

BILL

*to establish National Food Safety, Animal and Plant Health
Regulatory Authority and the matters connected therewith*

WHEREAS, it is obligatory to regulate the quality aspects of agricultural produce, plants and animals, and products based thereon used as food, feed or otherwise being exported to or imported from, other countries and to frame standards to meet national and international quality requirements in accordance with the recognized SPS measures and to promote international trade thereof on competitive basis in the light of domestic needs and international commitments;

It is hereby enacted as follows:—

**CHAPTER – I
PRELIMINARY**

1. **Short title, extent and commencement.**— (1) This Act may be called the National Food Safety, Animal and Plant Health Regulatory Authority Act, 2021
- (2) It extends to the whole of Pakistan.
- (3) It shall come into force at once.
2. **Definitions.** - In this Act, unless there is anything repugnant in the subject or context,-
 - (i) “agricultural product” includes all produce of agriculture or horticulture, forest, wildlife, fisheries, animals and plants and all articles of food or drink wholly or partly manufactured from any such produce, and fleeces and the skins of animals;
 - (ii) “animal” includes all kinds of,-
 - (a) birds;
 - (b) crustacean;
 - (c) fish;
 - (d) honey bee;
 - (e) insects;
 - (f) mammals, except man;
 - (g) mollusc; and
 - (h) reptiles;
 - (iii) “Authority” means the National Food Safety, Animal and Plant Health Regulatory Authority established under section 3;
 - (iv) “Authorised Officer” means an officer of or nominated by the Authority under section 19;

- (v) "Board" means the Board established under section 5;
- (vi) "business operator" means the natural or legal person responsible for ensuring that the SPS measures are complied with within the business under his control;
- (vii) "Certificate" means the certificate issued by the Authorized Officer confirming compliance or otherwise with the provisions of this Act;
- (viii) "Chairperson" means Chairperson of the Board appointed under sub-section (2) of section 5;
- (ix) "Chief Executive" means the executive head of the Authority appointed under section 9;
- (x) "Consultative Committee" means the committee as established under section 12;
- (xi) "crop" includes all agricultural or horticultural crops and all trees, bushes, herbs, shrubs, grass, plants, roots, fungi and algae grown for commercial purposes;
- (xii) "Department" includes the departments as mentioned in section 58;
- (xiii) "disease" means suffering from or carrying any infectious or contagious disease or such disease as may be declared by the Federal Government from time to time by notification in the official Gazette;
- (xiv) "export" shall have the meaning assigned by the Imports and Exports (Control) Act, 1950 (XXXIX of 1950);
- (xv) "feed" means animal feed, including hay, roughage, concentrate or any other substance used for feeding animals;
- (xvi) "fish" means aquatic animals which belong to class Pisces, Crustacea, Echinoderms, and Molluscs, excluding Reptiles and Mammals, which is by order declared to be fish for the purposes of this Act under clause (d) of section 2 of the Pakistan Fish Inspection and Quality Control Act, 1997 (XXXV of 1997);
- (xvii) "food" means any substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drink, chewing gum and any substance which has been used in the manufacture, preparation or treatment of food, including novel foods. 'Food' shall not include,-
 - (a) Feed;
 - (b) animals unless they are prepared for placing on the market for human consumption in live form;
 - (c) plants prior to harvesting;

- (d) medicinal products within the meaning of the Drug Act, 1976 (XXXI of 1976);
 - (e) tobacco and tobacco products within the meaning of Pakistan Tobacco Board Ordinance, 1968 (1 of 1968);
 - (f) narcotic or psychotropic substances within the meaning of the Single Convention on Narcotic Drugs, 1961, the Convention on Psychotropic Substances, 1971, and the Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988; and
 - (g) residues and contaminants;
- (xviii) "food safety" means measures taken by the Federal Government and Provincial Governments for ensuring that unsafe food is not placed on the market. Unsafe food shall include food which does not comply with the relevant food laws and SPS conditions;
- (xix) "fungi" means all rusts, smuts, mildews, moulds, yeast, and similar forms of plant life prescribed in this behalf;
- (xx) "genetically modified food" means food derived from a genetically modified organism (GMO);
- (xxi) "harmful organism" means any living stage of any or all insects, mites, nematodes, protozoa, slugs, snails, or other invertebrate animals, fungi, bacteria, parasitic plants, virus or reproductive parts thereof, or any pathogen, weed, rodent, or other plant and animal organism which may, directly or indirectly, injure or cause disease to any crop, plant or animal species;
- (xxii) "hazard" means a biological, chemical or physical agent with the potential to cause an adverse effect on food safety, animal health or plant health and includes bio-identical or synthetic hormones;
- (xxiii) "import" shall have the meaning assigned by the Imports and Exports (Control) Act, 1950 (XXXIX of 1950);
- (xxiv) "international standards, guidelines and recommendations" shall include,-
- (a) for food safety - the standards, guidelines and recommendations established by the Codex Alimentarius Commission;
 - (b) for animal health and zoonoses- the standards, guidelines and recommendations developed under the auspices of the World Organization for Animal Health (OIE);
 - (c) for plant health - the international standards, guidelines and recommendations developed under the auspices of the Secretariat of the International Plant Protection Convention (IPPC) in cooperation with regional organizations operating within the framework of the (IPPC); and