

“Can’t say when std setting will end. It is a continuous effort”

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The Food Safety and Standards Authority of India (FSSAI) has completed eight years of implementation (since 2011) of the Food Safety and Standards Regulations, passed as an Act by Parliament in 2006. Since then, the FSSAI, by and large, has completed the work related to standard formation for food products and its harmonisation with Codex so as to streamline the food businesses in India as per international norms.

FSSAI wants to focus further in coming years on leveraging technology to better the coordination across the country vis-a-vis compliance of the food safety regulations.

FSSAI Chairperson **Rita Teotia**, in an interaction with **Ashwani Maindola**, reveals the future plans for FSSAI and more.

a) *Excerpts:*

Q. Licensing and Registration exercise which was left midway after the last deadline elapsed, has been taken up again recently. What is the aim in this regard now? Brief us on the status.

Ans: At the time of implementation of FSS Act, 2006, food business operators who were already holding the licence under the repealed Act and orders were advised to convert their licence under FSS Act with the last extended deadline as Aug 4, 2016. After this date, FBOs were required to apply for fresh licence under FSS Act, 2006.

Q: How far has the online process and revamping of Licensing and Registration exercise helped in this regard?

The Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011, are being amended and approved in-principle by the food authority in its 28th meeting held on May 21, 2019.

Key Features of proposed amended regulations:

Perpetual License and Registration subject to submission of annual returns and declaration respectively. Shifting of focus from obtaining of licence and renewing it to effective compliance by food businesses.

b) Rationalisation of various fees charged for licences and registrations.

c) Alignment of the regulatory requirements (hygienic and sanitary requirements under

Schedule 4) and licensing/registration as per the nature or kind of business.

- d) Scope for regulating new food business models like e-commerce businesses like food delivery platform providers, direct selling businesses, food vending machines, food ATMs etc.
- e) Ensuring compliance by food businesses through food testing, inspections and third-party audits and trained food safety supervisors.
- f) Facilitating food businesses in filing applications, returns and other related activities through scheme of facilitators.
- g) Easing out the procedure for obtaining the licence for new businesses/ startups by realigning the kind of food businesses, simplifying the form, reduction of documents required and minimising the application fee.
- h) Unified licence in case of Central/state govt institutions or organisations, educational, health or similar institutions.
- i) Recognising the need to provide a dynamic food safety regulation, empowering food authority to amend certain provisions regarding compliances such as FSMS (Schedule 4), license fees, criteria for eligibility for obtaining licence, scheme of testing and inspections, scheme of facilitators, etc. where quick changes are needed to attend to issues in field.
- j) Bringing clarity to the stakeholders by subsuming the various orders, amendments issued pertaining to said regulations in the past.

Operationalisation of some clauses of amendment regulations has also been approved by food authority in its 29th meeting held on Nov 6, 2019. Operationalised clauses are:

- Testing
- Inspections and Audits
- Food Safety Supervisors
- Scheme of facilitators
- Reduction of Licence Modification fee to flat Rs 1,000 from one-year licence fee ranging from Rs 2,000 to Rs 7,500

The regulations are being sent to Ministry of HFW for releasing its draft notification.

Current Status of Online Licensing System

Food Safety Compliance System is under development which is replica of Food Licensing and Registration System. It will provide enhanced speed with better interfaces to the applicants of Licence or Registration. The system would be made available for public within two months. This system will also tackle the day to day issues creeping into the existing system such as slowness of server, frequent shutdowns, inability to link with other online systems, non-availability of customised MIS reports and no longer availability of technological

support for maintenance of the system etc.

FSSAI Licence/ Registration will be linked with the food products standards as per the regulation and hence would help FBOs in selecting their products and in bringing clarity in the field while enforcing the FSS Act, 2006.

Provision of online payment for Licence/Registration throughout the country has already been made available with effect from Nov, 8, 2019.

FSSAI is also in the process of hiring an expert consultation on the development of FoSCoS. The expert's consultation would provide a neutral view to the system, which will be helpful in designing a state-of-art system for the stakeholders.

It is pertinent to mention that FoSCoS is being developed with a view of scaling it up according to amended regulations. A FoSCoS (Version 2.0) will be launched in accordance of notification of Amended Regulations.

Q: With issues such as shortage and manpower and inadequate infrastructure, ensuring compliance has remained a real tough task. Comment. What kind of measures are taken?

Ans: Manpower is an acute challenge with FSSAI. However, in the past few months, FSSAI has been taking astute measures to deal with the shortage of manpower at various levels. While at the level of Central Authority, to inspect the Central licensed food businesses, recruitment of Central FSOs is under process after the notification of the recruitment rules of FSSAI.

We are also working closely with states/UTs and have been nudging them to increase their manpower. Few states including Delhi, Himachal Pradesh, Orissa, Punjab, Tripura and Uttarakhand have already initiated action for recruitment of additional manpower. Many states are lagging behind in this area, however, FSSAI has been regularly engaging in a dialogue with these states/UTs. It is important to mention here that certain states have already maintained sufficient level of staff for various regulatory functions as well.

To strengthen the food safety surveillance system, FSSAI envisaged audits of food business operators through third-party private auditing agencies. With this view, FSSAI notified the Food Safety and Standards (Food Safety Auditing) Regulations 2018 with effect from Aug 28, 2018. FSSAI expects that this regulation will strengthen the food safety surveillance system in the country by encouraging self-compliance among food businesses.

At present, FSSAI has recognised 24 audit agencies in accordance with Food Safety and Standards (Food Safety Auditing) Regulations, 2018. In accordance with the regulations, FSSAI has in the first phase directed food businesses which hold Central licence and fall under six high risk categories to get their food businesses audited through these recognised agencies as per the frequencies prescribed.

FSSAI is also focussing on increased surveillance of high risk commodities and are nudging the states/UTs to undergo targeted enforcement. FSSAI has already published milk survey report along with announcement of an action plan for safe and quality milk and milk

products. In due course, we will do more targeted surveillance to identify hot spots so that we can strategise our enforcement activities in similar direction.

Q: Can the private sector be of any help in this regard? Are you planning any tie-ups with other countries for overcoming these issues?

Ans: As per Section 16 of the Food Safety and Standards Act 2006, the food authority is mandated to promote co-ordination of work on food standards undertaken by international governmental and non-governmental organisations and also to promote consistency between international technical standards and domestic food standards through international cooperation. FSSAI has entered into bilateral and multilateral engagements with food safety counterparts around the world. Under the aegis of such arrangements, training/capacity building measures have been regularly carried out through joint seminars, workshops, study visits, lectures, training programmes etc. to learn international best practices. This also facilitates in examining the best practices for food safety management systems followed by other nations and how it can be contextualised for the benefit of Indian economy.

Q: There have been a plethora of draft and gazette regulations in the recent past making it difficult for FBOs to keep themselves updated. When and at what stage this exercise is likely to finish?

Ans: We can say that standards setting is a dynamic process and they are continuously reviewed and amended, if required. So it would not be appropriate to say as to when will this work end. It is a continuous and on-going effort.

Q: Harmonising regulations with Codex has been an ongoing exercise. Give us details.

Ans: While reviewing our standards, we always refer to the Codex standards timely. India, is already working cohesively in this direction and have harmonised most of the domestic food standards to meet with the global Codex standards.