

**GOVERNMENT OF INDIA  
MINISTRY OF HEALTH AND FAMILY WELFARE  
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**RAJYA SABHA  
UNSTARRED QUESTION NO.2370  
TO BE ANSWERED ON 6<sup>TH</sup> DECEMBER, 2016**

**LAW FOR PUNISHING FOOD ADULTERATION**

**2370. SHRI C.P. NARAYANAN:  
SHRI M.P. VEERENDRA KUMAR:**

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) the steps taken by Government to stop completely the large scale adulteration like spraying pesticides in food and vegetables;
- (b) whether Government proposes to bring stringent law to punish those who adulterate the food and vegetables; and
- (c) if so, the details thereof, if not, the reasons therefor?

**ANSWER  
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND  
FAMILY WELFARE  
(SHRI FAGGAN SINGH KULASTE)**

(a): As per the provisions of the Food Safety and Standards (FSS) Act 2006, insecticides are not permitted to be used directly on articles of food except fumigants registered and approved under the Insecticides Act, 1968. The Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011 prescribe maximum limits of pesticides for various food products. However, enforcement of the Act is with the State/UT Governments.

(b) & (c): The FSS Act, 2006 contains provisions for penal action against those who are found violating the provisions of FSS Act, Rules and Regulations thereunder. Section 59 of the Act provides punishment for unsafe food as per details given below:

<b>Gravity of offence - Where such failure or contravention</b>	<b>Penalty</b>	<b>Punishment</b>
does not result in injury	Fine which may extend to one lakh rupees	Imprisonment for a term which may extend to six months
results in non-grievous injury	Fine which may extend to three lakh rupees	Imprisonment for a term which may extend to one year
results in a grievous injury	Fine which may extend to five lakh rupees	Imprisonment for a term which may extend to six years
results in death	Fine which shall not be less than ten lakh rupees	Imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life

Implementation and enforcement of FSS Act, 2006 primarily rests with the State/UT Governments. Regular surveillance, monitoring, inspection and random sampling of food products is undertaken by the officials of Food Safety Departments of the respective States/UTs to check compliance with the standards laid down under FSS Act, 2006, and regulations thereunder. In cases, where the food samples are found to be non-conforming, recourse is taken to penal provisions under Chapter IX of the FSS Act, 2006.

