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**GOVERNMENT OF THE PUNJAB  
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT**

**NOTIFICATION  
(185 of 2016)**

**06 December 2016**

The following notification No. DG(PFA)/796, dated 01.11.2016 issued under section 57 of the Punjab Food Authority Act, 2011 (XVI of 2011) for Sealing and De-sealing of Food Business Premises Regulations, 2016 is published for general information:

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**DR SYED ABUL HASSAN NAJMEE**  
Secretary  
Government of the Punjab  
Law and Parliamentary Affairs  
Department

**GOVERNMENT OF THE PUNJAB  
PUNJAB FOOD AUTHORITY**

1<sup>st</sup> November, 2016

**NOTIFICATION**

No. 796/DG/PFA/notification/2016. In exercise of the powers conferred under section 57 of Punjab Food Authority Act, 2011(XVI of 2011), the Punjab Food Authority is pleased to frame the following regulations:-

**PART-I**

**DEFINITIONS**

**1. Short title and Commencement:** (1). These regulations may be cited as Sealing and De-sealing of Food Business Premises Regulations, 2016.

(2) These shall come into force at once.

**2. Definitions:** In these Regulations; (1). "**act**" means Punjab Food Authority Act, 2011 (XVI of 2011).

(2). "**competent authority**" means; (a) Food Safety Officer for the purposes of sealing of premises; and

(b) The Director General for the purposes of de-sealing of the premises;

(3). "**order**" means order issued by the Director General;

(4). "**rectification period**" means the time period granted by Director General after announcing order of de-sealing of the premises, in which the Food Operator shall: (a) rectify the shortcomings identified in the order;

(b). remain restricted to carry out operational activities including processing, manufacturing and sale of food; and

(c). made improvement in the premises as instructed/directed in the Order.

**Part-II****SEALING PROCEDURE**

3. The Food Safety Officer, 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 if food safety or quality issues exist at any premises, shall serve an Improvement Notice upon the Food Operator under the Act.

(a) If the Food Safety Officer feels that the Food Business Operator has not made substantial improvements as required under the Improvement Notice within the prescribed time limit and that the unhygienic conditions at the premises or food safety issues or quality issues still exist, the premises may be sealed.

4. The Food Safety Officer shall, notwithstanding anything contained in regulation (3), seal the premises without Improvement Notice. In cases where the Food Safety Officer believes that there exist severe unhygienic conditions or food safety issues or quality issues at a food business such as presence and/or usage of non-food grade ingredients, manufacturing of food products without natural ingredients such as pulp or fruit or dairy raw material etc, usage of rotten eggs in food items or presence of rotten eggs or mixture, presence or sale, preparation of synthetic milk; presence of hazardous adulterants, insects, rodents, harmful ingredients etc.

5. While sealing the premises under regulation (4) in case of adulterated food, samples of the suspected food items shall be taken and sent to the Food Laboratory for analysis. However, if the laboratory report establishes that all the samples taken were found unadulterated and were also found fit for human consumption, the premises shall be de-sealed after fulfilling codal formalities.

6. In addition to other codal formalities for de-sealing, it shall be mandatory for the Food Business Operator to provide the details of the shop or the manufacturing unit and the proprietor from whom unsafe and substandard raw products had been purchased in addition to the details of warehouses, distributors and premises to whom adulterated, substandard or unsafe food products being manufactured at his premises, were being sold.


**Part-III****DE-SEALING PROCEDURE**

7. The sealed premises can be de-sealed after the expiry of period as specified below, upon application for de-sealing supported with Affidavit and other supporting documents by the Food Business Operator to the satisfaction of the competent authority that he shall abide by the Punjab Food Authority Act, 2011 the Rules and Regulations made from time to time. The Food Operator shall submit an undertaking that he shall remove the shortfalls pointed out by the Food Safety Officer within the time frames given by the Food Safety Officer concerned.

<b>Sr. No.</b>	<b>Issue</b>	<b>Minimum period for de-sealing</b>
1	Sealing of premises on account of running extremely hazardous food business as explained in regulation 4.	Upto 120 days
2	Sealing of premises on account of running hazardous food business as explained in regulation 3.	7days
3	Sealing of premises on account of food quality issues (which do not involve food safety issues).	Not less than 3 days
4	Sealing of premises on account of premises oriented (Layout & Design) issues.	Not less than 3 days
5	Sealing of premises on account of non-licensing.	Till the submission of license fee and medical certificates of all food handlers

8. Upon de-sealing of the premises, the Food Operator (FO) shall bring about such improvements as stated in the affidavit within the prescribed time frame and upon meeting with such levels of hygiene and other corrective measures, the competent authority may allow the Food Operators to continue his business. The food business operator will rectify the shortcomings identified by the Competent Authority within the stipulated time. Without obtaining the written permission by the Competent Authority, the Food Operator shall not run the business.

9. In case, the samples are found substandard or adulterated by the laboratory, prosecution if advised shall also be launched against that Food Business Operator in addition to other actions prescribed under the Punjab Food Authority Act, 2011, the Punjab Pure Food Rules, 2011 and under the relevant regulations.
10. Notwithstanding anything contained in the other regulations, premises shall not be de-sealed unless it has a valid license to operate food business issued by the Punjab Food Authority or at least the license fee has been deposited in the account of the Punjab Food Authority and file has been validated by Food Safety Team after inspection including submission of medical certificates of all the food handlers to the Punjab Food Authority. If the Food Operator (FO) has not obtained license for any of the years-2012 onwards, he shall be required to deposit the license fee for the previous years in addition to fulfillment of all legal & codal formalities for license of the current year.
11. If the premises has been sealed under regulation 7 of these regulations, upon commission of subsequent offence of like nature upon which premises was sealed on the first instance, the premises shall be sealed for a minimum period that is double the minimum period prescribed under the relevant sub-clause of clause 5.
12. In case of submitting false Affidavit or concealment of facts or habitual non-compliance by the Food Operator (FO), the competent authority may cancel the license of the FBO if it is established that false affidavit was submitted or facts were concealed or (FO) did not comply to the repeated instructions .
13. Application against the order of sealing shall be filed before the Director General, Punjab Food Authority.
14. The Sealing and De-sealing of Food Business Premises Regulations, 2013 are hereby repealed.

  
**Director General**  
Punjab Food Authority