

## **Science in Food Safety and Standards Authority**

### **Selection of Scientists to the Scientific Panels and Committee**

#### **Provisions of the Food Safety and Standards Act, 2006**

1. Section 13(1) and 14 (1) of the Food Safety and Standards Act, 2006 specifies that Food Authority shall establish Scientific Panels, which shall consist of independent scientific experts and constitute Scientific Committee which shall consist of the Chairpersons of the Scientific Panels and six independent Scientific Experts not belonging to any Panels. As per section 15 (1) of the Food Safety and Standards Act, 2006 the members of the Scientific Committee and Scientific Panels shall be appointed by the Food Authority, for a period of three years, which shall be renewable for such period and the vacancy notice shall be published in the relevant leading scientific publications and on the Food Authority's website for a call for expressions of interest. As per section 13 (2) of the Food Safety and Standards Act, 2006 the Scientific Panel shall invite the relevant industry and consumer representatives in its deliberations. Recommendations of the Scientific Panels will be further scrutinised by the Scientific Committee. Scientific Panels and Scientific Committee meet whenever there are issues to be considered and members participate in their individual capacity and not as representative of any institution. As per the section 14(2) of the Food Safety and Standards Act, the Scientific Committee shall be responsible for providing scientific opinions to the Food Authority and shall have the powers, where necessary, of organizing public hearing. The recommendations of the Scientific Committee will then be considered by the Food Authority before a final decision is taken on various issues.

## **Procedure for Selection of Scientists**

2. The Draft Internal Procedure for Selection of Members of the Scientific Committee, Scientific Panels and External Experts for Working Groups of the Scientific Committee and Scientific Panels were drawn up by the Secretariat of the Food Authority and placed in the website for public comments. Based on the detailed comments received, the procedure was revised and the final draft was placed before the Food Authority for approval. The selection of the members of the Scientific Panels and Scientific Committee was done after the procedure was approved by the Food Authority.

3. A notice for Expression of Interest was invited in the newspapers and the details were also inserted in the website of the Ministry of Health and Family Welfare and Ministry of Food Processing Industries. Letters were also sent to relevant research and scientific institutions such as Indian Institutes of Technology, Indian Institute of Science, Central Food Technological Research Institute, Indian Institute of Toxicology Research, National Institute of Nutrition, National Dairy Research Institute. In several cases Food Authority proactively contacted eminent scientists to enquire whether they will be available for the proposed scientific work so as to elicit the maximum participation by scientists whether they are in the public or private sectors. Nearly 230 scientists both from public and private sectors responded with detailed bio-data, publications, research record, references and particular scientific interests.

4. The names of nearly 230 scientists received in response to the expression of interest were evaluated by an Evaluation Team of officers set up by the Chief Executive Officer with the approval of Chairperson of the Food Authority keeping in view their specific expertise in risk assessment, proven scientific excellence, publication record, willingness to participate in

the meetings, peer reviewing scientific work, analysing intricate scientific issues, and the capacity to work in a multidisciplinary environment, according to a weighting diagram. The proposals were then placed before two eminent public sector scientists and Food Authority members to review the procedure of selection followed and the suitability of candidates. After this review, the names for each Scientific Panel and Scientific Committee were placed before the Food Authority in its meeting on 8<sup>th</sup> May 2009 for approval which was unanimously approved by the Members of Food Authority. Under section 13(4) of the Act, Food Authority may from time to time reconstitute the Scientific Panels by adding new members or omitting existing members. The Scientific Panels and Scientific Committee were constituted as per the approved Internal Procedure for Selection of Members of the Scientific Committee, Scientific Panels and External Experts for Working Groups of the Scientific Committee and Scientific Panels and the provisions of the FSS Act, 2006. Selection of scientists will be a continuous process based on the availability of specific skills and new developments in science and technology. The members of the Scientific Committee and Scientific Panels are required to submit an Annual Declaration of Interests indicating either the presence of any direct or indirect interests or absence of any interests which might be considered prejudicial to their independence. The members will be required to submit a Specific Declaration of Interest if any made in relation to items of the agendas of the meeting as per the provisions of section 16 (4) of the FSS Act, 2006 and sign the confidentiality form not to divulge to third parties information specifically identified by the Food Authority as “restricted or confidential” and commit to act independently and in public interest, without any external influence.

5. Scientists from the private and non government sectors are already being associated by the Ministry of Health and Family Welfare in its standard

setting body i.e. Central Committee for Food Standards and Ministry of Consumer Affairs, Food & Public Distribution in its standard setting body i.e. Bureau of Indian Standards etc. The objective of setting up the Scientific Panels and Scientific Committee is that the best available scientific expertise available within the country should be utilised for forming scientific opinions. The Joint WHO, FAO Expert Committee on Food Additives (JECFA), for example, lays down that experts attend as independent internationally recognised specialists who act in their personal capacities and not as representatives of their employer, government or other institution. Their parent organisations are required to spare them for this service whenever required. This is the practice being followed by various food standards setting agencies in the world.

6. In the eight Scientific Panels and the Scientific Committee constituted by the Authority, at present there are 27 scientists from the private sector out of a total of 123 scientists (21%).

### **Rationale for Induction of Scientific Experts from all sectors**

7. The Scientific Panels and Scientific Committee of the Food Safety and Standards Authority have been established for bringing into the standard setting process the best available scientific expertise within the country, both inside and outside the Government. Scientists participate in these Scientific Panels and Scientific Committee not on behalf of a particular organisation, but as individual Scientists on the basis of their own expertise. Before each meeting of the Scientific Panel and Scientific Committee, the Scientists have to declare any possible conflict of interest so that discussions are objective and the public is aware of the interests and background of the participating Scientists. The detailed guidelines issued in this regard specify that each scientist will declare all his interests, liabilities, assistance received from

government, financial and other interests which may conflict with the performance of his duties as a member of the Panel/Committee. Whenever a conflict of interest is established, Chairmen of the Panel/Committee are required to exclude such scientists from consideration of items in the agenda. This is the general practice being followed by Scientific Panels in food regulatory authorities in other countries and WHO, FAO. The minutes of the proceedings shall be posted on the Food Authority's website after their adoption. Annual Declaration of Interest and Specific Declaration of Interest in each meeting are mandatory for all members, scientists and other experts who participate in the meetings of the Authority. Thus an elaborate Conflict of Interest procedure has been introduced in this standard setting body in India in the interest of absolute transparency and objectivity.

8. Food Safety and Standards Act, 2006 is based on the recognition that the issues which come up before the regulator are essentially concerned with intricate and multi-disciplinary scientific matters, diverse insights brought in by the stakeholders involved and the result of risk analysis assessment procedures and these are best handled by bringing together all stakeholders and facilitating an informed discussion. Bringing the current scientific opinion on various issues requiring in depth analysis into the decision making process in the Food Authority is the objective of Scientific Panels and Scientific Committee. The guidelines to Scientific Panels and Committee make it very clear that having an interest in a particular scientific issue does not necessarily mean a conflict of interest. **In fact, keen intellectual interest in scientific issues is a pre-condition for participation in such Committee and Panels. It is also based on the recognition that any scientist can contribute to scientific knowledge and safety of food, if discussions and conclusions are based on reliable scientific evidence, open discussion and rigorous validation procedures. Transparency, a high level of**

**scientific integrity and rigorous conflict of interest procedures are the best safeguards for science-based food standards and food safety.**

9. Feedback received from various stakeholders of the scientific community indicate that they look forward to actively participate and contribute in the standards setting process from which they had been left out till now.

10. Both the Food Authority and the Central Advisory Committee comprise of representatives from all stakeholders including Government, both Central and State, consumers, industry, research and scientific bodies etc. They are expected to bring to the deliberations their individual and group perspectives so that a balanced view emerges. The meetings held by Food Authority till now have confirmed it is possible for representatives of various sectors having different perspectives to sit together, discuss and arrive at implementable decisions.