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## **EFFECTIVENESS OF FSSAI IN CONTROLLING FOOD ADULTERATION: A LEGAL AND PRACTICAL ANALYSIS**

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### **ABSTRACT**

This research paper conducts in depth analysis on the effectiveness of FSSAI in preventing, prosecuting, and creating awareness on food adulteration in India. Food adulteration continues to be a persistent and multidimensional threat to India's public health, economy, and consumer confidence. Even after the establishment of FSSAI under the Food Safety and Standards Act, 2006, various cases of adulterated food are still surfacing from different parts of the country, which questions the efficacy of the existing legal and institutional mechanisms. It throws light on the historical evolution of food safety laws, the regulatory mechanism under the FSSA, and the operational mechanism of the FSSAI in securing safe food. The study even examines various landmark judicial pronouncements which have shaped the interpretation of food safety laws. Furthermore, it assesses the ground realities such as infrastructural shortcomings, enforcement gaps, among others that act as barriers for effective implementation. Similarly, the paper even elaborates on recent initiatives undertaken by FSSAI such as DART tests, Food Safety on Wheels, and the Food Safety Magic Box to promote consumer participation and rapid detection of adulteration. By integrating statutory analysis with empirical data, this study concludes that while the creation of FSSAI has significantly strengthened the food regulatory landscape in India, but continuous to encounter various institutional bottlenecks. Lastly, the paper recommends strengthening laboratory infrastructure, technological integration, stricter penal enforcement, and enhanced consumer engagement to make India's food safety regime more robust and responsive.

**Keywords:** Food adulteration, Food Safety and Standards Authority of India (FSSAI), Food Safety and Standards Act, 2006, Food safety regulation, public health, Food quality, Food safety governance.

## **RESEARCH QUESTION**

Whether the establishment of FSSAI under the FSSA, 2006 has significantly improved India's ability to curb the adulterated food for India?

## **INTRODUCTION**

Food is the foundation of life and health, and its safety is central to the well-being of every individual and whole society. However, the deliberate adulteration of food for economic gain has emerged as one of the gravest threats to public health in India. Food adulteration can be broadly defined as the intentional degradation of food quality through the addition, substitution, or removal of ingredients. It does not affect human health only but also consumer trust, national economic stability, and ethical practices of business. The rising incidences of adulterated milk, oils, spices, and other essentials underline the systemic weaknesses in India's food safety framework.

The growing menace needed to be addressed by establishing the Food Safety and Standards Authority of India through the Food Safety and Standards Act, 2006. This Act consolidated numerous laws concerning food safety, including the Prevention of Food Adulteration Act, 1954, into one simple, coherent act that guarantees quality and safety of food from its production to its consumption. The FSSAI was designed to be an independent body responsible for laying down science-based standards, regulating manufacturing, storage, distribution, and importation of food, and ensuring that food available to consumers is safe and wholesome.

However, India still faces widespread adulteration of food items. Reports from Telangana, among other states, record alarmingly high rates of adulterated samples with very few penalties imposed. Such statistics raise critical questions about the actual effectiveness of FSSAI in practice, the adequacy of its enforcement mechanisms, and the strength of its legal powers in ensuring compliance.

The measures to the extent to which FSSAI has succeeded in fulfilling its statutory mandate by studying landmark cases along with empirical data and state-level findings. Subsequently, it identifies systemic bottlenecks like inadequate infrastructure, shortage of skilled personnel, weak enforcement, and low consumer awareness etc. There is larger debate on food safety governance in India by testing the extent to which the statutory empowerment of FSSAI has

resulted in actual enhancement of protecting public health, ensuring accountability, and building consumer confidence in the nation's food ecosystem.

## **FOOD ADULTERATION**

Food adulteration refers to the alteration of food quality that takes place deliberately. It includes the addition of ingredients to modify different properties of food products for economic advantage. Color, appearance, taste, weight, volume, and shelf life are such food properties. Substitution of food or its nutritional content is also accomplished to spark the apparent quality. Substitution with species, protein content, fat content, or plant ingredients are major forms of food substitution.<sup>1</sup>

Whereas, in India the task to regulate, control and prevent food adulterations lies in the hand of FSSAI.

The Food Safety and Standards Authority of India (FSSAI) has been established under Food Safety and Standards, 2006 which consolidates various acts & orders that have hitherto handled food related issues in various Ministries and Departments. FSSAI has been created for laying down science-based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import to ensure availability of safe and wholesome food for human consumption.<sup>2</sup>

## **IMPACTS OF FOOD ADULTERATION**

Food adulteration has been a concern in India from ancient time and continues to grow and persist in India even currently. It is a contemporary topic that raises concern not only at individual level but it affects the society at whole. It comes under the category of socio-economic crime, since it affects the public health, consumer trust, and economic well-being of the society.

The impacts of food adulteration in India are widespread for instance it leads to-

- 1) **Health Problems-** Medical illness like food poisoning, kidney damage, liver problems,

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<sup>1</sup>Mechanisms and Health Aspects of Food Adulteration: A Comprehensive Review, <https://pmc.ncbi.nlm.nih.gov/articles/PMC9818512/> (last visited on October 27, 2025).

<sup>2</sup> FSSAI, <https://foscos.fssai.gov.in/consumergrievance/about-fssai> (last visited on October 27, 2025).

and overall development problems in especially children and vulnerable section of the society etc has been on rise.

- 2) **Economic impact-** It includes damage to India's reputation in export food market thereby adversely causing financial loss to the economy, illness caused by food adulteration leads to additional burden to already poor health care facilities adding up the health care costs.
- 3) **Social and ethical impact-** Loss of consumer's trust in food system and these unethical, corrupted practises increases corruption and encourages such crimes to be committed in future as well.

**Telangana** has witnessed widespread food adulteration practices across eateries and units. But despite rising cases, penalties remain scarce. According to numbers submitted by the union minister for health and family welfare, Prataprao Jadhav, only one offender in every three adulteration cases booked in Telangana is ever penalised. Between 2020 and 2025, a total of 18,283 samples were sent for testing by the state food safety department, of which as many as 2,642 – about 15% – were found to be adulterated. But penalties were levied on just 964 samples – roughly 36%.<sup>3</sup>

### **MOST COMMON FOOD ADULTERATED ITEM**

There are certain essential food items that are found adulterated in contemporary time such as milk, edible oils, spices, honey, ghee among others.

**Paneer** which is considered best source of protein for vegetarians has lately has been according to TOI reports being labelled as the “most adulterated food” with 83 % of the samples failed to meet required standard test. Followed by milk with 19 of 43 samples were declared to be unsafe and surprisingly butter in the given sample showed no sign of adulteration.<sup>4</sup>

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<sup>3</sup>Ajay Tomar, "Tainted bites, tiny penalties: Over 60% food adulteration cases in Telangana go unpunished despite widespread contamination", The Times of India, Aug. 25, 2025 <https://timesofindia.indiatimes.com/city/hyderabad/tainted-bites-tiny-penalties-most-food-adulteration-cases-in-telangana-go-unpunished-despite-widespread-contamination/articleshow/123498663.cms> (last visited on 27 October 2025).

<sup>4</sup> Editorial, “702 food samples revealed paneer as the most adulterated product”, The Times of India, April 11 2025, <https://timesofindia.indiatimes.com/life-style/food-news/702-food-samples-revealed-paneer-as-the-most-adulterated-product/articleshow/120175050.cms> (last visited on 27 October 2025).

## **HISTORY OF FOOD SAFETY AND STANDARD ACT, 2006**

The evolution of legislation and laws related to regulating food is an indication of the fact that India is keen on ensuring that food reflects the standard quality, safety and ensures consumer protection. Even from ancient times, Manupatra and the Kautilya's Arthashastra indicates this fact. However, due to world reshaping, the industrialization and globalisation phase a more modern and integrated legal framework became the need of the hour.

Article 47 of the Indian Constitution which is Directive Principle of State Policy mandates that the state has to raise the standard of living, improve public health, and increase the level of nutrition for its people.<sup>5</sup>

The following represent the timeline evolution of legislation related to regulating and checking food standards-

**Prevention of Food Adulteration Act, 1954-** The very main objective of this legislation was to ensure the proper safety of the food to the consumers and also to prevent fraud or deception which may cause serious threats to one's health. **The Fruit Products Order, 1955** was formed under the **Essential Commodities Act, 1955**. The main objective of this Act was to manufacture the fruits and vegetable products with due consideration of the maintenance of the sanitary and hygienic conditions of the place of manufacturing.<sup>6</sup>

**The Edible Oils Packaging (Regulation) Order, 1998**, This Order was promulgated under the Essential Commodities Act, 1955 the main objective of which was to make the packing of edible oils at predetermined prices, sold in retail, mandatory with an exception of being exempted by the concerned state government. **The Milk and Milk Products Order, 1992** was promulgated under Section 3 of the Essential Commodities Act, - The main objective of this Order was to maintain and enhance the supply of the liquid milk of standardized quality and also to regulate the production, processing, and distribution of milk and milk products.<sup>7</sup>

**The Food Safety and Standards Act, 2006-** The main objective of this Act is to establish single legislation for all the food safety and standards related matters. After the proper research

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<sup>5</sup> art. 47 of the Indian Constitution.

<sup>6</sup> Prabhjot Kumari, "HISTORICAL PERSPECTIVE OF FOOD SAFETY LAWS IN INDIA," Volume 8, IJNRD, b262-b265, 2023.

<sup>7</sup> Ibid.

and analysis, this Act intends to create such a mechanism to tackle the food safety and standards related issues. The act also established a regulatory body “The Food Safety and Standards Authority of India” (FSSAI) to develop the food standards and to enforce different provisions, rules, and regulations of the Act.<sup>8</sup>

The District Court of Delhi has dealt with the issue of transitional change which has occurred between Prevention of Food Adulteration Act, 1954 and The Food Safety and Standards Act, 2006 in case of **Chiranji Lal vs Food Inspector** wherein the key legal issue before the Court was whether the charge framed under older act was correct provided changeover to the new FSSA. It was held that that offence of selling adulterated food in present case would for punishment since although the term “adulterated” in older act has its reflection in the word “unsafe food” in the new act and mere change in the statute does not extinguish the liability.<sup>9</sup>

### **FSSAI AND ITS FUNCTIONS**

The establishment of FSSAI i.e. Food Safety and Standards Authority of India under Food Safety and Standards Act, 2006 ensures and supervises that every bite of food consumed within Indian territory is safe and fit for consumption.

There are certain functions entrusted with it to ensure food safety such as the following-

Framing of Regulations to lay down the Standards and guidelines in relation to articles of food and specifying appropriate system of enforcing various standards thus notified. **Laying down mechanisms and guidelines** for accreditation of certification bodies engaged in certification of food safety management system for food businesses. To **provide scientific advice** and technical support to Central Government and State Governments in the matters of framing the policy and rules in areas which have a direct or indirect bearing of food safety and nutrition. **Collect and collate data regarding food consumption**, incidence and prevalence of biological risk, contaminants in food etc. **Promote general awareness about food safety** and food standards among others.<sup>10</sup>

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<sup>8</sup> Ibid.

<sup>9</sup> Criminal Appeal Number: 256/2017, NEW DELHI DISTRICT PATIALA HOUSE COURTS.

<sup>10</sup> Supra note at 2 also; THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 16.

## **FOOD ADULTERATION AND FSSAI UNDER FOOD SAFETY AND STANDARD ACT, 2006**

The word “food adulteration” has not been explicitly defined under the concerned act. However, the key concept of food adulteration has been covered by the provision of the act. It can be reflected from the very fact that “unsafe food” and “adulterant” is defined under Section 3 of it. Adulterant is when any substance that is or may be used to contaminate food, make it substandard, misbrand it, or add unnecessary ingredients.<sup>11</sup> Whereas unsafe food means that an article of food whose nature, substance or quality is so affected as to render it injurious to health- by the article itself, or its package thereof, by the article consisting, wholly or in part, of any filthy, putrid, rotten, decomposed or diseased animal substance or vegetable substance, by virtue of its unhygienic processing or the presence in that article of any harmful substance by the article being so coloured, flavoured or coated to make it appear better or of greater value than it really is, by virtue of containing pesticides and other contaminants in excess of quantities specified by regulations among others as specified.<sup>12</sup>

The FSSAI is the primary body established to regulate and monitor food safety under the act in India.<sup>13</sup> The composition of it represents that due credibility is given to diverse voices and perspectives reflecting holistic view in aspect of food safety and governance.

**Section 5** lays down that the FSSAI shall consist of a Chairperson and twenty-two Members to be appointed by the Central Government, one-third of whom shall be women. The Chairperson shall be a person of eminence in the fields of food science, food technology, public administration, health, or any allied discipline relevant to food safety. The FSSAI is so constituted as to consist of diverse representative. Seven members represent the Ministries/Departments of the Government of India, which include the Ministries/Departments of Agriculture, Commerce, Consumer Affairs, Food Processing Industries, Health, and Legislative and Small-Scale Industries. Two members represent the food industry, two represent consumer organizations, and three members have been taken from research bodies and food laboratories. Five members represent the States and Union Territories on a rotational basis to reflect federal participation. One member each represents farmers' organizations,

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<sup>11</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 3(1) (a).

<sup>12</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 3(1) (zz).

<sup>13</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 4.

retailers' organizations, and food scientists or technologists, ensuring that all links in the food chain are reflected.<sup>14</sup>

**Section 6** states that the Chairperson and Members are appointed by the Central Government on the recommendations of a Selection Committee. This committee has a Cabinet Secretary as its chairperson along with other members as specified. This committee recommends a panel of names, from which the Central Government makes the final selection accordingly.<sup>15</sup>

According to **Section 7**, the Chairperson and Members of the Authority shall hold office for a period of three years, and they are eligible for reappointment for one more term. They enjoy their salaries, allowances, and other conditions of service as may be prescribed by the Central Government.<sup>16</sup> They resign from the office by writing to the Central Government, and they can be removed under specified circumstances such as misconduct or incapacity etc as mentioned.<sup>17</sup>

There would be a chief executive officer i.e. (CEO) of the Food Safety and Standards Authority of India (FSSAI), appointed.<sup>18</sup> Chief executive officer is an executive extension of the Authority, therefore responsible for the day-to-day management and administration, supervision of staff, coordination among divisions, and execution of programs related to food safety, licensing, enforcement, and awareness. It ensures that FSSAI's objectives maintaining food safety, protecting consumer health, and promoting fair practices in food trade among others are achieved in the most efficient way.<sup>19</sup>

## **PENALTY UNDER FOOD SAFETY AND STANDARD ACT, 2006 FOR FOOD ADULTERATION**

There is provision in the act where specific penalty as mentioned can be imposed when it comes to dealing with food adulteration and since food adulteration has not been defined under the act, the penalty covered for adulterant and unsafe food would come under this category and would be applicable.

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<sup>14</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 5.

<sup>15</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 6.

<sup>16</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 7.

<sup>17</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 8.

<sup>18</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 9.

<sup>19</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 10.

The **FSSAI can cancel or suspend the license** if a food business operator is found dealing with adulterated food. It can also pass order of removal of adulterated food items from the market to prevent further harm to the consumers in the society.

Any person who imports, manufactures, stores, sells, or distributes an adulterant is liable under this section. If the **adulterant is not injurious to health**, penalty may extend to **₹2 lakh**, and if it is **injurious to health**, penalty may extend to **₹10 lakh**.<sup>20</sup> Whereas Any person manufacturing, storing, selling, distributing, or importing for human consumption unsafe food is liable under this section. If the act does not cause injury, the punishment is up to six months' imprisonment and a fine up to ₹1 lakh. If it causes **non-grievous injury**, the punishment is up to **one year's imprisonment and a fine up to ₹3 lakh**. If it causes **grievous injury**, the punishment is up to **six years' imprisonment and a fine up to ₹5 lakh**. In cases where the **act results in death**, the punishment is a minimum of **seven years' imprisonment, which may extend to life imprisonment, and a fine of not less than ₹10 lakh**.<sup>21</sup>

#### **REGULATIONS MADE BY FSSAI**

There are certain rules and regulations which are made by FSSAI to ensure that food standards are met so that food quality is safe and fit for consumption for the society. It establishes transparency and fairness in the food industry. By providing a legal framework it also helps that the food products in India met the international safety standards.

These are certain key regulations it has made along with their objectives to keep a check on adulterated food in Indian markets-

**Food Safety and Standards (Contaminants, Toxins, and Residues) Regulations, 2011** – It Sets maximum permissible limits for contaminants like pesticides, heavy metals, and naturally occurring toxins in food products. **Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011**- It defines the quality parameters for various food items, including cereals, dairy, beverages, and processed foods. **Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011**- It Prohibits the sale of food items containing harmful substances such as artificial coloring agents beyond permissible limits.<sup>22</sup>

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<sup>20</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 57.

<sup>21</sup>THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 59.

<sup>22</sup> Dr Y Muniraju, "Food Safety Issues And Challenges In India," Volume 13, IJCRT, p83,2025.

## INITIATIVES BY FSSAI TO CURB FOOD ADULTERATION: PRACTICAL INSTANCES

Apart from these there are various reports on how FSSAI in recent times has taken numerous steps to make sure to combat the growing problem of food adulteration especially. Through nation-wide surveillance, rapid testing, creating public awareness etc. It has made efforts to detect and to prevent instances of food adulteration.

There are certain measures taken by the government to stop food adulteration for instance mechanisms for receiving and addressing food adulteration complaints by consumers in place through the **FSSAI helpline or Food Safety Connect mobile app** , **Mandatory registration certification and licensing by FSSAI** for food businesses; **regular reviews of the certification process** and improvement based on the stakeholder feedback in place and even various **campaigns launched by FSSAI** to raise consumer awareness about food adulteration<sup>23</sup>.

The FSSAI has requested the states to increase surveillance and random sampling of food items to curb food adulteration and in cases where food samples are to be found non- conforming to the required standards, then appropriate action would be taken for the same.<sup>24</sup>

Since during the festivals, marriages, and events etc the risk of food adulteration is on rise therefore the states were advised to drive and conduct special surveillance during those times especially.<sup>25</sup>

These are three very important key initiatives taken by the FSSAI to curb the problem of food adulteration at a household level since even protecting one person would contribute in protecting the society and thereby creating awareness.

The FSSAI website launched a "**Detect Adulteration with Rapid Test (DART) Book**", serving as a guide for consumers to identify common food adulterants in household items. The guidebook contains 50 quick tests, covering foods from different categories including milk, oil,

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<sup>23</sup> Ministry of Health and Family Welfare, "Measures taken by the government to stop food adulteration," <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2101739> (last visited on 29 October 2025).

<sup>24</sup> Editorial, "Increase surveillance, random sampling of food items to check adulteration: FSSAI tells states," Economic Times, Mar 10, 2023 <https://economictimes.indiatimes.com/industry/cons-products/food/increase-surveillance-random-sampling-of-food-items-to-check-adulteration-fssai-tells-states/articleshow/98548407.cms?from=mdr> (last visited on 29 October 2025).

<sup>25</sup> Ibid.

sugar, and spices. launched the "**Food Safety on Wheels**" (FSW) initiative, where mobile food testing laboratories will be available, with essential infrastructure for on-the-spot qualitative testing. Additionally, the food regulation body has come up with a food safety testing kit for school children, which is referred to as the "**Food Safety Magic Box**". This portable box will contain a guidebook, enabling students to perform over 100 easy tests to detect contamination in various food products.<sup>26</sup>

## LANDMARK CASE LAWS AND CASE STUDIES ON FOOD ADULTERATION

Over the recent years the combined efforts at part of both FSSAI and judiciary has played an important role in making sure that there are accountability and punishment in cases of food adulteration. This deters the future crimes related to food standards being committing in India because of the fear of punishment and loosing of license issued.

In the case landmark case of **Ram Nath vs State of U.P**, The State initiated prosecutions under sections 272 and 273 of IPC and the FSSA, alleging food adulteration. He sold mustard oil and rice bran oil without license and in adulterated form. A key issue that arose before the Hon'ble Court was that whether for matters like food adulteration or unsafe food is to be governed under IPC or instead the action should be exclusively dealt under FSSA. The Apex Court held that FSSA, since it is a special statute for food safety and standards and under section 89 of the same contains clause for overriding effect<sup>27</sup>, therefore it displaces IPC if anything is inconsistent with provisions under the respective act.<sup>28</sup>

This case holds a significant importance since it provides primacy to FSSA in food related matters over general penal provisions of IPC.

In the year 2015, in case of **M/ S Nestle India Limited vs Food Safety and Standards**, Maggi which is a nestle commodity and it was tested by FSSAI, and upon examination it ordered the recall of nine variants of the brand on the grounds that it had excessive lead content and it contained label of no added MSG which misled the customers. The Bombay HC although set aside the ban from Maggi but imposed certain conditions that it would be properly tested and

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<sup>26</sup> Somdatta Saha, "Food Authority Launches Initiatives To Control Food Adulteration In India," NDTV, April 05 ,2024, <https://www.ndtv.com/food/fssai-launches-initiatives-to-control-food-adulteration-across-india-5379337> (last visited on 29 October 2025).

<sup>27</sup> THE FOOD SAFETY AND STANDARDS ACT, 2006, Sec 89.

<sup>28</sup> 2024 SCC OnLine SC 177.

go through approval process under FSSA and ordered to delete the label of harming the consumer the claiming it to have no added MSG.<sup>29</sup>

This case highlights the fact and how in real time situations the power that can be exercised by FSSAI in dealing with high level brands who has established its name is almost every household when it does not meet the required set standard concerned and can impact the consumer's health.

Furthermore, apart from these landmark cases there is an important case study on one of the most adulterated food items which is "**Honey,**" So CSE (Centre for Science and Environment) investigated under which it found that about 77% of the samples failed to meet the international test (NMR) and found honey to be mixed with sugar syrups. CSE informed it to the FSSAI for further investigation and to take the necessary action against it. Major brands like Dabur, Patanjali etc got into the trouble. However, it was various questions were posed by FSSAI like how the conclusion arrived that samples were adulterated to which The CSE replied that it had sent the samples for NMR tests to one of the top food testing laboratories of the world, based in Germany, which has the expertise and necessary databases for NMR screening. But even after all these raises it asserted by CSE that FSSAI has failed to take a strong decision and public action.<sup>30</sup>

## **CHALLENGES FACED BY FSSAI IN DEALING WITH FOOD ADULTERATION**

Despite a prime regulatory body responsible for ensuring food safety and standards, the FSSAI has several institutional, operational, and societal challenges in effectively combating food adulteration across the country.

### **1. Inadequate Infrastructure and Testing Facilities**

Limited laboratories: India does not have enough fully equipped food-testing laboratories with the needed technology with a notable shortage in rural and semi-urban areas. Even there is delay in testing samples since the labs are overburdened causing delay between collection and

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<sup>29</sup> 2015 SCC OnLine Bom 4713.

<sup>30</sup> Koustav Das, "Honeygate: CSE provides details of honey adulteration investigation to FSSAI," India Today, December 4 2020, <https://www.indiatoday.in/business/story/honeygate-cse-provides-details-of-honey-adulteration-investigation-to-fssai-1746783-2020-12-04>, (last visited on 29 October 2025).

analysis of samples.

## **2. Shortage of Skilled Manpower**

FSSAI and state food safety departments face acute shortages of food safety officers, analysts, and inspectors. The quality of training of such official is further not up to the mark the deal effectively with the growing problem of food adulteration in India.<sup>31</sup>

## **3. Weak Enforcement and Legal Delays**

FSSAI lays down strict standards and regulations on its part but the enforcement of penalties and prosecutions is slow. Cases concerning food adulteration is on rise whereas the penalty imposed is low and hence the deterrence effect to the future criminals is null.

## **4. Lack of Public Awareness and Consumer Participation**

A large part of the population, particularly the rural population, lacks awareness about food safety standards and complaint mechanisms since they are mostly illiterate and their socio – economic conditions make them vulnerable to such cases of food adulteration.<sup>32</sup>

## **5. Unorganized and Informal Food Sector**

The most problematic area in India in almost every occupation is informal sector and even in food selling and distribution, the channel is informal and thereby it easily escapes the eyes of the FSSAI.

## **6. Technological and Emerging Adulteration Methods**

In the recent times the methods of adulteration have become sophisticated and complex inspired by new emerging technology which is somehow beyond the current scope of detection of FSSAI.

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<sup>31</sup> Advocate Jyoti Khattar, “FSS Act: Need for enforcement and accountability in India’s food safety regime,” Bar and Bench, 26 June 2025, <https://www.barandbench.com/columns/fss-act-need-for-enforcement-and-accountability-in-indias-food-safety-regime> (last visited on 29 October 2025).

<sup>32</sup> Supra note. 22.

## **SUGGESTION FOR FSSAI FOR BETTER PREVENTION OF FOOD ADULTERATION**

Even though the Food Safety and Standards Authority of India has made great progress in establishing a regulatory system for food safety, recurring adulteration issues indicate that further systemic strengthening and innovative strategies are yet to be adopted.

### **1. Enhancing Laboratory Infrastructure and equipping it with technology**

Expanding the food testing laboratories in every district with modern equipment that can detect chemical, microbiological, and synthetic adulterants basically new age adulterants.<sup>33</sup>

Using AI-powered devices along blockchain traceability along with verified sources can help in detecting more easily and effectively food adulteration in India.

### **2. Adequately Trained Officers**

Regular training programs for officers regarding modern adulteration techniques, evidence collection, and the use of laboratory technologies should be conducted so that they get well versed with the fact on how to deal with this food adulteration problem on a large scale.

### **3. Stricter Enforcement and Legal Reforms**

The authority should ensure to deal with the food adulteration cases on immediate basis as it does so in any other criminal cases, since it involves damage to whole of the society at large.

There need to be enhanced punishment for frequent or large-scale offenders includes cancellation of license and rigorous imprisonment to deter such practises in future.

### **4. Consumer Awareness and Public Participation**

Mass awareness programs through TV, social media, and campaigns by the government especially in rural area is need of the hour regarding common adulterants and their identification.

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<sup>33</sup> Food Testing Lab in India: Ensuring Quality and Safety, <https://smsla.global/food-testing-lab-in-india/> (last visited on 29 October 2025).

## 5. Regulating the Unorganized Food Sector

To bring them under regulation, licensing and registration are to be made easy for small vendors, street food operators, and small dairies. So that they also come under the preview of FSSAI.

## 6. Increase Funding and Research

There is a growing need since new technology is available therefore making new adulterants in food that the government makes more allocations of the budget to enhance the functioning of food safety and laboratory infrastructure.

## CONCLUSION

Food adulteration in India persists as a major socio-economic concern and public health problem that has devastating impact on society as whole. Despite the presence of an elaborate legal and institutional framework under the Food Safety and Standards Act, 2006, and the creation of FSSAI as the apex regulatory body, the persistence of adulteration across various essential commodities. The historical evolution of the food laws in India-from the Prevention of Food Adulteration Act, 1954, to the integrated FSSA, 2006-reflects the state's continued efforts toward ensuring food safety and consumer protection.

The Food Safety and Standards Authority of India (FSSAI), established under Section 4 of the Food Safety and Standards Act, 2006, serves as the apex body responsible for regulating and supervising food safety across the nation. Through initiatives like the Detect Adulteration with Rapid Test (DART) Book, Food Safety on Wheels (FSW), and the Food Safety Magic Box for students, the authority has expanded its preventive and educational role, making food safety a participatory and public-driven effort.

However, FSSAI has faced certain systemic challenges in India like insufficient laboratory infrastructure, shortage of skilled personnel, weak enforcement mechanism, and low public awareness among others. These limitations result in disconnects between the law and practice, thereby providing opportunities for offenders to exploit such regulatory loopholes. Cases like **Ram Nath v. State of U.P.**<sup>34</sup> and **Nestle India Ltd. v. Food Safety and Standards**<sup>35</sup> have

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<sup>34</sup> Supra note.28.

<sup>35</sup> Supra note.29.

brought out how the judiciary has supported strengthening the scope of regulatory purview while enforcement at the grassroots levels remains inconsistent.

Going forward, the fight against food adulteration in India needs to be holistic and technology-driven on part of FSSAI to curb the food adulteration challenge such as strengthening food testing infrastructure, expanding AI-based detection and blockchain traceability systems, rigorous training of enforcement officers among others.

A well-coordinated effort between the government, FSSAI, judiciary, and citizens can transform the current framework into a robust, preventive, and responsive food safety ecosystem wherein every citizen gets safe, nutritious, and unadulterated food leading to overall growth and development.