

वाई. एस. मलिक, भा.प्र.से.
अतिरिक्त सचिव एवं
मुख्य कार्यकारी अधिकारी

Y. S. Malik, IAS
Additional Secretary &
Chief Executive Officer



भारतीय खाद्य संरक्षा एवं मानक प्राधिकरण
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
भारत सरकार
FOOD SAFETY AND
STANDARDS AUTHORITY OF INDIA
Ministry of Health & Family Welfare
Government of India

D.O. No. 32/Livestock/Adv/FSSAI/2014
November 24, 2014

Dear Sh. Aier,

As you would be aware, several animal welfare organizations have expressed concerns about the alleged illegal functioning of slaughterhouses in the states. A number of undesirable practices have also been brought to our notice in this behalf. Hon'ble Supreme Court of India has also directed all the States /UTs to constitute State Level Committees for monitoring of slaughterhouses in the matter of *Laxmi Narain vs. Union of India* and to ensure that appropriate practices are followed by them.

2. The initiatives call for up-gradation of infrastructure facilities in the slaughterhouses and training of the personnel engaged in the actual operations in the slaughterhouses commonly referred to as the 'butchers'. FSS Act and Regulations have also prescribed certain legal requirements that are required to be implemented. These include availability of requisite infrastructure in the slaughterhouses, implementation of hygiene conditions, compliance with animal welfare measures in terms of transportation and training of the workers.

3. The FSSAI has sent a communication to the Food Safety Commissioners of all the states/UTs as well as to the Administrative Secretaries in-charge of Urban Local Bodies requesting them to ensure compliance with the legal provisions as well as animal welfare measures. Copies of all relevant provisions under the Act and the Regulations have also been forwarded to them. I am also enclosing a copy of the letter sent by FSSAI to them and request you to kindly have appropriate steps initiated for ensuring compliance with the directions of the Hon'ble Supreme Court of India as well as the provisions of the FSS Act and Regulations.

4. A meeting of the Central Advisory Committee (CAC) of FSSAI has been scheduled to be held on 29th December, 2014. Food Safety Commissioners of the States/ UTs are members of the CAC. We propose to discuss this matter in the meeting to review the status of implementation of the court directions and FSS Act and Regulations. I shall be grateful, if the State Food Safety Commissioner comes prepared with a clear action plan in this regard.

With regards,

Yours sincerely,

Y. S. Malik
(Y. S. Malik)

ofc
24/11/14
5:35PM
Shri M.T. Aier, IAS
Chief Secretary
Government of Nagaland
Nagaland Civil Secretariat, Kohima-790001

F. No. 32/Livestock/Adv./FSSAI/2014
Food Safety & Standards Authority of India
(Ministry of Health & Family Welfare, Government of India)
FDA Bhawan, Kotla Road, New Delhi - 110 002

November 14, 2014

Subject: Enforcement of legal provisions and regulations regarding Meat and Meat Products, operations and management of slaughterhouses, and animal handling practices - regarding.

Several animal welfare organizations have expressed concern about the alleged slaughter houses functioning illegally in different states, and have drawn attention to a number of undesirable practices being followed, such as:

- (i) Several slaughter houses have been operating in many states without having been granted licenses/ registered under FSS (Licensing and Registration of Food Business) Regulations, 2011;
- (ii) Slaughter of animals much beyond the permitted capacity wherever licenses have been issued by the Urban Local Bodies;
- (iii) Absence of requisite infrastructure in the slaughter-houses;
- (iv) Stunning and animal handling norms are not being followed;
- (v) Road-side slaughter units, where live birds are kept and slaughtered, do not have the basic infrastructure for stunning / handling and to maintain hygiene;
- (vi) A number of cases where the veterinary officers / supervisors are failing to carry out health checks on the animals and overlook the procedures put in place;
- (vii) Hygiene norms and hygienic practices are not being followed/maintained in actual practice;
- (viii) Slaughter of animals in the presence of young children at the slaughter houses in the name of their training etc.
- (ix) Transportation of livestock - non-compliance with the regulations and violation of the code of practices.

2. Legal provisions on the above subject are mandatory for all concerned besides adoption of good practices for proper handling of the animals as also to ensure that the meat and meat products are safe and hygienically prepared for the consumers. It has been brought to notice that several slaughterhouses have been operating in many states/UTs without having been granted licenses/ registered under FSS (Licensing and Registration of Food Business) Regulations, 2011. It is further noted that Urban Local Bodies appear to have taken a view that licenses have to be issued by them under their respective Municipal laws and not under the FSS regulations. The provisions of Section 89 of the Food Safety and Standards Act, 2006 as given below, are brought to your notice in this behalf:-

“89. Overriding effect of this Act over all other food related laws.

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act”.

Thus, all slaughterhouses are required to be licensed / registered under the FSS (License and Registration) Regulations, 2011, in line with the above provisions. It may kindly be ensured that no abattoir/ slaughterhouse operates without a valid license/ registration.

3. Your kind attention is further invited to the following legal provisions:

- (i) Part IV of Schedule IV under FSS (Licensing and Registration of Food Business) Regulation provides for the **“Specific Hygienic and Sanitary Practices to be followed by Food Business Operators engaged in manufacture, processing, storing and selling of Meat and Meat Products”**. A copy of these provisions is enclosed at **Annex-I**.
- (ii) Regulation 2.5 [Meat & Meat Products] of the Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011 notified by the Authority under the FSS Act, 2006;
- (iii) The Code of Practice for Transportation of Livestock is detailed in a document on Indian Standards No. IS 14904:2007 of “Transport of Livestock - Code of Practice” developed by BIS, copy of which is enclosed at **Annex-II**.

4. The Hon’ble Supreme Court of India has directed all the States and UTs to constitute State Committees for Slaughterhouses within the specified time vide its orders dated 23.0.2012 in Writ Petition (C) No. 309 of 2003 – *Laxmi Narayan Modi vs. Union of India and Others* and as sought compliance by the States and the UTs.

5. Needless to say, it is important that the above mentioned legal provisions, rules and regulations are followed in letter and spirit and that the concerns expressed with regard to handling of animals are addressed in a befitting manner. While complying



with the aforesaid legal provisions, the States and UTs may take the following measures/ steps, in particular:

5.1 Requisite infrastructure for Slaughter Houses

- (i) It may also be noted that adequate provisions have been outlined for the requisite infrastructure for the slaughterhouses. However, it is noted that this infrastructure is largely absent in most of the existing slaughterhouses. It is, therefore, imperative that necessary budgetary provisions are made for upgrading the infrastructure of the state supported slaughterhouses in the States/ UT. Wherever these are operated as private business enterprises, the private operators be called upon to make provision for the same in a time bound manner.
- (ii) It is further observed that road side slaughter units, where live birds are kept and slaughtered, do not have the basic infrastructure for stunning/ handling and to maintain hygiene. This is detrimental to the health of consumers and is also against animal welfare.
- (iii) Mandating the installation of CCTV cameras at all strategic positions in the slaughterhouses may prove to be an effective deterrent to the continuation of any such undesirable practices in order to ensure that stunning and hygiene norms and hygienic practices are actually maintained. Database of such footage must be maintained and audited. It is therefore, necessary to disallow such units in case they are unable to maintain the required infrastructure and hygiene within a defined time frame.

5.2 Transportation of Livestock

A reference to the Legal provisions and the Code of Practice on the Transportation of livestock has been made under para 3 above. The States/ UTs are requested to ensure enforcement of the said provisions. As a matter of fact, undesirable practices adopted in the course of transportation of livestock can also be addressed under the provisions of Prevention of Cruelty to Animals Act and the rules framed thereunder. It is strongly recommended that, wherever feasible, enabling provisions may also be made in the Motor Vehicles Act to ensure proper transportation of animals.

5.3 Training of the personnel engaged in the business of slaughter of animals:

- (i) A CD, showing videos of slaughtering of animals in a rather cruel manner, is enclosed herewith. It is reported that animals are also slaughtered in the presence of young children for their training. Since, slaughtering of animal is done manually, it is extremely important to maintain hygiene to prevent contamination that may compromise with the health of consumers. Unless the butchers are trained properly, appropriate practices will not get implemented.

It is, therefore, important to provide compulsory training to the personnel engaged in all slaughterhouses, big or small, commonly referred to as 'butchers'.

- (ii) The Indian Council of Agricultural Research, Ministry of Agriculture, issued instructions to the National Research Centre (NRC) on Meat, Hyderabad to develop the syllabus for one - month training to the butchers. A copy of the syllabus prepared by NRC Meat, Hyderabad is enclosed at **Annex- III**. The state governments/ UTs are strongly urged to organize training programmes for the target groups in collaboration with the NRC Meat, Hyderabad as well as Department of Animal Husbandry of your State/UT. As a matter of fact, in case your state has any university dealing with the subject of Animal Sciences, this training could be imparted in these universities. FSSAI will be happy to share the training costs for the training programmes, on the basis of specific proposals received from the States/ UTs in this behalf.

5.4 Enforcement of Legal provisions:

It has also been brought to our notice that animals not allowed to be slaughtered under FSS Act and Regulations are also getting slaughtered illegally. A communication has been sent to all the Food Safety Commissioners of different States / UTs on 06/08/2014, wherein the provisions of the FSS (Food Products and Food Additives) Regulations, 2011 have been brought to the notice of the State Governments/ UTs so that necessary steps can be taken to prohibit slaughter of animals other than those allowed by these regulations. A copy of the letter issued by FSSAI is at **Annex-IV** and we would request compliance with these regulations in addition to all other legal provisions.

6. It has been decided to hold the next meeting of the Central Advisory Committee (CAC) of FSSAI on the 29th December 2014. It is proposed to discuss and review the above enforcement issues and plans. It would be appreciated if the State Food Commissioners come prepared with their action plan on the above points so that we together delineate a future roadmap on the subject.



(S. Dave)

Advisor - FSSAI

Phone: 011-2323.7436

To,

1. All Food Safety Commissioners
2. Secretary, Urban Local Bodies in all States/UTs

CC: CEO, FSSAI

CC: PS to Chairperson, FSSAI