

Promotion Of Healthy Food Choices In India: Issues And Challenges

Shaunak Sharma^{1*}, Dr. Anukriti Mishra²

¹PhD Scholar, Amity Law School, Amity University, Chhattisgarh, shaunaksharma20@gmail.com

²Assistant Professor, Amity Law School, Amity University, Chhattisgarh, amishra1@rpr.amity.edu

ABSTRACT

Accessibility of healthy food is a of paramount importance for the development of the nation. Healthy food contributes to improved cognitive function and physical well-being of the citizens. Such citizens then contribute in improving productivity of a nation, improving it's over all GDP. India's poor performance in Global Hunger Index is an indication of poor consumption of healthy food in India. One of the most prominent reason for less consumption is affordability factor of healthy food. Affordability of food has direct relation with the promotion of healthy food choices. Consumers at times are not ready to pay extra money for healthy food. Food vendors for instance restaurant use unhealthy ingredients to reduce the cost of production of food item. Healthy food consumption is also vital for achieving SDGs particularly SDG 1, SDG 2 and SDG 3. SDG 1 aims to eradicate poverty while SDG 2 aims to eradicate hunger. SDG 3 emphasises on overall wellbeing for which consumption of healthy food is vital. This paper is an attempt to explore the ways in which healthy food can be made more affordable there by promoting its consumption among the consumers. It also deals with challenges of increasing healthy food consumption.

Keywords: Healthy Food, Nutrition, FSSAI, Food Law, Healthy Food Choices, SDG.

[I] INTRODUCTION

"If I spend on better nutrition for kids or provide them good schooling, it is a great investment"¹ – Raghu Ram Rajan

Nutritious food is sin qua non for the development of any society, yet some society do better than other in ensuring nutritious food to their citizens. India for that matter is ranked 111th among 125 countries in Global Hunger Index. Global Hunger Index indicates about the availability of food, nutrition density of available food, and as a result of these two factor, the resulting mortality of children in a country.² Nutritious food thus is an important parameter which this ranking measure. It is well established that if the diet of the citizen lacks nutrients, then it might hamper their physical and cognitive behaviour leading to lower productivity. Lower productivity leads to poverty. Poverty then forces the citizen in to malnutrition, and malnutrition leads them to poverty. Thus, unhealthy food creates a vicious circle of malnutrition and poverty. It's the fear of an economy slipping in this cycle that makes former RBI chairman Raghuram Rajan makes a case for accessibility of nutritious food for a prosperous economy.³ India's Global Hunger Index score is 28.7 which falls under the serious hunger severity level category.⁴ India has lagged behind in increasing availability of nutritious food for years now. There has been a meagre improvement of .05 point in the last eight years.⁵

¹ Ashutosh Kumar, Expenditure on education, nutrition is a great investment: Rajan, fortune India,(14/12/2023), <https://www.fortuneindia.com/multimedia/expenditure-on-education-nutrition-is-a-great-investment-rajan/115088#>

² WHO, [https://www.who.int/data/nutrition/nlis/info/global-hunger-index-\(ghi\)#:~:text=The%20global%20hunger%20index%20captures,extent%2C%20attributable%20to%20undernutrition.](https://www.who.int/data/nutrition/nlis/info/global-hunger-index-(ghi)#:~:text=The%20global%20hunger%20index%20captures,extent%2C%20attributable%20to%20undernutrition.)

³ *Supra* note 1

⁴ Global Hunger Index, <https://www.globalhungerindex.org/india.html#:~:text=In%20the%202023%20Global%20Hunger,of%20hunger%20that%20is%20serious.>

⁵ Byjus, <https://byjus.com/free-ias-prep/global-hunger-index/#:~:text=The%202023%20Global%20Hunger%20Index%20gives%20India%20a%20rank%20of,and%20100%20is%20the%20worst.>

All three parameters on which the Global Hunger Indicator is based are important but this paper focuses only on the availability of nutritious food in India. Food Safety and Standard Authority of India, herein after referred to as FSSAI, has taken some steps to make nutritious food available to people residing in India. Eat Right India movement⁶, Poshan Abhiyan⁷ and Pradhan Mantri Matru Vandana Yojana⁸ are some of the schemes run by government of India and FSSAI to eliminate malnutrition. These schemes work in two ways, firstly it tend to create awareness among the consumer about the importance of nutritious food, and secondly, it focusses on increasing the purchasing power of the consumers so that they can afford nutritious and healthy food. The purchasing power of the consumers is increased by direct cash benefit given to women at the time of pregnancy.⁹ While these schemes remain important for providing nutritious food to the people, but clearly the statistics on nutrition asserts that there is more to be done by the government for making nutritious food more affordable and popular.¹⁰

[II] AFFORDABILITY OF HEALTHY FOOD

One of the biggest challenge for government is to make healthy food more affordable for the masses. Popularity and affordability of food can go together. Its not a wrong assumption to make that affordable food might be more popular in a country like India. There are campaign run by FSSAI and government of India for increasing popularity of nutritious food among people. These schemes aims to create awareness among them about the potential health benefits of the nutritious food, and the harmful effect of malnutrition. It seems increasing popularity of nutritious food is relatively easier than making nutritious food more affordable to the masses. It is on this challenge of making healthy food more economically viable on which this paper focuses on.

FSSAI and ICMR has promoted millets in their recent reports¹¹ as millets is one of those food which is both nutritious as well as affordable. There are various methods by which nutritious food can be made affordable. These methods can be broadly categorized in to two types, firstly by increasing the purchasing power of the consumers, and secondly by reduction in the price of the nutritious food item. The government of India via its schemes has definitely taken steps, although it's debateable how small or big a step it is, towards increasing the purchasing power of consumers.¹² However, the second method of reduction in the price of healthy food has remained unexplored by the government of India. It is submitted that an intervention by the government to make healthy food more economically viable would be a great step not only for securing good health of people but will also go a long way in increasing the productivity of economy.

[II.I] Methods for Making Healthy Food More Affordable

There are no. of methods that existing literature provides for making healthy food affordable. These are as follows:

[II.1.A] Creation of Circular Economy for Production of Food Items¹³

Circular economy is an economic framework where waste of one industry can be used as input for another industry. For example, the cow dung available in dairy industry can be used as an input for a biogas industry. Biogas so produced can again be used for cooking required in producing finished dairy product like cheese, butter, Yoghurt etc. Likewise, there are plenty of framework of circular economy that can be applied to the food

⁶ Eat Right India, <https://eatrightindia.gov.in/eatrightindia.jsp>, (29/09/2024).

⁷ National Portal of India, <https://www.india.gov.in/spotlight/poshan-abhiyaan-pms-overarching-scheme-holistic-nourishment>.

⁸ Department of Women and Child Government of NCT of Delhi, <https://wcd.delhi.gov.in/wcd/pradhan-mantri-matru-vandana-yojana-pmmvy>.

⁹ *Ibid*

¹⁰ *Supra* note 4

¹¹ *Ibid*.

¹² *Supra* note 8

¹³ Improving physical and economic access to healthy and sustainable foods, Food Forward NDCs <https://foodforwardndcs.panda.org/food-environment/improving-physical-and-economic-access-to-healthy-and-sustainable-foods/#>

production industry. Circular economy framework will bring the prices of the food down by reduction of the cost of the raw material. It is estimated that only 7.2% of the world economy is a circular economy, and that the number is going to decline further if no steps are taken by the governments across the world.¹⁴ India is no exception when it comes to circular economy. Most of the production in India is linear rather than circular in nature.¹⁵ Incentive by the government for the creation of circular economy will go a long way in bringing down the food prices. It will enable the consumer to afford healthy food.

[II.1.B] Strengthening of Local Markets¹⁶

Sourcing the food from neighbourhood villages is profitable for both farmer and consumer.¹⁷ Local markets near urban area can bring down the cost of food significantly as the food will not be required to be transported from a long distance. The food will also be more fresh and hence more healthy than the food transported from a faraway place. Local markets can be strengthened in India by having good connectivity of roads and railways track between cities and villages. The idea of integration of local market should be kept in mind while planning new cities or communities.¹⁸

[II.1.C] Balanced Diet at Community Kitchens

Funds should be generated for providing a more balanced diet at community kitchens. Most of the community kitchen are tight on budget and hence are unable to provide a balanced diet at nominal rate. Financial aid provided to community kitchen can solve this problem. Awareness campaign to use affordable ingredients like millet for community kitchen can also be effective in solving the said problem.

[II.1.D] Tax Incentives and Credit¹⁹

Tax incentive and easy credit can be given to small scale vendors for selling fresh produce. Often the small-scale vendors do not have facilities like refrigerators. This lack of facility keeps the food fresh for relatively less time. It might also force them to sell foods which have longer self-life due to the use of preservative. If the vendor sells fresh food without refrigeration, then he might increase the per unit cost of the food item. Increase in price is done by the seller accounting for the fact that some food item will perish before sale. A subsidy for refrigeration can curb this increase in price along with providing fresh food to the consumers. Tax incentives and credit can also be given to small scale food seller in food desserts. Food desserts are place where accessibility of food is less. In this area price of food can also be higher because of less supply of food items. Subsidy to open food stores in food desserts can not only increase accessibility of food but also reduce price of the food in food desserts.

[II.1.E] Discounted Food Vouchers²⁰

Food voucher carrying a discount on healthy product can be given by the Government to the people to make healthy food more affordable. Food vouchers are better than direct cash transfer as it ensures that the benefit given is actually used for the consumption of healthy food. Cash given to the people can be used for consuming un healthy food as well which defeats the objective of the discount. Thus, food voucher is a better option in terms of maintaining accountability of the beneficiaries.

[III] HEALTHY FOOD, SDGS AND ENVIRONMENT

Making healthy food affordable is directly linked to multiple Sustainable Development Goals (SDGs), especially SDG 1: No Poverty and SDG 2: Zero Hunger. Providing access to healthy affordable food ensures that

¹⁴ Circle Economy Foundation, Circular Economy Gap Report 2023, https://cdn.prod.website-files.com/5e185aa4d27bcf348400ed82/63ecb3ad94e12d3e5599cf54_CGR%202023%20-%20Report.pdf.

¹⁵ Shankar Prasad Sarma, Shalini Goyal Bhalla and Mausam Kumar, India's Tryst with a Circular Economy, 4,(2023)

¹⁶ *Supra* note 13

¹⁷ Ishwari Singh Bisht, Jai Chand Rana and Sudhir Pal Ahlawat, The Future of Smallholder Farming in India: Some Sustainability Considerations, 12(9), Sustainability,2020, <https://www.mdpi.com/2071-1050/12/9/3751>

¹⁸ *Supra* note 13

¹⁹ *Ibid.*

²⁰ *Ibid.*

individuals and families, especially those living in poverty, can meet their basic needs and achieve food security, which is defined as "physical, social and economic access to sufficient safe and healthy food". This affordability of healthy food allows for better nutrition, crucial for SDG 3: Good Health and Well-being, preventing conditions like malnutrition and obesity. Moreover, by supporting local, seasonal, and sustainable food systems that minimize waste, individuals contribute to SDG 12: Responsible Consumption and Production, reducing environmental impact, and supporting local economies. This approach ultimately strengthens the resilience of communities to climate shocks and rising food prices, indirectly supporting SDG 13: Climate Action, and fostering a more sustainable and equitable world for all.

Literature around the world states that food and environment are linked. In making informed dietary choices profoundly impacts both our personal health and the environment, highlighting the strong link between healthy food and environmental sustainability. Food production, processing, transportation, and waste contribute a substantial portion of global greenhouse gas emissions – around a third of all human-caused emissions are linked to food. Livestock farming, especially for red meat and dairy, demands extensive land and water resources, and generates high levels of greenhouse gases like methane. Conversely, plant-based diets centred on fruits, vegetables, whole grains, and legumes generally require less energy, land, and water, leading to lower greenhouse gas emissions. Additionally, reducing food waste is critical as discarded food in landfills emits potent methane. Choosing healthy, sustainable food options, such as locally sourced and seasonal produce, supports both human well-being and environmental health, reducing our ecological footprint and promoting a healthier planet. Thus, healthy food choices may also lead to less pressure on environment. However, mapping food choices with carbon emission is beyond the scope of this paper. This paper only argues for better accessibility of healthy foods irrespective of their carbon emission property.

[IV] A CASE STUDY OF UNHEALTHY FOOD OF INDIAN RESTAURANTS

Unhealthy food is rampant in India and it being more affordable than healthy food contributes to its wide spread consumption. To appreciate the relation between price of the unhealthy food and its consumption, we have taken up the case study of Indian Restaurant. In India the restaurant business has grown manifold indicating that a large number of people consume food from restaurants. FSSAI has recently conducted many raids at restaurants where they ceased unhygienic as well as unhealthy food items.²¹ Substances which are banned by FSSAI was found in the food of these restaurants.²² In legal language adulterated food was found in many food outlets. The motivation for adulteration of food item by restaurants or food outlet is often to reduce the cost of production of food item for increasing the profit. For example, restaurants and small food outlet will most likely use cheap oil to cook food.²³ Not only that but they are also guilty of reusing the said cheap oil. Small restaurants, Dhabas are even guilty of buying used oils for big restaurants and then reusing it. This is reuse of oil leads to release of cariogenic substances which can lead to cancer and other life-threatening chronic disease.²⁴ FSSAI is trying to deal with this problem by creating awareness among the consumers so that they can make informed choice about food items they are consuming. Menu labelling in restaurant for instance is one of the method to create awareness about the food items in restaurant. Menu labelling refers to the process of providing disclosure of ingredients of a dish in the menu of restaurant.²⁵ Eat Right India Movement is another campaign started by FSSAI. According to FSSAI 'Eat Right India adopts a judicious mix of regulatory, capacity building, collaborative

²¹ A leading chain was found using MSS chemical to purify used oil; FSSAI suspends license of KFC thootkudi outlet for using magnesium silicate-synthetic, CNBCTV18, <https://www.cnbctv18.com/travel/food-and-drinks/fssai-suspends-licence-of-kfc-thoothukudi-outlet-for-using-magnesium-silicate-19439704.html>

²² Ban imposes because small food operators don't follow the rules, Mahesh Zagade, Nuffoods Spectrum (15/03/2024), <https://nuffoodsspectrum.in/2024/03/15/ban-imposes-because-small-food-operators-dont-follow-the-rules-mahesh-zagade.html> .

²³ The Use and Reuse of Cooking Oil ~ Disadvantages, Regulations and all you need to know, FSSAI,(29/09/2019) <https://www.google.com/search?client=safari&rls=en&q=The+Use+and+Reuse+of+Cooking+Oil+~+Disadvantages%2C+Regulations+and+all+you+need+to+know&ie=UTF-8&oe=UTF-8>

²⁵ Sub-Regulation 2.4.6 of Food Safety and Standards (Packaging and Labelling) First Amendment Regulations, 2020 dated 21st August 2020 specifies the requirements for 'Display of information in Food Service Establishments' with effect from 1st January 2022.

and empowerment approaches to ensure that our food is good both for the people and the planet. Further, it builds on the collective action of all stakeholders - the government, food businesses, civil society organizations, experts and professionals, development agencies and citizens at large.²⁶ As a part of this campaign FSSAI is giving certification of hygiene to street food vendors. The idea is that the end consumers of the certified street vendor will be assured of good hygiene of the food. The idea is good but it would have been better if the certification was not only restricted to the hygiene of the food but would have also meant that the food is safe for consumption. However, currently the certification is only limited to hygienic food.

Creating awareness among the consumer about quality of food item is an important step to safeguard them from unhealthy food. However, at times it's not enough. There are certain scenarios where even the awareness about the quality food item will not work. First scenario can be that if all the restaurants, small food outlets, street vendors accessible to customer are serving unhealthy food. In this case even if the consumer is aware about the bad quality of food item then also, he is forced to eat that food item simply because, he does not have any alternative restaurant or eatery available to him. Second scenario can be that there are nearby restaurant available to the consumer which delivers or serves quality food but the food is priced little higher than the other eateries delivering or serving substandard food. In this scenario too, a consumer who is tight on budget will choose the cheaper eatery even after being aware of about the bad quality of food delivered or served by the eatery. A counter argument or a solution for both these scenarios can be that the consumers cooks his own meal. However, this would be asking too much of the consumer. In today's fast paced work culture, more people are forced to rely on cooks and restaurant for their meals. Unfortunately, some of us can earn our bread but don't have the time and energy to bake our own bread.

There has to be a solution, apart from increasing consumer awareness, for the accessibility of good quality food. A solution that will work in both the scenarios mentioned above. Motivation for serving or delivering unhealthy food in most cases, if not in all cases, is reduction in cost of production of the food item.²⁷ Today, competition among restaurant is higher than ever before. Not only they have to compete for delivering and serving tasty food but they also have to compete for providing the same at a low cost. Unlike the ingredients of the food items, the pricing of the food item is quite transparent. The restaurant risks losing out an existing customer to neighbouring restaurant the moment it increases the price of the food item to improve the health quotient of the food it delivers. It's a risk that many restaurants will avoid in today's age of cut throat competition, and that then will leave them with the only option of using unhealthy ingredients in their food. The solution in such a case is to provide incentive to the restaurant, small food outlets, street food vendors etc for using quality ingredients in their food. In this manner they will not have to increase the price of their food items as the extra burden of the using quality ingredient will be borne by the Government. It is to be noted that Government does not have to pay the whole price of the ingredients as a subsidy. It has to pay only the extra cost restaurant had to be pay for upgrading their ingredients.

A scenario of how such a subsidy can work is produced here. Consider a problem of use of cheap oil in small food outlets. Cheap refined oil is unhealthy and replacing it with a good quality oil will make the food less harmful than before. One litre of wood pressed oil costs two hundred rupees more than the cheap quality oil. The government will step in and pay two hundred rupees as subsidy to restaurant for upgrading their oil. Condition like production of invoice of the oil can be put in order to ensure that the oil is actually used by the restaurant. A surprise check once in a while is always a good strategy to keep the restaurant in check. More details of how such a subsidy can be best implemented can always be worked by the Government Executives.

²⁶ Eat Right India, <https://eatrightindia.gov.in/eatrightindia.jsp>

²⁷ Deshmukh, Ram, The Effect of Repeatedly Cooking Oils on Health and Wealth of a Country: A Short Communication, 10, Journal of Food Processing & Technology, 25/7/2019, <https://www.walshmedicalmedia.com/open-access/the-effect-of-repeatedly-cooking-oils-on-health-and-wealth-of-a-country-a-short-communication-44234.html>

The idea is that most of the restaurant, if not all, use unhealthy ingredients to reduce cost of production. If Indian Government can provide restaurants subsidy to use healthy ingredients at the cost of unhealthy ingredients then the restaurants will improve the health quotient of the food. A similar or more general subsidy on the same lines in the name of Zero Defect Zero Effect (ZED)²⁸ is already put in place by the Indian Government. ZED certification, among other things, rewards any small and medium enterprise for delivering quality product. It is submitted that ZED certification can also be used by restaurants and other food manufacturer. However, the subsidy is designed to be generally applicable to all the SME's and also limited in terms of the amount given as an incentive. Thus, a more specific subsidy exclusively targeting food manufacturer is required for addressing the problem of accessibility of healthy food.

[V] CHALLENGES OF INCREASING HEALTHY FOOD CONSUMPTION

There is no doubt that providing healthy food at an affordable rate has become the more important than ever before. However, the task is easier said than done. There are various challenges that are there for the Indian Government for providing healthy food to the people residing in India. Some of the critical challenges are listed below:

[V.1] High Cost of Healthy Food

Healthy diets come at a cost. The government has to increase their spending to make the healthy food more affordable for the people. Each of the measure for making healthy food more affordable mentioned in section II of this paper requires widespread spending by the Indian Government. A study shows that healthy food is much costlier for lower income or middle income countries. These countries has to pay 18 % to 29 % more than other countries.²⁹ Thus the government has to bear the burden of paying high cost to provide healthy food to people residing in India at an affordable price. However the government can take respite in the fact that same study states that the overall cost of a healthy and sustainable diet in the long run will be 25 % to 30 % lower than the cost of current diets by 2050.³⁰ This will be the result if the good effect of sustainable and healthy diet and the bad effects of the current diet are factored in the method of calculating cost of both the diets.

[V.2] Awareness Among Consumers

Although the Government of India might be willing to subsidise the healthy food for the consumers, but it might still happen that consumer will have to little more than what he pays for an ordinary food item. When it comes to paying extra money for healthy food, it's the health consciousness of the consumer which becomes a decisive factor.³¹ It's the health consciousness of the consumer that will decide whether he will be spending that extra money on healthy food item or not. A study conducted in India states that 44 % of the consumer are willing to pay 9 % extra for health and wellness food. It further stated that income and education are another factor while buying health and wellness food. The consumer with higher income and education is more likely to pay for the health and wellness food. Assuming that the Indian Government is willing to pay subsidy for healthy food, the

²⁸ MSME Sustainable (ZED) Certification is an extensive drive to create awareness amongst MSMEs about Zero Defect Zero Effect (ZED) practices and motivate & incentivise them for ZED Certification while also encouraging them to become MSME Champions. Through the journey of ZED Certification, MSMEs can reduce wastage substantially, increase productivity, enhance environmental consciousness, save energy, optimally use natural resources, expand their markets, etc. MSMEs will also be motivated to adopt best practices in work culture, standardisation of products, processes, systems etc. in order to enhance their global competitiveness and sustainability; Ministry of Micro, Small & Medium Enterprises, <https://zed.msme.gov.in/introduction>

²⁹ Springmann M, Clark MA, Rayner M, Scarborough P, Webb P., The global and regional costs of healthy and sustainable dietary patterns: a modelling study, *Lancet Planet Health*, (2021), 24/11/2021, <https://www.google.com/search?client=safari&rls=en&q=The+global+and+regional+costs+of+healthy+and+sustainable+dietary+patterns%3A+a++++modelling+study.+The+Lancet+Planetary+Health&ie=UTF-8&oe=UTF-8>

³⁰ *ibid*

³¹ Tabassum Ali, Jabir Ali, Factors affecting the consumers' willingness to pay for health and wellness food products, *Journal of Agriculture and Food Research*, (December,2020), <https://www.sciencedirect.com/journal/journal-of-agriculture-and-food-research>

next challenge for the government is to impart enough health consciousness among the consumer so that he chooses healthy food over the ordinary food items.

[V.3] Accessibility of Healthy Food

Consumers might be fully aware about the benefits of healthy foods. They might be willing to pay extra money too for the same. However, if the healthy food is not available to the consumer then they can't do anything but to consume unhealthy food items. This scenario can play out in food desert where the no. of eateries is very less, and those which are serving only unhealthy food. Similar situation can be there if all restaurant in the locality serves unhealthy food. Again the consumer is left with no choice but to consume unhealthy food. It is precisely for this reason that it is important that not only the consumer but also the food seller should be equally sensitized and incentivized for choosing healthy food ingredients.

CONCLUSION

There might be many challenges for making available healthy food to the consumer but this is an objective which is too costly to be aborted by the government. Healthy food has links to better productivity of a Nation. Any nation that wants to progress must focus on nutrients quotient of the food that their people are consuming. It's not a rocket science that good food is required for overall development of the people, and that people with a healthy mind and body are more likely to contribute to the development of Nation. Indian government is running a number of campaign to inculcate healthy food habit among its citizen. Broadly, there can be two ways of promotion of healthy food. Firstly, there shall be awareness about the healthy food among the people, and secondly, healthy food should be made affordable. It is submitted that a lot is being done by the government for creating awareness about the healthy food item by campaigns like Eat Right India Movement. A lot is required to be done by the government at the affordability front. The Pradhan Mantri Matru Vandana Yojana scheme does provide direct cash benefit to the pregnant woman, but there needs to be more schemes which incentivize healthy food consumption. There is also an urgent need to provide some incentive to the street food vendor, small food outlets and restaurants for delivering and serving healthy food to the consumer.

Most people tend to rely on street food vendor, small food outlets and restaurant for their meals and hence, they can't be left out of any scheme for promotion of healthy food. In recent times FSSAI has found adulterated food in many restaurants. Motivation behind adulteration of food by restaurants is often to reduce the cost of production of food items.

It is submitted that incentive can be provided to restaurant and other small eatery for using healthy ingredients in the food items to avoid the problem of adulteration. Today there is cut throat competition in food business. Often small food outlets, street vendors and restaurants use unhealthy ingredient to sustain the competition. If the burden of the excess money spent by them for using healthy ingredients is shared by the government then they may be willing to deliver and serve healthy food items. Zero Defect Zero Effect is one such scheme which rewards the small and medium enterprise for making quality products. Technically, food vendors can use this scheme to offset the extra cost of using healthy ingredients. However, it is submitted that the scheme does not specifically targets the food manufacture and a scheme specifically giving incentive to the food vendors is the need of the hour. It's an old saying that we are what we eat, its about time that India focuses on what they are eating.