



FOOD WASTE AND LOSS: LEGAL STRATEGIES FOR REDUCING FOOD WASTE AND PROMOTING FOOD RECOVERY

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ABSTRACT

The choice of this topic stems from the recognition that food wastage and loss have profound implications for various aspects of our society. From an economic perspective, food waste represents a significant loss of resources and revenue for the business. On a social level, wasting food contradicts the ethical imperative to ensure that everyone has access to sufficient and nutritious food. The primary objective of this article is to shed legal strategies that have proven effective in reducing food wastage and promoting food recovery. It will develop into various legal measures such as the establishment of food waste reduction targets, standardizing date labeling, protecting food donors from liability and promoting waste-to-energy regulations. By analysing these strategies, the article aims to provide insights into how government, business and consumers can work together to create a more sustainable and efficient food.

KEYWORDS: Food wastage, loss, legal strategies, government and justice

I. INTRODUCTION

Food holds a prominent position in the society, extending beyond its role as sustenance. It is deeply intertwined with cultural identity, reflecting traditions, customs and rituals. Different cuisines and culinary practices celebrate diverse and contribute to cultural heritage. Moreover, food acts as a catalyst for social interaction and community building as sharing meals brings people together and fosters a sense of belonging. In terms of health and well-being, access to nutritious food is essential. Adequate nutrition and a balanced diet are crucial for maintaining good health, growth and development. Addressing issues related to food affordability, accessibility and nutritional education is vital for promoting healthier lifestyles and reducing diet-related health problems.

II. ISSUES

A significant issue that occurs through various practices, is influenced by underlying reasons. One of the primary causes is the tendency of individuals to overbuy and serve excessive portions. This behaviour is often driven by a lack of meal planning, leading to a surplus of food that eventually goes to waste. Cultural norms of abundance and hospitality also contribute to this pattern, as people often feel compelled to offer an abundance of food to guests or during celebrations. Inadequate storage and preservation facilities are other factors leading to food wastage. Many households, particularly in rural areas or low-income communities, may lack access to reliable refrigeration or appropriate packaging materials. As a result, perishable items are more susceptible to spoilage, and the shelf life of these foods is significantly reduced. Furthermore, lack of awareness about proper storage techniques



and food safety practices exacerbates the problem. A significant contributor to food wastage is the consumer preference for fresh and aesthetically perfect produce. In India, there is a strong emphasis on the appearance of fruits, vegetables and other food items. Consumers tend to reject or discard items that do not meet their standards of visual appeal, such as fruits with blemishes or misshapen vegetables. This preference for perfect produce contributes to significant wastage throughout the supply chain, from farm to consumer.

Wastage and loss have profound impacts on multiple stakeholders, leading to a range of detrimental consequences. One of the most affected groups is food-insecure individuals who lack reliable access to nutritious food. When edible food is wasted, it means that valuable resources, including water, energy and agricultural land, are also wasted. This exacerbates food insecurity and hampers efforts to address hunger and malnutrition. Small-scale farmers, who often operate with limited resources and face numerous challenges, bear the brunt of food wastage and loss. They experience economic losses when their perishable produce is spoiled or goes unsold due to inadequate storage facilities, inadequate transportation infrastructure or market demand fluctuations. These losses not only impact their livelihoods but also undermine their ability to invest in sustainable farming practices and improve their overall well-being. The environment and natural resources are severely impacted by food wastage. When food is discarded in landfills, it decomposes and produces methane, a potent greenhouse gas that contributes to climate change. Additionally, food wastage results in the inefficient use of water, land, and energy resources employed in food production, putting unnecessary pressure on already strained ecosystems. Addressing food wastage is crucial for mitigating the environmental impact of the food system and promoting sustainability. Food businesses, including retailers, restaurants, and supermarkets, also suffer from food wastage.

The costs associated with purchasing, storing, and managing excess food inventory that ultimately goes to waste can have significant financial implications. Moreover, food wastage negatively affects their profitability and sustainability, impacting their long-term viability and ability to contribute to the economy. Overall, the consequences of food wastage and loss are far-reaching, affecting food-insecure individuals, small-scale farmers, the environment and food businesses. By implementing effective strategies to reduce food wastage, such as improved storage infrastructure, better supply chain management, consumer awareness campaigns and policy interventions, we can alleviate hunger, support farmers' livelihoods, conserve resources, mitigate climate change and foster a more sustainable and equitable food system for all.

Food wastage and loss have emerged as critical global challenges, with significant economic, social and environmental implications. This article examines the legal strategies that can effectively address these issues by reducing food wastage and promoting food recovery. It analyses the existing legal frameworks at the international, national and local level focusing on their strengths and weakness in tackling food wastage and loss. Further, this article explores innovative legal approaches and best practices from around the world that have successfully reduced food waste throughout the food supply chain. This analysis reveals that a comprehensive legal framework is essential for addressing food waste and loss. Such a framework should encompass regulations, incentives and enforcement mechanisms to prevent food wastage at every stage from production to distribution to consumption. The article identifies the legal strategies included in the implementation of mandatory food wastage.

Food wastage and loss in India continue to be a significant issue, with an estimated 40% of food

production being wasted annually. Challenges exist throughout the supply chain, including post-harvest losses, inadequate infrastructure, inefficient logistics and poor handling practices. Retail and consumer wastage also contribute to the problem, with factors like consumer demand for perfect produce and improper inventory management playing a role. Perishable food items, such as fruits and vegetables are particularly vulnerable to spoilage due to insufficient cold chain infrastructure. To tackle this issue, the government has implemented various initiatives such as awareness campaigns and food donation promotions. Despite these efforts, reducing food wastage requires collective action from all stakeholders, including individuals, businesses and policymakers.

III. CURRENT APPROCHES

Current approaches One of the key strengths of addressing food wastage and loss is the ability to raise awareness about the issue. By highlighting the magnitude of food waste and its social, economic and environmental impacts, stakeholders become more informed and engaged. Increased awareness can lead to a collective sense of responsibility and motivate individuals, businesses and policymakers to take action. Tackling food wastage and loss requires collaboration among multiple stakeholders including governments, businesses, NGOs, research organizations and consumers. Through joint efforts, stakeholders can share knowledge, resources and best practices initiatives. Funding opportunities, grants and incentives provided through legal frameworks can enable businesses and NGOs to invest in infrastructure, technologies and programs that help prevent divert food waste. This pooling of resources enhances the collective impact of efforts to reduce wastage. Establishing standards and guidelines for various aspects of the food system such as date labeling, storage practices and donation regulations. Standardization helps eliminate confusion and provide a consistent framework for business and consumers to follow. By

establishing clear rules legal strategies contribute to a more efficient and accountable food system. Driving policy changes at national, regional and international levels. Government can develop and enforce regulations that promote waste reduction targets implement waste-to-energy policies and support initiatives that encourage responsible consumption. Also, waste-to-energy technologies such as anaerobic digestion or compacting can convert food waste into renewable energy or nutrient-rich compost. The government can establish regulations and incentives to promote the use of these technologies, ensuring that food waste is diverted from landfills and used in an environmentally sustainable manner. Shifting cultural and social norms by creating legal frameworks that prioritize waste reduction, society becomes more conscious of the value of food and the need to minimize waste. This shift in attitude and behaviour can have a lasting impact on how individuals and communities approach food consumption and waste management. Promoting consumer education led to awareness campaigns on the impacts of food wastage and the importance of responsible consumption. This can include mandatory educational programs in schools, public awareness campaigns or labeling requirements that inform consumers about the consequences of food waste.

As such there is no provision that talks related to the right to food but freedom from hunger has been recognized as a part of the right to life under Article 21 of the constitution. Food justice and equity are also significant considerations. Ensuring equitable access to safe, nutritious and culturally appropriate food is essential for social justice. Addressing food insecurity, reducing food deserts and promoting equal food policies contribute to creating a fair and just society where everyone has the opportunity to access and enjoy food. Promoting food justice and equity involves advocating for policy change that addresses issues and supports initiatives aimed at creating a more equitable food system. This includes advocating for



increased funding for food assistance programs and promoting fair trade practices that benefit farmers and workers.

Though in India, there is no specific regulatory body solely dedicated to food wastage and loss. However, the Food Safety and Standards Authority of India (FSSAI) plays a significant role in overseeing and regulating various aspects of the food sector, including food safety, quality and standards. While the FSSAI's primary focus is on ensuring food safety and standards, it also acknowledges the importance of addressing food wastage as part of its broader mandate. The FSSAI has taken initiatives to promote food donation and minimize food wastage. It has issued guidelines and regulations to encourage food businesses to donate surplus food to charitable organizations, ensuring the safety and quality of the donated food. The FSSAI has also launched the 'Save Food, Share Food' campaign to raise awareness about food wastage and promote responsible consumption practices. Additionally, other government bodies and departments, such as the Ministry of Consumer Affairs, Food and Public Distribution, the Department of Agriculture Cooperation and Farmers Welfare, and state-level agricultural and food departments, may have roles and responsibilities related to food wastage and loss. These entities work collaboratively to address food-related issues and implement strategies to minimize wastage. Another, The National Food Security Act (NFSA) of 2013 is a crucial legislation enacted by the Government of India to ensure food security for a significant portion of the population. Under the NFSA, eligible households are entitled to receive subsidized food grains through the Public Distribution System (PDS). The act emphasizes the strengthening of the PDS, targeting priority and general households to provide them with a specified quantity of food grains at highly subsidized prices. The NFSA also recognizes the importance of women in ensuring food security by granting them the right to receive entitlements. Additionally, the act focuses on

nutritional support for pregnant women, lactating mothers, and children under six through schemes like the Integrated Child Development Services (ICDS) and the Mid-Day Meal Scheme (MDMS). The NFSA establishes grievance redressal mechanisms to ensure transparency and accountability in the distribution of food grains. Overall, the NFSA plays a vital role in addressing hunger and malnutrition, promoting food security and empowering vulnerable sections of society in India. Effective implementation and monitoring are essential to fully realize the objectives of the act. The public distribution system (PDS) is a government initiative implemented in many countries to ensure food security and provide essential commodities to the vulnerable sections of society. Under the PDS, subsidized food grains, such as rice, wheat, and pulses, are distributed through a network of fair price shops or ration shops. The system aims to address poverty, hunger, and malnutrition by providing affordable food to low-income households. Eligible beneficiaries are issued ration cards, which entitle them to purchase food grains at subsidized rates. The PDS plays a crucial role in mitigating food insecurity and reducing the socio-economic disparities by ensuring that even the economically disadvantaged have access to basic food necessities. Efforts are continuously being made to improve the efficiency and transparency of the system, including the use of technology for targeted delivery and minimizing leakages. The PDS remains a vital tool in promoting food security and alleviating hunger for millions of people around the world.

The Government of India has launched several schemes and policies to address food-related issues and promote food security. Here are some notable initiatives:

National Food Security Act (NFSA): Enacted in 2013, the NFSA aims to provide subsidized food grains to a significant proportion of the population. Under this act, eligible households are entitled to receive specified quantities of

food grains at subsidized prices through the PDS.

Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY): Launched in 2020 during the COVID-19 pandemic, this scheme aimed to provide additional food grains to vulnerable sections of society. It involved distributing 5 kilograms of free food grains per person per month to eligible beneficiaries for several months.

Mid-Day Meal Scheme (MDMS): Implemented in schools across the country, the MDMS aims to improve the nutritional status of school-going children. It provides free cooked meals to students, encouraging regular attendance and enhancing their overall well-being.

Integrated Child Development Services (ICDS): This scheme focuses on improving the health and nutrition of pregnant women, lactating mothers, and children under six years of age. It provides supplementary nutrition, immunization, health check-ups and referral services.

Annapurna Scheme: Under this initiative, the government provides free food grains to eligible senior citizens who are not covered under any other social security scheme. It aims to address the nutritional needs of the elderly and ensure their well-being.

National Mission on Sustainable Agriculture (NMSA): Launched in 2010, the NMSA promotes sustainable agriculture practices, including soil health management, water conservation and efficient use of inputs. It aims to enhance agricultural productivity while minimizing environmental degradation.

Pradhan Mantri Fasal Bima Yojana (PMFBY): This crop insurance scheme provides financial support to farmers in case of crop failure due to natural calamities, pests or diseases. It aims to safeguard farmers' interests and ensure their financial stability.

National Horticulture Mission (NHM): The NHM focuses on promoting the holistic development of horticulture by providing support for the

cultivation, post-harvest management and marketing of horticultural crops. It aims to enhance farmers' income and improve nutritional outcomes.

Soil Health Card Scheme: This initiative provides farmers with personalized soil health cards containing information about the nutrient status of their farmland. It helps farmers make informed decisions regarding fertilizer application and promotes balanced nutrient management.

Pradhan Mantri Kisan Samman Nidhi (PM-KISAN): Launched in 2019, this scheme provides direct income support to small and marginal farmers. Eligible farmers receive financial assistance of Rs. 6,000 per year, transferred directly to their bank accounts.

These schemes and policies demonstrate the government's commitment to ensuring food security, improving agricultural practices and uplifting the socio-economic status of farmers and vulnerable sections of society in India but food wastage and loss is still a concern.

IV. LEGAL STRATEGIES

To address the issue of food wastage and loss in India, additional legal strategies can be implemented. These strategies can complement existing initiatives and provide a stronger framework for waste reduction. One potential approach is to introduce standardized date labeling regulations to ensure clarity and accuracy for consumers. Another strategy legislation can also be considered to mandate the redistribution of excess edible food by a business beyond a certain size threshold, encouraging systematic redistribution and reducing wastage. Food incentives or grants can be provided to support the establishment of food recovery infrastructure such as food banks and composting facilities. Collaboration with industry associations can help develop sector-specific guidelines and best practices for waste reduction. Allocating funding for research and development in food preservation technologies and waste reduction practices is

another crucial step. Public-private partnerships can foster joint initiatives for awareness campaigns, research collaboration and capacity-building programs. Implementing these legal strategies, along with stakeholder engagement and effective enforcement can lead to significant progress in reducing food wastage and building a more sustainable food system in India.

Reducing food waste requires innovative and unique approaches to make a significant impact. Here are some distinct options to consider: One approach involves gleaning programs, where volunteers collect surplus or unharvested produce from farms and distribute it to those in need. Food-sharing apps provide a platform for individuals or businesses to share excess food with those who can use it, minimizing waste. Community fridges offer accessible spaces where people can donate perishable items, reducing food waste and promoting food security. Food waste cafes are gaining popularity, using discarded or surplus ingredients to create delicious meals, raising awareness about food waste. Embracing imperfect produce initiatives allows consumers to purchase fruits and vegetables that are typically rejected due to appearance, reducing waste and supporting farmers. Some organizations divert food waste to animal feed, providing nutrition for livestock. Utilizing food waste prevention apps helps individuals track and minimize their waste, while organizing food waste reduction challenges encourages communities to find creative solutions. Supporting companies that use sustainable and compostable packaging reduces waste generated from packaging materials. Encouraging research and innovation in food waste reduction promotes technologies that extend the shelf life of perishable items, develop new preservation methods or transform food waste into valuable products like biofuels or fertilizers.

V. CONCLUSION

In summary, we can say that the position of food in society encompasses cultural identity, social interactions, economic significance, health and well-being, environmental impact and consideration of justice and equity. Recognizing and addressing these aspects of food helps create a more sustainable and inclusive society. The Government of India has implemented various schemes and policies to tackle food-related challenges and promote food security. These initiatives aim to address poverty, hunger and malnutrition by providing subsidized food grains, nutritious meals in schools and supplementary nutrition to vulnerable sections of society. The government has also focused on sustainable agriculture practices, crop insurance, and financial support for farmers. These schemes not only aim to enhance food availability and access but also improve farmers' livelihoods and agricultural productivity, but they were unsuccessful in tackling the issue related food wastage and loss. By implementing the legal strategies, the government can create an enabling environment for waste reduction, recovery and sustainable practices throughout the food system. Collaborative efforts between stakeholders supported by appropriate legal frameworks can significantly contribute to reducing food waste and building a more sustainable and resilient system. Remember, every small step counts in reducing food waste. By adopting these unique options, we can make a positive impact on the environment and contribute to a more sustainable future.

VI. REFERENCES

- Article 21 of the Indian Constitution of India
- <https://www.fssai.gov.in/>
- <https://wwf.panda.org/>
- <https://www.unep.org/>
- <https://www.stopfoodlosswaste.org/>
- <https://nfsa.gov.in/>
- <https://nfsa.gov.in>