



GOVERNMENT OF BALOCHISTAN
Balochistan Food Authority

Dated Quetta, the 15th June, 2022

NOTIFICATION

No. BFA-HQ//Legal/Oper: Rules(V-I) /30. In exercise of the powers conferred by section 56 of the Balochistan Food Authority Act, 2014 (Act VI of 2014), the Balochistan Food Authority, with the approval of Government of Balochistan, is pleased to make the following rules, namely:-

- 1. Short title and commencement:-** (1) These rules may be called as “**The Balochistan Food Authority (Food Recall Procedure) Rules, 2022.**”
(2) They shall come into force at once.

PART-I

DEFINITIONS

- 2. Definitions:-** In these rules, unless there is anything repugnant;
- (a) “**Act**” means the Balochistan Food Authority Act, 2014 (VI of 2014);
- (b) “**Authority**” means the Balochistan Food Authority;
- (c) “**Food**” means as defined in the Act;
- (d) “**Food Recall**” means action taken to remove a marketed food from distribution, sale and consumption which is the substandard, unsafe, adulterated, misbranded, mislabeled or is in violation of provisions of the Act, the rules made thereunder;
- (e) “**Food Business Operator**” means any person who undertake, whether or not for profit, carrying out any of these activities related to any stage of manufacturing, processing, packing, storage, transportation, distribution of food, imports and exports and includes food services, catering services, sale of food or food ingredients.
- (f) “**Recall Order**” means an order passed by the Director General in terms of section 20 (1) of the Act;
- (g) “**Voluntary Recall**” means withdrawal of any substandard, adulterated, misbranded, mislabeled food from the market by the food operator, the firm or company on its own or upon the directions by the Authority as the case may be.

(2) An expression used in these rules but not defined shall have the same meaning as assigned to it under the Act.

PART – II

3. Powers and Procedure of Food Recall: (1) If the Director General has reason to believe that some food is not in compliance with the provisions of the Act, rules, or the regulations made thereunder, he may, after recording reasons, order immediate withdrawal of the said food from the market.

Notwithstanding the generality of sub rule (1), if the Food Safety Officer on his/her own or upon the information received from any person or otherwise has sufficient grounds to believe that there are unhygienic conditions exist at the premises or if food safety or quality issues exist at food manufacturing or processing unit or storage area, he may, after recording reasons, order immediate withdrawal of the said food from the market and report the matter to the Director General for confirmation.

4. Firm-Initiated Recall: (1) A firm or company either of its initiative or through any other information, has reasons to believe that any wholesaler, distributor, retailer, exporter, importer, consumer, etc., is manufacturing, processing, selling, distributing or exporting food product that is unsafe or deficient and violating provisions of the Act and rules made thereunder, may initiate a recall. In such situations the firm or company is required to submit a recall alert notification as per Schedule-I, to the Director General immediately but not later than 24 hours.

(2) 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 order from the Director General so as to ensure that consumer safety is not compromised.

5. Balochistan Food Authority initiated Recall: (1) The Director General may direct a firm or company to initiate a recall if a food product manufactured and distributed by it poses a health hazard or violation or firm has not initiated a recall by its own. The Director General shall notify the firm of its determination and of the need to begin immediately a recall of the food product. Such notification shall be communicated through letter, e- mail or fax to a 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. At the same time the recalling firm shall provide a recall alert as per Schedule-I, to the Director General. The firm or company shall inform the Director General of such recall alerts within 24 hours of receipt of recall orders.

6. Classification of Food Recall : The Director General shall evaluate the health hazard posed by a food product under recall and categorize the recalls on his own assessment or on the recommendations of the scientific panel based on lab reports.

Class-I Recalls: For dangerous or defective food products that cause serious health problems or even death.

Class-II Recalls: For food products that are unlikely to cause any adverse health problems but that violate the Act and the rules made there under.

7. Food Recall Plan : (1) Within time period prescribed by the Director General, each firm or company shall frame its proposed recall plan and submit to the same to the Food Authority.

(2) The Director General shall review the adequacy of a proposed Recall plan developed by a recalling firm and recommend changes as appropriate.

(a) Wherever the urgency or gravity of the situation so demands, the Food Authority in consultation with the recalling firm shall issue a public warning. The recall plan shall specify the need for such public warning and the media likely to be used for effective and speedy dissemination of such information. In all cases, the cost of such public warning shall be borne by the recalling firm.

(b) In case of recalls involving exported products, the Food Authority shall specifically monitor the recall strategy.

8. Standard Operating Procedures (SOPs) 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 Business Operator fails to fully recall the product within stipulated time, the Balochistan Food Authority shall seal the premises. The Director General shall hold hearing and may order recall of the product in addition to imposition of fine which may extend to Rupees one Million.

9. Food Recovery: (1) The recalling firm is liable to ensure that the food product recoverable as a result of recall must be stored in an area which is separated from any other food product.

(2) The recalling firm is liable to maintain accurate records of the recovered food product and their batch codes. Proper recording system must be available to ensure all food products are retrieve

(3) Recalling firm may correct or reprocess the recovered food product in consultation with Director General before release to the market if it is fit and safe for human consumption. In all other cases, the recalling firm shall ensure appropriate destruction of such product.

 **10. Effective Check:** During the recall, recalling firm is required to carry out effective checks to verify that all consignees at the recall specified by the strategy have received notification about the recall and have taken appropriate action. The effectiveness of the recall shall be assessed based on the amount of food product returned as a percentage of the amount of food product which left the manufacturer, while taking into account the retail turnover of that food product.

11. Termination of Recall: (1) A recalling firm or company may request termination of its recall by submitting a written request to the competent authority along with latest recall status report stating that the recall was effective.

(2) A recall shall be terminated when the Director General determines that all reasonable efforts have been made in accordance with the recall strategy and it is reasonable to assume that the food product subject to the recall has been removed and proper correction has been made commensurate with the degree of hazard of the recalled food product. Written notification that a recall is terminated, shall be issued by the Director General to the recalling firm or company as the case may be.

(3) In case of unsatisfactory reports the Director General may consider further legal action against the recalling firm.

(4) The completion of either a firm or company initiated recall or Director General initiated recall does not preclude the Food Authority from taking further regulatory legal action against the Food Business Operator responsible for the purpose.

**BY ORDER OF
GOVERNOR BALOCHISTAN**

**CHIEF SECRETARY
BALOCHISTAN**

The Chief Controller,
Printing & Stationery Department,
Balochistan, Quetta, for publication and
provision of 25 copies of the Gazette Notifications.

No. Even Dated Even

A copy is forwarded to for information to :-

1. The Secretary to Government of Balochistan , Food Department, Quetta
2. The Secretary to Government of Balochistan , Law and Parliamentary Affairs Department, Quetta.
3. All Members of Balochistan Food Authority. _____.
4. The Additional Secretary (Staff) to Chief Secretary, Balochistan, Quetta.
5. The Private Secretary to Minister for Food / Chairman BFA.


(Muhammad Naeem Bazai)
Director General

SCHEDULE - I

(see rule 4 and 5)

FOOD RECALL ALERT NOTIFICATION

(To be given on recalling firm's letter head)

Recall Notice No. _____

Dated _____

To

The Director General,
Balochistan Food Authority, Quetta.

1	Name and address of the Recalling Firm	
2	Name, designation and contact details of person who should be contacted	
3	Identity of the Product (Name, Brand, Code, Type Batch/Lot No.)	
4	Reason for recall	
5	Date and circumstances under which product deficiency was discovered	
6	Evaluation of the risk involved with, deficiency(if any testing done, results should be indicated)	
7	Total amount of product produced	
8	Time span of production	
9	Total amount of product in distribution channels	
10	Detailed distribution Information	
11	Copy of recall communication	
12	Action already taken and proposed strategy for recall	
13	Any other relevant information	

Name of the Company/Firm Manager _____

Signature with stamp _____