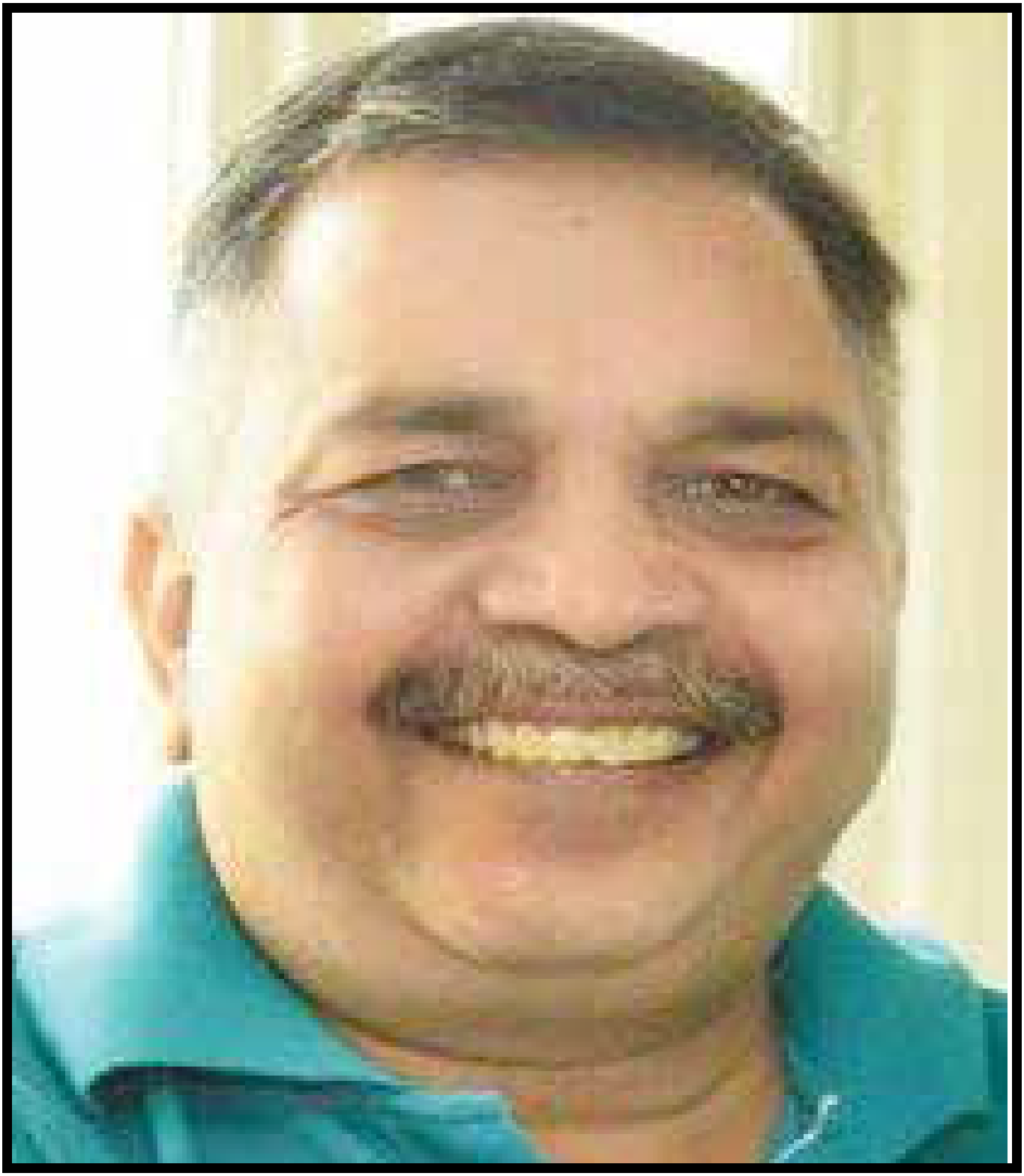
INTERVIEWS | INTERVIEW

Consumers have a right to safe food - Pawan Kumar Agarwal, CEO of FSSAI

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What action is being taken to ensure food safety?

Task of food safety and maintaining food hygiene standards in the country is so huge that one does not know where to begin. Obviously, setting standards and having regulations is one part of it. But implementing them effectively is more important. It is no good if we have standards which are not implemented.

The primary focus of FSSAI in the last 5 to 6 years was to create robust regulatory environment in terms of rules, standards and regulations. We have completed 85% of that work. Another 10% work will be completed in six months. Remaining 5% will continue as standards are not static. Standards continue to evolve, change, new challenges will come and we have to ensure that standards and regulations are adjusted to the changing environment.

What is being done for implementation?

Implementation is a challenge. There are three key players in implementation. Implementation of food regulations largely rests with state governments, state enforcement machinery. Building their capacities, bringing them on equal level of regulator is a challenge and there are issues of capacities, merely in terms of number of food safety officers in each state varies widely. In some states the numbers are good enough, in many states more people are need to be in position. Obiviously, their capacity building is important. Our focus will be to ensure that they are adequately trained, they know what regulatory environment is, implement it both in letter and spirit.

Second key player is food businesses. We do hope that once regulatory environment is clear food businesses will come forward to implement it. Enforcement may not be the reason for compliance. They will comply because they believe they should be providing good food, should cater food in hygenic conditions. We see them as responsible businesses. I do hope that a large number of our food businesses will embrace responsibility of being food businesses to comply with regulatory requirements. Of course, their number is very large. We wish to take up huge training and capacity building exercise, particularly food businesses that are small and where concerns of hygiene are more.

Third key players are citizens or consumers. As consumers they have a right to safe and hygienic food and they need to understand what their rights are. They have to be vigilant. They themselves can become our inspectors and check points obligating the need for food inspectors and food safety officers to undertake enforcement and prosecution activity. In the order of importance the third one is most important, food businesses came next and as a last recourse, I would say, we should look at enforcement machinery.

Reaching to a large number of small food business operators is a challenge. What is being done to reach to them?

One way is greater visibility through various media. May be going in for general publicity will not be very helpful. We have to focus in terms of what value are we creating for citizens and consumers so that they look out for the FSSAI logo while purchasing food items. If we can create confidence among people that when buying a food product lookout for FSSAI logo on the pack. Then through consumer behaviour we will force food businesses to obtain FSSAI license. With the limited enforcement machinery we have, we cannot chase small food businesses to obtain licenses.

Some of the FSSAI decisions were challenged in court, what is FSSAI doing about it?

We would like to have an open door policy with food businesses. Why should they have to go to court, if they can approach us for concerns that they have. The entire process of regulation and standards formation in FSSAI is extremely considerating. We go through draft regulations, we invite suggestions, whenever we receive request we also ensure that representatives of food businesses and various interest groups interact with scientific panels or committee. So, that kind of consultation takes place. But, food businesses must also understand that everything they say may not be acceptable. So, I don’t see that we should have large number of court cases. We would like to resolve differences of opinion through mutual consultations.

What are your expectations from the business/industry?

One point that food businesses need to understand is that any regulation or standard we create is always subject to change. It evolves. So, they need to be patient. They should have trust in the regulator. The regulator is not working against the interests of businesses. Regulator exists because of the businesses otherwise there is no need for a regulator. If food businesses have trust in the regulator, I don't think we will have to go to court.
The expectation from the industry is that the business should behave responsibly. They should have trust in regulator. They should have patience. They should also appreciate that everything that they may say or feel may not be feasible. If consumer interest is involved, and if there are issues of safety as a regulator it is my duty to give priority to that.

How is FSSAI ensuring safety in imported foods?

We have a regulatory framework in place. The current focus is to simplify it, to make it as hassle free as possible. Pre-arrival documentation system (PADS) has been introduced, rather than 100% inspection of all imported food products we have shifted to risk-based sampling. These are some steps we are taking to facilitate the process.

Is FSSAI focusing more on self-regulation?

I think that is the spirit of the legislation. The spirit of the new law was aligned with the changing circumstances. The country required a paradigm shift in the way we look at food safety regulations. That was the very purpose of having this umbrella legislation. What we are trying to do is to implement the spirit of the new legislation.

What is the progress of FSSAI's plan to set up labs, one each for 20 districts?

I joined here just three months ago. We are very closely looking at the food lab eco system in the country. There are several elements of the eco system. First, are the private labs or university or research institutions' labs, which are NABL accredited and can be brought under FSSAI. As of today there are 98 such accredited labs. Sixteen new labs have been approved by FSSAI just a week ago and 8 to 10 others are in the process of approval. Some of them are

really world class. Obviously these labs cannot be used for enforcement purpose. But, they can certainly be used for surveillance. Food businesses can use them for their own testing. Then there are state government food labs. Majority of such labs require investment in equipment or infrastructure. We have formulated a scheme to support state governments to upgrade the facilities, equipment and infrastructure. That scheme will be rolled out soon.

Third are the referral labs. We have 14 referral labs and we might have more as we move forward. Except the two referral labs – in Kolkata and in Gaziabad – the other labs belong to different ministries and departments, like the CFTRI in Mysuru or Spices Board lab etc. We would like at least one or two world class referral lab for each food category. Each region, if not each state, should have generic referral lab. In this kind of scenario setting up new labs, either referral or testing, by FSSAI has been reviewed. For the time being it is felt that it is not necessary. We have 14 referral labs. If we have about 25 all over the country then that should be good enough. For primary testing, the NABL accredited labs' number is increasing quite rapidly.

Recently we have increased the testing charges significantly. When FSSAI was formed the rates were fixed in ad-hoc manner as Rs 1,000 and Rs 3,000 and that had continued till today. These rates were far from adequate for certain food categories and certain parameters. Now we have parameter-wise rates. In some cases the rates are less than Rs 1,000. In most cases it is significantly higher than that rate. Now it is viable to have a lab. So, private sector will find it viable and my own sense is that if it is financially sustainable far more private investment will come in the lab.

Why is there vast difference in results of two different labs. What FSSAI does in such cases?

That is due to lack of standard methods of analysis. Over past few years FSSAI has done significant amount of work in that space. Seventeen such manuals were to be prepared. Of them nine have already been released. Once we release the balance in next few months hopefully this discrepancy in the results of labs will be much less than what it is today. To make the system robust there is a thing called ring testing. You get the food tested in primary lab, referral lab in ring system. Then calibrate so that results are consistent across different labs. We

are moving in that direction.

What is the progress of CODEX harmonisation?

Codex harmonisation is an ongoing work. As I mentioned earlier 80% to 85% of our standards are set. All are aligned to Codex. India plays a very important role in Codex. India is hosting the next meeting of the committee for Codex Asia in Delhi in September. We are very active participant in it. We are also member of the Codex trust fund. We play a very important role in several food categories like spices. India plays key role in setting global standards in spices.

FSSAI regulates labelling, do you think even advertising needs to be regulated?

We are looking at it. We are also finding out if such standards exist elsewhere in the world. But as markets for food become competitive with various players coming into the foray and making health and nutrition claims the authority may like to view that seriously. In fact, we need to do a lot more work in nutrition and health claim verification.

Even e-commerce in food business also?

In e-commerce space also we had discussions with major players. I found that the response was quite positive. They want to work with food regulator in terms of having unambiguous regulatory environment. We are looking at international experience of European Union, US, Germany etc. in terms of how they regulate. Then we might have regulations.

What is the reason for closing down two sub-regional offices?

After we shifted to computerisation, all licensing and registration is online. So, we really don’t need these offices. Some regional presence is desirable and we have regional offices. But not for the purpose of licensing. More in terms of physical presence, carrying out inspection, post licensing work, if needed notices can be served. These two offices were sub-regional. They were aberrations. We are consolidating our organisational structure and facilities. The decision of

closure was taken long time back by the authority after careful consideration of all issues. It was only implemented recently.

Read online: https://nuffoodsspectrum.in/interviews/23/10954/consumers-have-a-right-to-safe-food-pawan-kumar-agarwal-ceo-of-fssai.html

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