

PRESS RELEASE

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REPORT OF JOINT PARLIAMENTARY COMMITTEE ON PESTICIDE RESIDUES IN AND SAFETY STANDARDS FOR SOFT DRINKS, FRUIT JUICE AND OTHER BEVERAGES

Shri Sharad Pawar, M.P., Chairman, Joint Parliamentary Committee on Pesticide Residues in and safety standards for soft drinks, fruit juice and other beverages presented to Parliament today the Report of the Committee.

1st Term of Reference

As regards the first terms of reference of the Committee, the Committee divided it in two components, the first one is the qualitative (detection and identification) aspect and the second is the quantitative one (estimation and confirmation). So far as qualitative aspect is concerned, the Committee has expressed the view that CSE findings are correct on the presence of pesticide residues in soft drinks in respect of three samples each of 12 brand products of PepsiCo and Coca-Cola analyzed by them.

(Para 1.89)

CFL-CFTRI (Central Food Laboratory at Central Food Technological Research Institute, Mysore) and CFL, Kolkata (Central Food Laboratory, Kolkata) analyzed independently samples of the same 12 brands collected and sent to them by Directorate General of Health Services. Both laboratories also detected the presence of organochlorine and organophosphorus pesticide residues. The presence of pesticide residues, therefore, is a common scientific finding of all the three laboratories. The Committee has concluded that CSE stands corroborated on its finding pesticide residues in the soft drinks. So far as non-detection of malathion by the two laboratories is concerned, the Committee has attributed the same to the variations in different batch numbers, manufacturing locations and also the dates of collection and analysis. The

Committee has also noted that the presence of malathion was also reported by the laboratory under the Central Pollution Control Board and Shriram laboratory (Bangalore) and hence out of the five laboratories three had detected malathion in the samples tested by them.

(Para 1.91)

(Para 1.91)

With regard to the quantitative aspect, the results of CSE on the one hand and CFL-CFTRI and CFL, Kolkata on the other varied widely. The Committee has admitted that variations in an analytical research is a well known factor. It could arise due to host of other factors such as differences in (a) the manufacturing locations, (b) date of manufacture, (c) batch number of products, (d) temperature conditions of storage at the stocking place/retail end, (e) the laboratories due to the differences in the analytical techniques/procedures, (f) structural stability and (g) characteristics of the chemical molecule in question etc.

(Para 1.92)

The Committee has noted that although the pesticide residues were found in all the test reports with quantitative variations, however, while citing EU norms/limits for pesticides, the CSE adopted the USEPA method for analytical purposes. The Committee has felt that CSE could have adopted the EU specified methodology to reach a final conclusion of pesticide residues and its follow up.

(Para 1.94)

The Committee has found that the CSE findings are correct on the presence of pesticide residues in soft drinks strictly in respect of the 36 samples of 12 brand names analyzed by them. The Committee has appreciated the whistle blowing act of CSE in alerting the nation to an issue with major implications to food safety, policy formulation, regulatory framework and human and environmental health.

(Para 1.96)

Standards for Soft drink (Carbonated Water/Sweetened Aerated Water) Industry in India

The Committee has noted with deep concern that the soft drink (carbonated water/sweetened aerated water) industry in India with an annual turnover of Rs. 6000 crores is unregulated. It is exempted from Industrial licensing under the Industries (Development and Regulation) Act 1951, and gets a one time license to operate from the Ministry of Food Processing Industries under the Fruit Products Order (FPO) 1955 and a no objection certificate from the local government and the State Pollution Control Board. The Ministry of Health and Family Welfare which is a nodal Ministry for laying down standards of safety for all food items suddenly became alive to the entire issue only after Centre for Science and Environment - NGO based in New Delhi published its report on the presence of pesticides in soft drinks on 5th Aug, 2003. It issued a draft notification No. GSR 685 dated 26.8.2003 prescribing the same standards for soft drinks, fruit juices and other beverages as prescribed for packaged drinking water which were notified again after the Report by the same NGO was made public and under which EU norms for individual and total pesticides have been prescribed, without trying to ascertain as to how under the same notification soft drinks could be clubbed with fruit juices particularly when the MRLs fixed in the case of raw fruits and vegetables happened to be much higher under the existing provisions of the PFA Act, 1954. The Ministry did not take the opinion of the Central Committee on Food Standards (CCFS), which is a statutory Committee under the Act for laying down standards for various food items.

(Para 2.170)

Issue of Draft Notification after Constitution of JPC

The Committee has noted that Government approved the draft notification on 11.8.2003 and issued the same on 26.8.2003, in between JPC was also constituted to look into the matter. Though normally the time allowed for inviting objections is 90 days but under the aforementioned draft notification only 30 days were allowed, with the result that the JPC had to intervene and take up the matter with the Government, which agreed to extend the date by 31.12.2003.

(Para 2.171)

Scientists should head codex meetings

The Committee has desired that scientists must head the Codex teams representing India in all Codex meetings and these should not be headed by the bureaucrats from different ministries as is the present practice, since the latter often lack required professional/technical knowledge and do not have expertise and relevant experience.

(Para 2.173)

Standard of water used in manufacturing soft drink

The Committee has been surprised to note that though water is the major constituent of soft drink, so far neither it has been defined properly nor the standards laid down either under PFA, FPO or BIS certification scheme are monitored and enforced effectively. The only stipulation with regard to the water mentioned under .FPO in the Second Schedule Part 1 (A) is that the water used in the manufacture shall be potable. Similarly, under the Prevention of Food Adulteration Act, 1954 and Rules 1955 under item A.01.01 of Appendix B, water under the category of carbonated water only mentions that water has to be potable but no quality standards except for the microbiological contaminant standards for the final soft drinks are specified.

Apart from these two mandatory regulations, there is also a voluntary specification of BIS for carbonated/beverages (IS, 2346:1992). It specifies the quality of water to be used in the manufacturing of soft drinks which should meet the water quality standard for the processed food industry IS 4251:1967, which in turn specifies standards for bacteriological, physical and chemical tolerances but does not mention pesticides. It is only recently that the Ministry of Health and Family Welfare issued notification No.GSR.554(E) Dated 18. 7.2003 prescribing standards of 0.0001 mg/litre for individual pesticides and 0.0005 mg/litre for total pesticides for the packaged drinking water which are in conformity with the standards of EU and these norms have already been enforced w.e.f 1.1.2004. The same norms however, have been prescribed in the notification issued on 26.8.2003 for the soft drinks and other beverages on the plea that water is the main constituent in these.

The Committee has recommended that the water used in manufacturing the soft drinks should be in conformity with the new norms which have already been notified under notification No.GSR 554(E) dated 18.7.2003 so that the consumers are not deprived of the best standards.

(Paras 2.174- 2.176)

Standards for Carbonated beverage

The Committee has noted that EU norms are not based on any toxicological criteria or any realistic basis, but are a surrogate for zero. Moreover, these norms are often used as non-tariff barriers by the European countries against the developing nations, to protect their agriculture, trade and industry. For various agro-based products EU standards for produce within the European Union are much liberal compared to products imported from developing countries - for example, the different MRL standards for cane sugar vs. beet sugar and apple vs. mangoes, etc. The Committee has

recommended that India should formulate its own food standards, which are based on scientific criteria, protects the interest and health of its people and are in keeping with the internationally acceptable norms.

The Committee has recommended that standards for carbonated beverages, which are best suited for the Indian conditions need to be fixed in the overall perspective of public health. These standards should also be stringent enough. The reason that the other countries have not fixed such limits, should not dissuade our law makers in attempting to do so, particularly when a vulnerable section of our population who are young and constitute a vast national asset are consuming the soft drinks. In Committee's view therefore, it is prudent to seek complete freedom from pesticide residues in sweetened aerated waters. "Unsafe even if trace" should be the eventual goal.

(Para 2.181)

Charges for use of Ground Water

The Committee has also expressed concern on the use of ground water by the soft drink manufacturing companies as well as bottled water manufacturing companies. The Committee has found that though these companies are extracting huge amount of ground water but they are not being

charged anything for using the water. The only charges that they pay is a petty amount as water cess which is being levied by the State Pollution Control Boards under Water (Prevention & Control of Pollution) Cess Act. States also do not seem to have uniform procedures in this regard as in some States, industries located in the industrial development areas are charged for use of ground water at rates decided by the concerned States and in others there is no such practice. Taking into account that the water level in many parts of the country is getting depleted alarmingly, the Committee has desired that this requires to be properly regulated so that at least on account of indiscriminate use of Ground Water for commercial purposes, the level does not go down further. The Committee has desired that the Ministry of Water Resources must pursue the matter vigorously with the States and impress upon them the need to regulate water particularly for commercial purposes and also fix the price for water after taking into account the price being charged for water which is being used for domestic purposes.

(Para 2.182)

Non-caffeinated soft drinks

The Committee has found that soft drink companies are selling non-caffeinated soft drinks in every country besides the caffeinated ones including the United States and all countries in Europe. In India their production of non-caffeinated soft drinks is very little, as only Limca, Sprite and Mazza are stated to be non-caffeinated. The Committee has desired that at least option should be made available to the consumers to choose between the two and all brands should include caffeinated and non-caffeinated drinks. The Committee has also desired that there should be no difference in the quality of products being marketed in India as compared to those which are being sold in the USA or other European countries.

(Para 2.185)

Caffeine Regulations in Soft Drinks

Drink and Carbonated Beverages Sectional Committee FAD 14 which is BIS technical Committee have decided to revise IS 2346-1992 which are

standards for carbonated beverages and make it more broad based. In their report, the Technical Committee has advocated for restricting the use of caffeine in carbonated beverages as has already been done by some countries like Australia and China. They have also desired that the label on the caffeinated beverage must include advisory statements to the effect that the beverage contains caffeine and the same is not recommended for children, pregnant or lactating women and individuals sensitive to caffeine. The Committee (JPC) has desired that this recommendation be implemented based on best practices globally regarding caffeine regulations and its effects on human health. The Committee has recommended that the Ministry may consider bringing down the present limit of caffeine of 200 ppm in carbonated beverages as prescribed under PFA.

Coca Cola and PepsiCo Plants at Plachimada & Palakkad districts in Kerala

The Committee were informed that due to operation of Coca Cola and PepsiCo' plants at Plachimada in District Palakkad in Kerala, agricultural operations have badly been affected. Operations of these plants have resulted in causing pollution of water, depletion of ground water, reduced yield in crops, skin disorders and other ailments among the inhabitants. The Committee has recommended that the entire issue should be resolved and the company should also take into account the strong sentiments of the local people and various environmental issues positively. The State government must intervene in this regard and take necessary steps to resolve this serious issue. The Committee has noted that the Hon'ble Supreme Court of India has constituted recently a Monitoring committee on Hazardous Waste Management. It has jurisdiction over the entire country. The Committee has suggested that implementation of discharge of effluent sludge in Palakkad and Plachimada be also monitored by the above Monitoring Committee.

(Para 2.187)

The Committee has found that though huge amount of ground water is being extracted by both the Coca Cola and PepsiCo plants at Plachimada and Palakkad respectively, but the efforts made in recharging the water are not commensurate enough. The Committee has strongly recommend that provision

in this regard needs to be incorporated in the relevant Act making it mandatory for those who use the water for commercial purposes to recharge ground water to the maximum extent possible.

(Para 2.188)

Franchisee owned Plants

The Committee has noted that more than half of the total plants of Coca Cola! India and PepsiCo India Holding Private Limited are franchisee owned plants. Out of 52 plants

of Coca Cola India, 27 are franchisee owned plants. PepsiCo India has 21 Franchisee owned plants out of a total of 38 plants in India. Even though franchisees bottlers are required to adhere to quality control specification and other standards of parent company, they have no legal liability over their action and inaction.

The Committee has felt that the existence of a bottlers agreement cannot absolve the producers and marketers of their responsibility towards ensuring freedom from contamination of the beverages sold to the consumers. Whether its own bottling units or a franchisee bottling units, it is the absolute responsibility of the brand owner who selects the bottlers, provides the processing technology quality know-how, the concentrate and finally markets the end products, to ensure that consumers get a product which is in conformity with the prescribed norms of quality and safety. The Committee has recommended that onus for maintaining the quality should lie with the parent companies/brand owners and its compliance should be ensured.

(Paras 2.189 & 2.190)

Different standards for Fruit Juice and other Beverages

The Committee has observed that Soft drinks market is dominated by two global giants with access to state-of-the-art technologies and techniques and thus would be expected to show the way to better food safety. Fruit juices and beverages are primarily in the small and medium sectors and are labour

intensive. There are millions of fruit and vegetable farmers who provide the raw materials and thus constitute a principal support base to the fruit juices and beverages units. Given the current levels of pesticide residues allowed in raw fruits and vegetables, and given the socio-economic ground realities, the fruit juices and beverages industry needs to be treated differently compared to the carbonated water sector. The same standards cannot apply to them equally. Pesticide residues in food are a phenomena related to agricultural practices as they enter the soil and plant systems and work their way into the food chain. It is not a manufacture related issue and, therefore it will not be fair or proper to apply the carbonated water and packaged water (pesticide) residue levels to the fruits and vegetable juices and such beverages.

The Committee has recommended that standards notified under draft notification for pesticide residue should not be made applicable for fruit juice and other beverages.

(Paras 2.201-2.202)

Evolution of Database

The Committee has also recommended that institutions like ICMR, National Institute of Nutrition, CFTRI etc. should evolve database taking into account our food habits with regard to consumption of processed and non processed food, level of contaminants, and pesticides in these food products, their conformity with acceptable daily intake, usage of pesticide in agriculture and public health programme and based on their database. Standards for fruit juice and other beverages may be fixed after due deliberations in CCFS.

(Para 2.205)

Defective Packaging

The Committee has noted that Indian consignments of food products being exported from India have many a time been rejected merely on account of

defective packaging. Due to high cost of packaging, food processing industries, which are mainly in the small scale sector, have not been able to adopt state-of-the-art technology. In view of stringent norms for packaging of export products and the inability of our food processing units to adopt state-of-the-art technology for packaging, the Committee has recommended that Public Sector Undertakings like Hindustan Machine Tools etc. may be asked to make available cost effective packaging technology for the food products being exported by food processors in small scale units.

(Para 2.206)

MRL for Pesticides

At present 181 pesticides are registered in the country. The Committee has noted with dismay that out of 181 pesticides, MRLs for 71 pesticides only have been fixed under the PFA Act, 1954. Out of these thirty-two pesticides are still left for which MRL is yet to be fixed of these 32 pesticides, registration data for 24 pesticide is stated to have already been submitted by the Registration Committee to the Ministry of Health & Family Welfare. The Committee has desired that MRLs for these 24 pesticides may be fixed without any further delay. As regards 8 pesticides, the Committee has taken serious note that no data is available and desired that the Registration Committee should call for the data from manufacturers in due course of time and furnish the same to Ministry of Health & Family Welfare so that MRLs for these can also be fixed without further delay.

(Para 3.44-3.45)

Registration of Pesticides

The Committee has been anguished to note that pesticides were being registered by the Registration Committee even when no MRLs had been fixed. It is only after the CSE came out with their report on presence of certain pesticides

in the bottled water in the month of February, 2003, that a decision was taken by the Ministry of Agriculture in the meeting chaired by Secretary, Agriculture in June 2003 to discontinue this practice. The Committee has desired that this should now be strictly enforced. In order to rule out any possibility of registering the pesticide by way of notification/rule, the Committee has recommended that Insecticide Act 1968 should be suitably amended by inserting a suitable clause in this regard.

The Committee has desired that a review of existing MRLs of the pesticides may be made at regular intervals, in the light of scientific developments and revision of ADI, if any.

(Paras 3.46 & 3.47)

Deemed Pesticide

The pesticides which were being used before 1971 i.e prior to coming into force of the Insecticide Act, 1968 and rules 1971 were included as “deemed as registered pesticides”. The Committee has noted that many of the MRLs of the “deemed registered pesticides” have not been fixed so far. Though many of the deemed pesticides are already phased out, the Committee has desired that MRLs of deemed pesticides which are still in use may be fixed without any further delay.

(Para 3.48)

Waiting Period for Pesticide

The Committee has noted that waiting period for deemed pesticides are not mentioned on the leaflets due to non-availability of the residue data on the crops in which the products are applied. To overcome the gap, the Registration Committee has constituted an expert group to examine data available with the pesticide industry and the Registration Committee so as to recommend the waiting period. The Committee has desired that in the light of recommendations of expert group regarding waiting period, steps may be taken to ensure that the same is invariably mentioned on the leaflets. Farmers should also be educated to observe the prescribed waiting period.

(Para 3.49)

Use of Banned Restricted Pesticide

The Committee has noted that residues of certain pesticides like DDT, Lindane, which are totally banned for use in Agriculture and permitted for restricted use in health programmes only, have been found in food and vegetable products. Due to aerial spray of Endosulphan in Kasargod area in Kerala, the inhabitants suffered health problems.

The Committee has desired that Ministry of Health and Family Welfare in coordination with the Ministry of Agriculture should impress upon the State Governments the imperative need of strictly adhering to the guidelines for usage of DDT, Lindane and other restricted pesticides for health programmes only. The farmers too need to be educated properly in this regard. The Committee has desired that strict punishment may be provided to the offenders who are found selling banned/restricted pesticides.

The Committee desire that proposal for the amendment to Insecticide Act 1968 may be expedited so that the farmers in the country get quality pesticides.

(Paras 3.50 – 3.52)

Use of Biopesticides

The Committee has desired that steps to encourage the use of bio-pesticide, production of bio-control agent and promoting organic farming etc. need to be taken more vigorously

(Para 3.57)

Strengthening of Infrastructure of Laboratories

The Committee has found that the presence of pesticide residues in some cases could have an effect on our exports. The major hurdle which an average farmer faces is on this account is firstly that there are inadequate testing facilities which are presently available in the country and secondly the changes for the same are exorbitant ranging from Rs. 400-Rs 5000 per sample. The Committee has recommended that the existing infrastructure of laboratories may further be strengthened and the services may be offered to the farmers at affordable rates

(Para 3.58)

Water

Water is an elixir of life and its importance as an item of food needs hardly to be spelt out. The Committee has noted with concern that even after fifty years of the enactment of the Prevention of Food Adulteration Act, 1954, the necessity of including water under the definition of “Food” has not been felt. The Committee has recommended that section 2(v) of the PFA Act which defines “Food” should be amended without further loss of time.

(Para 4.49)

Standards for Packaged Drinking Water

The Committee has noted that though the culture of packaged drinking water came to India in the eighties, the first time that any standards were laid down by the Bureau of Indian standards- a national body for standards, was only in 1998 i.e almost after a decade. During this period no check whatsoever was being exercised on the quality of water being sold by the manufacturers of this water by the authorities. The manufacturers, therefore, took full advantage of such an unregulated regime by charging heavily for the water which, according to the admission of the BIS itself, was being sold after filling the bottles from the municipal water without any processing!)

It is only recently that when the CSE brought out a report on 4th February, 2003 with respect to the presence of pesticides in some samples of bottled water and highlighted the hazardous effects of such pesticides on human health in their report, that the Technical Committee of BIS thought of convening an urgent meeting and recommended new standards which have been implemented w.e.f. 1.1.04

(Paras 4.50 – 4.51)

BIS Laboratories

The Committee has noted that Bureau of Indian Standards is supposed to monitor the quality of various food products by getting the same tested, hardly has any laboratory of its own. The Committee noted that it has only eight laboratories out of

which only one laboratory is equipped to test pesticides. Non of these laboratories is equipped to test pesticides. None of these laboratories is

equipped with GCMS technology and none of these is accredited by NABL. The BIS is also saddled with the problem of shortage of technical manpower which in turn has adversely affected its monitoring operations. Non official experts are not attending the meetings of the Bureau because they do not get allowances. The Committee has strongly advocated that a thorough review of the working of this organization should be taken up forthwith with a view to removing all the bottlenecks which are hampering its operations and it should be headed by an eminent scientist who can infuse dynamism in its working so that it becomes a national standards body in the real sense of the term.

(Para 4.52)

Standards for Drinking Water

The Committee has noted that at the Central level there are two agencies which are concerned with the supply of drinking water in the country. It is the Department of Drinking Water Supply under the Ministry of Rural Development in regard to rural areas and Central Public Health and Engineering Organization under the Ministry of Urban Development and Poverty Alleviation for urban areas. Besides these two, there are a host of other agencies which are operating water quality network in the country. All these agencies are working more or less independent of each other and there is hardly any co-ordination among these. The result is that at present there seems to be total confusion as one agency does not know what the other is doing and very often there is a great deal of overlapping. The Committee has recommended that there should be a single organization at the apex level which should be responsible for enforcement and monitoring the quality standards for the drinking water in the country and the role of all other agencies should be defined clearly so that there is no scope of any ambiguity left so far as their respective functions are concerned. This apex body should be able to effectively exercise control over others so that close co-ordination and uniformity in approach could be achieved.

The Committee has expressed the view that norms for drinking water should be formulated based on scientific studies and should be such which are achievable. It is at the same time very essential that these standards are made legally enforceable. Earnest efforts in this regard must be initiated immediately.

(Paras 4.54-4.55)

Spurious Branches of Packaged Drinking Water

The Committee has expressed its displeasure on the weakness of the enforcement system which has resulted in the appearance of spurious brands of packaged drinking water in the market and desired that this menace has to be dealt with on the lines of the sure (none is spared), swift (fast processing of case) and severe (deterrent punishment) approach proposed by the Mashelkar Committee to curb the spurious drugs menace in the country.

(Para 4.57)

Multiplicity of Laws dealing with Food Safety Standards

The Committee has found that there are multiplicity of laws and regulations dealing with the food safety standards in our country. This has resulted in many standard making bodies like BIS under the BIS Act, CCFS under the PFA Act, The Ministry of Food Processing under the FPO, Ministry of Agriculture under 'AGMARK' etc. What is of deep concern to the Committee is the fact that very often these bodies are working independent of each other and there is hardly any co-ordination among these. Such a situation has obviously resulted in loose administration and enforcement of the various laws, with the result that consumer is the ultimate sufferer.

(Para 4.76)

Integrated Food Law

The Committee has noted that the Ministry of Food Processing Industries are already seized with the problem and the entire issue of an integrated food law and a single Authority is being looked into by a Group of Ministers. Though this is a well conceived notion which will help harmonize various existing food laws, the Committee has been unhappy to note that so far not much headway has been made in this regard, as the Group has met only twice since it was constituted. The Committee has desired that expeditious steps be taken in this regard to finalize the bill, without further loss of time by giving it top priority, as it concerns public health and food safety in India.

(Para 4.77)

OTHER ISSUES

Task Force to upgrade the infrastructure in laboratories

The Committee has noted that at present, neither there are sufficient number of laboratories in the country nor are these adequately equipped. The Committee has recommended that in a country of the size of India there should be an adequate number of modern, world class food analysis laboratories accessible to aggrieved consumers, at affordable charges and urged the Government to constitute a Task Force of experts to assess the present situation and recommend measures to (a) upgrade and strengthen the infrastructure in the existing laboratories under the Central and State Governments, (b) assess the need for new dedicated world-class laboratories, (c) ensure that these laboratories have appropriate recognition/accreditation necessary to be respected in the international fora and in the courts.

NABL Accreditation

The Government of India should go for NABL accreditation of all its laboratories responsible for testing of foods for all the Parameters specified under various food laws. At least two laboratories which must have international recognition should be set up so that results of foreign laboratories should be cross checked to ensure the quality of foods. It is also important that Indian testing methodologies should not be inferior in any sense in comparison to CODEX, WHO, ISO or AOAC in order to ensure the safety and credibility of Indian products in the market. The laboratories should also have the facilities to test the antibiotic residues, heavy metal contamination and other toxic contaminants in the food items. Testing manuals should be developed for all the Parameters and products that are covered under Indian food laws.

Code of Conduct

The Committee has recommended that there must be a code of conduct for disseminating the results of an investigation either from a NGO organization or from a laboratory or anyone else.

The code of conduct should include a process of self regulation in the industry in terms of their in-house analysis at regular intervals in accordance with the standardized parameters.

A mandatory Food Recall system should be established and companies should be made accountable for selling sub-standard and harmful products in the market which must be destroyed in the presence of authorities. Withdrawal notices must be issued in media to inform citizens so that they should be made aware about the unsafe products. In order to check adulteration in the food items, the Government should not hesitate in taking help of NGOs. The Government must also improve surveillance and monitoring the quality of the food.

Logo for safe product

The Committee has desired that the product must have a logo on it displaying that the product is safe. It is this logo that the consumer, whether literate or illiterate, must look for on the product. Consumers need not be aware of the AGMARK, PFA, BIS etc. Such a logo must be obligatory on all food packages either processed or fresh as a guarantee from the supplier or the manufacturers. This should be applied to the imported food products as well. In case it is not there, the local distributor or supplier must put the same and take the responsibility. In case these requirements are flouted by putting a wrong information regarding the safety of the product, the concerned manufacturing unit should be closed immediately and the sale of that product should be banned. If necessary provisions in the relevant Act need to be incorporated to this effect, the same must be done without further loss of time. It is also important that the information regarding the Batch Number, Date of Manufacture, expiry date etc. must be indicated on the label and not on the container as is the present practice, as the container can be thrown after use, whereas the label can be preserved and digitized. In the case of proprietary food products, the detailed label declaration about the ingredients including the nutritional information should be made mandatory, so that sensitive consumer groups which may include allergic people, diabetic, children, etc. can take their own decision for consumption of the food items.

Misleading Advertisement

Clause 43 of PFA stipulates that there shall be no advertisement of any food which is misleading or contravening the provisions of PFA Act, 1955 or the rules made there under. The Committee has noted that despite the detection of pesticides in the samples of soft drinks by CSE, CFTRI and CFL, Kolkata, Cola Companies have been giving wide publicity in the electronic media stating that their products do not contain any pesticides and are fully safe for human consumption. The Committee has felt that claims made by the Cola companies in their advertisement tantamount to misleading the public as their products do contain pesticides which have ill effect on human health in the long run.

(Para 4.78)

The Committee has felt that it is the responsibility of the Ministry of Health to ensure that no misinformation is spread by any company with regard to their products and the Ministry of Health & Family Welfare should have invoked the relevant provisions of the Prevention of Food Adulteration Act, 1954, in this regard.

(Para 4.79)