

FAQ on Food Safety Management Systems (FSMS)

Q1) What is meant by Food Safety Management Systems (FSMS)?

A1) A Food Safety Management System (FSMS) is a network of interrelated elements that combine to ensure that food does not cause adverse human health effects. These elements include programs, plans, policies, procedures, practices, processes, goals, objectives, methods, controls, roles, responsibilities, relationships, documents, records, and resources.

Q2) What are the Key Elements of FSMS?

A2) The five basic key elements are:

- Good Practices/ PRPs
- Hazard Analysis /HACCP
- Management Element / System
- Statutory and regulatory requirements
- Communication

Q3) Which Section of FSS Act, 2006 describes FSMS?

A3) Section 16(2)(c) provides for the Mechanism for accreditation of certification bodies for Food Safety Management Systems and Section 44 of FSS Act provides for Recognition of organisation or agency for food safety audit and checking compliance with Food Safety Management System required under the Act or the rules and regulation made thereunder.

Q4) What is the Purpose of FSMS?

A4) To ensure the manufacture, storage, distribution and sale of safe food.

Q5) Give the name of agencies which have been empanelled by FSSAI for inspection/ auditing of FBOs?"

A5) The list of shortlisted agencies for Inspection/ Auditing of FBOs are as under:

1. M/s. Export Inspection Council of India, Delhi
2. M/s. Indian Register Quality Systems, Mumbai
3. M/s. INDOCERT, Kerala
4. M/s. TUV SUD South Asia, Mumbai
5. M/s. Det Norske Veritas, AS, Mumbai
6. M/s. One Cert Asia Agri Certification Pvt. Ltd., Jaipur
7. M/s. National Productivity Council, Delhi

Q6) Who will assign the job to agency. Do agencies have to contact FBO directly?

A6) There are various job as per scope of work. Inspections will be ordered by State/ Central Licensing Authority/ DO. Auditing can also be ordered by respective DOs. However for annual audit/ consultancy, training, FSMS plan etc. have to be handled by agency on the requirement of FBO.

Q7) Whether the Food Business Operators are assigned by FSSAI in the place where the Inspection / Certification Body is located or anywhere in India?

A7) Food Safety Commissioner can decide about agencies for their States/areas. FBOs are free to choose as per their requirement.

Q8) If more than 1 agency is located at the same place then who will decide which agency will go for the FBO Inspection?

A8) The power lies with the Designated Officer. DO has to decide if he is authorising agency or his FSOs for such inspection.

Q9) The FSS Act provides for 3 months mandatory training and qualification at par with FSO. Thus what about the training aspect of auditors?

A9) The Inspecting officers of all agencies which are authorised by State or Central DO for inspection must fulfil the educational qualifications of FSO as per the FSS rules, 2011. For training of FSO, curriculum is being developed so that the same can be organised with the help of universities.

Q10) There might be "Conflict of Interest" in FBO where auditing the same FBO for which certification has already been done?

A10) We are asking that all mandatory inspection/ auditing reports must be accompanied by "certification of No conflict of interest" statement. So any agency which is doing any other work for FBO is not supposed to do the work of inspection/ auditing when ordered by DO.

Q11) How many times inspection has to be conducted in a year?

A11) Depends on improvement/ compliance submitted by Agency, DO will decide accordingly. Inspections are to be ordered by DO.

Q12) Clause 12.1 indicated that the recognition certificate will be valid for a period of one year from the date of recognition or until cancellation. Please clarify the validity of recognition?

A12) Validity is for one year and will be extended after evaluating the performance.

Q13) There is fee structure for training, consulting etc. Is it only for Inspection/ auditing and FSMS plan?

A13) In rest of the cases, the fee will be decided after mutual consultation between FBO and agency.

Q14) Fee structure indicates six categories of FBOs based on the annual turnover of the FBO. Please clarify whether the category of FBO will be indicated by FBOs during operations or the Inspection/Auditing Bodies have to decide themselves based on these figures vis-a-vis FBO declaration?

A14) Annual turnover as indicated in balance sheet/ account books/ audit reports/ income tax/ other tax etc. is always taken for such categorization.

Q15) If an agency is engaged in laboratory business and doing the audit for the same client, will it be treated as Conflict of Interest?

A15) No, in case labs and FSMS agencies are two legal entities.

Q16) Payment of inspection and audit will be done by FSSAI or the FBO?

A16) If Inspection is on behalf of FSSAI, by State or Central DO then the payment will be done by concerned DO. If there is annual audit call by FBO, then the payment will be borne by FBO.

Q17) There is any pre-defined FSMS / Auditing guidelines?

A17) Guidelines are as per FSMS schedule – IV, checklists are available.

Q18) Is there any set format of FSMS plan for the industry?

A18) FSMS plan has to be developed based on Schedule – 4 of FSS Regulation, 2011 and inspection checklist can be used as guideline.

Q19) When the work is to be started by the Agencies?

A19) We have notified agencies and assume that work has been started already. For inspections, concerned DO will ask agencies to conduct inspections as per their requirements.