Citizens can trust food they get, comments FSSAI, rebutting CAG report

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The Food Safety and Standards Authority of India (FSSAI) has assured citizens that they can trust the food they get, rebutting the Comptroller and Accountant General’s (CAG) report, which has pulled up the country’s apex food regulator on several accounts, including laboratories, standards and licenses.

Interestingly, the report was made for the years between 2011-12 and 2015-16 (i.e during K Chandramouli’s tenure as chairperson, FSSAI). CAG tabled this report in Parliament recently.

Pawan Kumar Agarwal, chief executive officer, FSSAI, gave a point-by-point rebuttal of the audit report during a recent media briefing, stating that the CAG had seen the glass half empty, ignoring the work done by FSSAI’s current dispensation in the last two years.

In its report, CAG raised concerns regarding the lack of equipment, the shortage of manpower and the absence of accreditation of the state food laboratories in the country.

Accepting the reality, FSSAI pointed out that it had been working over the past couple of years to ensure that the state food laboratories and referral laboratories were fully equipped and functional.

The Central government made an investment of Rs 480 crore to strengthen the state food laboratories and referral laboratories.

For the training and capacity building of lab staff, over 24 training programmes have been conducted this year alone, some of which were with international experts to bring in the best global practices.

Sixty-four master trainers have been created in a cascade approach. These, in turn, will train hundreds of more lab personnel, and 300 persons have been trained in good food lab practices in just one year.
Further, handholding is being provided to states to support them in getting National Accreditation Board for Testing and Calibration Laboratories (NABL) accreditation.

Twenty-three labs across 22 states and Union Territories (UTs) are being funded for upgrades. This will lead to NABL accreditation eventually.

Over 140 lab staff have been trained in the NABL accreditation processes. Overall, 45 labs across states and UTs will be supported.

The number of notified private labs has increased from 82 to 152 as of now. It is proposed to provide for 62 mobile food testing laboratories across all states and UTs. As of now 19 mobile food testing labs have already been made available to the states and UTs.

To increase the pool of food analysts in the country, in an intensive drive, three sets of exams have been conducted in the past year, and 204 food analysts have been notified out of a pool of thousands of applicants.

The fourth exam is being conducted in January 2018 to further enhance this pool. A policy for selecting and training junior analysts through a fellowship programme is also on the anvil in partnership with National Institute of Food Technology Entrepreneurship and Management (NIFTEM).

Further, the Indian Food Lab Network (INFoLNet) has been created. It is a holistic lab network and management system where information is available from all labs in a central database. Samples can be tracked and information on testing and technical strengths of labs is available. As of now 170 out of 242 laboratories have been registered on INFoLNeT.

“It also needs to be clarified that under Section 98 of the Food Safety and Standards Act 2006, tests done by state laboratories that were inherited by FSSAI from the Prevention of Food Adulteration Act, 1954, are all valid under the transition provisions,” said Agarwal.

On the formulation of standards and notification of regulations, FSSAI said, “In recent years, rapid progress was witnessed in developing new regulations and food standards.”

“FSSAI has notified nearly 9,000 provisions for use of about 400 food additives in various food categories, several of which address the majority of issues related to product approval after the discontinuation of the product approval system,” it added.
“These include inter alia regulations on health supplements and nutraceuticals, approval for non-specified food and food ingredient regulations and import regulations,” the regulator said.

The majority of directions issued under section 16(5) of the Act have been brought into the fold of regulations.

Such directions are normally issued to expedite the notification of regulations on areas that have been specified in the Act, but are yet uncovered.

FSSAI has notified four principal regulations, seven new regulations which are at various stages of finalisation, and 59 amendments to various regulations since 2015.

The regulator has put in place a robust system comprising of 17 Scientific Panels and a Scientific Committee for the review and establishment of science-based standards.

In order to address the concerns of food businesses and get structured inputs on formulation of standards, standards review groups have been set up with members from industry associations.

This is only an input, which is then considered by the Scientific Panels and Scientific Committee and the authority.

Structured inputs are also taken through consumer groups and organisations in setting standards.

FSSAI stated that the system of product approvals had been suspended on the directions of the Supreme Court on the grounds that it was carried out on the strength of advisories by FSSAI and not under the regulations.

“It needs to be clarified that fresh product approvals were suspended immediately on the receipt of orders of the Supreme Court,” it added.

“In case of product approvals already granted, a risk assessment had been duly carried out as per the usual practice, and since the orders of the court were based on procedural rather than safety issues, no action was required to be taken on these cases,” the regulator said.

“Further, it must be noted that all provisional no-objection certificates (PNOCs) on product approval, given for one year, have lapsed,” it added.
“Therefore, there is no need to withdraw such product approvals. Now, necessary regulations have been framed for product approvals not specifically covered under existing regulations,” FSSAI said.

On food safety compliance and enforcement, the regulator said that several state food authorities have conducted surveys of food business activities under their jurisdiction and some states have not been able to do so due to acute shortage of manpower. In such cases, limited staff is optimally utilised in effective enforcement and putting pressure on businesses to adhere to food safety and to obtain licenses and registrations.

FSSAI conducts annual, periodical and geographical area-based surveillance activities for the effective implementation of the Food Safety and Standards Act, 2006 and Rules and Regulations, 2011, made thereunder. During the current year, a milk survey is being undertaken.

The regulator has stated that it is simplifying the processes for licensing and registration by rationalising and reducing the documents that are required to be submitted.

The focus is to ensure more effective enforcement and administration of the Food Safety and Standards Act, 2006.

FSSAI has developed mechanisms for risk based inspections and shared the same with the states. However, several states do not have adequate manpower to conduct as many inspections as they should, for want of manpower.

Further, it has developed a Web-based inspection system, the Food Safety and Compliance through Regular Inspections and Sampling (FoSCoRIS), based on a standardised checklist for inspections of food businesses by food safety officers (FSOs) in the field.

The Web-based FoSCoRIS system will help verify compliance of food safety and hygiene standards by food businesses. It guarantees uniformity and transparency and enables the food safety authorities to monitor it digitally.

Agarwal stated that FSSAI had established a robust procedure for information sharing and coordination with Customs and other agencies for food regulatory matters, which would ultimately facilitate investment and trade.

There will be an institutional mechanism comprising all the relevant
ministries/departments and other agencies which would deliberate on issues such as coordination in standard-setting and quality benchmarking; coordination in regulatory compliance and inspections to reduce regulatory burden on food businesses; coordination in food testing to ensure credibility, including issues relating to recognition of labs outside India and resolve the differences among agencies, and take up joint initiatives in the above areas for further facilitation of investment and trade.

FSSAI has also finalised the Recruitment Regulations and asked for the creation of about 600 new posts to strengthen the FSSAI set up across the country.

About 200 of these posts are for the essential functions of food safety, inspection and enforcement, which were not considered when the posts were initially created.

These functions were also identified essential during performance audit by CAG. Forty-eight posts proposed are for the information technology (IT) division, a function earlier outsourced and now being carried out internally.

About 40 posts are for social and behavioural change, training and capacity building that require special skill in media, communication, curriculum development, pedagogy and consumer outreach.

The chief executive officer concluded that FSSAI appreciated the inputs from CAG to improve performance of food safety.

“The CAG report should, however, be seen in the context of the huge and complex task at hand, and the fact that FSSAI is new an evolving organisation and it faces severe constraints of manpower and resources,” he added.

“It would have been useful if the report had noted a lot of very useful work done by the FSSAI over the years that has helped to raise the profile of food safety in the country significantly in recent years,” Agarwal said.

“Nevertheless, FSSAI continues to be committed to raise the bar for food safety and hygiene in the country, so that citizens can trust food they get in the marketplace,” he added.