

**Minutes of the 24th meeting of the Food Authority held on September 21, 2017
at 1100 hrs at FDA Bhavan, New Delhi**

The twenty fourth meeting of the Food Safety and Standards Authority of India (FSSAI) was held on September 21, 2017 at 1100 hrs at FDA Bhavan, Kotla Road, New Delhi under the chairmanship of Shri Ashish Bahuguna, Chairperson, FSSAI. The list of participants is annexed.

Ms. Madhavi Das, Chief Management Services Officer (CMSO), FSSAI welcomed the members of the Authority and special invitees from Industry to the meeting.

Item No. I:

Confirmation of the minutes of 23rd meeting held on 25/05/2017

No comments had been received on the minutes of the 23rd meeting circulated to all members. The minutes were confirmed and adopted.

Item No. II: Action Taken Report of 23rd meeting

The Action Taken Report was noted by the Members.

Item No. III: Chief Executive Officer's Report

Sh. Pawan Agarwal, CEO, FSSAI briefly apprised the members about the launch of Mobile Food Testing Laboratory (MFTL) now renamed as Food Safety on Wheels (FSW), notification of four referral food laboratories and six private laboratories, MoU signed between FSSAI and National Anti-Doping Agency (NADA) and participation of FSSAI in the fortieth session of Codex Alimentarius Commission

held in Geneva, Switzerland, from 17-22 July, 2017. He updated members about the unveiling of three initiatives viz. Food Safety Training and Certification (FoSTaC), Food Smart Consumer Portal and SNF portal.

Item No. IV: AGENDA FOR APPROVAL

Agenda Item No. 24.1

FOOD STANDARDS -

- A. New Regulations;**
- a) Final Notification:**
- (1) Food Safety and Standards (Organic Foods) Regulations, 2017.**

After considering the recommendation of the Scientific Committee and the views of the secretariat, the Authority decided to add a provision stating that 'Maximum Residue Limits of pesticides for organic food shall be at LOQ or 5 %, whichever is higher, of Maximum Residue Limits for various pesticides and foods stipulated in Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011'. It was also decided to retain the word 'or multilateral' under regulation 12 of Chapter III.

With these modifications, the Authority approved the final notification, as proposed.

2. A Food Safety & Standards (Fortification of Foods) Regulations, 2017;

Special invitee, Ms. Parna Dasgupta from FICCI, expressed the apprehension that it would be difficult to differentiate between natural and added fortificants in fortified food products in the absence of reliable testing methods which could pose regulatory challenges to the industry. It was clarified that it is the responsibility of

the industry to comply with the regulations prescribing the levels of added fortification and that testing methods are already prescribed in FSSAI Manuals on Methods of Testing and Analysis.

Ms. Shreya Pandey, former member of Authority and special invitee from AIFPA suggested the inclusion of salts in the list of permitted nutrients for fortification of infant milk formula as allowed under Codex.

The Authority approved the final notification as proposed in the agenda and directed the secretariat to request the Scientific Panel to examine the proposal for inclusion of the list of salts allowed in the infant milk formula, in the approved list of nutrients. It was also decided to give adequate transition time to the industry to comply with the regulations.

2. B Inclusion of Standards for Fortified Processed Foods in Food Safety & Standards (Fortification of Foods) Regulations, 2017.

Representatives of the industry felt that a large number of product categories would not be able to be fortified due to stringent definition of HFSS food. It was also felt that the definition of HFSS food would vary category wise. After detailed deliberations, it was decided to remove the proposed definition of HFSS food from this regulation and, instead, include the same in the labelling regulation after appropriate revision which would then be applicable across all regulations. With these changes, the proposed draft amendment to Food Safety & Standards (Fortification of Foods) Regulations, 2017 could be notified after obtaining the approval of the Chairperson.

B. Food Standards in respect of Food Safety and Standards (Food Products Standards and Food additives) Regulations, 2011;

a) Final Notifications:

(1) Cereal and Cereal Products Draft Notification dated 23.03.2017

With regard to Durum Wheat, Ms. Shreya Pandey pointed out that moisture content in the proposed notification is 13%, whereas in Codex it is 14.5%. To this it was clarified that Panel had recommended the limit of moisture at 13% in view of scientific studies indicating build up of aflatoxins in grains having more than 13% moisture. Further, she pointed out that several other parameters such as particle size, total ash, etc. have been prescribed at more stringent levels than Codex.

With regard to Sorghum flour, it was pointed out that the limit of Total Ash has been prescribed at 1.5 %, which is more stringent than Codex.

On the recommendation of the Scientific Committee in the context of Gluten Index and Water absorption activity in Wheat Protein Products, the Authority was informed that the standards of Wheat Protein Products are being harmonized with the Codex standards which do not prescribe any limits for these parameters. In view of this, Authority decided not to include these parameters in the proposed standards for the time being and suggested that this issue may be taken up later by the Scientific Panel on Cereals and Cereals Products.

With these observations, it was decided that after considering the comments, if any, received within a week from all participants, the final notification may be approved by the Chairperson on behalf of the Authority for taking further necessary action.

(2) Oils and Fats draft Notification dated 23.03.2017

The Authority considered the agenda item and approved the final notification, as proposed.

(3) Oils and Fats Draft Notification dated 19.06.2017

The Authority considered the agenda item and approved the final notification, as proposed.

(4) Food Additives Draft Notification dated 18.04.2017

Ms. Meetu Kapur, former member and special invitee from CII, proposed the inclusion of lecithin in follow up formula also. It was clarified that the present proposal has been made to incorporate the earlier provision for use of lecithin in ready to drink - infant milk substitute which was omitted inadvertently while amending the Food additives provision.

The Authority approved the final notification, as proposed, and decided that inclusion of lecithin in follow up formula would be taken up separately by the concerned Scientific Panel.

(5) Biological Hazards Draft Notification dated 10.10.2016 and

After deliberating several issues raised by the participants, the Authority decided to:

- (i) delete the phrase '*for releasing in the market*' from the first sentence in the second para under the heading 'Action in case of unsatisfactory result' (page 48 of the agenda);
- (ii) delete the last sentence '*The final decision shall be drawn based on results with no provision for retesting for microbiological parameters*' in the first para under the heading 'Sampling Plans and Guidelines' (page 49 of agenda):

With these modifications, the Authority approved the final notification, as proposed. Action similar to what has been proposed at para (i) and (ii) above will

be taken in respect of all regulations regarding microbiological requirements. On request of representatives of industry, the Authority also agreed to provide a transition period up to July 2018 for manufacturers for compliance of the regulations. In case of retailers, these regulations would be implemented in a phased manner keeping in view the prevalent practices and conditions in the country.

(6) Sweets and Confectionary Draft Notification dated 20.02.2017.

The Authority considered the agenda item and approved the final notification, as proposed. Chairperson mentioned that the standards of Jaggery have already been taken up in Codex as 'Non-centrifuged dehydrated sugar cane juice' proposed by Colombia. He suggested collaboration with that country for framing Codex standards for Jaggery.

(b) Draft Notifications:

- (1) Revision of standards of foods for Infant Nutrition**
- (2) Almond Kernels**
- (3) Coconut Milk Powder (Non Dairy)**
- (4) Revision of Standards of Synthetic Syrup**
- (5) Gari (Cassava product)**
- (6) Edible Cassava Flour**
- (7) Roasted Bengal Gram Flour - Chana Sattu**
- (8) Ragi Flour**
- (9) Revision of Standard of Rice**
- (10) Basmati Rice**
- (11) Chia Seeds**
- (12) Mixed Masala Powder**
- (13) Spice Oleoresins**
- (14) Tejpat**
- (15) Star Anise**
- (16) Deletion of the requirement of the upper level of pH for the Encapsulated Ferrous Fumarate (EFF) double fortified salt (DFS)**
- (17) Revision of standard of Phytostanol**
- (18) Inclusion of Sorbitan monostearate for use in various food categories**

- including yeast and like products**
- (19) Approval for use of additional additives in various food categories based on review of the FSSR and stakeholder's comments and**
 - (20) Microbiological Standards for Spices and Herbs.**

Ms. Kapur had some comments on the draft infant food regulation, which she was requested to submit after draft notification.

The Authority approved the draft notification, as proposed for all the twenty items.

C. Food Standards in respect of Food Safety and Standards (Contaminants, Toxins, and Residues) Regulations, 2011;

- (a) Draft amending the sub-regulation 2.3.1 of FSS (Contaminants, Toxins and Residues) regulations, 2011- Harmonization of Pesticides;**

Dr Archana Sinha, Ministry of Agriculture and Farmers Welfare supported the view taken by the Authority in its last meeting to align Maximum Residue Limits of pesticides with Codex, where the Maximum Residue Limits recommended by the Scientific Panel were more stringent than that of Codex. The Authority noted the observations of the Scientific Committee as given in the agenda and reiterated its decision taken during 23rd Meeting held on 25th May 2017.

(b) Final Notification:

Pesticides and Antibiotics Residues Draft Notification dated 20.04.2017

The Authority considered the agenda item and approved the final notification, as proposed.

(c) Draft Notification:

Fixation of MRLs of Pesticides

The Authority considered the agenda item and decided to align the Maximum Residue Limits of pesticides with Codex where the Maximum Residue Limits recommended by the Scientific Panel are more stringent than the Codex Maximum

Residue Limits as decided in the 23rd Meeting held on 25th May 2017.

D. Food Safety and Standards (Prohibition and Restriction on Sale) Regulations, 2011;

(a) Draft Notification:

Complete prohibition on the sale of non-iodized salt with some exception

The Authority considered the agenda item and approved the draft notification, as proposed.

E. Food Safety & Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional food and Novel food) Regulations, 2016

(1) Addition of New Ingredients

The Authority approved the new ingredients, as recommended by the Scientific Committee, for inclusion under different schedules of the Food Safety & Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Use, Food for Special Medical Purpose, Functional food and Novel food) Regulations, 2016. It was also decided that any other ingredients recommended by the Scientific Panel up till November, 2017 also be included in the proposed draft regulation for notification after taking approval of the Chairperson. It was decided that the draft regulations would be operationalised on 1st January 2018.

F. Miscellaneous:

(1) Safety assessment of Kangaroo meat

The Authority considered the agenda item and decided to request Department of Agriculture and Water Resources, Australia to take up this issue with Department of Animal Husbandry, Dairying and Fisheries (DAHDF), Govt. of India.

(2) Policy for permission of +F Logo & Health claim

The Authority considered the agenda item and decided to modify the claim “Helps in preventing night blindness” to “Helps against night blindness” in respect of food articles fortified with vitamin A and “strong bones” to “supports strong bones” in respect of food articles fortified with vitamin D. The Authority was also of the opinion that the proposed claims would only be suggestive, not in the form of regulations, and may be used in broader forms, if scientifically substantiated.

(3) Assessment/determination of the safety of consumption of Khesari dal/ Ban on consumption of Khesari dal

The Authority took note of the report of the Inter-Ministerial Scientific Team constituted and decided to withdraw the draft notification sent to the Ministry.

(4) Labelling Norms and Threshold levels of GM in Processed Foods

The Authority approved the recommendation of Scientific Panel and Scientific Committee and decided to request to department of Consumer Affairs to revisit their notification issued in this regard.

(5) Methods of Sampling and Analysis-

(a) Document on Good Food Laboratory Practices (GFLP)

The Authority considered the agenda item and approved the Document on Good Food Laboratory Practices (GFLP), as proposed.

(b) Methods of analysis of various parameters in Sago

The Authority considered the agenda item and approved the methods of analysis of various parameters in Sago, as proposed.

(c) Revision of Procedure for determination of Acid Value in the Manual of

Methods of Analysis for Oils and Fats and

The Authority considered the agenda item and approved the revised procedure, as proposed.

(d) Formulations of Guidelines on the methods of tests/analysis of prepared food for school children.

It was decided that since FSSAI has come up with a regulation on Safe and Wholesome Food for School Children, hence this agenda be withdrawn.

Agenda Item No. 24.2: FOOD SAFETY COMPLIANCE

(a) Direction under Sec. 16(5) of FSS Act, 2006 of Standards - for ratification;

The Authority considered the agenda item and ratified the action of issuing direction under Sec. 16(5) of FSS Act, 2006 with respect to use of food additives.

(b) Amendment in para 11.2 of the manual of Parliamentary Procedure as recommended by the Cabinet Secretariat; and

The Authority considered the agenda item and approved the proposal.

(c) Ban on use of staple pins in tea bags.

The Authority considered the agenda item and in view of the difficulties expressed by the industry in switching to the appropriate technology in such a short period of time and taking into account the request made by Shri Santosh Sarangi, Jt. Secretary, Ministry of Commerce, decided to extend the time for implementation by 30th June, 2019.

Agenda Item No. 24.3: FOOD TESTING AND SURVEILLANCE

A. Ratification of-

1. List of FSSAI notified food testing laboratories

- (a) Ratification of the list of Notified Food Testing Laboratories**
- (b) Ratification of the list of Referral Food Laboratories**

The Authority considered the agenda item and ratified the proposed list of FSSAI notified food testing laboratories including Referral Laboratories.

- 2. MoUs to be signed amongst FSSAI, EIC and GFSP for the proposed HoT facility as a part of ITC-FSAN (International Training Centre on Food Safety and Applied Nutrition) at EIA-PTH, Mumbai**

The Authority considered the agenda item and ratified the proposal.

B. Approval for –

- 1. Notification of Draft Regulation for Recognition and Notification of food testing laboratories**
- 2. Conducting First Junior Analyst Examination (JAE) along with Food Analyst Examination**
- 3. Commissioning of Fellowship in Food Analysis (FIFA) for Junior Analyst**
- 4. Renaming FSSAI's Laboratories (FRSL, Ghaziabad and CFL, Kolkata) as National Food Laboratories (NFLs) at Ghaziabad and Kolkata respectively, Under a Common Logo**

The Authority considered the agenda items as detailed above and approved item numbers 1, 2 and 4 in-principle. It was also agreed to take decision on new and common logo for renamed national food laboratory at the level of chairperson later on.

C. For Information:

- 1. Revised DART (Detection of Adulterant by Rapid Tests) booklet released and soft version uploaded on website.**
- 2. Progress on Central Sector Scheme**
 - (a) Strengthening of State Food Laboratories,**
 - (b) Setting up of Mobile Food Testing Laboratory (MFTL) renamed as Food Safety on Wheels (FSW)**
 - (c) Strengthening of Referral Food Testing Laboratories)**
- 3. Status of operation and management of FRSL Ghaziabad on PPP Mode**

The Authority took note of the agenda items as detailed above.

Agenda Item No. 24.4: FOOD SAFETY TRAINING

a) Food Safety Training Certification (FoSTaC)

The Authority considered the agenda item and approved the same in principle. However, it was suggested that the timelines for mandatory training for supervisors be first discuss with state before being enforced.

Agenda Item No. 24.5: GOVERNANCE AND ADMINISTRATION

(a) Annual Report of the FSSAI for the year 2016-17.

The Authority considered and approved the Annual Report of the FSSAI for year 2016-17.

(b) Framing of Recruitment Rules and Creation of Posts

The Authority considered and approved the agenda item, as proposed.

(c) Constructing of FSSAI Towers at Mumbai, Chennai, Ghaziabad & Kolkata;

The Authority considered the agenda item and approved the proposal pertaining to constructing of FSSAI Towers at Mumbai, Chennai, Ghaziabad & Kolkata in a phased manner, in-principle.

Agenda Item No. 24.6: FOOD SAFETY COMPLIANCE

(a) Food Safety Compliance through Regular Inspections and Sampling (FoSCoRIS)

The Authority took note of the agenda item and approved the same.

(b) Third Party Audit.

The Authority considered the agenda item and approved the proposal for

provisionally recognizing food safety auditing agencies so that FSSAI could initiate Food Safety Audit using these agencies in institutions like railways. The experience and feedback obtained could be used while finalising the regulations in this regard.

(c) Simplification and clarifications regarding regulation of food imports

The Authority took note of the agenda item and agreed to the proposal.

Item No. V: AGENDA FOR INFORMATION ONLY

1. FOOD SAFETY COMPLIANCE

(a) Directions and orders issued by FSSAI

(1) Direction under Section 16 (5) of Food Safety and Standards Act, 2006 for the extension of time period for the compliance of:

(i) compliance of Notification No. 1(94)2015/Notification P &L /Enf dated 25th May 2016 related to declaration of class title, trans fat, content and saturated fat content on labels of the food product, dated 15th June 2016;

(ii) Extension of time period for the compliance of Notification No. P.15025/93/2011-PFA/FSSAI dated 02nd December 2016 relating to Standards for Caffeinated Beverages, dated 15th June 2016;

(iii) Extension of time period for the compliance of Notification F. No. 11/09/Reg/Harmoniztn/2014 dated 05th Sept. 2016 relating to standards of Food Additives for use in various Food Categories, dated 30th June 2016;

(2) Direction under Section 16 (5) of Food Safety and Standards Act, 2006 for the operationalization of'

(i) Restriction on use of "Heme Iron" as a source of "Iron (Fe), dated 31st May 2017";

(ii) Standards for Camel Milk, dated 01st June 2017;

(iii) Standards of Table Olives, dated 05th June 2017;

(iv) Standards of coumarin content in cinnamon, dated 05th June 2017;

(v) Use of yeast in bread and biscuit, dated 30th June 2017;

(vi) Standards for non-carbonated water based beverages (non-alcoholic) dated 6th July, 2017;

(vii) Revised Standards for milk and milk products and certain restriction on sale of cream.

The Authority took note of the agenda items as detailed above and ratified the action taken in this regard.

(b) Orders/Decisions Easing Food Import

The Authority took note of the agenda item circulated for information.

(c) Minutes of 19th Central Advisory Committee Meeting-for information

The Authority took note of the agenda item circulated for information.

2. SOCIAL AND BEHAVIOURAL CHANGE

a) Participatory framework for States towards implementation of Safe and Nutritious Food (SNF) initiatives.

The Authority took note of the agenda item and approved the proposal for providing financial support upto a cumulative amount of Rs 5 lakhs to the States/UTs to implement the Safe and Nutritious Food (SNF) initiatives, as proposed. Further, to encourage states/UTs to commit their own funds for SNF activities, any state/UT which incurs an expenditure of Rs 2 lakhs or more on SNF activities from their own resources would receive a matching grant of upto Rs 2 lakhs from FSSAI.

3. GLOBAL OUTREACH (Updates)

a) Activities under Codex- Briefing on the 40th Session of the Codex Alimentarius Commission [July 2017].

The Authority took note of the agenda item circulated for information.

4. LEVERAGING TECHNOLOGY

(a) Roll-out of INFoLNET

(b) Strengthening of HelpDesk

(c) Integration of Consumer Connect of FSSAI with Ministry of Consumer affairs Consumer Mobile App

The Authority took note of the agenda items as detailed above circulated for information. With respect to strengthening of Help Desk, members were requested to send their feedback on the functioning of the grievance redressal system. CITO was asked to resolve the FLRS related issues expeditiously.

Item No. VI: Any other agenda item with the approval of the Chair

Supplementary Agenda Item No. 24.VI (1)

Proposed Guidelines for food recall

The Authority considered the agenda item and decided to request members on the proposed guidelines for food recall to submit their comments, if any, within the next seven days' after which they would be finalised with approval of the Chairperson.

Supplementary Agenda Item No. 24.VI (2)

Proposed draft Food Safety and Standards (Licensing and Registration of Food Business) Amendment Regulations, 2017

The Authority considered the agenda item on the draft Food Safety and Standards (Licensing and Registration of Food Business) Amendment Regulations, 2017. It was explained that Food Safety Display Board would be applicable to all FBOs, not only for restaurants, and would be made mandatory in phased manner. It was decided that members would submit their comments, if any, on the proposed draft regulations within the next seven days'. After considering the comments, the proposed regulations would be finalised and operationalized with the approval of Chairperson.

Supplementary Agenda Item No. 24.VI (3)

Project “Indian Food Culture- Lets bring the goodness back”

The Authority considered the agenda item and approved the Indian Food Culture Project in-principle. It was also suggested that Dr. Pushpesh Pant from JNU and Dr. Dua may be consulted in this regard, if required.

Supplementary Agenda Item No. 24.VI (4)

Role of the Scientific Committee/Panels in Development of Standards/Regulations

The Authority considered the agenda item and decided that this issue be first discussed in the Scientific Committee.

Supplementary Agenda Item No. 24.VI (5)

Constitution of a new ‘Scientific Panel on Spices and Culinary Herbs’

The Authority considered the agenda item and approved the proposal for constituting a new Scientific Panel on ‘Spices and Culinary Herbs’ and renaming the ‘Scientific Panel on Fruits & Vegetables and their Products (Including Dried Fruits and Nuts, Salt, Spices and Condiments)’ as ‘Scientific Panel on Fruits & Vegetables and their Products (Including Dried Fruits and Nuts)’. It was also decided that salt be also included in the scope of Spices and Culinary Herbs.

Supplementary Agenda Item No. 24.VI (6)

Amendment in E-commerce guidelines

The Authority considered the agenda item on the proposed amendment in the e-commerce guidelines. It was decided to include the e-commerce guidelines in the Food Safety and Standards (Licensing & Registration) Regulations, 2011. The

members were asked to submit their comments, if any, on the proposed amendment within next three days' after which they would be finalised with the approval of the Chairperson.

Supplementary Agenda Item No. 24.VI (7)

Draft Regulation on Food Safety and Standards (Safe and Wholesome Food for School Children) Regulations, 2017

The Authority considered the agenda item. After deliberations, it was decided that clause 4 should focus on discouraging HFSS food in School premises and modify clause 5 to the extent that restriction on sale of HFSS food within 50 meters of the school premises be only applicable to school children. Members were requested to submit others comments, if any, on the proposed regulations within fifteen days. After considering the comments, the proposed regulations would be draft notified with the approval of Chairperson.

Supplementary Agenda Item No. 24.VI (8)

Directions under Section 18 2 (d) read with Section 16(5) of Food Safety and Standards Act, 2006 regarding operationalization of standards of tin used in packaging food products.

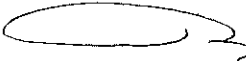
The Authority approved the agenda item, as proposed directed that the same be suitably incorporated under draft Food Safety and Standards (Packaging) Regulations.

Chairperson suggested that future Authority meetings could begin at 10 am (instead of 11 am) to suit the convenience of the participants.

The meeting concluded with a vote of thanks to all the participants.


Chief Executive Officer

Chairperson



Annexure

List of Participants

A. Members of the Authority:

1. Shri Ashish Bahuguna, Chairperson, FSSAI;
2. Shri Pawan Kumar Agarwal, Member Secretary;
3. Shri Navdeep Riwa, Jt. Secretary, Ministry of Health and Family Welfare;
4. Shri Santosh Sarangi, Jt. Secretary, Ministry of Commerce;
5. Shri P. V. Rama Sastry, Jt. Secretary, Department of Consumer Affairs;
6. Shri S.K. Verma, Dy. Secretary, Ministry of Food Processing Industries;
7. Dr. Archana Sinha, Joint Director, Ministry of Agriculture;

B. Special invitees:

1. Ms. Parna Dasgupta, FICCI;
2. Ms. Meetu Kapur, Confederation of Indian Industry (CII);
3. Ms Shreya Pandey, All India Food Processors Association (AIFPA);

C. Officers of the FSSAI

1. Mrs. Madhavi Das, CMSO
2. Shri Sunil Bakshi, Advisor (Codex)

3. Shri N. Bhaskar, Advisor (QA)
4. Shri S.K. Yadav, Director (Imports)
5. Shri Rajesh Singh, Director (RCD)
6. Dr. Rubeena Shaheen, Director (RARD)
7. Mrs. Suniti Toteja, Director (FSMS)
8. Shri Raj Singh, Head (GA)
9. Shri Tanmoy Prasad, Chief Information and Technology Officer (IT)
10. Dr. A.C. Mishra, Joint Director (Standards)
11. Dr. A.K. Sharma, Consultant
12. Dr. S. C. Khurana, Consultant
13. Mrs. Anita Makhijani, Deputy Director (Technical)
14. Shri P. Karthikeyan, AD (Regulation)
15. Sh. Rajesh Kumar, Sci IV(I) (Standards)
16. Mrs Ratna srivastava, Sci IV(I) (Regulations)
17. Dr. (Miss) Shelvi Agarwal, TO (Standards)