



KAUTILYA ON FOOD ADULTERATION

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ABSTRACT

Food adulteration is an offense not only in India but in all countries across the world during modern times. Food adulteration is a punishable offense in India since ancient times. It is clearly visible from Kautilya's *Arthashastra*. Kautilya had mentioned various types of adulterations. The present paper will study only about food adulteration which are prescribed by Kautilya in his *Arthashastra*.

Keywords: Kautilya, *Arthashastra*, Adulteration.

INTRODUCTION

Food adulteration has become a mounting problem all over the world. Adulteration is an addition of another substance to a food item in order to increase the quantity of the food item in raw form or prepared form, which may result in the dilute of the actual quality of food item. Food adulteration is done to degrade the quality and to increase the quantity for maximizing the profit. Food adulteration can cause an immediate effect on human health. Food adulteration can cause immediate effect on human health. Food adulteration increases the impurity in the foods items thus making it imperfect to consume. Consumption of adulterated food for long will have both short term and long term impact on our health. There are various negative aspects of food adulteration like economic aspects, legal aspect, and social aspect. From an economic point of view food adulteration directly affects the health of people which downs the utility to consumers having a negative impact on productivity which in turn results in a low level of income. It will further lead to low level of productivity. In this way, a vicious circle of adulterated food begins. From the social point of view, adulterated

food has a high impact on the poor section of the society because they are unable to purchase the good quality products which increase the income inequality. Legal aspect shows as food adulteration violates the rights of the consumer of consuming healthy and pure food of consumer rights, it is a crime by law. In India Prevention of Food Adulteration Act, 1954 has been passed to cure this evil. According to this Act, an article of food shall be deemed to be adulterated—

(a) if the article sold by a vendor is not of 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 is represented to be;

(b) if the article contains any other substance which affects, or if the article is so processed as to affect, injuriously 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 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 ingredients 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, but which renders it injurious to health;

RESEARCH METHODOLOGY

The present paper is based on qualitative research methodology called Hermeneutics. The Hermeneutic Analysis is a special type of Content Analysis where it is tried to interpret the subjective meaning of a given text within its socio-historic context.

PHILOSOPHY OF KAUTILYA ON FOOD ADULTERATION

According to Kautilya State should not be only the protector of the person or property of its citizens, but also a major source of the welfare of subjects. There is no contrast between Kautilya's welfare and modern public welfare doctrine. Still, the modern governments had taken many centuries to conceive this welfare principle in their agenda. Kautilya's welfare state too, like nowadays was severely threatened by anti-social elements like corrupt and deceitful merchants. To weed out those anti-social elements, Kautilya had devoted a full chapter namely '*Kantaka Sodhana*' in his *Arthashastra*. Adulterators were called kantakas by Kautilya and, therefore he dealt them under *Kantaka Sodhana*. It was the duty of the King or King's officials to book the culprits for *Kantaka sodhana*. There are various references in *Arthashastra* regarding the administration of anti-adulteration law. To safeguard the health of the citizens, by preventing food adulteration, it was provided by Kautilya that adulteration of grains, oils, salt, medicines, and scents was to be punished with specific fines. The health of the people was protected by punishing the adulteration of products of various kinds, including grains, oils, salt, scents, and medicines. The insight of Kautilya against food adulteration is clearly visible in the following *slokas*:

विलवणमुत्तमम् दण्डम् दद्यात् ।
(*Vilavanmuttamam dandam dadyat.*)

{2.12.32}

The *sloka* states that-

“A person selling adulterated salt should pay the highest fine for violence.”

धान्यस्नेहक्षारलवणगन्धभैष्जयद्रव्याणाम् समवर्णोपधाने द्वादशपणो दण्डः ।
(*Dhanyasnehaksharlavanagandhabhaisjayadravyanam samvarnopadhane*
dvadashapano dandah.)

{4.2.22}

The *sloka* states that-

“For mixing things of a similar kind with objects such as grains, fats, sugars, salts, perfumes, and medicines, the fine is twelve *panas*.”

The sphere of the above *sloka* runs extensively over foodstuffs, cosmetics, and medicines. The phrase 'adulteration with similar articles of no quality' shows the age-old practice of mingling. It is only one approach of adulteration. There were many other modes. To augment the vigour of the earlier law, Kautilya further ordained as follows:

सारभाण्डमित्यसारभाण्डम् तज्जातमित्यतज्जातम् राधायुक्तमुपधियुक्तम्
समुद्रपरिवर्तिमम् वा विक्रयाधानम् नयतो हीनमूल्यम् चतुष्पंचाशत्पणो दण्डः,
पणमूल्यम् द्विगुणो, द्विपणमूल्यम् द्विशतः ।

(*Saarbhandamityasaarbhandam tajjatamityatajjatam raadhaayuktamupadhiyuktam
samudraparivartimam vaa vikryadhanam nayato heenamoolyam chatuspanchashatpano
dandah, panmoolyam dviguno, dvipanmoolyam dvishatah.*)

{4.2.16}

The *sloka* states that-

“For the trader effecting the sale or pledging of an article not of high value as an article of high value or of an article not of a particular class as an article of that class or of an article which is given a false shine or in which there is fraud or the container of which is changed, the fine is fifty-four *panas* if the price is trifling, double if the price is one *pana*, two hundred *panas* if the price is two *panas*.”

The above *sloka* represents that when a trader sells or mortgages inferior as superior commodities, articles of some other locality as the produce of particular quality, adulterated things, or deceitful mires or when dexterously substitutes other articles for those just sold he shall not only be punished with fine of 54 *panas* but also be compelled to make good the loss. If one split the various components codified in the above *sloka* into separate compartments, then, the introductory part of the *sloka* deals with the sale of inferior commodities with false description. It indicates that it is an age-old practice among deceitful traders to sell their inferior goods with sweetly coated descriptions. Inferiority or deficiency in products would arise from quantitative and qualitative aspects. Both quantitative and qualitative defects were brought under the purview of the present *sloka*. But it seems from

the above *sloka* that more emphasis was given on the qualitative defects to curb the evil of adulteration through false description. The second part of the *sloka* illustrates another approach of cheating on the consumer. Naturally, the commodities of some particular localities are always considered better than similar commodities of other localities. No one having sufficient means will ever buy the product of such distasteful localities in preference to the products of widely accredited places because a rational consumer always prefers quality products. To undo the resulting mischief caused to such products, fraudulent traders sell them by misrepresentations. They misbrand product of distasteful locality as products of accredited locality. This aspect has been brought under the evil of adulteration by Kautilya. The third part of the *sloka* speaks about adulterated things. In the fourth part of *sloka*, Kautilya talks about the deceitful mixtures. Deceitful mixture indicates a compounded article made deliberately to make someone believe that it is not the one which it truly represents. Such article is made either with the addition and substitution of foreign ingredients or with the subtraction of essential ingredients. Very often, the foreign ingredients substituted or added may be harmful to the health of the consumer. Any attempt for the sale of such mixture was threatened by Kautilya with punishing consequences. The fifth part shows the situation when dexterously substitutes other articles for those just sold. Along with these ideas Kautilya also mentioned:

परिशूनमशिरःपादास्थि विगन्धम् स्वयंमृतम् च न विक्रीणीरन् ।
अन्यथा द्वादशपणो दण्डः ।

(*Parishoonamshirahpadaasthi vigandham svayammritam cha na vikreeneeran.*
Anyatha dvadashapano dandah.)

{2.26.12, 13}

The *sloka* states that-

“They (the traders) shall not sell (meat that is) swollen, without head, feet and bones, foul-smelling and of a naturally dead animal. Otherwise, there shall be a fine of twelve *panas*.”

Kautilya strongly disfavours the food adulteration because he was fully aware that healthy human capital is the base of the wealth of a nation. It seems that he was well aware from the phrase “Health is national wealth” because a healthy, pure and fresh diet is necessary for better productivity. All these show that good quality of food was highly recommended by Kautilya.

There is the great similarity between Kautilya’s philosophy and Prevention of Food Adulteration Act, 1954 regarding the meaning and area of food adulteration. At present time

Kautilya's views on prevention of food adulteration are highly relevant all over the world. The Government of India is taking it as a heinous offense. Kautilya expressed his views for this type of offense in terms of financial punishment. In India, many steps have been taken to prevent the adulteration of food products. One can get three months to six years imprisonment with monetary penalties if the offense is serious. In India, the Ministry of Health and Family Welfare is responsible for ensuring safe food to the consumers. Keeping this in view, a legislation called "Prevention of Food Adulteration Act, 1954" was enacted. The objective envisaged in this legislation was to ensure pure and wholesome food for the consumers and also to prevent fraud or deception. The Act has been amended thrice in 1964, 1976 and in 1986 with the objective of plugging the loopholes and making the punishments more stringent and Empowering Consumers and Voluntary Organizations to play a more effective role in its implementation. Now in India **the Food Safety and Standards Authority of India (FSSAI) is the regulatory authority for the prevention of adulterated food which** has been established under Food Safety and Standard Act, 2006. It consolidates various acts & orders that have till now handled food related issues in various Departments and Ministries. 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. It is an autonomous body established under the Ministry of Health & Family Welfare, Government of India.

CONCLUSION

Conclusively, the evil of adulterating foodstuffs and other commodities were not foreign to the Indian subcontinent. Much ink had been spent by ancient Indian jurists to mend anti-adulteration laws. The prohibitive measures contained in the *Arthashastra* of Kautilya are the noteworthy illustrations amongst them. Kautilya was strongly against the adulteration of food. It is a major crime during modern era also. The Prevention of Food Adulteration Act was passed in 1954. However, this act was repealed by the Food Safety and Standard Act passed by the parliament in 2006. Penalties and punishments are imposed based on the seriousness of the offense which is also mentioned by Kautilya. Even though we have proper laws in our country, people still do food adulteration. Reasons for it is that they can bribe the officers, even if caught can come out with the help of a good lawyer and so on. This system has to be changed and laws have to be implemented without any bias by following the lines of Kautilya.

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