

# Food Regulations in Developing Countries

*Sameer Barde*  
*Assistant Secretary General-FICCI*

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## “We are what we eat”

In India:

- Diabetes capital: 50% population
- Obesity count:  
17% urban population, 6% rural population
- Malnutrition – 80 % rural

(Ref: South Asia- Indian Malnutrition Report,2005)

- “In the less developed countries, 70 percent of deaths among children under 5 are linked to biologically contaminated food” - World Bank Report
- “It is estimated that almost 70% of the approximate 1.5 billion episodes of diarrhoea that occur in the world annually are directly caused by biological or chemical contamination in foods.” - WHO
- “Analysis of the economic impact of a *Staphylococcus aureus* outbreak in India, showed that 41% of the total cost of the outbreak was borne by the affected persons which included loss of wages or productivity loss and other expenses. On the basis of the percentage of per capita income, the economic burden on affected people in India was higher than in the case of a similar outbreak in USA.” - FAO Study

# Challenges for developing countries

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- Confusion between quality and safety
- Over regulation
- Selective enforcement
- Integration of food laws and regulations in the overall legislative system
- Multiplicity of responsible agencies
- Mismatch between the different standards
- Lack of cooperation between stakeholders
- Lack of science based approach
- Infrastructure and Inspectorate
- Inflexible system – Reviews
- Weak Import Systems

## Differences in agri-value chain

### Developing countries

- Highly fragmented , small farm holdings
- Longer , complex supply chains
- Food security
- Low unit sizes
- Low literacy
- Fragmented small retail
- Very low rate of conviction , if caught
- More fresh consumption

### Developed countries

- Larger farm holdings
- Simpler and tracked and traced supply chains
- Better food security
- Larger unit sizes
- Better literacy
- Retail sector well developed and drives private standards
- Sever penalties and drastic action if caught
- More consumption of processed foods

# Progressive regulatory system



## Key components of a progressive regulatory system

- Farm to Fork Approach
- Science based approach – Risk Assessment , Risk Management , Risk Communication – Current skew.
- Involvement of all stakeholders in the standard setting process.
- Use of self regulatory principles to promote industry responsibility in place of prescription and inspection.
- regulation based on desired public health outcomes.

# Developments in developing countries: Indian experience

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Prevention of Food Adulteration Act 1954
Fruit Product Order, 1955
Meat Food Products Order, 1973
Vegetable Oil Products (Control) Order, 1947
Edible Oils Packaging (Regulation) Order, 1998
Solvent extracted Oil, De-oiled meal and edible flour control order, 1967
Milk and Milk Products Order, 1992
Any other order issued under Essential Commodities Act, 1955 relating to food



**Food Safety and Standards Act 2006**

Standard weights and Measures Act, 1977 and rules thereunder



**Legal Metrology Act, 2009**

## The need...

- Economic development does not guarantee 'Food Safety' and 'Nutritional improvement '
- Comprehensive multi-dimensional developmental process
- Holistic approach -control of food related risks
- Better scientific knowledge of food-borne illness and causes
- Gradual transition to 'Risk Analysis' , risk prevention & management

## Salient features

- To ensure that all food meets **consumers' expectations**
- To **provide legal powers and specify offences** in relation to public health and consumers' interest;
- To shift from regulatory regime to **self compliance** through Food Safety Management system.
- **Science based standards**
- **Proprietary food, novel food, GM food, dietary supplements, nutraceuticals** etc brought into the ambit of the new act.
- **Regulation of food imported** in the country
- Provision for **food recall**
- **Surveillance** and New **enforcement** structure
- Envisages large **network of food labs**
- **New justice dispensation system** for fast track disposal of cases
- **Harmonization** of domestic standards with international food standards like Codex
- 3-tier licensing
- IT enabled systems

## What has already been done?

- Chairperson, CEO and Members of the Authority notified. Scientific Panels, Scientific Committee and Central Advisory Committee constituted
- Notification u/s 90 of FSS Act issued for transfer of staff from other Ministries
- Structure of the Authority finalized
- Some critical studies on Diet Surveys, Upgradation of Food Testing Laboratories, Trans Fatty Acids, Import regulation regime etc. under progress.
- Drafts of FSSAI Rules & Regulations, Draft Licensing procedures, Recall procedures under consultation

# Recommendations

## Recommendations

- Don't re-invent the wheel
- Think global, Act local
- Increase country participations in international negotiations on standards like Codex, WTO, SPS
- Encourage self-regulation, wherever possible
- Realistic and achievable standards
- Undertake capacity building exercises for all stakeholders
- Prioritization approach. Eg – Investments in water and sanitization , capacity building etc.
- Increased focus on enforcement not just making standards.
- Making consumers more aware of food safety risks.



Thank you!

Sameer Barde

[sameer@ficci.com](mailto:sameer@ficci.com)