



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOOD SAFETY AND HALAL FOOD AUTHORITY**

Dated, 8/11/2017

**NOTIFICATION**

NO.DG/KP FS&HFA/07/2017 In exercise of the powers conferred by section 51 of the Khyber Pakhtunkhwa Food Safety and Halal Food authority Act, 2014 (KP Act No. X of 2014), read with section 10 thereof, the Khyber Pakhtunkhwa Food Safety and Halal Food Authority is pleased to make the following regulations, namely:-

**The Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Appointment of the Expert Committees) Regulations, 2017.**

**1. Short title and commencement.** - (1) these regulations may be called the Khyber Pakhtunkhwa Food Safety and Halal Food Authority **(Appointment of the Expert Committees)** Regulations, 2017.

(2) These regulations shall come into force at once.

**2. Definitions.** - (1) In these regulations, unless there is anything repugnant in the context or context, -

- (a) "Act" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014 (KP Act No.X of 1014);
- (b) "Authority" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority;
- (c) "Convener" means the Director General;
- (d) "Expert Committees" include scientific committee or scientific panel including Halal Compliance experts as may be constituted by the Authority; and
- (e) "Member" means a member of the Expert Committees so appointed by the Authority or any such member nominated on any such committee constituted for the purpose;

(2) The words and phrases used but not defined herein shall have the same meanings as have been assigned to it in the Act.

**3. Appointment of members of Expert Committees and their terms of office.**

- (1) The Authority may appoint as many members as may be required to ensure high level of collective scientific competence and expertise in the field of food and / or Halal food matters of compliance so as to reflect the diversity of scientific problems and

approaches in Khyber Pakhtunkhwa.

(2) Each member shall, unless resigns or is removed earlier, be appointed for a term of three years from the date of his joining.

(3) Members appointed at a later date shall continue till the expiry of their term of three years.

(4) No member shall be appointed to the same panel for more than two consecutive terms.

(5) Each Expert Committee or a scientific panel shall consist of such number of members not exceeding fifteen as may be considered appropriate by the Authority. The expert committee members will be appropriately balanced/adjusted to include scientific and religious / Sharia Halal food expertise. The scientific committee members will include representatives from Academia, Manufacturers, Food Technologist, Nutritionist Medical practitioner, chamber of commerce & Food operators/ distributors.

(6) The Authority shall entrust the Expert Committees with tasks which are clearly defined and also to undertake necessary preparatory work in relation to any research.

**4. External Experts.** -- The Expert Committees or the scientific panel may invite other external experts from an Authority approved list of experts (food science & Halal compliance experts) or after carrying out a search for the required competence, possessing particular and relevant scientific knowledge.

**5. Reporters.** - The Expert Committees or scientific panel may designate one or more reporters 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. The reporters ideally will be employees of the KP FS&HFA within the expert committee.

**6. Requests for scientific and Halal compliance advice.** - The Chairperson may require an advice of the scientific panel in following manner, namely: -

(a) for safety of food additives, flavorings, 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, flavorings, processing aids and materials in contact with

(b) for safety 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, functional 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 contaminants in foods, associated areas and undesirable substances such as natural toxicants, mycotoxins and residues of non-authorized substances not covered by any other panel, the panel on contaminants in the food chain;

(f) for packaging and labeling 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 labeling claims made on behalf of products the panel on labeling and claims; Advertisements;

(g) 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

(h) the Expert 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;

(i) A scientific opinion shall comprise of the query posed by the 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 Expert Committees or scientific panel.

(j) For all aspects of verification, certification of Halal Food/s and the compliance thereof in the handling, processing, preparations, packaging, labeling, storage and distribution of food item, the food production line and the premises (i.e. complete food

chain from Farm to food). In this respect the Halal compliance standards specifications of PSQCA and the KP Halal food Guide in Schedule IV of Licensing regulation shall be applicable.

**7. Meetings of the Expert Committees.** - (1) The Expert Committees shall prepare their schedule of meetings for the forthcoming year in consultation with the Authority.

(2) The Notice of a meeting of the Expert Committee or scientific panels shall be given to their members ten 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.

**8. 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 complete.

(2) If, at any time, the number of members at a meeting is less than the number of 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, discuss and dispose of the business intended to be transacted at the original meeting.

Provided that the Convener (DG), his nominee or person selected by the panel will preside (as a chairperson) the meeting. The convener will nominate a chairperson for each meeting.

(3) The Expert Committees and scientific panel shall adopt opinions by a majority of members if consensus among them cannot be arrived. And submit recommendations on specific issue / task to the presiding Chairperson.

(4) In case of no consensus being reached on certain matters by the committee members; the DG FS&HFA will have the power to override a mixed decision with sufficient reason in the best interest of the authority and in-line with the food safety and Halal food mandate of the authority.

(5) In case of the food Authority not agreeing to the recommendations of the Scientific Panel, it may with reasons refer the case back to scientific panel for re-consideration.

**9. Agenda.** - (1) The draft agenda of the meetings of the Expert Committee or scientific panels shall be drawn up and circulated to members at least ten days

(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 Expert Committee or scientific panel unless permission of the Convener of the scientific committee or scientific panel is given, but, 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.

(3) Wherever possible, documents including reports and draft opinions prepared by a reporter 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.

(4) The Convener of the Expert Committee or scientific panels shall fix the time limit and prioritize the work to ensure the delivery of scientific opinions is made within such time limits.

**10. Risk related issues raised by the scientific committee or scientific panels.** - (1) The scientific committee and the scientific panels shall bring into the notice of the Convener any specific or emerging issue falling within its reach which, in its opinion, may pose an imminent or potential risk to consumer health. The source of information related to risk issue may be raised by any stake holder like consumer, local or international print or electronic media, journalist, medical practitioner etc.

(2) The Convener of committee shall determine the action to be taken including a request for a scientific opinion or report on the matter and shall inform the Expert Committees and the scientific panel.

**11. Access to meetings.** - The Convener of the Expert Committees or scientific panel may authorize any officer of the Authority to be present in its meetings and the officer so authorized shall assist for the purpose of clarification or information but shall not seek to influence discussions.

**12. Accelerates procedures.** - (1) In case where the accelerated procedure may take the form of a statement or opinion by the Authority, adopted either by the Expert Committee or the relevant scientific panel, the development and adoption of the statement or opinion shall be undertaken by the Committee or the scientific panel, as the case may be, as far as possible in accordance with the terms of reference, under the Chairperson's direction and taking into account the limited time allocated for the response to the query.

(2) The Convener of the scientific panel or the Expert Committee, as the case may be, shall be informed of the query and the process and the experts from the scientific panel or Expert Committees or any external experts may be consulted before finalizing the statement under sub-regulation (1).

**13. Adoption of scientific opinions.** - (1) The Expert Committee and panels shall adopt the scientific opinions at their preliminary meetings or, the procedures specified in regulations 7 to 12.

(2). The Expert Committee or scientific panel may adopt a preliminary opinion to be published on the Authority's website inviting scientific comments suggestions within a period specified therein and shall take into consideration the comments received in forming its final opinion.

(3). The opinions of the Expert Committees and scientific panels may include any minority opinion.

**14. Technical Hearings.** - (1) The scientific committee may organize scientific hearings with individuals, petitioners or other stakeholders or their representatives if considered necessary for the completion of a scientific opinion.

(2). Hearings shall be clearly identified in the draft agenda of the meetings in which it took place.

(3). The Expert Committee shall not take any decisions during such hearings.

**15. Minutes.** - (1) The scientific committee shall prepare draft minutes of preliminary meetings.

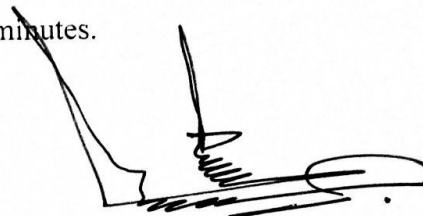
(2). The draft minutes shall be circulated to its members for comments and adopted not later than the next meeting.

(3). The minutes shall be posted on the Authority's website after their adoption.

(4). The Expert Committee or scientific panel may adopt a preliminary opinion to be published on the 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.

(5). The opinions of the Expert Committee and scientific panels may include any minority opinion.

**16. Implementing changes in Standards.** – A specific time period will be allowed to the food manufacturers for implementation of changes impacting ingredients / food additives in the product, process or procedure, labeling based on the nature of the change. The time period will be documented in the meeting minutes.



**DIRECTOR GENERAL  
KHYBER PAKHTUNKHWA  
FOOD SAFETY AND HALAL FOOD AUTHORITY**