



GOVERNMENT OF BALOCHISTAN
Balochistan Food Authority

Dated Quetta, the 27th April, 2022

NOTIFICATION

No. BFA HQ/Legal/ Oper: Rules /2022 /21. In exercise of the powers conferred by section 56 of the Balochistan Food Authority Act, 2014 (Act No. VI of 2014), the Balochistan Food Authority, with the approval of Government of Balochistan, is pleased to make the following rules, namely:-

PART - I

1. **Short title and commencement:-** (1) These rules may be called as "The Balochistan Sealing and De-sealing of Food Business Premises Rules, 2022."

(2) They shall come into force at once.

2. **Definitions:-** (1) In these rules unless there is anything repugnant in the subject or context: -

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- (a) "Act" means Balochistan Food Authority Act, 2014 (VI of 2014).
- (b) "Authority" means the Balochistan Food Authority;
- (c) "Competent Authority" means;
- (i) Food Safety Officer for the purposes of sealing of premises; and
- (ii) The Director General for the purposes of de-sealing of the premises;
- (d) "Director General" means the Director General of Balochistan Food Authority .
- (e) "Order" means order issued by the Director General;
- (f) "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:-
- (i) rectify the shortcomings identified in the order;
- (ii) remain restricted to carryout operational activities including processing, manufacturing and sale of food; and
- (iii) made improvement in the premises as instructed/directed in the order.

(2) Words and expressions used but not defined herein above sub-rule (1), unless the context otherwise requires, shall have the same meanings as assigned to them in the Act.

PART - II

SEALING PROCEDURE

3. (1) 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.

(2) 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 shall be sealed.

4. The Food Safety Officer shall, notwithstanding anything contained in rule 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 rule 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 manufacturing unit, warehouse, shop, premises, the proprietor and the distributors from where the unsafe or substandard or raw material has been purchased or being sold.

PART – III

DE-SEALING PROCEDURE

7. The sealed premises shall 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 Act, and the rules made thereunder 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 frame given by the Food Safety Officer concerned.

S. No.	Issue	Maximum Period for Sealing
1	Sealing of premises on account of running extremely hazardous food business as explained in rule 4.	Upto 120 days.
2	Sealing of premises on account of running hazardous food business as explained in rule 3.	07 days.
3	Sealing of premises on account of food quality issues (which do not involve food safety issues).	Not less than 03 days.
4	Sealing of premises on account of premises oriented (Layout & Design) issues.	Not less than 03 days.
5	Sealing of premises on account of non-licensing.	Till submission of license fee and medical certificates of all food handlers.

8. Upon de-sealing of the premises, the Food Operator 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 Operator 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 of 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 Act.

10. Notwithstanding anything contained in the other rules, premises shall not be de-sealed unless it has a valid license to operate food business issued by the Authority or at least the license fee has been deposited in the account of the Authority and file has been validated by Food Safety Team after

inspection including submission of medical certificates of all the food handlers to the Authority. If the Food Operator has not obtained license he shall be required to deposit the license fee for the previous years in addition to fulfillment of all legal and codal formalities for license of the current year.

11. If the premises has been sealed under rule 7 of these rules, 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 to the minimum period prescribed under the relevant sub-clause 5.

12. In case of submitting false Affidavit or concealment of facts or habitual non-compliance by the Food Operator, the competent authority may cancel the license of the Food Business Operator, if it is established that false affidavit was submitted or facts were concealed or the Food Business Operator did not comply with the repeated instructions.

13. Application against the order of sealing shall be filed before the Director General.

**BY ORDER OF
GOVERNOR BALOCHISTAN**

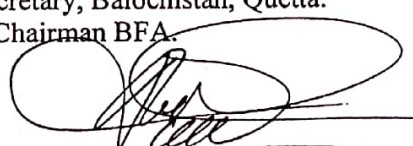
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3. All Members of Balochistan Food Authority. _____.
4. The Additional Secretary (Staff) to Chief Secretary, Balochistan, Quetta.
5. The Private Secretary to Minister for Food/ Chairman BFA.


(Muhammad Naem Bazai)
Director General