

# Food adulteration in india and law related to it.



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What Is Food Adulteration? Under the Prevention of Food Adulterant Act, an Adulterant is any material which be employed for the purposes of adulteration. Any article of food is adulterated if : 1. If any inferior or cheaper substance has been substituted wholly or in part, 2. If any constituent of the article ahs been wholly or in part abstracted 3. If the article has been prepared, packed or kept under insanitary conditions 4. If the article consists in part filthy, rotten, decomposed or diseased animal or vegetable or is infested with insects 5.

If the article is obtained from diseased animal 6. If the article contains any poisonous ingredient 7. If the article has unprescribed colouring substance or the colouring substance is in excess of the prescribed limits. 8. If the article contains any prohibited or excessive preservatives. 9. If the quality nor purity of the article falls below prescribed standard How to Test for Food Adulteration? Food Article Adulterant Simple Method for Detecting the Adulterant Milk Water Urea

Put a drop of milk on polished vertical surface. The drop of pure milk either stops or flows slowly leaving a white trail behind it. Whereas milk adulterated with water will flow immediately without leaving a mark. Take 5 ml of milk in a test tube and add 2 drops of bromothymol blue soln. Development of blue colour after 10 minutes indicates presence of urea. Mustard Seeds Argemone Seeds Argemone seeds have rough surface and mustard seeds on pressing is yellow inside while argemone seed is white.

Ice Cream Washing Powder Put some lemon juice, bubbles are observed on the presence of washing powder Sugar Chalk Dissolve sugar in a glass of

water, chalk will settle down at the bottom, similarly for salt Silver  
FoilAluminium FoilOn ignition genuine silver foil burns away completely  
leaving glistening white spherical ball of the same mass while aluminum foil  
is reduced to ashes of black Grey colour. HoneyWaterA cotton wick dipped in  
pure honey burns when ignited with a match stick. If adulterated presence of  
water will not allow the honey to burn, if it does will produce a cracking  
sound. CoffeeChicoryGently sprinkle the coffee powder on surface of water in  
a glass. The coffee floats over the water but chicory begins to sink down  
within few seconds. The falling chicory powder particles leave behind them a  
trail of colour, due to large amount of caramel they contain TeaColoured  
leaves Used tea Iron fillingsRub leaves on white paper, artificial colour comes  
out on paper. Tea leaves sprinkled on wet filter paper.

Pink or red spots on paper show colour Move a magnet through the sample.  
Iron will stick to the magnet. Red Chilli PowderRodamine Culture Brick  
PowderTake 2gms sample in a test tube, add 5ml of acetone. Immediate  
appearance of red colour indicates presence of Rodamine. Brick powder  
settles fast chilli powder settles slowly when put in water. Turmeric  
PowderMetanil YellowAdd a few drops of HCl to the extract of turmeric from  
water. Instant appearance of violet, when the colour persists when diluted  
with water indicates the presence of metanil yellow.

Dal arhar, moong, washed channaMetanil YellowExtract the colour with Luke  
warm water from the sample of pulses, add drops of HCl. A pink colour  
indicates presence of metanil yellow. Green vegetables like chilliMalachite  
greenTake a small part of the sample and place it over a moistened white  
blotting paper, the impression of the colour on paper indicates the presence

of malachite green Pure Ghee or ButterVanaspathiTake one teaspoonful of melted ghee or butter with equal quantity of Conc.

Hydrochloric acid in a test tube and add to it a pinch of cane sugar. Shake well for one minute and let it stand for five minutes. Appearance of crimson colour in lower layer shows the presence of vanaspathi. Black PepperPapaya SeedsFloat the sample in alcohol. The mature black pepper berries sink while papaya seeds and light black pepper float. HingSoap Stone or earthy matterShake a little portion of sample with water and allow to settle. Soap stone or earthy matter will settle down at the bottom.

SaffronColoured dried tendrils of maize cobPure saffron will not break easily like artificial. Pure saffron when allowed to dissolved in water will continue to give its colour so long as it lasts. Common SaltWhite powdered stoneStir a spoonful of sample salt in water. Chalk will make the solution white and other insoluble impurities will settle down. Penal Provisions Relating to Food Adulteration 1. Section 16 in The Prevention Of Food Adulteration Act, 1954 16. Penalties. any person- a) whether by himself or by any other person on his behalf, imports into India or manufactures for sale, or stores, sells or distributes any article of food- (i) where is adulterated with the meaning of the Food adulteration Act, 1954 sub- clause (m) of clause (ia) of section 2 or misbranded within the meaning of clause (ix) of that section or the sale of which is prohibited under any provision of this Act or any rule made thereunder or by an order of the Food (Health) Authority; (ii) other than an article of food referred to in sub- clause (i), in contravention of any of the provisions of this Act or of any rule made thereunder; or (b) whether by himself or by any other person on his behalf, imports into India or

manufactures for sale, or stores, sells or distributes any adulterant which is not injurious to health; or (c) prevents a food inspector from taking a sample as authorised by this Act; or (d) prevents a food inspector from exercising any other power conferred on him by or under this Act; or (e) being a manufacturer of an article of food, has in his possession, or in any of the premises occupied by him, any adulterant which is not injurious to health; or (f) uses any report or certificate of a test or analysis made by the Director of the Central Food Laboratory or by a public analyst or any extract thereof for the purpose of advertising any article of food; or (g) whether by himself or by any other person on his behalf, gives to the vendor a false warranty in writing in respect of any article of food sold by him, he shall, in addition to the penalty to which he may be liable under the provisions of section 6, be punishable with imprisonment for a term which shall not be less than six months but which may extend to three years, and with fine which shall not be less than one thousand rupees; Provided that- (i) if the offence is under sub- clause (i), of clause (a) and is with respect to an article of food, being primary food, which is adulterated due to human gency or is with respect to an article of food which is misbranded within the meaning of sub- clause (k) of clause (ix) of section 2; or (ii) if the offence is under sub- clause (ii) of clause (a), but not being an offence with respect to the contravention of any rule made under clause (a) or clause (g) of sub- section (1A) of section 23 or under clause (b) of sub- section (2) of section 24, the court may, for any adequate and special reasons to be mentioned in the judgement, impose a sentence of imprisonment for a term which shall not be less than three months but which may extend to two years, and with fine which shall not be less than five hundred rupees: Provided further that if the offence is under

sub- clause (ii) of clause (a) and is with respect to the contravention of any rule made under (a) or clause (g) of sub- section (1A) of section 23 or under clause (b) of sub- section (2) of section 24, the court may, for any adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term which may extend to three months and with fine which may extend to five hundred rupees]. 1A) 1[ If any person whether by himself or by any other person on his behalf, imports into India or manufactures for sale, or stores, sells or distributes,- (i) any article of food which is adulterated within the meaning of any of the sub- clauses (e) to (1) (both inclusive) of clause (ia) of section 2; or (ii) any adulterant which is injurious to health, he shall, in addition to the penalty to which he may be liable under the provisions of section 6, be punishable with imprisonment for a term which shall not be less than one year but which may extend to six years and with fine which shall not be less than two thousand rupees:

Provided that if such article of food or adulterant, when consumed by any person is likely to cause his death or is likely to cause such harm on his body as would amount to grievous hurt within the meaning of section 320 of the Indian Penal Code (45 of 1860 ), he shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to term of life and with fine which shall not be less than five thousand rupees. ]

(1AA) 1[ ] If any person in whose safe custody any article of food has been kept under sub- section (4) of section 10, tampers or in any other manner interferes with such, article, he shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine which shall not be less than one thousand rupees. (1B) 2[

If ny person in whose safe custody any article of food has been kept under

sub- section (4) of section 10, sells or distributes such article which is found by the magistrate before whom it is produced to be adulterated within the meaning of sub- clause (h) of clause (ia) of section 2 and which, when consumed by any person, is likely to cause his death or is likely to cause such harm on his body as would amount to grievous hurt within the meaning of section 320 of the Indian Penal Code (45 of 1860 ), then, notwithstanding anything contained in sub- section (1AA), he shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to term of life and with fine which shall not be less than five thousand rupees. (1C) If any person contravenes the provisions of section 14 or section 14A, he shall be punishable with imprisonment for a term which may extend to six months and with fine which shall not be less than five hundred rupees. (1D) If any person convicted of an offence under this Act commits a like offence afterwards, then, without prejudice to the provisions of subsection (2), the court, before which the second or subsequent conviction takes place, may order the cancellation of the licence, if any, granted to him under this Act and thereupon such licence shall, notwithstanding anything contained in this Act, or in the rules made thereunder, stand cancelled. (2) If any person convicted of an offence under this Act commits a like offence afterwards it shall be lawful for the court before which the second or subsequent conviction takes place to cause the offender's name and place of residence, the offence and the penalty imposed to be published at the offender's expense in such newspapers or in such other manner as the court may direct. The expenses of such publication shall be deemed to be part of the cost attending the conviction and shall be recoverable in the same manner as a fine. Causes of Food Adulteration 1.

Greed for Money. The greed for money can force any human to do an act which is immoral and illegal similarly the food adulteration enables a man to earn money in simple way without any hardwork, so this is the main factor behind food adulteration 2. Scarcity of products in days of demands The seller or manufacturer has to fulfill the demand of his customer, so whenever there is huge demand of product like in Diwali festivals, they adopt the food adulteration process to procure the supply to meet the demand to earn profit by harming the health of others. 2. Indian Penal Code, 1860 Section -272. Adulteration of food or drink intended for sale:-- Whoever adulterates any article of food or drink, so as to make such article noxious as food or drink, intending to sell such article as food or drink, or knowing it to be likely that the same will be sold as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both. Section -273.

Sale of noxious food or drink: -- Whoever sells, or offers or exposes for sale, as food or drink, any article which has been rendered or has become noxious, or is in a state unfit for food or drink, knowing or having reason to believe that the same is noxious as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

In spite of these penal provisions every day we hear and watch live on television sets how the food items are being adulterated and this spurious, unhygienic and harmful food is entering our houses. We have also come across evidence as to how the fruits are being ripened with the use of harmful chemicals. Spurious medicines, food products, soft drinks, soaps, tea



leaves are available in aplenty. There is hardly a thing which is not made with sub-standard and harmful chemicals.

The Government of India as well as state governments, where all these activities take place hardly bother to take any action against these monsters. It is also an act of betrayal besides being a crime under the IPC and the Prevention of food adulteration Act. The people are suffering from heart disease, kidney failure, skin diseases, asthma and other chronic diseases. The people are hapless victims of this adulteration industry running in full swing and unchecked. The administration is a mute spectator. The police and other agencies are, perhaps, beneficiaries of this flourishing business. No criminal activity can take place, for a long time, without the knowledge and connivance of the local police. The Govts. Vigilance and anti-corruption deptts, information gathering network and the ocal administration, all have taken a callous and carefree attitude towards this criminal activity, perhaps for a reason. The various instances of Food adulteration covered by the media by sting operation during the time of festivals in India is a sufficient proof that the food adulteration in India is at very high rate, which cannot be possible without the aid of administration. Proposals for Reform 1. More Strict Punishment. Those persons who adulterate the food to render the food unhealthy and unfit for human consumption must be dealt by law with strict punishment and for such purpose the legislature must introduce amendment in the Prevention of Food Adulteration Act, 1954 and in IPC, 1860. 2.

Life time Ban on food selling on offenders of Food Adulteration. Those are the offenders of food adulteration must be banned for dealing in the sale, manufacturing or in any way dealing with food which is meant for human

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consumption in a shape of penalty for food adulteration. 3. The Government officers must oblige to their duty to prevent Food Adulteration. Lack on the part of government officials to perform their legal duty, who are oblige to prevent food adulteration is also a main cause for the food adulteration in this higher level of food adulteration. So these officials must do their duty properly and according to the prescribed instructions instead of aiding the proliferation of food adulteration.