

THE PRESENT LEGISLATION ON FOOD CONTAMINANTS

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INTRODUCTION

Legislation enacted in Sri Lanka on the prevention of contamination of food, is contained in several Ordinances and Acts from as far back as 1862. It was in 1949 that specific legislation on food was enacted. It was named the Food and Drugs Act. This Act was replaced in 1980 by the Food Act No. 26 of 1980.

A contaminant can be considered as any matter or agency which will cause the nature, substance or quality of the food to be so affected that the consumer will be prejudiced.

The main features in all these Acts regarding contamination are:-

- (a) Prevention of Chemical contamination.
- (b) Prevention from sale of unhygienic food.

(a) Prevention of Chemical Contamination

The chemical contamination referred to are the preservatives for which schedules were provided in the Food and Drugs Act, and the food colours that were not permitted.

Economic frauds by the adulteration with sub-standard foods, carried the risk of poisonous material being introduced to food and was prohibited in the several legislations. The absence of standards for good manufacturing practices is noteworthy as mainly prepared foods were then imported.

(b) Prevention of Sale of Unhygienic Food

"The prevention of sale of unhygienic, deleterious and unfit food" were the words used in most sections of the law. There were no bacterial standards given (except for ice cream) for the foods, either for the manufacture or the final product.

Food Act No. 26 of 1980

The present Food Act covers manufacture, sale distribution and import and the seizure of food. It prohibits:-

- (a) Natural or added deleterious substances which renders it injurious to health,
- (b) That which is unfit for human consumption,
- (c) That consists of unclean putrid repugnant, decayed decomposed animal or vegetable substances or which is insect infested;
- (d) That is adulterated, and also
- (e) The manufacture and sale of food under insanitary conditions.

At the moment till the draft regulations are gazetted the regulations regarding adulteration gazetted under the Food and Drugs Act of 1949 remain in force.

Regulations under the present Food Act have been drafted of which the law regarding labelling is with the Government Printer and the others (preservatives, etc.) are with the Legal Draftsman.

Sri Lanka Standards Institution Specifications

The Food Act Regulations will also contain references to the SLSI specifications which are applicable, with any necessary additions. This is a measure adopted to standardise regulations.

It will be necessary to include bacteriological standards where necessary.

OTHER LEGISLATIONS (prevention of Contamination)

Nuisance Ordinance (1862)

This is still enforced and has sections prohibiting the sale of "unwholesome meat and noxious articles of food".

Penal Code (1883)

This law prohibits the adulteration or sale of noxious articles of food and drink.

The Butcher's Ordinance (1893)

This ordinance lays down procedure for the slaughter of animals and for inspection. Contamination due to Zoonosis and pathogenic bacteria is reduced to a minimum.

The Consumable Protection Act (1979)

This Act requires articles (food) to be manufactured and sold not below specified standards. It depends on the standards prepared by the Sri Lanka Standards Institution.

Notification gazetted on "Infant feeding bottles" was meant to prevent bacterial contamination of milk due to cleaning problems associated with plastic bottles.

Pesticide Act (1980)

The two week pre-harvest moratorium on spraying of crops is an instance designed to

prevent pesticide deposits on marketed vegetables above the permitted levels.

Also, the storing of food along with pesticides is prohibited.

The Local Authorities by-laws

These by-laws adopted by each Local Authority provides for the cleanliness of food handling establishments and for the seizure of food found unfit for human consumption.

CONCLUSION

The dangers of contamination has become very realistic only during the recent past. The formation of Food Control Unit under the Director General of Health Services is now in progress. This is the cumulative effort of all Departments engaged in Food Control work.

The Food Advisory Committee is also functioning to advice the Hon. Minister of Health of the necessary legislation and procedures necessary.

Training of Food & Drugs Inspectors and Public Health Inspectors is an ongoing process. Their advisory role and the advantages of manufactory inspection is a priority factor in preventing contaminated food reaching the consumer. A scheme to inspect and record all manufacturing places and sales points including street outlets has commenced and should become effective in 1987.

There are areas where contamination studies should be done. Of these, one is radiation contamination of food, the other, lead contamination of food exposed in shops along the roadways due to vehicle exhaust fumes. Another area is the prevention of animal flesh which has a high residue of antibiotics reaching the public.