

MINISTRY OF HEALTH AND FAMILY WELFARE
(FOOD SAFETY AND STANDARDS AUTHORITY OF INDIA)

NOTIFICATION

New Delhi, the 30th October, 2019

F. No. 15 (1) 2016/School Children Regulation/Enf/FSSAI.—The following draft of Food Safety and Standards (Safe food and healthy diets for School Children) Regulations 2019, which the Food Safety and Standards Authority of India (FSSAI) propose to make, with the previous approval of the Central Government in exercise of powers conferred by clause (v) of sub-section (2) of section 92 of the Food Safety and Standards Act, 2006, (34 of 2006) is hereby published as required by the said sub-section (1) of section 92, for the information of persons likely to be affected thereby and notice is hereby given that the said draft regulations will be taken into consideration after the expiry of a period of thirty days from the date on which copies of the Official Gazette in which this notification is published are made available to the public.

Objections or suggestions, if any, may be addressed to the Chief Executive Officer, Food Safety and Standards Authority of India, Food and Drug Administration Bhavan, Kotla Road, New Delhi – 110002.

The objections or suggestions which may be received from any person with respect to said draft regulations, before the expiry of the period specified above, will be considered by the Food Authority.

Draft Regulations

Chapter I: Preliminary

- 1. Short Title and Commencement** - (1) These regulations may be called the Food Safety and Standards (Safe food and healthy diets for School Children) Regulations, 2019.
- 2. Definitions, -(1)** In these regulations, unless the context otherwise requires:
 - (a) **“Act”** means the Food Safety and Standards Act, 2006;
 - (b) **“Department of School Education”** means the nodal department of concerned Central or State or U.T that looks after the school education irrespective of nomenclature;
 - (c) **“Food Handler”** Food Handler is any person who directly handles packaged or unpackaged food, food equipment and utensils, or food contact surfaces and is therefore expected to comply with food hygiene requirements;
 - (d) **“Food Safety”** means assurance that food is acceptable for human consumption according to its intended use;
 - (e) **“Food Safety Display Board”** means an informative board displaying the FSSAI registration/license number of the FBO, basic food hygiene and safety tips to be complied by the FBO and mechanism for obtaining consumer feedback on the quality and safety of the food offered by it;
 - (f) **“Food Safety Supervisor”** Food Safety Supervisor (FSS) is a person who is trained to recognize and prevent risks associated with food handling in food business, holds a valid FSS certificate under Food Safety Training & Certification (FoSTaC) of FSSAI or training programme as approved by the Food Authority from time to time and shall be able to train & supervise the food handler;
 - (g) **“Healthy Diet”** is one which provides all the nutrients including the essential micro nutrients in required amounts and proper proportions;
 - (h) **“Schools”** means all types of schools whether pre-primary, primary, elementary, secondary, day care/ crèche, or boarding run by private entities, local bodies, government or aided by government;
 - (i) **“School Authority”** means Head of the Institution such as Principal, Headmaster etc. Governing Body, Trust or any other entity set up to govern and manage the school;

- (j) “**School campus**” means, for the purpose of these regulations, all areas of the property under the jurisdiction of the school that is accessible to students during the school hours and for residents of boarding schools/hostels;
- (k) “**School meals**” means all foods& beverages sold or supplied on the school campus through canteens/school mess/hostel kitchens/vending machines or any other method and include all meals served through mid-day meal kitchens and catered for students by the school.

(2) All other words and expression used herein and not defined, but defined in the Act, rules or regulations made thereunder, shall have the meanings assigned to them in the Act, rules or regulations, respectively.

3. Responsibilities of School Authority to ensure safe food and healthy diets on school premises

- 1) School Authority selling or catering school meals by itself in the school campus shall get registered registration as a Food Business Operator from the concerned authority under the provisions of the Food Safety and Standards Act, 2006 Rules and Regulations made thereunder and ensure that the food is safe and meet with nutrition requirement.
- 2) Any School Authority entering into a contract or transaction with a Food Business Operators (FBOs) selling or catering school meals on school campus shall ensure that such FBOs are duly registered or licensed under the provisions of the Act, Rules and Regulations made thereunder and ensure that the food is safe and compliant with nutrition requirements.
- 3) The Department of School Education shall ensure that all FBOs contracted by it for operation of the Mid-Day Meal scheme are registered or licensed under the provisions of the Food Safety and Standards Act, 2006, Rules and Regulations made thereunder and ensure that the food is safe and compliant with nutrition requirements.
- 4) The FBOs selling or catering food on school campus shall ensure compliance to the requirements of sanitary and hygienic practices to the food service establishments under Schedule 4, Food Safety Display Board and Food Safety Supervisor(s) as prescribed under the Food Safety Standards (Licensing and Registration of Food Businesses) Regulations, 2011.
- 5) School Authority shall ensure that no person shall offer or expose for sale of pre-packaged foods which are referred to as foods high in fat, salt and sugar as per the Food Safety and Standards (Labeling and display) Regulations, 2019 to school children in school canteens/ mess premises/ hostel kitchens or within 50 meters of the school campus.

4. Promotion of safe and healthy foods in and around the school premises:

- 1) The Food Authority or the State Food Authority shall encourage schools to adopt a comprehensive program for promoting Safe food and Health diets amongst school children and meet specified benchmarks to convert school campus into ‘Eat Right Campus’ that focus on serving of safe and healthy food, local and seasonal food and no food waste.
- 2) The School Authority shall encourage and promote consumption of a safe and balanced diet in the school canteen/mess/ kitchen based on guidance from “Dietary guidelines for Indians – A Manual” issued by National Institute of Nutrition and other expert institutions/ authorities.
- 3) The School Authority shall ensure that the FBOs supplying prepared school meals in the school premise is identifying and selecting foods to be served / sold on the basis of the broad guidelines given in **Schedule I** and as per the direction issued by the Food Authority or the Commissioner of Food safety of the state.
- 4) The School Authority may engage with nutritionists, dietitians, nutrition associations or seek parental support to assist in the drafting of menu for the children, periodically.

5. Food marketing and advertisement to school children

- 1) Food Business Operators manufacturing HFSS food products shall not advertise or offer for free sale of such foods to children in school premises or within 50 meters of the School campus.
- 2) When marketing foods to children, FBOs shall:
 - (a) Depict and package/serve food in reasonable portion sizes and not encourage overeating directly or indirectly.
 - (b) Develop new products that help children eat healthy, especially with regard to nutrient density, energy density, and portion size.

- (c) Reformulate products to improve their nutritional quality, including adding more fruits, vegetables, and whole grains, and reducing portion sizes, calories, sodium, refined sugars, and saturated and trans fats.
 - (d) Only offer premiums and incentives such as toys, trading cards, apparel, club memberships, contests, reduced-price specials, or coupons with foods, meals, and brands that meet the nutrition criteria described above.
 - (e) Use sponsorship of sporting, school, and other events for children only with brands and foods that meet the above nutrition criteria.
- 3) FBOs shall support healthy eating in schools and not market, sell, or give away low-nutrition foods or brands anywhere on school campuses, including through:
- (a) logos, brand names, spokes-characters, product names, or other product marketing on/in vending machines; books, curricula, and other educational materials; school supplies; posters; textbook covers; and school property such as scoreboards, signs, athletic fields, buses, and buildings.
 - (b) educational incentive programs that provide food as a reward.
 - (c) direct sale of low-nutrition foods.
 - (d) free samples or coupons.
 - (e) school fundraising activities.
 - (f) banner ads or wallpaper on school computers.

6. Monitoring and Surveillance.

- 1) The School Authority shall have a system of regular inspection of premises to ensure that safe, healthy and hygienic food is served to students. The Schools Authority may appoint a Health and Wellness Coordinator or Health and Wellness team, who shall act as the nodal person(s) to monitor availability of safe, healthy and hygienic food.
- 2) The State Food Authority shall conduct surveillance and periodic inspection of Food Business Operators so as to ensure that compliance of the Act and regulations made thereunder are complied with.
- 3) If the School Authority, without reasonable grounds, fails to comply with the provisions under these Regulations, the Central or State Food Authority shall take up the matter with the concerned Education Department and/or Affiliation Body to take appropriate action.
- 4) The State Level Advisory committee (SLAC) constituted under the sub-regulation 2.1.15 of the Food Safety and Standards (Licensing and Registration of Food Businesses) Regulations, 2011 shall create a sub-committee to monitor the implementation of this regulation and to ensure availability of safe and wholesome food to school children.
- 5) The sub-committee shall include representatives from the Department of School Education, and public health professionals in the field of foods and nutrition. The sub-committee shall meet at least twice in a year.
- 6) The sub-committee shall recommend list of food groups and preparations which should be served / sold in the school canteen/mess/ kitchen within the State based on local variations in the diets of Indians and as per the broad guidelines given in **Schedule I** of these regulations.

Schedule-I

[see regulation 5(4) and 7(3)]

General Guidance for Providing Safe and Wholesome Food to Children

- Meal-times in schools should be mandatory to inculcate healthy eating habits in children.
- Safe drinking water should be provided to all students free of cost.
- A variety of foods to be provided across the week, as a general principle. The school menu should have cereal-protein combination and a micronutrient rich meal for students.

- Use a combination of whole grains, millets, foods of animal origin like milk, eggs, etc. Fresh, seasonal and local produce should be utilized for the preparation of the meals. Desserts, packed foods, bakery products and pre-packaged beverages must be consumed in moderation.
- Cooking oil/ghee should not be consumed more than 25g per day. Use of re-heated fats and oils should be avoided.
- In order to make the meals more nutritious, fortified wheat flour, rice, milk, edible oil and double fortified salt as per the Food Safety and Standards (Fortification of Foods) Regulations, 2018 may be used.
- Snacks should provide 100-150 kcals per serving, while the meals must provide 300-500 kcals of energy, 18-20 g of proteins and with micronutrients from fruits, vegetables or fortified staples.
- Special nutrient dense menu with supplements may be provided for athletes or students involved in various sports.

General guidance for selection of Foods

Guideline	Inclusion in Menu	List of Foods & Beverages
Eat Adequately	Always a part of the menu – 75-80% of the foods should belong from this category	<ol style="list-style-type: none"> 1. Cereals, Millets and Pulses – whole wheat grain (atta, rice), Millets (ragi, bajra), Legumes 2. Milk, Milk products, egg, meat and fish –Low fat milk or toned milk, reconstituted milk, curd, yoghurt, paneer, or low fat milk products, lean meat, chicken, fish, egg 3. Fruits and Vegetables – 300g of vegetables (including green leafy vegetables: 50g; other vegetables: 200g and roots and tubers: 50g) in a day. Fresh fruits (Local and seasonal produce) 100g per day. 4. Oils, fats, nuts and oilseeds – walnuts, almonds, pistachios, roasted nuts without salt or sugar, 5. Processed/ cooked Foods–Freshly made soup, porridge, beverages with no added sugar, stir fried vegetables, snacks - boiled, baked or steamed, cereal or pulses based savoury traditional and healthy recipes such as idli, upma, poha, khandvi, dhokla etc.
Eat Moderately	Select carefully To be eaten occasionally – in small portion size and reduced frequency	<ol style="list-style-type: none"> 1. Desserts - Ice-creams, milk-based and dairy based sweetmeats/desserts 2. Packed foods- not fried, cheese, canned and preserved vegetable, packaged meat or fish products, fruits/vegetables/cereal/pulses based snacks other than those mentioned in green category, nuts and seeds 3. Bakery Products - white breads, high fat biscuits, wraps, sandwiches 4. Beverages - Packaged soups & juices other than those mentioned in Green category, cereal or malt based beverages, soya milk,etc.
Eat Sparingly	Discourage availability	<ul style="list-style-type: none"> • HFSS foods - Deep fried foods examples french fries, fried chips, samosa, chola bhatura, gulab jamun etc.Sugar sweetened carbonated or non-carbonated beverages, ready to eat food, noodles, pizzas, burgers, Confectionery items, sugar and sugar based products etc.

PAWAN AGARWAL, Chief Executive Officer
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