

File No.15-07/GA/2020-FSSAI
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety & Standards Act, 2006)
(GA Division)
FDA Bhawan, Kotla Road, New Delhi-110002

Dated the 5th July, 2021

Subject:- Minutes of 33rd and 34th meeting of Food Authority held on 23rd March and 23rd April, 2021 respectively-reg.

The Authority confirmed and adopted the minutes of the 33rd and 34th virtual Food Authority Meetings held on 23rd March and 23rd April, 2021 respectively in its 35th virtual Meeting held on 24th June, 2021 after amending the minutes as per details given below:-

Minutes of 33rd meeting of the Food Authority:-

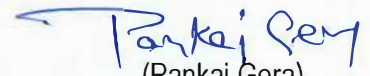
1. Under the Agenda Item No. 33.1(1.1.3): After the sentence "CEO suggested that "wheat + other flour" was not consumer friendly and therefore flour mix with 10-20% other grains with wheat flour should also be called "multi grain flour" and the same was agreed.", the following may be added: "The product shall have flour composition obtained from whole wheat ranging from 50-90% and rest of the flour composition shall be from other permitted ingredients singly or in combination".
2. Under the Agenda Item No. 33.1 (1.1.8), the following paragraph may be inserted: "1.1.8 Labelling provisions for non-caloric sweeteners would be prominently on the label of bottle/container but not on crown".

Further, with regard to the suggestion that provision for inspecting foreign food manufacturing facilities should be only for high risk food category (Agenda item 33.1(4)), Chairperson emphasized that this provision is only an enabling clause and inspection would ordinarily be carried out as per the risk categorization of the food products and other risk parameters.

Minutes of Special meeting of Food Authority (34th):-

The minutes of 34th Food Authority meeting were confirmed and adopted with correction to include name of "Shri Thanglura, Mizoram Consumer's Union" in the list of participants.

2. Accordingly, the minutes of the 33rd and 34th virtual Meetings of Food Authority are being uploaded on the website of FSSAI.


(Pankaj Gera)
Assistant Director (GA)

Encl. Minutes of the 33rd and 34th virtual Meetings of the Food Authority.

**Minutes of the 33rd meeting of the Food Authority held on March 23, 2021 at
10:30 hrs through virtual medium**

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

Item No. I: Confirmation of the minutes of 32nd meeting held on 22.12.2020

The minutes of the 32nd meeting held on 22nd December, 2020 were confirmed and adopted with correction to substitute "Representative of Ministry of Agriculture and Farmers Welfare (M/o A & FW)" in place of "Dr. K K Sharma, Principal Scientist, on behalf of Ministry of Agriculture and Farmers Welfare" under the agenda item 32.1(A) (2) (ii) and "Dr. K K Sharma" under the agenda item 32.1(A) (2) (iv).

Item No. II: Action Taken Report of 32nd meeting

The Action Taken Report was noted by the Food Authority. However, Head (Regulations) presented an update on the status of food standards / regulations under several agenda items (**Annexure-2**).

In respect of the Ministry's position that regulation on Dairy Analogues [32.1 (A) (5)] has been put on hold for a review of the use of dairy terms for non-dairy products, CEO, FSSAI apprised that restrictions on the use of dairy terms for non-dairy products, including plant based products, already exist in the extant regulations (since 2017) and the proposed amendment regulation related to dairy analogues does not change that status and is not part of this draft regulations. Further, review of the issue of dairy terms for plant based products by a high level committee, as directed by the Hon'ble Minister of Health and Family Welfare, is in relation to the provisions in the extant regulations and does not have any bearing on the progress of dairy analogues related amendment regulation. With these observations the regulations on Dairy Analogues has been sent back to Ministry of Health and Family Welfare (M/o H&FW) for approval. Representative from M/o H&FW extended his support in following up the matter within the Ministry.

Item No. III: Chief Executive Officer's Report

CEO, FSSAI in his report, simultaneously tabled during the meeting, highlighted the action taken and developments since the last meeting of Food Authority with respect to recruitment process at FSSAI informing that 161 new employees have joined FSSAI recently and the second phase of recruitment will commence shortly. He also apprised about the progress with respect to establishment of office space at MMU building; creation of new offices and points of entry for imports; GM free certificate for 24 crops at the time of import; Strengthening of food testing facilities including monitoring and procuring additional 60 Food Safety on Wheels (FSW); MoU with States; and Authority's budget utilization.

Authority took note of the CEO's Report. The detailed report is placed at **Annexure-3**.

Chairperson FSSAI, reminded that the agenda of Food Authority is still finding its way to individual companies in spite of the caution sounded in earlier meetings in this regard and as a result these companies are approaching FSSAI, raising individual concerns on various regulations. She highlighted that Food Authority, before adopting the standards/regulations follows a due process of inviting comments from various stakeholders and presenting the same in scientific panel and scientific committee. Each and every comment is duly considered before finalizing the regulation/standard.

Chairperson reiterated that the agenda is confidential and urged that confidentiality should be maintained by all recipients of agenda documents.

AGENDA FOR APPROVAL

33.1 FOOD STANDARDS/REGULATIONS

1 Items proposed for final (draft) notification

1.1 Amendment to FSS (Food Product Standards and Food Additives) Regulations, 2011 [Uploaded on: 28-10-2020]

Advisor (S&S) introduced and explained briefly all agenda items.

1.1.1 Regulation - 1.2 related to 'Definitions' and 2.2 relating - Fats, oils & fat emulsions

One of the special invitees sought clarification whether raw vegetable oil is introduced as separate new category and does it have any effect on the existing Oil categories. Secondly, she submitted a request to omit the term "vegetable" from the labelling requirement "Mutli-sourced Edible Vegetable Oil", for practical consideration citing length of declaration and space constraints on the label and that the requirement of vegetarian logo is being already there.

Advisor (S&S) confirmed that the Raw Edible oils is a new category and shall have no effect on the existing Oil categories. With respect to the request to omit the term 'vegetable', it was mentioned that this will be discussed under agenda item 33.1 (1) (1.8).

1.1.2 Regulation 2.3 - Fruit and vegetable products

Advisor (S&S) informed the observation of the concerned Scientific Panel (SP) to harmonize the Units and nomenclature across all the Standards.

1.1.3 Regulation 2.4 - Cereal and cereal products

Protein Rich Atta- One of the special invitees mentioned that the comments submitted by the industries were not accepted by the panel which may lead to operational issues and requested that their concerns may be reconsidered by the SP. Chairperson mentioned that the request for reconsideration by the SP can be considered once more data is generated and submitted.

Multi grain Atta and wheat flour (atta) with other grain flour- Advisor (S&S) explained the scientific rationale for having a single standard of 'Multigrain atta' and 'Whole Wheat Flour (atta) with other grains' and suggested using 'whole wheat flour (atta) with other grains' as the name for the merged standard. CEO suggested that "Wheat + other flour" was not

consumer friendly and therefore flour mix with 10-20% other grains with wheat flour should also be called "multigrain flour" and the same was agreed. One of the special invitees requested to increase the value of alcoholic acidity from 0.18% to 0.35% due to mixing of the grains. Advisor (S&S) informed that the value for alcoholic acidity has already been increased from 0.15% to 0.18% and that the data earlier submitted to the SP was inadequate. Chairperson suggested that the values will be revisited once robust data on the same is generated.

On Urease Activity, one of the special invitees informed that it was a new parameter and requested to be keep it in abeyance and consider it for surveillance purpose only. Advisor (S&S) clarified that Urease Activity was requirement only in case of Soybean flour, so abeyance of this parameter is not required.

Mixed Millet flour- One of the special invitees reiterated the request to increase the alcoholic acidity from 0.18% to 0.35%. To this, Chairperson highlighted the comprehensive deliberation on this matter and concluded that information provided by the industry was inadequate, and the values will be revisited once robust data on the same is generated.

1.1.4 Regulation 2.5.2 - Meat and meat products, 1.1.5 Regulation 2.6 - Fish and fish products, 1.1.6 Regulation 2.8 - Sweetening agents including Honey, 1.1.7 Regulation 2.9 - Salt, spices, condiments, related products and 1.1.8 Relating to the provision for carbonated water:

No concerns were raised by the members.

1.1.9 Relating to standards for hemp seed and its products Advisor (S&S) clarified that for the purpose of licensing, hemp products mean hemp seed flour and oil. These will be appropriately incorporated in the regulations before finalization. Further, the hemp seed flour mentioned in the clause 2(iv) shall be in the form of a table, as in case of Hemp seed and oil.

1.1.10 Chapter 3: Appendix A - with respect to Food Category 4.2.2.4 canned or bottled (pasteurized) or retort pouch vegetables, 8.2.3 Frozen processed meat and poultry products in whole pieces or cuts and use of food additives in iced tea. Advisor (S&S) informed that the provisions for use of the two colours i.e. Tartrazine and Sunset yellow were being considered for deletion from our regulations since they are not currently allowed under Codex GSFA as well.. He also informed about the reservation of Tea board on usage of any colour in Iced tea.

On the request of the special invitees to retain use of the two colours in the given categories in our regulations since usage of these colours is currently under review in Codex (at Step 7) and is expected to be adopted soon, Chairperson advised to maintain status quo with respect to Tartrazine and Sunset Yellow, consistent with India's position at codex. Further CEO clarified that no colour may be added in Iced tea and the related labelling declaration shall remain.

1.1.11 Chapter 3: Appendix B with respect to microbiological standards of food grain products It was informed to the Authority members that the inclusion of Instant Noodle and Pasta was done during alignment to Codex standards as "ready to eat". However, *Listeria monocytogenes* testing is not applicable to instant Noodle and Pasta category. It was agreed to amend the table and also add a foot note stating "Instant Noodles and Pasta should be tested for *Salmonella* but not for *Listeria monocytogenes*".

With the above deliberations, the authority approved the agenda items as proposed.

1.2 Amendment to FSS (Food Product Standards and Food Additives) Regulations, 2011. [Uploaded on : 03-09-2020]

1.2.1 Tolerance limit of formulated supplements for children and

1.2.2 Standards for oats products and rolled oats products: No concerns were raised by the members.

1.2.3 Standards for fermented soybean curd (soy dahi) Chairperson suggested that till the issue of nomenclature related to yoghurt is resolved, this standard shall be kept on hold for the notification purposes. Science and Standards division may expedite the finalization of standards for yoghurt.

The authority approved the agenda items as proposed, with the amendments listed above.

1.3 Amendment to FSS (Food Product Standards and Food Additives) Regulations, 2011. [Uploaded on: 03-09-2020] Representative of the Ministry of Commerce strongly recommended the Food Authority to completely ban mixing of Chicory mix in Coffee or reducing percentage of Chicory mix in Coffee. He further apprised the Authority that a stakeholder consultation in this matter was to be organised by the Coffee Board. To this Advisor (S&S) clarified that the said standards have been set after stakeholder consultations and the stakeholder comments have also been shared with the Coffee Board. Inputs from Coffee Boards are still awaited. However, a response has also been sent to the reference received from Ministry of Commerce.

CEO opined that it is not a food safety issue but a policy decision. He also suggested a three-way consultation between Ministry of Agriculture, Ministry of Health and Family Welfare and Ministry of Commerce may be done and a collective decision may be taken regarding use of chicory in coffee.

With the above observations, the authority ratified the agenda item as placed.

1.4 Amendment to FSS (Fortification of Foods) Regulations, 2018 [Uploaded on: 13-11-2020] One of the special invitees expressed their concerns on stability issues regarding Shelf-life studies and Moisture and that these have not been accepted by the concerned SP.. Chairperson informed that the technical data has been reviewed by the SP/SC and no stability issues were found in the proposed ranges in the

regulations. The concerns raised by the industry have been noted and the same will be reviewed once additional data is available.

With the above observations, the authority approved the agenda item as proposed.

1.5 Amendment to FSS (Organic Food) Regulations, 2017 [Uploaded on : 03-09-2020]

The authority considered and approved the agenda item as proposed

1.6 Amendment to FSS (Prohibition & Restrictions on Sales) Regulations, 2011[Uploaded on : 18-11-2020]

The Authority considered and ratified the agenda item as placed.

1.7 Amendment to FSS (Packaging & Labelling) Regulations, 2011 regarding "Revision of label declaration regarding Sweeteners" [Uploaded on: 18-09-2020]

Advisor (S&S) while presenting the gist of the regulations highlighted that FSSAI has consulted CSIR for their views/ suggestion on the proposed regulations. The comments received from CSIR have been incorporated on the same.

Special invitees raised following concerns on the regulations:

- i. Extended warnings statement on the label viz. "Causes Bloating and diarrhoea in children; and reduce calcium absorption in postmenopausal women" have not been recommended by any other authorities globally, like JECFA, EFSA etc.
- ii. As per general regulations and global studies, advisory 'Polyols may have Laxative effect' should be applicable only above 10%..
- iii. Need for a further review by commissioning of a working group with CSIR, to address the issues of the advisories mentioned in the warning.

Advisor (S&S) mentioned that rationale for advisory warning has been quoted with strong evidence by the SP and SC. In case of the provision related to Polyols, he

clarified that the above 10% provision is already mentioned in the principal regulation and will be applicable as such.

With respect to collaborating with CSIR, CEO sought clarification, whether the industry was given an opportunity to present their requests to the SP, SC and CSIR. Advisor (S&S) affirmed the same. However, special invitees pointed out that they had requested CSIR for hearing but did not get any response.

Chairperson highlighted the fact that detailed deliberations were held in the SP meetings keeping in view the target audience before phrasing the Warning statement. However, the Industry may present better phrasing for the said Warning statement within 4 days, if desired.

With above deliberations and taking note of the concerns raised by the special Invitees, the authority approved the agenda item as proposed

1.8 Amendment to FSS (Packaging & Labelling) Regulations, 2011 regarding "Labelling of Multi-Sourced Edible Vegetable Oils" [Uploaded on :18-11-2020]

Advisor (S&S) informed that SP agreed to change of nomenclature as 'Multi-Source Edible Vegetable Oils' but it did not agree to remove the word "Vegetable". However, considering the concerns regarding labelling and in view of the definition clause for edible oil, he suggested to remove the term "vegetable". The proposal was approved by the Authority.

CEO mentioned the use of term 'Multi-Source(d) Edible Vegetable Oils' in several notifications and sought a mandate to now harmonise the term as 'Multi-Source Edible Oils' in all notifications. The authority approved this proposal.

With the above modification and suggestion, the authority approved the agenda item as proposed

1.9 Amendment to FSS (Health Supplements, Nutraceuticals, FSDU, FSMP, Functional Foods and Novel Foods) Regulations, 2016 (Uploaded on 06.11.2020)

Advisor (S&S) informed the Food Authority that Scientific Committee has requested a deliberation and decision by the Food Authority on two issues, viz, i) restriction of advertisements of FSDU products for general public and ii) allowing Vitamin D3 from Lichen/ Algae as plant source. He also mentioned that VitaminD3 from specific species of Lichen/algae should be allowed on case to case basis only, due to toxic nature of few species of Lichen/Algae and the same was agreed.

One of the special invitees strongly opined that the significant changes are being suggested by these amendments and that products with more than 1 RDA are currently available in the market which are not in food format and the proposed changes will impact these products. Advisor (S&S) clarified in context of the legal provision and that after consultation with the Central Drugs Standards Control Organization(CDSCO) it was decided to limit one RDA in Nutraceuticals as the limit of RDA is the basic defining factors to differentiate between Drugs and Food. The FSDU and FSMP products in food format (excluding tablet and capsule etc) having more than 1 RDA of the micronutrients will as before, require prior approval on a case by case basis.

Special invitees raised concern that as per this amendment, all product led health claims would require prior approval, whereas as per the extant regulations only a notification to the Authority was required and prior approval was required only in case of disease risk reduction (DRR) claims. To this, it was clarified that this procedure has been brought for specific health claims only (not general claims) and for non- standardised claims, where Human Intervention studies have been specified and have been done.

In addition, special invitees also raised concerns on the restrictions on advertising of FSDU for general public; changes in the definition of health supplements to check the ingredient list in Schedule 1 and 2; and presence of the products sourced from single botanical which are already available in the market as health supplements. Further,

they sought clarity over definition of FSDU for sportsperson and category of water based flavoured drinks (ex. Electrolyte drinks). Advisor (S&S) clarified that these will be covered in the FAQs.

In view of the above observations, the Authority approved the agenda items with the following modifications:

1. Deletion of provision related prior approval of product led health claims and restoring status quo ante in this regard.
2. Advertisement of FSDU products for general public may be permitted but shall clearly mention that these have to be taken under medical advice where applicable.
3. Specific species of Lichen/Algae shall be allowed allowed for sourcing vitaminD3 but non specified species would require prior approval by the Food Authority on case by case basis.

2. Items proposed for draft notification

2.1 Amendment to FSS (Food products Standards and Food Additives) Regulations, 2011

2.1.1 Regarding Protein and its quality specified under Formulated Supplements for Children.

2.1.2 Relating to 2.5. Meat and Meat Products:(A) Amendment in the Ash content for Guinea Fowl eggs in the standard for "Fresh eggs" (B) Amendment in standards for Comminuted or Restructured Meat Products

The Authority approved the draft notification, as proposed. It was informed that any comments may be submitted at the draft notification stage.

2.1.3 Amendment in sub-regulation 2.9.30 clause 5 related to 'Iron fortified iodized salt (Double fortified salt)'

The Authority approved the draft notification, as proposed and ratified the direction issued on 29.01.2021, as placed. It was informed that any comments may be submitted at the draft notification stage.

2.1.4 Relating to Appendix B - Microbiological standards for 'infant formula for special medical purpose' and 'food for infant based on traditional food ingredients'

The Authority considered and ratified the draft notification as placed.

2.2 Amendment to FSS (Alcoholic Beverages Regulations) Regulations, 2018

The Authority considered and approved the draft notification as proposed. However, it was informed that any comments may be submitted at the draft notification stage.

2.3 Amendment to FSS (Contaminants, Toxins and Residues) Regulation, 2011

Representative of M/o A&FW expressed reservation over the process of risk assessment in the SOP document. Authority suggested that detailed comments from the M/o A&FW should be communicated to the Ministry of Health and Family Welfare and FSSAI within time at the draft notification stage.

2.4 Amendment to FSS (Prohibition and Restrictions on sales) Regulations, 2011.

The Authority considered and ratified the draft notification as placed.

2.5 Amendment to FSS (Foods for Infant Nutrition) Regulations, 2020

Advisor(S&S) informed that vitamin B12 is also naturally present (~ 4mcg/100gms) in milk products, which is not easily removed and therefore, higher values of 0.9 mcg/100kCal for Vitamin B12 may be considered. To this, Chairperson and CEO enquired regarding the toxicological implication of higher value. Advisor (S&S) informed that there is no toxicological implication, as Vitamin B12 is a water soluble vitamin and no Tolerable Upper Limit is specified for the same. Moreover, Codex allows a value of up to 1.5mcg/100kCal (7.5mcg/100gms).

It was decided to revise the value of Vitamin B12 to 0.9 mcg/100kCal (4mcg/100gms) and inform the decision to concerned SP.

With above modifications, Authority approved the draft notification as proposed.

2.6 Amendment to FSS (Labelling & Display) Regulations, 2020

Advisor (S&S) informed that in addition to the proposed amendments, there are 2 more issues of inconsistency viz. i) Declaration of nutritional information in Labelling & Display Regulations and Alcoholic Beverages Regulations, and ii) Terminology related to 'chewing gum and bubble gum' in the Labelling & Display Regulations.

CEO opined that caloric intake information should be mentioned on the alcoholic beverages for enabling the consumer to make an informed choice and needs deliberation in the concerned SP

The Authority approved the draft notification including the additional proposal as above. However, special Invitees had some comments. They were informed to submit their comments at the draft notification stage.

3 OTHER ISSUES (volume-ii)

3.1 Draft Guidance document & Standard Operating Procedures (SOP) for fixation of MRL of pesticides in food commodities.

Representative from Ministry of Agriculture and Farmers Welfare requested the floor for their comments on the document. To this, CEO, FSSAI suggested to submit their comments in writing to FSSAI, as the document will be made available for stakeholder's comments/suggestions.

The Authority considered the agenda item and approved, as proposed.

3.2 Checklist for Safety Assessment of the GM Products

The Authority considered the agenda item and approved, as proposed.

3.3 Maximum tolerance limit for GM in case of adventitious presence

The Authority considered the agenda item and approved, as proposed.

3.4 Method for Determination of Iron Filings in Tea

The Authority considered the agenda item and approved, as proposed.

3.5 Revised FSSAI Manual of Methods of Analysis of Foods – Oils and Fats

The Authority considered the agenda item and approved, as proposed.

3.6 Revised FSSAI Manual of Methods of Analysis of Foods – Spices, Herbs and Condiments

The Authority considered the agenda item and approved, as proposed.

3.7 Clarification on the safety aspects of use of magnesium carbonate in pan masala and areca nut based mouth fresheners

The Authority took note of agenda item as circulated for information.

Editorial/ typographical errors in Notification approved by the Authority

In addition to the above agenda items, Advisor (S&S) informed that while finalising the standards/ regulations errors (typo and grammatical) may occur inadvertently and the same will require corrections. The authority directed that such issues could be addressed in future also through issuing corrigendum after taking approval of the Chairperson.

4 Final Notification on Food Safety and Standards (Import) Amendment Regulation related to inclusion of registration and inspection of Foreign Food manufacturing facilities.

The Authority noted the changes proposed in the notification finalized in light of the stakeholders' comments. During discussions, Chairperson pointed out that auditing of foreign food manufacturing establishments should not have been dispensed with, since it provides a mechanism for the Food Authority to have an oversight of foreign establishments when constrained in carrying out physical inspections itself due to

human resource or other limitations. To address this issue CEO, FSSAI suggested that for the purpose of inspections of foreign food establishments, recognition of third parties may also be considered in addition to the nomination of officials of FSSAI and relevant ministry / organization / department.

The Food Authority also took note of the suggestion from Director (Imports) that proposed exemption from registration in case of categories of food covered under mandatory BIS certification be withdrawn and instead provide that the inspections carried out by BIS take into consideration the Schedule 4 requirements specified in the FSS (Licensing and Registration of Food Businesses) Regulation, 2011. Establishments, so inspected by BIS would be exempt from FSSAI inspection.

Based on the above observations, the Food Authority agreed to make suitable amendments in the said regulations, after taking approval of the Chairperson.

5 Approval of the final notification for amendment in Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 regarding compliance of commercial feeds/feed materials intended for meat and milk producing animals with the relevant BIS standards.

The Food Authority noted that no comments were received from stakeholders in response to the notified draft amendment regulations and accordingly no changes were proposed in the finalized amendment regulations.

A special invitee highlighted that many states have framed their own feed regulations/rules and that there is a need for reconciliation between the central and the state laws in this context. In response, CEO FSSAI clarified that the issue could be taken up and deliberated upon in detail once the amendments to the FSS Act in relation to inclusion of feed within the mandate of Food Authority take effect and the Food Authority frames more elaborate feed regulations.

The Food Authority approved the amendment regulations, as proposed.

6 Operationalization of standards/regulations and directions issued by FSSAI

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

7 Policy for time frame for FSS Regulations to come in to force

The Food Authority agreed to the proposed revised policy of timeline for implementation of newly notified regulations (including amendment regulations) on the first day of the month to come immediately after completion of 180 days of the notification of such regulation.

Special invitees highlighted that previous policy of implementation of a newly notified regulation with effect from 1st January or 1st July subject to the expiry of 180 days of the notification of such regulation was justified and provided food businesses the much needed timeline for operational level changes specifically in respect of cases where labelling modifications are warranted. In response, it was clarified that while the revised timeline policy would be the baseline for implementation of regulations, specific cases that may require immediate or deferred implementation/enforcement would be discussed and considered on a case to case basis at the time of approval of the regulation by the Food Authority itself.

The Food Authority approved the agenda as proposed.

33.2 FOOD IMPORT

1 Requirement of Non-GM origin cum Gm free certificate for import of 24 food crops

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

2 Import of Raw Asafoetida from Afghanistan

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

3 Issuance of Mandatory Destruction Order for the "Indian Red Chillies of Genus Capsicum (a re-import consignment) based on the request made from the importer

The Authority considered the agenda item and ratified, as placed. However, regarding the provision of approval from Food Authority of mandatory destruction, it was directed that regional directors can examine and approve the same in future.

4 Notification of Authorised officers for new Import Offices & new point of entries

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

33.3 FOOD TESTING AND SURVEILLANCE

1 Notification/Recognition/Discontinuation of Food Testing Laboratories

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

2 Notice dated 05th February, 2021 related to integrated assessment for accreditation/recognition/approval of the Laboratories

The Authority took note of agenda item as circulated for information.

3 Strengthening of Referral Food Testing Laboratories

The Authority took note of agenda item as circulated for information.

4 National Food Laboratories

The Authority took note of agenda item as circulated for information.

5 Milk Product Survey 2020

The Authority took note of agenda item as circulated for information.

6 Edible Oil Survey, 2020

The Authority took note of agenda item as circulated for information.

7 Online Capacity Building Programs

The Authority took note of agenda item as circulated for information.

ANY OTHER AGENDA ITEM WITH THE APPROVAL OF THE CHAIR

Supplementary Agenda Item 33.IV

1. Redefining the criteria to determine the licensing authority- Schedule 1 of FSS (Licensing and Registration of Food Businesses) Regulations, 2011.

The agenda item was deferred. It was decided that the same will be taken up separately in a special Food Authority meeting to be convened for FSS(L&R) Amendment Regulations.

Special invitees requested to add a special category for 'Distributors' and that they do not require category wise license. It was informed to send comments to FSSAI in advance.

The Authority deferred the agenda item for next meeting.

2. Mapping of 29 new/revised standardised food products with Food category System in FoSCoS for Licensing and Registration.

The Authority considered the agenda item and approved, as proposed.

3. Policy for Auto-generation of Licenses and Registration Version 2.0.

The Authority considered the agenda item and approved, as proposed.

4. Proposal of mandating the mentioning of FSSAI License/Registration number on receipts/invoices/cash memo/bills etc. By food businesses on sale of food products.

The agenda was in principle approved. Chairperson was authorized to decide about the time and manner of implementation. Sufficient time to be given before implementation.

5. Ease of doing business: Non-requirement of renewal of +F endorsement certificate of fortified foods in FSSAI License/Registration.

The Authority considered the agenda item and approved, as proposed.

6. Enabling Food Businesses to migrate from State License to Central License without change in the FSSAI License number.

The Authority considered the agenda item and approved, as proposed.

7. Revised Refund Policy for inadvertent/erroneous payments made in respect of License and Registration fee.

The agenda was approved by the Authority. The draft order to be issued after incorporating the present practice of auto refunds, double check in reconciliation, designated officers to deal with payments and refunds etc.

8. MoU between FSSAI and States/UTs for Strengthening of Food Safety Ecosystem in the Country-latest status.

The Authority took note of agenda item as circulated for information.

9. Ratification of Rapid Analytical Food Testing (RAFT) Kit/Equipment/Method.

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

10 Financial Regulation of Food Safety and Standards Authority of India.

CEO informed the members that draft Financial Regulations of the Authority were sent to the Ministry with the approval of the Chairperson. The Ministry on 17.03.2021, suggested some changes in the draft regulations. The necessary amendments were done and the amended Draft Food Safety and Standards (Financial) Regulations, 2020 were sent back to MoH&FW on 18.03.2021.

The Authority considered the agenda items and ratified the action taken.

11. Promotion to employees absorbed under Section 90

The Authority considered the agenda item and approved, as proposed.

12. Amendments in Licensing and Registration Regulations

The agenda item was deferred. It was decided that the same will be taken up separately in a special Food Authority meeting to be convened for FSS (L&R) Amendment Regulations and the date of the meeting will be intimated separately.

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



Chief Executive Officer



Chairperson

List of Participants

A. Members of the Authority:

1. Ms. Rita Teaotia, Chairperson, FSSAI;
2. Shri Arun Singhal, Member Secretary;
3. Shri Mandeep Bhandari, Joint Secretary, Ministry of Health and Family Welfare;
4. Shri Diwakar Nath Misra, Joint Secretary, Ministry of Commerce;
5. Ms. Reema Prakash, Joint Secretary, Ministry of Food Processing Industries;
6. Shri Sanjay Kumar Singh, Deputy Secretary, Ministry of Food Processing Industries;
7. Dr. KK Sharma, Principal Scientist, Ministry of Agriculture & Farmer Welfare;
8. Shri RK Choudhary, Ministry of Micro, Small and Medium Enterprises;
9. Dr. Hemant Koshia, Commissioner of Food Safety, Gujarat;
10. Smt. Manjushree Narasimhaiah, Commissioner of Food Safety, Karnataka;
11. Shakeel-Ul-Rehman Rather, Commissioner of Food Safety, Jammu & Kashmir (UT)

B. Special invitees:

1. Ms. Parna Dasgupta, FICCI;
2. Ms. Meetu Kapur, Confederation of Indian Industry (CII);
3. Ms. Shreya Pandey, All India Food Processors Association (AIFPA);

C. Officers of the FSSAI

1. Dr. Shobhit Jain, ED (CS)
2. Dr. N. Bhaskar, Advisor (S&S)
3. Dr. Harinder Singh Oberoi, Advisor (QA)
4. Dr. Amit Sharma, Director (Imports)
5. Ms. Inoshi Sharma, Director (SBCD)

6. Dr. Sanu Jacob, Director (Quality Assurance)
7. Shri Sharad Agrawal, Director (Training)
8. Shri Raj Singh, Head (GA)
9. Shri Sunil Bakshi, Head (Regulations)
10. Shri AK Chanana, Head (IT)
11. Shri R. K. Mittal, Head (RCD)
12. Shri Anil Mehta, Joint Director (RCD)
13. Shri Pushp Vanam, Joint Director (S&S)
14. Dr. Inderjeet Singh Hura, Joint Director (S&S)
15. Shri P. Karthikeyan, Deputy Director (Codex/ Regulation)
16. Sh. Subburaj M., Deputy Director (Authorized Officer), Kolkata Region
17. Dr S. C. Khurana, Lead expert
18. Smt. Veenu Taneja, Assistant Director, (S&S)
19. Shri. Harish Kumar, Assistant Director, (S&S)
20. Ms. Sakshee Pipliyal, Assistant Director (S&S)
21. Ms. Vinita Verma, Assistant Director (S&S)
22. Ms. Payel Maji, Assistant Director, Kolkata Regional Office
23. Ms. Kanika Aggarwal, Technical Officer (QA)
24. Dr. Firdaus Jahan, Technical Officer (S&S)
25. Ms. Manpreet Kour, Technical Officer (S&S)
26. Shri Ganesh Bhat, Technical Officer (S&S)
27. Ms. Sunaina Verma, Technical Officer (S&S)
28. Mohd. Amir Parray, Technical Officer (S&S)

**ACTION TAKEN REPORT-32nd MEETING OF FOOD AUTHORITY
HELD ON 22nd DECEMBER, 2020 THROUGH VIRTUAL MEDIUM**

Agenda Item No.	Agenda Item	Decision Taken	Action pertains to
32.1	FOOD STANDARDS/REGULATIONS		
	(A) AMENDMENTS PROPOSED FOR FINAL NOTIFICATIONS- (1) Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011; A. Relating to 2.2: Fats, Oils and Fat Emulsions- Standards of Shea butter and Borneo tallow	The Authority considered the agenda item and ratified the action taken.	Notified on 18.03.2021
	B. Regulations with respect to Soya sauce, walnut kernel, grape seed oil, exemption of imported expelled oil from refining, black pepper, dried sage, fermented soya products, oat products etc.	<p>i)With respect to standards for Soyabean sauce, special invitees suggested to align the limits of TSS with Codex Standard. Advisor (S&S) informed that the Scientific Panel brought down the limit of TSS from 25% to 15% and the panel is of the view that there is no technical reason for further lowering the limit of TSS. However, special invitees were asked to submit their rationale, if any, which may then be considered as a subsequent amendment to the regulations.</p> <p>ii)With respect to standards for Maize Starch, special invitees submitted that this product is being purchased as Corn Flour by the consumers, hence it may be considered to allow putting in parenthesis a statement "Commonly known as Corn flour" on the label. Chairperson informed that it is at the discretion of the manufacturer to give any additional information/ description of their product to the consumers in addition to mandatory regulatory requirements.</p> <p>iii)The standards for Oat products and Soy Dahi/Soy Yoghurt were deliberated in detail. It was decided to drop these standards from the proposed final regulation due to following concerns;</p> <p>a. the proposal of special invitees to merge oat product standards with existing standards for rolled oats which would cover all oat products; and there are gaps in the parameters viz., fibre, nitrogen content and acid insoluble ash which need to be discussed again.</p> <p>b. issue of nomenclature in case of Soy Dahi/ Soy Yoghurt, in the context of use of dairy terms, which is to be resolved by two scientific panels jointly.</p> <p>With these deliberations, the Authority approved the final notification except the standards for Oat Products and Soy Dahi/Soy Yoghurt which will be referred back to the relevant Scientific Panels for reconsideration. Instead of making the amendments effective from the date of publication, it was decided to provide at least 180 days time as per the current practice before they become effective.</p>	<p>The combined notification has been sent to the MoFHW for approval on 22.03.2021 after vetting.</p> <p>i) No letter citing any rationale for further reducing the TSS in Soya sauce has been submitted to S&S Division till date. Once received, same will be placed before the Scientific Panel (SP).</p> <p>a. Standards for Oats products were finalised by the Scientific Panel (SP) in the 27th meeting held on 20.01.2021. The Final (draft) notification was recommended by 37th Scientific Committee held on 18.02.2021. The same is placed before the 33rd Food Authority for consideration.</p> <p>b. A Joint meeting of SP's - Cereal and Milk was held on 5th Feb, 2021 to finalise the standards for Soy Dahi/ Soy Yoghurt. The Final (draft) notification was recommended by 37th Scientific Committee held on 18.02.2021. The same is placed before the 33rd Food Authority for consideration.</p>

		<p>Further, CEO sought inputs of the members on the current practice followed for implementation of the regulations/ notifications i.e. 1st January or 1st July subject to a minimum of 180 days from the date of their final publication in the official Gazette. CEO suggested that an alternative formulation could be to implement the regulations/ notifications on 1st of every month followed by completion of 180 days. After deliberation, Chairperson recommended to place this as an agenda item in the next Food Authority meeting and to continue with the current practice till final decision is made in this regard.</p>	<p>An agenda in this regard is placed before the 33rd Food Authority for consideration.</p>
	<p>(2) Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2020 related to MRL of pesticide, Tolerance Limit of Antibiotic and Toxins</p>	<p>The draft notification was deliberated in detail as below;</p> <p>(i) Special invitees raised their concern that there is a gap in data as it does not cover the user industry and not in alignment with international practices which may lead to enforcement issues.</p> <p>(ii) Dr. KK Sharma, Principal Scientist on behalf of Ministry of Agriculture and Farmer's Welfare highlighted the concern relating to the establishment of MRLs including the default level of 0.01 mg/kg; reverting the decision of adopting codex MRLs and the protocol followed by FSSAI for risk assessment and MRL fixation as was raised in their communication to FSSAI vide letter no. 17-6/2018-PP.II dated 10.11.2020.</p> <p>(iii) Advisor (S&S) informed that point-wise responses to these concerns have already been provided to the Ministry of Agriculture and Farmer's Welfare vide letter no. Std/SP-02/A-1.64 dated 21.12.2020. Further, Chairperson mentioned that letter of Ministry of Agriculture and Farmer's Welfare and FSSAI's response will be made available to the stakeholders, as per request.</p> <p>(iv) CEO asked Dr. KK Sharma to revert to FSSAI in case of any further concern. Chairperson stated that FSSAI has responded to the procedural issues and risk assessment principle. However, if better data emerges in future, then it may be considered by FSSAI to modify the notification.</p> <p>With these deliberations, the Food Authority approved the final notification, as proposed while noting the reservations of The Ministry of Agriculture and Farmer's Welfare on this notification.</p>	<p>The notification has been sent to the Ministry for vetting on 17.02.2021.</p>
	<p>(3) Food Safety and Standards (Prohibition and Restrictions on sales) Regulations, 2011 related to incidental occurring of <i>Khesari dal</i> in grams/pulses</p>	<p>The Authority considered the agenda item and ratified the action taken.</p>	<p>Notified on 13.01.2021</p>
	<p>(4) Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 related to Basmati Rice (w.r.t to Moisture Content)</p>	<p>The Authority approved the final notification, as proposed.</p>	<p>The notification is under process of Final notification.</p>

	<p>(5) Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 with respect to new standards of Dairy analogues, and revision of standards of Butter oil, Anhydrous milk fat or Anhydrous butter oil and Ghee</p>	<p>While introducing the agenda item, as proposed, the secretariat proposed to revise the logo on the milk and milk product, including composite milk product as a white 'drop' of milk against dark background instead of the milk can as proposed in the notification (Pg. 81 of Agenda Vol. II). Thereafter the agenda was discussed as below;</p> <p>(i) Special invitees, in general, pointed out that the final amendment regulations have undergone substantial changes vis-à-vis the draft notification and suggested to re-notify these regulations as draft for the stakeholders to review and provide comments on the changes incorporated. The Chairperson, however, highlighted that the required changes have been carried out on the basis of stakeholder comments itself and hence re-notification as draft is not warranted. On a special invitee's apprehensions about all dairy products containing non-dairy ingredients as well getting covered under the definition of dairy analogues, it was clarified that composite dairy products (as defined in our regulations) will not be covered under the definition of dairy analogues since non-dairy ingredients in the former (composite dairy products) do not replace any milk component in the product while in case of the latter (dairy analogues) a non-dairy component is used specifically as a partial or full replacement of a milk component in the product.</p> <p>(ii) In the context of revisions to the standards for <i>ghee</i>, special invitees mentioned that various quality parameters, such as Polenske Value, specified in the amendment regulations would require costly equipment and increase the cost of compliance for FBOs; and that lowering of Reichert Meissl (RM) Value for <i>ghee</i> from 26 to 24 would further lead to adulteration. In response, the Secretariat clarified that test methods for the specified quality parameters used do not involve any costly equipment; and the facilities to carry out such tests were generally available with the recognized laboratories and FBOs as well. In case of Butyro refractometer (BR) & RM value, the extant regulations specify different values for each State and the same cannot be enforced due to the large scale transport of feed, animal and milk from State to State and hence, uniform standards/ values across pan-India have been proposed now. Secretariat further informed that the adulteration issue was discussed in detail by the Scientific Panel and accordingly it suggested a combination of quality parameters, including the Polenske Value in the revised standards since RM Value and BR Reading alone were not adequate to address the menace of adulteration.</p> <p>(iii) Chairperson concluded the discussions by stating that the changes in the values of specified quality parameters are primarily aimed at encompassing the quality</p>	<p>The regulations on Dairy Analogues has been sent back to Ministry of Health and Family Welfare (M/o H&FW) for approval along with observation of FSSAI on 18.03.2021.</p> <p>A high level committee, as directed by the Hon'ble Minister of Health and Family Welfare has been constituted.</p>
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		<p>characteristics of milk fat in its natural form; and since the regulations would be enforced from 1st January 2022, industry has got sufficient time to create necessary facilities at their level too and enhance preparedness to be in compliance with the revised standards.</p> <p>With these deliberations, the Food Authority approved the final notification, as proposed.</p>	
	<p>(B) ITEMS PROPOSED FOR (DRAFT) NOTIFICATION (1) Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 <i>(i) Relating to 2.6 Fish and Fish Products</i> A. Replacement of Parameter 'Protein Efficiency Ratio (PER)' with 'PDCAAS' in 'Edible Fish Powder' Standard</p>	The Authority approved the draft notification, as proposed.	<p>File pertaining to this regulation has been returned from the MoHFW.</p>
	<p>B. Deletion of Parameter 'Total Volatile Base (Nitrogen)' TVBN from Fish and Fishery Products</p>	The Authority approved the draft notification, as proposed.	
	<p><i>(ii) Relating to 2.9 Salt, Spices, Condiments and Related Products- Dried Sweet Marjoram</i></p>	The Authority approved the draft notification, as proposed.	
	<p><i>(iii) Relating to Chapter 3: Appendix A, B & C</i> A. Removal of the existing note "for channa and paneer" for the food additives "SORBATES, Nisin and Propionic acid & its salts (calcium propionate, sodium propionate and potassium propionate)" in the food category 1.6.1 unripened cheese B. Inclusion of BENEZOATES in the Food Category 12.9.2 Soybean sauce C. Inclusion of "POLYOLS" in food category 14.1.5-Coffee, coffee substitutes, tea, herbal infusions and other hot cereal and grain beverages, excluding cocoa D. Inclusion of TARTRATES in FC 14.1.4 Water based flavoured drinks E. Inclusion of processing aid (Diatomaceous earth) as a filter aid for Honey under processing aids regulations F. Inclusion of Calcium oxide as processing aid in dried Ginger G. Inclusion of enzymes derived from genetically</p>	The Authority approved the draft notification, as proposed. However, special Invitees had some comments with respect of the use of processing aid not currently listed in this proposed regulations but otherwise generally used in the processing of food products to which they were informed to submit their comments at the draft notification stage.	

	modified sources under processing aids regulations		
	(2) Food Safety and Standards (Advertising & Claims) Amendment Regulations, 2020	The Authority approved the draft notification, as proposed. However, special invitees pointed out that the extant regulations do not require FBOs to obtain any prior approval for 'function claims' and, therefore, listing of some 'function claims' for oils in the amendment regulations is uncalled for and raises a doubt whether any such claim for other products can be used by FBOs in the absence of listing of such claims in the regulations. The special invitees were informed to submit their comments at the draft notification stage.	The notification sent to the Ministry on 01.01.2021.
	(3) Food Safety and Standards (Ayurveda Aahar) Regulations, 2020	The Authority approved in-principle the draft notification, as proposed. The secretariat's suggestion to follow a system akin to non-specified foods for registration/licensing/ certification/ laboratory accreditation/ testing/ quality issues by setting up of an Empowered Committee by the AYUSH Ministry was also approved and may be suitably incorporated in the draft regulation before sending it to MoHFW for approval.	Standards Division is in the process for modification in light of meeting held on 22.01.2021 under the Chairmanship of Hon'ble HFM on 04.02.2021.
	(4) Food Safety and Standards (Alcoholic Beverages Regulations) Regulations, 2018	The Authority approved the draft notification, as proposed.	This regulation has been withdrawn
	(C) OTHER ISSUES (1) Clarifications on the safety aspects of use of magnesium carbonate in pan masala and areca nut based mouth fresheners	Special invitees raised concern on the approach followed for evaluation of safety aspect of use of magnesium carbonate in pan masala and areca nut based mouth fresheners. To this, Chairperson directed to schedule a meeting of the concerned Scientific Panel and invite the representatives from industry associations to present their technical concerns/ justification before the Scientific Panel.	The issue was discussed in the 48 th meeting of SP on Food Additives held on 21.01.2021 wherein industry associations were invited for presenting their concerns. In the said meeting, the All India Pan Masala Association stated that they do not deliberately add magnesium carbonate in pan masala however it comes from its ingredients. With respect to the specific concern of the industry association as highlighted in the Food Authority meeting on the risk assessment methodology adopted by the SP for magnesium carbonate in pan masala, the CII representative informed that they will submit a detailed representation to FSSAI.
	(2) Interim recommendations of the Working Group on SajjiKhar	The Authority approved the interim recommendation, as proposed.	Interim recommendations on Sajji Khar were informed to RCD. The standard for the same is under process of development.
	(D) Ratification of final notification to amend FSSAI (Laboratory and Sample Analysis) Regulations, 2011 related to removal of inconsistency regarding two sets of laboratories mentioned in the regulation and those notified from time to time and the clause regarding the	The Authority considered the agenda item and ratified the action taken.	No action required

	analysis fees for the food samples		
	(E) Ratification of final notification to amend FSSAI (Transaction of Business and Procedures for the Scientific Committee and Scientific Panels) Regulations, 2016	The Authority considered the agenda item and ratified the action taken.	No action required
	(F) Ratification of operationalization of standards / regulations and directions issued by FSSAI	The Authority considered the agenda item and ratified the action taken.	No action required
32.2	FOOD TESTING AND SURVEILLANCE		
	(A) Approval to the procedure followed for approval of RAFT Kit/Equipment/Method	The Authority approved the procedure followed for approval of RAFT Kit/Equipment/Method, as proposed.	No action required.
	(B) Ratification of RAFT Kit/Equipment/Method	The Authority considered the agenda item and ratified the approval for 54 RAFT Applications (33 final approvals, 1 provisional approval and 20 not approved). The Authority also took note of withdrawal of provisional approval of 1 RAFT Application that was approved during 29 th Food Authority meeting.	No action required.
	(C) Information on Surveillance of milk products	The Authority took note of agenda item as circulated for information.	No action required.
	(D) Information on online Capacity Building Programs	The Authority took note of agenda item as circulated for information.	No action required.
32.3	FOOD SAFETY COMPLIANCE		
	(A) Closure of offline Payment options – Cash, Demand Drafts and Treasury Challan for Licensing/Registration	The Authority took note of agenda item and approved, as proposed.	All payments related to licensing and registration have been made digital now* * An option of offline payment in case of registration is still open for petty FBOs.
	(B) MoU between FSSAI and States/UTs for Strengthening of Food Safety Eco-system in the Country- latest status	The Authority took note of agenda item as circulated for information.	No action required.
	(C) Status of FSS (Licensing and Registration of Food Businesses) Amendment Regulations, 2020	The Authority took note of agenda item as circulated for information.	No action required.
	(D) Food Safety Compliance System – present status and way ahead	The Authority took note of agenda item as circulated for information.	No action required.
	(E) Mapping of new standardised food products with Food Category System in FoSCoS for Licensing and Registration	The following concerns were raised by the special invitees; (i) anomalies in mapping of some products like flavoured yoghurt. To this, they were requested to submit specific discrepancies in the mapping of food products in FoSCoS. (ii) need for obtaining license for every blend (formulations) of food additives and pendency to issue licenses. ED (CS) informed that these are operative issues which are being deliberated in the	All proposed new standardized food products approved by FA have been mapped with food category system in FoSCoS.

		<p>meetings of Central Advisory Committee and to address the issue of pendency, a system of auto-generation of license/ registration for the complete applications except manufacturer has been put in place.</p> <p>(iii) re-categorization of food products which leads to changes on label along with the modification in issued license which may require time for implementation.</p> <p>ED (CS) informed that a generalized relaxation for the same may not be possible, however, any specific concern may be brought to the notice of the food authority.</p> <p>The Authority took note of agenda item and approved, as proposed.</p>	
32.4	FOOD IMPORT		
	(A) Direction under Section 16 (5) of Food Safety and Standards Act, 2006 regarding import of specialty foods for IEM and hypoallergenic conditions	The Authority considered the agenda item and ratified the action taken.	No action required.
	(B) Requirement of Sanitary / Health Certificate for import of food products	The Authority took note of the agenda and approved, as proposed. However, special invitees raised their concern on the duplication of certificate and testing requirement of multiple agencies. Director (Imports) clarified that there will not be any duplication of the certificates and testing will continue as per the risk management system.	No action required.
32.5	GOVERNANCE AND ADMINISTRATION		
	Budget Estimate and Revised Estimate for the F.Y 2020-21	The Authority took note of agenda item as circulated for information.	No Action Required.
32.6	SAFE FOOD PRACTICES		
	Constitution of Food Safety Emergency Cell in FSSAI	The Authority considered the agenda item and ratified the action taken.	No Action Required.
ANY OTHER AGENDA ITEM WITH THE APPROVAL OF THE CHAIR			
	1. Amendments to Food Safety and Standards Act, 2006	The Food Authority was apprised of the background in respect of the amendment to FSS Act, 2006. Chairperson mentioned that FSSAI response on the stakeholder's comments received from the Ministry of Health and Family Welfare will be furnished to the Ministry. She also highlighted that as MoHFW is the legislative agency for the amendment in Act so if members have any comments, the same may be forwarded to MoHFW directly.	The response of the FSSAI to the suggestions/comments received as result of Public Notice was firmed up and sent to the Ministry on 2 nd February, 2021.
	2. Concerns raised by Special invitees as any other business		
		a) In the FSS (Labelling & Display) Regulation, 2020, the concern on 'Height of letters and numerals on Principal Display Panel' and 'Tolerance limit for declared nutrient' are still under consideration of concerned Scientific Panel and without finalizing these, the regulations cannot be implemented. Advisor (S&S) informed that the concerned Scientific Panels were not convinced with the labels furnished by the	The physical samples were examined by Scientific Panel in its 33 rd & 34 th meeting held on 10 th November, 2020 and 2 nd February, 2021 respectively, wherein representatives of Industry Associations were also given opportunity to present. Based on Panel's recommendation, a draft

		industries and may like to see few more labels for further examination. Thereafter, CEO mentioned that special invitees may submit more physical designs of labels available with them within a week for consideration of panel and then the decision of the panel may be taken up as an amendment to the principle regulations, if required.	amendment regarding font size has been proposed which has been recommended for approval of FA by Scientific Committee in its 37 th Meeting held on 18.02.2021. Accordingly, the same has been placed as an agenda item for consideration of Food Authority.
		b) Special invitees requested to expedite the notification of revised level of vitamin B ₁₂ which is under consideration of the concerned Scientific Panel. Advisor (S&S) informed that based on the recommendation of the concerned Scientific Panel, inputs on the revision of limits have been sought from technical experts in the field of food technology and nutrition. If any revision is suggested by the panel based on comments of technical experts, it would come as an amendment. The decision on limit of Vitamin B ₁₂ could be finalized by end of January, 2021.	Based on the inputs received from technical experts, the SP has finalised the limits for Vit B ₁₂ . The draft notification was recommended by the 37 th Scientific Committee held on 18.02.2021. The same is being placed before the 33 rd Food Authority for consideration.
		c) Special invitees requested to fast track the finalization of the notification w.r.t. exemption from conformance to minimum limit of calcium and magnesium for water used in foods and required to conform to the standards of the Packaged Drinking Water. Advisor (S&S) clarified that the direction will be re-issued for exemption and draft notification in this regard would also be processed in January, 2021.	It is under the process of draft notification. However, a direction extending the timeline for compliance of the said standards has been issued on 30.12.2020.
		d) The omission of colour 'Tartrazine' from the food category of water based beverages in draft notification dated 26 th October, 2020 is a matter of concern. In this context, the special invitees were informed that the draft is still open for public comments and they can submit their comments/suggestions.	The comments were considered in the 48 th SP meeting held on 21.01.21. The Final (draft) notification was recommended by 37 th Scientific Committee held on 18.02.2021. The same is being placed before the 33 rd Food Authority for consideration.
		e) Prohibition of mustard oil in blended edible vegetable oil: It was requested to allow the addition of Rapeseed or mustard low erucic acid oil in blended edible vegetable oil as it serves the nutrition purpose. They were asked to submit the comments on the draft notification which is already open for public comments.	Sent to Ministry on 05.02.2021 for vetting.

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33rd Meeting of Food Authority to be held on 23.03.2021
CEO's Detailed Report- (As Tabled)

1. FOOD STANDARDS/REGULATIONS

1. Scientific Committee, Scientific Panel and the Work on Standard Setting after the 32nd Food Authority meeting held on 22nd December, 2020.

Certain Scientific Panels met during the period and made their recommendations in arriving at draft and final standards on issues of food safety. These recommendations were later deliberated in the meetings of Scientific Committee who made their recommendations which are placed as the Agenda for the consideration of the Food Authority.

1.1 Meetings of Scientific Committee: The thirty seventh (37th) meeting of the Scientific Committee was held on 18.02.2021.

1.2 Meetings of Scientific Panel: Following Panels met during the period:

SP. No.	Scientific Panels	Meeting No.	Date
SP-01	Food additives, Flavourings, Processing aids & Materials in contact with food	48	21.01.2021
SP-02	Pesticides Residues	65	07.01.2021
		66	24.02.2021
SP-04	Genetically Modified Organisms and Foods	21	22.01.2021
SP-05	Functional foods, Nutraceuticals, Dietetic Products and Other similar products	49	19.01.2021
		50	25.01.2021
		51	03.02.2021
SP-06	Biological Hazards	31	06.01.2021
		32	20.01.2021
SP-07	Contaminants in the Food Chain	27	01.02.2021
SP-08	Labelling and Claims/Advertisements	34	02.02.2021
SP-09	Method of Sampling and Analysis	31	02.02.2021
SP-10	Fish and Fisheries Products	21	23.01.2021
SP-11	Cereals, Pulses & Legumes and their products (including Bakery)	27	20.01.21
		28	05.02.2021

SP-12	Fruits & Vegetables	22	03.02.2021
SP-13	Meat & Meat Products, poultry	15	18.01.2021
SP-14	Milk & Milk Products	15	18.01.021
SP-15	Oils &Fats	21	29.012021
SP-16	Sweets, Confectionery, Sweeteners, Sugar & Honey	17	01.02.2021
SP-18	Nutrition and Fortification	15	28.01.2021
SP-19	Spices and Culinary Herbs	10	12.01.2021
SP-20	Packaging	03	29.01.2021
SP-21	Alcoholic Beverages	03	19.01.2021

- 1.3** Six Final notifications as amendments to the FSS (Prohibition and Restrictions on Sales) Regulations, 2011, Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 and Food Safety and Standards Authority of India (Transaction of Business and Procedures for the Scientific Committee and Scientific Panels) Regulations, 2016 have been notified in the Gazette of India.

Two amendment draft notifications have been published in the Gazette of India to invite comments and suggestions from stakeholders.

2. FOOD IMPORT

- 2.1** Requirement of Non-GM origin cum GM free certificate for import of 24 food crops was approved by the Food Authority at its 31st meeting held on 20th October, 2020. The order was also notified for the comments of WTO SPS-TBT member countries. Subsequently, as requested by several WTO member countries, the date of implementation was extended to 01st March, 2021 and clarifications were issued that this requirement is applicable to consignments which are despatched from exporting country on or after 1st March 2021, the tolerance limit for adventitious presence (AP) of GMOs at 1% level, Non GM Origin cum GM free attestation on phytosanitary/health certificate is also accepted & certificate issued by authorised regional government authorities with digital signatures are also accepted. As of now several countries including USA & EU member states have agreed and started issuing this certificate.

3. TRAINING AND CAPACITY BUILDING

3.1 Regulatory Staff (01.12.2020 to 08.03.2021)

- No. of Regulatory Officials(FSOs and DOs) trained as Induction / Refresher Training Programmes:- **233**
- No. of Regulatory Officials (FSOs and DOs) trained for COVID-19 Guidelines - **885**

3.2 Training of Newly recruited FSSAI'S Officials

- Number of FSSAI'S Officials Imported trained in Batch 1 and 2 - **160**

3.3 FoSTaC

As per the mandate of Section 16(3) (h) of Food Safety and Standards Act, 2006, FSSAI had started Food Safety Training & Certification (FoSTaC) for food business operators in May 2017. It was proposed to make a mandatory provision for having at least one trained and certified Food Safety Supervisor for every 25 food handlers or part thereof at all of their premises in a phased manner. Due to the outbreak of COVID pandemic, physical training got a halt. However, the FoSTaC ecosystem promptly switched over towards the online trainings. In addition, special two hour training programme of COVID preventive guidelines was also initiated. Following table shows the number of training programmes for the given period.

3.4 Number of FSS & FSS + COVID Training Programmes and Number of people trained (17.12.2020 to 08.03.2021)

S. No.	Course	No. of FSS & FSS + COVID Training Programmes	No. of people trained
1	Animal Meat & Meat Products (Large Animals) & COVID- Food Safety Supervisor	2	35
2	Bakery (Level 1) & COVID- Food Safety Supervisor	28	508
3	Bakery (Level 2) & COVID- Food Safety Supervisor	16	318
4	Catering & COVID- Food Safety Supervisor	1089	29802
5	Catering(Level 2) & COVID- Food Safety Supervisor	181	4983
6	Edible Oil & Fat & COVID- Food Safety Supervisor	20	470
7	Fish & Fishery Products & COVID- Food Safety Supervisor	7	153
8	Health Supplements & Neutraceuticals Special & COVID- Food Safety Supervisor	6	49
9	Manufacturing (Level 1) & COVID- Food Safety Supervisor	240	5378
10	Manufacturing (Level 2) & COVID- Food Safety Supervisor	291	5930

11	Milk & Milk Product & COVID- Food Safety Supervisor	66	1118
12	Poultry Meat & Poultry Products Special & COVID- Food Safety Supervisor	3	37
13	Retail and Distribution (Level 1) & COVID- Food Safety Supervisor	427	13329
14	Retail and Distribution (Level 2) & COVID- Food Safety Supervisor	34	781
15	Storage and Transport (Level 1) & COVID- Food Safety Supervisor	7	119
16	Storage and Transport (Level 2) & COVID- Food Safety Supervisor	19	517
17	Street Food Vending & COVID- Food Safety Supervisor	114	2540
18	Water & Water Based Beverages & COVID- Food Safety Supervisor	10	239
	Total	2560	66306

3.5 Data on Number of COVID-19 Training Programmes and Number of people trained (17.12.2020 to 08.03.2021)

S. No.	State wise	Course wise	No. of COVID Training	No. of people trained
1	Delhi	COVID-19 Guidelines	3	156
2	Himachal Pradesh	COVID-19 Guidelines	2	38
3	Maharashtra	COVID-19 Guidelines	2	69
4	Odisha	COVID-19 Guidelines	1	32
	Total		8	295

4. FOOD SAFETY COMPLIANCE

4.1. Status of FoSCoS

The Food Safety Compliance System (FoSCoS), the new licensing and compliance portal of FSSAI, has been launched pan-India wef 1st November 2020, replacing an aging and outdated Food Licensing and Registration System (FLRS). Some key developments are online Return provision, integration of FoSCoS with newer module like Hygiene Rating, Audit Management System, FoSCoRIS, preliminary integration with FICS etc. Further enhancement and integration is in progress.

4.2 Status of Memorandum of Understanding (MoU) between FSSAI and States/UTs.

Under MoU framework, so far 28 States/UTs submitted Work Plan proposals for 2020-21 highlighting the critical areas where both technical and financial support is required from FSSAI. Out of the 28 proposals received, work plans in respect of 27

States/UTs have been finalized for release of financial assistance. Funds amounting to Rs. 6361.72 lakh for approved work plans have been released to 23 States/UTs till date. Funds for the remaining 4 States are under process.

4.3 Review of performance of States/UTs

FSSAI has developed standardized Quarterly Report formats for quarterly review of performance of States/UTs and shared it with States/UTs. It is aimed to gather the information from States/UTs and discuss their performance on various benchmarks like availability of Human Resource, Compliance, Inspection and Sampling, status of license/registration, Handling of consumer grievance, Testing Infrastructure, progress on various FSSAI Initiatives etc. Performance of States/UTs was monitored during the Central Advisory Committee Meetings.

4.4 Review of performance of Regional Offices (ROs)

The performance of Regional Offices of FSSAI was reviewed on 08.02.2021. It has been decided to review the performance of ROs on regular basis. Moreover, active role of ROs in coordination with States/UTs has been envisaged.

4.5 Setting up of Advertisement and Claims Monitoring Cell at FSSAI, HQ:

An Advertisement and Claims Monitoring Cell has been constituted by FSSAI to monitor the misleading advertisements related to food and beverages. The Advertisement Monitoring Cell shall scrutinize advertisements in national dailies and media for violation of FSS Act 2006, Rules and regulations made thereunder and initiate suitable action by referring matters to the concerned Commissioners of Food Safety, States/ UTs and Regional Directors as per the requirement of case and jurisdiction of licensing / Registering Authority.

5. FOOD TESTING AND SURVEILLANCE

5.1 3 NABL accredited SFTLs have been recognised for primary testing u/s 43(1) of FSS Act, 2006, which has increased the total number of FSSAI recognised labs to 191. Besides, one food lab has been recognised as referral lab, which has increased the total number of referral labs to 191.

5.2 SFTLs in respect of which proposals had been submitted to NABL for accreditation by 15th November, 2020 have been provided an extension of 6 months due to COVID-19 and requested to expedite their process of accreditation. However, 39 SFTLs have been discontinued from the purview of FSSAI w.e.f. 31.12.2021 due to non-initiation of NABL accreditation process within given timeline. Further, recognition of other labs has been extended based on NABL order.

5.3 A grant of ~ Rs 3.50 Crore has been released to CFL/RFL, Pune for upgradation with high-end equipment under Central Sector Scheme (CSS). With this a total of 11 referral labs have been assisted under CSS by FSSAI.

- 5.4 FSSAI is in the process of setting up and operationalization of 2 NFLs, one each at CPT, Chennai and JNPT, Mumbai. The contract was awarded to M/s NCML, Gurgaon for CPT, Chennai and to M/s Vimta Labs, Hyderabad. for JNPT, Mumbai. The sites have also been handed over to them. It is expected that these 2 NFLs would be operationalized by the end of this year.
- 5.5 A Pan-India surveillance of Edible oils was conducted on 25-26 August, 2020 for identification of hotspots of adulteration and put in place a continuous surveillance framework for assessing the quality of the oils. During the survey 4166 samples of 16 types of oils and blended oil were collected from 32 States/UTs. A total of 38 labs were involved in the analysis of the oil samples and the statistical analysis of the results is under process.
- 5.6 Similarly, a Pan-India surveillance of Milk Products (Khoa/Paneer/Chhana/Khoa based & Paneer based sweets) was conducted on 12-13 November, 2020 for identification of hotspots of adulteration and to put in place a continuous surveillance framework for assessing the quality of Milk products. A total of 3 labs were involved in the analysis of the samples which have completed the analysis of the samples. The statistical analysis of the results of analysis is under process.
- 5.7 59 online training programs were organized by FSSAI in which more than 6000 laboratory personnel, FSOs, FBOs, Students and Consumers participated.

6. GOVERNANCE AND ADMINISTRATION

- 6.1 **Recruitment in FSSAI:-** Considering the necessity of providing adequate manpower to enable FSSAI to execute its mandate of providing safe and wholesome food for human consumption, FSSAI was restructured and 824 posts, including 356 existing posts were sanctioned by the Government to meet its manpower requirement. Immediately after notification of the Recruitment Regulations on 1.10.2018, the process of recruitment was initiated in phases.
- 6.2 The Food Authority was last informed about the delay in recruitment of new employees due to COVID-19. Now the recruitment process initiated through advertisement No. DR/02/2019 dated 26.03.2019 to fill up 275 posts upto Pay Level-10 has been successfully completed and about regular employees have already joined FSSAI. Post-wise details of employees joined till date at various levels is placed as **Annexure-I**. With this, the total number of employees has gone to 508 (210 Regular, 77 Deputationists and 221 on Contract).
- 6.3 In August, 2020 FSSAI has advertised for the recruitment of 02 posts of Director (Tech.), 01 post of Principal Manager and 01 post of Chief Technology Officer under Direct Recruitment. The said recruitment process has been completed and 01 Director (Tech) and 01 chief Technology Officer has already joined FSSAI. No

candidate was found eligible for the post of Principal Manager. Details of candidates joined are given in **Annexure-II**.

- 6.4 The recruitment to the middle level posts (Level 11 and 12) has been initiated. Recruitment for the rest of the posts is scheduled to be initiated in April, 2021.
- 6.5 On allotment of second floor and some portion of terrace to FSSAI at MMU building, adjacent to FDA Bhawan, the work of renovation is over on second floor. We are in the process of shifting some of the Divisions to MMU building to meet the increased demand due to joining of additional manpower as a result of recruitment process initiated after notification of regulations on 1.10.2018. The work of renovation on terrace of MMU building would be over by March end to enable shifting of staff there also.
- 6.6 In an effort to meet the continuous growing demand for office and lab space at Regional Offices FSSAI is in a process of occupying 1333 sq. ft. area at 1st floor, BSNL, Erragadda CSC Building, Hyderabad @ Rs. 60/- per sq.ft. allotted by the BSNL on hiring basis for nine years. Further, NRO, Delhi has taken over the office accommodation at LPAI Attari, at Cargo Terminal, Punjab having approx. 21.60 sq.mtr. area @ Rs. 938/- per sq.mtr on monthly hiring basis. FSSAI has opened new offices at Mundra Port, Gujarat having office space 2425 sq.ft @ Rs. 25.25/- per sq.ft. for three years and at Krishnapatnam Port, Andhra Pradesh having office space 1421 sq.ft. @ Rs. 25.25/- per sq.ft for three years. Further, new food import entry points have also been brought under direct control of present FSSAI offices from Customs officials making total entry points under the control of FSSAI to 44.

Annexure-I

Candidates joined as per recruitment notice DR/02/2019

Sl No.	Name of Post	No. of candidates joined
1.	Administrative Officer	01
2.	Assistant	23
3.	Assistant Director	04
4.	Assistant Director (Tech)	14
5.	Assistant Manager	03
6.	Central Food Safety Officer	18
7.	Hindi Translator	01
8.	IT Assistant	01
9.	Junior Assistant Grade-I	02
10.	Technical Officer	99
	Total	166

Annexure-II

Candidates joined as per recruitment notice DR/01/2020

Sl No.	Name of Post	No. of candidates joined so far
1.	Director (Technical) (Pay Level-13)	01
2.	Chief Technology Officer(Pay Level-13)	01

Minutes of Special meeting of Food Authority

A special meeting of the Food Authority was convened under the chairmanship of Ms. Rita Teatota, Chairperson, FSSAI on 23rd April 2021 to discuss the deferred agenda item of 33rd Food Authority meeting held on 23rd March 2021 i.e. FSS (Licensing and Registration of Food Businesses) Amendment Regulations, 2020. The meeting was held through virtual medium due to prevailing CoVID-19 pandemic. The list of participants is at Annexure -1.

2. The revised version of amendment regulations, after incorporation of received comments on the published draft notification of the said regulations, were placed before the members of the Food Authority. A presentation regarding the specific changes before and after incorporation of received comments on the draft notification was also made during the meeting.

3. After deliberation of the proposed changes in the said amendment regulations, it has been decided to redraft the following:

- a. Definition of "Brand Owner" to incorporate 'such other arrangements'
- b. Proviso of proposed Regulation 2.1.18 Testing to include testing either in-house or through external facility.
- c. Declaration regarding manufacturing of Standardised products under Annexure-1 of Schedule 2 to be revised to include the following statement that the applicant shall manufacture only those food products which are endorsed in the license.

4. Further, it has been decided to provide further clarification on the following topics by the way of FAQs:

- a. Scope of Food Handler- who is covered, who will require training, etc
- b. Overlap of licensing under re-labeller, head office and brand owner
- c. Linkage of units in Head Office license
- d. Requirement of FSMS plan for Head Office
- e. Non-requirement of modification of license in case of permitted flavour or color as variants of standardised products
- f. Non-requirement of allergen safety in case of pre-packaged food
- g. Temperature requirements for in-transit food products

List of Participants

A. Members of the Authority

1. Ms. Rita Teotia, Chairperson, FSSAI
2. Sh. Arun Singhal, CEO, FSSAI, Member Secretary
3. Dr H G Khosia, Commissioner of Food Safety, Gujarat
4. Smt Manjushri Narasimhaiah, Commissioner of Food Safety, Karnataka
5. Sh. Shakeel-ul-Rehman, Commissioner of Food Safety, Jammu & Kashmir
6. Sh. Manoj Joshi, Additional Secretary, Ministry of Food Processing Industries
7. Sh. Anupam Mishra, Joint Secretary, Department of Consumer Affairs
8. Ms. Parul Singh, Deputy Secretary, Department of Commerce

B. Special Invitees

1. Ms Parna Dasgupta, FICCI
2. Ms Meetu Kapur, CII
3. Ms Shreya Pandey, AIFPA

C. Officers of FSSAI

1. Dr.Shobhit Jain, Executive Director, Compliance Strategy
2. Sh. Rajeev Kumar Jain, Executive Director, HR, SBCE and Finance
3. Dr. N Bhaskar, Advisor, Science and Standards Division
4. Dr.Harinder Singh Oberoi, Advisor, QA
5. Sh. R K Mittal, Head, RCD
6. Sh. Raj Singh, Head, GA
7. Sh. Sharad Agarwal, Director, Finance
8. Sh. Amit Sharma, Director Imports
9. Dr. Sanu Jacob, Director, QA
10. Ms.Inoshi Sharma, Director, RCD
11. Ms. Sweety Bahera, Director, Science and Standards Division
12. Lt. Col. Lezy Jacob John, Director (Training)
13. Ms. Lily Prasad, CTO
14. Sh. Parveen Jargar, Jt. Dir, RCD
15. Sh. Anil Mehta, Jt Dir, RCD
16. Ms. Sabita Jaiswal, Dy Dir
17. Sh. Vikas Talwar, Dy Dir, RCD