

**Minutes of the Third Meeting of FSSAI held on 26<sup>th</sup> November, 2009 at 1100 Hrs at its Headquarter at FDA Bhawan, New Delhi.**

Shri P. I. Suvrathan, Chairperson extended a warm welcome to all the members to the third meeting of the Food Authority. List of participants who attended the meeting is at Annexure-I. Leave of absence was granted to Smt. Upma Chaudhry, Smt. Navraj Sandhu, Shri N.K.Nampoothiry, Shri Bejon Mishra and Shri Gibson G. Vedamani who could not attend the meeting.

**Item No.1:**

There was no new member in the meeting.

**Item No.2:**

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

**Item No.3:**

Confirmed the minutes of second meeting of the Food Authority held on 8<sup>th</sup> May, 2009 and Action taken Report in respect of minutes of the meeting.

**Item No.4:**

Considered the report presented by Shri V.N. Gaur, Chief Executive Officer (copy annexed), highlighting the developments during the past six months since the last meeting of the Food Authority in reference to the action plan for the year 2009-10 as well as some new initiatives. Members took note of the steps taken by the Food Authority for implementation of various provisions of Food Safety and Standards Act, 2006 and emphasized that Food Authority would have to take a lead role in strengthening of states' infrastructure and capacity building to ensure

efficient enforcement & monitoring systems. It was brought to the notice of the members that Food Authority is already working on a proactive action plan on support mechanism for the states in consultation with Indian Institute of Public Health (IIPH), Hyderabad and proposes to start a few pilot projects to develop implementable schemes in all states.

The following suggestions were made by the members:

1. Information and data relating to implementation of food safety measures by States should be available on a regular basis and the mechanism for this purpose needs to be established.
2. Nutrition Labelling has now been notified and Food Authority may obtain feedback on the proper implementation of this notification.
3. Maximum Residue Limit for pesticides have been decided for carbonated beverages as per the directions of the Hon'ble Supreme Court and further action is required to be taken in this regard.
4. Authority should consider developing a regulatory framework for genetically modified foods as indicated in the Act.
5. Guidelines for nutraceuticals would be required at the earliest.
6. Food Authority will have to take a lead role in strengthening the States' infrastructure by providing Trainings and Capacity building programmes for the states.
7. Codex forum need to be strengthened. FSSAI may consider a funding mechanism to encourage serious participation in codex activities.
8. A time frame needs to be specified for operationalising the remaining provisions of the Act.

**Item No.5 (a):**

The proposal involves the integration of existing licensing procedures under various food related orders/Act viz. FPO, MFPO, MMPO, PFA etc. into a single, simplified licensing system for all types of food

items as mandated by Food Safety and Standards Act, 2006. The proposal was discussed in detail and the following observations were made:

- (i) The first line of para 2 under clause 5 (5) should be read as "Provided that no person shall manufacture, import, sell, stock, distribute or **exhibit for sale or distribution.....**"
- (ii) Under clause no.12, it was suggested that prior permission from the licensing authority should be required only in case of major changes in the layout. Changes based on seasonal requirements should not require prior permission unless until it is likely to have impact on the basic requirements of quality and safe food and just an intimation in this regard would be sufficient.
- (iii) Under schedule 1, the word "other" in point (v) appears to be superfluous and need to be properly defined.
- (iv) In point (ix) of schedule 1, turnover may be considered as the basis for the identification of retail chains instead of number of states where they are operating. Otherwise, for all inter-state operations, provision of Central Licensing may be considered.
- (v) In Annexure 2, provision of only one responsible person for small scale industries may be included under point no.7.
- (vi) Under Schedule 3, enabling clause may be considered to provide flexibility to States in fixing the licensing fee provided they have justification for the same.
- (vii) Under schedule 4, point 1 of part A, some flexibility in terms of area requirement may be given by providing a range.
- (viii) Under Schedule 4, Part I, the minimum distance of the food premises from filthy surroundings should be clearly indicated in point A (3).
- (ix) In document part II, the words "well equipped modern laboratory" under point 7.1 need to clearly spell out the requirements of such laboratory.

- (x) Regulatory provisions for inspection may be kept at the minimum and a practical approach should be adopted which allows no compromise with safety. Periodical inspection should be clearly defined in terms of number of inspections required to be done in a year.
- (xi) It was also suggested that vague terms like adequate, appropriate, proper, periodic etc. should be clearly defined either in foot notes or in annexure so as to avoid any legal implication and misuse by the operators to suit their own convenience.
- (xii) The returns in respect of milk units should be monthly instead of annually to facilitate monitoring.
- (xiii) A simple procedure needs to be put in place for existing licensees to migrate to the new system without requiring small business operators to approach to regulatory personnel frequently.
- (xiv) A suitable provision needs to be incorporated for enabling restrictions to be imposed on licensed units in the interest of availability and safety of food.
- (xv) It is advisable to spread out licensing dates for the whole year rather than bunch them at the end of the year.
- (xvi) PFA notifications which are pending consideration after the approval of CCFS Committees may be expedited.
- (xvii) Standards are required to be developed for oil fortification.
- (xviii) The Authority should make arrangements to secure technically skilled human resources to implement the provisions of licensing.
- (xix) Smaller states may face difficulties in implementation initially and suitable provisions for support from adjoining states or centre may be considered. Further, financial schemes for developing infrastructure and common facilities to support smaller states may be considered by FSSAI.

The Authority considered and approved the draft and recommended for wide consultations with States.

**Item No. 5 (b):**

The proposal involves integration of rules and regulations of PFA into a more comprehensive, systematic, scientific form in line with the requirements of Food Safety and Standards Act, 2006. Suggestions were made regarding missing linkages, foot notes related to earlier notifications and clerical mistakes. It is necessary that all amendments are incorporated at the appropriate places. After the detailed deliberation, the Authority approved the draft for consultation with various stakeholders in the food sector.

**Item No.6:**

Trans fatty acids (TFAs) are primarily associated with Vanaspati which is a significant component of Indian diet and their links with diabetes and Cardiovascular Diseases (CVDs) is well established. Keeping in view the risks involved, the proposal involves fixation of norms for Trans fat in the country. The Authority considered the proposal in the light of Indian as well as global scenario, research studies and Risk Assessment report of NIN, Hyderabad. It approved the draft notification fixing 10% as the maximum limits for trans fatty acids in partially hydrogenated vegetables oils sold to consumers or for use as ingredient for preparation of food, for consultation. The representative from Industry suggested that further detailed studies on Dietary Profile, Risk Assessment related to transfat in Indian context and issue of melting point need to be taken before arriving at any final decision in the matter. It was suggested that Authority may also commission surveys/studies on the TFA component of Indian diets, technological options available for reduction of TFA and capacity building and communication strategies required to create awareness among consumers. A national consultation may also be

organized to obtain feedback from consumers and industry and the scientific community for implementation of the regulation.

**Item No.7:**

The Authority considered and approved the draft Code of Self Regulation for Food Advertising for further consultation with the stakeholders and operationalisation through agencies such as the Advertising Standards Council of India. There was a view that code of self regulation cannot be substitute of regulatory mechanism and necessary regulatory provisions for advertisement in terms of section 24 of the Act may be taken up in the due course of the time.

**Item No.8:**

The proposal involves the transfer of National Codex Contact Point (NCCP) to Food Safety and Standards Authority of India with a dedicated codex cell and creating a strong institutional structure to ensure integrated approach in addressing codex matters. The Authority approved the draft guidelines and suggested that NCCP need to be strengthened in terms of infrastructure, manpower, sufficient budgetary provision. National Codex Committee and its shadow committees need to be activated for effective participation in codex issues. Authority may now notify the new regulations/guidelines and operationalise the same.

**Item No.9:**

Considered and approved the proposal on extending Modified Assured Career Progression Scheme (MACPS) to the employees to the Food Authority.

**Item No.10:**

Presently, several agencies are working in India for regulating GM foods. Food Safety and Standards Act, 2006 requires Food Authority to regulate all genetically modified foods. The proposal suggests that Food

Safety and Standards Authority of India will coordinate the process with the existing GM regulatory agencies viz. Department of Biotechnology (DBT), Ministry of Environment and Forests (MoEF) and Indian Council of Medical Research (ICMR) as an interim arrangement to fulfil its regulatory obligations till the rules and/or regulations for GM foods are notified under the FSSA, 2006. The Authority considered, discussed and approved the proposal.

**Item No.11:**

Ms Vasudhara Deodhar made a presentation on "Food Safety Tips for use of gadgets and plastic ware in kitchen". It was suggested that Authority may come out with a document on "Plastics and Food" and develop a scheme on how NGOs can work with Food Authority to propagate the objective of food safety".

Chairperson shared the following information with the members:

- Initially, Dr. Indrani Kar from CII had informed Food Authority that she is no longer looking the food aspects in CII and suitable representative may be nominated in Food Authority in her place. However, in a subsequent communication, she informed that she would continue as member of Food Authority.
- Retailers Association of India (RAI) has informed that Mr. Kumar Rajagopalan has taken over as CEO of RAI from Mr. Gibson G Vedamani and requested to incorporate to include Mr. Kumar Rajagopalan as member of Food Authority.
- VOICE has also informed that Shri. Bejon Mishra is no longer with VOICE as Executive Director and requested to include Prof. Sri Ram Khanna (Founder and Managing Trustee of VOICE) to include as VOICE nominee in Food Authority.

The Food Authority is taking up the matter with Ministry of Health & Family Welfare for required changes in the members.

Chairperson brought to the notice of the members a report of alleged misuse of the membership of the Authority for commercial purpose. It was agreed that a group of 3-4 members may be constituted which can look into the present issue and recommend appropriate action. Further, this group can suggest guidelines for the conduct of members while serving as members of Food Authority.

**Vote of thanks:** The meeting ended with vote of thanks to the Chair.



## **Annexure-I**

Following were present during the third meeting of the FSSAI held on 26<sup>th</sup> November, 2009 at 1100 Hrs at its Headquarter at FDA Bhawan, New Delhi.

### **Members of Food Authority:**

1. Shri P.I.Suvrathan, Chairperson
2. Shri V.N.Gaur, Member- Secretary
3. Shri K. Rajeswara Rao
4. Smt. Vasundhra Pramod Deodhar
5. Shri V. Balasubramaniam
6. Dr. (Mrs.) T.A. Kadarbhai
7. Shri Anshu Prakash
8. Shri Debasish Panda
9. Ms. Mona Malhotra Chopra
10. Dr. Indrani Kar
11. Dr. Indira Chakravarty
12. Shri Dinesh Sharma
13. Shri M.P.Singh (in place of Shri K.S.Ludu)
14. Dr. N.N.Varshney
15. Shri Sanjay Singh
16. Dr. P. Sucharitha Murthy
17. Shri Shiv Narayan Sahu
18. Dr. Swapan Kumar Paul
19. Dr. S. Girija

### **Special Invitees:**

1. Dr. Ghafoorunissa
2. Dr. Kalpagam Polasa
3. Mr. K. Vijayraghavan