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Remove food, soft drink co agents from scientific panels: SC

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NEW DELHI: The [Supreme Court](#) on Tuesday asked the government to remove persons linked to food and soft drink companies from the statutory panels tasked to enforce safety and standards on edible items, including products of these firms.

A Bench of Justices Dalveer Bhandari and A K Ganguly felt that company representatives on scientific panels was a clear breach of the mandate under Section 13(1) of the [Food Safety and Standards Act, 2006](#).

It asked the [Food Safety Authority](#) to rectify the mistake and re-constitute the panels with independent scientific experts as members within two weeks and report back to the court.

The Authority had set up eight panels 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.

A petition by NGO 'Centre for Public Interest Litigation' through counsel Prashant Bhushan had alleged glaring conflict of interest as the panels included employees/officials of food item manufacturers like Coca Cola, [Pepsi Co](#), Hindustan Unilever, Marico, Britannia, ITC, [Nestle India](#), Hind Agro Industries, GSK Consumer Healthcare and Food Safety Solutions and International.

The court said the presence of industry representatives on the panels, which the Authority's counsel termed as a dynamic decision, was unacceptable as Section 13(1) had a clear mandate that members had to be independent scientific experts who would invite views of the food industry as well as consumers before giving recommendations.

The public interest litigation had alleged that soft drinks marketed by MNCs like [Coca Cola](#) and Pepsi were harmful for human consumption and was a major cause of obesity in adolescents. It had sought a scientific investigation into the contents and their harmful effects on health of citizens.

Appearing for the soft drink majors, counsel K K Venugopal and Amit Sibal said that obesity was a rich man's problem and in a country where 36% of population lived below poverty line, the petition's plea was an exercise in futility.

Sibal said soft drink manufacturers follow a stringent quality control regime specified in western countries and cited a recent letter from the [Indian Council for Medical Research \(ICMR\)](#) to support his claim.

The [ICMR](#) said that "available literature does not clearly establish a direct cause and harmful effect relationship between consumption of carbonated beverages and its effects on human health". It had said finding the relationship was a complex exercise requiring a long term study.

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