

FOOD SAFETY AND STANDARDS (TRANSACTION OF BUSINESS AT ITS MEETINGS) REGULATIONS, 2010

REGD. NO. D. L.-33004/99 q-«-33004/99 EXTRAORDINARY PART III—section 4 PUBLISHED BY AUTHORITY 10, 19, 1932 NEW DELHI, THURSDAY, MARCH 10, 2011/PHALGUNA 19, 1932 4, 20 1 206é (2006 34) \$1 92 (1) (2) CA) SAT, 2010 @ 2006 (2006 34) • (TT) "q-u 3frQ51q" 9 (q) "Qäl%l 4 (e) 'fiTqu" 911 GI/2011 2 THE GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC 4] 3. äö-(l) (2) dTëru ø-1tua-T ZIT (5) (5) q9f OTT, 4. OltQ+(1) \$1 31-fÄ-\$rQ, 3 3Fu It-g -a-e--<5 HQi -G fä-g I (3) 3-1tÅ&-T -\$1 qi-g GINT 4 GAZETTE OF : EXTRAORDINARY [PART III—SEC. 4] (2) 81, ATH -q-a: (5) 31 [qwf 4] (3) (1) 3-1 fr (5) 3Ttua--T- 11. 31füQq-(1) 12. -(1) 5 6 THE GAZETTE OF INDIA : EXTRAORDINARY [PART III—SW. 4] 13. - (1) fäG (2) e.Fq 16. \$1 1 12 (2) qv 315k 45T 312/ f?-j: 2) - a-a-qi ail -t fä-g I 7 2 13 (3) øtk [J 8 THE GAZETTE OF INDIA : EXTRAORDINARY [PART ILI—SEC. 4] FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA NOTIFICATION New Delhi, the 4th March, 2011 F. exercise of the powers conferred by sub-section (1) and clause (b) of sub-section (2) of section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), the Food Safety and Standards Authority of India, with the previous approval of the Central Government, hereby makes the following regulations regulating the rules of procedure for transaction of business of the Central Advisory Committee, namely:- 1. Short title and commencement. - (1) These regulations may be called the Food Safety and Standards Authority of India (Procedure for Transaction of Business of the Central Advisory Committee) Regulations, 2010. (2) They shall come into force on the date of their publication in the Official Gazette

2. Definitions.— (1) In these regulations, unless the context otherwise requires,- (a) "Act" means the Food Safety and Standards Act, 2006 (34 of 2006); (b) "Chairperson" means the Chairperson of the Central Advisory Committee; (c) "Chief Executive Officer" means the Chief Executive Officer appointed under section 9 of the Act. (d) "Food Authority" means the Food and Standards Authority of India established under section 4 of the Act; (e) "Member" means members of the Central Advisory Committee and includes the chairperson of the Central Advisory Committee; 9 Vlor•ds used {floese :ndl defined but defined in the _ ih-av•e t?iue respectli•vëlly 'assigned to them in the Act- — ('ll) shall be not less than three Advisory Committee. of the Advisory year such dates and at places as the and mtavafl befiyvee.n miry rn, eetmes shalt aoc. in any case be Tt:han five a tinnacial year shall the first Advisory the linst of' itlhail year- I ihe notfice of meeting, of Ca•nnut.l-ee signed by the (2) or by so,ych of the may be authorised by the ithe pfucre of tlhe meeting shau be circulated to member, subhajt to ithe provisions Otf •sulb flegtula-tion 4, least fifteen days before the date -off* t.he meet-in.<ü tilue:nejcm the brief agenda meeting, setting oui lhe of business to lhe by post of every member or •e-mail or fax or courier to facilitate speedy (3) m:ay., case of urgency, aft! emy call a meeting of the Central Adhfisory Committee a llessre-r notice than daysh A meetmg of Mhe Ad,hisory Committee may be caned on the requisition in (4) writing, to the sig\Rd, by less than one-third of *members, setting oui the punpose of meeting to be called and business to be considered thereat. (5) Ch receipt of meeting to m sub-regulation (the Chairperson may caÅl the meeting within such Gime as he may dirut., bui in any case not later than a period of date Tacept of such valid by the Chairpersonn (6) items of business to be transæt«l ait a meeting of the Central Advisory Committee be completed cne sitting, the meeting may be from Gme to time: 10 THE GAZETTE OF : EXTRAORDINARY [PART m—sæ. 4] Provided that at the adjourned meeting only the unfinished items in the agenda shall be discussed and decision taken thereof. (7) Representatives of the Food Authority may participate in the proceedings of the Central Advisory Committee with the permission of the Chairperson but shall have no right to vote at the meeting

4. Chairperson of meetings of Central Advisory Committee.- (1) The Chief Executive Officer shall preside over every meeting of the Central Advisory Committee and if the Chief Executive Officer is unable to attend a meeting of the Central Advisory Committee, any member elected by the members present from amongst themselves attending the meeting, shall preside at such meeting. (2) The Chairperson may invite any officer of the Food Authority or any other person qualified in the matters to be discussed, to attend any meeting of the Central Advisory Committee, with a view to facilitate meaningful discussions and such invitee may participate in the proceedings of the meeting but shall no right to vote

5. Quorum.- (1) The quorum for any meeting of the Central Advisory Committee shall be one- third of the members as on the date on which the meeting is to be held and no business shall be transacted at any meeting of the Central Advisory Committee unless the quorum is present throughout the meeting. If the quorum is not present at any meeting of the Central Advisory Committee, the (2) Chairperson or the member presiding, over the meeting, shall adjourn the meeting to such other date, time and place as IT. ay be specified by him not being later than thirty days, and if at such adjourned meeting a quorum is not present, then, notwithstanding anything contained in sub- regulation (1), the)members present at the adjourned meeting, not being less than ten in number, shall constitute a quorum for such meeting and to take up for discussion and to dispose of only the items of business set out in tne agenda for the initial meeting. 1-11 i d 11 6. Agenda. - (1) The Chairperson shall cause the agenda to be prepared and circulated at least fifteen days before the date of each meeting of the Central Advisory Committee. (2) Any business not included in the agenda shall not be transacted at a meeting of the Central Advisory Committee except with the permission of Chairperson or the member presiding over the meeting. (3) With the permission of the Chairperson or other member presiding over the meeting, urgent questions may be added to the agenda at any time before the conclusion of the meeting, or any item on the agenda may be deleted or carried over to a subsequent meeting. (1) All questions which 7. Decisions of the meetings of the Central Advisory Committee. come up before any meeting of the Central Advisory Committee shall be decided by a majority of votes of the members present and voting: Provided that if a member is interested in any item of business to be transacted at a meeting, he shall not participate or vote on such item and in such case, the decision on such item shall be taken by majority of the votes of other members attending the meeting, not being less than five in number. (2) The Chairperson or the other member presiding over the meeting, shall endeavor at all times to arrive at decisions or recommendations through a consensus among members and voting shall be resorted to if attempts to anive at a consensus fail

8. Closure of debates.— The Chairperson or other member presiding over a meeting, may move for the closure of the debate when he considers that all members have had the opportunity to express their views on any of the business discussed at the meeting and his decision shall be final

9. Minutes of the meetings of the Central Advisory Committee.- (1) The draft minutes of each meeting of the Central advisory Committee shall be Bprepared within a period of two weeks 12 THE GAZETTE OF EXTRAORDNARY of conclusion of each meeting and sub.ruitted to the Chairpe-'EE'0Ti\ "presided over the meeting, for his approval (2) The draft minutes of each meeting of Central Advism-y approved by Chairperson or the other member presided as. ff_te case be sha101 forwarded to each member not [ater than peEil0d of two after appfcv:a-ii at the next meeting. (3) The minutes of each meeting caff the shah} correct summary proceedings and nm€fi:libefs. did the discussion of, or zote any item of business af (he (4) The Chairperson p;rsiided the may dieciidie. inclusion or non-inclusion ot• mafiter• in the if in his. feiitvan.'ā orz- matevia] to the proceedinus defamatory of (5) At ever v of C.eufradi Advisoooc Counmittee,, &afi minutes of (he previous meeik'i9 the Committee appmved by or other member pe,sidüd over: be ptæed before the yr_ueetfing for confirmation and adoption wiithotJtt whyctf3 signed by the C ottlh;er is presidii_ng ova' lÆezeging.,. - ff-ecord\ of (he we.vious meeting be con_ljrmatiou O: kept on record. r he -nunutes eac h AdvisoÆY Committee, (6) the next meeting to in pfi&ßd fbe meeting of the Fond -art-sir of by l) Any item of business or issue ou ksvâich required decision if the Cheirpezstüü so directs, be reterred to may, by vapers as cesoluücgä be deemed "o have peseu by the Eküless such a tagethe-T with aecessary papars, if an)G to the members and approved by maju•ity of the as are ilk India- under sub-cegulation (and approved by the ef vote effect arid binding as if such resobu\$üü,n wece at a by of (:4} Where b referred to membevs under sub-regulation (f), a period of not than cfear days be allowed fov the receipt of replies from members frown the date which the draft is cim.u]ated. (5) Based the votes and. comments received* the resolution circulated, the CbaiEpecson Enay- (a) adopted: or (b) declare the Diot adopted; or (c) case of ef votes* postpone, the for the next meüg of Adviso;Ey- (6) Any passed thyough placed at the naxt meeting of Adviso,EY Committee fax its ratification. Record of (1) The cause the record of the of of the Central Advisory Commiäee written md maintained by officer ef Authority. 14 GAZETTE OF NDIA : EXTRAORDDD4ARY [PART IL—SEC. 4] (2) The record of business transacted at every meeting of the Central Advisory Committee shall be signed by the Chairperson or the member presiding over such meeting, as the case may be, and be kept on records. - (l) Members of the Central Advisory Committee shall make a 12: Independence. commitment to attend and participate in its meetings.

Every member shall make at each meeting of the Central Advisory Committee a (2) Specific Declaration of Interests in Schedule I, which might be considered prejudicial to their independence in relation to the items on the agenda. (3) A member of the Central Advisory Committee or any other participant, who believes that his interests may undermine his independence, shall inform the Chairperson in writing who thereon take decision on his participation in the meetings or work in the Central Advisory Committee keeping in view the interests declared

13. Confidentiality.- (1) The members of the Central Advisory Committee and other participants at a meeting shall not divulge to third party any confidential information that they have received, for which confidential treatment has been requested and agreed by the Chairperson. (2) Every member of the Central Advisory Committee and other participants at a meeting shall be required, even after their duties have ceased, not to disclose Information of the kind covered by the obligation of professional secrecy. (3) Every Member of the Central Advisory Committee and other participants shall sign an initial declaration at the first meeting of the Central Advisory Committee for maintaining the confidentiality of the business transacted at meetings of Central Advisory Committee in Schedule 11. Every person invited to attend any meeting of Che 16. Reimbursement of expenses. - Central Advisory Committee other than the members shall be entitled to a payment of two thousand rupees for each meeting of the Central Advisory Committee attended by him. 15 SCHEDULE 1 (See Regulation 12 SPECIFIC DECLARATION OF INTERESTS The Food Safety and Standards Authority of India (Please note that high quality of scientific expertise is by nature based on prior experience and that therefore having an interest does not necessarily mean having a conflict of interest) Name: Profession : Meeting of the Food Authority Meeting of the Central Advisory committee Meeting of the Scientific Committee Meeting of Panel on Meeting of the Working Group on Meeting dates Venue S. No. Agenda Items Whether the member has a conflict of interest. (YES/ No) If yes, please provide details to enable the chair to take a decision. Declaration: I declare that the information provided above is true and complete. Done at: Signature: on this day of THE GAZETTE SCHEDULE (See Regulation 1) 3 DEC.LARf0"WON CONCERNING Food Safe.tv and Name: Position : Member of the Food AuthGflTty I j of the Cl€ütr.a} Advisory 4-cmTElttee, iViember of Comna-it#ee. } Member of a P.ælf€!l on Member of a Working Group on other expen hereby decâare that am aware of obligation to resoec..i know that am obliged to divulge mformaüon acquired as my activities Food Satuy and Standards Authority., if the mform.al-io•n is subject to a r-eq,uaqt_ confidentialai,ity hereby undenake not to divulgee anv such confidential shall also re:specl the confidentialâ nature of the expressed by other Members of bodies above or other ex43eHs during discussions in meetmgs or provided form. Done at: Siunatur•e on this day of 1-14 Chief Eia,utiveOffza 17 4 , 2011 2006 (>006 34) 92 \$1 (1) 2010 I 2. 3üfh a,- @ 2006 (2006 34) ; (u) "31t21H" ; (q) "u1V 4 (q) Nfir" 14 (U) 13 (q) "aqq•ff" I 911 GI/2011—3 18 3. THE GAZETTE OF INDIA : EXTRAORDINARY d8ö-(i) -\$1 [PART 4] föntf I -qn--å I (4) QIT å, ft-q (6) (6) frfr& -\$1 \$1 (7) qfi fQ5•g 4. Q5T III—ayoz 4] 6. \$1 fig (2) TFIJT# GIRT 7. (1) fä-g 8. qtr 19 THE GAZEITE OF : EXTRAORDINARY [PART m—SBc. 4] Q5T 10. u-r€:r \$1 3-ßfÄ (5) 31 Ezra-T 21 .31E2R-T 11 . -- \$1 12. \$1 GAZETTE OF NDIA : EXTRAORDINARY 13. \$1 14. - (1) -t •frä-g 15. 16. [PART III—SEC. 4] 23 i4.(2) (Gi/ao 24 THE GAZETTE OF INDIA : EXTRAORDINARY 14 [PART HI—SEC. 4] NOTIFICATION New Delhi, the 4th Ma:ch, 2011 F. 1-61/FSSN2009-DFQC.—In exercise of the powers conferred by sub-section (l) and clause (f) of sub-section (2) of section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), the Food Safety and Standards Authority- of India, with the previous approval of the Central Government, hereby makes the following regulations regulating the transaction of business in the meetings of the Food Safety and Standards Authority of India, Namely:- — (1) These Regulations may be called the Food 1. Short title and commencement. Safety and Standards . Authority of India (Transaction of Business at its meetings) Regulations, 2010. (2) They shall come into force on the date of their publication in the Official Gazette

2. Definitions.- (1) In these regulations, unless the context otherwise requires,- (a) "Act" means the Food Safety and Standards Act, 2006 (34 of 2006); (b)"Chairperson" means the Chairperson of the Food Safety and Standards Authority of India; (c) "Chief Executive Officer" means the Chief Executive Officer appointed- under section 9 of the Act. (d)"Food Authority" means the Food Safety and Standards Authority of India established under section 4 of the Act; 911 THE GAZETTE OE [PART 4] (e) "Member" means member of the Food *Safety and Standards Authority of India and includes the Chairperson; (D "Scientific Committee" means the Scientific Committee constituted by the Food

Authority under section 14 of the Act; (g) "Scientific Panel" means Scientific Panel established by the Food Authority under section 13 of the Act; (h) "Schedule" means a Schedule appended to these regulations. (2) Words and expressions used in these regulations and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act

3. Meetings of Food Authority.— (1) There shall be not less than three meetings of the Food Authority in a year on such dates and at such places as the Chairperson may direct and the interval between any two meetings shall not in any case, be longer than five months: Provided that the first meeting of the Food Authority in a financial year shall be held in the first quarter of that financial year. (2) The notice of every meeting of the Food Authority shall be signed by the Chief Executive Officer intimating the time, date and the place of the intended meeting. (3) The notice shall, subject to the provisions of sub-regulation (5) be given to every member, at least fifteen days before the date of the meeting by post to the address of every member or through e-mail or courier or Fax to facilitate speedy communication, stating therein the brief agenda of the meeting, setting out the items of business to be considered. (4) The Chairperson may, in case of urgency, at any time, call a meeting of the Food Authority at a lesser notice than fifteen days. 27 [April 4] (5) A meeting of the Food Authority may be called on the requisition in writing, addressed to the Chairperson and signed by not less than one-third of members, setting out therein the purpose of the meeting to be called and the business to be considered thereat. (6) On receipt of the requisition of meeting referred to in sub-regulation (5), the Chairperson may direct to cause the meeting to be convened and held within such time as he may direct, but in any case not later than a period of thirty days from the date of receipt of such requisition. If all the items of business to be transacted at a meeting of the Food Authority (7) cannot be completed in one sitting, the meeting may be adjourned from time to time: Provided that at the adjourned meeting only the unfinished items in the agenda shall be discussed and decision taken thereof

4. Chairperson of the meetings of Food Authority.— The Chairperson may also invite any officer of the Food Authority or any other person qualified in the matters to be discussed at any meeting or any member or Chairperson of the Scientific Panel, to attend any meeting of the Food Authority, with a view to facilitate meaningful discussions and may participate in the proceedings of the meeting but such invitee shall have no right to vote

5. Participation of the Chief Executive Officer.— The Chief Executive Officer may, with permission of Chairperson take the assistance of any staff of the Food Authority for the purpose of discharging his duties relating to the meetings of the Food Authority

6. Quorum.— (1) The quorum for any meeting of the Food Authority shall be one third of the Members as on the date on which the meeting is held and no business shall be transacted at any meeting of the Food Authority unless the quorum is present throughout the meeting. THE GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC. 4] (2) If the quorum is not present at any meeting of the Food Authority, the Chairperson or in his absence any other Member presiding over the meeting; - shall adjourn the meeting to such other date, time and place as may be specified by him not being later than thirty days, and if at such adjourned meeting quorum is not present, then, notwithstanding- anything contained in sub-regulation (1), the Members present at the adjourned meeting, not being less than five in number, shall constitute a quorum for such meeting to take up discussion and to dispose of only the items of business set out in the agenda for the initial meeting

7. Agenda.— (1) The Chief Executive Officer shall be responsible for preparation of the agenda for each meeting of the Food Authority and circulation thereof to all the Members of the Food Authority at least a period of fifteen days before the date of each meeting: Provided that the Chief Executive Officer shall prepare the agenda of meeting in consultation with the Chairperson: Provided further that the Chief Executive Officer may, in consultation with the Chairperson, amend or delete or add a new item in the agenda of business subsequent to its issue. (2) Any business not included in the agenda shall not be transacted at a meeting of the Food Authority except with the permission of the Chairperson or Other Member presiding over the meeting. (3) With the permission of the Chairperson or other Member presiding over the meeting, urgent questions may be added to the agenda at any time before the conclusion of the meeting, or any item on the agenda may be deleted or carried over to a subsequent meeting

8. Decisions Of meetings of Food Authority.- (1) If a Member is interested in any item of business to be transacted at a meeting, he shall not participate or vote on such item and in such case, the decision on such item shall be taken by majority of the votes of other Members attending the meeting, not being less than five in number. (2) The Chairperson or the other Member presiding over the meeting shall endeavor at all times to at decisions or recommendations through a consensus among Members and voting shall be resorted to if attempts to arrive at a consensus fail. (3) Votes on every item of business to be transacted at a meeting of the Food Authority shall be taken by a show of hands. — (.1) The Chairperson or the Member presiding over the meeting 9. Closure Of debates. may move for the closure of the debate on any item of business discussed at a meeting when he considers that all members have had the opportunity to their views on any business discussed at the meeting and the decision of the Chairperson or the Member presiding shall be final. 10. Minutes of meetings Of the Food Authority. — (1) The Chief Executive Officer shall cause the minutes of each meeting of the Food Authority to be prepared within a period of two weeks of conclusion of each meeting and submit the same to the Chairperson or other Member who presided over the meeting, for his approval: Provided that if for any reasons the Chief Executive Officer is unable to attend any meeting of the Food Authority, the Chairperson may, for this temporary purpose direct any other officer of the Food Authority, to prepare the minutes of the meeting. (2) The draft minutes of each meeting of the Food Authority approved by the Chairperson or the other Member who presided over that meeting shall be forwarded to each member not later than a period of two weeks from, such approval, for adoption at the next meeting: 30 GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC. 4] Provided that the decision of the Chairperson on the changes, if any, to be made in the draft minutes, shall be final. (3) The minutes of each meeting of the Food Authority shall contain a fair and correct summary of the proceedings thereat and the names of Members who did not participate in the discussion of, or vote on, any item of business transacted at the meeting. (4) The Chairperson or other Member who presided over the meeting may decide the inclusion or non-inclusion of any matter in the minutes, if in his opinion, not relevant or material to the proceedings or defamatory of any person. (5) At every meeting of the Food Authority, the draft minutes of the previous meeting approved by the Chairperson or the other Member who presided over that previous meeting, shall be placed before the meeting for confirmation and adoption with or without amendments or modifications, which on confirmation and adoption in that meeting be signed by the Chairperson or the other Member presiding over the meeting, as confirmation of correctness of the record of the proceedings of the previous meeting and be kept as a record of the Food Authority. (6) The minutes of every meeting of the Food Authority shall be published on the Food Authority's website unless the Chairperson determines that confidentiality to be ensured

11. Power of the Chairperson to take urgent action.— Nothing in these regulations shall affect the power of the Chairperson to take such action (after consultation, if necessary, with experts in the matter) as may be necessary in case of an emergency situation warranting immediate action by the Food Authority and when it is not feasible to call a meeting of the Food Authority, and reasons be recorded in writing: Provided that any such action shall be placed before the next meeting of the Food Authority for its ratification. 41 12. Decisions by circulation. — (1) Any item of business or issue which require decision of the Food Authority, if the Chairperson so directs, may be referred to Members by circulation of papers as a resolution. (2) No resolution shall be deemed to have been passed by the Members, unless such a resolution circulated in the draft, together with necessary papers, if any, to all the Members at their usual address in India and approved by the majority of the Members as are present in India. (3) Any resolution circulated under sub-regulation (1) and approved by the majority of such of those Members entitled to vote thereon, shall have effect and binding as if such resolution were decided by the majority of the members at a meeting. (4) Where any business is referred to members under sub-regulation (1), a period of not less than ten clear days shall be allowed for the receipt of replies from Members from the date on which the draft resolution is circulated. (5) Based upon the votes and comments received, on the draft resolution circulated under sub-regulation (1), the Chairperson may- (a) declare the decision adopted; or (b) declare the decision not adopted; or (c) in case of neutrality of votes, postpone draft resolution for the next meeting of the Food Authority. (6) Any resolution passed through circulation, shall be placed at the next meeting of the Food Authority for its ratification. (1) The Chief Executive Officer shall attend the meetings of 13. Record of Business. - the Food Authority maintain the record of proceedings of all items of the business

transacted thereat; 31 32 THE GAZETTE OF : EXTRAORDINARY [PART III—SEC. 4] Every decision - and direction of the Food Authority shall be recorded in writing and be kept as a record

14. Independence and Confidentiality.— (1) Members of the Food Authority shall make a commitment to attend and participate in its meetings. (2) Every Member shall submit at each meeting of the Food Authority a Specific Declaration of Interest in Schedule I, which might be considered prejudicial to their independence in relation to any of the items on the agenda. (3) Any Member or any other participant in a meeting, who believes that his interests may undermine his independence, shall inform the Chairperson in writing who thereon take a decision on his participation in the discussions at the meetings or the work of the Food Authority. (4) Members of the Food Authority and invitees shall sign an initial Declaration at the first meeting of the Food Authority for maintaining the confidentiality of the business transacted at meetings of the Food Authority in Schedule I

15. Secretariat.— Chief Executive Officer shall ensure appropriate administrative support to enable the Food Authority to carry out its work

16. Reimbursement of expenses.— Invitees to any meeting of the Food Authority shall be entitled to a payment of two thousand rupees for attending each meeting and the reimbursement of actual travel and subsistence expenses. 33 SCHEDULE 1 [See regulation 14 (2)] SPECIFIC DECLARATION OF INTERESTS (Please note that high quality of scientific expertise is by nature based on prior experience and that therefore having an interest does not necessarily mean having a conflict of interest) Name: Profession: Meeting of the Food Authority Meeting of the Central Advisory committee Meeting of the Scientific Committee Meeting of Panel on Meeting of the Working Group on Meeting dates Venue S. No. Agenda Items Whether the member has a conflict of interest. (YES/ No) If yes, please provide details to enable the chair to take a decision. Declaration: I declare that the information provided above is true and complete: Done at: 911 GI/2011—5 on this day of Signature:- 34 Name: Position : THE GAZETTE OF INDIA : EXTRAORDINARY SCHEDULE 11 [See regulation 14] DECLARATION CONCERNING CONFIDENTIALITY [PART III—SEC. 4] [] Member of the Food Authority [] Member of the Central Advisory Committee [] Member of the Scientific Committee [] Member of a Panel on [] Member of a Working Group on [] other expert (external) on i hereby declare that I am aware of my obligation to respect confidentiality. I know that I am obliged not to divulge information acquired as a result of my activities in Food Safety and Standards Authority, if the information is subject to a request for confidentiality and I hereby undertake not to divulge any such confidential information. I shall also respect the confidential nature of the opinions expressed by other Members of the bodies indicated above or other experts during discussions in meetings or provided in written form. Done at: Signature on this day of V. N. GAUR, Chief Executive Officer [ADVT. 111/4/187-0/10/Ext.] 35 2006 (2006 34) 92 \$1 (1) 1 . «färr (1) 2010 I (2) 2. "31fÄfi2F1" 2006 (2006 34) ; "3TüRT" ; "ff&.l dTfÄ@3TQ" 9 (ED \$1 4 (e) 'GRZI" (q) Rfift" 14 (ü) 31fÄfiuq 13 -enfi•--d (2) i33 0, 36 THE GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC. 4] ure:r 3Tm@i I (3) \$1 3BfÄ 3i-q 31-q-fä Rqhé, 3Rfh 37 8. Rg oqiæ(l) Rig ; qrzr (TO *rai, @ uTüä, frg «rrai ; (9 ua-q 38 THE GAZETTE OF : EXTRAORDINARY [PART III—SEC. 4] t zrr (q) fö:x- \$ a-*q 3üfh a-Fu 30-q (2) ZII 3.T2Tq-r 10. --(1) \$T q-ti q-tf III—agog 4] 11. \$1 (4) a, \$1 Rqi-é 12. ng aqui5--(1) (2) a , Rqhé 13. ft-g fig 39 THE GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC. 4] 14. QilXQR--(1) Rig 15. (1) GIRT Q52.FT t, 3i7frFVT, 16. ailüQi0T--(1) 15 16 I 3BfÄ 41 17. 18. 3i-1frv-iT -q-a 19. Rrg e,zn I 20. AT ai Q5T 911 Gi/20i'l—6 42 GAZETTE OF INDIA : EXTRAORDINARY 21. 22. 'R\$--(l)• zrr 7Tg -a:rui q-râ 1 20(2) fibër I [PART III—SEC. 4] 43 2 21 (1) (ATF4) 2006 fäq (-- flëru. 44 THE GAZETTE OF INDIA : EXTRAORDINARY 21 (1) (1) R-ä?ii, q-râ (2) (3) (4) [PART III—SEC. 4] [III—ag 4] (5) a_F.ZT 45 fh1T I (GIGI Rig I fhTe7<ft ur -\$f llâ 46 THE GAZETTE OF INDIA : EXTRAORDINARY q-râ 4 21 (2) -a-a--<5 gio [PART III—SEC. 4] (gtFët) 111/4/187-0/10-3-NF.] 47 NOTIFICATION New Delhi, the 4th March, 2011 F. 1-61/FSSA/2009-DFQC.— In exercise of the powers conferred by sub-section (1) of section 92 and clause (d) of sub-section (2) of section 92 of the Food Safety and Standards Act, 2006 (34 of 2006), the Food Safety and Standards Authority of India, with the previous approval of the Central Government, hereby makes the following regulations the procedure of the Scientific Committee and Scientific Panels, namely:- (1) These regulations may be called the Food 1. Short title and commencement. Food Safety and Standards Authority of India (Procedure of Scientific Committee and Scientific Panels) Regulations, 2010. (2) They shall come into force on the date of their publication in the Official Gazette. — (1) In these regulations, unless the context otherwise requires,- 2.

Definitions. (a) "Act" means the Food Safety and Standards Act, 2006 (34 of 2006); (b) "Chairperson" means the Chairperson of the Food Authority; (c) "Chief Executive Officer" means the Chief Executive Officer appointed under section 9 of the Act; (d) "Food Authority" means Food Safety and Standards Authority of India established under section 4 of the Act; means member of the Scientific Committee or the Scientific Panel and includes the Chairperson of the Scientific Committee or the Scientific Panels, as the case may be; [PART III—SEC. 4] 48 GAZETTE OF INDIA : EXTRAORDINARY (t) "Scientific Committee" means the Scientific Committee constituted by the Food Authority under section 14 of the Act; "Scientific Panel" means the Scientific Panel established by the Food Authority (g) under section 13 of the Act; (h) "Schedule" means a Schedule appended to these regulations (2) Words and expressions used in these regulations and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act

3. Appointment of members of Scientific Committee and Scientific Panels and their - (1) The Food Authority shall ensure high level of collective scientific competence and expertise before appointing any member, to fulfil the mandate of the Scientific Committee and Scientific Panels so as to reflect the diversity of scientific problems and approaches in India. (2) No member shall be appointed to the same panel for more than two consecutive terms. (3) The term of office of a member nominated at a later date, shall continue till the expiry of their term of three years. (4) Each Scientific Panel shall consist of such number of members not exceeding fifteen, as may be considered appropriate by the Food Authority. (1) The Scientific Committee may create Working Groups 4. Working Groups. - consisting of the members of the Scientific Committee & or Scientific Panels whenever it deems necessary, particularly, in specific cases, and also include therein such number of external experts having experience and expertise in the subject not exceeding one-third of total members of such working groups, with the prior approval of Chairperson, in such manner as the Chairperson may decide. 49 Scientific Committee shall entrust the Working Groups with tasks which are (2) clearly defined and also to undertake necessary preparatory work in relation to a draft opinion: Provided that the Scientific Committee and Scientific Panels shall ensure that the tasks are completed within a specific period of time. (3) The Scientific Committee or Scientific Panels, as the case may be, shall coordinate the functioning of the working group. (4) The meetings of the Working Groups shall be presided over by a Member of the corresponding Scientific Committee or Scientific Panel, as the case may be, and submit report to the Scientific Committee or Scientific Panel, as the case may be. (5) The names of members of Working Group, its terms of reference and proceedings of meetings shall be made public in such manner as may be determined by the Food Authority

5. External Experts.— The Scientific Committee or the Scientific Panel, may invite other external experts from list of experts or after carrying out a search for the required competence, possessing particular and relevant scientific knowledge in deliberation of the Working Groups

6. Rapporteurs. The Scientific Committee or Scientific Panel or Working Group may designate one or more rapporteurs from among their members or external experts with the approval of the Chairperson who shall ensure that draft reports or opinions are prepared, within a specific time period. 50 GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC. 4] 7. Delegation of responsibilities. - If the chairperson of the Scientific Committee or Scientific Panel is not in a position to perform his function, shall elect amongst its members its new chairperson who shall thereafter perform the functions of the chairperson of such of the Scientific Committee or Scientific Panel

8. Requests for Scientific advice.- (1) The Chief Executive Officer shall make requests for advice to the Scientific Panel in following manner, namely:- (a) for safety in use of food additives, flavourings, processing aids and materials in contact with food; associated subjects concerning the safety of other deliberately added substances to food and questions related to the safety of the processes the Panel on food additives, flavourings, processing aids and materials in contact with food; (b) for safety in use of pesticides, veterinary drugs, antibiotics residues as well as their residues in food; associated subjects concerning the safety of food from pesticides and antibiotics the Panel on pesticides and antibiotics residues; (c) for genetically modified organisms, such as micro-organisms, plants and animals, their deliberate release into the environment and genetically modified foods, including products derived from genetically modified organisms the Panel on genetically modified organisms and foods; (d) for organic

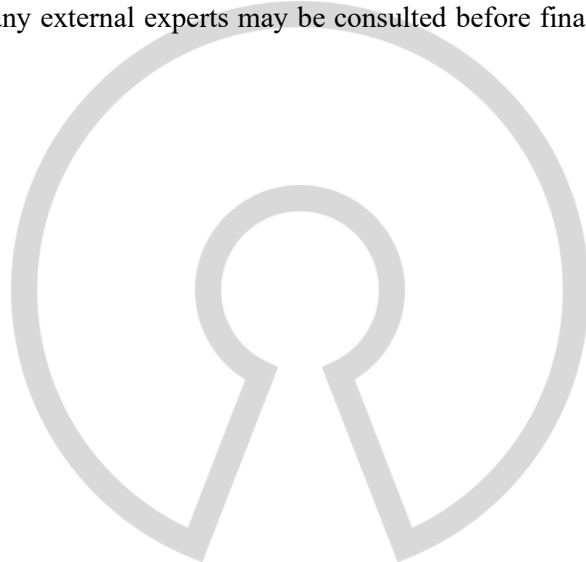
foods, foods, nutraceuticals, dietetic products, human nutrition and food allergens, and other associated subjects such as novel foods including their toxicity and safety the Panel on functional foods, nutraceuticals, dietetic products and other similar products; (e) for biological hazards related to food safety and food-borne diseases, toxins, microbiology, food hygiene and associated waste management the Panel on biological hazards; 51 (f) for contaminants in foods, associated areas and undesirable substances such as natural toxicants, mycotoxins and residues of non authorised substances not covered by any other Panel the Panel on contaminants in the food chain; (g) for packaging and labelling safety and provisions; including the safety aspects related to packaging material, name of the food and any special requirement to ensure that the consumer is not deceived or misled about the nature of the food including nutritional labelling claims made on behalf of products the Panel on labelling and claims/Advertisements; (h) for all aspects of analytical methods used in food and sampling of food; including the test methods required to ensure that the commodity conforms to requisite standards the Panel on method of analysis and sampling; the Scientific Committee for tasks on multi-sectorial issues falling within the competence of more than one Panel, and on issues which do not fall within the competence of any of the Scientific Panels. (2) A scientific opinion shall comprise of the question posed by the Food Authority or any stakeholder or issues of public interest and any other terms of reference and the scientific reasoning, background and the opinion of the Scientific Committee or Scientific Panel or working group. (3) The final scientific opinion received under sub-regulation (2) shall be published within a period of one week on the Food Authority's website

9. Meetings of the Scientific Committee; Panel (I) The Scientific Committee and Scientific Panels shall prepare a schedule of their meetings for the forthcoming calendar year in consultation with Chairperson and publish it in Food Authority website. 911 GI/2011—8 52 THE GAZETTE OF : EXTRAORDINARY [PART III—SEC. 4] (2) The notice of a meeting of the Scientific Committee or Scientific Panels or Working Group shall be given to their members within not less than ten working days before the date of the meeting and notice of cancellation of meeting shall also be given within not less than two working days before the date of the meeting. (3) In case of urgency, meetings of the Scientific Committee or Scientific Panels or Working Group may be called at short notice with the prior approval of the Chairperson

10. Quorum and Consensus.—(1) The quorum at a meeting of the Scientific Committee or Scientific Panel shall be one-third of its total number of members and no business shall be transacted unless the quorum is present. If, at any time, the number of members at a meeting is less than the number of (2) members specified in sub-regulation (1), the person presiding shall adjourn the meeting after informing the members of the date, time and place of the adjourned meeting and it shall thereupon at such adjourned meeting the members present shall, discuss and dispose of the business intended to be transacted at the original meeting. (3) The Scientific Committee and Scientific Panel shall adopt opinions by a majority if a consensus of their members cannot be arrived. (I) The draft agendas of the meetings of the Scientific Committee or 11. Agenda. - Scientific Panels shall be drawn up and circulated to members at least ten days before the date of meeting. (2) The agenda shall be adopted at the beginning of the meeting and the business not included in the agenda shall not be transacted at a meeting of the Scientific Committee or Scientific Panel except with the permission of the chairperson of the Scientific Committee or Scientific Panel, as the case may be. 53 (3) With the permission of the chairperson of the Scientific Committee or Scientific Panel or Working Group, urgent questions may be added to the agenda at any time before the end of the meeting, or items on the agenda may be deleted or carried over to a subsequent meeting. Wherever possible, documents including reports and draft opinions prepared by a (4) Rapporteur or external expert shall be made available to the members of the Scientific Committee or Scientific Panel or Working Group and external experts one week before the meeting. (5) The chairperson of the Scientific Committee or Scientific Panels shall fix the time limit and prioritize the work to ensure within such time-limits the delivery of scientific opinions. (1) The 12. Risk-related issues raised by the Scientific Committee or Panels. - Scientific Committee and the Scientific Panels shall bring into the notice of the Chief Executive Officer any specific or emerging issue falling within its remit which in its opinion may pose an imminent or potential risk to consumer health. (2) The Chief Executive Officer shall determine the action to be taken including, if appropriate, a request for a scientific opinion or report on the matter and shall inform the Scientific Committee and the Scientific Panel. 13B Access to meetings. - The chairperson of the Scientific Committee or Scientific may authorise any officer of the Food Authority to be present in its

meeting and the officer so authorised shall assist for the purpose of clarification or information but not seek to influence discussions. (1) In the case of an urgent nature and where 14: Business by Circulation. - circumstances do not allow discussion at a meeting, if the chairperson of Scientific Committee or Scientific Panel, as the case may be, so directs, a draft or a statement may be referred to its members by circulation of papers. 54 THE GAZETTE OF : EXTRAORDINARY [PART II—SEC. 4] (2) Any proposal or draft opinion or statement circulated under sub-regulation (1), on being approved by one-third of members of the Scientific Committee or Scientific Panel, as the case may be, shall have effect and binding as if such proposal or draft opinion or statement were decided by the majority of members at meeting. (3) If the proposal or draft opinion or statement is not approved as specified in sub-regulation (2), the same shall be placed on the agenda for the next meeting of the Scientific Committee or Scientific Panel. (4) Each proposal or draft opinion or statement circulated under this regulation and the result of such circulation shall be included in the minutes of the following meeting

15. Accelerated Procedures.(1) In this case the response may take the form of a statement or opinion by the Food Authority adopted either by the Scientific Committee or the relevant Scientific Panel, the development and adoption of the statement or opinion shall be undertaken by the Scientific Committee or the Scientific Panel, as the case may be, as far as possible in accordance with the Terms of Reference, under the Chief Executive Officer's direction and taking into account the limited time allocated for the response to the query, (2) The chairperson of the Scientific Panel or the Scientific Committee, as the case may be, shall be informed of the query and the process and the experts from the Scientific Panel or Scientific Committee or any external experts may be consulted before finalising the statement under sub-regulation (1)



16. Adoption of scientific opinions.(1) The Scientific Committee and Panels shall adopt the scientific opinions at their plenary meetings or, the procedures specified in regulation 15 or regulation 16. 55 [a-TTT 4] (2) The Scientific Committee or Scientific Panel may adopt a preliminary opinion to be published on the Food Authority's website inviting scientific comments and suggestions within a period specified therein and shall take into consideration the comments received in



forming its final opinion. (3) The opinions of the Scientific Committee and Scientific Panels may include any minority opinion

17. Technical Hearings.(1) The Scientific Committee may organise scientific hearings with individuals, petitioners or other stakeholder representatives if considered necessary for the completion of a scientific opinion. (2) Hearings shall be indicated clearly in the draft agenda of the meetings in which it took place. (3) The Scientific Committee shall not take any decisions during such hearings. - (1) The Scientific Committee and Scientific Panels shall prepare draft 18. Minutes. minutes of plenary meetings and meetings of working groups, which the followings, namely:- (a) the list of participants; (b) a summary of discussions, including important minority view points and agreed actions: and (c) a record of decisions taken and opinions adopted. (2) The draft minutes shall be circulated to its members for comments and adopted not later than the next meeting. (3) The minutes shall be posted on the Food Authority's website after their adoption. 911 Gf2011—9 GAZETTE OF INDIA : EXTRAORDINARY [PART III—sw. 4] 19. Secretariat of the Scientific Committee and the Panels. - (1) The Food Authority shall be responsible for providing necessary support to facilitate the efficient functioning of the Scientific Committee and Scientific Panels and shall ensure compliance with the rules of the Food Authority

20. Confidentiality.- (1) The members of the Scientific Committee, the Scientific Panels and the Working Groups and the external experts participating in the Working Groups, or acting as observers, shall not divulge to third party any information, specifically, identified by the Food Authority as "restricted or confidential". (2) Members of the Scientific Committee or Scientific Panels or Working Groups and external experts participating in the Working Groups, or acting as observers, shall sign a declaration of interests in Schedule I. (3) The members of the Scientific Committee, the Scientific Panels and Working Groups and external experts participating in the Working Groups, or acting as observers, shall even after their duties have ceased, not disclose information of the kind covered by the obligation of professional secrecy

21. Independence.- (1) The members of the Scientific Committee, the Scientific Panels and Working Groups and external experts shall undertake to act independently of any external influence make a Declaration of Commitment in Schedule 11 and an Annual Declaration of Interests in Schedule III indicating either the absence of any interests which might be considered prejudicial to their independence or any direct or indirect interests which might be considered prejudicial to their independence. u. } The members of the Scientific Committee, Scientific Panels and Working Groups u.i. external experts, at _tmeeting shall snake a Specific Declaration of Interests Schedule IV which might be considered prejudicial to their independence in relation to the items on the agenda. 57 (1) Travel and subsistence expenses incurred by 22. Reimbursement of expenses. - members of the Scientific Committee or Scientific Panel or Working Groups or external experts or Rapporteurs in connection with meetings relating to the Scientific Committee or Scientific Panels or Working Group as the case may be, shall be reimbursed by the Food Authority. (2) Members of the Scientific Committee, the Scientific Panel and the working group external experts shall be entitled to a payment of two thousand rupees for each day of meeting attended by him to defray other costs, involved in their contribution to and participation in the work of the Scientific Committee or Scientific Panel, or Working Group, as the case may be. sr L'HEDULE [See regulation 20 The Food Safety and Standards Authority of India DECLARATION CONCERNING CONFIDENTIALITY Name: Position: [] Member of the Food Authority [] Member of the Central Advisory Committee [] Member of the Scientific Committee] Member of a Panel on [] Member of a Working Group on [] other expert (external) on. hereby declare that I am aware of my obligation to respect confidentiality. I know that I am obliged not to divulge information acquired as a result of my activities in Food Safety and Standards Authority, if the information is subject to a request for confidentiality and hereby undertake not to divulge any such confidential information, I shall also respect the confidential nature of the opinions expressed by other Members or the bodies indicated above or other experts during discussions in meetings or provided in written form. Done at: Siy-wture on this day of 58 Name: Position: GAZETTE OF INDIA : EXTRAORDINARY SCHEDULE [See regulation 21 The Food Safety and Standards Authority of India DECLARATION OF COMMITMENT [PART III—SW. 4] [] Member of the Food Authority [] Member of the Central Advisory Committee [] Member of the Scientific Committee [] Member of a Scientific Panel on [] Member of a Working Group on [] Expert (external) on Pursuant to Section 4 of the Food Safety and Standards Act, 2006 establishing the Food

Safety and Standards Authority of India, I hereby undertake to make all reasonable efforts to attend and participate in the meetings of the Food Authority and to act independently and in public interest, without being influenced by any external influence. Done at: Signature: on this day of 59 SCHEDULE 111 [See regulation 21 (1)] The Food Safety and Standards Authority of India ANNUAL DECLARATION OF INTEREST (Please note that high quality of scientific expertise is by nature based on prior experience and that therefore having an interest does not necessarily mean having a conflict of interest) Name: Position: [] Member of the Food Authority [] Member of the Central Advisory Committee [] Member of the Scientific Committee [] Member of a Panel on [] Member of a Working Group on [] other expert (external) on Information on direct or indirect interests of relevance to the mandate of the Authority:- (1) Direct interests (financial benefits arising from, for example, employment, contract work, investments, fees etc.) (2) Indirect interests (indirect financial, e.g., grants, sponsorships, or other kind benefits): (3) Interests deriving from the professional activities of the Member and his/her family Members: THE GAZETTE OF INDIA : EXTRAORDINARY [PART III—SEC. 4] (4) Any membership role or affiliation in organizations/bodies/club with an interest in the working of the Authority: (5) Other interests or facts that the undersigned considers pertinent: • Declaration: I declare that the information provided above is true and complete. Done at: Signature: on: (Please attach additional sheets whenever required) Guidelines for Annual Declaration of Interest Any financial interests or benefits, including holding of stocks and shares, equity, bonds, partnership or property interests relevant to the Authority's mandate. Financial interests connected with a pension or investment scheme contracted prior to membership and/or interests in unit trusts or similar arrangements would not, in principle, be of particular interest, providing that the Member has no influence on financial management. Professional experience in the last five years in a field relevant to the Authority's mandate. This should include all work, irrespective of whether the activities have been subject to regular or occasional remuneration (Board membership, executive or non-executive directorship, employment, consultancy, contractual interests, and traineeship). Interests the member may have had in the past or ongoing legal proceedings relevant to the Authority's mandate, with an indication of their implications, are to be declared. All assistance and support received by private and public undertakings or bodies are to be declared, where they are associated with direct or indirect pecuniary or material benefit and which have a bearing on the topic of the Panel/Committee. These include grants for study or research, fellowships or sponsorships for the last 5 years. 61 Participation in public interest groups, professional societies, clubs and organizations which may have an agenda relevant to the Authority's mandate is to be declared. The role and position held is to be set out clearly. Close family member includes spouse or partner and dependent children living in the same household. When declaring interests, member should consider statements of personal opinion on issues relevant to the questions addressed by the Food Authority (e.g. Publications, public statements); employment or family (e.g. the possibility of any indirect advantage or any likelihood of pressure could arise from the member's employer, business associates or immediate family members). The Food Authority recognizes that scientific expertise underpins the fulfillment of its mandate and tasks and that the quality of such expertise is inherently based on prior experience. An "interest" declared is not automatically considered to be a conflict of interest. Interests of an intellectual nature are considered as indispensable to safeguard the quality and overall balanced objectivity of the scientific work. The details of interests declared may be kept confidential by the Food Authority unless its disclosure is necessary to establish objectivity and independence of the Member involved. SCHEDULE IV (See regulation 21 (2)) The Food Safety and Standards Authority of India SPECIFIC DECLARATION OF INTERESTS (Please note that high quality of scientific expertise is by nature based on prior experience and that therefore having an interest does not necessarily mean having conflict of interest) Name: Profession: of the Food Authority Meeting of the Central Advisory committee Meeting of the Scientific Committee THE GAZETTE OF INDIA : EXTRAORDINARY [PART III — SEC. 4] Meeting of Panel on Meeting of the Working Group on Meeting dates Venue S. No. Agenda Items Whether the member has a conflict of interest. (YES/ No) If yes, please provide details to enable the chair to take decision, Declaration: I declare that the information provided above is true and complete. Done at: Signature: on this day of V. N. GAUR, Chief Executive [ADVT. 111/4/187-0/10/Ext.] by the Manager, Government of India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller of Publications, Delhi-110054.