Minutes of the 12th meeting of the Food Authority held on August 29, 2013 at 1100 hrs at FDA Bhawan, New Delhi

The twelfth meeting of the Food Safety and Standards Authority of India (FSSAI) was held on August 29, 2013 at 1100 hrs at FDA Bhawan, Kotla Road, New Delhi under the Chairmanship of Shri K. Chandramouli, Chairperson, FSSAI. The list of participants present in the meeting is as per Annexure. Leave of absence was granted to the Members who could not attend.

Chairperson welcomed all the members of the newly reconstituted Authority notified vide Gazette notification dated 25th July 2013 to the meeting. This being the first meeting of the reconstituted Authority, Chairperson in his opening remarks, briefly apprised the members about the FSS Act, 2006, operationalization of the Act with the notification of Regulations w.e.f 5th August 2011. He also drew their attention to the Authority procedures and functioning. It was also informed that eleven meetings of the Authority have been conducted till date and considerable amount of work has been accomplished by way of: putting in place physical infrastructure; framework for science based standard setting by way of the Scientific Panels, Scientific Committee and expert groups; and rolling out of the Act throughout the country. Looking at the amount of food produced, manufactured, imported and consumed in the country, ensuring food safety is a huge responsibility and a challenging task. He further informed the Members that officers of the Authority will put in their best efforts to help in achieving the goals and objectives of the Authority.

The Chairperson introduced Shri D.K Samantaray, who has joined as CEO, FSSAI and thereafter requested him to further conduct the proceedings of the meeting.

Item No. 1: Oath by new members

The new members took the oath of office and secrecy in terms of section 7(3) of the Food Safety and Standards Act, 2006 and rule 16 of the Food Safety Standards Authority of India rules, 2008, and also signed the “Annual Declaration of Interest”.
Item No. II: Disclosure of interest by members

All the members present during the meeting signed the “Specific Declaration of Interest” in respect of the agenda items to be considered in the meeting, before the start of the proceedings.

Item No. III: To note appointment of Chief Executive Officer (CEO)

The Authority noted the appointment of Shri D.K. Samantaray as Chief Executive Officer, FSSAI.

Item No. IV: Confirmation of the minutes of the last meeting held on 30th October 2012

The Authority confirmed the minutes of the eleventh meeting of the Food Authority held on October 30, 2012.

Item No. V: Chief Executive Officer’s report

The Authority took note of CEO’s report. CEO in his report stated that this is the first meeting of the newly constituted Authority and welcomed all the distinguished members who for the next three years will guide the Authority in the challenging task for ensuring safe food to one and all in the country. The Authority was briefed about the activities undertaken by FSSAI for the period November 2012 to August 2013. The report focused on the activities undertaken covering the areas of: Enforcement process; Training and Capacity Building; IEC activities; Scientific Committee/Scientific Panel meetings and the work on the Standard Setting; Harmonization of Standards with Codex; Codex activities including setting up of Codex Committee on Spices and Culinary Herbs, which will be hosted by India; Food Safety Surveillance System; Food Safety Management System; Product Approval; Laboratory Upgradation; Financial and Budgetary support; Accounts of the Authority; Human Resource Management and International Cooperation.

Item No. VI: Presentation on the way ahead by FSSAI

A presentation was made covering the salient features of FSS Act, 2006 that led to the creation of FSSAI. The presentation also covered the important provisions of the FSS Regulations, 2011; the current activities and the way ahead. It was indicated in the presentation that the building blocks on which the future work is proposed are:
Science based Quality and Safety Standards; having effective enforcement and risk based surveillance, integrated food quality testing infrastructure; Capacity building, training, awareness campaigns and strengthening of FSSAI by way of manpower as well as infrastructure. It was also informed that the proposed activities that cover both Central Sector Scheme as well as Centrally Sponsored Schemes have been designed keeping in view the outlay of Rs 2350 Crore, which is subject to the approval of the Expenditure Finance Committee and the Cabinet. The presentation was followed by discussion and following points emerged during the discussion:

- One of the members emphasized on the need of training and human resource development; awareness programmes for FBOs and need for recognition of more number of referral laboratories across the country. It was also requested to explore the possibility of having a separate Scientific Panel for Dairy and Dairy Products, India being the largest producer of the milk in the world and the need for revisiting the Standards for Milk & Milk Products, in view of the cross-breeding and changing feed/fodder patterns. It was also pointed out that concerted effort through awareness generating activities should be undertaken to bust the myths related to certain aspects of milk production, for e.g., use of oxytocin injection for milk production.

- One member emphasised the need of having food testing laboratories at International Airports and also making the Custom Authorities aware about the FSS act and Regulations therein for the imported food.

- Another member brought to notice the fact that food testing laboratory infrastructure needs to be strengthened in North Eastern part of the country and particularly in Mizoram where there is no food testing laboratory. Even the food testing laboratory at Guwahati was not adequately equipped. Chairman, FSSAI informed that during 12th five year plan there is an emphasis on Upgradation of 72 Public food testing laboratories and also setting up of one food testing laboratory in a cluster of twenty districts, with the capability to undertake basic tests. It was also informed that FSSAI is in touch with Institutions (CSIR/ICMR/ICAR) for twinning arrangements in the areas of research and development, standards setting, Training &Capacity Building etc.
• Joint Secretary, MoFPI enquired whether private laboratories are also recognised by FSSAI? It was informed that 68 NABL accredited laboratories have been recognised by FSSAI and it is a dynamic process.

**Agenda Items**

1. **Approval of the Standards for various products/ingredients/microbial standards approved by the Scientific Committee and various Panel**

   a. **Use of Isomaltulose as food ingredient under the FSS Regulation**

      The Food Authority noted and approved the recommendation of the Scientific Committee on the use of Isomaltulose as food ingredient in the Confectionery products only, not exceeding 50% of the total sugar without adversely affecting the stability of the product.

   b. **Use of High Fibre Dextrin (Soluble Dietary Fibre) in various food products**

      The Food Authority noted and approved the recommendation of the Scientific Committee for use of High Fibre Dextrin (Soluble Dietary Fibre) prepared from wheat or maize as a substrate in the following food products:

      - Flakes and ready to eat dry breakfast cereals, noodles, pasta, salad dressings/toppings and spreads; table top fibre as filler or carrier and
      - Cereals and other snack food/ savouries, bakery products including Biscuits, cookies, Bread, Cake mix and pastries.

      Products containing added High Fibre Dextrin be labelled accordingly along with the source of same in the “ingredients panel” of such products and the source of the ingredients (wheat/maize) should be Non GM.

      In case of products containing added High Fibre Dextrin if it is intended to make claims, such claims shall comply with Codex guidelines and RDA guidelines of India.
c. Use of the algal and fungal oil as sources of DHA and ARA from Cryptophyceae cohnii and Mortierella alpine respectively for Infant formula and follow up formula

The Food Authority noted and approved the recommendation by the Scientific Committee regarding the algal and fungal oil as sources of DHA and ARA from Cryptophyceae cohnii and Mortierella alpine respectively for infant formula and follow up formula at the level of 17mg/100 kcal (equivalent to 0.3% of Total Fatty acids of DHA) and ARA as ratio of ARA: DHA as 2:1.

d. Adoption of BIS standards for Dairy whitener, Malt Extract, Edible Groundnut Flour (expeller pressed), Baker’s yeast, Ascorbic acid – food grade, Calcium propionate – food grade, Lactic acids – food grade, Sodium metabisulphite – food grade, Protein rich supplements for infants and pre-school children

The Food Authority noted and approved the recommendation by the Scientific Committee for adopting the specifications of 10 BIS Standards under FSS Regulations.

e. Approval of use of Glazing Agents in Gum

The Food Authority noted and approved the recommendation by the Scientific Committee for the use of glazing agents namely carnauba wax, bees wax, candelilla wax and shellac at GMP Level in chewing gums and bubble gums.

f. Approval of Microbial Standards for Milk and Milk Products

The Food Authority noted and approved the recommendation by the Scientific Committee that a time period of one year from the date of notification may be given to the Food Business Operators to implement the Microbial Standards for Milk and Milk Products.

g. Approval of use of Polycarbonate In Manufacturing of Feeding Bottles
The Food Authority noted and approved the recommendation of the Scientific Committee that Polycarbonate materials should be removed from the approved list of material to be used for manufacturing of infant feeding bottle.

While discussing the Agenda items following points were raised by some of the members:

- It was requested, if the rationale for acceptance of some ingredients in certain products and their non-allowance in others by the Scientific Committee (SC)/Scientific Panels (SPs) could also be provided as part of the agenda. It was also suggested if the minutes of the Scientific Panels/Scientific Committee could be made available to the members.

- The process of scientific assessment followed by the SC/SPs was explained in detail, in response to the point raised regarding the basis for Standard setting. It was informed that members of the SC and SPs are eminent scientist and experts in their respective fields. Due diligence is done by the members of these scientific bodies based on the documents submitted by the applicants, keeping in view the conditions applicable to our country. While looking at the Codex standards too, these bodies keep in mind the various conditions relevant to India.

- It was also agreed that Food Standard setting is a dynamic process and the standards once adopted are always open to updatations and review.

Summing up the discussion on the points raised, it was agreed that the agenda items would carry the gist of the discussions held in the Scientific Committee and the concerned Scientific Panels on the concerned agenda item in a little more detail. It was also agreed that the minutes of these meetings would be made available to the members during the Authority meeting.

2. Approval of amendments of FSS Regulations and approval of revised Proforma for submitting data

a. Amendment to Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011 with regard to Maximum Residue Limits of Pesticides
The Food Authority noted and approved the recommendation by the Scientific Committee on the MRLs pertaining to following pesticides as mentioned below:

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Pesticide</th>
<th>Commodity</th>
<th>Proposed MRLs/(mg/kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Profenofos</td>
<td>Soybean</td>
<td>0.01*</td>
</tr>
<tr>
<td>2.</td>
<td>Hexythiazox</td>
<td>Apple</td>
<td>0.3</td>
</tr>
<tr>
<td>3.</td>
<td>Pyraclostrobin</td>
<td>Soybean</td>
<td>0.02*</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td>Cotton</td>
<td>0.02*</td>
</tr>
<tr>
<td>5.</td>
<td>Sprimesifen</td>
<td>Cotton</td>
<td>0.01*</td>
</tr>
<tr>
<td>6.</td>
<td>Dithiocarbamates (Mancozeb as CS2)</td>
<td>Onion</td>
<td>4</td>
</tr>
<tr>
<td>7.</td>
<td>Dithiocarbamates (Zineb as CS2)</td>
<td>Turmeric</td>
<td>2</td>
</tr>
<tr>
<td>8.</td>
<td>Tricyclazole (Revised MRL))</td>
<td>Rice</td>
<td>3</td>
</tr>
</tbody>
</table>

*(Limit of Quantification)*

b. Approval of Revised proforma for submitting data on residue and toxicity by the applicants seeking registration of new pesticides for use in the country under section 9(3) of the Insecticide Act, 1968

The Food Authority noted and approved the recommendation of the Scientific Committee on revised proforma for submitting data on residue and toxicity by the applicants seeking registration of new pesticides for use in the country under section 9(3) of the Insecticide Act, 1968.

c. Amendments in the FSS Rules and FSS (Licensing and Registration of Food Business) Regulation, 2011

The Food Authority noted and approved the recommendation regarding the amendments in the FSS Rules and FSS (Licensing and Registration of Food Business) Regulation, 2011.
3. Approval of Draft Regulations

a. Draft Food Safety and Standards (Food Recall Procedures) Regulations, 2013

Keeping in view the points raised by certain members, it was decided to constitute a sub-group of Authority members to discuss the draft Food Safety and Standards (Food Recall Procedures) Regulations, 2013. The sub-group would submit its report within 30 days. The subgroup will constitute the following members:

I. Dr. AK Srivastava -Chair
II. Ms Shreya Pandey-Member
III. Ms. Meetu Kapur-Member
IV. Shri Vasudev K Thakkar -Member
V. Dr. AR Sharma – Member

b. Draft Regulation on Nutraceuticals, Nutritionals, Functional Foods, Novel Food and Health Food Supplements

Keeping in view the points raised by certain members, it was decided to constitute a sub-group of Authority members to discuss the draft Food Safety and Standards (Nutraceuticals, Nutritionals, Functional Foods, Novel Food and Health Food Supplements) Regulations, 2013. The sub-group would submit its report within 30 days. The subgroup will constitute the following members:

I. Dr. (Ms.) Lalitha Ramakrishna Gowda- Chair
II. Ms Shreya Pandey-Member
III. Ms. Meetu Kapur- Member

4. Approval of accounts of the Authority for the FY 2012-13

The Food Authority noted and approved the accounts of the Authority for the FY 2012-13.
5. Agenda for information to the Authority

a. Food Safety and Standards Authority of India (Salary, allowances and other conditions of the service of Officers and Employees) Regulation, 2013

The Authority members were informed about the Food Safety and Standards Authority of India (Salary, allowances and other conditions of the service of Officers and Employees) Regulation, 2013.

b. Surrender/Handover of Food Research and Standardisation Laboratory (FRSL), Ghaziabad.

The Authority members were informed about the surrender/handover of Food Research and Standardisation Laboratory (FRSL), Ghaziabad in view of the fact that majority of the employees had opted to remain in the government. FRSL, Ghaziabad, will however, continue to remain as one of the referral laboratory notified by FSSAI.

c. Documents to be enclosed for new application for license to State/Central Licensing Authority

The Authority members were informed about the documents for new application for license to State/Central Licensing Authority.

d. Various Advisories issued between June 2012-July 2013

The Authority members were informed on the various Advisories issued from June 2012-July 2013 by the FSSAI.

6. Policy for provisional adoption of Codex standards for application in Domestic market

The Authority members considered the proposal of policy for provisional adoption of Codex standards for application in Domestic market.
7. Recent initiatives taken by FSSAI for Up-gradation/Harmonisation of India’s Food Standards with those of Codex

The Authority members were informed about the recent initiatives taken by FSSAI for Up-gradation/Harmonisation of India’s Food Standards with those of Codex.

8. Any other item with the approval of the Chairperson

None.

9. Conclusion

While concluding the meeting, Chairperson, FSSAI thanked all the members for their active participation and looked forward to their active participation in bringing the food safety into public consciousness. He also requested the members to bring to the notice of the Authority issues that require attention. It was important that for implementing the Act of this kind to involve the consumers actively, so that the Act would be pull driven rather than the push factor being the driving force.

Chief Executive Officer

Chairperson
List of participants

Members of the Authority

1. Shri K. Chandramouli, Chairperson, FSSAI
2. Shri D.K. Samantaray, Member Secretary
3. Dr. AK Srivastava, Director, National Dairy Research Institute, ICAR, Karnal, Haryana-132001
4. Dr. (Ms.) Lalitha Ramakrishna Gowda, Chief Scientist, Department of Protein Chemistry and Technology, CSIR, Mysore, Karnataka-570020
5. Ms Shreya Pandey, All India Food Processors’ Association, 206, Aurobindo Place Market, Hauz Khas, New Delhi-110016.
6. Ms. Meetu Kapur, Confederation of Indian Industry (CII), India Habitat Centre, Core 4A, Ground Floor, Lodhi Road, New Delhi-110003.
7. Shri Thanglura, Mizoram Consumers’ Union, Lalat Chamber, Temple Square, Tuikual South, Aizawl, Mizoram-796001.
8. Shri Vasudev K Thakkar, President, ‘V’ Care Right & Duty NGO. V. Care House Opp. Keval Farm, Karodia Road, Post-Bajwa, Vadodra, Gujarat-391310.
10. Dr. AR Sharma, CMD, M/s Ricelaa Health Health Foods Ltd. Village Manwala, Saron Road, Dhuri, Sangrur, Punjab-148024.
11. Ms. Anuradha Prasad, Joint Secretary, Ministry of Food Processing Industries, Panchsheel Bhawan, New Delhi
12. Shri G. Narayan Raju, Joint Secretary & Legislative Council, Ministry of Law, New Delhi

13. Shri Utpal Kumar Singh, Joint Secretary, DAC, Krishi Bhawan, New Delhi

14. Shri Asit Tripathi, Joint Secretary, Department of Commerce, New Delhi

15. Dr. Suresh Chopra, Representative of Govt. of Himachal Pradesh, State Nodal Officer for Food Authority, Himachal Pradesh

16. Shri MP Singh, Addl. Development Commissioner, Mo MSME, 716, Nirman Bhawan, New Delhi

**Officers of FSSAI**

1. Shri S. Dave, Advisor, FSSAI

2. Ms. Vinod Kotwal, Director (Codex/FA/Estt.), FSSAI

3. Shri Pradip Chakraborty, Director (Zone/IEC/Admin.), FSSAI

4. Col CR Dalal, Director (Surveillance/Enforcement), FSSAI

5. Dr. Meenakshi Singh, Scientist (Standards), FSSAI

6. Dr. Sandhya Kabra, Director (QA), FSSAI

7. Shri Anil Mehta, DD (Northern Region), FSSAI

8. Shri Rakesh Kulshrestha, DD(GA), FSSAI

9. Shri Sanjay Gupta, AD (Enf.), FSSAI

10. Shri BG Pandian, AD (Imports), FSSAI

11. Shri PK Karthikeyan, AD (QA), FSSAI