

The Safety of 'Packaged' Food and Indian laws: Critical Analysis

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ABSTRACT

Food is the basic necessity a human lives for. It is considered as gift of Mother Nature to mankind and often compared as a mother's love for child but what if it turns into evil and affect as poison. In today's fast developing world is completely dependent on instant food, the readymade or one can say fast food. No doubt these may be quick in serving but it is in fact true that these are quicker in damaging. Many companies are earning huge profits by providing wide variety of such quick food but are they really safe for human consumption? And if not then who is going to stop them. The article is going to discuss such problem along with the legal remedies if any food is unsafe and importance of social awareness

Keywords: Adulteration, Packaged food, Indian food laws, FSSAI and Food awareness.

1. INTRODUCTION

"The food you eat can be either the safest and most powerful form of medicine or the slowest form of poison."

- MRL & Food Safety updates India
D-technology.

Evil of food adulteration-

For a nation that is particular about its food and significantly fond of home cooked and fresh food, the trend of fast food or packaged food is showing globalization and increase of new markets not witnessed in India before. India's packaged food business has grown manifold and it is estimated to grow to \$50 billion by 2017 from \$32 billion at present. Factors that fuelled this industry growth are the arrival of food multinationals, rising popularity of quick-service restaurants, increasing urbanization, time-pressured lifestyle and most importantly its young population. The food processing industry, in India, holds tremendous opportunities. It has high employment potential, sufficient resources and adds a big portion to country's GDP. However, this '**sunrise industry**' is also subject to some drawbacks.

Two in every 10 food samples tested for quality over the past years have been found to be either adulterated or misbranded, revealing alarming trends in the country's food safety sector. The trends are contained in Food Safety and Standards Authority in India (FSSAI)'s Annual Public Laboratory Testing Report 2014-15, which shows that food testing labs under the regulatory network analyzed 74,010 food samples for quality and mandatory health disclosure over the past years and found 14,599 of these either adulterated or misbranded. This implies 20 percent of all samples failed the test of quality and branding regulation.

The "maggi mess"-

An officer of the UP Food Safety and Drug Administration based in Barabanki ordered tests on a dozen samples of Nestle's Maggi instant noodles at the state laboratory in Gorakhpur, and repeat test at Central Laboratory in Kolkata, a referral lab. The Gorakhpur lab tested for monosodium

glutamate (MSG) to check Nestle's claim that maggi had none. Both tests found MSG; in addition the Kolkata lab found "very high quantity" of lead -17.2 parts per million. The whole controversy surrounding maggi has caught everyone's attention on two issues. First, Nestle and second, The Food Safety and Standards Authority of India (FSSAI). People now realize that a government organization exists that is supposed to ensure the safety of food we consume.

Legal framework-

The Food Safety and Standards Act, 2006 is the primary law for the regulation of food products, formulation and enforcement of food safety standards in India. Experts opine that "*this law will regulate production of food from farm to fork*". The Act intended as an "umbrella law" for food safety by consolidating older laws, rules and regulations like,

- Prevention of Food Adulteration Act, 1954
- Fruit Products Order, 1955
- Meat food products order, 1973
- The Vegetable Oil Products (control) order, 1947
- The Edible oils Packaging (Regulation) order, 1998
- The Solvent Extracted Oil, De-oiled Meal, and Edible Flour (control) order, 1992
- Essential Commodities Act, 1955 (in relation to food)

The Preamble to the Act states that it seeks to "consolidate the laws relating to food and to establish the Food Safety and Standard Authority of India for laying down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import, to ensure availability of safe and wholesome food for human consumption". The Act gives statutory powers to FSSAI. The FSSAI functions under the administrative control of The Ministry of Health and Family Welfare. The composition of Authority is also specified under the Act of 2006. The work of FSSAI is supported by State Food Safety Authorities.

On the other hand Indian Penal Code, under section 272 and 273, deals with the Offence of Adulteration of Food and

Drink intended for sale and entails punishment of six months imprisonment or payment of Rs. 1000 fine where a person adulterates any article of food or drink, so as to make such article noxious as food or drink, or knowingly it to be likely that same will be sold as a food or drink.

Challenges-

Despite having a legal framework in place, India still struggles with enforcing food safety norms and standards effectively, effective implementation is fought with plentiful challenges. Besides, currently there are limited numbers of Food Safety Officers., shortage of quality laboratories and lacking uniformity of standards. There is also an urgent need to upgrade the infrastructure in most of our food testing labs. In fact, in many cases, laboratories have had to be shut down due to absence of Food Analysts. For this purpose, it might be important to encourage private sector participation in setting up and maintenance of laboratories.

Monitoring plans for determining the presence of existing toxic contaminants would have to be put in places for all kinds of products meant not only for exports but also for the domestic market.

2. CONCLUSION

The country should be conscious about improving the health of public. Experts said- "Food safety norms need to be evolved if Indian trade has to grow". The present global scenario requires innovative rules and adoption of appropriate technology with proper information to compete in unified market. Enterprises require government special intervention in form of sponsored training and other means of awareness creation. India must revisit its food standards to ensure the success of 'Make in India' campaign. A collaborative effort between centre, state and the private sector along with effective consumer awareness, alone can address the challenge of food safety in the country.

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