

Food Regulation 1970

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Amendment:

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| The Food (First Amendment) Regulation, 2027 (1970) | 2030.2.29 (1 June 1973) |
| The Food (Second Amendment) Regulation, 2032 (1975) | 2032.6.6 (22 October 1975) |
| The Food (Third Amendment) Regulation, 2048 (1991) | 2048.3.17 (1 July 1991) |
| The Food (Fourth Amendment) Regulation, 2054 (1998) | 2054.12.10 (23 March 1998) |

In exercise of the powers conferred by section 13 of the Food Act, 2023 (1967), Government has framed the following rules.

Chapter Preliminary

1

1. Short Title and Commencement

1. These rules may be cited as the "Food Regulation, 2027 (1970)."
2. This Regulation shall come into force in such area and on such date as the Act has come into force.

2. Definitions

Unless the subject or the context otherwise requires, in this Regulation:

- a. "Act" means the Food Act, 2023 (1967).
- b. "label" means a description or sign written, printed or marked on a container and/or on a cover containing any food which is put for sale or is being conveyed.
- c. "food inspector" means a person appointed or authorized under this Regulation to inspect the food.
- d. "local district officer" means the chief district officer and any other officer designated by His Majesty's Government in the case of any district where the chief district officer is not available.

Chapter Central Food Laboratory

2

3. Procedures of central food laboratory:

1. The central food laboratory shall carry out the functions as follows:
 - a. To analyze the samples of food sent by the case trying authority or appeal hearing court under the Act for its inspection and send an analysis report to such authority or court,
 - b. To carry out research and investigative works and present reports to the food standard fixation committee so as to assist the committee in determining the standard of a food,
 - c. To arrange for trainings to the food inspectors as to the inspection of food.
2. It shall be the duty of the chief of the central food laboratory to make the report as referred to in sub-rule (1).

4. Public analyst, and his qualifications, functions and duties:

1. For the purposes of this Regulation, His Majesty's Government may, by a notification in the Nepal Gazette, designate as the public analyst any employee who has possessed the following qualifications and is working in a

governmental or non-governmental laboratory equipped with food analysis test facilities:

- a. Having passed MSc examination in chemistry or food science or biological science or bachelor examination in food technology and gained two years of experiences in the field of food research or analysis, or
 - b. Having passed BSc examination with chemistry subject, and gained five years of experiences in the field of food research and analysis.
2. The public analyst shall, at the request of the food inspector, test and analyze the sample of food and forward the analysis report thereof to that inspector.

Chapter

Provisions relating to Food Inspector

3

5. Appointment of food Inspectors:

1. His Majesty's Government shall appoint the food inspector to carry out such the activities mentioned in the Act and this Regulation in respect of such food as His Majesty's Government may, by a notification in the Nepal Gazette, specify from time to time,
2. The food inspector appointed under sub-rule (1) shall carry out such functions and duties as entrusted to him under the Act and this Regulation within the area assigned to him.
3. His Majesty's Government may, if it deems necessary, designate any person to exercise the powers of the food inspector as set forth in the Act and this Regulation, in respect of any specified area.
4. An identity card in the format prescribed in Schedule-1 shall be issued to the food inspector appointed, or to the person designated, under sub-rules (1) and (3).

6. Qualifications of Food Inspectors:

In order to be appointed to the post of food inspector, one has to possess the following qualifications:

- a. Having done graduation in food technology or food science, or
- b. Having passed the certificate level in general science or lab technology or food technology and taken at least six months of training on food test or inspection, or
- c. Having passed the school leaving certificate (SLC) or equivalent examination, taken at least one year of training on food test or inspection and gained three years of experiences in the related field.

7. Functions and Duties of Food Inspectors:

The functions and duties of the food inspector shall be as follows:

- . If he has the reason to suspect that any food has been produced or stored or sold or distributed or that such acts are about to be committed in contravention of the Act or this Regulation, to take a sample of such food and give a notice as referred to in schedule-2 to the owner of such food, and to immediately send the sample to the public analyst for test or analysis,
- a. If he receives a complaint or information that any person or organization or firm has committed any act in contravention of the Act or this Regulation, to enquire into the matter. Provided that no one shall make any false compliant or information,
- b. To maintain the records of the food which he has inspected and of the food in respect of which action has been taken or seized pursuant to the Act or this Regulation,
- c. To perform such functions and duties as may be entrusted to him and as are to be performed by him under the Act or this Regulation, subject to the general control of the local district officer.

8. Powers of Food Inspectors:

0. The food inspector may, in the course of performing his duties, exercise the following powers:
 - a. Power to take sample of a food from the places where the food is produced, stored or sold or distributed,
 - b. If he thinks that a communicable disease may spread out from the sale or distribution of any food and the local health officer is also agreed with his opinion, power to restrict the sale or distribution of such food, by

- obtaining approval of the local district officer,
 - c. If he has a reasonable ground to suspect that any food is adulterated, power to restrict the sale or distribution of such food, by obtaining approval of the local district officer,
 - d. If, in the course of inspecting any food, it is necessary to enter into any building or land where a container, utensil or packet or pouch containing any food is placed, power to enter into such building or land with the permission of the owner of that building or land or any person in charge of such place and where such person does not give permission, in witness of a representative of the concerned Village Development Committee or Municipality or the nearby police office, in accordance with the prevailing law,
 - e. If he sees a possibility or is doubtful that any other edible or inedible substance found with the producer of any food or in the place of manufacture of such food that can be mixed with the food being produced if such other substance is kept being left there in that the producer fails to tell a satisfactory utility of that substance, power to issue order to remove such substance from that place immediately,
 - f. If he thinks it necessary, power to stop and examine any food being exported or imported or transported; and if he has a reasonable cause to suspect that such food is contaminated, power to take action under this Regulation, and
 - g. Power to send the samples of food, which have been taken under this Regulation for food analysis, by any governmental or non-governmental means of transport or by post for such analysis.
1. The food inspector shall immediately send a notice of the action taken pursuant to clauses (b), (c) and (f) of sub-rule (1) to the local district office and the chief of central food laboratory.

9. Powers of food inspector regarding person suffering from communicable and infectious disease:

0. If the food inspector is of the opinion that any person engaged in selling or preparing a food or sitting in the place of its manufacture is suffering from a communicable and infectious disease or harboring the germs of such disease, he may cause that person to undergo medical examination.
1. If it is found, on such medical examination of the person referred to in sub-rule (1), that the disease may spread out or such person may communicate the same, the food inspector may prevent such person from selling or manufacturing the food or sitting in such place.

B. Powers to destroy food:
 If a food is not edible because of its being decayed, perished, rotten or full of insects or otherwise in a clearly visible manner while it is being produced or sold or put for sale, and it is sent for test, and the food may get further perished if it is kept on until its report is received, the food inspector may immediately destroy such food by burying or burning it or through any other means.

**Chapter
 Analysis of Food**

10. Samples of food:

1. In obtaining a sample of food, the food inspector shall go to the place where the sample is to be obtained and take the sample in such amount in three parts as may approximately suffice the ratio specified in schedule-3, put each part in a separate container, which shall then be sealed with wax, and do as follows:
 - a. To promptly send one container to the public analyst for analysis and test,
 - b. To send one container to the local district officer.
2. The containers as referred to in sub-rule (1) have to be so made that the substance placed in them cannot come out, leak and that no extraneous element or substance can be put or inserted thereinto, and be fresh and clean.

3. The food inspector shall take a sample of food to be taken under sub-rule (1) only after making payment of the prevailing value of the quantity to be set after deducting the quantity to be remained with the seller from the quantity of the sample.
4. The owner or seller of the food shall sign on the wrapper of the container of food and on the notice as referred to in schedule-2.
5. If the owner or seller of the food refuses to sign on the wrapper of container of food pursuant to sub-rule (2) or the notice as referred to in schedule-2, the food inspector shall, while sending a sample to the public analyst for analysis, give a notice thereof to the chief of central food laboratory and local district officer.

11. Provisions to be followed while sending samples of food:

1. The food inspector or case trying authority or appeal hearing court shall, while sending a sample of the food for its analysis and test, send it by fulfilling the following requirements:
 - a. The sample has to be attached with the form as prescribed in schedule-4, sealed with wax and sent safely.
 - b. The container or packet containing a sample of food as well as its outer cover has to clearly indicate the name and quantity of the sample food or the code number of collection, if any.
 - c. A duplicate copy of the form to be sent pursuant to clause (a) and the specimen of the wax seal put on the outer cover of the sample container have to be put in separate envelopes and sent accordingly.
 - d. The lid of a container containing a sample has to be so closed that it cannot be open and leaked on the way, wrapped in a thick paper with a wrapping material, and tightened with a thread or rope, and so sealed with wax in at least four various places that the letters are clearly legible. It has to be so sealed with wax that the container cannot be opened without breaking that wax seal.
2. The chief of the central food laboratory or the public analyst or the person authorized by him shall examine whether the wax seal put on the cover of a sample of food received under sub-rule (1) is in order or not, enter records of its situation and open the cover of that sample.
3. The sample of food received pursuant to sub-rule (1) has to be analyzed or tested, and results thereof have to be sent to the concerned officer or court, in the form as referred to in schedule-4.

12. Addition of preservative to sample of food:

1. The food inspector shall add a preservative as referred to in schedule-6 to a sample of food taken for analysis or test under this Regulation so as to keep it preserved by preventing it from being perished, rotten and decomposed.
2. His Majesty's Government may, by a notification in the Nepal Gazette, make an alteration and change in the matters contained in schedule-6, from time to time.

13. Custody of food:

1. If, after the food inspector has, pursuant to this Regulation, obtained a sample of food which is suspected of being contaminated, he is of opinion that such food has to be stopped from being sold and distributed or being misappropriated, he may, in accordance with the provisions of Rule 8, seal and take custody of all of the stock of such food or any of such portion thereof as deemed suspected, and shall give the concerned person a receipt of the food of which custody has been so taken in the format as referred to in schedule-7.
2. If the food inspector considers that it is not necessary or possible to have custody of the food pursuant to sub-section (1), he has to issue an order in the format as referred to in schedule-8 to the owner of such food to safely retain that food so sealed with wax, by getting that owner to execute a deed to that effect.

14. To release stopped food in event of its being held uncontaminated:

If, upon doing an analysis or test of the food of which sample has been obtained pursuant to this Regulation, the food is not held to be contaminated, the food inspector may himself release or return the food where a case has not already been filed, and where a case has already been filed, the case trying authority or court shall issue an order to release such food so being stopped or return it to the concerned person.

15. Filing of cases:

1. If the food of which sample has been taken pursuant to this Regulation is found to be contaminated or sub-standard or constitute an action contrary to the act or this Regulation on its analysis or test, the food inspector has to submit the matter, clearly indicating the charge under this Act and all the details related therewith, to the case trying authority.
2. (2) It shall be the duty of the concerned food inspector to assist the case trying authority and the appeal hearing court in the legal action against any person, firm or body corporate for a violation of the Act and this Regulation.
- C. **Re-analysis or re-test of food:**
If, after a case has already been filed pursuant to rule 13, the case trying authority or the appeal hearing court, on a petition made by the accused, considers it reasonable to have the concerned food re-analyzed or re-tested, and sends the concerned food held under clause (b) of sub-rule (1) of rule 10 to the chief of the central food laboratory for its re-analysis or re-test; and no petition can be made for another re-analysis once the sample is so re-analyzed.
- D. **Designation of authority:**
The chief district officer is hereby designated as the authority for the purpose of section 4A. of the Act.

**Chapter
Food Standard Fixation Committee**

5

16. Formation of food standard fixation committee:

1. A food standard fixation committee is hereby formed as follows so as to carry out the functions as specified in the Act and this Regulation:

| | |
|--|---------------------|
| a. Secretary, Ministry of Agriculture | Chairperson |
| b. Representative, Ministry of Law and Justice | Member |
| c. Representative, Ministry of Industries | Member |
| d. Representative, Ministry of Commerce | Member |
| e. Representative, Ministry of Supplies | Member |
| f. Representative, Ministry of Home | Member |
| g. Representative, Ministry of Health | Member |
| h. Representative, Kathmandu Municipal Corporation | Member |
| i. One food industry entrepreneur nominated by Federation of Industries and Commerce | Member |
| j. One nominated by the Ministry of Supplies from amongst the food consumers | Member |
| k. Chief, Central Food Laboratory | Member Secretary |

2. The Ministry level representative member shall be of at least under secretary level.
 3. The term of the member nominated under clauses (i) and (j) of sub-rule (1) shall be two years. Provided, however, that if a nominated member remains absent from three consecutive meetings of the committee without giving any notice, another person may be nominated in the place of that member.
 4. If His Majesty's Government considers it necessary, it may, by a notification in the Nepal Gazette, alter the members as referred to in sub-rule (1).
- E. **Procedures relating to meeting of committee:**
1. The member secretary shall, at the direction of the chairperson, call a meeting of the committee.
 2. The meeting of the committee shall be presided over by the chairperson and by the person selected from amongst the attending members, in the absence of the chairperson.

3. The committee may, if it considers necessary, invite an expert in the concerned field, to take part, as an observer, in the meeting of the committee.
4. The presence of more than fifty percent members of the total number of members in the meeting of the committee shall be deemed to constitute a quorum for the meeting.
5. A decision of the committee shall be taken by majority, and in the event of a tie, the chairperson shall exercise the casting vote.
6. The other procedures of the committee shall be as determined by the committee itself.

F. Meeting allowance:

1. The members of the committee and experts invited to the meeting of the committee shall get such meeting allowance as determined by His Majesty's Government for taking part in each meeting.
2. The members of a sub-committee formed pursuant to sub-rule (3) of rule 17 shall get the same meeting allowance as the members of the committee get for taking part in each meeting.

17. Functions, duties and powers of committee:

0. It shall be the duty of the committee to fix the quality standard and limit of quantity of the food and advise His Majesty's Government on having the quality standard and quantity maintained and observed.
1. If His Majesty's Government seeks advice on the food, it shall be the duty of the committee to render such advice.
2. The committee may, as per necessity, form a sub-committee for any specific function. The functions, duties, powers and procedures of such sub-committee shall be as specified by the committee.
3. The committee may frame necessary bye-laws to set its procedures. Provided, however, that such bye-laws shall come into force only upon approval of His Majesty's Government.
4. The committee may appoint necessary employees for its office.
5. The committee shall liaise with His Majesty's Government, generally through the Ministry of Agriculture.

Chapter

6

Labels on Packed Food

18. Labeling on container of packed food:

1. No packed food shall be sold or kept for sale unless and until a label is put on the wrapper of container of that food specifying the following fact or description:
 - a. The description of the food shall be so specified on the label that it may be easily and clearly seen, and where such food is kept in more than one container or cover, the label shall also be put on such inner container or cover.
 - b. The name and address of the entrepreneur who has packed the food stuff or put the label thereon for sale shall be clearly specified on the label; and where such packing or labeling is carried out at the direction of or on behalf of an entrepreneur carrying on a business in the Kingdom of Nepal, the name and address of that entrepreneur shall also be specified on such label,
 - c. The label shall specify the real name of a food where the food is made from only one food substance, the usual name, if any, of a mixed food, the real or usual name(s) of the different contents mixed to the food where the food is made from two or more food substances, and in the case of a means substance, the name and quantity thereof, in order of the applied weight or volume thereof. Provided, however, that where the water is used as a means, it is not required to specify its quantity and measure on the label under this clause.
 - d. Both the net weight and measurement of the packed food shall be clearly specified, and the measurement or quantity so specified shall not be lesser in any case. If the food is allowed to be sold on the basis of weight and quantity of its container or wrapper thereof, the minimum weight and quantity of the packed container and its wrapper shall also be clearly mentioned.

- e. Where a color or a preservative is added to a food in accordance with clause (a) of schedule-10 or clause (b) of schedule-11, any statement or any kind of symbol or sign indicating such addition shall be mentioned on the label.
 - f. The label of a container containing a packed food shall compulsorily specify the batch number, date of production and expiry date.
2. The description to be specified in a label pursuant to sub-rule (1) shall be in the Nepali or English language. The description may also be specified in another language, in addition to these two languages, if one so wishes.
 3. Where a preservative is added to a food, its label shall not contain words such as "pure", "*chokho*", "*bisuddha*" and "*sudda*" or another description mentioned in such label shall not contain any false or misleading claim or sign or symbol.
 4. A retailer of packed food shall not be required to put on the label as referred to in sub-rule (1) to sell it after opening the packet.
 5. The label of a food claimed to contain vitamins, minerals or other nutritional substances shall specify the matters required to be specified under sub-rules (1), (2) and (3), subject to the matters mentioned below:
 - a. One shall not claim that a food sold by one contains such vitamins and/or other nutritional substances without specifying the same on the label of that food.
 - b. An advertisement or publicity statement shall not mention that a food contains such vitamins and/or other nutritional substances without specifying the quantity of such vitamins and/or other nutritional substances.

Note: (The label of a food claimed to contain vitamins, minerals or other nutritional substances shall clearly specify each of such vitamins, minerals or nutritional substances in the unit as prescribed by schedule-9.)
 6. Notwithstanding anything contained in sub-rule (5), it shall not be required to put a label on the following packed food:
 - a. Fruits or green leaves kept fresh through the use of gas or cold storage or freezing or any other provision, Provided, however, that the exemption as referred to in this rule shall not be available to any food canned, bottled or subject to other processing system, except in cases where it is kept fresh as mentioned above.
 - b. Milk in liquid state other than condensed milk,
 - c. Whole egg,
 - d. Various kinds of fishes, meat other than the fish or food containing meat sealed in a can or bottle, Provided, however, that in the case of meat, it shall clearly indicate in writing the meat of which animal,
 - e. Where the concerned trader sells or distributes through his own people the dish prepared in any hotel or any portion of the dish so prepared. Provided, however, that in the case of the ghee and oil used in the preparation of a dish, it shall clearly indicate in writing that the dish has been prepared with the use of such ghee, oil or fatty substance
 7. A person who has a duty to act in accordance with this rule shall not overwrite, alter or deface or erase the label put in accordance with this Regulation.

Chapter 7
----- and Matters to be Observed by Food seller

- 19. Prohibition on sale of contaminated, sub-standard or injurious food:**
 No person shall himself or through his representative produce, sell, or hold for the sale of, the following food:
- a. Contaminated or sub-standard food,
 - b. Brominated vegetable oil (BVO) mixed food,
 - c. *Khesari*, *Kshesari* pulse, *Khesari* flour, and food containing *Khesari*,
 - d. Fruits cooked artificially from carbide (acetylene) gas, and
 - e. Such other food as His Majesty's Government may, by a notification in the Nepal Gazette, specify.

20. **Prohibition** **on** **sale:**
No person shall sell the flesh of any animal having died a natural death or a food containing such flesh or hold such flesh or food for sale.

21. **Matters to be observed by food seller:**
1. Any utensil or container used to contain, prepare or transport any food or the place where such food is stored in shall be as follows:
 - a. Net and clean, and unbroken or properly repaired,
 - b. In the case of an enameled or galvanized container, the enamel or galvanized is not disappeared or chipped,
 - c. Its lid is properly tightened or it is properly covered to prevent the food from dust, dirt, flies or insects, and
 - d. It is kept in a place not exposed to deleterious gas, wastes, impure air or water,
 2. The food contained in a container in the following condition shall be considered as injurious to health:
 - a. Iron container or utensil which is rusty,
 - b. Enameled container having become chipped or rusty,
 - c. Copper or brass container which is not galvanized and
 - d. Container made of aluminum with glass.
 3. Notwithstanding anything contained in sub-rules (1) and (2), even a copper or brass container not galvanized may also be used to prepare or store sugar confectionary, sweets and oils.

Chapter **8**
Use of color or preservative in food

22. **Use** **of** **color** **in** **food:**
No person shall, in a manner contrary to the provisions contained in schedule-10, produce, sell, distribute or export a food mixed with a color, or keep such mixed substance for any of such purposes.

Explanation: "Color" means any natural or artificial color to be mixed in a food.

23. **Use** **of** **preservative** **in** **food:**
No person shall, in a manner contrary to the provisions contained in schedule-11, produce, sell, distribute or export a food mixed with a preservative, or keep such mixed substance for any of such purposes.

Explanation: "Preservative" means any substance used to prevent, suppress or retard fermentation or acidification in, or any other process of decomposition of, any food.

Chapter **9**
Licenses

24. **License** **to** **be** **obtained:**
A person who intends to produce, sell, distribute, store or process any food, from commercial viewpoint, shall obtain a license as referred to in this Chapter.

25. **Guaranteed** **retailer:**
For purposes of sub-section (2) of section 4B. of the Act, a retailer carrying in person a cash memo, which sets out the type, standard, quantity and price of the food and has been issued by the licensed producer or whole-seller or his agent, shall be considered as the guaranteed retailer.

26. License for itinerant sale:

1. A person who sells or distributes the food mentioned in rule 24 by moving from place to place shall obtain a license as referred to in schedule-12 from a Village Development Committee or Municipality situated in the place of his residence or of his normal sale or distribution of the food, upon making payment of the fee of twenty five rupees, and shall hold the license in person while so selling or distributing the food.
2. A person having obtained the license pursuant to sub-rule (1) may, at his own exclusive responsibility, send any member of his joint family to sell or distribute the food specified in the license, by taking custody of the license.

27. License to keep shop of, carry on wholesale business of, food:

A person who sells, distributes, or carries on the wholesale business of, or imports, the food specified in rule 24 by keeping a shop shall obtain a license as referred to in schedule-13 from the Village Development Committee or Municipality where the place of his business is situated, upon making payment of the fee of one hundred rupees, and shall show the license whenever so required by the competent authority.

28. License for food industry:

1. A person who intends to produce or process any food as referred to in rule 24 has to obtain a recommendation of the central food laboratory prior to making an application to the Department of Industries to establish an industry.
2. The person who intends to obtain the recommendation as referred to in sub-rule (1) has to prepare a scheme setting out the following matters on the industry which he intends to establish and make an application to the central food laboratory:
 - a. Type of the industry,
 - b. Machinery required for the industry,
 - c. Technical skills,
 - d. Provision of sanitation,
 - e. Kinds of raw materials and source for the same.
3. If the application as referred to in sub-rule (1) is made, the central food laboratory shall make necessary alterations in the scheme of the proposed food industry, get a bond executed to do accordingly and make a recommendation for the issuance of the license to establish the industry.
4. The person licensed to establish a food industry shall, after the establishment of that industry, obtain the license as referred to in schedule-14 from the central food laboratory, by making payment of two hundred rupees, prior to the commencement of the production of food.
5. The food industries established prior to the commencement of this Regulation have to make an application, setting out the details as referred to in sub-rule (2), to the central food laboratory and obtain the license as referred to in schedule-14 by making payment of twenty rupees, no later than three months from the date of the commencement of this Regulation.
6. The license as referred to in sub-rules (4) and (5) has to be so placed at the industry site that it can be shown as and when so required by the authorized person.

29. Powers to seize license and restrict production:

If, upon inspection made by the central food laboratory after the commencement of the production of food, after having obtained the license from the central food laboratory pursuant to sub-rules (4) and (5) of rule 28, it is found that provisions have not been made as per the terms mentioned in the scheme or the produced food is not of such standard or in such quantity as specified under the Act, the concerned chief district officer may, on recommendation of the central food laboratory, restrict the production of that food until the provisions as per the terms are made and the standard is improved.

30. Separate licenses to be obtained:

A person who intends to produce or sell or distribute a food in more than one place has to make a separate application and obtain the license as referred to in this Chapter, for each of such places. Provided, however, that this provision shall not be applicable to an itinerant seller selling the food roaming in various places

without being confined to any specific place.

31. Validity period and renewal of license:

1. The license as referred to in this Chapter shall remain valid until the last day of Ashad (mid July) each year except in cases where the licensing authority revokes or cancels such license prior to its validity period.
2. The license has to be got renewed by the licensing authority by paying the renewal fee in such a sum as is chargeable for the issuance of license prior to the expiration of its validity period as referred to in sub-rule (1) or within thirty five days from the date of expiration of such validity period.
3. If a licensee applies for the renewal of the license after the expiry of the time limit as referred to in sub-rule (1), the license may be renewed for a period not exceeding three years by collecting the renewal fee chargeable for that fiscal year and a fine in a sum equal to hundred percent of that fee, and thereafter, the renewal fee for each fiscal year and a fine in a sum equal to hundred percent of that fee.

32. Terms and conditions to be observed by licensee:

The licensee who produces, sells or distributes the food as mentioned in rule 24 has to observe the following terms and conditions:

- a. Not to engage any one who is suffering from a communicable or contagious disease or is dirty in the production, storage or sale of the food.
- b. To keep always clean satisfactorily the places for the production, storage or sale of food; and there shall be separate places for a toilet, urinal and collection of wastes or useless materials.
- c. The producers or whole sellers or sellers have to maintain, and show wherever required, a registration book indicating the quantity of the food they have produced, the quantity of food dispatched for sale or distribution and the places where the food has been sold and distributed.
- d. Proper attention has to be paid to the food hygiene, and a container of food prepared or held for sale has to be closed properly so that external elements cannot enter the container.

33. Delegation of authority:

The chief of the food laboratory section may delegate in writing the powers conferred to the food laboratory section under this Chapter any officer of His Majesty's Government.

34. Alteration in schedules:

His Majesty's Government may, as per necessity, make alteration in the schedules, by a notification published in the Nepal Gazette.

Schedule- 1
(Relating to sub-rule (4) of rule 5)

No.

Date:

Photo

Identity card of food inspector:

Name, surname and address:

Specimen of signature:

Designation:

Note: The certifying authority's signature and the office seal should also fall over the photograph.

Assigned area and period

| Area | Date | | Certifying authority's signature, and date |
|------|------|----|---|
| | From | To | |
| | | | |
| | | | |
| | | | |

This is to certify that the above-mentioned person has been empowered to act as the food inspector pursuant to rule 5 of the Food Regulation, 1970 (2027) for the above-mentioned area from the prescribed date.

Signature:
Certifying authority:
Office:

NB:

1. The food inspector shall carry this certificate with him and shall show it whenever any person so requires.
2. This certificate shall not be given or handed over to another person in any case.
3. This certificate shall be surrendered to the Director immediately when the food inspector resigns from the post of food inspector or is retired from that post for any other reason.

Schedule- 2
(Relating to clause (a) of rule 7)

Name and address of the owner of food:

I have, on the even date, taken from the shop / godown / house and compound of located in, a sample of the below-mentioned food for analysis.

Description of food:

... ..
Area

Place:

Food inspector

Date:

... ..

Schedule-3
(Relating to sub-rule (1) of rule 10)

| S.No. | Types of food | Approximate quantity of sample |
|-------|---------------|--------------------------------|
| 1. | Milk | 250 milliliter |
| 2. | Ghee | 150 grams |
| 3. | Butter | 150 grams |
| 4. | Khuwa | 250 grams |

| | | |
|-----|---|-----------------------------|
| 5. | Curd (Dahi) | 200 grams |
| 6. | Baby milk food | 450 grams |
| 7. | Baby food | 450 grams |
| 8. | Milk powder | 250 grams |
| 9. | Condensed milk | 250 grams |
| 10. | All kinds of ice-cream | 300 grams |
| 11. | Oil | 250 grams or 225 milliliter |
| 12. | Vanaspati ghee | 150 grams |
| 13. | Fats (except ghee and oil) | 125 grams |
| 14. | Jams, jellies, fruits, vegetables (prepared, processed) | 300 grams |
| 15. | Spices | 200 grams |
| 16. | Tea | 125 grams |
| 17. | Biscuits | 250 grams |
| 18. | Confectionaries | 250 grams |
| 19. | Salt | 250 grams |
| 20. | Food, dalahan, telahan | 250 grams |
| 21. | Keshar, color etc. | 150 grams |
| 22. | Prepared processed food | 250 grams |
| 23. | Sugar | 200 grams |
| 24. | Honey | 150 grams |
| 25. | Cane sugar (Chaku, Gund) | 200 grams |
| 26. | Flour (all kinds) | 250 grams |
| 27. | Aerated water (soda lemonade etc.) | 300 grams |

NB:

1. The sample of a food other than the food mentioned in this schedule has to be in a quantity of approximately 250 grams or 250 milliliters.
2. In taking a sample of a food of which pesticides, microtoxine and radiation test is to be done, the sample has to be taken in an additional quantity of 500 grams, in addition to the quantity mentioned above.
3. If it is not possible to take a sample by breaking the container containing a packed food, the sample has to be taken in a quantity not lesser than that mentioned above.
4. No quantity as mentioned above shall be deemed to prevent the taking of a sample in the required quantity if it is necessary to do a special kind of test of any food in any special circumstance.

Schedule- 4
(Relating to clause (a) of sub-rule (1) of rule 11)

Sent _____ from:
 To, _____
 The _____

No. _____ Date: _____

Description of the food sent for analysis:

1. Serial number of the sample:
2.
3. Date of sample collection:
4. Description of the substance sent for test and analysis:
5. Description and quantity of the preservative, if any, added to the sample:

A duplicate copy of this letter and a specimen of the wax seal put on the sample packet are being sent separately by post or by hand.

... ..
Food inspector, or
court or other authority

Schedule- 5
(Relating to sub-rule (3) of rule 11)

This is to certify that the sample, attached with the letter with code No., sent by that office/court, along with the letter with reference number and dated for the purpose of, has been received on (date) and analyzed/ tested; and the results of the analysis/test are as follows.

... ..
... ..
... ..

The situation of the wax seals put on the container and outer cover of the sample received was as follows:

... ..
... ..

... ..
Chief of central food laboratory
or public analyst

Address:
Date:

Where a report of any particular matter is sought, necessary paragraphs may also be inserted.

Schedule- 6
(Relating to rule 12)

1. To add three drops of that dissolved by 40 per cent in formaldehyde (formalin) water, for every fifty (50) gram of a sample, to milk, curd and cream.
2. The label of the container containing a sample to which a preservative is so added has to specify that the sample contains

the preservative as mentioned above.

Schedule-7
(Relating to sub-rule (1) of rule 13)

Name and address of the owner of food:

... ..

In exercise of the powers conferred by sub-rule (1) of rule 13 of the Food Regulation, 2027 (1970), I have, on the even date, taken in my custody the stock of the below-mentioned food from your shop/godown/house and compound, situated in

Description of food taken in custody

... ..

Food inspector of

... .. area

Date:

Schedule- 8
(Relating to sub-rule (2) of Rule 13)

Name and address of the owner of food:

... ..

Since, in my opinion, the food held by you is contaminated or sub-standard, I have, for the purpose of an action in this regard, and in exercise of the powers conferred by sub-rule (2) of rule 13 of the Food Regulation, 2027 (1970), hereby ordered you to so safely retain it with you that the stock of the food is not sold or otherwise misappropriated until another order is issued in this respect.

Place:

Date:
Food inspector
Area

Schedule- 9
(Relating to sub-rule (5) of rule 18)

| | | |
|---|-----------------|---|
| a. Vitamin "A" carotene | | By the proportion of the international unit of vitamin "A" (in doing so, 0.6 microgram is to be considered as an international unit of biota carotene vitamin "A"). |
| b. Vitamin Vitamin Calciphoral Vitamin "D" 3 | "D" 2 and | By the proportion of the international unit of vitamin "D". |

| | | |
|-----------------------------|----------------------------|---|
| c. | Other vitamins: | Milligram, by the proportion of the vitamin concerned. |
| Thiamine | (vitamin "B" 1) | |
| Riboflavin | (vitamin "B" 2) | |
| Niacin or nicotinic acid | Pyridoxine (vitamin "B" 6) | |
| Folic acid | | |
| Pentothenic acid | | |
| Inacital | | |
| Biotin | | |
| Parasavinibenzoic acid | | |
| Colin | | |
| Alpha Raibazil phosphate | (vitamin "B" 12) | |
| Ascorbic acid (vitamin "C") | Takopherol (vitamin "E") | |
| Vitamin "K" | | |
| d. | Nutritional minerals: | Milligram, by the proportion of the nutritional minerals concerned. |
| Calcium | | |
| Iodine | | |
| Iron | | |
| Phosphorus | | |

**Schedule- 10
(Relating to rule 22)**

- a. **Coaltar colors (synthetic dyes) allowed to be used in food:**
No coaltar color (dye) except the following coaltar colors synthetically produced or a mixture thereof shall be used in any food:

| Type | Color index No. 1956 | Common name | Other name |
|--------|----------------------|------------------------|---------------|
| Red | 16185 | Amaranth | Food red 9 |
| " | 16255 | Ponceau 4R | - |
| " | 45430 | Erythrosine | Food red 14 |
| " | 14720 | Carmoisine (Azo Rubin) | - |
| " | 16045 | Fast red E | - |
| Yellow | 19140 | Tartrazine | Food yellow 4 |
| " | 15985 | Sunset yellow FCF | " |
| Blue | 73015 | Indigo carmine | Food blue 1 |
| " | 42090 | Brilliant blue FCF | - |
| --- | | | |
| --- | | | |
| Green | 44090 | Wool green B.S. | - |
| " | 42053 | Fast green FCF | - |

- b.
- c. **Maximum limit of permitted color:**
The above-mentioned coaltar colors may be added to any food that is ready for consumption not in excess of 200 milligram per kilogram.
- d. **Coaltar color to be pure:**

The coaltar colors specified in clause (a) to be used in any food shall not contain any substance that is injurious to health.

e. **Restriction on the use of coaltar colors:**
The coaltar colors specified in clause (a) shall be used only in the following food:

1. All kinds of ice-cream,
2. Cheese,
3. Different preparations from egg,
4. Biscuit, cake, pastry, and other sweets,
5. Non-alcoholic beverages except tea, coffee, coca cola,
6. Custard power,
7. Jelly powder,
8. Processed or preserved fruits and green vegetables,
9. Soup powder,
10. Flavoring agents.

f. **Prohibition of the use of coaltar colors:**
Even the coal tar colors specified in clause (a) are not allowed to be used in any food to be eaten after cooking.

g. **Natural colors allowed to be used in food:**
Natural colors other than those mentioned below are not allowed to be used in any food:

| Type | Color index No | Common name | Description |
|--------|----------------|------------------------------------|-------------|
| Yellow | 75.120 | Annatto | |
| " | 75.130 | Carotin or bita carotin | |
| " | 75.100 | Saffron | |
| " | ----- | Riboflavin or lactoflavin | |
| " | 75.300 | Turmeric or curcumin | |
| " | ----- | Lento phil | |
| Gray | ----- | Caramel | |
| Red | 75.470 | Cochineal, carmine or carmine acid | |
| " | | Ratanjot, hamatoxinil | |
| " | | Arrayal (atsin) | |
| " | 75.520 | Alkanet, alkaline | |
| Green | 75.810 | Chlorophyll | |

h.
i. **Restriction on the use of inorganic colors and pigments:**
No inorganic color or pigment shall be used in any food.

**Schedule- 11
(Relating to rule 23)**

Preservatives are divided into following classes and have to be used as follows:

- a. **First class preservatives:**
The following preservatives shall be deemed to be the first class preservatives, and these preservatives may be added in any quantity to any food.

1. Common salt,
2. Sugar, sugar candy,
3. Dextrose,
4. Glucose
5. Wood smoke
6. Spices,
7. Vinegar or acetic acid,
8. Honey,
9. Hops, and
10. Alcohol.

- b. **Second class preservatives:**
The following substances shall be deemed to be the second class preservatives.

- a. Sodium or potassium nitrites,
- b. Benzoic acid and salts thereof,
- c. Sulphurous acid and sulphurdioxide,

The preservatives mentioned above have to be used in the following food in a quantity not exceeding the following:

| Description of food | Part per million (ppm) | |
|--|------------------------|--------------|
| | Sulfur dioxide | Benzoic acid |
| 1. Sausages and spices and sausage meat containing raw meat | 450 | |
| 2. Fruit pulp or juice (for conversion into jam, crystallized glace or cured fruit etc.) | | |
| d. Cherries | 3000 | |
| e. Strawberries and raspberries | 2000 | |
| f. Other fruit juice | 1000 | |
| 3. Fruit juice concentrate | 1500 | |
| 4. Dried fruits | | |
| g. Peaches, apples, pears, apricots and other fruits | 2000 | |
| h. Raisins, Kissmis | 750 | |
| 5. Non-alcoholic drinks including fruit drinks, lemon juices | 350 | 600 |
| 6. Jam, marmalade, fruit jelly and pickles etc. | 40 | 200 |
| 7. Fruit pulps not mentioned in this list | 350 | |
| 8. Sugar, glucose, Gur and Khandsari etc. | 70 | |
| 9. Corn flour or starchy food | 100 | |
| 10. Liquid glucose | 450 | |

| | | |
|---|---|-----|
| 11. Gelatin | 350 | |
| 12. Beer | 70 | |
| 13. Cider apple juice | 200 | |
| 14. Wine | 450 | |
| 15. Brewed ginger beer | - | 120 |
| 16. Sweet soda water | 70 | 120 |
| 17. Coffee extract | - | 450 |
| 18. Pickles and chutneys made from fruits or vegetables | - | 250 |
| 19. Tomato and other sauces | - | 750 |
| 20. Tomato pulps (puree and paste) | - | 250 |
| 21. Syrup and sherbets | 600 | 600 |
| 22. Dehydrated vegetables | | |
| i. Tomato | 550 | |
| j. Cabbage | 3000 | |
| k. Beans, peas, carrot, Palungo, Salgam etc. | 2000 | |
| 23. Dried ginger | 2000 | |
| 24. Processed meat (cooked pickled) including ham and bacon | Sodium or potassium nitrite not exceeding 200 ppm | |
| 25. Danish tinned caviar (salt added fish) | Benzoic acid | 50 |

Explanation:

1. Part per million (ppm) means one part of one million parts.
2. Sodium or potassium nitrites shall be used only in the meat of any other types which may be used to preserve hams or bacons.
3. **Prohibition on the use of more than one second class preservative:**
The use of more than one second class preservative in any food is prohibited.

**Schedule- 12
(Relating to rule 26)**

License for itinerant sale

Serial No:

Ref. No and Dispatch No:
Date:

1. Name and surname:
2. Father's name:
3. Grand-father's name:
4. Birth place:
5. Temporary address (including Ward No.):
6. Permanent address (including Ward No):

- 7. Name of food intended to be sold or distributed:
- 8. Signature:
- 9. Thumb impressions (only when one cannot sign) :
- 10. Name of the other family members of who go to sell or distribute the food, by taking the custody of license:

- a.
- b.
- c.

| Right | Left |
|-------|------|
| | |

Signature of the licensing authority: ...
 Name of Municipality or Village Development Committee: ...
 District: ...
 Zone: ...

Signature and office seal falling also over the photograph.
 License fee: Rs. ...

Schedule- 13
(Relating to rule 27)

License to open shop or carry on wholesale business

Serial No:

Ref. No and Dispatch No:

- 1. Name of shop or firm:
- 2. Address:
- 3. Name, surname of partner of shop/firm or person taking responsibility for action:
- 4. Father's name:
- 5. Grand-father's name:
- 6. Birth place:
- 7. Permanent address (including Ward No.):
- 8. Temporary address (including Ward No.):
- 9. Name of food intended to be sold or distributed or of which wholesale business is intended to be carried on:
- 10. Signature:
- 11. Thumb impressions (only when one cannot sign) :

| Right | Left |
|-------|------|
| | |

12. Photograph:

Signature of the licensing authority:
Name of Municipality or Village Development Committee:
District:
Zone:

Signature and office seal falling also over the photograph.
License fee: Rs.

Schedule- 14
(Relating to sub-rules (3) and (5) of rule 28)

License for food industry

Serial No:

Ref. No and Dispatch No:

1. Name of shop or firm:
2. Address:
3. Entrepreneur's name and surname:
4. Name, surname of the person taking taking responsibility for the activities of industry:
5. Father's name:
6. Grand-father's name:
7. Birth place:
8. Permanent address (including Ward No.):
9. Temporary address (including Ward No.):
10. Name of the food intended to be produced or sold or distributed:
11. Signature:
12. Thumb impressions (only when one cannot sign) :

| Right | Left |
|-------|------|
| | |

13. Photograph:

Signature of the licensing authority:

Signature and office seal falling also over the photograph.

