

## Minutes of the Second Meeting of Central Advisory Committee

Venue : Hotel VIVANTA (Ambassador), New Delhi.  
Date and Time : 22<sup>nd</sup> October, 2010, 10.30 AM  
List of Participants : Annexure-I

Shri V.N. Gaur, CEO, FSSAI & Chairman of the Central Advisory Committee (CAC) welcomed the members to the second meeting of the CAC. Underscoring the agenda of the meeting he stated that its primarily focus was on the approach of FSSAI to be followed toward food safety regulation in the country. It was explained that all sections of the FSS Act, 2006 have been notified, however, all existing Acts & Orders shall continue to be functional till their repeal by the Government. FSSAI Rules are under consideration of Ministry of Law and the draft regulations have already been notified. Extensive consultation with stakeholders before notification of the sections of Act, 2006 will pave the way for repeal of existing Acts & Orders related to food regulation. Role of States is very crucial in implementation of Act, therefore, State machinery is required to be ready for implementation. Act envisages every District should have Designated Officer, Adjudicating Officer besides FSOs and State level Tribunal. QCI had already carried out gap analysis in respect of 33 labs. The reports are being shared with the States who are expected to move the proposal for upgradation of labs up to NABL. FSSAI standards for certification of labs is also being framed to facilitate upgradation of labs in the country.

To facilitate discussions, presentations were made on various agenda items.

### Agenda Item 1: Confirmation of minutes of first meeting of CAC.

The CAC confirmed the minutes of its 1<sup>st</sup> meeting held on 19<sup>th</sup> January, 2010.

### Agenda Item 2: Key initiatives of the Food Authority.

Shri S.B. Dongre, Director (F&VP), made a presentation on key initiatives taken up by FSSAI which are as follow:

- i. Food Safety Management System (FSMS)
- ii. Regulations on Functional Foods, dietary supplements.
- iii. FSSAI's Authorised Officers to ensure safety of imported food.
- iv. R&D scheme to promote research activities oriented towards food safety.
- v. Regulations on Trans Fatty Acids (TFA) & Energy Drinks.
- vi. Centres of Excellence to support FSSAI's programme.

He explained that the focus of FSMS is on self compliance since under new law the food business operator is responsible for delivering safe food to the consumer. FSSAI will develop a system to facilitate achieving food safety; in this regard 'India HACCP' is being developed. FSSAI has already appointed Authorised Officers at ports in Calcutta, Chennai and Mumbai to study food import system and collect baseline data to facilitate development of IT enabled imported food safety system. Under R&D scheme FSSAI needed feedback from States in identifying issues to be undertaken for R&D.

National centers with comprehensive facilities will be identified in different areas of food safety e.g. Meat, Dairy, F&V etc. and will subsequently be designated as "Centers of Excellence" by FSSAI for carrying out specific studies relating to respective area of food safety. The "Centers of Excellence" will also be responsible for overseeing the FSSAI mandated studies by regional centers. Trans fatty acid is a burning issue in the field of foods and nutrition. These fatty acids give stability to food products but are highly deteriorating to the consumers' health. Similarly, caffeinated drinks marketed as energy drinks contain more than prescribed limit of caffeine. The limit of caffeine permitted in soft drinks, lemon drinks etc is 140 ppm. Considering the importance of the issues, FSSAI has initiated framing regulation for these products.

### **Agenda Item 3: RFD (2010-11) and inter-se priorities in the items**

Presentation on this was made by Dr. J. P. Dongare, Marketing Officer, FSSAI covering the objectives of Results Framework Document

(RFD), key activities involved and the inter-se priorities of the items /activities.

He explained that the performance of the Authority depends on the performance of the State Government. The Format of the RFD has been devised by PMO and the Cabinet. Success Indicators are based on the previous years' performance. This helps in calculating the success rate of an organisation.

### **Discussion on Agenda Item 2 & 3:**

The views emerged during discussions are as follows:

- Food Safety Commissioners asked whether RFD would be applicable to States also. It was clarified by CEO, FSSAI that as such there will be no RFD for States, however, FSSAI's performance largely will be depend on the performance of States in implementation of the Act. Therefore, it is proposed that a MOU will be signed between FSSAI and States, various criteria of implementation will be part of MOU and the performance of the states will be evaluated accordingly.

Other important issues raised were:

- Prioritization of activities should reflect in the RFD.
- R&D scheme should be renamed as risk-assessment scheme which is more relevant in the context of food safety. However, it was clarified by CEO that the title R&D scheme has been kept deliberately to make it broad based scheme which will also cover risk assessment proposals as well as other topics related to food safety. Regarding prioritization of regulation on Energy drinks, CEO explained that the matter had gone to courts where the need for laying down standards to regulate this food item was underlined.
- There was an opinion that the communication strategy should be given top priority under RFD. In clarification of this CEO, FSSAI informed that RFD is not a plan document, only those targets which are achievable by 31<sup>st</sup> march, 2010 are reflected in RFD, however, the importance of communication is well established and the draft communication strategy is under finalisation which will be circulated shortly.

- It was also inquired whether food standards will vary from state to state and the States will have the power to lay down standards. CEO, FSSAI elucidated that the States will not have power to lay down standards, there will be uniform food standards laid down by FSSAI, which will be applicable to whole territory of India. Local variations in food standards if any will be taken care while developing standards.
- It was also suggested that the Centres of Excellence for behavioural aspects should also be looked after apart from technical and scientific aspects.
- It was suggested that the time had come to allocate separate budget for food safety by State Governments to facilitate implementation of the provisions of the FSS Act.
- Apprehensions was expressed as to how the law can be implemented by Panchayats. In this regard CEO, FSSAI clarified that the responsibility of implementation of law will be given keeping in view the wherewithals of Panchayats and local bodies. Panchayats will be authorised to do registration only for small/petty food business operators. Gradually steps will have to be taken towards empowerment and equipping of local bodies to take over food safety functions.

#### **Agenda Item 4: Enforcement Structure in States/UTs for Implementation of FSS Act**

A presentation was made by Sh. S.B. Dongre, Director (F&VP), FSSAI on the proposed enforcement structure by FSSAI. The States/UTs indicated the action taken by them on this proposed structure. It was pointed out that FSSAI had already indicated to the States and UTs a model structure for setting up the food safety machinery headed by Food Safety Commissioner. For the sake of effective implementation of the Act which will ensure availability of safe and wholesome food to the consumers, it was advisable to have a separate Department of Food Safety in the States/UTs which would also undertake capacity building and training programmes not only for the employees but also for food manufacturers, handlers, food business operators etc.

The number of levels & officers may be decided as per the requirement and resources available. The most appropriate and suitable enforcement structure for the State/UT may be decided by an expert group set up for the purpose. He emphasized that arrangements/plan should be made by the States in time before the FSS Act comes into force. He also said that in India there was no reliable data so far regarding the number of Food Business Operators licensed.

#### **Agenda Item 5: IT-enabled Licensing System: Tool for smooth implementation**

Sh. Ashok Jha, Sathguru Management Consultant made a presentation on above mentioned subject covering the roadmap for the implementation of IT-enabled Licensing System and the key components of the plan.

He emphasized that the goal of FSSAI is the establishment of a robust IT enabled Registration/Licensing system for Food Business Operators within India and the key components of the Plan will cover:

- Development of modules for effective IT enabled platform for Registration and Licensing.
- Hybrid system of offline and online process in the beginning (2011 – pilot and All India roll out )
  - ✓ Through FSSAI Licensing and Registration unit
  - ✓ DO/FSO/Authorized officer facilitating the form filling process and entering the data in the central server
  - ✓ Generation of UID after verifying the details submitted by the applicants
  - ✓ Inspection and generation of Licensing/Registration no.
- Slow transition from hybrid system to completely online system
- Engagement of a reliable agency for pilot and final roll out – continuity is a major consideration for the Authority.

#### **Discussion on Agenda item 4 & 5**

The following views emerged during discussions:

- It was explained by CEO that there will be common software for IT enabled licencing system up to District level since all the Districts

are now connected with NIC. At Panchayat level the registration / licencing process will be done manually, which can also be linked to IT network subsequently with the development of IT infrastructure at village level.

- Representative from Department of Animal Husbandry suggested for incorporation of provisions for collection of data on milk production in the country in the same software. On this issue CEO, FSSAI clarified that the provision for filing production return is part of annexure to licencing / registration application but that may not be as per the requirement of Animal Husbandry Deptt since the priorities of FSSAI may be different from that of Animal Husbandry Department. This issue will have to be mutually discussed in detail.
- It was also opined by representative of Ministry of Food Processing Industries that FSSAI should take initiative on traceability, fixing of MRLs & aligning standards with Codex. CEO, FSSAI clarified that FSSAI has been made Codex contact point for India and fixing MRLs is ongoing process and FSSAI is working on this issue.
- It was also opined that to make the IT enabled system user friendly, if possible, mobile applications can also be included to reach small business operators at village level.
- It was brought out by consumer organizations that States are clubbing food safety with health which ultimately dilutes the issue of food safety. FSSAI may insist for separate Food Safety Department in the States and also consider financial assistance initially for 2-3 years for priming.

The representatives from State Government also submitted their reports which are summarised as follows:

- **A&N Islands:** stated that Sub-divisional Magistrates have been appointed as Designated Officers for food safety, however, they are overburdened. He asked for switching over to earlier system i.e. Medical Officers to be made Designated Officers. CEO, FSSAI clarified that the spirit of FSS Act is that a whole time Officer in the rank of SDM should be made Designated Officer but not necessarily the Sub-

Divisional Magistrate. There is sufficient flexibility provided in the appointing of DOs.

- **Madhya Pradesh:** There are 199 Food Safety Officers in the State and all are trained. Finance Department had been approached for sanction of Rs.50.00 lakh to each District for food safety. Upgradation of labs is in process.
- **J&K:** The Adjudicating Officer appointed. Rs.2.0 crore has been sanctioned from NRHM fund for implementation of this Act.
- **Himachal Pradesh:** The proposal for notification of the FSS Act is pending with Government.
- **Delhi:** Presently licensing work is being done by local bodies, SDMs are working as Designated Officers, however, they are exploring for other options for appointment of DOs. For accreditation of labs application has already been made to NABL.
- **Haryana:** Proposal submitted to the Finance Department for creation of posts. Gap analysis of labs is already completed, upgradation of labs is in process.
- **Gujarat:** Ready for implementation of FSS Act, budget provision for Rs.60 lakhs has been made. Six labs are there, 2 NABL accredited and other 4 are in the process of NABL accreditation.
- **Tamil Nadu:** Two hundred FSOs appointed, creation of separate cadre for food safety is in process. NRHM had been requested for funding. Also labs are ready for accreditation.
- **Chhattisgarh:** There are 38 sanctioned posts of FSOs in the State but only 2 have been appointed. As an ad-hoc measure, 35 doctors have been trained with the help of Government of Madhya Pradesh to be appointed as FSO. Gap analysis has been done by QCI, after getting report the proposal for upgradation of labs will be moved. He suggested that FSSAI may issue an advisory to the State government emphasizing the need for immediate action.
- **Goa:** Licencing system as per PFA is already in place which would switch over to FSSA system once the rules get notified. One food testing lab is there which is to be strengthened as testing facility for all the parameters is not available, as for example pesticides and

other residues testing. FSO training has been completed in the month of August. QCI has done the Gap analysis, report is awaited.

- **Manipur:** At district level, Chief Medical Officers have been appointed as Designated Officers. There are two Food testing labs. GAP analysis has been done by QCI; report is awaited. DOs and FSOs participated in ToT programme at Kolkata. However, for further organising of training of DOs and FSOs in the State, FSSAI should provide subject matter experts.
- **Assam:** The training of all the FSOs was completed in the month of September. Proposal for appointment of staff is pending with the Government. Funds are the major constraint in rollout of FSS Act. Regarding upgradation of food lab, only one lab is there and QCI has done Gap analysis study, report is awaited.
- **Tripura:** Food safety commissioner was on leave and Director, Health was working as food safety commissioner, but he did not have enough time to spare to the cause of food safety. Health Officers are busy with other programmes. State Government is arranging people from existing PFA and district health officers for implementation of this Act. They have a small Lab which is more than 35 years old. Public Analyst joined recently.
- **Nagaland:** Dumping of foreign foods through illegal channel is a major cause of concern as they are substandard and no labelling norms followed. State is unable to check it because of porous border. There is shortage of staff; they have arranged some contractual staff to assist the DOs. Main constraint in enforcement of the Act is the lack of basic knowledge of food safety among enforcement staff since the personnel are from the pharma sector. Training of staff is required. In Nagaland there is only one lab which is not well equipped, upgradation of lab is needed.
- **Kerala:** FSOs are there in sufficient number. The appointment of DOs is in process. Recently training of FSOs was completed. Regarding lab, there is a need for funding for lab accreditation. Also FSOs had minimum knowledge of technical aspect. Representative from the State suggested that when shifting to the new licensing

regime, some kind of hand-holding from FSSAI is required to setup a proper enforcement structure.

- **Orissa:** Adequate training of enforcement personnel is required. The representative from the state suggested for setting up of a full-fledged residential training college / academy in or around Delhi, where enforcement personnel from all the States can be trained at regular intervals to maintain uniformity in training. Public Analyst needs to be appointed for labs. It was also suggested that private firms may be involved in assisting labs.
- **Jharkhand:** Food Safety Commissioner has not yet been appointed in Jharkhand.
- **Andhra Pradesh:** Structure of enforcement is same as suggested by FSSAI. Assistant Food Controllers and District Food Inspectors are nominated as DOs and FSOs respectively. One hundred thirty-three part-time sanitary inspectors are there in municipalities. It is proposed to appoint them on deputation for implementation of this Act and Municipalities have been requested. Principle Secretary is taking stock of the situation. Some Municipalities agreed to provide staff on deputation. Joint Collectors are going to be notified as Adjudicating Officers. MoU with QCI signed for upgradation of Labs. The training of FSOs is over.
- **Bihar:** Food Safety Commissioner not yet appointed in Bihar, State Drug Controller is working as FSC. Training of FSOs completed. Requested for writing DO letter to the Principle Secretary for appointment of FSC. There is a need for public analyst for microbiological testing. However, CEO, FSSAI stated that a microbiologist may be appointed as Public Analyst who would carryout microbial testing and the same Public Analyst would be qualified to sign the lab analysis report.
- **Punjab:** There are three labs and 51 persons are working there. At present 23 inspectors are there and they will be appointed as FSOs. Training was imparted to them. Also Medical Officers are working as designated Officers. Health Ministry is promoting private labs for supplementing government labs in terms of infrastructure, technical manpower and skills.

- **Chandigarh:** Enforcement structure put in place. The DOs have been appointed and trained. Adjudicating Officers are being appointed in consultation with High Court.

## **Session-II**

### **Agenda Item 6- Training Policy, Capacity Building and HR Development Programmes**

Dr.J.P.Dongare, Marketing Officer, FSSAI made a presentation covering draft training policy, orientation programme, Training of Trainers (ToT) conducted, status on implementation of 2<sup>nd</sup> level training by States as follow up to ToT, developing training modules for regulatory staff, food handlers, housewives, school children etc.

Suggestions were invited for periodicity and duration of mandatory training indicated in regulations and the States/U.T.s indicated the action taken by them to organize training programmes for Food Safety Officers and Designated Officers. An intensive and appropriately designed training & development regime in relation to Orientation programme, Induction training, comprehensive in-service training for staff/officers at Centre & State level is regarded as a priority area by FSSAI to realize the vision of professionally competent regulatory personnel for effective enforcement of FSS Act, 2006.

Under section 16(3) (h) of FSS Act, 2006, Authority is expected to provide training programmes in food safety and standards to Food safety regulators at Central and State Level, Food Business operators and food handlers and other Stakeholders. Apart from training of FSSAI regulatory staff, arrangements need to be put in place for training of State food safety regulators (FSC, DO, FSO, AO). On specialised topics, experts can be sourced from outside or provided by FSSAI.

## Agenda Item 7- Upgradation and strengthening of Food Laboratories

### Infrastructure in country

Dr. Shaikh Nadeem Ahmed, Assistant Director, FSSAI made a presentation covering the Gap Analysis study for laboratories, a Summary of reports submitted by QCI, standards of Interim criteria for food laboratories and Framework for upgrading State food laboratories to meet the Interim criteria.

Under sections 16(2)(e) and 43 of the Food Safety and Standards Act, 2006, the FSSAI is mandated to notify laboratories and research institutions accredited by NABL or any other accreditation agency for testing the food samples and the Authority may lay down the procedure and guidelines for accreditation of laboratories and notification of the accredited laboratories.

FSSAI has commissioned a gap analysis study of food labs (50 labs) under Central/State Govt. Till now gap analysis for 33 labs (out of 50) have been completed. Gap study of many State Food Testing Laboratories like Bihar, Arunachal Pradesh, Sikkim, Mizoram, Chhattisgarh, Uttarakhand, Jharkhand and Maharashtra (FDA Lab) is pending due to non receipt of responses to the questionnaire sent to the respective State Governments/Labs.

The gap study has indicated that in Central and State Food Testing Laboratories there is urgent need to upgrade infrastructure, strengthen staffing and training inputs and put in place more reliable laboratory management and operation procedures.

To begin-with these labs (existing food testing laboratories in the public sector as identified by gap study) will be given a period of one year to come up to the minimum acceptable levels of food testing to meet the requirements of Food Safety and Standards Act, 2006. Till then they will continue to perform the current functions so that there is no disruption of testing services. Food testing laboratories will be given a period of 3 years for achieving NABL accreditation.

## **Discussion on Agenda item 6 & 7**

Following deliberations were made on the subject:

- It was suggested that self educating training portals for upgradation of labs may be developed.
- Representative from FICCI brought to the notice that Ministry of Finance has already allocated funds to the tune of Rs.2000 crore for National Skill Development Programme under the Ministry of Food Processing. This fund can also be used for imparting training on food safety.
- It was also brought out by a number of Food Safety Commissioners that three months training is a pre-condition for appointment of FSO, however, no such training course is available, also there is a dearth of training Institutes in the country, which is a major obstruction in recruitment of FSOs. In this regard it was suggested that State can appoint suitable candidates as trainee FSOs who can be trained in due course.
- It was also suggested that duration of training for Adjudicating Officers is to be reduced to around two weeks.
- It was raised whether all the testing labs should be accredited for all the parameters. CEO, FSSAI has clarified that at present we have only basic chemical testing facility in most of the PFA labs. We are exploring the possibility of subcontracting and involving private labs in food testing.

## **Agenda Item 8- Awareness Generation Programme and Communication Strategy**

Smt. Sumita Mukherjee, Director, FSSAI presented the Communication strategy of FSSAI.

Major initiatives taken by FSSAI are:

- Telecast of food safety programmes under the Kalyani Initiative.
- Preparation and dissemination of guidelines for school canteens.
- MOU with KVS, Navodaya Vidyalaya and DPS Society for rolling out of safe food programme.

- Collecting “food safety” related material for communication purpose from concerned organisations like WHO, NIN, MoH&FW, NCERT, and educational institutions like Lady Irwin College, Bhaskaracharya College of Applied Sciences.
- Telecasting of programmes on food safety.
- Broadcast of radio jingles on food safety on Prasar Bharati FM channels.

It was suggested that State governments may explore involving ASHA workers for food safety issues.

#### **Discussion on Agenda item 8:**

- It was suggested that the States can involve ASHA workers in disseminating food safety messages in remote areas.
- Representative from consumer organizations stated that the consumer groups should be involved in devising communication strategy.
- Members from laboratory and consumer groups complimented FSSAI’s initiative on communication strategy and also suggested that simple effective slogans should be devised and disseminated through local communication medium in local language.
- It was opined by members that FSSAI should also plan a communication strategy for countering unscientific and baseless news items on food safety which creates panic in the public like Oxytocin in cucurbits etc.
- Representative from FICCI suggested that FSSAI should also develop an awareness programme on new rules and regulations made under FSS Act, 2006 for industry to facilitate switchover from PFA to FSSA.
- It was also opined by the representative from consumer organizations that Mid-day-meal (MDM) scheme of the Ministry of HRD can also be used to popularise the concept of food safety at grass root level.
- It was also discussed that since FSSAI cannot reach down to village level, it can create materials like posters, banners etc. which can be distributed to every nook and corner of the country by involving local bodies, Panchayats, Self help Groups etc.

- Prof Gopal Naik from IIM Bangalore suggested that short films & animations on do's and don'ts on food safety may be developed for disseminating messages.

### **Agenda Item 9- Information Pending from States/UTs**

Dr. Dhir Singh, ADG(PFA) reminded States regarding submission of information on the following subjects:

- i. Annual Report on the working of PFA Act and Rules in the States
- ii. Notification of Food Poisoning under section 15 of PFA.
- iii. Information related to pending Parliament Assurances and Questions

It was informed that Annual report for 2008-09 had not been received from several States also there are several Parliament assurances pending on account of non-receipt of information from States like prosecution data, use of carbide in ripening etc. States assured for providing information on the same.

### **Recommendations of the Central Advisory Committee:-**

The recommendations of the Second CAC are summarised as below.

- A MOU may be signed between FSSAI and States on various criteria of implementation of the FSS Act and the performance of the states will be evaluated accordingly.
- Activities in RFD may be done in accordance with the priorities of FSSAI and Communication strategy should be given top priority in it.
- Separate budget allotment for food safety may be provided by State Governments to facilitate implementation of the provisions of the FSS Act.
- To make the proposed IT enabled Licensing system user friendly, if possible, mobile applications can also be included to reach small business operators at village level.
- A separate Food Safety Department may be set up in the States and FSSAI may consider providing financial assistance initially for 2-3 years for priming.
- Self educating training portals for upgradation of labs may be developed.

- Ministry of Finance has already allocated funds to the tune of Rs.2000 crore for National Skill Development Programme under the Ministry of Food Processing. This fund can also be used for imparting training on food safety.
- A residential training college/academy may be established in/around Delhi for training of food safety personnel at regular intervals. This will ensure uniformity in training.
- States may be permitted to appoint suitable candidates as trainee FSOs who can be trained in due course. Also, duration of training for Adjudicating Officers may be reduced to around two weeks.
- ASHA workers may be involved in disseminating food safety messages in States covered by the Scheme.
- A communication strategy may be planned by FSSAI for countering unscientific and baseless news items on food safety which creates panic in the public, like Oxytocin in cucurbits etc and disseminating useful information on food safety.
- Mid-day-meal (MDM) scheme of the Ministry of HRD can also be used to popularise the concept of food safety at grass root level.
- Communication may be through simple effective slogans through local communication medium and in local languages for wider reach. Also, posters, banners etc may be distributed in villages through local bodies, Panchayats, self-help groups etc.
- Short films and animations on do's and don'ts on food safety may also be developed.

In his concluding remarks, CEO, FSSAI thanked all the participants for their active participation in the discussion and providing valuable suggestions which would be helpful in refining programmes and policies of FSSAI.

\*\*\*\*\*