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Review Article

AN OVERVIEW ON LEGAL ISSUES REGARDING FOOD SAFETY

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ABSTRACT

Eating is considered as one of the parts of our everyday living. Without which we can't expect the life to exist. Food borne illness continues to be an urgent issue across the country. Role of government in its citizens' food consumption has been one of the great controversies since civilization first came to exist. Food being such an essential and vital resource for the continuance of our survival, it is obvious that government must have some role in arranging some form of food security in order to guarantee the continued viability of its civilization. The role of our government must take is to focus on the safety and security of our food. This article describes International and Indian standards regarding food safety. The implementation of public policy is essential to alleviate some of the problems associated with the nation's food supply.

Keywords: Food Borne Illness, Government, Food Safety, Security.

INTRODUCTION

Food is any material usually plant or animal origin that contains essential nutrients such as carbohydrates, fats, proteins, vitamins or minerals and is ingested and assimilated by an organism to produce energy stimulate growth and maintain life¹. Food is one of the necessities for sustenance of life. Pure fresh and healthy diet is the most essential for the health of people. It is no wonder say that community health is national wealth. Food safety it is a scientific discipline describing handling, preparation, storage of food in good ways that prevent food borne illness². Nowadays it is very importance because food can transmit disease from persons to persons as well as serves as a growth medium for bacteria that can cause food poisoning. The food safety considerations include the origins of food including the practice relating to food labeling, food hygiene, food additives and pesticide residues. In developed countries there is strict standard control for food safety.

The World Health Organization they put forward five key principles for food hygiene, they are³

1. Prevent contaminating food with pathogens spreading from people, pets, and pests.
2. Separate raw and cooked foods to prevent contaminating the cooked foods.
3. Cook food for the appropriate length of time and at the appropriate length of time and at the appropriate temperature to kill the pathogens.

4. Store food at proper temperature.

5. Do use safe water and raw materials.

Food law

The definition of food law has traditionally consisted of legal definitions of unsafe food, prescription of enforcement tools for removing unsafe food from commerce and punishing responsible parties after the fact.⁴ Here unsafe means at a particular time if it would be likely to cause physical harm to a person who might later consume it. Main functions of food laws are , Only safe and wholesome foods may be marketed by the food laws , which ensures regulatory decision making in food safety is science-based and also the Government has enforcement responsibility . Through these food laws Manufacturers, distributors, importers, and other are expected to comply and face liability for noncompliance, and also these laws make regulatory process is transparent and accessible to the public.

Food control is the another important term related with food safety, It is defined as a mandatory regulatory activity of enforcement by national or local authorities to provide consumer protection and ensure that all foods during production, handling, storage, processing, and distribution are safe, wholesome and fit for human consumption; conform to safety and quality requirements; and are honestly and accurately labeled as prescribed by law. In every country they are having their own Food Control Systems, which enforce the food law, which protecting the public health- by reducing the risk of food borne illness, and also protecting the

consumers – from unsanitary, unwholesome, mislabeled & adulterated food and contributing to economic development by maintain consumer confidence in the food system and providing a sound regulatory foundation for domestic and international trade in food.

Development of Food Laws

The main contribution for the development of food laws done by WHO (World Health Organization) and FAO (Food and Agricultural organization) .They have a strong interest in promoting national food control systems and their suggestions are based upon scientific principles and guidelines, and which address all sectors of the food chain. This is particularly important for developing countries food safety, quality and nutrition. Based upon their guidelines each and every country developed their own food laws regarding food safety.

There are two important international standards regarding Food safety, they are

1. Codex Alimentarius standard
2. HACCP (Hazard Analysis and Critical Control Points)

CODEX ALIMENTARIUS STANDARD

“Codex alimentarius” it’s a Latin word means “book of foods”. It’s a collection of internationally recognized standards, codes of practice, guidelines and other recommendations, relating to food production & food safety. Established by codex alimentarius commission in 1961 by WHO &FAO. Important functions are to protect the health of consumers which ensure fair practice in the international food trade. The codex alimentarius covers all foods whether processed, semi processed or raw and also it contains general standards for food labeling, food hygiene, food additives and pesticide residues.⁵

Hazard Analysis and Critical Control Points (HACCP)

HACCP is a systematic preventive approach to food safety from biological chemical and physical hazards. Food safety hazards-means any biological, chemical or physical problem that may cause a food to be unsafe for human consumption. The HACCP conduct a hazard analysis and identify the hazards in food safety. Then they identify the critical control points. CCP-is a point ,step, or procedure in a food manufacturing process at which control can be applied, as a result food safety hazard can be prevented, eliminated or reduced to an acceptable level. Establish corrective actions .⁶

Like these International standards in India developed National standards

1. Food safety and standard act (2006)
2. Prevention of food adulteration act(1954)
3. BIS
4. Agmark
5. Fruits product order (1955)
6. Meat Food Product Order(1973)
7. Milk And Milk product Order (1992)
8. Edible Oils Packaging (Regulation) Order, 1998

FOOD SAFETY AND STANDARD ACT (2006)

FSSAI (food safety and standard authority of India) was established in 2006 by FSSA. Main objectives are framing of the regulations to lay down the standards and laws in relations to articles of food. Which provide scientific advice ,technical supports to central govt and state govt in the matters related with food safety .FSSAI creating an information network

across the country so that the public, consumers, panchayats so that they can receive rapid and reliable information food safety and its issues. Which provide training programme for the persons in food business and also promote general awareness on food safety.⁷

PREVENTION OF FOOD ADULTERATION ACT (1954)

Passed by Indian Parliament to prevent adulteration of food .Adulteration of food stuffs was so rampant, widespread and persistent that nothing short of a somewhat drastic remedy in the form of a comprehensive legislation became the need of the hour. This PFA law extends whole India. The PFA act defines “adulterant” , means any material which is or could be employed for the purpose of adulteration. Like these, this act explains many definitions regarding food and food safety.⁸

BIS (BUREAU OF INDIAN STANDARDS)

BIS is the national standard body of India .It’s main function is harmonious development of standardization and quality certification. BIS- In general these standards cover raw materials used for food production & their quality parameters, hygienic conditions under which the product are manufactured packed and labeled. Earlier BIS was known as ISI, Indian Standard Institute.

AGMARK

The word AGMARK derived from agricultural marketing. AGMARK seal which ensure the quality and purity of the food products (unprocessed, semi-processed and processed agricultural commodities), Like butter ,ghee, vegetable oil, spices, honey. It also covers pulses cereals banana, fruits. AGMARK certification is passed only after elaborate testing. All these food processing factories with AGMARK certification appoint an expert with the permission of AGMARK officer’s .Who checks and controls the raw materials and produced food product for quality control AGMARK certification can take food samples from factory or open market and analyzed in their food lab. If the tested food is found to be substandard than the expected quality the AGMARK authority can terminate the chemical expert service provided for that company, and also they can prohibit the sale of same batch food in the market.⁹

FRUITS PRODUCTS ORDER (1955)

Main aim of FPO is to lay down the quality standards to manufacture fruits and vegetable products like pickles, squashes, jams, ketups, jellies, syrups, sauces . It is mandatory for all manufactures of fruits and vegetable products to obtain a license under this act. FPO-laid down minimum requirements to maintain hygienic production & quality standards, they are sanitary and hygienic conditions maintained in and around the location and surroundings of the factory, Personnel hygiene of the staffs should be checked. Portability of water, machinery & equipment with installed capacity and quality control facility & technical staff should be provided by the Fruit manufacturing company. Product Standards-Limits for preservatives & other additives of all the products should be mentioned very clearly.

MEAT FOOD PRODUCT ORDER (1973)

The MPO regulate the production and sale of meat food products through licensing of manufactures. Which enforce sanitary and hygienic conditions for meat food production. MPO maintain strict quality control at all stages of production

of meat food products, fish products, and chilled poultry. Which detect and destroy the meat of diseased animals and also MPO prevent the use of harmful substance in meat foods, Every cut meat is inspected before sale to ensure its wholesomeness .

MILK AND MILK FOOD PRODUCT ORDER (1992)

MMFPO maintain and increase the supply of liquid milk of desired quality in the interest of the public. Regulate the production, processing and distribution of milk and milk products. As per this order any person or dairy plant handling more than 10,000 liters/day or 500MT milk solid/year need to be registered with regulatory authority by the central govt.

THE EDIBLE OILS PACKING (REGULATION) ORDER, 1998

The order came into force on 17th September 1998 and is regulated by the Department of Sugar and Edible oil under Ministry of Food and Consumer affairs. "Edible oil" means vegetable oils and fats but does not include any margarine, vanaspati, bakery shortening and fat spread as specified in PFA and rules made there under, for human consumption .

Terms and Conditions of Certificate of Registration:

1. The business premises where the edible oils are stored or packed for sale, shall be maintained in proper hygienic condition
2. No registered packer shall employ any person who is suffering from infectious or contagious diseases which is likely to affect packing in hygienic conditions
3. Every registered packer shall maintain a register showing the quantity receive, packed for sale, and sold, in the form as specified by the State Government
4. The registered packer shall pack and sell edible oils, which shall be free from may adulterant and labeled
5. Nor article, which is not intended for human consumption shall be stored or sold in the same premises where such edible oils are stored or packed

IPC SECTION 272

Adulteration of food or drink intended for sale, whoever adulterates any articles of food or drinks, so as to make such article noxious, intending to sell such article as food or drink, shall be punished with imprisonment of either description for a

term which may extend to 6 months, or with fine which may extend to 1000 rupees or both¹⁰.

DISCUSSION

Food safety hazards are a burden on public health and contribute significantly to the cost of health care. Main goal of this article is to improve the food safety and reduce the food borne illness. Incidence Ratio of food borne illness is one case in every week. A food borne outbreak indicates that something in the food safety system needs to be improved. Public health scientist investigates outbreaks to control them and to learn how to prevent similar outbreaks in the future. So the need of the hour is- To implement scientific procedures to carry out food surveillance in jurisdiction to identify potential hazards in foods and create public awareness regarding the rules and regulations on food safety.

CONCLUSION

Food hazards can enter the food supply at any point from farm to table. Many food borne hazard cannot be detected in food when it is purchased and consumed. So only to prevent food borne illness only safe and wholesome foods are marketed. Take decisions based on science. Empower authorities to detect sources of contamination and necessary action to prevent contaminated foods from reaching the consumer. Be transparent and promote public confidence regarding food safety.

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