RELEVANT EXTRACTS CONCERNING THE SUGAR INDUSTRY

From The “Prevention of Food Adulteration Act & Rules”
(incorporating amendments upto 31/05/07)


(Came into force from 1st June 1955 (Notification No. SRO 1085 dt. 09/05/1955
Gazette of India – Part-II)

Section-2. Definitions :

i. “adulterant” means any material which is or could be employed for the purpose of
adulteration;

i(a). “adulterated” – an article of food shall be deemed to be adulterated :-

(a) If the article sold by a vendor is not of the nature, substance or quality demanded by the
purchaser and is to his prejudice, or is not of the nature, substance or quality which it purports
or represented to be;

(b) If the article contains any other substance which affects, or if the article is so processed
as to affect, injuriously the nature, substance or quality thereof;

(c) If any inferior or cheaper substance has been substituted wholly or in part for the article
so as to affect injuriously the nature, substance or quality thereof;

(d) If any constituent of the article has been wholly or in part abstracted so as to affect
injuriously the nature, substance or quality thereof;

(e) If the article had been prepared, packed or kept under insanitary conditions whereby it
has become contaminated or injurious to health;

(f) If the article consists wholly or in part of any filthy, putrid, rotten, decomposed or
diseased animal or vegetable substance or is insect-infested or is otherwise unfit for human
consumption;

(g) If the article is obtained from a diseased animal;

(h) If the article contains any poisonous or other ingredient which renders it injurious to
health;

(i) If the container of the article is composed, whether wholly or in part, of any poisonous or
deleterious substance which renders its contents injurious to health;

(j) If any colouring matter other than that prescribed in respect thereof is present in the
article, or if the amounts of the prescribed colouring matter which is present in the article are not
within the prescribed limits of variability;
(k) If the article contains any prohibited preservative or permitted preservative in excess of the prescribed limits;

(l) If the quality or purity of the article falls below the prescribed standard or its constituents are present in quantities not within the prescribed limits of variability, which renders it injurious to health;

(m) If the quality or purity of the article falls below the prescribed standard or its constituents are present in quantities not within the prescribed limits of variability but which does not render it injurious to health;

Provided that where the quality or purity of the article, being primary food, has fallen below the prescribed standards or its constituents are present in quantities not within the prescribed limits to variability, in either case, solely due to natural causes and beyond the control of human agency, then, such article shall not be deemed to be adulterated within the meaning of this sub-clause.

Explanation. — Where two or more articles of primary food are mixed together and the resultant article of food :-

(a) is stored, sold or distributed under a name which denotes the ingredients thereof; and

(b) is not injurious to health; then, such resultant article shall not be deemed to be adulterated within the meaning of this class;

(xiia) “Primary food” means any article of food, being a produce of agriculture or horticulture in its natural form.

(2)(j) Date of manufacture – means the date on which the food becomes the product as described;

(k) Date of packaging - means the date on which the food is placed in the immediate container in which it will be ultimately sold;

(l) Best before means - the date which signifies the end of the period under any stated storage conditions during which the product will remain fully marketable and will retain any specific qualities for which tacit or express claims have been made. However, beyond the date, the food may still be perfectly satisfactory;

Sec-9 : Food inspectors :

The Central Government or the State Government may, by notification in the official Gazette, appoint such persons as it thinks fit, having the prescribed qualifications to be food inspectors for such local areas as may be assigned to them by the Central Government or the State Government, as the case may be:
Sec-10 : Powers of food inspectors:

A food inspector shall have powers:

a. to take samples of any article of food from:
   1. any person selling such article;

2. any person who is in the course of conveying, delivering or preparing to deliver such article to a purchaser or consignee;

3. a consignee after delivery of any such article to him; and
   b. to send such sample for analysis to the public analyst for the local area within which such sample has been taken;
   c. with the previous approval of the Local (Health) Authority having jurisdiction in the local area concerned, or with the previous approval of the Food (Health) Authority, to prohibit the sale of any article of food in the interest of public health.

Explanation:

1. Any food inspector may enter and inspect any place where any article of food is manufactured, or stored for sale, or stored for the manufacture of any other article of food for sale or exposed or exhibited for sale or where any adulterant is manufactured or kept, and take samples of such article of food or adulteration for analysis.

Provided that no sample of any article of food, being primary food, shall be taken under this sub-section if it is not intended for sale as such food.

2. Where the food inspector takes any action under clause (a) of sub-section (1), sub-section (2), sub-section (4), or sub-section (6), he shall (call one or more persons to be present at the time when such action is taken and take his or their signatures.)

3. Procedure to be followed by Food Inspectors.—(1) When a food inspector takes a sample of food for analysis, he shall:

   (a) give notice in writing, then and there, of his intention to have it so analysed to the person from whom he has taken the sample and to the person, if any, whose name, address and other particulars have been disclosed under section 14A;

PART – X – PRESERVATIVES:

52. Definition of preservative:

Preservative means a substance which when added to food, is capable of inhibiting, retarding or arresting the process of fermentation, acidification or other decomposition of food.
53. Classification of preservative:
Preservative shall be divided into the following classes:

(i) Class I preservative shall be:

(b) Sugar

Addition of class I preservatives in any food is not restricted unless otherwise provided in the Rules.

Provided that the article of food to which a class one preservative has been added conforms to the specification laid down in appendix-B.

55. Use of class II preservative restricted:
The use of class II preservatives shall be restricted to the following group of foods in concentration not exceeding the proportions given below against each.

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Sl. No. Article of Food Preservative Parts per Million

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Plantation white sugar, cube sugar, dextrose, gur or jaggery, misry Sulphor-di-oxide 70

9(b) Refined Sugar Sulphor-di-oxide 40

64(B): Use of mono-sodium-glutamate:

List of food where mono-sodium-glutamate is not allowed:

Sl.No. 19 – White and semi-white sugar (sucrose and sccharose, fructose, glucose (dextrose), xylose, sugar solutions and syrups, also (partially) inverted sugars, including molasses, treacle and sugar toppings)

Sl.No. 20 – Other sugars and syrups (e.g. brown sugar and maple syrup)

Sl.No. 40 – Plantation sugar, jaggery and bora

Sl.No. 48 – Sugar confectionary, toffy, lozenges.
APPENDIX-B (SEE RULE 5) – DEFINITIONS AND STANDARDS OF QUALITY

A.07 – SWEETENING AGENTS :

A.07.01 – “PLANTATION WHITE SUGAR” (commonly known as sugar) means the crystallized product obtained from sugarcane or sugar beet. It shall be free from dirt, filth, iron filing and added colouring matter. Extraneous matter shall not exceed 0.1 per cent by weight. It shall also conform to the following standards, namely:-

(a) Moisture (when heated at 105 + 1°C for 3 hours) Not more than 0.5 percent by weight

(b) Sucrose ............. Not less than 98 per cent by weight. The product may contain food additives permitted in Appendix-'C'.

A.07.01.02 – “REFINED SUGAR” means the white crystallized sugar obtained by refining of plantation white sugar. It shall be free from dirt, filth, iron filing and added colouring matter. Extraneous matter shall not exceed 0.1 per cent by weight. It shall also conform to the following standard, namely :-

(a) Moisture (when heated at 105 + 1°C for 3 hours) - Not more than 0.5 percent by weight.

(b) Sucrose Not less than 99.5 per cent by weight . The product may contain food additives permitted in Appendix-'C'.

A.07.06 – CUBE SUGAR means the sugar in the form of cube or cuboid blocks manufactured from refined crystallized sugar. It shall be white in colour, free from dirt and other extraneous contamination. It shall conform to the following standards :-

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Sucrose - Not less than 99.7 per cent by weight.
Moisture - Not more than 0.25 percent by weight
Total ash - Not more than 0.03 percent by weight
The product may contain food additives permitted in Appendix-'C'.

A.07.09 – ICING SUGAR means the sugar manufactured by pulverizing refined sugar or vacumn pan (plantation white) sugar with or without edible starch. Edible starch if added, shall be uniformly extended in the sugar. It shall be in form of white powder free from dust. The product may contain food additives permitted in Appendix-'C'. It shall conform to the following standards :

Total starch and sucrose(moisture free – not less than 99% by weight)
Moisture - Not more than 0.80% by weight

Starch - Not more than 4% by weight on dry basis.