

A RISING PROBLEM IN INDIA: FOOD ADULTERATION NEEDS STRICT LAWS

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INTRODUCTION

Food Adulteration is adding poor quality, harmful, dangerous, substandard, inferior, chemical, useless, colours or unnecessary substances to food with an aim of long storage, prematurity, additional taste etc. to gain additional financial profits. Food Adulteration is a very serious problem posing serious health risks in India. Every product is found adulterated including medicines. Community Health is National Health. Pure, fresh and healthy diet is most essential for the good health of the people. Food Adulteration is dangerous because it is toxic and affects health even causing cancer, on other side it also deprives nutrients, vitamins and proteins which are most essential for proper growth and development of Human being.

Public Health Foundation of India attributed 80 % of all premature deaths are because of contaminated food and water. Food Adulteration is not simply adding, it starts from the field itself where fertilizers, pesticides are used resulting contamination across all range of food. It means that, Food spoilage is occurring at all stages i.e. production, processing, storage, distribution, cooking and serving.

Food should be natural, without adulteration, contamination of any substances that may make food hazards to health. In recent years, Food export and import increased immensely consequently posing certain challenges concerning food toxicity because integration of the privatization and liberalization in Indian Trade system. The most contaminated food found in India are: Milk, Water, Oil, Vegetables, Fruits, Meat, Cheese, Chocolates, Packed food, Bakery Food, Street / Road side food etc. Flavour concentrates including artificial tastes and synthetic

colours, chemical compounds, long storage, metals etc. are some of dangerous additions found. It is wonder to note that, till today various diseases are not categorized separately in the health statistics, though about 75 % of deaths are supposed to be food-borne origin. The Governments are not conducive to promote Genetically Modified crops probably because more research on human health, environmental and economic risks, is needed before full scale adoption. Here, let us examine the comments of few professionals:

- Time to bat for nutrition-sensitive agriculture, home-grown food security – Venkaiah Naidu, Vice-President of India
- Milk sold in India 'white poison', Real milk no longer profitable - Milli Gazette
- Telangana Government to increase penalties on food adulteration – K. Taraka Rama Rao, Minister for MA&UD, Industries, IT & Commerce, Government of Telangana
- Proposes life imprisonment, Rs 10 lakh fine for food adulteration - FSSAI
- 1/3 of food samples tested in 2018-19 found adulterated - TNN
- A new-age collective for farmers, against adulteration -The Indian Express
- Food adulteration could be a non-bailable offence with life-term imprisonment - Maharashtra Government
- Rs 50 Lakh penalty, 5-year jail term for celebrities endorsing misleading ads - Indian Parliamentary Standing Committee
- (i) Fortified rice scheme to create Rs 3,000-crore market for just five big firms
(ii) Indian pharma firms receive 34% of FDA warnings this year - Down to Earth
- Reward of Rs 11,000 for information about food adulteration – Madhya Pradesh Government
- Government, private firms tie up to ensure food safety - Neetu Chandra Sharma
- Uttar Pradesh tops in food adulteration; Government collects Rs 38 crore penalty in over 4500 cases - Financial Express
- 85 % of food adulteration cases are pending since 2011 -The Hindu
- Aurobindo Pharma Ltd was warned by the FDA for ignoring impurities in an active ingredient it produced. Hyderabad-based Aurobindo recalled contaminated valsartan in January and in March - US regulatory body accuses India's Strides Pharma Sciences of adulteration

REVIEW OF LITERATURE

Legal Insight:

There were several defects in the Prevention of Food Adulteration Act, 1954, The Parliament enacted the Food Safety and Standards Act, 2006.

- Section 91 of the FSSA, 2006 empowers the Central Government to make rules under the Act. Some of them are Food Safety and Standards (Licensing and Registration of Food Businesses) Regulation, 2011, Food Safety and Standards (Packaging and Labelling) Regulation, 2011, Food Safety and Standards (Laboratory and Sampling Analysis) Regulation, 2011, and Food Safety and Standards (Food Product Standards and Food Additives) Regulation, 2011.
- Section 272 and 273 of Chapter XIV of Indian Penal Code, 1860 deals with offences affecting the public health, safety, convenience, decency, and morals,
- The Consumer Protection Bill, 2018 is a revised version of Consumer Protection Bill, 2015, the Bill has added certain provisions such as penalties for misleading advertisement as well as manufacturing and selling of adulterated or spurious goods
- Punishment for Food Adulteration- FSSAI, India, INDIA CONSTITUTION. Schedule VII, List III, Entry 18.
- Section 31, Food Safety and Standards Act, 2006, Section 18, Food Safety and Standards Act, 2006, and Section 43, Food Safety and Standards Act, 2006.

Table showing the causes of severe health disorders:

FOOD ARTICLE	ADULTERANT	HARMFUL EFFECTS
Bengal gram dhal & thoor dhal	Kesai dhal	Lathyrism cancer
Tea	Used tea leaves processed and coloured	Liver disorder
Coffee powder	Tamarind seed, date seed powder	Diarrhoea
	Chicory powder	Stomach disorder, giddiness and joint pain
Milk	Unhygienic water & starch	Stomach disorder
Khoa	Starch & less fat content	Less - nutritive value
Wheat and other food grains (Bajra)	Ergot (a fungus containing poisonous substance)	Poisonous
Sugar	Chalk powder	Stomach – disorder
Black powder	Papaya seeds and light berries	Stomach, liver problems
Mustard powder	Argemone seeds	Epidemic dropsy & glaucoma
Edible oils	Argemone oil	Loss of eyesight, heart diseases, tumours
	Mineral oil	Damage to liver, carcinogenic effects
	Karanja oil	Heart problems, liver damage
	Castor oil	Stomach problem
Asafoetida	Foreign resins galbanum, colophony resin	Dysentery
Turmeric powder	Yellow aniline dyes	Carcinogenic
	Non-permitted colourants like metanil yellow	Highly carcinogenic
	Tapioca starch	Stomach disorder
Chilli powder	Brick powder, saw dust	Stomach problems
	Artificial colours	Cancer
Sweets, Juices, Jam	Non-permitted coal tar dye, (metanil yellow)	Metanil yellow is toxic and carcinogenic
Jaggery	Washing soda, chalk powder	Vomiting, diarrhoea
Pulses (green peas and dhal)	coal tar dye	Stomach pain, ulcer
Suapari	colour and saccharin	Cancer
Honey	Molasses sugar (sugar plus water)	Stomach disorder
Carbonator water beverages	Aluminium leaves	Stomach disorder
Cloves	Cloves from which volatile oil has been extracted	Cheating, waste of money

FOOD SAFETY & PRECAUTIONS

Changing the primary responsibility for food safety to industry - Adopting a more “integrated” approach to work with allied sectors - “production-to-consumption” approach to food control - functions Increasing the role of consumers in decision making - Identifying the need for expanded food monitoring - Epidemiologically based food source attribution - Adopting risk analysis as an essential discipline to improve food safety.

Measures that need to be taken for Strengthening Food Safety Policy and Programs:

1. Food safety prevention programs are to be introduced at the food production, processing and distribution chain.
2. Greater involvement of rural and sub-urban areas in food safety related issues
3. Increasing of food safety concept and awareness through mass media
4. Strengthening of infrastructure on food safety including Legal frame work and support structures: Testing for quality, laboratory infrastructure, Standards, Regulations and Enforcement
5. Introduction and implementation of effective food labelling system
6. Harmonize with international regulations but keep national interests in mind
7. Emphasis on enforcement of regulations including stricter vigilance of imported foods. Strong involvement of state Governments in implementation with uniform and effective enforcement in various states
8. Strengthening and increasing the food safety related jobs especially in the rural and sub-urban sectors equally with towns.
9. Harmonizing relevant sector policies such as Food Security and Nutrition policy, Food Processing Policy etc with Food safety policy
10. Rolling base research on Food adulteration-based diseases.

SOCIAL ANALYSIS

A sociological, demographic survey is conducted with an aim to obtain the information on chosen subject. This survey is conducted from 300 respondents from whom 180 are male and 120 are female through direct interaction, telephonic conversation, via mailing, social media etc maintaining scientifically standard methods. The respondents of this survey are from various states of India, New-Delhi, Haryana, Punjab, Rajasthan, Uttar Pradesh, Madhya Pradesh, Himachal Pradesh, Bihar, Orissa, Gujarat, West Bengal, Maharashtra, Karnataka, Tamilnadu, Goa, Kerala, Andhra Pradesh and Telangana.

TABLE 1: Quality of the food they are consuming is Adulterated / Contaminated

	YES	NO	TOTAL	YES PERCENTAGE	NO PERCENTAGE	TOTAL PERCENTAGE
MALE	171	9	180	97	3	100
FEMALE	114	6	120	95	5	100

Table 1 shows that 96 % of respondents are agreeing that they are consuming adulterated food.

TABLE 2: Knowledge of ill health caused by Food Adulteration

	YES	NO	TOTAL	YES PERCENTAGE	NO PERCENTAGE	TOTAL PERCENTAGE
MALE	180	0	180	100	0	100
FEMALE	120	0	120	100	0	100

Table 2 states that 100 % of respondents are aware of ill health caused by Food Adulteration.

TABLE 3: Number of times they visited Doctor / Hospital for their ill health due to consumption of contaminated food

	1-2 Times	%	2-5 Times	%	5-10 Times	%	>10 Times	%	0 Times	%	TOTAL	TOTAL %
MALE	24	13	114	65	38	20	4	2	0	0	180	100
FEMALE	17	14	77	60	22	23	4	3	0	0	120	100

Table 3 explains that, 63 % respondents visited Doctor/Hospital for their ill health caused due to consumption of adulterated food; none of them remain without visiting Doctor/Hospital

TABLE 4: Type of food found adulterated among Milk, Water, Vegetables, Fruits, Ghee, Meat, Packed Food, Road side Food etc.

	ALL	ALL PERCENTAGE	TOTAL	TOTAL PERCENTAGE
MALE	158	88	158	88
FEMALE	112	93	112	93

Table 4 reveals that 91% of respondents are expressing their opinion all food products are adulterated almost.

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TABLE 5: Availability of food not adulterated nearby them

	YES	NO	TOTAL	YES PERCENTAGE	NO PERCENTAGE	TOTAL PERCENTAGE
MALE	160	20	180	11	89	100
FEMALE	100	20	200	17	83	100

Table 5 notifies that 86 % respondents stated that there are no shops available nearby who sells natural food

TABLE 6: Consent to buy uncontaminated food for higher cost

	YES	NO	TOTAL	YES PERCENTAGE	NO PERCENTAGE	TOTAL PERCENTAGE
MALE	137	43	180	76	24	100
FEMALE	88	32	120	73	27	100

Table 6 reveals that 74 % of respondents are ready to buy uncontaminated food at higher prices

TABLE 7: Responsible group for Food Adulteration among Food Processing Units, Street Vendors, Hotels, Sellers, NGO's, Government or any others

	GOVERNMENT	GOVERNMENT PERCENTAGE	TOTAL	TOTAL PERCENTAGE
MALE	160	89	160	89
FEMALE	113	94	113	94

Table 7 states that, 91 % of respondents opine that Governments is more responsible to control Food Adulteration

TABLE 8: Are the existing Laws could control Food Adulteration

	YES	NO	TOTAL	YES PERCENTAGE	NO PERCENTAGE	TOTAL PERCENTAGE
MALE	58	122	180	32	68	100
FEMALE	43	77	120	36	64	100

Table 8 reveals that 66 % of respondents are recommending for instituting of strict laws

The conducted survey accomplished that institution of stringent laws are most necessary to control uncontrolled Food Adulterating and contamination in India.

CONCLUSION

Due to poor research, there is little connection between Food Adulteration and Contamination and its effects on Human Health statistics. The affected rural areas are equally competing with

urban areas in Food Adulteration. This is pathetic. Prevention is more cost-affective, less time-consuming, result oriented thus the wide range of awareness campaigns at gross root level is most necessary and immediate. Formulation of new policy by amending existing laws, forming suitable and strict laws with stringent punishments, large penalties, cancellation of Licenses and Registrations, apply Prohibition and Detention Act. And implementation of such newly formulated Policy at gross root level may solve this rising problem of our nation, Food Adulteration.

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