



**RESEARCH LETTER**

## **Social Views of Food Adulteration and Its Legal Provision**

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### **ABSTRACT**

Food adulteration is a social evil and major problem of the every society. The disadvantages of Food Adulteration are more money for a foodstuff of lower quality and some forms of adulteration are injurious to health. Government of India, enacted a Central Legislation called the Prevention of Food Adulteration Act, 1954. The objective of the Government of India is to develop food quality for improving health outcomes of citizens and increase Indian competitiveness in the International food markets. India's long-term vision is to have a strong and proactive system of quality assurance for food that is based on the three pillars of self regulation, strong consumer awareness and legal enforcements where required.

**Keywords :** *Food Adulteration, Legal Provision, International Food Markets.*

### **1. INTRODUCTION**

India is the country of farming. Food and water are not only the elixir of life, but these valuable products are worshipped as god in India. In spite of this, fact, the evil of food adulteration is not only present in the society to a great extent, but its history can be traced back to the times of Koutilya.

### **2. SOCIAL VIEWS**

Ever since Independence, India has been grappling with the fundamental problems in the health sector, which is related to basic health indicators. Increasingly, however, new areas of concern are emerging, which need to be addressed. One of these areas is food-borne diseases which stems from microbiological and chemical contamination and consumption of wholesome or unhygienic food. Increase in population, rapid urbanization, growth of slums with unhygienic conditions, changing life styles, increased consumption of food cooked outside the home through street vendors or small eating establishments, have necessitated that sufficient attention to be focused on quality assurance and hygiene standards in this area.

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The concept of adding “non –food” substances to food products is not new. Food additives are defined as non-nutritious substances which are added intentionally to food, generally in small quantity, to improve its appearance, flavor, texture or shortage properties.

Food additives may be classified into two categories :

First category includes coloring agents, flavoring agents, preservatives, acidity imparting agents etc.

Second category is strictly speaking, contaminants, incidental through packing, processing steps, farming practices or other environmental conditions.

Food adulteration is a social evil. It is an age- old problem of the very society. Adulteration consists of a large number of practices, e.g., mixing, substitution, concealing the quality, putting up decomposed foods for sale, misbranding or giving false labels and addition of toxicants. Food adulteration is a socio-economic crime, because mode of adulteration is harmful for human beings and source of profits is for business men who are involved in adulteration activities. The general public, traders and food Inspectors are all responsible for perpetuating this evil- the public, because of lack of awareness of the dangers of adulteration and their general disinterest; the traders, for their greed for money, and food Inspectors who find food adulteration a fertile ground to make easy money. Adulteration results in two disadvantages for the consumer: first, he is paying more money for a foodstuff of lower quality; secondly, some forms of adulteration are injurious to health, even resulting in death.

### **3. PREVENTION OF FOOD ADULTERATION ACT, 1954**

Government of India, enacted a Central Legislation called the Prevention of Food Adulteration Act, 1954 in the year 1954, with the objective of ensuring pure and wholesome food to the consumers and to protect them fraudulent and deceptive trade practices. Rules are framed which are revised from time to time by an expert body called the “ Central Committee for Food Standards” which is constituted by the Central Government under the provisions of the Act. The Prevention of Food Adulteration Act was amended in 1964, 1976, and the lately in 1986 to make the Act more stringent. The Act provides protection against adulteration or contamination of food that may have deleterious effects on consumer’s health. The Act also deals with the frauds that can be perpetrated by the dealers by supplying cheaper or adulterated foods. The Act regulates the use of chemicals, pesticides flavors and other additives in food preparation. Dumping of substandard foods is controlled under this act. It is because the stray animals and rag pickers can consumed such food and get poisoned them.

Central plays a vital role in proper coordination, monitoring and surveillance of the programme throughout the country. Although it is a Central Act, its implementation is largely carried out by the State Governments and local bodies in their respective areas. Any food that does not conform to the minimum standards is said to be adulterated.

Training being an important component of the programme for prevention of food adulteration, the Directorate General of Health Services organizer in- service training programme for different functionaries responsible for implementation of the PFA Act. Food inspectors, analysts and the senior officers concerned with the

implementation of the Act in states are provided training.

#### **4. FOOD LABORATORIES**

Prevention of Food Adulteration Rules, 1954 which provides duties of various functionaries, lay down qualifications and duties of Food Inspectors, Public Analysts, Food (Health) Authorities, Local (Health) Authorities, devised forms for drawing samples and reporting the results of analysis, manner of packing, fastening and dispatching the samples. The rules also lay down the labeling provisions, restriction on sale of admixture of certain foods, provisions of food additives, limits of some food contaminants, limits of pesticide residues and specifications of various food products. A chain of food laboratories and four regional appellate Central Food Laboratories (Kolkata, Mysore, Pune and Ghaziabad) whose report is considered to be final have been established. There are about 80 Food Laboratories in country at State / District level under the administrative control of State/ UT Governments and Local bodies.

Additionally, there are four Central Food Laboratories under the administrative Control of Central Government. The Central Food Laboratories are appellate Laboratories. The Central Food Laboratories are well equipped with sophisticated equipments. Food Laboratories have the facility to analyze all type of food products. The Central, State / District level food laboratories are having facilities for routine analysis of common consumable food items.

#### **5. SAMPLING FOR ANALYSIS**

The sample of the food products are lifted by Food Inspectors under the provision of PFA Act, 1954. These samples are analyzed in the laboratories and, thereafter, further action is initiated. In case the samples of food products are not found to be conforming to the provision of PFA Act and Rules/ standards, prosecution is launched in the Court. A chance is given to the party for second analysis of the sample in the appellate laboratory i.e. Central Food Laboratory. The final decision of the Court depends on the analysis report of the Central Food Laboratory. Sample of food for the purpose of analysis shall be taken in clean dry bottle or Jar or in other suitable containers which shall be closed and sufficiently tight to prevent leakage, evaporation, or in the case of dry substance, entrance of moisture and shall be carefully sealed. When a food inspector takes a sample of food for analysis, he shall give in writing to the person. He shall divided the sample into three parts and mark and seal or fasten up each part in such a manner as its nature permits and take the signature or thumb impression of the person, if person refuses the sign or put his thumb impression, the food inspector shall call upon one or more witness and take his or her signature or thumb impression. All bottles or jars or containers containing sample for analysis shall be properly labeled and the parcels shall be properly addressed.

#### **6. PENALTIES PROCEDURES**

A minimum imprisonment of six months with a minimum fine of Rs. 1000 is envisaged under the Act for cases of proven adulteration, whereas for the cases of adulteration which may render the food injurious to cause death or such harm which may amount to grievous hurt the punishment may go up to life imprisonment and a fine which shall not be less than Rs. 5000.

## 7. CONCLUSION

Food adulteration is a major social problem in every society. Government of India, enacted a Central Legislation called the Prevention of Food Adulteration Act, the objective envisaged in this legislation is to ensure pure and wholesome food to the consumers and also to prevent fraud or deception. The general public traders and food inspectors are all responsible for perpetuating this evil. Unless the public rises up against the traders and unscrupulous food inspectors, this evil cannot be curbed. It is here the voluntary agencies, consumer guidance, proper cancelling and IEC (Information, Education and Communication) materials can play a vital role.

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