

**Call for Expression of Interest for Inspection/ Auditing of  
Food Business Operators**

Food Safety and Standards Authority of India

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Ministry of Health & Family Welfare, Govt. of India  
FDA Bhawan, Kotla Road,  
New Delhi-110 002

### **“Call for Expressions of Interest for Inspection/ Auditing of Food Business Operators”**

Food Safety and Standards Authority of India (FSSAI) has been established under the provisions of Food Safety and Standards Act, 2006 as a statutory body for laying down science based standards for articles of food and to regulate manufacture, storage, distribution, sale and import of food so as to ensure availability of safe and wholesome food for human consumption.

The FSSAI, under Section 44 of FSS Act, 2006 intends to authorise Certification/ Auditing Bodies for Inspection/ Auditing of Food Business Operators. Certification bodies which are already empanelled with FSSAI need not apply.

For any queries related to EOI the interested agency can contact **Dr. D.S. Yadav, Deputy Director (Enforcement II), Food Safety and Standards Authority of India, Ministry of Health & Family Welfare, Government of India, FDA Bhawan, Kotla Road, New Delhi-110 002 (Phone No.011-23231681) on or before 22<sup>nd</sup> January, 2013 by 3:00 pm.** The EOI should be accompanied with a payment of Rs. 3000/- & Rs. 5,000/- (Non-refundable) for Level 1 and Level 2 Agencies respectively, by Demand Draft/ Pay Order payable at New Delhi in favour of **“Senior Accounts officer, Food Safety and Standards Authority of India”**. The EOI document can be downloaded from FSSAI’s website at <http://www.fssai.gov.in>. The FSSAI reserves the right to accept or reject any or all the offers at any stage of the process without assigning any reason thereof and no claim/dispute on this aspect shall be entertained.

**(Dr. S.S. Ghonkrota, IAS)**  
**Director (Enforcement),**  
**Food Safety & Standards Authority of India,**  
**FDA Bhawan, New Delhi-2**

## INSTRUCTIONS TO THE APPLICANT

### **Background**

Under section 44 of the Food Safety & Standards Act, 2006, the FSSAI may recognise any organisation or agency for the purposes of food safety audit and checking compliance with Food Safety Management System required under the Act or the rules and regulation made thereunder. FSSAI have to conduct inspections of FBO's for granting the license and also subsequent inspections of existing FBO's for checking the compliance level.

Keeping in view the emphasis placed by the Act on self-compliance, it is necessary for the FSSAI to put in place detailed guidance documents on food safety requirements. This will enable FBOs to assess themselves against these requirements and retain evidence of their due diligence in this regard. FSSAI has prepared manual of FSMS under FSS Act, 2006. The Act also specifies that the primary responsibility for safety is on the food business operators and for this appropriate food safety management system is essential. Thus there is requirement of annual audit of each FBO.

For the inspection/ auditing of FBO's, FSSAI intends to empanel and engage services of Inspection / Auditing Bodies accredited for carrying out Inspection/ Auditing of FBO's.

### **2. Scope of work**

The broad Scope of work is at **Annexure I**.

### **3. Eligibility Criteria**

The eligibility criteria are mentioned under Pre- Qualification criteria Point No.2.

### **4. Authorized Signatory**

The 'Applicant' mentioned in the EOI document shall mean the one who has signed the EOI document forms. The applicant should be the duly Authorized Representative of the interested agency for which a certificate of the interested agency will be submitted with FSSAI. All certificates and documents (including any clarifications sought and any subsequent correspondence) received hereby, shall, as far as possible, be furnished and signed by the Authorized Representative.

### **5. Bid processing fee & Availability of EOI**

The EOI document can also be downloaded from FSSAI's website at <http://fssai.gov.in> which can be submitted **on or before 22<sup>nd</sup> January, 2013 by 3:00 pm** along with a sum of Rs. 3000/- (non-refundable) for Level 1 Agencies and Rs.5000/- (non-refundable) for Level 2 Agencies in the manner indicated above at the time of proposal submission.

## 6. Submission of Proposal

6.1 The proposal complete in all respects shall be submitted in sealed envelope super scribed as “**EOI for Inspection/ Auditing of Food Business Operators**” to Receipts & Dispatch Section, Food Safety and Standards Authority of India, Ministry of Health & Family Welfare, Govt. of India, 3<sup>rd</sup> Floor, FDA Bhawan, Kotla Road, New Delhi-110 002 **on or before 22<sup>nd</sup> January, 2013 by 3:00 pm.**

## 7. Documents to accompany EOI

7.1 The applications shall be complete with the following documents:

- Expression of Interest in **Form – I.**
- Details of experience in auditing food industry (at least for the last 3 years)
- Details of Financial status of the applicant in **Form-II.**
- Details of staff working in the organisation along with Name, Educational qualification, experience and trainings etc.
- Details of number of food establishments inspected/audited during the last 1 year.
- Self certified copy of documents establishing that organisation has been accredited by any National or International Accreditation Body (Copy of Registration or Accreditation Certificate).
- Any other information required in support to the scope of work.

7.2 Every sheet and all forms complete in all respects shall be signed by the person/ persons duly authorized to sign on behalf of the applicants with affixing the applicant’s rubber stamp. The Power (s) of Attorney on 50 Rs. stamp paper authorizing the signatory shall be enclosed with the offer. Any / all corrections made in the proposal shall be duly authenticated by the signature of the Authorized Signatory.

## 8. Amendment to EOI

The FSSAI, may for any reason, whether at its own initiative or in response to a clarification requested by a prospective applicant, modifies the EOI document by an amendment.

## 9. Evaluation

The procedure of evaluation of the proposals is indicated at **Annexure-II.**

## 10. Time Period

The services of the empanelled Inspection Body/ Auditing Body will be engaged for 3 years and as per work requirement basis and could be discontinued by FSSAI without assigning any reason thereof.

## **11. Rejection of EOI**

The application is liable to be rejected if:

- a) The application is not covered in proper sealed cover with superscription as indicated in para 6 above.
- b) Not in prescribed form and not containing all required details.
- c) Not properly signed.
- d) Offer is received by fax, telegram or e-mail & not followed /supported by the prescribed documents.
- e) Proposal received without cost of EOI document if downloaded from website.

Further, applicant is required to furnish a declaration regarding exclusion criteria strictly in the format as given at **Annexure-III**.

## **12. Disclaimer**

12.1 The FSSAI reserves the right

- To reject any / all applications without assigning any reasons thereof.
- To relax or waive any of the conditions stipulated in this document as deemed necessary in the best interest of the Food Authority without assigning any reasons thereof.
- To include any other item in the Scope of work at any time after consultation with applicants or otherwise.
- To determine the number of Inspection/ Auditing Body to be empanelled taking into account the existing/likely workload.
- For further details kindly refer to the Guidelines for Accreditation of FSMS Assessment Agencies.

## **PRE-QUALIFICATION CRITERIA**

### **1. Preliminary examination for the applications**

1.1 The FSSAI shall examine the applications to determine whether they are complete, whether the documents have been signed as indicated in this document, whether all Forms as asked have been filled in properly, whether applications are generally in order and all information as indicated under various clauses have been furnished.

1.2 The FSSAI reserves the right to waive minor deviations in the proposal application if they do not materially affect the capability of the applicant to perform the assignment.

1.3 Prior to detailed evaluation formalities, the FSSAI shall determine the substantial responsiveness of each application to the Invitation documents. A substantially responsive proposal is one which conforms to all the terms and conditions of the Invitation document without any material deviation. A material deviation is one which limits in any way responsibilities and liabilities of the applicant as required in this document. The FSSAI may waive any minor infirmity or non-conformity in an application which does not constitute material deviation. Non-responsiveness shall run the risk of rejection.

1.4 The evaluation shall be carried out on the basis of data available in the application documents received from the agency in the first instance. No account will be taken of any further documents or clarifications or any such additional information furnished subsequently by the applicant. However, the FSSAI reserves the right to call for such clarifications confined in scope to the contents of the application, should such a clarification become necessary for proper judgment in evaluation.

### **2. Eligibility**

The proposals will be screened on the basis of the following essential eligibility criteria: -

**Level 1 Agencies:** These are agencies applying to conduct assessment for only those FBOs whose turnover is less than 50 lakhs per annum.

1. The Applicant Agency should have a minimum of two years' experience in auditing Food industries. Documentary evidence and details to be provided to support the experience.
2. Should have access to technically qualified personnel equivalent to qualification mentioned in FSS Rules and well-experienced strong in-house or empanelled resource base.
3. The applicant should furnish an undertaking to the effect that the Applicant Agency has never been black listed in India or abroad.

**Level 2 Agencies:** These are agencies applying to conduct assessment for all FBOs, irrespective of turnover.

1. The Applicant Agency should have a minimum of two years' experience in auditing Food industries. Documentary evidence and details to be provided to support the experience.
2. The applicant Agency should be accredited, in FSMS, by a National or International Accreditation Body, which is an IAF member.
3. Should have access to technically qualified personnel equivalent to qualification mentioned in FSS Rules and well-experienced strong in-house or empanelled resource base.
4. The applicant should furnish an undertaking to the effect that the Agency has never been black listed in India or abroad.

**SCOPE OF WORK**

The FSSAI intends to empanel and engage services of Inspection Body/ Auditing Body for carrying out Inspection/ Auditing of FBO's, as per section 44 of the Act, 2006. The interested accredited Inspection/ Auditing body before submitting their proposal should satisfy themselves on the following points:

- 1) The services of the empanelled Inspection/ Auditing bodies will be engaged initially for 3 years and as per work requirement basis and could be discontinued by FSSAI without assigning any reason thereof.
- 2) The accredited inspection/auditing agency will be required to carry out the following jobs assigned by the Authority from time to time: -
  - a) To inspect Food Business Operators as per the inspection report formats defined by FSSAI.
  - b) To conduct periodical food safety annual audit of food businesses on the requirement of FBO's.
  - c) To make Food Safety Management Systems plans for FBO's and issue certificate to that effect.
  - d) To impart training to Food Business Operators regarding Food Safety Management Systems.
  - e) Any other related assignment which the Authority may deem fit in the public interest.

*FSSAI has defined FSMS & issued FSMS manuals and checklists for inspection, procedures which have to be followed, FSSAI may be revising or designing fresh formats for various activities like training, guidance audit etc. from time to time. The Agencies have to comply with those as well. Charges for inspection/audit/plan will also be notified by FSSAI. If the same agency is providing training, guidance and making food safety plan cannot conduct audit/inspection & vice versa is also true. They have to submit a certificate of "No conflict of interest" along with inspection/audit reports.*



## EVALUATION PROCEDURE

- (1) The proposals will be evaluated on the basis of the eligibility criteria at para 2 of the section on Pre-qualification criteria and the Agencies which qualify will be evaluated as per evaluation procedure which will carry maximum marks of 100. The maximum marks for each component of proposal is as under:

	<b>Max Marks</b>
<b>1.0 General Experience of the firm In FSMS</b>	20
<b>2.0 Relevant experience</b>	
2.1 Professional supervision (No. of assignments etc.)	30
<b>3. Key staff on permanent basis</b>	25
3.1 No:	10
3.2 Qualification and experience	5
<b>4. Financial/Technical strength of the firm</b>	25
4.1 Financial strength based on last three years audited accounts.	15
4.2 Physical presence in the country.	5
4.3 Accreditation certificates	5

These could be inspection/product certification against client's standards. For inspection, FSSAI assessment team would judge the acceptability of standards based on FSMS requirements and regulations of FSSAI.

**APPLICANT'S DECLARATION REGARDING THE EXCLUSION CRITERIA**

To be completed and signed by the applicant and to be included in the EOI application

**Food Safety and Standards Authority of India**

Ministry of Health & Family Welfare, Govt. of India,  
3<sup>rd</sup> & 4<sup>th</sup> Floor, FDA Bhawan,  
Kotla Road, New Delhi-110 002

**Ref: Expression of Interest for Inspection/ Auditing of Food Business Operators**

Concerned Inspection/ Auditing Bodies shall be excluded from participation if:

1. They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matter, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
2. They have been convicted for an offence concerning their professional conduct by judgment which has the force of res judicata;
3. They have been guilty of professional misconduct proven by any means which the contracting authority can justify;
4. They have not fulfilled obligations in respect of payment of social security contribution or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is performed;
5. They have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the communities' financial interests;
6. Following another procurement procedure or grant award procedure financed by the community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

In response to your call for expression of interest, I/We hereby declare that I/we:

- Am/are not in any of the situations excluding me/us from participation contracts (and will produce the corresponding certificates if so requested)
- Agree to abide by the highest ethical standards in the profession and, in particular, have no potential conflict of interest;
- Will inform the Authority immediately if there is any change in the above circumstances at any stage during the tender procedure or during the implementation of the project;
- Fully recognize and accept that any inaccurate or incomplete information deliberately provided in this tender may result in my/our exclusion from this or other contracts funded by the Authority

(Signature of the applicant or of authorized representative  
Along with Office seal)

## EOI Letter Performa

To  
**Director (Enf)**  
**Food Safety and Standards Authority of India,**  
 Ministry of Health & Family Welfare, Govt. of India,  
 FDA Bhawan, Kotla Road,  
 New Delhi-110 002

**Sub:** Expression of Interest for **Inspection/ Auditing of Food Business Operators**

Sir,

The undersigned having read and examined in detail all the EOI documents pertaining to the proposals for preparing Food Safety Management System Framework, do hereby express the interest to do the work as specified in the scope of work.

2. Correspondence details:

1.	Name of the Inspection/ Auditing Body	
2.	Address	
3.	Accreditation Number of Organisation	
4.	Name of Accrediting Organisation	
5.	Contact person with Designation	
6.	Telephone (with STD code)	
7.	Mobile No. of the contact person	
8.	E-mail of the contact person /Website address of the	

	Organisation (if any)	
9.	Fax No. (with STD code)	
10.	Current Operational areas of work	
11.	Inspection/ Auditing Record i.r.f. FSMS of past one year	

3. Documents forming part of EOI

We have enclosed the followings:

- Expression of Interest in Form – I.
- Complete set of documents as per point 7.1 of EOI documents

4. I/ We hereby declare that my/ our EOI is made in good faith and the information contained is true and correct to the best of my/ our knowledge and belief.

Thanking you,

Yours faithfully,

(Signature of the Applicant)

Name:

Designation:

Seal:

Date:

Place:

**FINANCIAL STATUS OF THE APPLICANT**

Fill in the blanks for each of the last three fiscal years, duly certified by Chartered or Public Account or Chamber of Commerce or Banks.

	2009-10	2010-11	2011-12
1. Share Capital (INR)			
2. Paid up Capital (INR)			
3. Free Reserve (Gross) (INR)			
4. Unallocated Balance Surplus (INR)			
5. Expenses not written-off (INR)			
6. Total assets (INR)			
7. Total liabilities (INR)			
8. Current credit resources (INR)			
9. Contingent Liability (INR) (give in details)			
10. Total profit before tax (INR)			
11. Total profit after tax (INR)			
12. Total loss (gross) (INR)			
13. Turnover from contracting during the financial year (INR)			
14. Bank References and address			

(Place & Date)

(Name & Signature)