

## **Food Safety Measures with Special Reference to Street Food in India: Critical Analysis**

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### **Abstract**

Food is very essential for the sustenance of life. We all eat food and obtain energy for various metabolic activities. All living organisms require food to grow, function, repair and maintain life processes. There are different types of food available in the market today and in daily life we all depend on various food sources which include fruits, vegetables, grains, pulses, legumes, meat etc. But adulteration or contamination in natural fertilizers and food product available in the markets is one of the major challenges of the present times. Despite various actions and punishments, the quality and hygiene standards of street food in India are continuously deteriorating. The street food vendors are serving the consumers with utmost fearlessness is playing not only with the health of the consumers but putting the life of individual at risk of death.

The paper is going to deal with the importance of street food, its historical background, and the laws dealing with the prevention of adulteration and also how the adulteration is impacting life of an individual and also the development of nation. Role of law in ensuring safety of street food

**Keywords:** Food safety, street food, adulteration, food safety measures.

### **Introduction**

Clean and safe food is essential for every human being. Life is not possible without food. Food is the basic necessity of our life. The street food business in India has spread to a large scale, which feeds more than half of the country's population. Therefore, it is indispensable to have safe and nutritious street food. Article 47 of the Indian Constitution imposes a duty on the state that, it will consider nutrition, health as its authentic duty to raise the standard of living of the people. The right to safe food is also included under Article 21.

### **Street food:**

Street food corners can be easily found around the world with variation within regions and cultures. Street food consists of various readymade food items which are sold in general and by vendors in the markets or on the roadside in open places. This can include solid foods and various drinks or juices. Street food has become an important business in present times. It consists of delicious and traditional food items which are associated with them with a unique aroma and taste and make the road passers-by to taste their own. The main feature of street food is that it provides food to the consumers at a reasonable price and in an easy way. It also gets popularity in the country and abroad. Street food business deals with all classes of people. From working class category to students, from rich people to any common man.

Indian street food attracts the attention of people all over the world due to its unique identity. All the roads in India are clogged with street food and the bright color of its fragrance compels the passersby to eat the food. The street food here has a unique combination of spices which is just amazing. Apart from this, the business of street food can make a huge contribution to the economies of developing countries like India

### **Historical background**

Street food is not the new concept it is age old. In ancient Greek, fried fish (small) used to be sold at street. A large number of street food vending zones have been found in the excavations of Pompeii. In China, it was usually consumed by the poor people, although the wealthy people used to send their servants to buy this food. In 1502, Ottoman Turkish became the first country to standardize street food and to legislate regarding it. Street vendors of Lima (a capital of Peru) such as Erasmio, The Negro Sango and Aguedita are famous worldwide even today. In America oysters, roasted corn kernels, fruits, and sweets were the common street food. Vendors used to sell these items at low prices and to all classes. Up to 1705, street-food vendors were completely banned here in New York due to several protests. Many African women descent made food vending as the means of their survival in America during 18th and 19th centuries ranging from fruit to other food products. French fries which is the most common street food was originated in Paris in the 1840s. Talking about India, there are more than 5 lakh street food vendors in Mumbai alone.

### **Importance of Street Food**

Street food provides food for half the population of any country. According to a report of Food and Agriculture Organization (FAO), approx. 25 lakhs people consume/eat street food daily. The importance of street food can be seen in different situations. Such as

- Man being a social animal, food is his basic need. Street food fulfills this need. Street food helps to preserve the culture and history of each place to which it is associated. So it is having social and cultural importance
- Street food can be very helpful in the economic development of any country. The taste and cleanliness of street food makes it popular among the people, due to which its demand starts increasing in the market. The high demand also encourages tourism in the country which encourages economic growth.
- Street food also plays its role in providing employment to the people. It helps a lot of people to run their livelihood. According to the estimates of the Ministry of Urban Poverty Alleviation, Government of India, there are about 100 lakh street vendors in the country, out of which 20 lakh people are street food vendors who are completely dependent on street food for their livelihood.
- Street food belongs to all classes of people. Be it rich or poor. Street food fills the stomach of the people especially the low income people easily and cheaply and plays its important role in providing food.

### **Food adulteration**

Adulteration or adulteration of food items is a thriving business in India. Food adulteration is a business taking place in various aspects and on a large scale. Section (3) of the Food Safety Standards Act, 2006, without directly defining food adulteration, defines adulterant and contaminants which make the food unsafe.

- Adulterants are those substances or products of poor quality, which are added to food items for economic and technical benefits which reduces the nutritional value of the food. These adulterants can be found in almost all food products which we use in daily life, such as:- Dairy products, cereals, pulses, meat, vegetables, fruits, oils, spices, beverages etc.
- Contaminants means any substance whether added to food or not, but which may be added to such food in the production of such food (including activities carried out in agriculture, animal husbandry or veterinary medicine like packaging, transportation or handling or as a result of environmental contamination)

### **Food Safety Measures in India**

The purpose of making laws in any state is that the rules are followed in that state. By taking care of the basic and fundamental needs of the people through law, their social, economic, cultural and political interests can be protected. As 'Food' is a basic need of the people, it is the responsibility of the state to preserve and keep it safe. People fulfill their food through street food. The importance of food or street food is evident from the fact that food

adulteration has been declared an offense by sections 272 (adulteration of intoxicating food or drink for sale) of the Indian Penal Code, 1860, 273 (sale of injurious food or drink) declare food adulteration to be an offense A person found guilty for the offence will punishable with imprisonment for a term which may extend to six months, or r a fine of one thousand rupees or with both. Section 39 (Public to give information of certain offences) of the Code of Criminal Procedure, 1973 imposes a duty on every person if he observes or has knowledge of offenses falling under sections 272 to 278 So report such information to your nearest police officer or magistrate.

Article 47 of the Constitution of India imposes an obligation on the state that the state shall consider its primary duty to raise standard of living of its people and thus focus on improving public health. Along with this, the question of security of food is also involved under Article 21 (Protection of life and personal liberty) as 'food' is the basic necessity of our life.

Various Acts and orders such as Fruit Products Order, 1955, Meat Products Order, 1973, Vegetable Oil Products (Control) Order, 1947, the Milk and Milk Products Order, 1992 and the Essential Commodities Act, 1955 etc. related to handling food safety related issues in India were consolidated by Food Safety and Standards Act, 2006 consolidated. Food Safety and Standards Authority of India was constituted by the Central Government of India in the year 2006 under Food Safety and Standards Act, 2006. The prime function of the authority is to develop science based standards for food items and also to regulate the manufacturing, storing, description, sale and import of these food items in order to ensure the availability of safe and nutritious food for human beings. After its enactment, the former Food Adulteration Prevention Act, 1954 and the related rules has been included as a managerial provision under the new Act.

### **Street food adulteration**

Street food vending is a popular and very big business in India. Along with that, the adulteration and impurity in it is also done in a very large way and at many points. Street food adulteration refers to the unhygienic surrounding of vending zone and the deterioration in the quality of food items. Street food vendors do adulteration and uncleanness in street food at various aspects and levels. They are seen flouting the standards of food safety without any fear in order to make quick economic profits. Various drawbacks are visible in street food vending, such as; Hands and clothes getting dirty while cooking, not using clean water, feeding stale food, using oil again and again, keeping food in the open, lack of clean utensils, use of food contaminated with parasites like fly-mosquito etc. Not disposing of waste properly, not taking care of cleanliness, coming in contact with food dust, etc.

### **Street Food safety programmes in different state**

Certain states have implemented rules and schemes regarding the cleanliness and regulation of street food. FSSAI also keeps planning about the cleanliness of street food from time to time. Project 'Clean Street Food' has been launched by FSSAI (Food Safety and Standards Authority of India) which includes training and capacity building of street food vendors and ensuring health, hygiene and safety standards of street food for all consumers. In addition, FSSAI has created a 'Clean Street Food Hub (CSFH)' through which the quality of street food vending is to be raised to the level of food courts and established hotels and restaurants. This will instill confidence among the consumers for a safe and hygienic local dining experience.

#### ○ **Maharashtra:**

The Street Vendor Scheme, 2017 is in force in Maharashtra which provides additional framework for street vendors. But this plan is not binding.

#### ○ **Chennai:**

Chennai Corporation has specified approx. 912 vending zones as per the guidelines of Street Vendors Center Act of 2014 and Tamil Nadu Street Vendors Schemes and Rules 2015 and according to the directions of the High Court, to regulate street vending

#### ○ **Madhya Pradesh:**

Madhya Pradesh government has joined hands with Nestle India and NASVI all to train 1000 street food vendors on food quality and safety in Bhopal and Indore. This initiative will play a vital role in ensuring safe food, health quality.

#### ○ **Delhi:**

FSSAI has launched 'Clean Street Food Project' in Delhi to raise the safety standards of roadside food items by training approx. 20,000 roadside vendors on aspects of health and hygiene.

#### ○ **Uttar Pradesh:**

UP Street Vendors (Protection of Livelihoods and Regulation of Street Vending) Act and its Rule of 2017, are applicable in Uttar Pradesh which provide for the rights of vendors, election among them and the responsibility of sellers.

Despite various types of food security schemes in different states, the states seem to be completely unsuccessful in controlling the cleanliness and quality of street food. Street vendors are openly seen violating safety norms. Negligence towards the cleanliness and safety of street food is highly seen despite of the plans for food safety. **FSSAI Annual report (2018-19) says** about 28% of the food samples tested for quality were found to be adulterated. Based on the latest annual report, 52.3 per cent of the samples taken across Uttar Pradesh have been found to be non-conforming. Hence Uttar Pradesh is at number one

in adulteration. It is followed by Tamil Nadu and Jharkhand. The persistent unhygienic and nutritional deficiencies in street food and the neglect of food safety standards by the vendors have exposed the government's apathy towards street food safety. The government appears to be failing to regulate the safety of street food. The state has failed to discharge its obligations fairly. Therefore, it is the duty of the state to pay attention to the uncleanliness of street food and take strict steps for the availability of safe food to the people of the country. Despite having all these Acts and Regulations, there seems to be a steady increase of adulteration or adulteration in food items in India.

### **Conclusion**

Food safety laws regulate the safety of all types of food products. It also includes street food. Therefore, it is the responsibility of FSSAI to take strict action against food that is being served by street food vendors that are unsafe and non –nutritious. More than half of population depend on service of street food for daily nutrition and street food has become the source of livelihood and especially in developing countries. But due to the uncleanliness of street food in this way, not only affect the health of Indian individual and economy of nation but also defaming the image of the country in abroad, There is a lack of awareness messages and strict regulatory system in the country. So there is need to raise the awareness about food safety and right to have safe food among individual. The state is bound to meet the basic needs of the people and proper implementation needs to be taken care of by making a concrete policy towards it.

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