

MINUTES OF THE THIRD MEETING OF THE CENTRAL ADVISORY COMMITTEE

VENUE : HOTEL ASHOK, NEW DELHI

DATE AND TIME : 22nd FEBRUARY, 2011, 11.00 AM

LIST OF PARTICIPANTS : ANNEXURE I

The Third meeting of Central Advisory Committee (CAC) held on 22.02.2011.

Shri V.N. Gaur, Chief Executive Officer, FSSAI and the Chairman of the CAC, welcomed the members to the 3rd meeting of the CAC. He outlined the members about activities of the Food Safety and Standards Authority of India (FSSAI) during the year after the 2nd meeting of the CAC. The draft regulations have been notified and are nearly in the final stage. FSSAI has worked on every comment received and necessary changes have been incorporated wherever required. Regulation no 603 of the draft which includes milk and milk products and two pesticide related regulations are in the final stage. The approval process of these regulations is in place and would be notified, in due course of time. The draft rules are likely to be notified in the final shape shortly. He emphasised that the main role for implementation of Act will be played by the concerned States and Union territories.

The main agenda for this meeting will be to review the preparedness status of the States/UTs in terms of staff, laboratories and infrastructure, etc.

CEO informed that FSSAI has already started implementing control of imported foods at five major seaports. After some initial hiccups the process has been streamlined in all these ports of JNPT, Mumbai, Kolkata, Haldia and Chennai. FSSAI has appointed and notified Authorised Officers in each of these ports. In the second phase FSSAI would endeavour to control imported food, in other major Sea ports and airports. Performing of these expert functions is proving to be an uphill task given the limitations of trained manpower.

On the administrative side, FSSAI had requested for 531 additional posts whereas the Government had sanctioned 355 posts which includes scientists, enforcement, surveillance and Administration personnel. The draft Recruitment rules are in the preparatory stage.

He stressed on the importance of communication of the message of food safety in different languages through relevant channels like pamphlets, booklets, advertisements through newspaper, radio, television, which would increase awareness about food safety among public, Food Business Operators and other stake holders. He also suggested setting up a helpline system, which can also act as a public grievance or complaint cell.

He mentioned that the Government has announced a 'whistle blower' scheme which is at the formative stage. The 'whistle blower' mechanism can be made effective by giving rewards to those who report the cases of adulteration and other malpractices related to food for which provision exists in the Act. He further informed that EOI were called from NABL accredited Laboratories for testing food samples which would work along with PFA Labs to strengthen Food Surveillance system and also for empanelment of agencies for surveillance matters.

AGENDA 1- Confirmation of the minutes of Second Meeting of CAC:

The CAC confirmed the minutes of the Second meeting held on 22nd October, 2010.

AGENDA 2-Review of preparedness from PFA to FSS Act:

AGENDA 3-Licensing and Registration system:

AGENDA 4- Action taken by states vis-à-vis the structure proposed by FSSAI:

AGENDA 5- Action plan by states for upgradation of Public Food laboratories:

Chairman suggested that since agenda items from 1-5 are linked and are regarding action taken/preparedness status for implementation of FSS Act by each State/UT, so all these can be taken together. Representatives were requested to give comments on agenda 2,3,4 &5 and suggestions, if any. The details of preparedness of States/action taken by each State/UT as presented during the Meeting is as below.

COMMENTS FROM VARIOUS STATES:

1. Manipur:

Representative from Manipur stated that the Commissioner of Food Safety has attended the training and other designated officers of the state will be trained. There are 9 districts and equal number of Food inspectors are available. There is shortage of staff and funds. Two labs are functional in the state. In the border districts there is requirement of 2 more Food safety Officers.

In response to this, Chairman clarified that funds for such activity has to be provided by the state government because ultimately the enforcement of the Act is the responsibility of the states. But the states

can make use of the schemes of M/o Food Processing industries for up gradation and accreditation of Labs. He further informed that FSSAI has also initiated talks with planning commission requesting Commission to allot extra funds which can be given to states in the next financial year.

2. Gujarat:

Representative informed CAC that the state is ready for implementation of FSS Act. The 6 labs present in various parts of Gujarat are all in the process of getting NABL accreditation. Training programmes have been scheduled and will be completed by the end of March. Appointment process for Food Inspectors is getting on. Good Manufacturing Practices, Good Handling Practices, Good Laboratory Practices are being implemented effectively in the state in a phased manner.

CEO, FSSAI appreciated the works of Gujarat.

3. GOA:

Representative from the State informed that with the help of the local Home Science College, street vendors were given training on Good Manufacturing Practices in the state. It has improved the hygienic awareness among the vendors as well as the consumers. The state has only one lab and it is under the process of accreditation from NABL. The appointment process for Adjudicating officer is in the final stage and Food Inspectors training programme is over.

4. Kerala:

The office of the Food Safety Commissioner is fully functional with the financial support from NRHM. Food safety officer's capacity building programme is over. Designated officers training will be completed by March. Notification for Food safety officers and designated officers are in the final stage. Awareness programmes for food business operators were conducted in all 14 districts. QCI visited 2 out of 3 labs and process is on for upgradation of the same.

5. Maharashtra :

The State has notified the commissioner for Food Safety. Orders for the notification of Food Safety Officer, Designated Officer

Adjudicating Officer are in the final stages. Two labs are available with the State. The State has some shortage of staff. The state food commissioner requested FSSAI to help the State in planning a training programme for Laboratory staff as due to lack of funding, the progress is very slow. The training of Food Inspector has been completed and awareness programme about Food Safety is going on.

In response to this, CEO, FSSAI clarified that FSSAI is planning a training programme for Labs staff. He also informed that, Food analyst exam for the year 2010 is over and shortly the details about the next exam will be published in FSSAI's website.

6. Uttarakhand :-

Recruitment and notification of Food Safety Commissioner and other Officers are under process.

7. Delhi :-

Delhi has appointed Food Safety Commissioner. The State is trying to actively involve the district administration and the local health authority for the successful implementation of FSS Act. The training programme for Food Safety Officers and Food Inspector is under process. Food safety Commissioner, Delhi pointed out that at present SDMs of 27 subdivisions have been notified and LHA and this system is working satisfactorily. This change has been brought about after the incidence of dropsy .Now also, since it will not be possible to appoint full time SDMs as designated officers under FSS Act, so district administration must be involved in maintaining a supervision over the designated officer as it is not possible for Food safety Commissioner to have direct control on all FSOs.

8. Himachal Pradesh :-

The State has identified the Food Safety Commissioner. The training of designated officers is yet to start. There is shortage of staff and funds in the State. The Gap Analysis is being done for the one lab which is situated in Shimla.

9. Andhra Pradesh :-

The State has appointed Food Safety Commissioner. The notification for Designated Officers and recruitment of additional staff are under process. There is one Lab which has qualified personnel and accommodation as per GLP and it will be applying for NABL

accreditation. The State has identified two more laboratories at Vishakapatnam and Guntur for upgradation . The process for appointment and notification for Food analyst and Adjudicating Officer is under process. Proposal was submitted to the Government for constitution of two Food Safety Appellate tribunal at Hyderabad and Vijayawada. For effective implementation of FSS Act, it was decided to launch a reward scheme for whistle blowers for information in cases of adulteration. Under capacity building project, HCL had developed a software for online transmission of data from district offices to monitoring unit at state HQ as well as to DGHS.

10. Karnataka :-

Commissioner of Dept. Of Health and Family Welfare is now Commissioner for Food Safety. The four labs present in the State are under the process of upgradation with the help of State Health Department and NRHM scheme. The notification of Food Safety Officer is under process and training was imparted to them. Seven Designated officers also got training. The recruitment of Adjudicating Officer is under process and the proposal for constitution of special courts is pending in the Law Deptt.

11. Mizoram :-

Notification for Food Safety Commissioner is under process. Awareness programme were conducted throughout the States on the topic of Food Safety the response was very good. The training programme for designated officer and for some Food Business Operators is over. Through checking of the Food Sample are to be done as the State has borders with Myanmar and Bangladesh.

CEO, FSSAI requested the State to appoint the Food Safety Commissioner immediately.

12. Chhattisgarh :-

The State has notified Food Safety Commissioner. The notifications for other officers are under process. There is shortage of staff so Medical Officers (FSO) were given one month training.

13. Sikkim: -

The State has notified Food Safety Commissioner. There is shortage of Staff and funds since the State is not having a proper Lab. The samples are being sent to the Guwahati Lab.

14. Tamil Nadu: -

The training programme for Food Safety Officers has been completed. State is ready for appointment of FSOs, district level officers and Adjudicating officers are ready. The recruitment process for the labs is over. Out of six labs, the state is trying to upgrade at least two labs. The training programmes for vendors and consumers are under process.

15. West Bengal : -

The complete staff structure is under submission for approval of the competent authority. The State has notified the public analyst. The training programme for different officers will be completed by May 2011.

16. Orissa: -

The State has notified Food Safety Commissioner. All districts in Orissa are having Food Analysts. Public Analyst is not present.

17. Jammu & Kashmir :-

The transition from PFA to FSSA is being done. The appointment of Adjudicating Officers is pending with the Admn Dept. of the State. The two labs which are situated in Srinagar and Jammu are having enough staff.

18. Chandigarh: -

The enforcement of Food Safety and Standards act is satisfactory in Chandigarh and they propose to appoint three SDMs as Designated Officers for each sub-division.

19. Pondicherry :-

The State has notified Food Safety Commissioner. The process is on to delink Food Dept. from Health. The labs which are available, are under the process of up gradation. The designated Officers' training is over and for Food Inspectors it has to be conducted.

20. Tripura :-

The State has notified Food Safety Commissioner. One lab is available with the State Health Dept. There is lack of basic knowledge in

Food Safety in the State and slowly the State is trying to reduce the gap in information.

21. Uttar Pradesh :-

The Uttar Pradesh Health Department has initiated an awareness programme in which the Food Safety Offices visited homes and did the testing of Food Samples using a Kit. This created awareness among public and vendors towards Food Safety. The Department has an active complaints cell and proper action is being taken for the complaints received. There are five labs available, and the up gradation process is on. Designated Officers, Adjudicating Officers, Appellate Tribunal will be notified shortly after the notification of rules.

There were some common suggestions from State representatives. It was suggested that adequate time be given after the final notification of the Rules and Regulation for implementing the Act.

There were suggestions from some representatives that efforts be made to utilise various media like newspaper, Radio, Television etc. and also involve NGO's, schools, colleges, panchayats and local bodies to spread awareness among public about the safe food and the Act.

On similar lines, States and Consumer representatives stressed on the need for conducting capacity building programmes for farmers, producers etc.

Chairperson, FSSAI also joined the meeting at 12.40 PM and addressed the gathering. The Chairperson discussed issues with regards to the time taken between notification of FSSAI Rules/ Regulations and its impact on States. Shri Desikan pointed out that there is resentment in the Directorate of Public Health since no Doctors were trained on food safety issue. He highlighted few of the pressing issues like problem of Salmonella, E-coli incidence in Idly and dosa-batter. Chairperson, FSSAI on this issue explained that genesis of FSSAI involved pooling of people from six different ministries. It will be a challenge to implement the Act with the presently available about 2000 staff strength of Food Safety Officers. The main responsibility for food safety rests at the level of Food Business Operators. For this purpose, it is important to empower FBO's with knowledge so that industry could use its available resources. The procedure stipulates at least one inspection, in the premises of Food Business Operators, per year. However, 90% of the Food Business Operators are out of the system. In such situation only the mechanism of self-

regulation will work. The India HACCP format is under preparation stage. The risk analysis strategy have been prepared and is to be implemented but that is possible after the notification of regulations.

The issue of GM Food was raised by one representative stating that almost 75% of the processed food, in one way or the other, contained GM Food based raw- materials. As such there is a requirement of capacity building to enhance awareness at farmers/producers levels. Chairperson stated that GM food is the part of the FSS Act. However, now a separate nodal agency has been proposed by the Government to deal with all issues of genetically modified foods. Therefore this particular provision of FSSAI Act has not yet been notified.

The representative from North East pointed out that packets of asafoetida were sold with specific marking that it was 'sub-standard'. It was also indicated that there was no mark/logo on some of the packaged products. The chairperson stated that PFA already had solution for such violations of law since these could be categorized as misbranded food and the power is vested with the States to take action accordingly. It was further suggested by Chairperson, FSSAI that there should be Food Safety plan at each village wherein the use of potable water, use of disposable utensils, awareness about cleanliness, good manufacturing practices etc. are specified. It was further added by the Chairperson, FSSAI that the experience has shown that the structure of one State cannot be a model for other States. Hence, the process of consultation can be initiated. It was mentioned that Kolkata had implemented aspects of awareness dissemination at the level of street Food Business Operators. The rural energy committee was one such example where panchayat levels were involved.

FICCI representative pointed out it is easy to implement the Act in the organized sectors. However, where people are in an unorganized sector, implementation may be difficult. CEO, FSSAI suggested that the mechanisms like ASHA could also be used to achieve results in such unorganised areas. The issue of awareness about the Codex guidelines among Food Business Operators was raised. The Chairperson clarified that it is an important issue for FSSAI and work is being undertaken on this.

Agenda 6 – Safety system for imported food:

Mr. Srinivasan from National Institute of Smart Governance (NISG) made a presentation on IT based system on operationalization of safety system for imported foods. It was an exercise to develop a system as per the statutory requirement of 47(5) of FSS Act, 2006. The import clearance of existing 5 ports has been taken up in the first phase by appointing FSSAI authorised officers, as mandated under the Act. In order to improve availability of Lab infrastructure for speedy analysis of samples, Export Inspection Agency (EIA) labs and NABL accredited food testing labs have also been authorised. The second phase would cover operationalization of risk framework. Later on, 12 more ports will be covered including some seaports and airports.

Agenda 7- Draft Regulation on Food Recall Procedure:

Director (Enforcement) made a presentation on draft regulation on Food Recall Procedure. The objective of this regulation is to guide Food Business Operators on identification and removal of unsafe food. Issues relating to the robustness of Recall Procedures and on issues relating to appeal provision were raised. Shri Desikan, Cosumer representative from Chennai discussed about the misbranding of foods. Dr. Vasireddy pointed out that recirculation of food can be disastrous so there should be a provision for destruction of un-safe food also.

Mr. Sameer from FICCI had a suggestion regarding distinction of major and minor violations in recall. He also suggested regarding provision of appeal and timeframe for resumption of production. Ms. Keya Ghosh pointed out that open ended clauses may not be there so that there is no scope for confusion.

It was clarified by CEO that both minor and major violations are covered in the Recall Procedure. He further indicated that he would welcome further suggestions on the issue of appeal provisions, before finalising the Food Recall Procedures.

Agenda 8: Information updation system for states/UTs

Mr. Nathan from Logicsoft made a presentation on information updation system for states/UTs. He stated that this IT based system will facilitate the availability of information among centre and states. The Food Safety Commissioner can upload information. This is an unified information system and it is part of FSSAI website

Agenda 9: Reporting of food Poisoning incidences by Registered Medical Practitioners

CEO informed that Section 35 of the FSS Act has been notified. The concerned officer may report all occurrences of Food Poisoning coming to their notice in specified local areas. No doubt such reporting by RMP is essential part of food surveillance. CEO emphasized that this reporting mechanism is vital for future planning of strategies.

Agenda 10: Pending Information from States/UTs related Annual Report on PFA Implementation

Most of the States have submitted their report for the year 2009, however, states of Punjab, Dadra and Nagar Haveli, Jammu and Kashmir, Manipur, Orissa and Lakshadweep have not done so and are thus requested to submit their reports immediately. All the states were requested to submit their PFA report within two months for the year 2010. CEO, FSSAI, has appreciated states like Andaman and Nicobar Islands, Mizoram and Rajasthan as they had already sent the reports for the year 2010. Parliamentary Assurances were pending from States like Orissa, Uttar Pradesh and Rajasthan. They were also requested to expedite the same.

The following additional Agenda items were discussed with the permission of the chair.

Agenda 11(A): Regulation of Alcoholic Drinks

It was informed by CEO, FSSAI that the process of evolving draft regulations is going on, and would be ready for evaluation shortly, since alcohol has been defined as food. CAC decided that notification of regulations on alcoholic drinks may be taken up.

Agenda 11(B): Baseline Survey on 'Food Industry' in India including street food and eateries etc.

It was decided that there is a need to conduct survey of all FBOs including street vendors even till village level. This is crucial having an estimation and for creation of a database on Food Business Operators. This data will be important for any kind of planning for projection on staff, infrastructure like labs, space etc. Members suggested that for this purpose, Indian Statistical Institute or any other Institute may be approached. Subsequently a detailed survey can be conducted.

Agenda 11.C. Constitution of Advisory Panels at State Levels

There was a suggestion that advisory panels may be constituted at State levels for each States separately. These Advisory panels for each State were considered essential as there are certain State specific problems and issues. Contrary views were also expressed that since panels and Committees exist at National level, the State level Advisory Panel will not have any significant role in formulating policies. Moreover, since uniformity in implementation is required and National level Committees/ panel have adequate Regional and scientific representation, so these Advisory Panels will not be able to contribute much.

Agenda 11 D. Citizen charter

CEO presented the topic of citizen charter and said that this is very important document which will reflect and communicate the transparency and accountability in implementation of FSSAI strategies and mandates to all stake holders and thus needs to be comprehensive and simple. It was also informed that the draft Citizen Charter has been uploaded in the FSSAI Website and suggestions from all the stakeholders are welcome. States/UTs need to check this especially as this will also concern States/UTs.

Agenda 11 E. Whistle blower scheme

CEO informed that a whistle blower scheme has been announced by the Government. The scheme involves encouraging rewarding a person among stakeholders who will be willing to pass on vital information to the authority. There should be a mechanism for taking further action on such information. A call centre/grievance handling mechanism can be the answer for this.

In his concluding remarks, CEO, FSSAI thanked all the participants for their active participation in the discussion and providing valuable suggestions which would be helpful in refining programmes and policies of FSSAI.

RECOMMENDATIONS OF THE CENTRAL ADVISORY COMMITTEE:

The recommendations of the third CAC are summarised as below:

1. All states agreed that they are ready for implementation of the FSSAI Act. After the rules are notified, about three months time may be given during which they will take action for notifying FSO and other officials under the Act. In the meantime all required preparation regarding requirements of staff, infrastructure, etc. will be taken up.

2. For effective implementation, a detailed plan may be prepared to get adequate funds from Planning Commission to assist States /UTs and FSSAI to build up adequate infrastructure especially labs.
3. It was decided that FSSAI may contact QCI and NABL to conduct regional workshops on NABL accreditation procedures so that the labs which are to be upgraded would not face hiccups during the process.
4. The information technology based data updation system will help in exchange of views and to improve communication between states and centre so this positive activity must be implemented and carried forward. All representatives agreed that States & UTs will fully utilise this information updation system for which login password may be provided.
5. It was agreed in principle that every state can have a control room which the common man can approach. A national level helpline system would be good for both the consumers and Food Business Operators and will work as additional tool in grievance handling mechanism. This Help line could be linked to state controlled resources for follow up action.
6. A survey would be initiated by FSSAI with the help of Institutions like Indian Statistical Institute to develop a data base on Food Business Operators in the country so that exact volume of FBOs their status with regard to size, type, registration etc could be estimated.
7. It was accepted that whistle blower scheme will be helpful in creating transparency in governance and encourage intelligence gathering. It was decided that a formal scheme with reward provisions be prepared by each State.
8. The suggestions for improvement in Draft Citizen Charter may be sent by States/UTs.

LIST OF PARTICIPANTS:

1. Dr. K.Sadasivam, JD,DPHRPM, Chennai, Tamil Nadu
2. Dr.U.K.Sahoo, Director, Public Health, Bhubaneswar, Orissa.
3. Sh. Salim A Veljee, Director, Food and drug Administration , Goa
4. Sh.S.K.Nanda, Local Health Authority, GNCT, Delhi
5. Sh. Lal Sawma, Nodal Officer (PFA), DHS, Mizoram
6. Sh. B.C.Joshi, Deputy Commissioner, Food and PD, New Delhi
7. Sh. A.K.Jain, Director, Department of Consumer Affairs, New Delhi.
8. Sh Srinivas J, NISG, Hyderabad
9. Sh Arvind Kumar IAS, Director Policy, Department Food and PD, New Delhi.
10. Sh.R.K.Vats, commissioner FSS, Kolkata, West Bengal
11. Dr. Dilbag Singh IAS, Secretary Food and Civil Supplies, Uttarakhand
12. Sh K. Anil Kumar, Joint Commissioner, Food safety Commissionerate, Trivandrum, Kerala
13. Sh D.N.Naik, Commissioner, Karnataka
14. Sh S.K.Sharma, Additional Commissioner, DADF, Ministry of Agriculture
15. Smt. Seema Vyas, FDA Mumbai, Maharashtra
16. Sh. Vinod Karle IAS, Joint Director, Food and Civil Supplies, Chandigarh (UT)
17. Sh N.R.Gurung, Public Analyst, Sikkim
18. Dr.Keya Ghosh, CUTS, Kolkata.
19. Dr. S.C.Khurana, DMI, DAC, Ministry of Agriculture, Faridabad
20. Dr. Srinivasa Gowda, Joint director, HFW, Bangalore, Karnataka
21. Sh A.K.Ojha, Assistant director, MSME, Nirman Bhavan, New Delhi
22. Sh Sameer Barde, ASCA, FICCI
23. Dr. C.Lalthanmawia, Director, Health services, Mizoram
24. Dr. Dipika Chanha, deputy Commissioner, Gandhinagar, Gujarat
25. Dr. Mrs. Sucharita Murthy, Commissioner Food safety, Hyderabad, Andhra Pradesh
26. Sh Prdeep Chordia, Chordia Food Products Ltd., Pune.
27. Dr. S.P.Vasireddy, CMD, Vimca Labs, Hyderabad.
28. Sh. L.Haokip, Under Secretary, M/o Panchayati Raj, New Delhi

29. Sh Telkcham Brojendro Khaba, Deputy Food safety Commissioner, Manipur
30. Sh S.K.Nandi, Joint Resident Commissioner-Tripura State, Kautilya Marg, New Delhi
31. Dr. K.V.Mathekar, FDA Maharashtra
32. Sh. R.Desikan, Trustee , CONCERT, Tamil Nadu
33. Dr.K.B. Sood, Deputy Director Health, C/o DHSR SDA, Shimla, Himachal Pradesh
34. Dr. Dilip K Bahge, Food commissioner, Pondicherry
35. Sh H.R. Sharma, Additional commissioner, FDA, Lucknow, Uttar Pradesh
36. Smt. Kumkum Marwah, Joint Technical Advisor, Food and nutrition Board, M/o WCD, New Delhi
37. Sh D.K.Dubey, FI, Madhya Pradesh
38. Sh. Abhishek Bihari gaur, FI, Satna, Madhya Pradesh
39. Sh. Satish Gupta, Commissioner Food safety, Jammu and Kashmir
40. Dr. K.J.S Kalhan, Deputy Director, CHD, Ludhiana, Punjab
41. Sh. K.Subramaniam, Commissioner Food Safety, Chhattisgarh
42. Sh P.C. Masand, 59, Nehru Place, New delhi
43. Sh Anoop Mittal, Dean, KIIT University