

**KHYBER PAKHTUNKHWA**

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PESHAWAR, FRIDAY, 22ND DECEMBER, 2017**GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD SAFETY AND HALAL FOOD AUTHORITY****NOTIFICATION**Peshawar, Dated the 12th October, 2017

No DG(KPFSA)/Admin/01-2017 In exercise of the powers conferred under Section 51, read with section 8(2) (e) and 9(f) the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act 2014, the Khyber Pakhtunkhwa Food Safety and Halal Food Authority is pleased to frame the following regulations:

The Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Appointment and Conditions of Service) Regulations, 2017

1. **Short title and commencement.**-(1) these regulations may be cited as "The Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Appointment and Conditions of Service) Regulations, 2017".

(2) They shall come into force at once.

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

- a) "Act" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014,
- b) "Appointing Authority" means the person/body authorized under the schedule-I to make appointment to a post;
- c) "Authority" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority as defined in the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014
- d) "Government" means Government of the Khyber Pakhtunkhwa;
- e) "Committee" means a committee constituted by the Authority;
- f) "Promotion Committee" means a committee constituted by the Authority;
- g) "Competent Authority" means Appointing Authority specified in the schedule;

- h) **"Employee"** means an employee of the Khyber Pakhtunkhwa Food Safety and Halal Food Authority but does not include a person on deputation to the Khyber Pakhtunkhwa Food Safety and Halal Food Authority or working in the Khyber Pakhtunkhwa Food Safety and Halal Food Authority by transfer from other Government departments;
- i) **"Initial recruitment"** means appointment made otherwise than by promotion or posting;
- j) **"Regulations"** means the regulations framed by Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Appointment and Conditions of Service) Regulations, 2017; and
- k) **"Schedule"** means the schedule appended to the regulations.

(2) A word or an expression used in the regulations but not defined shall have the same meaning as in the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act 2014.

3. Conditions of Service.-(1) An Appointment to a post shall be made by the Appointing Authority on the recommendation of a Committee from amongst the persons who possess the qualifications, age, experience and other conditions as mentioned in the schedule.

4. Constitution of committees. -Appointment to the posts from BPS1-19 shall be made on the recommendation of selection committees mentioned in relevant schedule.

5. Eligibility for Appointment. -(1) Appointment through initial recruitment, transfer or promotion shall be made through a Committee.

(2) A person shall be eligible for a post in the Khyber Pakhtunkhwa Food Safety and Halal Food Authority if:

- a) He is domiciled in the Khyber Pakhtunkhwa and Federally administrative Tribal Area and possesses minimum qualifications, age and experience prescribed for the post; and
- b) He is declared fit by an authorized Medical Superintendent

(3) The vacant posts in the Khyber Pakhtunkhwa Food Safety and Halal Food Authority shall be filled on open merit and quota (Zonal allocation as per Esta-code specified from time to time by the government) as per Government Policy and criteria as mentioned in schedule II & III,

(4) Vacant positions for posts in BS-01 to BS-05 will be filled preferably by persons having domicile of districts for which post is advertised.

(5) Appointment through transfer and promotion shall strictly be based on the performance of incumbent as per the criteria specified by the Authority.

6. Mode of Appointment. -(1) Appointment and promotion to the posts against BPS17-19 shall be made on the manner specified against each such post in column 6 of the Schedule-I, on the recommendations of committee consisting of:

- i. Additional Chief Secretary, P&D Department;

Chairman

ii.	Secretary, health or his representative not Below the rank of Additional Secretary;	Member
iii.	Secretary, Home & Tribal Affairs Deptt; or his representative not below the rank of Additional Secretary;	Member
iv.	Secretary, Establishment or his representative not below the rank of Additional Secretary;	Member
v.	DG KPFSa	Member-cum-Secretary

(2) Appointment and promotion to the posts of BPS-01 to BPS-16 shall be made on the manner specified against each such post in column 6 of the Schedule, on the recommendations of the Selection Committee consisting of

i.	Director General food safety Authority	Chairman
ii.	Representative of Health Department not below the rank of deputy secretary	Member
iii.	Representative of Establishment Department not below the rank of deputy secretary	Member
iv.	Director Admin & Legal, KP Food Safety Authority	Member-cum-Secretary

8. Initial recruitment.- Initial recruitment to a post/posts in the Khyber Pakhtunkhwa Food Safety and Halal Food Authority shall be made by the Appointing Authority on the recommendation of a Committees as mentioned in 6(1) and 6(2) above.

(1) The Authority shall advertised the post in at least two leading newspaper, one Urdu and one English.

(2) In case of appointment of the post of BPS-01 to 19 The Authority shall prepare a list of the short listed candidates in order of merit, duly verified and scrutinized by the following Committee for placement before the committee consisting the following:

i.	Deputy Director Admin,	Convener
ii.	A representative of Establishment Department	Member
iii.	A representative of P&D Department	Member
iv.	A representative of Health Department	Member

7. Probation: (1) The persons appointed to the posts of BPS-1 to BPS-19 by Initial recruitment, promotion or transfer shall be on probation for a period of one year.

(2) Appointing Authority if considered necessary, may extend the probation period for one year as may be specified at the time of appointment.

(3) On the successful completion of the probation period, the appointing authority shall, by specific order, terminate the probation;

Provided that if no specific order is issued on the expiry of the first year of probation

Provided further that if no specific order is issued on the expiry of the extended period of probation, the period of probation shall be deemed to have been successfully completed.

(4) If in the opinion of the appointing authority, the performance or conduct of an appointee during the period of probation has not been satisfactory, it may, notwithstanding that the period of probation has not expired, dispense with his services; Provided that if he was holding a post before his appointment he shall be reverted to his former post or if there be no such post then the junior most employees in the hierarchy of that lower post may be reverted to make room for adjustment of such appointee.

(5) After satisfactory completion of probation period of officers/officials to be determined on the basis of an intense and objective performance evaluation as specified by the Authority, the appointing authority shall confirm him.

8. Appointment by transfer.-Appointment by transfer shall be made by the Government from amongst the civil services of the Provincial or Federal government, on the basis of deputation on such terms and conditions as may be determined by the government from time to time. A key consideration for the Authority shall be to assess the past performance of incumbent against prescribed performance evaluation framework.

9. Eligibility for promotion.-(1) An employee shall not claim promotion as of right.

(2) Only such employees who possess the prescribed qualifications, experience and training (if applicable) for that post shall be considered for promotion to the higher post on the recommendations of a Promotion Committee. Relative weightages shall be used with highest weightage to be assigned to performance of the incumbent as part of the promotion criteria.

10. Procedure for promotion.-(1) Appointment of an employee by promotion to a higher post shall be made on the recommendations of a Promotion Committee on the basis of seniority-cum-fitness for posts up to BS- 19 as prescribed in the Schedule-I as per Government criteria

12. Seniority.-(1) The seniority inter se of persons appointed to posts in the same grade in a functional unit shall be determined:

- (a) In the case of persons appointed by initial recruitment, in accordance with the order of merit, assigned by the selection authority;

Provided that the persons, selected for appointment to the grade in an earlier selection shall rank senior to the persons selected in a later selection;

- (b) In the case of persons appointed otherwise, with reference to the dates of their continuous appointment in the grade; provided that if the date of continuous appointment in the case of two or more persons appointed to the grade is the same, the older if not junior to the younger in the next below grade, shall rank senior to the younger person.

(2) The seniority of the persons appointed by initial recruitment to the grade vis-a-vis those appointed otherwise shall be determined with reference to the date of continuous appointment to the grade; provided that if two dates are the same, the person appointed otherwise shall rank senior to the person appointed by initial recruitment; provided further that inter se seniority of person belonging to the same category will not be altered.

(3) Notwithstanding the provision of this rule, in case of extraordinary leave without pay beyond five years, the name of the person to whom such leave is granted will be removed from the seniority list and placed on a separate static list with no claim to promotion or seniority over any junior who may be promoted during this period and his name will be brought back on the seniority list only after he resumes duty on return and seniority shall be determined after deducting the period he remained on EOL beyond five years. If approved for promotion he will not regain his seniority.

13. Resignation.-(1) An employee of Khyber Pakhtunkhwa Food Safety and Halal Food Authority may resign from his post by giving one month's notice in writing addressed to the Appointing Authority or deposit one month's pay in lieu thereof.

(2) An acceptance of resignation of an employee shall be subject to recovery of any dues adjudged or otherwise in the opinion of the Khyber Pakhtunkhwa Food Safety and Halal Food Authority to be recoverable from such employee as provided in the terms and conditions of his service.

14. Deputation:- (1) A person in the service of an autonomous or semi-autonomous organization or Federal Government, or other Provinces, or Gilgit-Baltistan, or Azad Jammu & Kashmir, who possesses minimum education qualification, experience or comparable length of service prescribed for the post, shall be eligible for posting on deputation to the said post for a period not exceeding three years at a time, on such terms and conditions as the Government, in consultation with the lending Government or organization, may determine.

(2) The borrowing Government or organization shall make pension contribution in respect of a civil servant for the period he remains on deputation.

(3) A civil servant on deputation shall be treated to have been repatriated on the completion of the period of deputation, initial or extended, and such a civil servant shall immediately report back for duty to his parent department, and any delay on his part shall be construed as 'wilful absence from duty'.

15. Termination from service: The Authority shall notify a comprehensive performance measurement framework with clearly defined performance benchmarks, failure to attain the desired level of performance shall result in termination of service.

16. Applicability of other Laws: All other matters, not expressly provided in these regulations, shall be governed by such laws, rules and procedures as are applicable to civil servants working in the province.

**DIRECTOR GENERAL
KHYBER PAKHTUNKHWA FOOD SAFETY
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Name of Deptt:	Functional Unit	Name of Post with basic scale	Appointing Authority	Minimum Qualification for Appointment by Initial Recruitment	Method of Appointment	Age for Initial Recruitment	
						Min	Max
1	2	3	4	5	6	7	8
Health Department	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Director General (BS-20)	Chief Minister	-----	By posting of PAS/PMS officers in BS-20/19	7	8
-do-	-do-	Director Technical and Scientific Analysis (BS-19)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Ph.D in Food Science & Technology / Food Safety & Quality Management/ Food Safety and Control/ Food Nutrition & Science from HEC recognized University with 2years experience in the line after acquiring qualification. OR M.Sc (Hons) in Food Science & Technology / Food Safety & Quality Management/ Food Safety and Control/ Food Nutrition & Science from HEC recognized University with 5years experience in the line after acquiring qualification	By promotion from amongst eligible incumbents of the posts of Deputy Directors from Technical Wing & Government Public Analysts having a minimum of 7 years' regular service experience OR By initial recruitment.	30	45
-do-	-do-	Director (Finance) (BS-19)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Ph. D in Economics/ Finance/ Commerce with 05 years relevant subject experience Or M. Phil/ MS in Finance/ Economics/ Commerce with 07 years relevant subject experience Or MBA finance / M.Com/ MA Economics/ ACCA/ ACMA with at least 12 years of relevant experience.	By posting of suitable government officer in BS-19/18 OR By initial recruitment	30	45
-do-	-do-	Director Inspection/ Operations (BS-19)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Ph.D in Food Science & Technology / Food Safety & Quality Management/ Food Safety and Control/ Food Nutrition & Science from HEC recognized University with 2years experience in the line after acquiring qualification. OR M.Sc (Hons) in Food Science & Technology / Food Safety & Quality Management/ Food Safety and Control/ Food Nutrition & Science from HEC recognized University with 5years experience in the line after acquiring qualification	By Posting of suitable Government officer BPS-19/18 OR Promotion form amongst Deputy Directors Inspections OR By Initial Recruitment	30	45

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-do-	-do-	Director (Admin & Legal) (BS-19)	-----	By posting of suitable government officer in BS-19/18	---
-do-	-do-	Deputy Director (Admin) (BS-18)	-----	By posting of suitable government officer in BS-17/18	---
-do-	-do-	Deputy Director (Operations & Inspection) (BS-18)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority At least Master Degree (16 years of Education) in Public Administration, Political Science, International Relations, Economics, Sociology, Anthropology, LLB, Pak Studies, History with at least 04 years of Management experience, strong writing and interpersonal skill, proficiency with MS Office software.	33% by posting from amongst PAS/PMS officers in BS-18/17 Remaining 66% seats to be filled as follows: a. 75 % by promotion from amongst the Assistant Director Food Safety (BS-17) having 5 years regular service or if not available then by Transfer from E&AD Till availability of eligible employee. b. 25% by initial recruitment. By posting of a government officer from E&AD OR By promotion from amongst the Assistant Director (Laboratories) of Khyber Pakhtunkhwa Food Safety and Halal Food Authority having the requisite qualification and 5 years regular service experience if none is available for promotion then by initial recruitment.	27 35
-do-	-do-	Deputy Director (Laboratories/Scientific Affairs) (BS-18)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority M.Sc (Hons) in Food Science & Technology / Food Safety & Quality Management/Food Safety and Control / Food Nutrition & Science/Biochemistry from HEC recognized university institute. OR B.Sc in Food Science & Technology / Food Safety & Quality Management/Food Safety and Control/Food Nutrition & Science/Biochemistry from HEC recognized university or institute with 5 years' experience after acquiring qualification.	By promotion from amongst the Assistant Director (Laboratories) of Khyber Pakhtunkhwa Food Safety and Halal Food Authority having the requisite qualification and 5 years regular service experience if none is available for promotion then by initial recruitment.	27 35
-do-	-do-	GM (IT) (BS-18)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority MCS/ M.Sc(CS)/M.IT/BS (IT) or equivalent qualification from HEC recognized university having 5 year experience of IT field after acquiring qualification.	By promotion from Data base administrator, ICT analyst, Web and application developer and Network administrator having requisite qualification and 5 years regular service experience if none is available for promotion then by initial recruitment.	27 35

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-do-	-do-	Internal Auditor (BS-18)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	MBA(Finance)/MA Economics with CA Articles Ship Completed having 5 years' relevant experience in Financial Management. Planning, Development and Procurement in Public/Private Sector.	By initial recruitment	27	35
-do-	-do-	Monitoring & Evaluation Officer (BPS- 17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	MBA/M.Sc Economics/M.Sc Statistics with least 2 years' post qualification experience in the relevant field.	By initial recruitment.	24	34
-do-	-do-	Assistant Director (Procurement/ Resources) (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	MBA(Finance)/M.Sc. Economics/M.Sc Supply chain management degree from HEC recognized university or institute having 2 years' experience in relevant field after acquiring qualification	By initial recruitment	27	35
-do-	-do-	Personal Staff Officer (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	At least Master Degree (16 years of Education) in Public Administration, Political Science, International Relations, Economics, Sociology, Anthropology, LLB, Pak Study, History with at least 02 years of management experience, strong writing and inter-personal skill. proficiency with MS Office Software	By Initial Recruitment	25	35
-do-	-do-	Assistant Director (R&D) (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	M.Sc(Hons)/M.Phil/MS in Food Science & Technology /Food Safety & Quality Management/Food Safety and Control/Food Nutrition & Science from HEC recognized university OR Masters / B.Sc (Hons)/BS in Food Science & Technology /Food Safety & Quality Management/Food Safety and Control/Food Nutrition & Science from HEC recognized university with two years' experience in food standards after acquiring qualification.	By initial recruitment	27	35
-do-	-do-	Assistant Director HRM (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Master Degree in HRM, MBA (HR) or equivalent with 02 years' experience in HRM from a reputable institution after acquiring qualification.	By initial recruitment	27	35

-do-	-do-	Assistant Director (S&A) (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	i. M.Sc in Food Science & Technology / Food Technology/ Agriculture Food Science & Technology/Food Safety& Quality Management/Food Safety and Control/Food Nutrition & Science from recognized university Or ii. B.Sc in Food Science & Technology /Food Technology/ Agriculture Food Science & Technology/Food Safety& Quality Management/Food Safety and Control/Food Nutrition & Science from a recognized university with 3 years' experience after acquiring qualification	By initial recruitment	25	35
-do-	-do-	Database Administrator (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	MSc/MCS/MIT/BS(IT) or Equivalent qualification from HEC recognized university having 2 year experience of IT field (Database) having full command of SQL Server after acquiring qualification	By promotion from IT Administrator/Evaluation Officers having requisite qualification and 5 years regular service experience. If none is available for promotion then by initial recruitment.	27	35
-do-	-do-	Web & Application Developer (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	MCS/MSc (Computer Science)/MIT/BS IT or equivalent qualification for HEC recognized university having 02 years' experience of IT field including web development and mobile application development.	By promotion from IT Administrator/Evaluation Officers having requisite qualification and 5 years regular service experience. If none is available for promotion then by initial recruitment.	27	35
-do-	-do-	ICT Analyst (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	MCS/MSc (Computer Science)/MIT/BS IT or equivalent qualification for HEC recognized university having 02 years' experience of ICT Analysis	By promotion from IT Administrator/Evaluation Officers having requisite qualification and 5 years regular service experience. If none is available for promotion then by initial recruitment.	27	35
-do-	-do-	Network Administrator (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	MSc/MCS/MIT/BS(IT) or Equivalent qualification from HEC recognized university having 2 year experience of IT field (Networking) after acquiring qualification	By promotion from IT Administrator/Evaluation Officers having requisite qualification and 5 years regular service if none is available for promotion then by initial recruitment.	27	35

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-do-	-do-	Assistant Director (Budget & Accounts) (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority		By posting of suitable Government officer in BS-17
-do-	-do-	Assistant Director (Legal) (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	<p>i. LL.M from a recognized university with two years' experience as practicing advocate at High Court/Consumer Court after acquiring qualification</p> <p>OR</p> <p>ii. LL.B from a recognized university with three years' practice in line after acquiring qualification</p>	<p>By initial recruitment or</p> <p>By posting from Law or Prosecution Department</p>	27	35
-do-	-do-	Assistant Director (Laboratories/Scientific Affairs) (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	<p>M.Sc (Hons) in Food Science & Technology / Food Safety & Quality Management/Food Safety and Control / Food Nutrition & Science/Biochemistry from HEC recognized university institute.</p> <p>OR</p> <p>B.Sc in Food Science & Technology / Food Safety & Quality Management/Food Safety and Control/Food Nutrition & Science/Biochemistry from HEC recognized university or Institute with 2 years' experience after acquiring qualification.</p>	By initial recruitment.	27	35
-do-	-do-	Assistant Director (Licensing/Registration) (BS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	<p>M.Sc(Hons)/M.Phil/MS in Food Science & Technology /Food Safety& Quality Management/Food Safety and Control/Food Nutrition & Science from HEC recognized university</p> <p>OR</p> <p>Masters / B.Sc (Hons)/BS in Food Science &Technology /Food Safety& Quality Management/Food Safety and Control/Food Nutrition & Science from HEC recognized university with two years' experience in food standards after acquiring qualification.</p>	By initial recruitment	27	35

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-do-	-do-	Assistant Director Food Safety (BPS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	M.Sc (Hons)/M.Phil/ MS in Food Science & Technology / Food Safety & Quality Management/ Food Safety and Control/ Food Nutrition & Science from HEC recognized university after acquiring qualification OR Masters / B.Sc (Hons)/BS in Food Science & Technology / Food Safety & Quality Management/ Food Safety and Control/ Food Nutrition & Science from HEC recognized university with two years' experience in food standards after acquiring qualification	By initial recruitment OR By promotion from amongst FSOs having five years regular service	27	35
-do-	-do-	Communication Officer/PRO (BPS-17)	Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Master degree in Mass Communication with 2 years relevant experience Excellent inter personal, presentation and communication skills in English and Urdu.	By initial recruitment	25	35
-do-	-do-	Food Safety Officer (BS-16)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Masters / B.Sc. (Hons)/BS in Food Science & Technology / Food Safety & Quality Management/ Food Safety and Control/ Food Nutrition & Science, Bio-logical Sciences with one year Diploma in Food Safety and Control from HEC recognized university with 02 years' experience in Food Safety and Control after acquiring qualification.	By initial recruitment	25	35
-do-	-do-	Administration Officer (BS-16)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	BA/ B.com from a recognized university with at least 2 years' experience.	By initial recruitment.	25	35
-do-	-do-	Computer Operator (BS-16)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Bachelor's Degree or equivalent (2 nd division) in Computer Science/ Information Technology with typing speed of 35 words p/m Or BA BSc with one year Computer Diploma from recognized institute with typing speed of 35 words p/m	By initial recruitment	20	30

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-do-	-do-	Assistant (BS-16)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Bachelor's Degree or equivalent qualification (2 nd division). Must have computer proficiency 06 months certificate from a recognized institute.	By initial recruitment.	20	30
-do-	-do-	Telephone Operator (BS-11)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Intermediate or equivalent from a recognized board with 2 years' experience in the field of computer work as well as good communication skills. Computer proficiency certificate.	By initial recruitment	20	30
-do-	-do-	Photographer (BS-11)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Intermediate with Diploma in Photography or a bachelor degree holder with 02 years' experience in the field of photography.	By initial recruitment	21	30
-do-	-do-	Electrician / Generator Operator (BS-05)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Matric or an equivalent qualification from a recognized Board and should have three years' relevant experience.	By initial recruitment	22	35
-do-	-do-	Driver (BS-5)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Matric and LTV driving license issued from the licensing authority with at least three years experience Preference will be given to individuals with domicile of district where post is advertised	By initial recruitment	18	35
-do-	-do-	Dak Rider (BS-4)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Matric with valid driving licence of motorcycle Preference will be given to individuals with domicile of district where post is advertised	By initial recruitment	18	30

-do-	-do-	Lab Attendant (BS-05)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Middle school certificate from a Government recognized school Preference will be given to individuals with domicile of district where post is advertised	By initial recruitment	18	30
-do-	-do-	Naib Qasid (BS-04)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Matric certificate from a Government recognized school Preference will be given to individuals with domicile of district where post is advertised	By initial recruitment	18	30
-do-	-do-	Chowkidar (BS-04)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Middle school certificate. Preference will be given to individuals with domicile of district where post is advertised	By initial recruitment	18	25
-do-	-do-	Sweeper (BS-3)	Director General Khyber Pakhtunkhwa Food Safety and Halal Food Authority	Primary school certificate. Preference will be given to individuals with domicile of district where post is advertised	By initial recruitment	18	25

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AND HALAL FOOD AUTHORITY**

Schedule-II

A. Criteria for Appointment of Officers of Khyber Pakhtunkhwa Food Safety and Halal Food Authority in BPS-17 and above.

1. Evaluation/ Marking System

- (i) The total marks for evaluation in case of appointment of officers of the Authority in BPS-17 and above shall be one hundred (100) to be awarded on the basis of the following formula:

S.#	Description	BPS-17	BPS-18	BPS-19	BPS-20
A	Academic Record	30	30	30	30
B	Relevant Higher Qualification	05	05	05	05
C	Experience	25	25	25	25
D	Interview	40	40	40	40
Total		100	100	100	100

- (ii) All candidates shall be subject to Screening test, to be conducted through an authorized external testing body.

- (iii). Detail of the above formula shall be as under:

Academic record

(For B-17 and above) = 30 Marks.

- (i) The academic marks of all the four examinations (Matric to prescribed qualification) are to be calculated as under:-

$$\frac{\text{Sum of the marks obtained from Matric to prescribed qualification} \times 30}{\text{Sum of the total marks from Matric to prescribed qualification}}$$

To illustrate, if a candidate obtains 2100 marks out of 3600 marks in four examinations, his credit will come to:
17.5 marks out of 30, to be counted as 18 marks.

B. Relevant Higher Qualification05 Marks

The marks for higher qualification than the prescribed qualification shall be allocated as under:

Grade.	One stage above	Two stage above	Three stage above
17-20	01	02	02

C. Experience:

(For B-17 and above) = 25 Marks

- I. Experience marks shall be awarded only in those cases where experience forms part of the requisite qualifications. While awarding experience marks, the period of minimum requisite experience shall be deducted and thereafter, two marks per year shall be awarded for additional experience up to 05 years. In case the additional experience exceeds the limit of five years then the credit thereafter shall one mark for each completed year.
- II. The fraction of experience less than one year shall be ignored.
- III. The following principles shall be followed in determining the experience for those posts where experience is laid down as part of qualification: -
 - a. Prescribed experience means the experience gained in line in a regular full paid job required after obtaining the qualification. Period spent on study whether inside or outside the country during service except the period in acquiring PhD or M.Phil. in the relevant field will be excluded from the claimed length of experience.
 - b. Experience gained during appointment on adhoc or contract basis or in officiating capacity shall be counted towards eligibility.
 - c. Period of practical training undergone by a candidate for becoming eligible for the award of actual degree shall be counted as experience, if such experience has been gained after and not during academic session.
 - d. Experience gained in the recognized institution shall be taken into consideration if it is supported by valid documentary proof.

D. Interview

- (i) (For B-17 and above) = 40 Marks

Members of the committee shall record their marking independently. After the interview the final grade of Candidate based on the assessment of the member shall be determined on the basis of average by aggregating the marks awarded by each member.

Schedule III

Criteria for Appointment of Officers of Khyber Pakhtunkhwa Food Safety and Halal Food Authority in BPS-16 and below.

1. Criteria of Selection for initial recruitment:

(i) **For post in 1 to 16.** - The total marks for evaluation in case of appointment of officers of the Authority in BPS 17 and above shall be one hundred (100) to be awarded on the basis of the following formula.

A.	Prescribed qualification	60
B.	High Qualification	05
C.	Experience	10
D.	Interview	25
Total Marks		100

(ii) Para I above indicates only the general Distribution of the marks. Enabling to developed criteria of comparative grading of candidates, a model exercise (Given below may be followed;

(A) Minimum prescribed qualification:

Qualification	First	Second	Third	Total Marks	
(i) Matric		60	48	40	60
(ii) Matric		30	24	20	
FA/F.Sc		30	24	20	
a. Matric		20	16	13	
FA/F.Sc		20	16	13	
BA/B.Sc		20	16	14	
b. Matric		15	12	10	
FA/F.Sc		15	12	10	
BA/B.Sc		15	12	10	
MA/M.Sc		15	12	10	

B. Higher Qualifications. - - For higher education above the prescribed qualification for a particular post, 15 marks shall be allocated as under:

- | | | |
|-------|--------------------|----|
| (i) | One stage above | 01 |
| (ii) | Two stages above | 02 |
| (iii) | Three stages above | 02 |

C. Experience. - -

(i) For experience in the relevant field for a particular post, 10 marks shall be allocated as under:

- | | |
|----|------------------------------------|
| a. | Experience of one year |
| b. | Experience of two year |
| c. | Experience of three year and above |

(ii) Experience marks shall be awarded only in those where experience from part of the requisite qualification. While awarding marks, the period of minimum requisite experience shall be deducted and thereafter, two marks, per year shall be awarded for additional 3 years. In case the additional experience exceeds the limit of 03 years than the credit thereafter shall be 01 mark for each complete year.

- (iii) The fractions of experience less than one year shall be ignored.
- (iv) The following principles shall be followed in determining the experience for those posts where experience is laid down as part of qualification: -
- a. Prescribe experience means the experience gained in line in a regular full paid job required after obtaining the prescribed qualification. Period spent on study whether inside or outside the country during service except the period in acquiring PhD or M.Phil. In the relevant field will be executed from the claimed length of experience.
 - b. Experience gained during appointment on adhoc or contract basis or in officiating capacity shall be counted towards eligibility.
 - c. Period of practical training undergone by a candidate for becoming eligible for the award of actual degree shall be counted as experience, if such experience has been gained after and not during academic session.
 - d. Experience gained in the recognized institution shall be taken into consideration if it is supported by a valid documentary proof.

D, Interview. - - For interview, 25 Marks shall be allocated

Member of the Selection Committee 25 Marks recorded their marking independently. After the interview the final grade of Candidate based on the assessment of the members shall be determined on the basis of average by aggregating the marks awarded by each member



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 12TH MARCH, 2018

GOVERNMENT OF KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY

NOTIFICATION

Dated 8th November, 2017.

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 food;
- (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 comprises 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 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 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



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 12TH MARCH, 2018

GOVERNMENT OF KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY

NOTIFICATION

Dated 8th November, 2017.

No. DG/KP FS&HFA (Admin) /. 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), 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 (SEALING AND DE-SEALING OF FOOD BUSINESS PREMISES) REGULATIONS, 2017.

PART I DEFINITIONS

1. Short Title and commencement: - (1) These regulations may be called the Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Sealing and De- Sealing of Food Business Premises) Regulation, 2017

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

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

- (a) "act" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act (Act of X OF 2014);
- (b) "authority" refers to the Khyber Pakhtunkhwa Food Safety and Halal Food Authority;
- (c) "competent Authority" means the i)-Food Safety Officer for the purpose of sealing the premises and ii)-the Director General KP FS&HFA or iii)- any other officer to whom the DG delegates the power of sealing and de- sealing of the premises, as the case may be;
- (d) "order" means an order passed or issued by the competent Authority, as the case may be ;
- (e) "rectification period" means the time period granted by the Director General after passing an order of de-sealing of the premises in which case the Food Operator shall-

- (i) rectify the shortcomings identified in the order;
- (ii) remain restricted to the carrying out of operational activities including processing as may be specified in the order; and
- (iii) made improvement in the premises as instructed or directed in the order.

Part-II Sealing Procedure

3. Notice of Improvement and sealing of premises:- (1) The Food Safety Officer may, either on his own motion or upon receipt of information from any source has reasons to believe that there exist unhygienic conditions at the food business premises, or food safety or quality issues exist at any premises, he shall serve an improvement notice upon the food operators.

(2) If the Food Safety Officer feels that the Food Operator has not made sustainable improvement as required under the improvement notice served upon him within the specified time limit and that the unhygienic conditions or, food safety or quality issues, non-compliance to Halal food standards still exist at the premises, may be sealed:

4. Sealing of premises without serving improvement notice:- The Food Safety Officer may, notwithstanding anything in regulation 3 seal the premises without serving of an improvement notice only where the Food Safety Officer has reason to believe that there exist:-

- a) severe unhygienic conditions or, food safety issues or quality issues at a premises;
- b) non-compliance to Halal food standards;
- c) presence and /or usage of nonfood grade ingredients, manufacturing of food products without natural ingredients such as pulp or fruit or dairy raw material etc,
- d) usage of rotten eggs in food items or presence of rotten eggs or mixture thereof for sale;
- e) preparation of synthetic milk; presence of hazardous adulterants, insects, rodents, harmful ingredients etc.
- f) Operating a food business without a relevant and valid License from the authority.

5. Lab analysis and collection of sample: While sealing the premises under regulation 3 or 4, sample of adulterated food and suspected food items shall be taken and sent to the approved food laboratory for relevant tests, examinations and analysis, and after processing whereof, if the laboratory reports establish that all the samples taken were found unadulterated and were also found fit for human consumption the premises shall be de-sealed after fulfilling code related formalities.

6. Food Operator to provide details: In addition to other code related formalities for de-sealing it shall be mandatory for the Food Operator to provide the details of the shop, hotel/restaurant (serving food items) or the manufacturing unit and the proprietor from whom unsafe and substandard raw material or products had been purchased in addition to the details of warehouses, distributions and premises to whom adulterated substandard or unsafe food products being manufactured at his premises, were being sold. The same is applicable to food service premises like hotels, restaurants, canteens, bakeries and of similar nature who are serving cooked or raw food.

Part III
DE SEALING PROCEDURE

7. De-sealing of premises: The sealed premises may be de- sealed after the expiry of period as specified below and upon application for de-sealing supported by an Affidavit undertaking that he shall remove the shortfalls pointed out by the Food Safety Officer within the time specified by him. The application shall also include submission of other supporting documents by the Food Operator to the satisfaction of the competent authority that he/she shall abide by the Rules and Regulation made there under from time to time, be de-sealed after expiry of minimum period so mentioned under related issues so specified in the table below:

NO.	Issues	Minimum Period for De -Sealing
1	Sealing of premises on account of presence of extremely food hazardous ingredients/business as specified in regulation 4. it also applies to operating a food business without a valid License from the authority	Up to 120 days
2	Sealing of premises on account of running hazardous Food Business as Explain in Regulation 3	7 days
3	Sealing of premises on account of Food quality of issues (Which don not involve Food Safety Issues.	Not less than three days
4	Sealing of premises on account of not approved not approved Layout & Design Issues	Not less than three days
5	Sealing of premises on account of non-Licensing.	Till the submission of License fee and Medical Certificate of all Food handlers

8. Special Food safety courts: The competent Authority through this regulation will notify specified Food safety courts where a magistrate along with two Food safety technical officers will decide the de-sealing cases after hearing from the Food operator.

9. Permission to continue food business: the competent Authority may upon de-Sealing of the premises, allow the food Operator to continue his/her food business who shall undertake to bring about such improvements as stated in the affidavit with the specified time and meet such level of hygiene and other corrective measure including rectification of shortcomings so identified to him

10. Substandard and adulterated food: Where any food samples sent for Laboratory tests are found substandard or adulterated, an action will be directed by the competent Authority against the operator in addition to any other action under the act, rules and regulations.

11. No de-sealing without valid license: Notwithstanding anything contained in these or other regulations, no premises sealed for any reason, shall be de-sealed unless the food operator has a valid license to operate food business or at Least the license fee there against has been deposited in the account of the Authority:

Provided that the food operator-

- a) has obtained license valid for the purpose and the applicable period stated in the acquired license, otherwise he shall be required to deposit the license fee for the

- b) submitted the file validation report including submitting of medical certificates of all food handlers.

12. Double minimum sealing period for subsequent like offenses:- Where the premises have been sealed under regulation 3 and 4 of these regulations, such premises shall be sealed for double of its minimum period last sealed for any such subsequent offense of the like nature so committed each time under the relevant sub- clause 5 of regulation 7.

13. Cancellation of license:- The license of food operator is liable to be cancelled where he is found guilty of submission of false Affidavit or concealment of facts or habitual defiant of the orders or competent authority.

14. Application against the order of sealing: Any food operator so aggrieved by an order of sealing by the competent authority may file an application addressed to the Director General, Khyber Pakhtunkhwa Food Safety and Halal Food Authority for de-sealing of the facility / premises.

DIRECTOR GENERAL
KHYBER PAKHTUNKHWA FOOD SAFETY AND
HALAL FOOD AUTHORITY



Schedule 1
FORM 18
ORDER OF SEALING



(Under section 14-1 (c) (h) of the KPK Food Authority Act, 2014)

The powers conferred under section 14 read with section 51 of the KP Food Authority Act, 2014. The undersigned has reason to believe and there is sufficient ground for sealing of your premises. I being an authorized officer, hereby direct you to keep the following stock sealed till such orders as may be issued subsequently in relation thereto: -

(Name of the Food Business Operator and address of the premises)

Sr. No.	Name of the Product	No. of Units	Qty, in Kgs/Liters
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

REASONS OF SEALING

Assistant Director Food Safety / Food Safety Officer
(Signature & Stamp)

Area: _____
District: _____
Date: _____



KHYBER PAKHTUNKHWA

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GOVERNMENT OF KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY

NOTIFICATION

Dated 26th October, 2017.

No. DG (KP FS&HFA)/Admin/03/17.— 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 sections 40 and 43 thereof, the Food Safety and Halal Food Authority is pleased to make the following regulations, namely:-

THE KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY (FINANCIAL AND AUDIT) REGULATIONS, 2017.

1. Short title and commencement :-(1) These regulations may be called the Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Financial and Audit) Regulations, 2017.

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

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

- (a) "Act" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014 (KP Act No. X of 2014);
- (b) "Authority" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority;
- (c) "accounts" means the accounts of the Authority as may be maintained for any fiscal year as envisaged under section 42;
- (d) "appropriation" means an appropriation of Fund so made by the Authority in its budgetary sanctions for and in any fiscal year to meet its requirement from among its income and expenditure as may accrue in that year;
- (e) "bank" means a schedule bank approved by the Authority for deposit of Fund and operation of an account;
- (f) "budget" means a budget allocation of the Authority for any fiscal year as may be prepared and passed as envisaged under section 41;
- (g) "Departmental Accounts Committee" means Departmental Accounts Committee constituted by the Authority;

- (h) "Director" include the Director, the Deputy Director or the Assistant Director appointed by the Authority;
- (i) "expenditure" means the expenditure, capital or recurring, which is incurred by the Authority at one time or at periodic intervals for meeting its operational expenses;
- (j) "financial year" means the financial year beginning from July and ending in June of the following year;
- (k) "Fund" means the Fund of the Authority established, administered and controlled by it under section 40;
- (l) "re-appropriation" means the appropriation of Funds made during any n as per Accounting Standards;

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

3. Administration of Fund.- (1) The Fund established by an Authority under section 40 shall to be controlled and administered by it which shall, inter alia, consist of the following:

- (a) Funds provided by the Government or the Federal Government;
- (b) loans or grants by the Government or the Federal Government;
- (c) other loans or funds obtained by the Authority;
- (d) grants and loans negotiated and raised, or otherwise obtained, by the Authority with the prior approval of the Government;
- (e) fee, charges, rentals and fines collected by the Authority;
- (f) income from the lease or sale of the property;
- (g) funds from floating bonds, shares, debentures, certificates, or other securities issued by the Authority; and
- (h) all other sums received by the Authority.

(2) The Fund shall be operated in accordance with the Act, rules and regulations and, such directions and instructions issued by the Authority not inconsistent therewith.

(3) All monies contributed or credited into the Fund shall be deposited in a scheduled bank as may be approved by the Authority under clause (d) of sub-regulation 1 of regulation 2.

(4) The Bank account pertaining to the Fund shall be jointly operated by the Director General and Director Finance of the Authority.

(5) The expenditure incurred on account of any emergency or exigency by the Director General shall be scrutinized and approved by the Development Committee constituted for the purpose within ninety days of the end of an emergency or exigency by the Authority consisting of not less than two of its members which shall submit its report to the Authority within such time as may be stipulated for the assignment.

(6) The resident auditor of the Authority shall pre-audit expenditures channeled through the normal budgetary mode.

4. **Disbursement.**- (1) The fund shall be utilized for smooth and efficient functioning of the Authority as envisaged under the Act.

(2) No money can be drawn from the account, unless authorized against the budgetary allocations under development projects or approved towards recurring heads of expenditure for the Authority programs.

(3) The Authority or the Director General, as the case may be, shall approve allocation of funds for development and recurring needs of the other offices of the Authority established in various districts of Khyber Pakhtunkhwa out of the Fund.

(4) In case of any emergency or exigency expenditure, the Director General shall have the full powers as of Head of Administrative Department delegated under Khyber Pakhtunkhwa Delegation of Financial Powers Rules subject to availability of sufficient funds and approval thereof by the Authority.

5. **Preparation of the annual budget.**-(1) The annual budget of the Authority including all its offices shall be prepared by the Director Finance of the Authority or any officer authorized in this behalf for each financial year under the supervision of the Director General who shall scrutinize it, where after, it shall be presented before the Authority for its passage.

(2) The Director General shall, subject to approval of the Authority, have powers as Head of the Administrative Department as may be delegated by the Government under Khyber Pakhtunkhwa Delegation of Financial Power Rules regarding creation, abolishing, up-gradation and re-designation of any post in the Authority.

(3) The Director General shall be authorized under the Rules specified in sub-regulation (2) to approve expenditure beyond the amount so allocated under a particular head exceeding the budgetary provision, by re-appropriation as provided there under.

6. **Financial Powers under the Act.**- (1) Subject to Act, rules and regulations, the Director General shall exercise all the financial powers as the Head of an Administrative Department as provided under Khyber Pakhtunkhwa Delegation of Financial Power Rules or such powers which have been delegated to him by the Authority from time to time, who shall act as the Principle Accounting Officer (PAO) of the Authority.

(2) Unless, otherwise indicated specially in the order conveying sanction, a sanction issued by the Director General shall have effect from the date of an order conveying sanction:

Provided that where any fresh sanction is issued but not acted upon for a year, it shall deem to have lapsed, unless it is specially renewed.

(4) The sanctioning authority as stipulated in these regulations may delegate all or any of its powers to any officer not below the rank of a Director of the Authority not otherwise delegate upon him.

(5) The Director Finance may sanction and incur an expenditure on repair and maintenance of equipment and vehicles or other necessary items up to an approved limit for that category of officer under the Authority.

7. **System of Accounts and its Administration.** - (1) The accounts of the Authority shall be maintained in accordance with accounting procedure as may be approved from time to time.

(2) All accounts of the Authority shall be maintained through operation of e bank accounts which may include for employee's salaries and funds e.g. Pension, General Provident Fund, Benevolent Fund, Gratuity Fund, Projects and Program executed by the Authority.

(3) All receipts and payments of the Authority shall be reconciled with the bank regularly.

8. General rules covering receipts, expenditures, defalcation and write-off of losses.—(1) All sums payable to the Authority shall be deposited either directly in its proper account in the designated bank or through bank draft delivered to the Director Finance or any of its officers so authorized in this behalf.

(2) All moneys received in the Authority's office shall be acknowledged through system generated receipt so prescribed issued under the signature of any authorized officer in this behalf.

(3) All transaction to which any employee in his official capacity is a party to any proceeds, reservation may be recorded in general cash book and other subsidiary registers under the signature of the Director Finance.

(4) The Funds, subject to regulation 3, shall be deposited in the bank approved for the purpose by the Authority.

(5) Any person having a claim against the Authority shall present a voucher in ink in the prescribed form, duly receipted and stamped.

(6) All bills presented for payment shall be examined by the assistant Director Budget & Accounts or any other authorized officials on this behalf.

(7) After scrutiny under sub-regulation (6), if it appears that the claim is admissible and covered under approved budgetary head and payable by the Authority, an order to pay on the bill and submit it for the signature of the Director Finance specifying the amount payable both in words and figures.

(8) Fractions of rupees less than fifty paise's shall be ignored and these equal to or above fifty paise's shall be rounded off to the nearest rupee, while making payment of bills.

(9) Payment shall ordinary be made through crossed cheques or bank transfer letter.

(10) The cheque books shall be kept under lock and key and in the personal custody of the authorized officer. All the cheques in new cheque books shall be counted and certificate to that effect shall be recorded by the Director Finance.

(11) When cheque is cancelled, the fact of the cancellation shall be recorded on the counterfoil of the cheque, and also across the payment order on the bill or voucher and necessary reversal entry recorded in the Register.

(12) Cancelled cheque shall be carefully preserved until the accounts for the period have been audited which shall be destroyed by the auditor who shall certify on the counterfoil of the cheque has been destroyed.

(13) If a cheque is cancelled before the general cash book is closed for the day of issue, the entries in the cash book and any other register in which the item may have been posted shall be stuck out in red ink under the initials of the Director Finance and shall be adjusted by minus entries in the registers in which the transaction may have been so entered.

(14) If a cheque is lost or destroyed, an intimation to that effect shall be given at once to the bank and its payment shall be stopped and as result whereof if a fresh cheque is issued, its number and date shall be quoted against the original entries in the relevant register and note shall be made on the counterfoil specifying as to the issuance of fresh cheque in lieu of cheque so destroyed specifying its number and date.

(15) When any defalcation or loss of money or property is caused to the Authority or discovered at any time, as the case be, an enquiry shall be initiated at once by the Director Finance intimating thereby the Director General to that effect and shall, on completion of an enquiry, submit its report to him stating the step taken to recover the loss:

Provided that where no responsibility or accountability can be fixed for recovery of such defalcation or loss and if any such amount does not exceed one hundred thousand, the Director General or the Authority in every other case, may write off any amount so embezzled or pass any order it may deem fit under the circumstances of the case.

(16) All advances paid by the Authority shall be recorded in the register of demand, and the Assistant Director, Budget and Accounts, and the Director Finance shall see that proper recoveries are made.

(17) At the end of each month, the monthly accounts shall be compiled and reconciled with the bank accounts and with respect thereto, the bank reconciliation statement shall be prepared accordingly.

(18) All items of receipts and expenditure recorded in the cash book shall be carried over to the relevant classified ledgers of income and expenditure.

(19) All vouchers shall be numbered serially and filed in a separate file or folder for each month.

(20) For urgent petty expenditure, various officers may be allowed imprest money or ready cash as may be granted by the Director General.

9. **Audit of accounts of the Authority.**- (1) The accounts of the Authority shall be audited by the Auditor General of Pakistan.

(2) The Authority shall, in addition to an audit under sub-regulation (1), conduct pre-audit by the resident auditor so appointed for the purpose and no expenditure shall be made from the funds, unless the bills for payment has been pre-audited by the resident auditor.

(3) The resident auditor shall be under the direct supervision of the Director General and shall be responsible for-

(a) the entire audit related business of the Authority including audit observation on appropriation of accounts and compiling of audit reports, and compliance with the instructions or directives of the Director General so given by him from time to time, including preparation of necessary briefs for Public Accounts Committee and Departmental Account Committee and attend such Committees assisting the Director General.

(b) tender advice to the Director General for compliance, where applicable, of rules, such as the Government Financial Rules, the Fundamental Rules (FR), the Supplementary Rules (SR), the Treasury Rules (TR) and the regulations, instructions and orders issued by the Finance Department, Government of Khyber Pakhtunkhwa, from time to time.

(4) The resident auditor shall, in addition to his services under this regulation, audit all receipts and expenditures, and shall conduct or perform the following tasks, namely:-

(a) audit all receipts and expenditures in accordance with the approved standard of audit contained in Audit manual of the Auditor General of Pakistan and commercial accounting manuals;

- (b) audit of salary claims;
- (c) pay-fixation and variation of pay fixation of employees of the Authority;
- (d) verification of service and leave account of employees of the Authority;
- (e) pre-audit of routine contingencies claims;
- (f) release of development grants to other districts of the Authority; and
- (g) any other assignment as may be specifically given by the Director General.

(5) At the close of the every financial year, the books of accounts shall be closed and reconciled and the following annual statement of accounts shall be prepared and submitted to the Authority for approval, namely: -

- (a) Income and expenditure statement;
- (b) balance sheet;
- (c) statement of assets and liabilities; and
- (d) notes to the financial statements.

10. Purchase of goods and services.- (1) The KPPRA Rules, 2014, as amended from time to time shall be followed by the Authority for the purchase of goods and services and the Director General shall ensure its application in so far as it is not incompatible or inconsistent with the Act, rules or the regulations made there under.

(2) No capital expenditure shall be incurred or order without sanctioning approval of the Director General and inviting quotation or tender, as the case may be, in each such case.

(3) In case of any emergency purchase, these or any other regulations may be relaxed by the Director General in according with the provision of KPPRA Rues, 2014, and subject to approval of the Authority.

(4) For all contracts, a formal agreement on stamped paper shall be executed between the Director General and the contractor or the supplier.

(5) Before any payment is made, the Director Finance, resident auditor or any authorized officer in this behalf shall certify that the work has been completed, whereupon, the Director General may sanction the expenditure and theThe payment shall be made and penalty, if any, shall be imposed in accordance with the terms of the contract.

(6) The Authority may condone any delay authorizing the Director General to act upon and allow up to the maximum period of thirty days, whereas, the Director Finance shall upon where the period is not more than fifteen days.

(7) Stock registration.- All material purchased shall be examined, counted and entered in the register by the Deputy Director Finance or the Assistant Director Finance or any authorized officer in its behalf who shall certify that the material actually received is qualitative and is in good/satisfactory condition otherwise-

- (a) there shall be a committee constituted by the Authority that shall conduct physical verification of the balance of the stock and stationery articles at the close of every year and record such certificate in the relevant registers; and
- (b) unless otherwise provided under these regulations all un-serviceable articles shall be written off/ auctioned under the orders of the Director General

11. **General guidelines for contract.**- (1) No contract may be entered into by any subordinate authority which has not been either authorized to do so by or under the orders of the Director General.

(2) Legal advice shall be taken by the legal wing of the Authority in drafting of every contract before they are finally entered into a formal contract by the Authority.

(3) Standard forms of contract shall be adopted where ever available, and the terms subject to adequate prior scrutiny and change, if any, shall be made by the legal wing of the Authority.

(4) Terms of contract once entered into shall not be materially varied or altered without the prior consent of the Authority.

(5) No contract involving an uncertain or indefinite liability or any condition of an unusual character shall not be entered into without the previous consent of the Director General.

(6) Provision shall be made in contracts for safeguarding the interests of the Authority.

(5) When a contract is likely to endure for a period of more than 5 years, it shall, wherever feasible, include a provision for an unconditional power or revocation or cancellation by the Director General at any time on the expiry of six month notice to that effect and prior to such revocation or cancellation of the contract, legal advice may be obtained from the legal wing of the Authority.

12. **Overriding effect relaxation to these regulations.**- Notwithstanding anything contrary contained in these regulations, the Authority shall in exceptional cases and for reasons to be recorded in writing, relax any of these regulations for removal of difficulties also otherwise experienced in the smooth and efficient functioning of the Authority:

Provided that where these and other regulations of the Authority are silent, the Authority shall apply the Government rules, mutatis mutandis, and apply to such financial aspects for which or wherever these regulations are required to be relaxed.

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



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 12TH MARCH, 2018

GOVERNMENT OF KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY

ORDER

Delegation of Powers

No. DG (KP FSA&HFA)/Admin/2017/02.— In exercise of the powers conferred by section 45 of the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014 (KP Act No. X of 2014), the Khyber Pakhtunkhwa Food Safety And Halal Food Authority is pleased to delegate its powers specified in column 1 of the table below in terms of provisions of the said Act to such of its officers or committees, as the case may be, specified there against in column 2 thereof and so exercised subject to such conditions and restrictions specified in column 3 of that table:

TABLE

Column 1	Column 2	Column 3
Provision of the Act	Officers/Committees	Conditions/Restrictions
Section 3 (2)	Director General	To enter into contract, acquire or dispose of property and may, by its name, sue or be used.
Section 8(1)	-do-	To regular and monitor food business.
Section 8(2) (a)	-do-	To formulate or adopt standards, procedures, processes and guidelines in relation to any aspect of food including food business, food labeling, food additive and specify appropriate enforcement system.
Section 8(2) (b)	-do-	To specify procedures and guidelines for setting up and accreditation of food laboratories.
Section 8(2) (c)	-do-	To formulate method of sampling, analysis of samples and reporting of results.

To specify licensing, prohibition orders, recall procedures, improvement notices and prosecution: Section 8(2)(d)

To determine terms and conditions of service of its employees: Section 8(2)(e)

To provide scientific advice and technical support to the Government in matters relating to all related aspects of food:	Section 8(2)(f)
To collect and analyze relevant scientific and technical data relating to food:	Section 8(2)(g)
To establish a system of network of food operators and consumers to facilitate food safety, Halal Food Assurance and quality control:	Section 8(2)(h)
To organize training programs in food safety and standards:	Section 8(2)(i)
To promote general awareness about food safety and standards:	Section 8(2)(j)
To levy fee for registration, licensing and other services:	Section 8(2)(k)
To certify food for export (in cooperation with/ Keeping in view) other applicable certification systems of federal authorities :	Section 8(2)(l)
Establish safe limits for processing Residues in the food:	Section8(2)(m)
To implement rules and regulations made under the Act:	Section 8(2)(n)
To regulate matters relating to Halal food:	Section 8(2)(o)
Prepare periodic technical reports/gazette on situation of food safety in the province:	Section 8(2)(p)
Perform any other function, if any, assigned to it by authority or Government to carry out the objects of this act.	Section 8(2)(q)
To appoint officer(s), official(s), consultant(s) and advisor(s), as per laid down procedure in Appointment & Conditions of Service regulations of the authority to discharge function of the Food Safety and Halal Food Authority.	Section 9
To establish one or more Expert committees as per composition provided and to refer any matter of conflict relating to food to the expert Committees for guidance, advice or recommendation under section:	Section 10(1) (2)
To determine terms and conditions, including tenure of members of Expert committees other than ex-officio members:	Section 10(3)
To appoint duly qualified Public Analyst(s), by notification, for different areas:	Section 12(1)
To appoint duly qualified Food Safety Officer(s), by notification, for such areas as it may assign to them:	Section 13(1)
To confer powers of a Food Safety Officer on a Government Servant:	Section 13(3)
To determine numbers, categories, rank and terms and conditions of other employees of the Authority:	Section 13(3)
To notify duly registered medical practitioner in any local area requiring therein to report all occurrences of food poisoning to the Food Safety Officer Or the Food Authority:	Section 20
To establish, recognize or accredit professionally established, equipped and staffed food laboratory for analysis of samples of any food or food related equipment's or utensils:	Section22 (1) (2)
To recover as arrears of land revenue compensation in case of injury or death of	Section 32(2)

To order prosecution of a person found guilty under this Act:	Section 16(1)(a)
To suspend or cancel the license of the food operator violating the Act:	Section 16(1)(b)
To impose fine on the food operator violating the Act which may extend to fifty thousand rupees:	Section 16(1)(c)
To decide, if the circumstances so warrant, not to take any action:	Section 16(1)(d)
Not to pass order of suspension or cancellation of the license or imposition of fine without providing opportunity of hearing to the food operator:	Section 16(3)
File complaint of an offence before the Court:	Section 35(1)
To recover the fine, fee or any other amount, imposed or levied under KPFS&HFA Act, 2014, the rules or the regulations, as an arrears of land revenue and, for the purpose, and hold defaulters license suspended till the penalty is paid.	Section 39
To establish, administer and control Food Authority Fund.	Section 40(1)(2)
To meet all expenses from Food Authority Fund.	Section 40(3)
To open and maintain Bank Accounts in scheduled Banks.	Section 40(4)
To submit annual performance report within three months of close of a financial year to the Government.	Section 44(1)
To act as a Food Safety Officer	
To register information of an offence under KPFS&HFA Act, 2014:	
To make posting transfer from BS-01 to BS-18 in the KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY and he may further delegate any of its power to any other officer under the KPFS&HFA Act to the extent as he may deem fit.	
As per approved Budget, create and abolish posts between Grades 01 to 07 in the Authority.	
As per approved Budget, create and abolish posts above BPS-07 with the prior approval of Chairman of the Authority.	
To sanction all types of advances to employees in Grades 1 to 17 and above 17 with prior approval of Chairman of the Food Safety and Halal Food Authority.	
To grant honoraria , with the prior approval of Chairman, to employees in Grades 1 to 19 of the Authority subject to budget allocations.	
To sanction all expenditures subject to Budget provisions & allocations.	
To write off losses up to Rs. 100,000/ provided that there is no evidence on record which establish negligence or fraud on the part of any Officer/Official. The matters related to Procurement will be dealt through a procurement committee notified by the DG FS&HFA.	
To declare surplus or unserviceable any store, vehicle, machinery, material, furniture or other movable property of the Food Authority if declared damaged or completed its useful life.	
To sanction sales of surplus or unserviceable property, either through auction or by inviting sealed tenders, to the highest bidders, provided the highest prices received in the auction or tender are not less than the reserve prices.	

To sanction residential telephones to officers of the Authority (as per provincial government policy) as the DG KPFS&HFA deems fit and necessary for efficient discharge of functions of the Food Authority.

To categorize Food business premises in the light of prescribed objective & criteria based on the level of adherence to the standards, established scientific principles and international best practices.

To periodically revise, in prescribed manner, the categories of premises

To create, by any means, general awareness about categorization of the premises;

To initiate, defend or withdraw from any legal proceedings under the KPFS&HFA Act, to compound any offence against the KPFS&HFA Act, to admit, compromise or withdraw any claim under the KPFS&HFA Act, and in respect of all these matters, to appoint counsel, hire services of Lawyers in special cases on such terms and conditions as may be settled and to obtain such legal advice and assistance as may be necessary, subject to the condition that where the Food Authority withdraws from any legal proceedings or admits, compromises or withdraws any claim, and loss admits, compromises or withdraws any claim, and loss of revenue or property rights is involved, reasons for the withdrawal, admittance or compromise shall be recorded in writing, and where the loss or value involved is more than Rs. 100,000/. A summary of the case shall be submitted for the information to the Chairman Food Authority.

To issue office order(s), direction(s) and manual(s) of instructions to regulate the activities of the Food Safety and Halal Food Authority subject to the conditions that they are not inconsistent with the KPFS&HFA Act, the Rules or the Regulations.

To co-ordinate the policies, plans, programs, budgets, salary structures, staffing levels and other activities of the Food Safety and Halal Food Authority and in this behalf to do all things and exercise all powers to ensure such co-ordination.

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



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 12TH MARCH, 2018

GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD SAFETY AND HALAL FOOD AUTHORITY

NOTIFICATION

Dated 8th November, 2017.

No. DG(KP FS&HFA)/ADMIN/05/2017.— 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 sub-section (5) of section 15 and sub-section (2) of section 16 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 (APPEAL) REGULATIONS, 2017.

1. Short title and commencement. (1) These regulations may be called as The Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Appeal) Regulations, 2017.

(2) These shall come into force at once.

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

- (a) "Act" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014(KP Act No. X of 2014);
- (b) "appeal" means memorandum of an appeal preferred under sub-sections 5 of section 15 or sub-section (2) of section 16 of the Act, as the case may be.
- (c) "appellant" means any person who prefers an appeal before the Appellate Authority;
- (d) "appellate authority" means the Chief Secretary to the Government;
- (e) "authorized representative" means a person who is authorized to file an appeal, appear, plead and act on or behalf of the appellant before the appellate authority;
- (f) "form" means form appended to these regulations; and
- (g) "order" including any order passed by an appellate authority whether interim or final or, as the case may be, an order passed by the Authority under sub-section (4) of section 15 or under sub-section (2) of 16 of the Act;

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

3. Delivery of an order.- Every order passed by an Authority under sub-section (4) of section 15 or under sub-section (2) of 16 of the Act shall be in writing, signed and sealed by the signatory and delivered or cause to be delivered to the person ordered against or his authorized representative if he stand nominated for the purpose and it shall be deemed to have been delivered if an order is sent by-

- (a) courier, three days following the day it is dispatched by the receipt and issue department of the Authority;
- (b) registered post, seven days following the date it is mailed by the receipt and issue department of the Authority; and
- (c) by hand delivery; on production of the receipt showing the date it is served on the appellant or his authorized representative.

4. Filing of an appeal.- (1) Subject to these regulations, any person aggrieved by an order passed by the Authority under sub-section (4) of section 15 or under sub-section (2) of 16 of the Act may prefer an appeal before the appellate authority in the form set forth and appended to these regulations, unless condoned, within fifteen days of the receipt of such order and accompanied by a fee specified under sub-regulation (3).

(2) Every memorandum of appeal shall be accompanied either by an order appealed against or certified copy thereof supported by such documents immediately connected therewith or having relevance thereto or may be relied upon based on any particular or general principles and proceeds remaining unattended.

No appeal under these regulations shall be entertained if it contains intemperate or improper language against an interim order passed by the Authority or an interim or final order passed by the appellate authority.

- (3) Every memorandum of appeal shall be accompanied by an affidavit and a fee of-
 - (a) Rs.1000.00 (Rupees One Thousand) in case of refusal to issue a license; and
 - (b) Rs. 5000.00 (Rupees Five Thousand) in case of cancellation of a license;

Provided that an appeal shall not be entertained until fee is paid in the Authority's Fund.

(4) Every memorandum of an appeal shall be accompanied by such number of legible copies thereof forming part of paper books depending upon the number of respondents including two such sets exclusively meant for the use by the appellate authority.

5. Hearing of an appeal.- (1) Where a memorandum of appeal is delivered in the manner specified in regulation 3 and so acknowledged by an office of an appellate authority, the same shall be scrutinized and date fixed for hearing by issuing notice thereto in the like manner, otherwise, any deficiency shall be cause to be removed within such time allowed for the purpose failing which it shall dismissed.

(2) Where memorandum of an appeal is found in order, the respondent may be required to file written statement supported within a specified time, whereupon, the appellate authority may conduct the fact and shall pass an interim order inviting objections, if any.

(3) Unless any further process is called for, the appellate authority shall, in writing, pass a final order determining all the issues which shall be binding upon the parties and no appeal, review or revision shall lie there against.

(4) An order finally passed by the appellate authority shall be communicated to all the parties within due course of time preferably within seven days from passing of such order and delivered in the like manner as specified under regulation 3.

6. Contravention of final order of appellate authority.- Any party contravening the final order of the appellate authority shall be liable to summary proceedings and punishable therewith under section 37 of the Act.

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

SCHEDULE-I

[See regulation 5(1)]

Form-A

Form-A shall be appended to the appeal by the Appellant giving the following particulars:

- (1) Title: A.B.----- Appellant **versus** C.D-----and others Respondent(s)
- (2) Particulars of the appellant:
 - (a) Name of the appellant;
 - (b) In case of a company, address of registered office, in other cases mailing address for service of all notices;
 - (c) Telephone/Fax number and E-mail address, - if any.
- (3) Particulars of the respondent(s):
 - (a) Name of the respondent(s)
 - (b) In case of a company address of registered office in other cases mailing address for service of all notices;
 - (c) Telephone/Fax number and E-mail address, if any.

Signatures of the Appellant or his authorized representative
(Name in Block Letters)

Form-B

(For use in the appellate authority's office)

- (a) Date of presentation before the Chief Secretary
- (b) Date of receipt by post
- (c) Registration number
- (d) Signature of the Registrar

Form-C

BEFORE THE APPELLATE AUTHORITY, KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY.

A.B..... Appellant(s)
Versus
C.D..... and other Respondent(s)

Appeal under sections 15(4) and 16(2) of the Food Safety and Halal Food Authority Act, 2014.

1. Facts of the case and the details of the orders against which appeal is preferred: The facts of the case are given below:

(give a concise statement of facts and grounds of appeal against the specific order in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

2. Relevant provisions of law. (Reference must be made to all the relevant provisions invoked and to be relied upon in the appeal).

3. Legal grounds. (Give all the legal grounds with reference to the law they are based upon).

4. Interim order, if prayed for. (Give here the nature of the interim order prayed for and reference to the application No. attached with the appeal in this regard).

5. **Limitation.** The appellant declares that the appeal is within the limitation period as prescribed in section 15(4)16 and (2) of the KPFS&HFA Act, 2014.
6. **Relief sought.** In view of the facts mentioned in above pares, the appellant prays for the following relief (Specify the relief(s) sought; explain the grounds for relief(s) and the legal provisions, if any, relied upon).
7. **Matter not pending with any other court etc.** The appellant further declares that the matter regarding which this appeal has been made is not pending before any court of law or any other authority or any other Tribunal.
8. **Details of index.** An index containing the detail of documents to be relied upon in the appeal
9. **List of enclosures**
10. **Copy of Bank Draft for payment of appeal filing fee is to be attached.** Signature of the appellant/authorized representative

VERIFICATION

I, (Name in full and block letters) son/daughter/wife of being the appellant/authorized representative of () do hereby solemnly declare that the foregoing constitutes full, true and plain disclosure of all material facts and nothing has been concealed, and that the contents of paras 1-10 are true to my personal knowledge and belief. Verified today this day of.....

Signature of the appellant/authorized representative.

Place:

Date:



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 12TH MARCH, 2018

GOVERNMENT OF KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY

NOTIFICATION

Dated 8th November, 2017.

No. DG/KP FS&HFA (Admin)/06/2017.—In exercise of the powers conferred by section 51 of the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014 (KP Act X of 2014), read with section 15 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 (LICENSING AND REGISTRATION) REGULATIONS, 2017.

1. Short title and commencement.—(1) These regulations may be called as the Khyber Pakhtunkhwa Food Safety and Halal Food Authority (Licensing and Registration) Regulations, 2017.

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

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

- (a) "Act" means the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014 (KP Act No. X of 2014);
- (b) "Authority" means the Food Safety and Halal Food Authority;
- (c) "competent authority" means the Director General;
- (d) "company" means a body corporate and includes a firm or any other association of persons.
- (e) "contamination" means the introduction or occurrence of a contaminant in a food or food environment.
- (f) "cross-contamination" means the transfer of harmful substances or disease-causing microorganisms by any means, like from food by hands, food-contact surfaces, cloths, utensils that touch raw food, are not cleaned, and then touch ready-to-eat foods. Cross contamination can also occur when raw food touches or drips onto cooked or ready-to-eat foods.

- (g) **"disinfect or disinfection"** means the reduction of microbial load, by means of chemical or physical agents, to a level that will not compromise food stability or lead to harmful contamination of food.
- (h) **"food Hygiene"** means all conditions and measures necessary to control hazards and ensure the safety and suitability of food at all stages of the food chain.
- (i) **"food safety hazard"** means a physical, chemical or microbiological agent in food which is injurious or harmful to human health;
- (j) **" Food Safety Officer"** include the Assistant Food Safety Officer or any officer of the Authority or Government authorized in this behalf;
- (k) **"Halal food"** means the food permitted under the Islamic laws, where it does not consist of, or contain, anything which is considered to be unlawful (Haram) according to Islamic laws. It should not have been prepared, processed, transported or stored using any appliance or facility that was not free from anything unlawful according to Islamic laws and has not in the course of preparation, processing, transportation or storage been in direct contact with any food that fails to satisfy as above.
- (l) **"Halal Food"** means food permitted under the Islamic Law and should fulfil the following conditions:
- i. does not consist of or contain anything which is considered to be unlawful according to Islamic Law;
 - ii. has not been prepared, processed, transported or stored using any appliance or facility that was not free from anything unlawful according to Islamic Law; and
 - iii. has not in the course of preparation, processing, transportation or storage been in direct contact with any food that fails to satisfy 'i' and 'ii' above.
- (m) Notwithstanding Section (l) above:
- i. halal food can be prepared, processed or stored in different sections or lines within the same premises where non-halal foods are produced, provided that necessary measures are taken to prevent any contact between halal and non-halal foods;
 - ii. halal food can be prepared, processed, transported or stored using facilities which have been previously used for non-halal foods provided that proper cleaning procedures, according to Islamic requirements, have been observed.
- (n) **"HACCP-based system"** means the system that is consistent with the seven principles of the Codex Alimentarius Hazard Analysis and Critical Control Point (HACCP) but does not necessarily conform to the Codex Alimentarius layout or steps of the Guidelines for HACCP application.
- (o) **"level of risk"** in relation to food, means quantum of hazards contained in a food likely to cause harm to a consumer of food;
- (p) **"PSQCA"** means Pakistan Standards and Quality Control Authority;
- (q) **"pest"** means Insects, birds, rodents and any other animal capable of directly or indirectly contaminating food

- (r) "primary product" means the product of primary production including agricultural products, livestock farming, hunting and fishing.
- (s) "potable water" means drinking water that is pure and healthy at the point of usage, and meets requirements of the regulatory authorities of government of Pakistan.
- (t) "primary production" means any produce or production which is of a prime nature either pertaining to plants or animals including farming, harvesting, farmed animal production prior to slaughter and including hunting, fishing and farming of wild animals;
- (u) "product registration certificate" in relation to food business, means the certificate issued by the competent authority to the food operator for registration of his food product;
- (v) "raw food" means food, which is there is neither cooked nor processed
- (w) "register" include manually written or electronic records;
- (x) "retail" means a business engaged in direct sale to consumers;
- (y) "Schedule" means a schedule appended to these regulations; and
- (z) "slaughterhouse" means slaughterhouse as defined in the West Pakistan Animals Slaughter Control Act, 1963.

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

3. Licensing of food business premises. - (1) Subject to section 15, every food operator shall, in relation to his food business premises, hold a valid license issued by the Authority.

(2) The food business premises for licensing purposes are categorized in accordance with their manufacture or production variations as specified in Schedule I.

(3) All food operators involved in food business categorized under sub-regulation (2) shall pay such product registration certificate fees and manufacturing facility license fees specified in Schedule II against each such category.

(4) The Authority may, in relation to the category of food business premises and on the report of Food Safety Officer, issue license to the food operator.

4. Application for grant of license.-(1) Any person desirous of obtaining a license for commencing or using any premises for food business under the Act and these regulations may apply for the grant of a license in writing to the Authority stating the-

- (a) kind of food or products likely to be handled;
- (b) processes to which the food is subject; and
- (c) dimensions of the business.

(2) A person submitting an application for license under sub-regulation (1), shall submit a location plan in triplicate showing-

- (a) a site plan, building and structure; and

- (b) the location of the premises at which various operations connected therewith shall be carried on.
- (3) An application for the grant of a license shall:
- (a) Specify name and address of the applicant;
 - (b) be accompanied with copy of CNIC and 2 passport size photographs of the applicant; and
 - (c) indicate the number of persons likely to be engaged at the premises.
- (4) If food business activities such as manufacture, storage and sale are intended to be conducted or carried at different premises, separate applications shall be made for the grant of licenses for each such premises.
- (5) An application under this regulation shall be deemed to have been submitted to the Authority where it is accompanied by a proof as to the payment of license fee.
- (6) The Authority may, subject to confirmation of the veracity of the information submitted by the applicant, grant a license to the applicant or food operator, as the case may be, set out in Schedule IV or decline it after it has taken into consideration-
- (a) confirmation of information submitted by the applicant; and
 - (b) the findings of an inspection undertaken by the Food Safety Officer in relation to compliance with food safety requirements under the Act ; and
 - (c) after verifying previous record of the food operator as to his compliance with provisions of the Act.
- (7) Anyone furnishing false information under this regulation shall be liable to punishment under section 27.

4. Application for grant of license online.- (1) Any person or manufacturer desirous of obtaining a license for commencing or using any premises for food business under the Act and these regulations may, for the grant of a license, apply online on a prescribed form by downloading it from the Authority's website: [health.kp.gov.pk /page/the Khyber _Pakhtunkhwa _food _safety](http://health.kp.gov.pk/page/the_Khyber_Pakhtunkhwa_food_safety) complying with all the requirements specified therein including payment of license fees also otherwise specified under sub-regulation (3) of regulation 3 duly stating and undertaking that the applicant shall abide by the Act, rules, regulations and instructions of the Authority issued from time to time.

(2) Any person or manufacturer filing an online application for grant of e-license who intends to use any place for the purpose for which a license is required under section 15 shall submit site plan in triplicate showing-

- (a) the actual area proposed to be used; and
- (b) the location at which various operations connected therewith shall be carried on.
- (c) medical certificate of the workers.

(3) On filing of an online application, the concerned Food Safety Officer shall inspect the proposed site and may recommend the grant of the requisite license if the proposed place or premises conform to the requirements as laid down in sub-regulation (1) for the sale or manufacture of food.

(4) Subject to the Act and these regulations, a license may, at any time, be cancelled or suspended if any of the restrictions or conditions laid down therein are evaded or violated by the licensee, or if he is previously convicted of an offence under the Act, rules or regulations.

(5) Where any license has expired or is cancelled or suspended under sub-regulation (1), the licensee shall, for purposes of the Act and these regulations, be deemed to be without any such license until the license is renewed.

(6) An application for the grant or renewal of a license shall be accompanied by a fee as have been specified in Schedule II.

(7) Every license for purposes of these regulations shall be displayed at a prominent place within the licensed premises and shall be open to inspection by licensing authority, Food Safety Officers, Assistant Food Safety Officers or any person authorized by the Authority.

(8) For purposes of these regulations, any act or omission by an owner or occupier of a premises in respect of which a license has been granted, or by the manager, agent, employee or other person engaged in, or connected with, the trade or business carried on in such premises shall be deemed to be an act or omission by the licensee.

(9) Any person whose application for the grant of a license has been rejected by the Authority, he may file an appeal to the appellate authority which, inter alia, may be entertained where fee of rupees one thousand is paid.

(10) The appellate authority, after making such enquiries as it deems necessary, may either reject the appeal or direct the Authority to issue the license on such conditions and limitations as are necessary or deemed fit under the circumstances of the case.

(11) No application for the renewal of any license that has been cancelled shall be entertained until after a period of not less than three weeks from the date of cancellation, has elapsed.

(12) The Authority shall maintain a record, containing the name, addresses and other relevant particulars of the licensees and applicants for licenses as well as of the concerned premises.

(13) Every license shall be renewed annually.

(14) The Authority shall maintain record of all particulars, so possessed during the disposal of the applications, including the grounds of rejection, if any, annual renewal, cancellation or suspension of license or imposition of a penalty.

(15) Each Food Safety Officer shall provide the particulars regarding the name, address, the nature and the location of the business for which a license has been granted, cancelled or suspended to the Licensing Authority of the area in which the premises is situated.

5. Application for product registration certificate. - (1) Every applicant, in relation to his food business, shall apply for registration of his food product on the prescribed form specified in Schedule IV accompanied by such fees as have been specified in Schedule II;

Provided that in case there are more than one food products required to be registered, separate applications shall be submitted for each such product:

Provided further that the competent authority may, in its discretion, either issue separate product registration certificate in respect of each such food product or a combined certificate if the product is of the same nature.

Provided that the products already registered with PSQCA will be exempt from re-registration with the KP Authority till expiry of the PSQCA license.

(2) Upon receipt of an application under sub-regulation (1), the competent authority may require an extensive and analytical report from the concerned Food Safety Officer including samples, if any, and may, where he is satisfied that the product conforms to the food safety, quality and hygiene standards, issue the product registration certificate or refuse it, as the case may be, after recording reasons there against.

(3) if at any stage it is found that the product does not conform to the food safety, hygiene and quality standard requirements, a product registration certificate may be revoked after giving the food operator a notice of personal hearing.

(4) Where the product registration certificate is issued for the food product, the logo of the Authority so provided to food operators, shall be displayed on such product, may it be manufacturing, processing, import, export, transportation, sale, purchase or storage of any food product contrary where to it shall be deemed to be violation of these regulations punishable under section 27.

Provided that the products registered with PSQCA before notification of these regulations will not require a KP Authority logo. The newly developed products beyond this period, those not registered with PSQCA and the products not included in the PSQCA mandatory list will have to abide by the said clauses of the product registration stated above. The food business operator will have to submit their PSQCA product registration certificate with the Authority and will have to register with KP FS&HFA on the expiry of the PSQCA certificate.

(5) Any person aggrieved by an order under sub-regulation (2) or sub-regulation (3) may either file a review to the competent authority or prefer an appeal under the Act and in the manner as specified under the Appeal Regulations.

6. Terms and conditions for grant of license.-(1) No person shall be granted a license set out in Schedule IV for premises to operate a food business unless a food operator is issued production registration certificate for his food product and the premises complies with or conform to the relevant requirements including Hygiene Guide specified in Schedule III:

Provided that the food operators already registered with PSQCA under the Pakistan standards certification may be deemed to qualify registration under these regulations as a consequent whereof the Authority may allow them the use of KP FSHFA logo as if their product stands registered subject to their registration under regulation 5.

(2) The license shall, in relation to the product registration certificate, be issued so as to authorize the food operator to use his premises only for the undertaking of the specific activities described in the license:

(3) A license granted under these regulations, unless suspended, withdrawn or cancelled by the Authority shall continue to be in force for two calendar years and shall be renewable upon expiration on an application by the licensee accompanied by a renewal fee as specified under Schedule II.

(4) Every license granted under the Act shall be displayed at a prominent place within the licensed premises and shall be open to inspection by Food Safety Officer or any other officer authorized by the Authority in this behalf.

(5) For purposes of these regulations, any act or omission by an owner or occupier of a premises in respect of which a license has been granted, or by the manager, agent, employee or other person engaged in, or connected with, the trade or business carried on in such premises shall be deemed to be an act or omission by the licensee.

7. Improvement notice.- (1) Subject to section 17 of the Act, an improvement notice may be issued by the Food Safety Officer or an Assistant Food Safety Officer or any officer of the Authority or Government authorized in this behalf served upon the food operator if it appears to him that measures or actions are required to secure food in compliance with the provisions of the Act, the rules or the regulations.

(2) The notice under sub-regulation (1) may specify the following:

- (a) provisions of the Act, the rules or the regulations as have been contravened;
- (b) description of the matter, issue or discrepancy which may constitute an offence under the Act, the rules or the regulations which the food operator has failed to comply in due course of time;
- (c) specify the time limit during which the discrepancies are required to be rectified by the food operator up to the satisfaction of the Authority;
- (d) substantial measures which the food operator shall take in order to show compliance, which may include securing the observance of hygienic conditions and other practices in connection with the carrying out of commercial activities in relation to any aspect of food, food premises or food sources.
- (e) any other instruction or direction need to be complied with for the wholesome upkeep of food as may be mentioned in the improvement notice.

(3) Notwithstanding anything contained in the Act, the rules or the regulations, improvement notice shall only be issued or served where the Food Safety Officer has reason to believe that there are such issues or discrepancies which are rectifiable or amendable and that there are no health risks or health hazard involved in connection to any aspect of food.

(4) Improvement notice may be issued or served on the prescribed form set out in Schedule IV.

(5) Where the food operator fails to comply with the instructions or directions contained in improvement notice within the stipulated time; legal proceedings under section 27 of the Act shall be carried out against such non-compliant food operator.

8. Emergency prohibition orders.- (1) The Authority may in considering whether a health risk conditions exists in relation to any food business for justifying the passing of an emergency prohibition orders, the Food Safety Officer shall take into account the level of health risk, the severity of the food safety hazard concerned and the dimensions of food business.

(2) Where there is sufficient evidence available regarding health risk or health hazard and also such risks and hazards are not curable through serving prior notice, the Food Safety Officer shall without further delay pass emergency prohibition order on the prescribed form as set out in Schedule IV.

(3) The order so passed under sub-regulation (2) shall be signed stamped, witnessed and acknowledged by the food operator or his representative and an order shall specify the time duration for which it shall remain enforced.

(4) The emergency prohibition order so passed shall specify the nature of food safety risks or hazards and any conditions which may be fulfilled within stipulated time frame.

(5) A copy of an emergency prohibition order so passed shall be forwarded immediately not later than 24 hours, to the court for further necessary actions in this regard.

(6) The court may confirm the prohibition order in addition to, any other sentence, measure or penalty under the Act, the rules or the regulations which it may deem fit and appropriate in the interest of justice and equity.

(7) A prohibition order may specify time limit or the conditions which are required to be complied with by the food operator.

9. Withdrawal of emergency prohibition order.- (1) A food operator, may, if he considers that the conditions giving rise to the emergency prohibition order are no longer exist or that he has complied with the conditions specified in the order, may apply in writing to the Director General Food Safety and Halal Food Authority for the cancellation or withdrawal of prohibition order.

(2) Where the Director General is satisfied that the conditions giving rise to the prohibition order have been complied with or otherwise there are sufficient grounds of satisfaction, he after recording reasons in writing pass an appropriate order and direct the Food Safety Officer to apply to the court of law for review of the prohibition order passed by that court.

10. Powers and procedure of food recall.- (1) If the Director General has reason to believe that some food is not in compliance with the Act, the rules or the regulations, he may, after recording reasons, order an immediate withdrawal of the said food from the market.

(2) Notwithstanding sub-regulation (1), if the Food Safety Officer on his own or upon the information received from any person, a firm or company either of its initiative or through any other information or otherwise has sufficient reasons or grounds to believe that unhygienic conditions exist at the premises or if food safety or quality issues exist at food manufacturing or processing unit or storage area, he/She has reasons to believe that any wholesaler, distributor, retailer, exporter, importer, consumer is manufacturing, processing, selling, distributing or exporting food product that is unsafe or deficient and violating provisions of the Act, the rules and the regulations, the Director General or any other official to whom DG may delegate the authority, may initiate recall in such situation, the firm or company is required to submit are call alert notification as per Authority immediately but not later than 24 hours.

(3) Recalling firm or company shall stop any further production, processing, packaging, distribution and sale recharging import of the food product under recall without waiting for the Authority so as to ensure that consumer safety is not compromised.

11. Authority may initiate recall.- (1) The Director General may direct a firm or company to initiate a recall if a food product manufactured and distributed by him poses a health hazard or violation or firm has not initiated a recall on its own, the Director General may notify the firm of its determination and the need to begin immediately a recall of the food product such notification will be communicated through letter, e-mail or fax to responsible official of the firm and shall specify the violation.

(2) On such directions, the firm or company shall execute the recall and shall stop any further distribution of the food product under recall so as to ensure that it does not reach the consumer and at the same time the recalling firm shall provide a recall alert and shall inform the Director General of such recall alerts within 24 hours of receipt of recall orders.

12. Standard operating procedures for food recall.-(1) The Director General shall identify the threat which may be of food safety or food quality oriented.

(2) The Director General shall inform the food business operator accordingly and shall offer an opportunity to recall product voluntarily.

(3) If the food operator fails to fully recall the product within stipulated time, the Authority shall seal the premises, whereupon, the Director General shall hold hearing and may order recall of the product in addition to imposition of fine which may extend to one million rupees.

13. Cancellation or suspension of license.-(1) Where any licensee contravenes any condition of the license, or is convicted of an offence under the Act, rules or the regulations, he shall, without prejudice to any other action which may be taken against him, be liable to the cancellation or suspension of his license after affording him reasonable opportunity of showing cause against the proposed action.

(2) Where any license has expired or is cancelled or suspended under sub-regulation (1), the licensee shall, for purposes of the Act and these regulations, be deemed to be without any such license until the license is renewed.

(3) Any person whose application for a license has been rejected or license is cancelled or suspended by the Authority, he may file an appeal within fifteen days of the receipt of an order to the Appellate Authority according to the procedures set out in these regulations.

(4) The Appellate Authority, after making such enquiries as it deems necessary, may either reject the appeal or direct the Authority to issue or reinstate the license on such conditions and limitations as are necessary or may be deemed fit under the circumstances of the case.

14. Renewal of license.-(1) An application for the renewal of a license in the prescribed form as specified in Schedule IV may be duly filled in by identifying-

- (a) the name of the licensee;
- (b) license fee paid there against;
- (c) license number and date of issue;
- (d) location and full particulars of the licensed premises; and
- (e) validity date of the license.

(2) An application for the renewal of a license as may be submitted on the prescribed form specified in schedule IV duly filled in for the grant of a license under this regulation shall be considered by the Authority and an endorsement of renewal of license shall be made on the original license as set out in Schedule IV.

15. Maintenance of record of licensed premises.-(1) The Authority shall maintain a register containing the name, address and other relevant particulars of food operator and his registered and licensed premises.

(2) The register maintained under sub-regulation(1) shall contain complete record of all proceedings and processes including particulars of the disposal of the applications, the grounds of rejection, if any, annual renewal, cancellation or suspension of license, imposition of a penalty and any other notice or measure applied to the food operator under the Act, rules and regulations there under.

16. Specification of forms.- (1) There shall be forms prescribed for the purpose of submitting applications for the grant or renewal of license and registration as specified in Schedule IV.

(2) An application for the grant or renewal of a license or for product registration certificate shall be accompanied by a fee as specified in Schedule II.

Schedule I

see regulation 3(2)

Categories:

- (a) premises for the business of wholesale dealers in margarine, banaspati, fat spreads, animal fat (*hala*), ghee, fish oil, edible oils, spices, confectionary, cereal products, soft drinks aerated water and cold storages;
- (b) creameries, dairies, dairy farms, bakeries, hotels, eating houses and other small scale food manufacturing concerns;
- (c) premises for the manufacture or preparation of:
 - (i) pasteurized /sterilized /UHT milk, milk powder, condensed and evaporated milk, cheese and any other milk products;
 - (ii) edible oils, margarine and banaspati;
 - (iii) biscuits;
 - (iv) canned food;
 - (v) alcoholic drinks and beverages;
 - (vi) bottling factories;
 - (vii) sugar factories;
 - (viii) cereal products; and
 - (ix) natural mineral water/bottled drinking water.

Schedule - II
See regulation 3(3)

LICENSE FEE FOR CERTAIN CATEGORIES OF FOOD BUSINESSES

Category	Premises Name	License Fee (Rs.)	*GST (16 %)	Total license Fee (Rs.)
A	Premises carrying out business of margarine, banaspati, fat spreads, animal fat (Halal), ghee, fish oil, edible oil, spices, cereal products, soft drinks, aerated water, fruits and vegetables, food additives & ingredients and cold storages etc.			
1	Mega Mart/ Whole sale dealer/ Ware houses/Distributor	10000	1600	11600
2	Departmental store/ Large Kiryana Store	5000	800	5800
3	Small Kiryana store, Pan shop	1000	160	1160
4	Fruit and vegetable shops	2000	320	2320
B	Creameries, dairies, dairy farms, bakers, hotels, eating houses and other small scale food manufacturing Concerns.			
1	<ul style="list-style-type: none"> • Hotels and Restaurants located at prominent places including fine dining and ambience Hotels and restaurants. • Fast Food & Restaurant chains 	20000	3200	23200
2	Hotel & Restaurant, Fast food points, marriage/banquet hall with or without kitchen and caterers, fish corner, canteens and mess, creameries, Confectionary (Sweets), & small scale manufacturing units.	10000	1600	11600
3	1. Bakery outlets & Dairy shop Chain 2. Bakery & Dairy Shop without chain	5000 1000	800 160	5800 1160
4	Tandoor without Hotel (Large, Medium, Small) Local cart, Tea stall, Dhaba, Shawarma point, dahibhallay etc.	1000	160	1160
5	Atta Grinding Chakki	1000	160	1160
C	Food manufacturing units	50000	8000	58000
	Other			
1	Product registration certificate fee in respect of food product at Category A	10000	1600	11600
2	Product registration certificate fee in respect of food product at Category B	10000	1600	11600
3	Product registration certificate fee in respect of food product at Category C sold in Districts of Khyber Pakhtunkhwa	10000	1600	11600
4	Contract manufacturing	25000	4000	29000

5	Manufacturing units of food grade Packaging, labeling and Utensils	50,000	8000	58000
6	Govt./Public sector Slaughterhouse	Fees not applicable		
7	Private slaughter house	50000	8000	58000
8	Meat (poultry, beef, mutton and fish shops)	5,000	800	5800

* GST Shall not be applicable to those areas which are exempted from GST.

**Schedule - III
see regulation 5(1)**

**Food and Personal Hygiene
requirements for Food business operators**

This Schedule sets out the general rules of food hygiene throughout the food chain, including primary production, processing, preparing, manufacturing, packing, transporting, storing, distribution, displaying, servicing, donating and selling food to consumers in order to produce safe food that is suitable for human consumption.

The KP Factories act 2013 shall be referenced and adapted as standard operating requirements for food industries while adding more food hygiene and safety related aspects stated in the Schedule III of this Regulation.

1. Responsibilities of a Food Business operator: The food business operator shall ensure the food safety and quality for human consumption, as well as his/her legal and civil obligation for the performance of his/her agents, subordinates and employees as specified in the present law, bylaws, decisions and circulars issued under the same. The food business operator shall particularly, be responsible of the following:

- a) Providing the required documented records, which reflect compliance to the present law, licensing regulation and the related applicable bylaws and decisions of the authorities.
- b) Maintaining all facilities, equipment, containers and vehicles used in connection with primary production and associated operations, including those used to handle and store food, in a clean condition, and where necessary, disinfect them after cleaning in an appropriate manner.
- c) Training the food handlers working in the establishment in the areas of health and food safety and is further committed to obligate any training programs issued by the Authority.
- d) Inform the Authority on any food, under its responsibility, that may pose a risk to consumer's health and the undertaken preventive measures to protect consumer against health risks.
- e) The food business operator shall ensure compliance of the health status of food handlers that the employees so that they remain medically fit for the food business concerned.

2. Food Hygiene requirements: There are certain requirements which are broadly categorized in two main categories:

1) Food Hygiene requirements related to premises and machinery:

Food establishments shall be provided with appropriate facilities and procedures in place to ensure that any necessary cleaning and maintenance is carried out effectively and to an appropriate degree so that the personal hygiene is maintained.

a. Facilities location and design:

The Food establishment shall be located in a suitable location, kept clean and maintained in good condition at all times.

- The location shall be away from polluted and other industrial areas and the areas shall not be prone to pests and rodents. Specifically away from poultry and other animal farms,
- The production site should be of suitable size, location and construction, and be maintained to reduce the risk of contamination and facilitate the production of safe and hygienic finished products.
- Materials used for the internal structure of buildings should be durable, prevent buildup of dirt, easy to clean and maintain, and safe for staff.

b. Machinery and production line design:

The layout of the production line should allow easy maintenance and cleaning of machinery and surroundings and prevent contamination of the food products and ingredients during the production process. The design of machinery used for food processing shall comply with the below sanitary design as per international standards:

- Cleanable to a microbiological level
- Made of compatible materials
- Accessible for inspection, maintenance, cleaning and sanitation
- No product or liquid collection
- Hollow areas hermetically sealed
- No niches
- Sanitary operational performance
- Hygienic design of maintenance enclosures
- Hygienic compatibility with other plant systems
- Validate cleaning and sanitizing protocols

c. Pest control:

Adequate procedures must be in place to control pests and prevent domestic animals from having access to places where food is prepared, handled, transported or stored.

- Food shall be stacked to leave enough space from walls and above the floors to avoid any pest infestation and allow proper ventilation and ease of cleaning.
- The layout of the food premises shall permit good food hygiene practices, including protection against cross-contamination, pest access and infestation.
- Buildings should be kept in good repair and condition to prevent pest access and to eliminate potential infestation sites. Holes, drains and other places where pests are likely to gain access should be kept sealed.

d. Waste management:

The Food establishment shall provide appropriate containers and suitable waste storage areas. Establish adequate procedures for the storage and removal of waste.

- Food waste, non-edible by-products and other refuse shall be separate and removed from rooms where food is present as quickly as possible to avoid their accumulation and any risk of cross-contamination.
- All waste shall be eliminated in a hygienic and environmentally friendly way.
- The drainage channels shall be fully or partially open, they shall be designed so as to ensure that waste does not flow from a contaminated area towards or into a clean area, in particular an area where high risk food is handled.

e. Cleaning:

Establish cleaning and disinfection programs to ensure the correct hygiene standards are met and reduce the risk of a foodborne illness outbreak. This includes:

- proper cleaning and disinfecting food preparation areas as well as machinery and utensils used within the food processing cycle to eliminate the microorganisms that cause disease and / or food poisoning.
- Adhere to the correct cleaning processes to reduce the risk of pests such as rodents, flies and cockroaches in food preparation and processing areas by removing potential food sources and insect breeding sites.

- Provide potable water for cleaning, disinfection, and hand washing facilities otherwise, disposable items shall be used. Facilities for washing food should be separate from the hand-washing facilities.
- Ensure the fitness and cleanliness of animals intended for slaughtering and meat production. (full stop missing)
- Protect food from hazards related to contamination from air, soil, water, feed, fertilizers, pesticides, biocides, veterinary drugs, fecal contamination and cleaning and disinfection agents.
- Sort food and food ingredients in order to segregate/discard material which is unfit for human consumption.
- Dispose of any rejected material in a hygienic manner, as described in the provisions relevant to food waste stated in this regulation.

f. Maintenance:

Maintain all facilities, equipment, containers and vehicles used in connection with primary production and associated operations, including those used to handle and store food, in a clean condition, and where necessary, disinfect them after cleaning in an appropriate manner. Establish proactive maintenance measures for premises and food processing machinery for sustained production of safe and hygienic foods:

- Pests such as rats and mice shall be avoided to damage machines perform through gnawing at the power cables and contaminating the components that have direct contact with the products.
- Ensure that structures within the food establishment are built of durable materials that are easy to maintain, clean and, where necessary, disinfect.
- Working surfaces (including surfaces of equipment) in food contact areas shall be made of washable corrosion-resistant and non-toxic material and maintained in a sound condition, be durable and allow for easy cleaning and disinfection.
- Wood surfaces and cutting boards made from wood are not allowed.
- Opening of exhaust fans should be covered to prevent dust and pest.

g. Personal hygiene:

Food handlers shall maintain a high degree of personal cleanliness and shall wear suitable, clean and protective clothing while handling food such as hair nets, gloves, masks, beard covers. Following factors must be considered to ensure personal hygiene:

- Food handlers shall always wash and, where necessary disinfect their hands, including the start of food handling activities, immediately after using the toilet and after handling raw food or any contaminated material.
- Food handlers shall refrain from behaviours that may result in contamination of food such as wearing of jewellery, smoking, spitting, chewing, eating, sneezing, coughing over uncovered food or any other related behaviour.
- Food handlers suffering from or being a carrier of a disease likely to be transmitted through food shall not be permitted to handle food or enter any food-handling area if there is any likelihood of direct or indirect contamination.
- Personnel with cuts and wounds, who are permitted to continue working, shall cover them by suitable waterproof dressings.

h. Health status of Food handlers:

The food business operator shall ensure, concerning the health status of food handlers, all food establishments shall ensure that:

- The medical fitness of its food handlers and shall acquire a medical fitness certificate in accordance with the regulations issued in this respect.
- Food handlers are medically fit to work and maintain records of absences for infected employees or carriers of any disease that may pose a risk to food safety.
- Directing food handlers suffering from or being a carrier of a disease to report immediately any symptoms that may pose a risk to food safety. Resumption of duties must not be allowed, unless they are medically examined prior to returning to work, for 48 hours after symptoms have ceased.
- Food handlers shall be free from infectious gastrointestinal illnesses, Tuberculosis, infected skin lesions or cuts on exposed parts of the body, any discharge from eyes, ear, nose or mouth or acute streptococcal sore throat, including symptoms of jaundice, diarrhoea, vomiting and fever.

i. Environmental hygiene:

Food processing facilities shall pay attention to reduce the risk of accidental environmental contamination during the food processing cycle. Standard food safety practices shall be applied to ensure the chemicals stored and used on food processing premises do not contaminate the food products at any stage in production. Measures shall be exercised to eliminate any possible effects of sudden wind storm, dust storms and hazardous rain storms.

j. Correct handling, storage & transport:

Appropriate food safety measures have to be applied during handling, storage and transportation, for both incoming deliveries and products going out to customers. A range of factors needs to be considered during these stages to ensure food products do not become contaminated.

- Temperature throughout the food chain shall be monitored and verified to ensure that the food is safe and being maintained at the correct temperature.
- Foods shall maintain the following temperatures:
 - a. Maintaining refrigerated /chilled food below (5)°C.
 - b. Maintaining frozen food at or below (-18)°C.
 - c. All other foods, including shelf stable, shall be maintained at suitable temperature that prevent risk to human health, as appropriate for the safe keeping of particular food.
- Where cooked potentially hazardous foods are to be held or served, they shall be either held chilled at temperatures below (5)°C or hot at temperature of (63)°C or above for a maximum of two hours.
- Transport of food shall be carried out in such a way to prevent any contamination of the food, to maintain its integrity and at the appropriate temperatures.
- Food items shall be physically separated from non-food items during transport.
- Ready-to-eat and raw foods transported in the same vehicle shall be adequately separated to avoid cross contamination

k. Staff training:

The food business operator shall ensure that food handlers are trained and demonstrate knowledge and skills in food safety & good hygienic practices, as applicable to their assigned tasks, and have further obtained the official food safety training programs certification.

- Food handlers shall be trained to acquire the necessary knowledge and skills to enable them handle food hygienically.
- Those who handle strong cleaning chemicals or other potentially hazardous chemicals shall be instructed in safe handling techniques.
- All employees shall be provided with a summary of these hygiene regulations in understandable language. Casual workers or temporarily employed staff in the food business shall also receive relevant training on Food Hygiene.
- Areas which staff should be trained about include:
 - Hand hygiene
 - Safe food storage practices
 - Safe food handling practices
 - Cleaning for food safety
 - Pest control
 - Relevant HACCP levels training

l. Mobile and Temporary Food Establishments (marquees, tents, market stalls, carts, mobile sales vehicles etc):

Mobile/temporary food premises shall comply with any applicable provisions in this regulation as related to the types of activities in the specific establishment.

As reasonably practicable, mobile and temporary food establishments shall:

- Be located away from direct sunlight, in a manner to ensure protection of food and avoid contamination with the outside environment, if possible.
- Be designed, constructed, kept clean and maintained in good condition to avoid any risk of food contamination. Exterior surfaces shall be constructed of weather resistant material.
- Equipment used in the storage and preparation of food shall be easy to clean and where necessary disinfected, sufficient in number and capacity, with sufficient space between floors and walls. All parts coming into contact with food shall be removable to enable adequate cleaning.
- Floors, if not made of solid material, shall be covered with suitable stable materials to prevent exposure to dust and sand.
- Provide potable water for cleaning, disinfection, and hand washing facilities. Otherwise, disposable items shall be used.
- Have an adequate supply of filtered air, potable water and a safe system of waste disposal.
- Where necessary, toilet facilities shall be conveniently located within the immediate vicinity.

m. Food safety Management system:

The food business operator shall develop, implement and maintain a food safety management system based on the Hazard Analysis and Critical Control Point (HACCP) principles.

When any modification is made in the product or the process, the food business operator shall review and revise the relevant procedure accordingly.

3. Food Safety and hygiene requirements related to Processing and Production:

Apart from the above general globally prescribed requirements as per the codex alimentarius, there are certain requirements presented in Pakistan Pure Food ordinance applicable in Pakistan to ensure safe and

hygienic processing of food and related products. The KP FS&HFA will devise its own set of food safety standards through a consultative process after establishment of an expert committee with respect to the Expert committee regulations of the Authority. The existing pure food ordinance will continue to be applicable in KP until the KP Pure food rules/Food safety standards are formed. The below requirements needs to be abided by as the case may be:

- a. **Food additives:** the addition to any article of food of any food additive, in contravention to the ones prescribed in the Pakistan pure food ordinance is prohibited. Natural color used in food shall be pure, made of Halal ingredients, free from extraneous matter and adulterants.
- b. **Preservatives:** the use of preservative or preservatives shall be restricted to the limit up to which the use of such preservative or preservatives is permitted for the food or groups of food contained in such mixture as prescribed in Pure Food rules and made of Halal ingredients.
- c. **Flavoring:** The addition to any article of food of any flavoring agent, which is not permitted in the Pakistan Pure Food Rules shall be deemed illegal. No food shall contain any flavoring agent, which are by themselves toxic or contain contaminant materials which are toxic, the flavoring agents shall be made of -- check--Halal ingredients according to the Pakistan Pure food rules.
- d. **Antioxidants:** the anti-oxidants permitted in Pakistan Pure Food Rules may be used in permitted flavoring agents in concentration not exceeding 0.01 percent and made of Halal ingredients.
- e. **The machinery and equipment:** used in the process of manufacturing should be of food grade material and in good sanitary condition and shall not be in such state which is likely to affect the quality of food or make it harmful to consume.
- f. **Covering:** Every vessel containing the food or ingredients for manufacturing of food shall be covered all the time with the tight fitting cover, lid or gauze in order to protect the food from dirt, flies and insects etc. and should be kept in a safe place away from impure air and harmful gasses.
- g. **Packaging:** All the wrappers, containers and packaging material should be of food grade material which will not contaminate the food or make it harmful.

Part III Unhygienic food and offenses

4. **Unsafe/Unhygienic food.**--A person or company, who manufactures for sale, service, stores, distributes imports or exports any unsafe food, shall be liable,-
 - a) where the unsafe food does not result in injury to a person, to a fine which shall not be less than two hundred thousand rupees and not more than two million rupees; in default of fine for a simple imprisonment for a term not less than six month and not more than one year;
 - b) where such unsafe food results in injury to any person, to a fine which shall not be less than four hundred thousand rupees or not more than two million rupees; and default of fine simple imprisonment which shall not be less than one year and not more than two year; and
 - c) where such unsafe food results in death of a person, to imprisonment for a term which may extend to imprisonment for life and fine which shall not be less than two million rupees.
5. **Compensation in case of injury or death of a consumer.**--(1) In case of injury or death of a consumer due to unsafe food, the Court, in addition to any other penalty under this Act, shall direct the food operator or firm to pay compensation to the consumer or, as the case may be, the legal heirs of the consumer, an amount which is-
 - a) not less than three million rupees in case of death; and

b) not exceeding five hundred thousand rupees in case of injury.

(2) If the food operator or firm fails to pay the compensation under this section, the Food Safety Authority shall recover the compensation as arrears of land revenue and make payment of the recovered amount to the consumer or, as the case may be, the legal heirs of the consumer.

6. **Offences by companies.**---(1) Where an offence under this Act has been committed by a Company, every person, who at the time of the commission of the offence, was in charge of the Company shall be liable to punishment for the offence and the Company shall also be liable to the punishment of fine or compensation specified for the offence.

(2) Notwithstanding anything contained in sub-section (1), where it is proved that the offence is attributable to any neglect on the part of any director, manager, secretary or other officer of the Company, such director, manager, secretary or other officer shall also be liable to punishment for the offence.

PRESCRIBED FORMS
AND LICENSES



Category A

DG/KPFSHA/ _____
Sr. No. _____

Sub Category _____
Date _____

APPLICATION FORM FOR THE GRANT OF LICENSE UNDER THE
KHYBER PAKHTUNKHWA FOOD SAFETY & HALAL AUTHORITY ACT,2014

To

The Director General,
KP Food Safety & Halal Authority,

Subject: LICENSE FOR STORE/WHOLE SALE/DISTRIBUTION

Part-I

I/we hereby apply for the license as per subject noted above pursuant to the provisions of section 15, of the Khyber Pakhtunkhwa Food Safety & Halal Authority Act,2014, for carrying on business of _____

درخواست دہندہ کا نام

Name of Applicant _____

گھر کا پتہ

Residential Address: _____

فون نمبر

Landline No. _____

موبائل نمبر

Cell No. _____

والد یا شوہر کا نام

Father/Husband Name: _____

شناختی کارڈ نمبر

CNIC No. _____

فیکس

Fax: _____

ای میل

Email: _____

کاروبار کا نام

Business Name: _____

کاروبار شروع کرنے کی تاریخ

Business Starting Date: _____

کاروبار کا پتہ

Business Address: _____

مکمل رقبہ

Total Area (In Sq. ft) _____

استعمال شدہ رقبہ

Covered Area (In Sq.Ft) _____

جگہ کی نوعیت (کرایہ دار زمینی ملکیت)

Land Status (own Land/on rent) _____

کام کرنے والوں کی تعداد

Number of Food Handlers _____

لائسنس فیس

License Fee _____

ٹاؤن کا نام

Town Name _____

بنک چالان نمبر

Bank Challan Slip No. _____

فیس جمع کروانے کی تاریخ

Deposit Date _____

پرانے لائسنس نمبر

Previous License No. _____

معینہ مدت

Valid From _____ To _____

I/we will abide by the rules and regulations and at all times adopt and cause to be maintained in good order and efficient action upon the premises, all such appliances or means as the Khyber Pakhtunkhwa food safety and Halal authority from time to time require for the purpose of minimizing danger to life and property or preventing, abating, or minimizing any nuisance, annoyance or inconvenience to the neighborhood or to the public from the use of which the premises is put. Furthermore, whatever has been declared is true and nothing has been concealed. If there are any changes in future with regard to the information provided in the form, the same shall be immediately reported to the Deputy Director (Licensing), KP food safety & Halal Authority Peshawar.

Thanks.

Signature of Applicant

Application Recipient: _____ Designation: _____

Note:

For Downloading of Forms visit our Website

.....

For Further Information Contact Us:

Address:

Email

Part-II

Detail of Distributor from where products are being purchased

Sr.No.	Brand Name	Category of Product	Product Name	Product Registration No. (if Any)	Manufacturing Firm

(Use extra sheets for more products)

Detail of Water Purification Plant

Water Source(underground/wasa)	
Type of plant (reverse osmosis, ultra, violet, ultra-filtration)	
Manufacturer/Dealer of water purification plant	
License No. of Manufacturer/Dealer of water Purification plant	
Plant capacity Ltr/hr	
Bottle sterilization (Yes/No)	
Method	
Purification dealer of bottles	
Sample code	

(Use extra sheets for more products)

Detail of Dairy Shops

Supplier Name	Address	CNIC No	Contact No.	Area	Vehicle No.	Quantity Ltrs

Part-II

Detail of Distributor from where products are being purchased

Sr.No.	Brand Name	Category of Product	Product Name	Product Registration No. (if Any)	Manufacturing Firm

(Use extra sheets for more products)

Detail of Water Purification Plant

Water Source(underground/wasa)	
Type of plant (reverse osmosis, ultra, violet, ultra-filtration)	
Manufacturer/Dealer of water purification plant	
License No. of Manufacturer/Dealer of water Purification plant	
Plant capacity Ltr/hr	
Bottle sterilization (Yes/No)	
Method	
Purification dealer of bottles	
Sample code	

(Use extra sheets for more products)

Detail of Dairy Shops

Supplier Name	Address	CNIC No	Contact No.	Area	Vehicle No.	Quantity Ltrs

Part-III

The Application Should Contain

- Block plans showing the actual area so intended to be used
- The location at which the various operations connected therewith are to be carried on
- Receipt of fee for the grant of license
(The concerned License fee may be deposited in the Bank.....)
- Two passport size photograph and one photocopy of CNIC
- Medical Certificates of the food handlers (employees) engaged in the business
- For renewal of license attached copy of previous license

I/we will abide by the rules and regulations and at all times adopt and cause to be maintained in good order and efficient action upon the premises, all such appliances or means as the Khyber Pakhtunkhwa food safety and Halal authority from time to time require for the purpose of minimizing danger to life and property or preventing, abating, or minimizing any nuisance, annoyance or inconvenience to the neighborhood or to the public from the use of which the premises is put. Furthermore, whatever has been declared is true and nothing has been concealed. If there are any changes in future with regard to the information provided in the form, the same shall be immediately reported to the Deputy Director (Licensing), KP food safety & Halal Authority Peshawar.

Thanks.

Signature of Applicant

Application Recipient: _____ Designation: _____

Note:

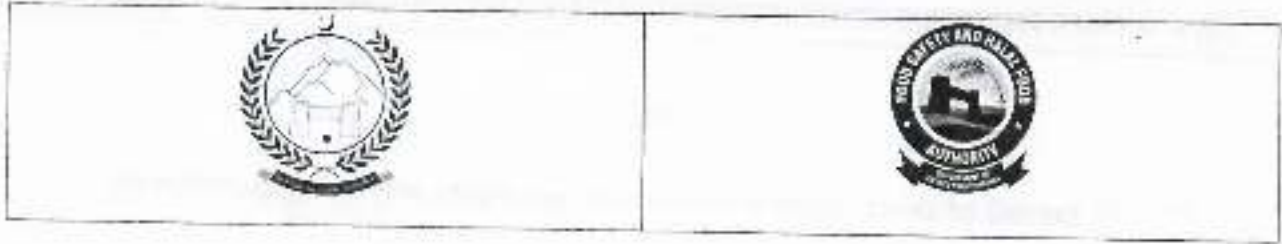
For Downloading of Forms visit our Website

.....

For Further Information Contact Us:

Address:

Email



Category C

DG/KPFSHFA/ _____
Sr. No. _____

Sub Category _____
Date _____

**APPLICATION FORM FOR THE GRANT OF LICENSE UNDER THE
KHYBER PAKHTUNKHWA FOOD SAFETY & HALAL AUTHORITY ACT, 2014**

To

The Director General,
KP Food Safety & Halal Authority,

Subject: LICENSE FOR MANUFACTURING/PROCESSING OF FOOD ITEMS

Part-I

I/we hereby apply for the license as per subject noted above pursuant to the provisions of section 15, of the Khyber Pakhtunkhwa Food Safety & Halal Food Authority Act, 2014, for carrying on business of _____

درخواست کنندہ کا نام

Name of Applicant _____

گھر کا پتہ

Residential Address: _____

فون نمبر

Landline No. _____

موبائل نمبر

Cell No. _____

والد یا شوہر کا نام

Father/Husband Name: _____

شناختی کارڈ نمبر

CNIC No. _____

فیکس

Fax: _____

ای میل

Email: _____

کاروبار کا نام

Business Name: _____

کاروبار شروع کرنے کی تاریخ

Business Starting Date: _____

کاروبار کا پتہ

Business Address: _____

مکمل رقبہ

Total Area (In Sq. ft) _____

استعمال شدہ رقبہ

Covered Area (In Sq.Ft) _____

جگہ کی نوعیت (کرایہ دار رانی ملکیت)

Land Status (own Land/on rent) _____

کام کرنے والوں کی تعداد

Number of Food Handlers _____

لائسنس فیس

License Fee _____

ٹاؤن کا نام

Town Name _____

بنک چالان نمبر

Bank Challan Slip No. _____

فیس جمع کروانے کی تاریخ

Deposit Date _____

پہلا لائسنس نمبر

Previous License No. _____

معینہ مدت

Valid From _____ To _____

Part-II

Detail of Distributor from where products are being purchased

Sr.No.	Brand Name	Category of Product	Product Name	Product Registration No. (if Any)	Ingredients

(Use extra sheets for more products)

• **Sources of Ingredients**

• **Local Ingredients**

Sr.No.	Name & Address of Supplying Firm	Detail of Ingredients	Supplying firm's License No.

(Use extra sheets for more products)

Important Ingredients

Sr.No.	Name & Address of Supplying Firm if the company is directly importing then write "Self"	Detail of Ingredients	Supplying firm's License No.

Detail of Warehouses

Sr.No.	Address of warehouse	Contact No.

Detail of Distributors

Sr.No.	Name & Address of Distributor	Contact No.

Detail of Retailers if Any

Sr.No.	Name & Address of Retailer	Contact No.

Part-III

The Application Should Contain

- Block plans showing the actual area so intended to be used
- The location at which the various operations connected therewith are to be carried on
- Receipt of fee for the grant of license
(The concerned License fee may be deposited in the Bank.....)
- Two passport size photograph and one photocopy of CNIC
- Medical Certificates of the food handlers (employees) engaged in the business
- For renewal of license attached copy of previous license

I/we will abide by the rules and regulations and at all times adopt and cause to be maintained in good order and efficient action upon the premises, all such appliances or means as the Khyber Pakhtunkhwa food safety and Halal authority from time to time require for the purpose of minimizing danger to life and property or preventing, abating, or minimizing any nuisance, annoyance or inconvenience to the neighborhood or to the public from the use of which the premises is put. Furthermore, whatever has been declared is true and nothing has been concealed. If there are any changes in future with regard to the information provided in the form, the same shall be immediately reported to the Deputy Director (Licensing), KP food safety & Halal Authority Peshawar.

Thanks.

Signature of Applicant

Application Recipient: _____ Designation: _____

Note:

For Downloading of Forms visit our Website

.....

For Further Information Contact Us:

Address:

Email



KHYBER PAKHTUNKHWA FOOD SAFETY & HALAL FOOD AUTHORITY
GOVERNMENT OF KHYBER PAKHTUNKHWA

Category
A1

Food Laws
Implementation

INSPECTION OF PREMISES FOR THE GRANT OF LICENSE

Under the provision of section 15 of the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act.2014 you are required to inspect the premises as mentioned below and submit report within three (3) days.

i) File No. _____

ii) Deposit Fee (Rs.) _____ (A1)

(Date/Category)

iii) Name of Premises _____

Assistant Director (Licensing)

Deputy Director (Licensing)

File received

Date _____

Food Safety Officer

Signature

Report of the Food Safety Officer received on _____

Premises ID _____ Premises Name _____

Area _____ Address _____

کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی

جرمانہ فارم

دفتر 16 کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی ایکٹ 2014ء

یکم نمبر _____ سرین نمبر _____

1- نام و پتہ مزہم _____

2- شناختی کارڈ نمبر _____

3- جملہ تھیوریٹ جرم مندرجات _____

4- تاریخ جرم _____

5- جرمانہ رقم (ہندسوں میں) _____

(الحاق میں) _____

6- نوٹ: تاریخ اجائی جرمانہ _____

7- جرمانہ کی رقم بینک _____ کی کسی بھی برانچ سے

برانچ کوڈ (کوڈ نمبر) _____ (اکاؤنٹ نمبر) _____ پیش ور میں جمع کروائی جاسکتی ہے۔

8- اصلاحاتی قسم _____

9- دائرہ رسد صحت مجوز اتھارٹی _____

10- دستخط و نشان انٹرویو مزہم _____

11- دستخط و بر مجاز نمبر _____

(معلقہ برائے مجاز نمبر)

کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی

نوٹس برائے فوڈ لائسنس

(زیر دفعہ 15، کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی ایکٹ 2014ء)

نمبر _____

رہید نمبر _____

بنام: _____

پتہ: _____

کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی ایکٹ 2014ء کی دفعہ 27 (1) کے مطابق کوئی بھی شخص مقررہ رجسٹریشن اور فوڈ لائسنس کے بغیر کسی بھی جگہ کو ایشیا خورد و نوش کے کاروبار کرنے کے لیے استعمال نہیں کرے گا۔ مزید برآں اس ایکٹ کی دفعہ 27 (2) کے مطابق خلاف ورزی کرنے والے کو ایک سال تک قید کی سزا اور ایک لاکھ سے زائد روپے تک جرمانہ ہو سکتا ہے۔ ایشیا خورد و نوش کا کاروبار کرنے والے تمام اشخاص کو مطلع کیا جاتا ہے کہ مندرجہ بالا قانون کی روشنی میں بعد از جلد فوڈ لائسنس بنوانے سے صورت دیگر قانونی چارہ جوئی کے ساتھ ساتھ آپ کے کاروبار کی جگہ کو مزید بھی پایا جاسکتا ہے۔

اسسٹنٹ ڈائریکٹر فوڈ سیفٹی اور فوڈ سیفٹی آفیسر

تاریخ _____

ضلع _____

تاریخ _____

کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی

نوش خوردہ رقمہ 17 کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی ایکٹ 2014

_____ سپر _____
 _____ سپر _____
 _____ سپر _____
 _____ سپر _____

<p>ا۔ جس کو پیشہ ورانہ طور پر جاننے والے افراد اور اداروں کی طرف سے م۔ کوڑوں اور فضلے کی ترسیل کو س۔ کوڑوں اور فضلے کو جمع کرنے ج۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے د۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>ا۔ جگہ کی صفائی</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے س۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>ب۔ کارخانوں کی باہر اور چھوٹی سیٹھانیاں</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>پ۔ اشیاء خوردہ نوش بنانے والے اجزاء</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>ج۔ اشیاء خوردہ نوش کی تیاری میں</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>ج۔ اشیاء خوردہ نوش کی تیاری میں استعمال ہونے والے آلات</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>ج۔ اشیاء خوردہ نوش کو محفوظ کرنا</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>د۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>د۔ کھانے کی چیزوں اور مشروبات کا تدارک</p>
<p>ا۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے م۔ کوڑوں اور فضلے کو ہٹانے کے لیے کام کرنے</p>	<p>د۔ دیگر</p>

یہ اٹھارہ سبب سے زیادہ اشیاء خوردہ نوش کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی کے زیر نگرانی رہیں گی۔
 اس کے تحت کوئی اور چیز نہیں شامل ہے۔
 اس کے تحت کوئی اور چیز نہیں شامل ہے۔
 اس کے تحت کوئی اور چیز نہیں شامل ہے۔

اس سبب سے زیادہ اشیاء خوردہ نوش کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی کے
 کے پی فوڈ سیفٹی اینڈ حلال فوڈ اتھارٹی

FORM 5

(Section 12)

KP Food Safety and Halal Food Authority Act, 2014



To
The Public Analyst
KPK Food Safety and Halal Food Authority

Sir,
I herewith submit the following sealed samples for analysis and report under section 12 of the KP Food Safety and Halal Food Authority 2014.

Sr No	Sample Number	Article	Price Paid	Date	Time	Vendor's Name and Address	Remarks
1							
2							
3							
4							
5							
6							
7							
8							

ASSISTANT DIRECTOR FOOD SAFETY / FOOD SAFETY OFFICER:
Specimen of seal used: _____



FORM II
FORM FOR LICENSE UNDER SECTION 15
 THIS LICENSE IS NOT TRANSFERABLE & FEE IS NOT REFUNDABLE

No.



Se No. _____, DG/KP/SHFA/20

In Pursuance of the Provision of section 15 of the KP Food Safety and Halal Food Authority Act, 2014, License to operate a food business is hereby issued to

Mr./Ms./Mrs _____ For the

_____ to 31st December 20 _____ to use premises

located at _____ measuring _____

square feet for the purpose of _____

Category: A
 Director General
 KP Food Safety &
 Halal Food Authority



FORM 8
FORM FOR LICENSE UNDER SECTION 15
 THIS LICENSE IS NOT TRANSFERABLE & FEE IS NOT REFUNDABLE

Book No. _____

License No. _____/DG/KPFS

In Pursuance of the Provision of section 15 of the KP Food Safety and Halal Food Authority Act, 2014, License to operate a food business is hereby issued to

Mr./Ms./Mrs _____ For the Period _____ to 31st December 20 _____ to use premises

located at _____ measuring _____ square feet for the purpose of _____

Subject to the restriction laid down in the rules and conditions stated below: -

1) This license is valid only for the premises above specified that is for the number of rooms, godowns or space mention therein and as shown in block plan attached with the license and if the licensee anytime during the period of this license desires to use any additional room, godowns or space for the purpose aforesaid, he must obtain previous sanction from the Food Authority for doing so.

2) If the licensee vacates or gives up the possession of premises during the period of this license, he shall forthwith inform in writing, the licensing authority he is no longer using the premises.

3) The licensee shall cause the built-up portion of premises to have the following

- a. Floors constructed of concrete or other impervious material, smooth properly drained and drains provided with traps clean and in good repairs.
- b. Walls and ceiling having smooth, washable light-colored surface clean and good repairs
- c. Doors and windows provided with effective means to prevent the access of flies and to screen the outer air, the doors shall be self-closing
- d. Lighting on all working surface shall be adequate
- e. Ventilation sufficient to avoid smoke, oil fumes accumulating in structures and on equipment
- f. Effective means for protection and contamination from insects and rodents
- g. Toilet rooms wherever provided shall bear a sign and self-closing doors not opening into any room used for handling or storing of food
- h. Water supply which is easily accessible, adequate and of a safe sanitary quality
- i. Convenient hand washing facilities with water, soap and clean towels
- j. Cold storage facilities for perishable articles

4) The licensee shall cause the open and inbuilt portion of the premises and their surroundings to be kept at all times in a clean and sanitary condition and shall ensure the construction of any latrine, cesspool, cow shed, stable, manure heap or other insanitary place within the premises which in the opinion of the food authority is undesirable, that the premises should be used for the business aforesaid.

5) The licensee shall not use or permit to be used any portion of the premises for dwelling or cooking purpose

6) The licensee shall keep and maintain a register required by section 15 of the KP Food safety and Halal Food Authority Act, 2014 in the form prescribed in the rules/food standards and shall keep it at all times for inspection of the officers authorized

7) The licensee shall at all times adopt and cause to be maintained in good order and efficient action upon the said premises all such appliances or means as may be required by the Authority may from time to time to require for the purpose of minimizing danger to life and property or preventing, abating or minimizing any nuisance annoyance or interference to the neighborhood or to the public from the use of which the premises are put

Category: A

_____ and maintain in good repair sanitary and use metal sanitary dust bins of approved pattern and size for the disposal of their contents daily

Director General
 KP Food Safety &
 Halal Food Authority



Category: B



FORM 8
FORM FOR LICENSE UNDER SECTION 15
 THIS LICENSE IS NOT TRANSFERABLE & FEE IS NOT REFUNDABLE

License No. _____/DG/KP/FSHA/20



In Pursuance of the Provision of section 15 of the KP Food Safety and Halal Food Authority Act, 2014, License to operate a food business is hereby issued to

Mr./Ms./Mrs. _____ For the

period _____ to 31st December.20_____ to use premises

located at _____ measuring _____

square feet for the purpose of _____

Category: C

Director General
 KP Food Safety &
 Halal Food Authority



FORM 8
FORM FOR LICENSE UNDER SECTION 15
 THIS LICENSE IS NOT TRANSFERABLE & FEE IS NOT REFUNDABLE

Book No. _____

License No. _____/DG/KP/

In Pursuance of the Provision of section 15 of the KP Food Safety and Halal Food Authority Act, 2014, License to operate a food business is hereby issued to

Mr./Ms./Mrs. _____ For the Period _____ to 31st December 20_____ to use

located at _____ measuring _____ square feet for the purpose of _____

Subject to the restriction laid down in the rules and conditions stated below: -

- 1) This license is valid only for the premises above specified that is for the number of rooms, godowns or space mention therein and as shown in block plan attached with this license and if the licensee anytime during the period of this license desires to use any additional room, godowns or space for the purpose aforesaid, he must obtain sanction from the Food Authority for doing so.
- 2) If the licensee vacates or gives up the possession of premises during the period of this license, he shall forthwith inform in writing, the licensing authority he is licensee.
- 3) The licensee shall cause the built-up portion of premises to have the following:
 - a. Floors constructed of concrete or other impervious material, smooth properly drained and drains provided with traps clean and in good repairs.
 - b. Walls and ceiling having smooth, washable light-colored surface clean and good repairs.
 - c. Doors and windows provided with effective means to prevent the access of flies and to screen the outer air, the doors shall be self-closing.
 - d. Lighting on all working surface shall be adequate.
 - e. Ventilation sufficient to avoid smoke, off odors accumulating in structures and on equipment.
 - f. Effective means for protection and contamination from insects and rodents.
 - g. Toilet rooms wherever provided shall bear a sign and self-closing doors not opening into any room used for handling or storing of food.
 - h. Water supply which is easily accessible, adequate and of a safe sanitary quality.
 - i. Convenient hand washing facilities with water, soap and clean towels.
 - j. Cold storage facilities for perishable articles.
- 4) The licensee shall cause the open and inbuilt portion of the premises and their surroundings to be kept at all times in a clean and sanitary condition and shall ensure the construction of any latrine, cesspool, cow shed, stable, manure heap or other insanitary place within the premises which in the opinion of the food authority is undesirable, that the premises should be used for the business aforesaid.
- 5) The licensee shall not use or permit to be used any portion of the premises for dwelling or cooking purpose.
- 6) The licensee shall keep and maintain a register required by section 15 of the KP Food safety and Halal Food Authority Act, 2014 in the form prescribed in the rules/food standards and shall keep it at all times for inspection of the officers authorized.
- 7) The licensee shall at all times adopt and cause to be maintained in good order and efficient action upon the said premises all such appliances or means which the Authority may from time to time require for the purpose of minimizing danger to life and property or preventing, abating or minimizing any nuisance annoyance or interference to the neighborhood or to the public from the use of which the premises are out.
- 8) The licensee shall be providing on the premises and maintain in good repair sanitary and use metal sanitary dust bins of approved pattern and size for the trade refuse and sweepings and make proper arrangements for the disposal of their contents daily.

Director General
 KP Food Safety &
 Halal Food Authority



FORM 9

FORM OF DECLARATION
(ADMISSION AS EVIDENCE UNDER SECTION 14)
KP FOOD SAFETY AND HALAL FOOD
AUTHORITY ACT 2014



Book No. _____

S No _____

1. Name of the person giving sample _____
2. Name of the owner _____
3. Place where sample is taken _____
4. Number assigned to the sample _____
5. Application nature and description of the food _____
If any, one container/packages
6. Quantity taken for sample _____
7. Amount of money paid for sample _____
8. Food Purchased/Imported Form _____
9. Brief Description of advertisement _____
10. Quantity in Hand _____
11. Description of specimen of the seal applied _____
12. If divided into three parts and if one received _____
13. Remarks _____

Copy Received _____

Place _____

Date and Time _____

SIGNATURE AND ADDRESS OF THE PERSON
GIVING THE SAMPLE AND MAKING THE
DECLARATION

SIGNATURE OF THE OFFICER TAKING SAMPLE

GOVERNMENT OF KHYBER PAKHTUNKHWA
KP FOOD SAFETY AND
HALAL FOOD AUTHORITY

Schedule V

Halal Food compliance requirements

This Schedule sets out the general rules for Halal food compliance throughout the food chain, including primary production, processing, preparing, manufacturing, packing, transporting, storing, distribution, displaying, servicing, donating and selling food to consumers in order to comply with Halal food standards in accordance to Islamic Law. (1) These Halal compliance regulations are issued for the guidance for the KP FS&HF Authority enforcement officers on Halal food issues.

(2) Food Safety Officer and Assistant Directors Food safety shall use this schedule when planning inspections, food sampling and labeling checks relating to Halal foods and to take appropriate enforcement actions.

(3) Food Safety Officer and Assistant Directors Food safety shall consider action, where appropriate, against food business operators who sell and wrongly describe Halal foods, in the same way as they would for any contravention of food law in food premises generally.

1. **Food Law and Halal requirements:** There are many similarities between aspects of Halal requirements and aspects of food law. A Halal food business operator must not only comply with food law but with the Islamic Shariah (Law) related to food. The requirements of the Islamic dietary laws are that:

- a) Meat, and other foods, including food ingredients, whether home-produced or imported, must be Halal.
- b) Meat must be obtained from Halal sources, e.g. an abattoir must have the facilities and personnel to undertake Halal slaughter.
- c) Meat must be wholesome and meet food safety requirements - if meat is unfit for human consumption it cannot be considered Halal, even if slaughtered in the prescribed manner.

2. **Criteria for Halal Foods:** The term halal may be used for foods which are considered lawful. Under the Islamic Law, for the purpose of Halal compliance the Lawful and unlawful sources of food including their products and derivatives are stated below:

- a) **Lawful foods:** The Animals source food should be of those permitted to be eaten (as Halal) by Muslims, such as sheep, goats, cattle, camels, poultry, rabbits, non-predatory animals and birds, etc. The properties of Lawful foods are stated below:

- i. The animal should be alive or deemed to be alive at the actual time of slaughter and slaughter must be carried out in compliance with Islamic Shariah and the Welfare of Animals (Slaughter or Killing) Regulations 1995.
- ii. Animals/birds must be slaughtered by severance of neck arteries and jugular veins.
- iii. No pork or pork ingredients must be present in the food.
- iv. No alcohol or other intoxicants must be used.
- v. Any animal product, such as gelatine, must be produced only from animals prescribed and slaughtered in accordance with the Islamic Shariah.
- vi. Any animal fat or meat must come from animals prescribed Halal and slaughtered in accordance with the Islamic Shariah.
- vii. Any preparation area and the equipment/utensils used should be kept in such a manner as to prevent cross contact, contamination or mixing Halal food with non-Halal food.

b) Unlawful foods: The unlawful or Haram Foods are categorized as below:

i. Unlawful Food of Animal Origin

- Pigs and boars.
- Dogs, snakes and monkeys.
- Carnivorous animals with claws and fangs such as lions, tigers, bears and other similar animals.
- Birds of prey with claws such as eagles, falcons, vultures, and other similar birds.
- Pests such as rats, centipedes, scorpions and other similar animals.
- Animals forbidden to be killed in Islam i.e., ants, bees and woodpecker birds.
- Animals which are considered repulsive generally like lice, flies, maggots and other similar animals.
- Animals that live both on land and in water such as frogs, crocodiles and other similar animals.
- Elephants, mules and donkeys.
- Carrion, strangled and fatally beaten animals

- All poisonous and hazardous aquatic animals.
- Dead animals through unlawful treatment or which has been dedicated to any other than God
- Any other animals not slaughtered according to Islamic Law.
- Blood.
- ii. **Unlawful Food of Plant Origin:** Intoxicating and hazardous plants except where the toxin or hazard can be eliminated during processing.
- iii. **Drink:**
 - Alcoholic drinks.
 - All forms of intoxicating and hazardous drinks.

iv. **Food Additives**

All food additives derived from Items i, ii and iii above in the unlawful foods sections. For additional information on food additives, the Halal Food E numbers annex shall be referred for categories of Halal, Mushbooh and Haram food additives stated in the to be developed KP Pure Food regulations 2018.

3. SLAUGHTERING Standard operating procedures

All lawful land animals should be slaughtered in compliance with the rules laid down in the Codex Recommended Code of Hygienic Practice for Fresh Meat and the following requirements:

- a) Animal and birds should have preferably been raised in a natural environment.
- b) Their feed should not contain animal-based products.
- c) Animals and poultry at farms or homes must be cared for properly. They must be fed and watered before slaughter.
- d) They must receive ante-mortem inspection so that only healthy animals are brought in for slaughter.
- e) In the slaughterhouse animals must not be able to see other animals being slaughtered, nor must they have sight of blood. This requires area to be kept clean before the next slaughter.
- f) There must be no cruelty to animals or poultry at any time.
- g) The person should be an adult Muslim who is mentally sound and knowledgeable of the Islamic slaughtering procedures.

- b) The slaughter man must be a Muslim, who has been properly trained and licensed where such rules are in force.
- i) All slaughtering must be carried out in a licensed slaughterhouse.
- j) The management shall ensure that sufficient resources (i.e. manpower, facility, financial and infrastructure etc) are provided in order to implement the internal halal control system.
- k) The management must keep the record of animals to be used for slaughtering.
- l) The management must keep the record and identification procedures from slaughtering of the animal till the release of final product.
- m) The management will ensure the installation of CCTV cameras in abattoir which should be under the supervision of the KP FS&HFA.
- n) The animal to be slaughtered should be lawful according to Islamic law.
- o) The animal to be slaughtered should be alive or deemed to be alive at the time of slaughtering.
- p) Places where pigs are slaughtered should be avoided.
- q) The phrase "Bismillah, Allah ho Akbar" (In the Name of Allah, Allah is the Greatest) should be invoked immediately before the slaughter of each animal.
- r) The slaughtering device should be sharp and should not be lifted off the animal during the slaughter act.
- s) The slaughter man must use a sharp knife (which must not be sharpened in front of the animal and shall be free from blood and other impurities). He must sever the jugular veins and carotid arteries as well as the oesophagus and trachea to hasten the bleeding and death of the animal. The act shall not cut the spinal cord as this restricts convulsion, which in turn restricts the pumping out of the blood from the animal body, as the bleeding shall be spontaneous and complete.
- t) A trained Muslim inspector shall be appointed and be responsible to check that animals are properly slaughtered or not.
- u) Stunning is not recommended.
- v) Carcass should be saved from all potential hazards during slaughtering and should be washed immediately with water after slaughtering.
- w) Any carcasses found unfit on post mortem inspection must not be used for food for human consumption.
- x) At all times the meat and general hygiene regulations must be complied with.

4. Condition of the Abattoir

- a) The abattoirs shall comply to the general hygiene principles stated in Schedule III and shall also follow the below standards specific to abattoirs.
- b) Employee's toilets and changing rooms should be maintained and isolated from the slaughtering and processing area, and should be maintained in clean conditions.
- c) To control the risk of meat contamination premises should be designed, constructed or renovated in such ways which enable the proper process flow.
- d) Loading and unloading bay should be appropriately designed to allow effective transfer of meat in good hygienic condition.
- e) Animal sheds should be properly cleaned to protect animal from diseases transmitted through bad surrounding.

5. Slaughtering Area

- a) The Slaughtering area shall comply to the general hygiene principles stated in Schedule III and shall also follow the below standards specific to Slaughtering areas.
- b) Slaughtering and processing premises should be dedicated for halal slaughtering and halal processing only.
- c) Processing of carcasses such as deboning, cutting, packing and storing should be done in the same premises as slaughtering or in approved premises by the KP FS & HFA that meet the requirements of the standards.

6. Equipment and Utensils

- a) Presence of adequate facilities for the enforcement of pre-slaughtering inspection.
- b) Equipment's and utensils should be maintained in proper conditions and should be repaired/ replaced as per requirement and standards, to keep the condition of blast freezers/plate freezers/chillers/cold/frost room as well as chilling vans fit for the working conditions.
- c) Meat should not be prepared, processed or manufactured using equipment that is contaminated with things that are najis as decreed by Shariah law.
- d) Freezing/chilling equipment should always be monitored to check the variation of temperature so that it may not cross the critical limit.

7. Health and Training of Workers

- a) The Medical fitness standards stated in Hygiene Schedule III shall be complied for staff in the slaughterhouse and in contact with Meat and meat products
- b) Medical fitness certificates of food handlers should be available in the premises.
- c) Procedure of reporting back after recovery from disease should be documented.

8. PREPARATION, PROCESSING, PACKAGING, TRANSPORTATION AND STORAGE

All food should be prepared, processed, packaged, transported and stored in such a manner that it complies with the definitions Section 2 (l) and 2 (m).

9. ADDITIONAL PACKAGING AND LABELLING REQUIREMENTS

Meat should be suitably packed. Packaging materials should be food grade in nature and should fulfil the following requirements.

- a) The packaging materials should not be made from any raw materials that are decreed as najis by shariah law; and should fulfill the food safety standards i.e chemically and microbiologically safe.
- b) The packaging material should not have any toxic effect on the halal meat; and packaging design, sign, symbol, logo, name and picture should not be misleading and/or contravening the to be developed KP Pure Food Regulations, 2018.
- c) For consumer information slaughter and expiry date must be written on card attached with the carcasses.
- d) The carcasses should be marked with food grade markers for their identification.
- e) Packing process should be carried out in clean and hygienic manners and in sound sanitary conditions.
- f) Labelling material in direct contact with the product should be non-hazardous and halal.
- g) The meat of the slaughtered animal will only be sold at the company outlets registered with the KP FS&HFA.
- h) When a claim is made that a food is halal, the word halal or equivalent terms should appear on the label.

- i) In accordance with the Codex General Guidelines on Claims, claims on halal should not be used in ways which could give rise to doubt about the safety of similar food or claims that halal foods are nutritionally superior to, or healthier than, other foods.

10. Meat Recall/ Return

After the meat is delivered, it should be recalled/returned into abattoir under following conditions.

- a) In case of any complaint received from the customer about the meat quality, immediate arrangements should be available to return/receive the meat back into abattoir and to dispose it off.
- b) The meat should also be recalled if quality assurance department comes to know that quality of the meat is not up to the standards.

11. Restriction on slaughter of animals

Following animals should not be slaughtered.

- a) A female sheep or goat below the age of one year and six months.
- b) A male sheep or goat below the age of three months.
- c) A calf below the age of four months.
- d) A female sheep or goat of the age exceeding one year and six months but not exceeding four years, which is pregnant or fit for breeding purpose.
- e) A female animal other than sheep or goat below three years of age.
- f) Animal that is declared Haram as per Shariah law.

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