed.

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## **GLOSSARY**

#### TERMS AS DEFINED IN THE FSS ACT, 2006

- ➤ "Adulterant" means any material which is or could be employed for making the food unsafe or sub-standard or mis-branded or containing extraneous matter;
- "Advertisement" means any audio or visual publicity, representation or pronouncement made by means of any light, sound, smoke, gas, print, electronic media, internet or website and includes through any notice, circular, label, wrapper, invoice or other documents;
- "Chairperson" means the Chairperson of the Food Authority;
- "Claim" means any representation which states, suggests, or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or otherwise;
- "Commissioner of Food Safety" means the Commissioner of Food Safety appointed under section 30;
- "Consumer" means persons and families purchasing and receiving food in order to meet their personal needs;
- "Contaminant" means any substance, whether or not added to food, but which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry or veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food or as a result of environmental contamination and does not include insect fragments, rodent hairs and other extraneous matter;
- "Designated Officer" means the officer appointed under section 36;
- "Extraneous matter" means any matter contained in an article of food which may be carried from the raw materials, packaging materials or process systems used for its manufacture or which is added to it, but such matter does not render such article of food unsafe;
- ➤ "Food" means any substance, whether processed, partially processed or unprocessed, which is intended for human consumption and includes primary

food to the extent defined in para-37, genetically modified or engineered food or food containing such ingredients, infant food, packaged drinking water, alcoholic drink, chewing gum, and any substance, including water used into the food during its manufacture, preparation or treatment but does not include any animal feed, live animals unless they are prepared or processed for placing on the market for human consumption, plants, prior to harvesting, drugs and medicinal products, cosmetics, narcotic or psychotropic substances.

- > Provided that the Central Government may declare, by notification in the Official Gazette, any other article as food for the purposes of this Act having regards to its use, nature, substance orquality;
- "Food additive" means any substance not normally consumed as a food by itself or used as a typical ingredient of the food, whether or not it has nutritive value, the intentional addition of which to food for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food results, or may be reasonably expected to result (directly or indirectly), in it or its by-products becoming a component of or otherwise affecting the characteristics of such food but does not include "contaminants" or substances added to food for maintaining or improving nutritional qualities;
- "Food Analyst' means an analyst appointed under section 45;
- "Food Authority" means the Food Safety and Standards Authority of India established under section 4:
- "Food business" means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of manufacture, processing, packaging, storage, transportation, distribution of food, import and includes food services, catering services, sale of food orfood ingredients;
- "Food business operator" in relation to food business means a person by whom the business is carried on or owned and is responsible for ensuring the compliance of this Act, rules and regulations made thereunder;
- "Food laboratory" means any food laboratory or institute established by the Central or a State Government or any other agency and accredited by National Accreditation Board for Testing and Calibration Laboratories or an equivalent accreditation agency and recognised by the Food Authority under section 43;
- "Food safety" means assurance that food is acceptable for human consumption according to its intended use;
- > "Food safety audit" means a systematic and functionally independent examination of

- food safety measures adopted by manufacturing units to determine whether such measures and related results meet with objectives of food safety and the claims made in that behalf;
- "Food Safety Management System" means the adoption Good Manufacturing Practices, Good Hygienic Practices, Hazard Analysis and Critical Control Point and such other practices as may be specified by regulation, for the food business;
- ➤ "Food Safety Officer" means an officer appointed under section 37;
- "hazard" means a biological, chemical or physical agent in, or condition of, food with the potential to cause an adverse health effect;
- "Import" means bringing into India any article of food by land, sea or air; "Improvement notice" means a notice issued under section 32 of this Act;
- "Infant food" and "infant milk substitute" shall have the meanings assigned to them in clauses (f) and (g) of subsection (I) of section 2 of the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992(41 of 1992), respectively;
- "Ingredient' means any substance, including a food additive used in the manufacture or preparation of food and present in the final product, possibly in a modified form;
- "Label" means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed, graphic, perforated, stamped or impressed on or attached to container, cover, lid or crown of any food package and includes a product insert;
- "Licence" means a licence granted under section 31;
- "local area" means any area, whether urban or rural, notified by the Commissioner of Food Safety, to be a local area for the purposes of this Act;
- "Manufacture" means a process or adoption or any treatment for conversion of ingredients into an article of food, which includes any sub-process, incidental or ancillary to the manufacture of an article of food;
- "Manufacturer" means a person engaged in the business of manufacturing any article of food for sale and includes any person who obtains such article from another person and packs and labels it for sale or only labels it for such purposes;
- > "Member" means Member of the Food Authority and includes the Chairperson;
- "Misbranded food" means an article of food:-

- (A) if it is purported, or is represented to be, or is being:-
  - (i) offered or promoted for sale with false, misleading or deceptive claims either;
    - (a) upon the label of the package, or
    - (b) through advertisement, or
  - (ii) sold by a name which belongs to another article of food; or
  - (iii) offered or promoted for sale under the name of a fictitious individual or company as the manufacturer or producer of the article as borne on the package or containing the article or the label on such package; or
- (B) if the article is sold in packages which have been sealed or prepared by or at the instance of the manufacturer or producer bearing his name and address but:-
  - (i) the article is an imitation of, or is a substitute for, or resembles in a manner likely to deceive, another article of food under the name of which it is sold, and is not plainly and conspicuously labelled so as to indicate its true character; or
  - (ii) the package containing the article or the label on the package bears any statement, design or device regarding the ingredients or the substances contained therein, which is false or misleading in any material particular, or if the package is otherwise deceptive with respect to its contents; or
  - (iii) the article is offered for sale as the product of any place or country which is false; or
- (C) if the article contained in the package:-
  - contains any artificial flavouring, colouring or chemical preservative and the package is without a declaratory label stating that fact or is not labelled in accordance with the requirements of this Act or regulations made thereunder or is in contravention thereof; or
  - (ii) is offered for sale for special dietary uses, unless its label bears such information as may be specified by regulation, concerning its vitamins, minerals or other dietary properties in order sufficiently to inform its purchaser as to its value for such use; or
  - (iii) is not conspicuously or correctly stated on the outside thereof within the limits of variability laid down underthis Act.
- "Notification" means a notification published in the Official Gazette;

- "Package" means a pre-packed box, bottle, casket, tin, barrel, case, pouch, receptacle, sack, bag, wrapper or such otherthings in which an article of food is packed;
- "Premises" include any shop, stall, hotel, restaurant, airline services and food canteens, place or vehicle or vessel where any article of food is sold or manufactured or stored for sale;
- "Prescribed" means prescribed by rules made by the Central Government or the State Government, as the case may be underthis Act;
- "Primary food" means an article of food, being a produce of agriculture or horticulture or animal husbandry and dairying or aquaculture in its natural form, resulting from the growing, raising, cultivation, picking, harvesting, collection or catching in the hands of a person otherthan a farmer or fisherman;
- > "Prohibition order" means an order issued under section 33 of this Act;
- "Risk", in relation to any article of food, means the probability of an adverse effect on the health of consumers of such food and the severity of that effect, consequential to a food hazard;
- "Risk analysis", in relation to any article of food, means a process consisting of three components, i.e. risk assessment, risk management and risk communication;
- "Risk assessment" means a scientifically based process consisting of the following steps:
   (i) Hazard identification, (ii) Hazard characterisation; (iii) Exposure assessment, and
   (iv) Risk characterisation:
- "Risk communication" means the interactive exchange of information and opinions throughout the risk analysis process concerning risks, risk-related factors and risk perceptions, among risk assessors, risk managers, consumers, industry, the academic community and other interested parties, including the explanation of risk assessment findings and the basis of risk management decisions;
- "Risk management' means the process, distinct from risk assessment, of evaluating policy alternatives, in consultation with all interested parties considering risk assessment and other factors relevant for the protection of health of consumers and for the promotion of fair trade practices, and, if needed, selecting appropriate prevention and control options;
- "Sale" with its grammatical variations and cognate expressions, means the sale of any article of food, whether for cash or on credit or by way of exchange and whether by wholesale or retail, for human consumption or use, or for analysis, and includes an agreement for sale, an offer for sale, the exposing for sale or having in possession for

- sale of any such article, and includes also an attempt to sell any such article;
- "Sample" means a sample of any article of food taken under the provisions of this Act or any rules and regulations made thereunder;
- "Specified by regulations" means specified by regulations made by the Food Authority;
- "Standard", in relation to any article of food, means the standards notified by the Food Authority;
- "State Government" in relation to a Union territory means the Administrator of that Union territory appointed by the President under article 239 of the Constitution;
- ➤ "Substance" includes any natural or artificial substance or other matter, whether it is in a solid state or in liquid form or in the form of gas or vapour;
- "Sub-standard" an article of food shall be deemed to be sub-standard if it does not meet the specified standards but not so as to render the article of food unsafe;
- 'Tribunal' means the Food Safety Appellate Tribunal established under section 70;
- "Unsafe food" means an article of food whose nature, substance or quality is so affected as to render it injurious to health:-
  - (i) by the article itself, or its package thereof, which is composed, whether wholly or in part, of poisonous or deleterious substance; or
  - (ii) by the article consisting, wholly or in part, of any filthy, putrid, rotten, decomposed or diseased animal substance or vegetable substance; or
  - (iii) by virtue of its unhygienic processing or the presence in that article of any harmful substance; or
  - (iv) by the substitution of any inferior or cheaper substance whether wholly or in part; or
  - (v) by addition of a substance directly or as an ingredient which is not permitted; or
  - (vi) by the abstraction, wholly or in part, of any of its constituents; or
  - (vii) by the article being so coloured, flavoured or coated, powdered or polished, as to damage or conceal the article or to make it appear better or of greater value than it really is; or
  - (viii) by the presence of any colouring matter or preservatives other than that specified in respect thereof; or

- (ix) by the article having been infected or infested with worms, weevils, or insects; or
- (x) by virtue of its being prepared, packed or kept under insanitary conditions; or
- (xi) by virtue of its being mis-branded or sub-standard or food containing extraneous matter; or
- (xii) by virtue of containing pesticides and other contaminants in excess of quantities specified by regulations.

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## **△** DISCLAIMER

This manual is meant for information and knowledge purposes only for Food Safety Officers and it does not serve as a substitute for FSS Act, its Rules & Regulations or any Advisory, Guideline, Order, Notification, Circular, Office Memorandum, SoP or any other official communications released by FSSAI or any appropriate authority from time to time. In case of any discrepancies, it is essential to consult the relevant provisions of FSS Act, its Rules & Regulations or any Advisory, Guideline, Order, Notification, Circular, Office Memorandum, SoP or any other official communications released by FSSAI or any appropriate authority from time to time.



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