

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

**LOK SABHA
UNSTARRED QUESTION NO. 1712
TO BE ANSWERED ON 27th JULY, 2018**

STRENGTHENING OF LAWS AGAINST FOOD ADULTERATIONS

1712. SHRI UDAY PRATAP SINGH:

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

- (a) whether FSSAI has recommended stringent punishment to curb food adulteration;
- (b) if so, the details thereof; and
- (c) the punitive measures proposed by the Government to check adulteration in food items?

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SHRI ASHWINI KUMAR CHOUBEY)**

(a) to (c): The provisions of Section 57 and 59 of the Food Safety and Standards (FSS) Act, 2006 relating to penalty for adulteration and unsafe food provide for graded penalties and punishment as per severity of the act of adulteration and its implications. The existing provisions of penalty and punishment are sufficient to deal with the offences of adulteration in foodstuffs.

As per Section 57 of FSS Act- Penalty for possessing adulterant - (1) If any person who whether by himself or by any other person on his behalf, imports or manufactures for sale, or stores, sells or distribute any adulterant shall be liable –

- (i). Where such adulterant is not injurious to health, to a penalty not exceeding two lakh rupees;
- (ii). Where such adulterant is injurious to health, to a penalty not exceeding ten lakh rupees.

(2). In a proceeding under sub-section (1), it shall not be a defence that the accused was holding such adulterant on behalf of any other person.

As per Section 59 of FSS Act- Punishment for unsafe food – Any person who, whether by himself or by any other person on his behalf, manufactures for sale or stores or sells or distributes or imports any article of food for human consumption which is unsafe, shall be punishable, -

- I. where such failure or contravention does not result in injury, with imprisonment for a term which may extend to six months and also with fine which may extend to one lakh rupees;
- II. Where such failure or contravention results in a non-grievous injury, with imprisonment for a term which may extend to one year and also with fine which may extend to three lakh rupees;
- III. Where such failure or contravention results in a grievous injury, with imprisonment for a term which may extend to six years and also with fine which may extend to five lakh rupees;
- IV. Where such failure or contravention results in death, with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and also with fine which shall not be less than ten lakh rupees.