Minutes of the 25th meeting of the Food Authority held on February 21, 2018
at 1030 hrs at FDA Bhavan, New Delhi

The twenty-fifth meeting of the Food Safety and Standards Authority of India (FSSAI) was held on February 21, 2018 at 10.30 hrs at FDA Bhavan, Kotla Road, New Delhi under the chairmanship of Shri Ashish Bahuguna, Chairperson, FSSAI. The list of participants is annexed.

The meeting was adjourned on account of lack of quorum and reconvened at 10.45 hrs on the same day to discuss the items on the agenda as detailed below.

Item No. I:

Confirmation of the minutes of 24th meeting held on 21/09/2017

No comments had been received on the minutes of the 24th meeting circulated to all members. The minutes were confirmed and adopted.

Item No. II:  Action Taken Report of 24th meeting

The Action Taken Report was noted by the Members.

Item No. III:  Chief Executive Officer’s Report

a) Sh. Pawan Agarwal, CEO, FSSAI briefed the members about the audit report of CAG which raised four main issues viz.,

(i) Delay in formulation of regulations/standards: He explained that the audit was conducted in January 2016. A lot of work had been done since then w.r.t formulation of regulations/standards. Areas where regulations/standards were still required to be framed as per the FSS Act have been identified and
work on framing of several such regulations/standards have already been
initiated. He also invited the participant to identify other areas for which
standards/regulations may be required to be framed;

(ii) Strengthening of State Food Laboratories: Strengthening of laboratory
infrastructure in state food laboratories and other public laboratories has
been taken up on priority with a budget of 581.95 crores under a specially
formulated scheme. He pointed out that FSSAI has also notified 164
laboratories in the private sector so as to add to the food testing capacity in
the country.

(iii) Enforcement activities in States: He informed about the high level meeting
held under the chairmanship of the Union Health Minister on 08th - 09th
January 2018 with State Health/Food Safety ministers which focussed on
ramping enforcement activities; and

(iv) Procedures and systems: He informed that various decisions taken from
time to time in the past including issuance of directions under FSS Act have
since been ratified by the Authority.

He added that the CAG report would help in improving the overall functioning
of FSSAI.

b) He informed that draft recruitment regulations have been notified and a
proposal for sanction of about 604 new posts has been sent to the Government
for smooth functioning of FSSAI.

c) Further, CEO apprised the members about the status of meetings of Scientific
Panels and Scientific Committee in terms of standards development, Food
Analyst examination results wherein 80 candidates qualified for final exam and
59 candidates qualified as Junior Analysts, and completion of around 1000
trainings under Training and Capacity Building.

d) With regard to international cooperation and codex activities, he informed about visits of FSSAI officials to France and UK for training on food control systems, and participation of Indian delegation in various Codex Committee meetings held since last meeting of Authority.

e) CEO also apprised the members about setting up of Co-ordination Committee on Food Regulatory Ecosystem comprising concerned ministries and industry associations to facilitate investment and trade.

Item No. IV: AGENDA FOR APPROVAL

Agenda Item No. 25.1

FOOD STANDARDS/REGULATIONS -

A. Food Standards in respect of Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011;

(a) Final Notifications

(I) Amendment to Regulation 2.4 Cereal and Cereal Products
   (i) All pulses, (ii) Whole and decorticated pearl millet grains (Bajra),
   (iii) Cornflakes, (iv) Degermed Maize (Corn) Flour and Maize (Corn) Grits, (v) Couscous, (vi) Tempe, (vii) Textured Soy Protein (Soy Bari or Soy Nuggets or Soy Chunks or Soy Granules), (viii) Sago flour, (ix) Formulated supplements for children (Draft 'Complementary foods for older infants and young children').

(II) Amendment to Regulation 2.7 Sweets & Confectionery
   (i) Honey, (ii) Bee Wax, (iii) Royal Jelly,

(III) Amendment to Regulation 2.10 Beverages, (Other Than Dairy and Fruits & Vegetables Based
   (i) Spring water, and

(IV) Amendment to Regulation 3.2 Standards of Additives
   (i) Steviol glycoside

Ms. Shreya Pandey and Ms Meetu Kapur, both former members of the Authority and Special invitees had certain observations as follows:
a) With regard to Standards for pulses, it was suggested to raise the upper limit of moisture content from 14.0% to 16.0%. It was clarified that Scientific Panel had recommended the limit of moisture at 14.0% in view of scientific studies indicating that higher moisture level would lead to aflatoxin contamination in pulses. It was decided to retain the moisture content at 14%. However, industry may submit their comments on this issue substantiated with scientific justification which would be taken up separately by the concerned Scientific Panel.

b) With regard to Corn flakes, it was suggested to revise second sentence under description as “It may also contain any other permitted ingredients appropriate to the product” and the same was agreed.

c) With regard to Degermed Maize (Corn) Flour and Maize (Corn) Grits, the observations were on the parameters of moisture, crude fat and particle size. It was mentioned that the maximum moisture content allowed as per Codex is 15.0% and proposed to raise the upper limit of moisture content in the standard from 13.0 to at least 14.0%. It was also proposed to increase the upper limit of Crude fat from 0.7% to 2.25% in line with Codex. With these observations, it was decided to:

(i) increase the upper limit of moisture content from 13.0 to 14.0%;

(ii) increase the upper limit of Crude fat from 0.7% to 2.25%; and

(iii) exclude the limits of particle size for intermediate products not for direct consumption.

a) With regard to Textured Soy Protein (Soy Bari or Soy Nuggets or Soy Chunks or
Soy Granules), the observations were on the parameters of moisture, total ash and crude fibre which were different from Codex. It was agreed to change the limit of total ash from 7.0 to 8.0%, max.

b) With regard to Formulated supplements for children (Draft 'Complementary foods for older infants and young children'), concerns were raised regarding the proposed standards due to difference in the age of infants which is up to 3 years in Codex and up to 2 years as per IMS Act in India. The standard is only applicable for children of age above 24 months and up to 36 months and also the % RDA differs from that of Codex. It was clarified that the %RDA (50%) in the standard is as per IS standards, which appropriately captures Indian scenario. Pursuant to discussions on the intent of this proposal, it was decided to upload the final Standards on website for seeking comments with scientific justification within 30 days and after considering the comments, the final notification may be approved by the Chairperson on behalf of the Authority.

With these modifications, the Authority approved the final notifications except item (ix) Formulated supplements for children (Draft 'Complementary foods for older infants and young children').

Food Additives/Appendix-A.

1. Inclusion of provision for additional additives in various food categories

a) Ms. Parna Dasgupta, special invitee from FICCI, mentioned that several food additive provisions in various food categories which were permitted earlier have been missed out in this notification. She was requested to submit details of such provision, with justification for their retention in the standards, for
consideration by the Panel. Further, Chairperson directed that the list of approved and pending food additives provisions under consideration of the concerned Scientific Panel may be uploaded on the FSSAI website and transition time be given for use of such pending food additive provisions till final decision.

b) Ms. Shreya Pandey suggested the amendment of clause 19 of sub-regulation 2.3.14 of FSS (Prohibition and Restriction on Sales) Regulations, 2011 so as to remove restrictions on the sale of beverages containing artificial sweeteners through vending machines. This was agreed to by the Authority on the understanding that the vending machines, cups, etc. would display this information in suitable size text.

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

Microbiology/Appendix B

(1) Microbiological Standards for Fruits & Vegetables and their products

a) The Authority noted the recommendation of Scientific Committee and approved the revision of the term “edible vegetable oil” in place of “edible oils” in the definition for category ‘Fermented or pickled or acidified or with preservatives’. It was also decided to add ‘Non-thermally processed’ in the product description at sl. No. 2 of Table 4A and change the unit from ‘gm’ to ‘ml’ in case of juices.

b) With respect to the proposed amendment “The final decision shall be drawn based on results with no provision for retesting for microbiological parameters except for Table 4B (Food Safety Criteria)” in the first para under the heading ‘Sampling Plans and Guidelines’ and shifting of statement “The microbiological standards in Table 4B (Food Safety Criteria) define the
acceptability of a batch/lot and shall be met in respect of the products at the end of the manufacturing process and the products in the market during their shelf-life" from the heading "Action taken in case of unsatisfactory result" to "stage where the microbiological standards shall apply", it was decided that after considering the comments from industry, final decision on this proposal in the form of separate amendment would be made with the approval of Chairperson since an earlier amendment in this respect, approved by the Authority in its 24th meeting held on 21.09.2017, is in the process of final notification.

(b) Draft Notifications:

(I) Amendment to Regulation 2.1, Dairy Products and Analogues

With regard to specification for Sodium content in Milk and Milk Powders, Ms. Shreya Pandey, proposed to add 'on SNF basis' in total sodium content Pursuant to the discussion, it was decided that after considering the comments received within one week from the industry, the draft regulation may be approved by the Chairperson on behalf of the Authority.

Further, she suggested including 'whey (including acid whey)' in Dairy Permeate Powders. It was clarified that this issue would be taken up separately by the concerned Scientific Panel.

(II) Amendment to Regulation 2.2, Fats, Oils and Fat Emulsions
(1) Refined Vegetable Oil; (2) "Sunflower seed oil" and "Imported Sunflower seed oil and Sunflower seed oil (High oleic acid-imported or domestic)"; (3) Chia Oil and its Fatty Acid Composition; (4) Inclusion of Trans Fats in standard of Refined Vegetable Oil, Partially Hydrogenated Soybean Oil, Table

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Margarine, Mixed Fat Spread and Vegetable Fat Spread;

With regard to Refined Vegetable Oil, it was suggested to remove the list of oils, as mentioned in the draft regulation and, instead, mention that *The refined vegetable oil shall be obtained from the vegetable oils standardized in the FSSR* which was agreed to by the Authority. It was also suggested to add 'enzymatic processing' in the description.

With these comments, the Authority approved the draft notification, as proposed.

(III) Amendment to Regulation 2.3, Fruit and Vegetable Products
(1) Synthetic syrup and Sharbat; (2) Coconut Milk and Coconut Cream;

Representatives from industry suggested to have separate standards for natural and synthetic syrup. It was decided that after considering the comments received within one week from industry, the draft notification may be approved by the Chairperson on behalf of the Authority for taking further necessary action.

Authority approved the draft notification for Coconut Milk and Coconut Cream, as proposed.

(IV) Amendment to Regulation 2.4, Cereal and Cereal Products
(1) Wheat Bran; (2) Non-Fermented Soybean Products;

Authority approved the draft notification, as proposed.

(V) Amendment to Regulation 2.5, Meat and Meat Products
(1) Canned/Retort Pouch Meat Products; (2) Comminuted/Restructured Meat Products; (3) Cured/Pickled Meat and/or Smoked Meat Products; (4) Dried/Dehydrated Meat Products; (5) Cooked/Semi-cooked Meat Products; (6) Fermented Meat Products; (7) Marinated Meat Products; (8) Fresh/Chilled/Frozen Rabbit Meat;

Representatives from industry requested to align optional ingredients of Dried/Dehydrated Meat Products with Comminuted/Restructured Meat Products.
which was agreed by the Authority.

Authority approved the draft notification with the above mentioned change.

(VI) Amendment to Regulation 2.7, Sweets & Confectionery
(1) Use of spices in Edible Ices/ Ice Lollies

Authority approved the draft notification, as proposed.

(VII) Amendment to Regulation 2.9, Salt, Spices, Condiments and Related Products
(1) Dried Oregano – Whole and Powder; (2) Pimento (Allspice) – Whole and Powder; (3) Laurel (Bay Leaf) - Whole and Powder; (4) Dried Mint; (5) Dried Rosemary;

Ms. Shreya Pandey suggested that the volatile oil content in Dried Oregano – Powder be lowered from 1.5 to 0.9 ml/100 gm. It was clarified that the limit is recommended by the concerned Scientific Panel and members may submit comments at draft notification stage. Further, it was suggested to consult Spice Board while finalizing the comments received on draft notification.

With these comments, the Authority approved the draft notification, as proposed.

(VIII) Amendment to Regulation 2.10, Beverages, (Other Than Dairy and Fruits & Vegetables Based)
(1) Decaffeinated coffee; (2) Reduction of Chicory content in Coffee-chicory blends (3) Lower limit of TDS of Packaged Drinking Water;

Ms. Shreya Pandey proposed to develop standards for Decaffeinated Coffee-chicory blends which was agreed by the Authority.

With regard to Reduction of Chicory content in Coffee-chicory blends, she mentioned that the proposed amendment is not related with safety and the existing proportion of Coffee-chicory is based on consumer preference. After discussion, the Authority approved the draft as proposed. Meanwhile, it was advised to consult
Coffee Board to seek rationale behind this proposal.

(IX) Deletion of heavy metals and food additive provisions from the product standards

Authority approved the proposal.

(X) Amendment to Regulation 3.1, Other Substances for Use in Food Products & Appendix A
(1) Flavouring substance 4,5 epoxydec-2(trans)-enal; (2) Food additive standard for food category 1.6.2 & 1.6.4.1; (3) Microcrystalline wax in chewing gum; (4) Food Additives related to food category 2.1.2 and 2.2.2; (5) Potassium iodate in food category 6.2.1, 6.2.2 & 7.2.1 and (6) Processing Aids for use in various Food Categories

With regard to Flavouring substance 4,5 epoxydec-2(trans)-enal, industry representative had certain observations which they were requested to submit at draft notification stage.

With regard to Processing Aids for use in various Food Categories, it was decided that after considering the comments, if any, received within the next two weeks from members, the draft regulation may be approved by the Chairperson on behalf of the Authority.

With these comments, the Authority approved the draft notifications, as proposed except item (6) Processing Aids for use in various Food Categories.

(XI) Amendment to Appendix B
(1) Amendment in requirement for Salmonella in poultry (Chicken) meat

Authority approved the proposal.

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

(a) Final Notification
(1) Tolerance limit of antibiotics and pharmacology active substances.

Shri N Ramesh, Ministry of Commerce suggested to remove the title of all tables &
merge them which was agreed to by the Authority. Further, it was decided to give a transition period of minimum 180 days with effective date of implementation to be either 1st January or 1st July.

With these comments, the Authority approved the final notifications, as proposed.

(b) Draft Notification:

(1) Limit for heavy metal (lead) in tea, (2) Vertical standards / FSS (Food Product Standards and Food Additives) Regulations, 2011 for metal contaminants and their transfer to inclusions in the table for metal contaminants given in FSS (Contaminants, Toxins and residues) as well as fixing the levels if there are variations (3) Fixation of MRLs of Pesticides

With regard to fixation of MRLs of pesticides, the Authority reiterated its decision taken in the previous meeting that wherever the MRL limit is higher in Codex than that recommended by the concerned Scientific Panel, the Codex MRL will be adapted.

With this suggestion, the Authority approved the draft notifications.

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

(a) Draft Notification:

(1) Inclusion of new ingredients and amendment in Schedules/Clauses; (2) Psyllium (Isabgol) husk

Ms. Shreya Pandey had certain observation w.r.t. the Tolerable Upper Limits (TUL) which are different from that of Codex. It was clarified that the same has been recommended by the concerned Scientific Panel based on ICMR recommendation. Further, she mentioned that TUL recommended by ICMR are not in public domain and requested the Authority to provide the same. It was decided to upload the said report on FSSAI's website in consultation with ICMR.
D. Food Safety and Standards (Fortification of Foods) Regulations, 2016;
   (a) Draft Notification:
   (1) Standards for Fortified Milk

Authority approved the draft notification, as proposed.

E. Food Safety and Standards (Prohibition and Restrictions on Sales) Regulations, 2011;
   (a) Draft Notification:
   (1) Food Additives related to food category 2.1.2 and 2.1.2

Authority approved the draft notification, as proposed.

F. Miscellaneous:
   (1) Reconstitution of Scientific Panels

Authority considered the agenda item and approved the proposal.

G. Final Notification of Food Safety and Standards (Food Safety Auditing) Regulations, 2018

Authority approved the final notification, as proposed.

Agenda Item No. 2.5.2 (A & B):
Agenda Item No. 2.5.2: 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 recognition of Food Testing Laboratory, Yusipang, Bhutan (Under Bhutan Agriculture and Food Regulatory Authority)

Authority considered the agenda item and ratified the proposed lists.

2. MoUs signed with
   (a) National Institute Food Technology Entrepreneurship & Management (NIFTEM), Kundli, Sonepat
   (b) AOAC INTERNATIONAL through AOAC-India Chapter
Authority considered the agenda item and ratified the proposals.

B. **final notification of regulation on Recognition and notification of food testing laboratories/facilities**

Authority approved the final notification of Regulation for recognition and notification of food testing laboratories/facilities, as proposed. Shri N Ramesh from Department of Commerce suggested that FSSAI should consider recognition of laboratories which are accredited by agencies other than NABL. It was clarified that FSSAI at present only notifies NABL accredited laboratories and advised to send a separate proposal to the Authority in this respect.

(b) **Methods of Analysis for inclusion in FSSAI Manual of methods of analysis – Cereal and Cereal Products**

The Authority approved the proposed testing methods for the parameters of Commodities under cereal and cereal product category in FSSAI Manual of Methods of Analysis of Foods – Cereal and Cereal Products.

**Agenda Item No. 25.3: FOOD SAFETY COMPLIANCE**

(a) **Operationalization of standards/regulations and directions**

(1) **Direction under Section 16 (5) of Food Safety and Standards Act, 2006:**

(2) **Implementation of Food Safety and Standards (Health Supplements, Nutraceuticals, Food for Special Dietary Uses, Food for Special Medical Purposes, Functional Foods and Novel Food) Regulations, 2016.**

(3) **Operationalization of standards of Food Additives for use in various Food Categories.**


(5) **Labelling requirements for instant noodles.**

(6) **Operationalisation of Food Safety and Standards (Import) First Amendment Regulations, 2017.**

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(7) Labelling requirements for seasonings.
(8) Operationalisation of Food Safety and Standards (Fortification of Foods) Regulations, 2017 relating to standards for fortification of food.
(9) Notification No. F. No. 1 (94) 2015/Notification P&D/Enf/FSSAI dated 25th May, 2016 related to declaration of class title, trans fat content and saturated fat content on label of the food products.
(11) Direction under Section 16 (5) of Food Safety and Standards Act, 2006 dated 06th Nov. 2017 regarding microbiological requirements for meat, milk and their products.
(12) Extension of time period relating to standards of Food Additives for use in various Food categories.
(13) Standards of Tin used in packaging food products.

Authority considered the agenda item and ratified the above actions.

(14) Direction under Section 16(5) of Food Safety and Standards Act, 2006 regarding Iron Fillings in Tea issued vide letter No. 12(4)/2016/Misc./Enf/FSSAI dated 02.11.2017

Authority considered the agenda item and ratified the action.

(b) Minutes of 20th Central Advisory Committee Meeting
(c) Provisional recognition of 15 Food Safety Auditing Agencies under the draft FSS (Food Safety Auditing) Regulations, 2017 and Conduct of food safety audits in Central Institutions
(d) First National Conference of States/UTs, Health Secretaries/ Food Safety Commissioners on "Promoting Preventive Health through Convergence and concrete Action" on 8th January, 2018

Authority took note of the agenda items as detailed above circulated for information.

(e) Food Safety Management System (FSMS) Guidance Documents for Food Industry

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

Sh. N Ramesh requested to share these documents since some countries require assessment of the food control system for trade purposes. It was agreed to share
these documents with Ministry of Commerce.

**Agenda Item No. 25.4: Social and Behavioural Change**

Authority considered and approved the agenda item.

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

**Supplementary Agenda Item No. 25.V (1)**

**Revision in the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011**

The Authority considered the agenda item wherein the key amendments and new provisions were highlighted. The Authority was informed about difficulties in working of Food Licensing and Registration System (FLRS system) in last quarter of December 2017 and that extension has been given to FBOs whose license/registration have expired in the period from 15th December 2017 to 15th February 2018 to get their licenses renewed by 31st March 2018 without any penalty.

The Authority approved the proposed revisions in the FSS (Licensing and Registration on Food businesses) Regulations, 2011 in-principle. The proposed version would be finalised in the form of draft regulation after taking approval of the Chairperson.

**Supplementary Agenda Item No. 25.V (2)**

**Operationalization of proposed changes in Food Safety and Standards (Packaging and Labelling) Regulations, 2011 regarding labelling of blended edible vegetable oil**

Authority took note of the agenda item and ratified the proposal.

**Supplementary Agenda Item No. 25.V (3)**

**Introduction of Food Safety curriculum in under graduate/post graduate programmes**

The Authority considered the agenda item and approved the introduction of the proposed Food Safety curriculum in under graduate/post graduate programmes.
Supplementary Agenda Item No. 25.V (4)

Guidance Document on the Use of Supplements for Sports Persons

The Authority considered the agenda item and approved the proposed Guidance Document on the Use of Supplements for Sports Persons. It was decided to share the proposed Guidance with the industry for their comments.

Supplementary Agenda Item No. 25.V (5)

Direction under Section 16 (5) of Food Safety and Standards Act, 2006 for Mandatory Fortification of Edible Oils in India

The Authority considered the agenda item and approved the proposal. It was advised to provide a transition period to the manufacturers for compliance of the regulations.

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

Chief Executive Officer  
Chairperson
List of Participants

A. Members of the Authority:

1. Shri Ashish Bahuguna, Chairperson, FSSAI;
2. Shri Pawan Agarwal, Member Secretary;
3. Shri Ashish Gawai, Deputy Secretary, Ministry of Health and Family Welfare; [on behalf of Shri Sudhir Kumar, Joint Secretary]
4. Shri N Ramesh, Director, Ministry of Commerce; [on behalf of Shri Santosh Sarangi, Joint Secretary]
5. Shri KB Subramaniam, Director, Ministry of Food Processing Industries; [on behalf of Shri Parag Gupta, Joint Secretary]
6. Dr. Rakesh Joshi, Deputy Director, Legal Metrology, Department of Consumer Affairs; [on behalf of Shri P. V. Rama Sastri, Joint Secretary]

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 Kumar Anil, Advisor (Standards)
3. Shri Sunil Bakshi, Advisor (Codex/ Regulations)
4. Shri N. Bhaskar, Advisor (QA)
5. Shri S.K. Yadav, Director (Imports)
6. Mrs. Garima Singh, Director (RCD)
7. Dr. Rubeena Shaheen, Director (RARD)
8. Mrs. Suniti Toteja, Director (FSMS)
9. Shri Raj Singh, Head (GA)
10. Shri AK Chanana, Head (IT)
11. Dr. A.C. Mishra, Joint Director (Standards)
12. Dr. A.K. Sharma, Consultant
13. Dr. S. C. Khurana, Consultant
14. Mrs. Anita Makhijani, Deputy Director (Technical)
15. Dr Kavitha Ramasamy, Sci. IV (III), (Standards)
16. Shri P. Karthikeyan, AD (Codex/ Regulation)
17. Mrs Ratna Srivastava, Sci IV(I) (Regulations)
18. Ms Kriti Chugh, AD (Standards)
19. Dr. (Miss) Shelvi Agarwal, TO (Standards)
20. Ms Sakshee Pipliyal, TO (Codex)