

AACI welcome Supreme Court's Order to remove food companies from government panels

The Alliance Against Conflicts of Interests (AACI), welcomes the order of Hon'ble Supreme Court to remove representatives of the food or drinks industry like Coca Cola, Pepsi Co, Hindustan Unilever, Marico, Britannia, ITC, Nestle India, Hind Agro Industries, or GSK from the scientific panels of the Food Safety and Standards Authority of India(FSSAI).

AACI appreciates the efforts of the 'Centre for Public Interest Litigation' for taking this up and pointing out glaring conflict of interest in the composition of the Scientific Panels of FFSSAI. These panels included employees/officials of food manufacturers, which the Authority's counsel termed as a dynamic decision. However, the court said the presence of industry representatives on the panels was unacceptable as Section 13(1) of the NAME OF THE ACT specifies that members of committees should be independent scientific experts. The Court allowed that the Panels and Committees could invite views of the food industry as well as consumers before giving recommendations.

Members of AACI have been raising such concerns with the Government of India including with the ministry of WCD, especially in the context of conflicts of interests in Codex committee of food and nutrition e.g. when representatives of Nestle as CII representatives command the respect of being a Government of India delegate in international food policy formulation meetings; but these concerns have so far been ignored by the government. Therefore, this Order of Hon'ble Supreme Court would be helpful in putting such conflicts to rest.

AACI is concerned when food and drinks MNCs like Pepsico sponsor mega events like Leveraging Agriculture for Improving Nutrition and Health and India's Prime Minister inauguates it. Such an association leaves no doubt in the minds of people for considering it legitimate partnership.

AACI hopes that Government of India will apply the principle of preventing conflict of interest to its other committees of food, nutrition and health.

AACI is specially concerned that private sector is directing the priorities in health and nutrition research, especially research related to vaccines, treatments and health foods. This concern is enhanced by the draft bill, which is currently before a Select Parliamentary Committee, titled the Protection and Utilisation of Public Funded Intellectual Property Bill 2008 ("PUPFIP Bill", <http://bit.ly/pupfip-bill>) which is a means of transferring to private companies intellectual property protection on outcomes of government funded research.

AACI believes that India should have an overarching legal framework to identify, manage and end conflicts of interests from public policy in all sectors. Having a legislation would remove a fundamental flaw in governance and spare valuable time that the Hon'ble Supreme Court has to spend in going through these cases.

The Alliance Against Conflicts of interests (AACI) February 11, 2011
arun.ibfan@gmail.com