

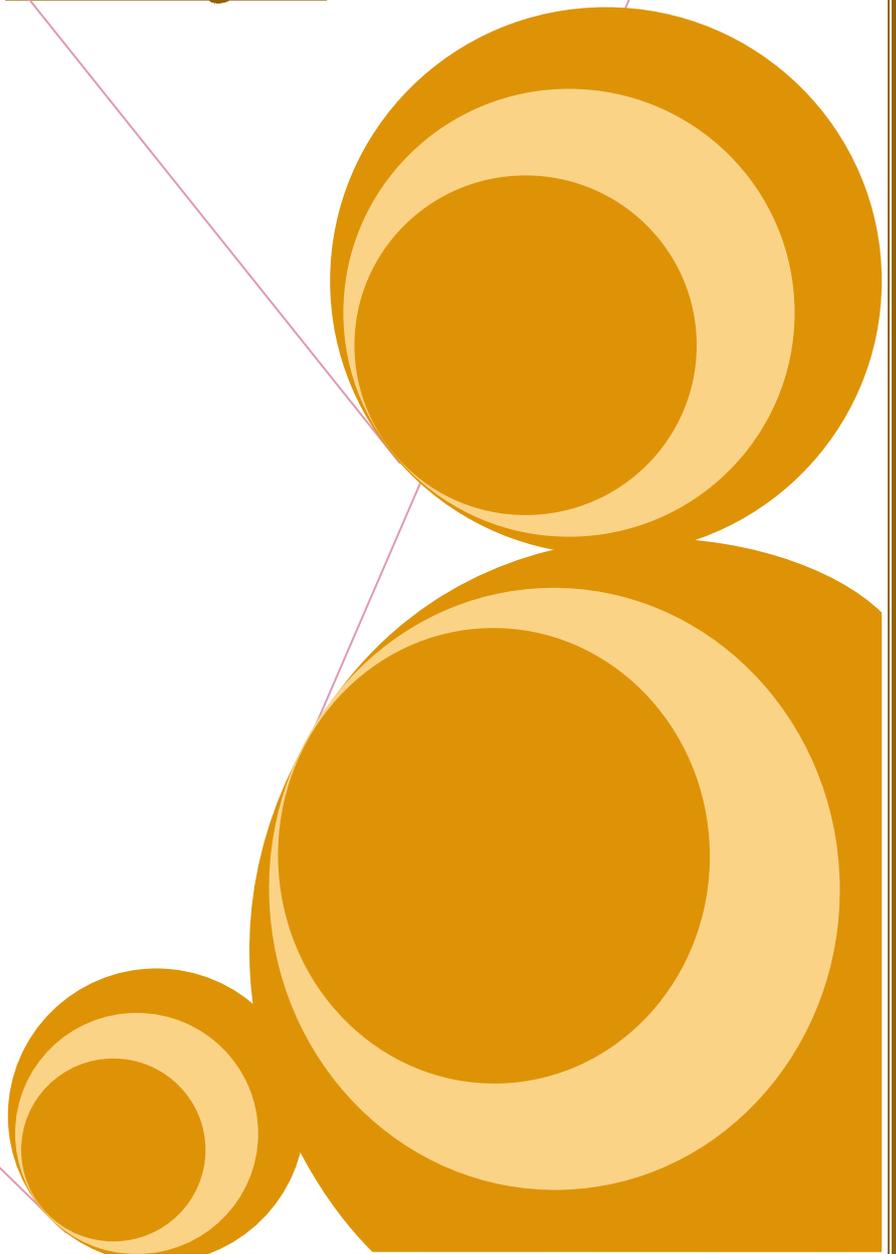
A horizontal band with a background of water droplets on a light-colored surface. The droplets are of various sizes and are rendered with soft shadows and highlights, giving them a three-dimensional appearance.

FSSAI NEWSLETTER

www.fssai.gov.in

E-Newsletter

For Private Circulation Only



From PFA to FSSA - Dr. P. J. Suvrathan, Chairperson, FSSAI

Not many are aware that the half-century old Prevention of Food Adulteration Act, 1954 is going to be repealed this year, opening the way to a change in the way we ensure the safety of our food. The Food Safety and Standards Act, 2006 is all set to be rolled out all over the country by September, 2010.

The Food Safety and Standards Authority of India, which is the statutory agency at the Central level, has now finalized the Rules and Regulations for transition to the new integrated food law which brings together a multitude of food laws currently prevalent in the country. India thus joins a group of advanced nations in adopting an integrated food law in line with international best practices, adopting a scientific approach to development of food standards.

The shift from PFA to FSSA brings in various changes in the food regulatory administration in the country. Till now, food safety has not been a high priority item to the Health Departments of State Governments, who are in-charge of medical institutions and over-burdened with regular medical programmes.

It is time for us to look at food safety as a discipline in its own right, with a separate department, a professional cadre and greater accountability.

"India thus joins a group of advanced nations in adopting an integrated food law in line with international best practices, adopting a scientific approach to development of food standards."

FSSAI in this regard has already advised the State Governments to designate senior officers as Food Safety Commissioners and several States have already appointed their SFCs. FSSAI is proposing to start various training programmes starting from June, 2010 for food safety personnel working in the State Governments, including SFCs, FSOs, and DOs etc. Some of the highlights of the new regime would be:

Decriminalization of minor offences

One of the major problems faced by the regulatory personnel at the field level under PFA Act was that their energies were largely spent on prosecuting those who are deviating from the PFA standards. This resulted in large number of cases before the courts and a low conviction rate. FSSA decriminalizes non serious deviations by imposing fines and thus, the available regulatory personnel can focus on the big offenders and thus can address issue of food safety.

Enhanced role of regulatory personnel in the field

With the introduction of the new law and the repeal of PFA, the traditional food inspector will be replaced by Food Safety Officer, a more skilled, responsible functionary whose work will go beyond merely taking samples of food and prosecution, to risk assessment, safety surveillance, capacity building of industry, formulation of food safety standards and adopting a holistic approach to the safety of the food chain rather than looking at only the tail end.

Responsibility on the Food Business Operators

The most important change this Act brings about is putting primary responsibility for safety of food on the food business operator. The Act specifies that whether there is a regular inspection or review by the regulatory authority or not, the food business operator has to take all necessary precautions to ensure safety of the food that he produces and sells. Authority proposes to prescribe minimum standards of food safety to be achieved by all food business operators, large or small, to the best of its ability and to be periodically reviewed by the local regulator.

The Food Safety and Standards Authority aims at developing food safety as a national movement, a priority for each individual and a new way of looking at what we eat. It is also recognition of the fact that the decision to eat is not only a personal decision but also a social as well as a political decision, because it determines not only the choice of the product but also the way it is grown, transported, processed and cooked.

The Road ahead - Shri. V. N. Gaur, CEO, FSSAI

The Food Safety and Standards Authority was notified through a gazette notification by Government of India on 5th September, 2008.

In this one and half years, necessary foundations have been put in place for a sound regulatory frame work for Food Safety in the Country. The various organizations and divisions that were transferred to FSSAI from different Ministries and Departments of Government of India, have started working in integrated manner under the food Authority these include Central Food Laboratories that were under the administrative control of DGHS, Ministry of Health; Licensing offices of FPO & MFPO offices that were with Ministry of Food Processing Industries; Registering authority for Milk and Milk Products under MMPO and Oil related staff from Ministry of Agriculture. Necessary infrastructure has been provided for these transferred staff to function under FSSAI.

Simultaneously, a proposal is under consideration of the government for sanctioning a new organizational structure of the Authority, which has been designed to cope up with the enhanced mandate of FSSAI and also after taking into consideration the international best practices in this area. In this new structure, various scientific and technical posts are proposed to be created at various levels in the headquarters as well as regional offices and laboratories of FSSAI in keeping with the objective of making FSSAI a science based decision making body.

Road ahead

- Nationwide implementation of Unified regulations in respect of licensing/Registration of different food products.
- Regulations in respect of functional food, Nutraceuticals, organic foods, GM foods and food claims etc.

"In this one and half years, we could put in place necessary foundations for a sound regulatory frame work for Food Safety in the Country....."

- Regulations in respect of recall of contaminated products, food surveillance and structure for reporting food incidents.
- The structure of consultations in respect of matters being raised in Codex Committees.
- Draft regulations in respect of safety of food imports.

MEETINGS - 4th Meeting of the Authority



The 4th Meeting of the Food Authority took place on 12th April, 2010 at FDA Bhawan, New Delhi. Chairman welcomed all the members and the major agenda points discussed during the meeting were Annual Accounts for 2008-09, Final draft on Food Safety and Standard Rules, 2010, Procedure for working of Scientific Committee and Scientific Panels, Guidelines for the members of the Food Authority. The progress made so far in respect of meetings of various scientific panels and scientific committee and project on IT-enabled Import Food Safety System was also brought into the notice of the Members of the Authority.

CONFERENCES/SEMINARS: Regional Conferences of State Food Commissioners

Food Safety and Standards Act, 2006 will be replacing very soon the existing various food related

Orders/Acts in the country. Draft Rules and regulations for transition have already been approved by the Food Authority and will be notified in the next 3 months.

"FSSAI is in the process of consulting State Food Commissioners, who have been entrusted with crucial responsibilities under the FSS Act..."

Most of the provisions of FSS Act are to be implemented by States and prior assessment of States' preparedness is going to be very crucial. FSSAI is organizing region-wise conferences with Food Safety Commissioners of States/UTs to assess their preparedness for implementation of FSS Act and have informal discussion on various steps to be taken by states/UTs. The first conference in the series was held at Kochi on 16th April, 2010 under the Chairmanship of Shri. P. I. Suvrathan, Chairperson, FSSAI. Food Safety Commissioners (FSCs)/Officers-in-Charge of Food from States/UTs of Southern Region viz. Kerala, Tamil Nadu, Andhra Pradesh, Puducherry, Lakshadweep and Karnataka participated in the conference. It was emphasized that States/UTs should expedite preparatory steps so as to have the requisite infrastructure/staff in place well within the time.

The second conference was organized at Jaipur on 11th May, 2010. Shri P.I. Suvrathan, Chairperson, Shri V.N. Gaur, CEO from FSSAI's Head quarter and Food Safety Commissioners (FSCs)/Officers-in-Charge of Food from States/UTs of Western Region viz. Gujarat, Rajasthan, Maharashtra, Goa, Dadra & Nagar Haveli, Daman & Diu, Chhattisgarh and Madhya Pradesh, participated in the conference.

The conference was followed by an interactive session with various stakeholders in food viz. Industry, Consumer Organizations, Academic Institutions etc. organized by FICCI

The third conference was held at Kolkata on 18th May for the States of West Bengal, Bihar, Orissa, Jharkhand and A&N.

The upcoming conferences in the series are scheduled on, 24th May and 10th June at Delhi and Guwahati for Eastern, Northern and North-East region respectively.

REGULATIONS MADE BY FSSAI

The following Guideline/ Rules/ Regulations/ Procedures have been approved or in draft stage with comments of stakeholders being sought after or being deliberated:

- **Documents for Food Safety in Eating Establishments (Pilot Project on SAFE FOOD TASTY FOOD - Checklist, Guidelines, Criteria and Certification Process) - approved.**
- **Draft guidelines for Conflict of Interest Disclosures and confidentiality protocols for the members.**
- **Draft Food Safety and Standards Rules, 2010** - Section 91 (1) of the FSS Act, 2006 (34 of 2006) provides for power of Central Government to make Rules. Accordingly, the Draft Food Safety & Standards Rules, 2010 have been prepared in consultation with various stake holders and after through deliberations in a series of meetings in the Food Safety Standards Authority of India. These Rules include (1) Title, commencement and definitions. (2) Structure of Food Authority and Administration which includes terms and conditions of service of Chairperson and Members of Food Authority (already notified), (3) Enforcement structures and procedures which includes qualification of the enforcement personnel, procedure of taking extracts of food for testing, seizure of articles and manner of sampling. (4) Adjudication and Food Safety Appellate tribunal which includes adjudication proceedings, procedure for appeal to Tribunal, qualification of the Presiding Officer of the Tribunal and rules on other issues enumerated

under Section 91 of the Food Safety & Standards Act, 2006.

- **Draft Regulations for Licensing/Registration of food business** - The draft Regulations for Licensing/ Registration of Food Businesses, 2010 integrates the licensing provisions of Fruit Products Order, 1955, Prevention of Food Adulteration Act, 1954, Milk and Milk Products Order, 1992, Vegetable Oil Products (Control) Order, 1947, Edible Oils Packaging (regulation) Order, 1998, The Solvent Extracted Oil, De oiled Meal and Edible Flour (Control) Order, 1967 and Meat Food Products Order, 1973. The unified Licensing procedures will be implemented by the Food Safety and Standards Authority of India, Food Safety Commissioners in the States and the officers working under the Commissioner. Common procedures and application forms and procedures have been laid down to bring about uniformity in the implementation of standards in the country as mandated by the Food Safety and Standards Act. The comments/suggestions on the various issues were compiled together and were reviewed to make final draft for approval by the Ministry.
- **Draft Standards for Ritual slaughtering and Ante mortem/Post mortem inspection procedure at slaughter houses** - These will be included in the Guidelines to be issued.
- **Code of Self Regulation in Food Advertisement**
- **Draft for working procedures of issues of Scientific Committee and Scientific Panels** - Comments are invited on the draft procedures.

All these drafts are available in the **FSSAI** website (www.fssai.gov.in)

CAPACITY BUILDING PROGRAMMES

The Food Safety and Standards Authority of India has taken up the work of enabling the States to take up the transition to new food law. The existing PFA staff are focused on sampling and prosecution and may not be equipped to carry out

the much wider range of responsibilities envisaged under the new act. Similarly the nominated food safety personnel like State Food Commissioners, Designated Officers, Adjudicating Officers and Food Safety Officers have to acquire requisite knowledge for enforcement of the provisions of new food law which includes food safety management, food safety communication, following up food incidents, food safety surveillance, capacity building, working with industry, consumers etc. In view of above, FSSAI has devised following interim induction programmes/ modules.

COMMISSIONERS OF FOOD SAFETY

The Food Safety Commissioners being the head of the Food Safety Enforcement in the State would require familiarity with the food law which will enable them to cope with the changed mandate of FSS Act, 2006 and would make the transition smoother in the State.

Training module for the Food Safety Commissioners - A three days orientation programme will be conducted for the Food Safety Commissioners. The programme will be organized in the FSSAI HQ. The programme is scheduled on 7th, 8th, 9th June, 2010.

Designated Officers (DO) - As per the proposed regulations under the FSS Act, 2006, the functions to be performed by the Designated Officers include issuing and cancellation of license of food business operators as the Licensing Authority, to prohibit the sale of any article of food which are not as per prescribed standards, to receive reports and samples of article of foods from Food Safety Officer, to make recommendations to Commissioner of food Safety to launch prosecutions in case of contravention of provisions of FSS Act and such other duties entrusted to him by the Commissioner of Food Safety. In view of above, Designated Officer is expected to be well acquainted with a wide spectrum of standards and new concepts developed in regulatory provisions, enforcement mechanisms

under the FSS Act 2006.

Training module for the Designated Officer (DO)

- To impart the training to nominated DO, the module of Training of Trainers (ToT) has been designed. Two levels of training programme would be conducted for the DO's. The trainings (ToT) for DO & FSO are scheduled in the **month of July 2010**.

FOOD SAFETY OFFICERS (FSO) - As per the proposed regulations under the FSS Act, 2006, the Food Safety Officers have to play a cutting edge role to ensure food safety. Initially, the existing food Inspectors have to shoulder the responsibilities of Food Safety Officers to discharge the duties as per the new regulations. FSOs are required to conduct regular inspections, guidance to FBOs, sampling, prosecution etc. and also are expected to be well acquainted with a wide spectrum of standards and new concepts developed in various regulatory mechanisms under the FSS Act 2006.

Training module for the Food Safety Officers-

To impart the training to existing FSOs, the module of Training of Trainers (ToT) has been designed. Two levels of training programme are to be conducted for the FSOs.

1st Level - Food Safety Officers from each State would be nominated by the States to attend the Training of Trainers (ToT) programme. In each batch 20-30 participants will be invited. The ToT programme will be organized at different regions i.e. North (Delhi), separate ToT programme for UP (Lucknow), West (Mumbai), South (Chennai) and East (Kolkata). All the five ToT programmes will be organized by the FSSAI. FSSAI will conduct a 5 days training programme for the trainers. Training material will be provided by FSSAI. Expert faculties will be identified for the ToT from the place of training or if needed some of the faculties will be invited from other places.

2nd Level - The trained FSOs would conduct the training programmes for the FSOs of their respective State. Training arrangements and the logistic support would be provided by the respective State Govt. Such programmes would be conducted based on the subjects/course module, provided and delivered in ToT by FSSAI.

PARTICIPATION IN CODEX MEETINGS

The Codex Alimentarius Commission was created in 1963 by FAO and WHO to develop food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme. The main purposes of this agency are protecting health of the consumers and ensuring fair trade practices in the food trade, and promoting coordination of all food standards work undertaken by international Governmental and Non-Governmental Organisations. India joined the Codex Alimentarius Commission in 1964. FSSAI has now been declared as the National Codex Contact Point of India.

FSSAI has prepared and circulated guidelines for participation in Codex meetings, preparation of response to codex matters, guidelines for NCCP and National Shadow Committees. India is being regularly represented in Codex meetings. During 2010, India has participated in the following meetings.

18th Session of Codex Committee on Food Import and Export Inspection and Certification (CCFICS) held in March, 2010.

- 26th Session of the Codex Committee on General Principles (CCGP) held in April, 2010.
- 42nd session of Codex Committee on Pesticide Residues (CCPR) also held in April, 2010.

CONSTITUTION OF SCIENTIFIC COMMITTEE & SCIENTIFIC PANELS

As per the provisions of Sections 14 (1) and 13(1) of the Food Safety and Standards Act, 2006, the FSSAI has constituted a Scientific Committee and eight Scientific Panels for providing scientific opinion to the Food Authority on various issues.

The following Scientific Panels have been constituted and comprise of independent scientific experts:

- Panel for food additives, flavorings, processing aids and materials in contact with food.
- Panel for biological hazards.
- Panel for contaminants in the food chain.
- Panel for labeling and claims/ advertisements.
- Panel for method of sampling and analysis.
- Panel for pesticides and antibiotic residues.
- Panel for genetically modified organisms and foods.
- Panel for functional foods, nutraceuticals, dietetic products and other similar products.

The first meeting of all the Scientific Panels has been held in the months of September, 2009, December, 2009 and January, 2010. The first meeting of the Scientific Committee was held in 5th March, 2010. The 2nd meeting of two Panels i.e. Panel for functional foods, nutraceuticals, dietetic products and other similar products and the panel for genetically modified organisms and foods were held in March & April, 2010 respectively.

LIBRARY AND RESOURCE CENTRE (LRC)

FSSAI has now established a Library and Resource Centre (LRC) to fulfill the information needs of the FSSAI employees and members of Scientific Panels and Scientific Committees. In an effort to provide proactive and relevant service through effective resource sharing the FSSAI library is a participating member of "DELNET" (Developing Library Network) and is also an institutional

member of several reputed libraries of Delhi, for accessing their print and electronic resources. The LRC has subscribed an online legal database and is in the process of becoming members of consortiums which would provide access to several online databases also. Please Contact the librarian at library@fssai.gov.in for assistance.

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