

## MEMORANDUM OF UNDERSTANDING

(Modified FSW with more functionality)

Food Safety and Standard Act 2006, for laying down science-based standards for articles of food and Food Safety and Standards Authority of India (FSSAI) is a Statutory Authority, established under the to regulate their manufacture, storage, distribution, sale and import to ensure availability of safe and wholesome food for human consumption.

Food testing is an important part to ensure food safety through surveillance and enforcement. Accordingly, FSSAI is providing 2nd generation Mobile Food Testing Laboratory (MFTL), referred to as "Food Safety on Wheels" (FSW), throughout the country to further strengthen the network of FSWs.

FSSAI has created a separate category on 'Government-e-marketplace' (GeM) portal for Mobile Food testing laboratories (also known as Food safety on wheels) with complete specifications w.r.t body building, interior fabrication of FSW, fixtures/furniture and supply, installation and commissioning of equipment. FSSAI is providing financial assistance to the State/UT of \_\_\_\_\_ in the ratio of \_\_\_\_\_ (Central: state share) for the procurement.

Mobile labs would be the asset of the State/UT and would be operated by the respective State/UTs Governments or their agencies/NGOs/Trusts/Societies or even by established and well-functioning NABL/FSSAI accredited food testing laboratories as decided by the State/U.T. Grahak Suvidha Kendras established by Ministry of Consumer Affairs could also be utilized for this purpose.

"Representation and Warranties"- Each of the Parties (FSSAI and STATE of \_\_\_\_\_ represents and warrants that:

- (i) It has full power and authority to enter into this MoU and to perform its obligations under this MoU.
- (ii) This MoU constitutes a legal, valid and binding obligation on its part enforceable against it in accordance with its terms.

This MoU will be signed as a supplementary agreement in addition to the MoU/ Workplan executed for the FY\_\_\_\_\_, to ensure operation of FSW in desired manner. Now, to collaborate in the achievement of the objectives/functions of FSW as described, the FSSAI and STATE of \_\_\_\_\_ have reached upon an understanding as follow:

### 1. Objectives/ Functions

FSW would execute the functions of testing including surveillance, training and creating awareness regarding the food safety in remote areas of the State, among large public congregations, schools and consumer organizations. FSW can also be used to transport samples picked from remotes areas to the nearest food testing laboratory. Education of the

consumers in various aspects of food safety laws and common hygiene practices through the utilization of mobile food testing labs can help in overall goal of supply of safe and wholesome food to the country. FSW would provide on the spot facilities for qualitative testing of adulteration in common food items like ghee, milk, khoya, sweets, edible oil, non-permitted food colors in various foods like namkeens, spices, prepared foods etc. These testing facilities can instill confidence in the local population while strengthening the hands of enforcement machinery by screening large number of samples for common adulterants. The available data can then be used to carry out enforcement activity in a targeted manner.

## 2. Role of FSSAI: FSSAI would provide following to the States/UTs-

Financial assistance for the procurement of fully functional FSW(s) (fabricated vehicle with fixtures & fittings, furniture and equipment) from GeM portal. All the technical hand holding viz. modal bidding document, procurement guidelines, technical specifications of the vehicle and other support will be provided by FSSAI to the States.

A recurring grant of Rs.10 lakh per year/FSW towards operational expenses such as petro-oil-lubricants (POLs), other consumables and manpower (one analyst minimum) for a period of 2 years.

## 3. Role of State: The States/UTs would be responsible for the following:

### 3.1 Procurement:

The State will complete the procurement as per the prescribed specifications from GeM portal. State would inform FSSAI in case of any modification is desired by the state in the specifications of the FSW prior such procurement. A copy of the Purchase Order for procurement of \_\_\_\_\_ Food Safety on Wheels should be sent to FSSAI, as soon as the procurement is completed. If the State procures the FSW through GeM Portal for an amount less than the Grant-in advance/financial assistance provided by FSSAI, the state shall immediately refund the balance amount to FSSAI.

### 3.2 Utilization:

3.2.1 To engage requisite manpower {i.e., Technical Officer (One), Analyst (One), Driver (one) and Attendant (One)} for FSW. The staff deployed in FSW by the State/UT should possess necessary qualification & experience the stipulations as contained in the Guidelines, as revised from time to time. The hired manpower will be employees of the State or the agency through which they are hired. Therefore, either State or outsourcing agency will be responsible for payment of salary, wages and other emoluments if any and statutory requirements. FSSAI shall not be responsible for any payments or statutory benefits (like EPF, ESIC etc.) of the manpower deployed in the FSW.

3.2.2 To work out a district-wise monthly calendar for each FSW.

- 3.2.3 To undertake following activities:
- 3.2.3.1 All the operations from receiving/ collecting of sample to analysis through to generation of result, preparation of report and providing the results.
  - 3.2.3.2 Registration of samples and creation of a separate inventory in a register. A nominal fee as decided by the state may be charged, to ensure the sustainability of the FSW. A receipt towards fee has to be provided and also a copy kept for record.
  - 3.2.3.3 To charge fee as per the norms prescribed by the authorizing department (State FDA). No excess fee other than the prescribed fee will be permitted. Any such action found will be treated as breach of the contract.
  - 3.2.3.4 To carry out the testing as per the procedures laid out in the FSSAI testing manual or methods/ procedures provided by the state FDA. Any deviation will not be permitted.
  - 3.2.3.5 Maintain all the relevant records in the form of registers and files. Some general records to be maintained are (and not restricted to):
    - a. Sample Inventory Register (SIR)- This will contain the information about the type/name and date of the sample received, Name and address of the customer/organization who gave the sample for analysis, Fee received, Signature of the sample provider.
    - b. Testing and Coding register (TCR) – This will contain the code number allotted to the sample, location of sample before & after testing, Analyst name, date and time allotted.
    - c. Laboratory Data Register (LDR) – This will contain Sample testing record from code number of sample, data wise observations/readings from equipment/volumetric analysis, calculations etc.,
    - d. Test Report Register (TRR) – Record of results in the form of Result sheets, samples wise has to be maintained. Format of result sheet will be provided by the state FDA.
    - e. Consumables Inventory Register (CIR) – Record related to consumption of chemicals, glass wares, plastic wares and other consumables like stationary etc.
  - 3.2.3.6 To create awareness among the people about food safety and food adulteration along with the collection of samples. Besides this, FSW may also receive samples directly from Consumers, organizations, NGO's, individuals, extension agencies etc. The organization would also act as a mobile education unit to popularize food testing and build a trust amongst the consumers about food safety and hygiene.
  - 3.2.3.7 To keep and use (For Awareness and training activities) printed copy (in English or vernacular language) each of Scheme Guidelines 2020, Manual of simple methods for testing of common adulterants etc. in food, Operational manual, Yellow Book, Pink Book, DART ( Detection of adulteration by rapid tests) in the FSW. The soft copies are available on [www.fssai.gov.in](http://www.fssai.gov.in).

- 3.2.3.8 To maintain the vehicle, equipment/machinery and other accessories present in the FSW.
- 3.2.3.9 To refill POL's and other consumables for smooth day to day functioning of FSW.
- 3.2.3.10 To submit a consolidated monthly progress report by 7<sup>th</sup> of the following month to the State FDA and FSSAI (preferably in soft copy at email ID: [labs@fssai.gov.in](mailto:labs@fssai.gov.in)) as per Annexure.
- 3.2.3.11 To submit Utilization Certificate on yearly basis (after utilizing the grant or if the grant remain unutilized at the end of the financial year) as per GFR 2017; Audit Report, if any; and a consolidated Annual Progress Report including the fee collected and expenditure incurred in operation of FSW, to FSSAI through State FDA for creating a database.
- 3.2.3.12 In case that consumer has a sample analyzed or FSO submits a sample for analysis to a Mobile Food Laboratory, prosecution/adjudication cannot be launched by an FSO till the process as detailed in FSS Act, 2006 is adhered to.

#### 4. Monitoring

- 4.1 The Comptroller and Auditor General of India, at his discretion shall have the right of access to the books of accounts of the STATE for the grants received from FSSAI for this purpose.
- 4.2 FSSAI will have the right to seek any information with regards to the utilization of facilities so created and also carry out visits to FSW from time to time.
- 4.3 FSSAI may terminate the grant at any stage if it is convinced that the grant has not been properly utilized or appropriate progress has not been made.

Signed by Shri/Ms. _____ for and on behalf of the Commissioner Food Safety (Official stamp)	Signed by Shri _____ for and on behalf of the Chief Executive Officer, FSS AI. (Official stamp)
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Letterhead of State/UT

Government

Undertaking for seeking Food Safety on Wheels (FSW) from FSSAI

I, Mr./Ms. \_\_\_\_\_, Commissioner of Food Safety, \_\_\_\_\_ (Name of the State/UT), do here by undertake on this the \_\_\_\_\_ (Day), of \_\_\_\_\_ (Month) \_\_\_\_\_ (Year), the following:

- (i) The State/UT government will procure the Food safety on wheels from GeM portal as per the specifications laid down for the mobile food testing laboratory.
- (ii) A copy of the Purchase Order for procurement of \_\_\_\_ Modified Food Safety on Wheels should be endorsed to FSSAI, as soon as the procurement is completed.
- (iii) Food Safety Department of \_\_\_\_\_ (name of the State) will engage requisite number of dedicated manpower on regular/contractual basis for operation of the FSW effectively and efficiently; and, the same will remain to be engaged by the State Government through recruitment rules or contractual employment with each FSW even after cessation of recurring grant after two years or FY 2023, whichever is earlier by FSSAI.
- (iv) The State Government will purchase dongle for internet connection for updating parameters on the web portal of FSW linked with INFOLNET.
- (v) The vehicle/s will be registered at the earliest after being received from the vendor.
- (vi) The grantee shall submit the Utilization Certificate (UC) as per GFR, 2017 to the FSSAI, immediately, after the above amount is utilized, on yearly basis.
- (vii) The FSW will be utilized for all the 3 activities i.e., testing, training and awareness and any other activity related to food safety. The data will be uploaded in the Web portal created for FSW.
- (viii) The schedule of activities and district-wise calendar of area to be covered will be provided in advance in the month of September, 2021 will be provided in the month of August, 2021).
- (ix) A consolidated monthly progress report shall be submitted in the proforma provided by FSSAI by 7<sup>th</sup> of the following month.

Date:

Signature

(Official Seal)

Place: