Subject: Minutes of Eighth Meeting of Central Advisory Committee of FSSAI held on 17th July, 2012 (Tuesday) at 10:00 am at Hotel - The Lalit, New Delhi.

The undersigned is directed to forward herewith minutes of eighth meeting of the Central Advisory Committee (CAC) held on 17th July, 2012 (Tuesday) at Hotel - The Lalit, New Delhi at 10:00 am for perusal and necessary action.

It is therefore requested to send your comments to the undersigned within 15 days from the date of issue of this, otherwise these minutes will be treated as final.

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1. PPS to Chairperson, FSSAI
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3. PS to Dir (E)
4. All concerned officers of FSSAI
Minutes of 8th meeting of CAC

Minutes of the 8th meeting of Central Advisory Committee of Food Safety and Standards Authority of India, held on 17th July, 2012 at Hotel-The Lalit, New Delhi.

Sh. S.N. Mohanty, CEO, FSSAI extended a warm welcome to all the members and their representatives to the eighth meeting of the Central Advisory Committee (CAC).

CEO in his welcome note mentioned that there still exists certain grey area since the Act has operationalized from 5th Aug, 2011 as some States/UTs are still giving licenses under PFA and there is lack of preparedness amongst States. He said that being a new Act, still it is in the process of interpretation and all these factors make it challenging to progress further. Thereafter CEO requested Chairperson to address CAC.

Chairperson Sh. K. Chandramouli in his key note address stated that the certain issues State Govt. needs to address on priority. These are:

1. Misconception/ lack of understanding of the Act has to be reviewed at all levels with all stakeholders including officials.

2. Since issues raised by traders are local, State Govt. must address the issues locally by talking to their traders / associations.

Lack of understanding whether at Enforcement level or FBO level has to be dealt by State Govt. as at the end of the day, enforcement of FSS Act rests with the State Govts. FSSAI has been conducting trainings and visiting States and issuing clarifications for proper implementation of the Act.
At the end of keynote address, Chairperson mentioned that the Central Govt. would help State Govt. in any manner possible but Authority is looking forward to have uniformity amongst all States in context to implementation of FSS Act, 2006. The State officials can contact FSSAI in case any problem is faced by officials in implementation of the Act.

Sh. S.N. Mohanty, Chairman, CAC initiated the meeting by starting discussion on agenda items.

**Agenda Item No.1: Confirmation of minutes of the seventh meeting of the CAC held on 27th April, 2012**

The Committee confirmed the minutes of the seventh meeting of the CAC held on 27th April, 2012.

**Agenda Item No. 2: Progress of the States/ UTs regarding implementation of FSS Act, 2006.**

The absence of representatives from Andaman & Nicobar Island, Assam, Dadara & Nagar Haveli, Daman & Diu, Goa, Gujarat, Lakshadweep, Manipur, Meghalaya, Nagaland, Orissa, Sikkim, Tripura, Uttar Pradesh were noted. It is a loss opportunity for cross – consultation for these States. The progress of States/ UTs is as follows:

1) **ARUNACHAL PRADESH**
   a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
   b. Total 3500 FBOs are there in the State out of which 2500 FBOs have been covered
   c. Till date 1750 Registrations and 400 Licenses are issued
   d. Appellate Tribunal is in place
   e. The provision for empowering DOs for compounding of offences is in consultation with law department
   f. The services of Laboratory of Assam is utilized for sample analysis
2) ANDHRA PRADESH
   a. Commissioner Food Safety, 23 DOs + 10DOs for Municipals, 48 FSOs, and AOs have been notified. Proposal for 92 FSOs is in process
   b. Training session has been completed in the State
   c. Establishment of two tribunals is in process
   d. Till date 2735 licenses have been issued. No online registration is started as yet. Manually, 2095 registrations have been issued
   e. The State is in process of starting AP Online in about 10 days.
   f. Till date 2232 samples have been tested. A fine of Rs. 234000 has been collected

3) BIHAR
   a. Separate Department of Food Safety has not yet been created.
   b. Commissioner of Food Safety, 9 Designated officers (full time) in 38 districts, 14 Food Safety Officers (full time) and 1 Food Analyst have been notified.
   c. State has 1 food laboratory which is not NABL accredited. There is shortage of Food Analyst, so deployment of retired person for the same is being looked into.
   d. Construction of website is in process.
   e. Helpline of health department is also being used for food safety.
   f. Awareness program have been started at district level.
   g. Adjudicating Officer and Special Court have been notified and proposal for appointment of Appellate Tribunal has been sent to Government.
   h. Out of 1145 samples collected, 365 were found misbranded/ adulterated/ substandard/ unsafe
   i. Total registration issued as on 30.06.2012– 3731
   j. Total licenses issued as on 30.06.2012– 2122
k. Total Rs. 1,15,53,300 has been collected as License/ registration fee from October 2011 to June 2012.

l. 1 day orientation training of AOs and 3 days orientation training of Dos has been done

m. Prohibited sale of Guthka and Pan masala containing tobacco and nicotine as ingredients for 1 year.

Sh. A.K Panda, Joint Secretary, Ministry of Health & Family Welfare highlighted that States needs to identify atleast 2-3 resource person with legal and food technology background for correct interpretation of Act, Rules and Regulations. He further informed that under 12th Plan, Central Government has proposed an ambitious scheme to strengthen State regulatory system and asked States/ UTs to prepare concept or status note indicating shortage of DO, FSO and roadmap for next 5 years. He also asked State/ UTs should utilise advocacy from FSSAI. It was also discussed that gap analysis for 50 labs already done should be used for strengthening of food laboratories and gap analysis for remaining labs to be done on priority. He also shared that FSSAI can collaborate with USFDA in area of capacity building improvement.

4) CHATTISGARH

a. Commissioner of Food Safety, 18 Designated officers in 27 districts (9 new districts have been created), 14 Food Safety Officers have been notified.

b. 465 licenses have been issued.

c. Officials of Panchayat & urban Local Bodies have been involved as Registering Authority along with FSO.

d. Proposal has been sent to the State Govt. for developing 1 regional lab at Bilaspur in the 12th plan

e. 1 mobile lab runs in the State for analysis of adulteration in samples

f. Awareness generation programme has been initiated by organising workshop at Raipur with FBOs through Chhattisgarh Chamber of Commerce Association
g. Commissioner Food Safety has used the platform of Doordarshan & Gyanwani for spreading the message of FSS Act, 2006. Also, talk shows were organized and the participation with educational institutions to create awareness among students

5) CHANDIGARH

a. Food Safety Commissioner, 1 DO and 3 FSO have been appointed. District Magistrate has been appointed as Adjudicating Officer.
b. Chandigarh Administration utilizes the services of Punjab and Haryana Food Laboratory for analysis of food samples
c. Food Safety Appellate Tribunal has been established but appointment of presiding officer is still pending. Special Courts has been constituted and 2 additional public prosecutors have been appointed.
d. Out of 3374 applications received (till 13.07.12), 295 licenses have been issued and 59 registrations have been done.
e. FSOs training have been done but DO and AOs training is yet to be done.
f. For awareness generation among different categories of stakeholders, meeting was held with officials from Hotel Association of Chandigarh, Beopar Mandal Association and Flour Mills Association

6) DELHI

a. Commissioner of Food Safety, 5 Designated Officers and 32 Food Safety Officers has been notified.
b. State has 1 NABL accredited laboratory.
c. 1 Special Court has been constituted and 9 additional district magistrates have been notified as adjudication officer.
d. Out of 2037 samples, 63 were adulterated, 55 were misbranded and 31 were unsafe.
e. For awareness generation, meeting was held with officials from market associations, traders including APMC, flour merchants etc.

7) HIMACHAL PRADESH

a. Commissioner Food Safety, 82 Designated Officers, 12 AOs, 11 full time FSOs have been notified
b. Till date 1400 licenses and 16000 registrations have been issued
c. Rs. 2.4 crore of revenue generated through licensing and registration
d. The State is taking the implementation of FSS Act, 2006 at Block and Panchayat level through awareness programs like radio, TV talks etc.
e. The State has banned Tobacco and Tobacco products
f. Online licensing would be launched shortly as proposal has already been sent
g. Training has been imparted to all the officers
h. The State has financial implications
i. There is 1 composite testing laboratory. 232 samples have been lifted out of which 46 were found adulterated and 9 prosecutions have been launched at High Court level

8) MAHARASHTRA

a. All Dos and FSOs have been assigned on the basis of density of food business operators.
b. Developed monitoring system
c. 1, 29,851 registration and 61,789 licenses have been issued.
d. Devised template for Food Safety Management System for various sectors
e. Surveillance of food sample is being done especially for milk

9) JHARKHAND
a. Commissioner Food Safety, AOs, DOs, 7 FSOs have been notified. Proposal for notification of 39 FSOs has been forwarded
b. Till date 288 licenses and 385 registrations have been issued
c. No laboratory is functioning in the State as no food analyst has been notified
d. The clarification was raised regarding 3 months training program for FSOs as till yet no institute has been identified for the training purpose
e. The State wanted to conduct 1 day more training for DOs/FSOs and AOs training must be conducted at Regional level.
   CEO mentioned that the manual for handling prosecution cases is under process and would be sent once finalized. Also, he stated that the States must talk to consumer forums in regard to interest in food safety for consumers.

10) PUNJAB

a. Commissioner Food Safety, 20DOs, 23 FSOs, 2AOS, 2 Food Analysts have been notified. Notification of 27 more FSOs is in process
b. There is 1 lab in the State
c. Training has been imparted to the officers
d. Till date 2097 licenses and 817 registrations have been issued
e. Throughout the State SMSs through NGOs for spreading awareness are being sent
f. 4331 samples have been lifted out of which 3931 samples were found sub-standard and 4 were found unsafe
g. Establishment of tribunal is in process
h. The officers are going at grass root level to meet FBOs for increasing Licensing/ Registration
i. The State had organized Mela wherein 135 registrations were done

CEO suggested that ‘Food Melas’ can be organized to speed up registrations throughout the Country.
11) JAMMU & KASHMIR
   a. Food Safety Commissioner, 2 Deputy Commissioner, 23 DO, 70 FSO and 23 AO have been notified.
   b. 8500 registration has been done
   c. Out of 175 samples, 61 were misbranded/ adulterated/ unsafe and 31 prosecution has been launched and 9 have been disposed off.

12) KERALA
   a. Food Safety Commissioner, Dos and FSOs has been notified.
   b. 21,049 registration and 8964 licenses issued.
   c. Adjudication Officer has not been notified and establishment of Appellate Tribunal is yet to be done.
   d. Distribution of pamphlets is being done with the help of trader’s association to encourage licensing/ registration
   e. Require support from Centre in regard with up-gradation of laboratories especially for water testing.

13) KARNATAKA
   a. Food Safety Commissioner, 30 DO, 30 AO and 106 FSO have been notified.
   b. 3300 licenses and 10,200 registration have been done
   c. Baseline data for online licensing/ registration has been provided to NISG.
   d. Budget of Rs.10.4 crores allotted by State Govt. which includes
      - Mobile testing facility
      - Procurement of equipments
      - Capacity building programmes
      - Development of website
      - Awareness and workshops for FBOs

14) WEST BENGAL
a. Commissioner Food Safety, Assistant Commissioner Food Safety have been given additional charge
b. 19 DOs have been appointed on additional charge
c. 17 FSOs have, 25 Food Inspectors of Kolkata Corporation have been notified
d. Till date 5809 registrations and 914 licenses have been issued and amount of Rs. 3528000 have been collected
e. For online process, the State would get in touch with NISG

15) MIZORAM
a. 152 licenses issued but no registration done till now.

16) RAJASTHAN
a. Food Safety Commissioner, 7 Zone level DO & 33 District level DO, 92 FSO and 8 food analyst has been appointed.
b. Additional District Magistrate has been notified as Adjudicating Officer for 33 districts
c. Establishment of Food Safety Appellate Tribunal and Special Court is under process.
d. Out of 16,634 applications, 14,820 licenses have been issued and 46,151 out of 49,657 registrations have been done.
e. Out of 4917 samples, 910 samples were found misbranded/substandard/unsafe and 8 cases were penalised by AOs

17) UTTARAKHAND
a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
b. All the officers in the State have been notified
c. Till date 728 licenses and 11577 registrations have been issued
d. 671 samples have been drawn out of which 93 samples were found adulterated/misbranded
e. Training for DOs and AOs is organized next month but also would want the training of FSOs in the State
f. The State has only one Public Laboratory in Rudrapur. An amount of Rs. 4750000 has been sanctioned through NRHM for up-gradation of laboratory
g. Awareness programs have been organized. The department has published information related to the Act in the leading newspaper of the State
h. Counseling has been conducted for different categories of FBOs

18) PUDUCHERRY
a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
b. Till date 746 registrations and 146 licenses have been issued
c. Total 441 samples have been analyzed in the month of June, 2012
d. Proposal to create 21 posts have been submitted to Govt.
e. For Online Licensing/ Registration, Helpline facility, Mobile Lab facility; the State is short of funds and manpower
f. NABL accreditation is in process

19) MADHYA PRADESH
a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
b. Orientation program for DOs and AOs have been conducted in the month of April
c. Establishment of Tribunal is in process
d. Till date 3360 licenses and 13909 registrations have been issued

20) TAMIL NADU
a. Commissioner Food Safety, 32 Designated Officers, 545 Food Safety Officers, Food Analyst and 32 Adjudicating Officer have been notified
b. Till date 70714 registrations and 9438 licenses have been issued
c. Food laboratory is not NABL accredited
d. Budget of Rs. 6 crore has been sanctioned for procuring equipment of food lab
e. 457 samples have been collected out of which 453 have been tested and 38 were found misbranded/ adulterated
f. For generating awareness, the State has tied up with Consumer association of India and has identified 11 areas for spreading awareness

21) HARYANA
a. Commissioner Food Safety, Designated Officer, Food Safety Officer, Food Analyst and Adjudicating Officer have been notified
b. Establishment of Appellate tribunal is in process
c. The State has two labs – 1 at Chandigarh and 1 at Karnal
d. 1381 samples has been seized under new Act and 198 samples were found substandard/ misbranded
e. The State has organized workshop for milk vendors at Patiala
f. Till date 2758 registration and 528 licenses have been issued
g. Proposal has been sent to department regarding shortage of manpower

Agenda Item No. 3: Progress regarding online licensing and registration in States/ UTs.

The online licensing system was introduced to have uniformity, easy accessibility and transparency in the system. Some States showed their interest of starting the online licensing. CEO mentioned that if the licenses cannot be issued at the same time application is submitted, thus there is need to issue acknowledgement for FBO for its future reference and States can devise their own way of acknowledgement of applications.

Agenda Item No. 4: Status of Public Labs functioning labs in States/ UTs
CEO mentioned that the Agenda item has been covered by most of the States/UTs as a part of Agenda Item No. 2. The fund which can be transferred to the State Govt. for the up-gradation of laboratories to make it NABL status based on GAP analysis will be released only after 12th Plan is approved. Also, in regard to the list of consultants available for upgrading the labs; Dir (E) can be contacted.

**Agenda Item No.5: Status of Training for different categories of Regulatory Staff (DOs, FSOs & AOs)**

CEO, FSSAI highlighted that training should be an on-going process and State should devise permanent system of training wherein some institutes for carrying out such trainings should be identified. Director (Enforcement) informed that training programme for regulators will be of two types viz. Induction training for DOs & FSOs for newly recruited and Orientation training for AOs, DOs & FSOs for upgrading the existing personnel. Induction training for FSO and DO will be of 180 days and 15 days respectively and FSSAI is working with NIFTEM for organising such training programmes. Apart from this, training for Laboratory personnel for food analyst will also be conducted for (i) Qualifying training/course for appearing in exam of food analyst; (ii) Induction programme for Food Analyst and (iii) Orientation programme for Food Analyst. Duration of such training has to be decided and will be a kind of certification programme. It was also highlighted that a dedicated lab only for training will be created by NIFTEM.

**Agenda Item No.6: Awareness generation among different categories of stakeholders especially FBOs**

CEO, FSSAI highlighted that IEC activity is the backbone for enforcing the Act and awareness generation is one of the important component of rolling out of FSS Act. He informed that Food Safety Commissioner should take up with their Govts. to plough back at least 75% of license fee collected for carrying out IEC activities and should
include (i) IEC activity- local language advertisement, jingles in FM, (ii) 24 x7 food safety helpline and (iii) webpage preparation for food safety in local language. He also said that whatever IEC materials has been developed by FSSAI, HQ may be circulated to State which can be translated in local language by respective States. CEO, FSSAI informed that the budget of Rs. 350 crore has been proposed in the 12th Five Year Plan for States to carry out IEC activities, therefore State/UT s need to prepare plan for IEC activities and send it across

**Agenda Item No.7: Extension of time for the transition period**

The Agenda Item was kept on the house for discussion. The general sense of the house was that the last date cannot be extended without amending the Regulations. Amendment in the Regulation would take time hence Authority would issue a Statutory Advisory based on today’s discussion in this regard. Extending the time by six months as only a small percentage of FBOs are covered so far and the licensing and Registration will be meaningless without extending time to enable FBOs to take it.

**Agenda Item No. 8: License Fee**

CEO stated that as per Schedule-1 of FSS (Licensing and Registration of Food Businesses) Regulation, 2011 Air-Airports, Seaport, Defence etc. falls under Central Licensing. For small vendors working in these areas, Authority would issue a modified advisory to deal with the matter.

Maharashtra Commissioner Food Safety enquired about the jurisdiction of the officer in Cantonment Board as it is also a local body but different from municipalities. In reply to this, CEO mentioned that the Authority is holding meeting with the officials in the matter on 19th July, 2012 and matter will be decided after consultations with defence/ port officials.
Kerala Commissioner Food Safety inquired about the jurisdiction in Railways. In this regard, it was mentioned that jurisdiction in Railways is well defined as FSSAI has notified DOs and FSOs in Indian Railways.

**Agenda Item No.9: Role of Local Bodies**

CEO, FSSAI referred Section 18 (2)(d) of the Act “General principles to be followed in Administration of Act” wherein Food Authority shall ensure that there is open and transparent public consultation, directly or through representative bodies including all levels of panchayats, during the preparation, evaluation and revision of regulations. He asked the States to take initiative to involve all local bodies for the purpose of registration under FSS Act,2006 and also appreciated Chattisgarh efforts for involving local bodies for the same. He also stressed that adequate systems have to be place at Central, State, District and Gram Panchayat levels to handle licensing/ registration duly integrating Municipality and Panchayats with Food Safety Administration. Registration and Advisory Panels are to be created .

**Agenda Item No.10: Work Plan for the State/ UT Governments**

CEO, FSSAI informed that funds has been allocated for States in the area of enforcement, IEC activities, e-governance and upgradation of laboratories under 12th Five Year Plan. He asked States/ UTs to prepare plan and strategy accordingly taking into consideration financial allocation for States under 12th Five Year Plan. Financial assistance to State/ UTs will be provided through a “Memorandum of Understanding” during the 12th plan through binding commitment. The States should be ready with their work plan.

**Agenda Item No.11: Product Approval of Health Supplements, Nutraceuticals**
Referring Section 22 of FSS Act, CEO, FSSAI informed that any unit manufacturing novel food, genetically modified food, irradiated food, organic foods, nutraceuticals, proprietary foods etc. have to apply for product approval in the prescribed format before obtaining Central license which is available on our website: www.fssai.gov.in. State FSCs were requested to issue necessary instructions to DO to cancel licenses of above mentioned units as it comes under jurisdiction of Central Licensing.

FSC, Maharashtra asked whether product manufactured since long requires product approval and whether license issued for certain formulations under Schedule M of Drugs & Cosmetic Act is valid as they follow Good Manufacturing Practice and invariably test the raw materials before manufacturing and also test the efficacy of the formulation. To this, CEO, FSSAI replied that any item that addresses therapy comes under drug and item which addresses nutrition is food. He further said that litmus test for food used since long is to proved its safety.

The meeting ended with a vote of thanks by the Chair

List of participants who attended the meeting is at Annexure I.
The following were present during the Eighth Meeting of Central Advisory Committee of FSSAI held on 17th July, 2012, at 10:00 am, Hotel – The Lalit, New Delhi.

1. Sh. K. Chandramouli, CP, FSSAI
2. Sh. S.N. Mohanty, CEO, FSSAI
3. Sh. Arun Kumar Panda, Joint Secretary, Ministry of Health & Family Welfare
4. Dr. Anil Sharma, Consultant FSSA, Uttarakhand
5. Sh. G.C. Kandwal, DO Food Safety, Uttarakhand
7. Sh. U.K. Mitra, Dy. Commissioner Food Safety, Directorate of Health Services, Naharlagun – 791110
8. Sh. B. Prashanta Kumar, Director, Deptt. of AH, D & F, Ministry of Agriculture
9. Sh. R.P.S. Jadon, Joint Controller, Food & Drugs, Madhya Pradesh
10. Sh. B.C. Joshi, Dy. Commissioner, D/o Food & Public Distribution, Krishi Bhawan, New Delhi
11. Sh. Manoj Parida (IAS), Joint Secretary, Ministry of Consumer Affairs, Govt. of India
12. Sh. S.B. Reddy, Additional Director, FICCI
13. Dr. G.L. Upadhyaya, Dy. Commissioner Food Safety, Puducherry
14. Dr. P. Sucharitha Murthy, Director IPM, PH (Labs), Hyderabad
16. Dr. Y.C. Nijhawan, Chief Director, Department of Food & Public Distribution, New Delhi
17. Sh. K.J.R. Burman, Commissioner Food Safety, Delhi
18. Sh. Ashish Singh, Designated Officer, Patna, Bihar
19. Sh. Lal Sawma, Dy. Commissioner Food Safety, Aizawl, Mizoram
20. Sh. D.L. Alwadhi, Consultant, Ministry of Panchayati Raj
22. Dr. T.P. Barnwal, Director in chief (Food), Jharkhand
23. Sh. Biju Prabhakar, Commissioner Food Safety, Kerala
24. Dr. K. Jayakumar, Additional Commissioner Food Safety, Tamil Nadu
25. Dr. Satbir Singh, Designated Officer, Chandigarh
26. Dr. Surekha Chopra, OSD, Director, Health Safety and Regulator, Shimla, Himachal Pradesh
27. Sh. Mahesh Zagade, Commissioner Food Safety, FDA, Maharashtra
28. Sh. K.V. Sankhe, Joint Commissioner (Food), FDA, Maharashtra
29. Dr. K.U. Methekar, FSO, FDA, Maharashtra
30. Sh. Surinder Kumar, Dy. Director (Food Safety), Delhi
31. Dr. G.L. Singh, Joint Commissioner, FDA
32. Sh. Ashok Khullar, Joint Commissioner (Food), FDA, Haryana
33. Dr. Ramawatar Jaiswal, Dy. Director (FSSA), Jaipur, Rajasthan
34. Ms. Anuradha Prasad, Joint Secretary, Ministry of Food Processing Industries
35. Sh. K. Subramaniam, Commissioner Food Safety, Chhattisgarh, Raipur
36. Sh. Rajan Sehgal, Chief Director (Sugar), DFPO
37. Sh. Debashis Bose, Commissioner Food Safety, West Bengal
38. Sh. Ajit Tripathy, Joint Secretary, Ministry of Commerce
39. Dr. Karanjit Singh, Director Health Services cum Joint Commissioner Food Safety Standards
40. Sh. R. Desikan, Trustee, CONCERT
41. Ms. Rajni, Joint Secretary, Dairy Development DADF, Ministry of Agriculture
42. Sh. S.K. Nanda, Dy. Commissioner (Food Safety), Deptt. of Food Safety, GNCT of Delhi
43. Sh. S.M. Bhardwaj, Food Analyst, Deptt. of Food Safety, GNCT of Delhi
44. Dr. Srinivasa Gowda, Joint Director (PHI), Bangalore
45. Dr. R.M. Shukla, Joint Director (Entomology), Secretariat of CIB & RC, D/o PPR & S, Ministry of Agriculture, Faridabad
46. Sh. A.K. Ojha, Assistant Director, O/o Dy. Commissioner, MSME, Nirman Bhawan, New Delhi
47. Sh. Vinod K. Sharma, FSO, Rajasthan
48. Sh. Ashwani Kumar, C/o Ministry of Food

* It may be noted that names of participants have been arranged as appeared in the attendance list and does not follow any seniority order. Any mistake in name spelling is regretted.