

**By Hand**

June 15, 2006

Dr Anbumani Ramadoss  
Union Minister  
Ministry of Health & Family Welfare  
Nirman Bhawan  
Maulana Azad Road  
New Delhi 110011

Dear Dr Ramadoss,

We have read with interest your concern on health and safety issues of carbonated beverages. This is an issue that is fast gaining momentum across the world. You may have read that the Alliance for a Healthier Generation, a collaboration between President Bill Clinton's Foundation and the American Heart Association has recently worked out an agreement with soft drink majors to remove all vending machines from schools in the US. In UK, the government is contemplating a tax on 'unhealthy food' and other governments are working on modalities for stopping advertisements of food categorised as "eat least" by WHO during children's programmes.

But while we do support your message to celebrities to desist from endorsing these products, we also believe that it is critical that government should take the necessary regulatory action on these products as well.

You will recall that the Joint Parliamentary Committee on pesticide residues and safety standard had not just endorsed our findings on these drinks but had also mandated government to set standards for safety and quality of these products. It has been over two years since this report has been submitted but standards have not been agreed upon.

I am writing to bring to your attention the fact that the standards are being delayed by your ministry. I am sure that this is not being done under your direction and therefore, I would seek your intervention in this matter. I am giving below the status of the standard for your information.

1. The Bureau of Indian Standards (BIS), which was revising its already existing carbonated beverages standard (IS2346), was asked by JPC to complete its work urgently.
2. The BIS committee FAD-14, which includes representatives of the two soft drink majors and environmental and consumer groups, has been deliberating on this standard for its past 3 years. It has met over 20 times, in full committee meetings and in sub-committees to finalise the standard. The last meeting of the committee was held on March 29<sup>th</sup> in Delhi, when the draft standard was put the committee for confirmation.
3. It is at this meeting, the representatives of one of the cola majors, drew attention to the letter written by Secretary, Health and Family Welfare, addressed to Secretary

Consumer Affairs, asking BIS to defer setting standards till the report of the national level expert committee on pesticide residues in sugar was finalised.

It was interesting for all committee members to note that the letter, referred to by the cola major, was dated March 29, 2006 and also received in BIS on March 29, 2006 just minutes before the meeting began.

As your officials have possibly informed you, the expert committee has been set up to deliberate on the **pesticide residue standards**. But what you are possibly unaware of is that currently only a pilot study is being undertaken to study the pesticide residues in sugar as a constituent of soft drinks. In other words, the final study, which according to your ministry is necessary, for standard setting will take much more time. This, you will agree, is just not acceptable, given the public health nature of the issue and the fact that the ministry has been deliberating this matter for well over 2 years.

It is also clear that soft drink majors have raised the matter of pesticide residues in sugar, as their justification for not accepting a final quality standard. It is also clear that there is sufficient information on the quantum of pesticides in refined sugar, so as to safely conclude that this justification is only a way to prevaricate and delay standard-setting. I am enclosing for your perusal, a detailed note we have prepared on the sugar pesticide residues analysis for the BIS committee. This note was also sent by us to your ministry. It is important to us to realise that the sugar used in the manufacture of soft drinks is refined sugar and not raw sugar or sugarcane, which is being researched by the expert committee. In fact, this refined sugar is treated twice – once at the sugar factory and once again at the soft drink factory, through hot carbon processes. It is therefore clear that this cannot be an excuse to delay the setting of standards.

In the case of other parameters – caffeine and pH – for instance, decision by the BIS committee has been taken keeping in view the concerns of the Ministry of Health. For instance, the standard for **pH** has been set at 2.5 and above is based on the view of the ministry that any value lower than this could lead to damage to the epithelium. Globally, only South Africa has mandated the value, also at 2.5.

The issue of **caffeine** has been carefully discussed in the committee. It has been accepted to set standards for caffeine for only cola – brown drinks – keeping in mind the practice across the world. The standard has been fixed at 145 ppm, based again on global best practice and data. Dr V Prakash, who as you know is chairman of the Food Additives Sub Committee has informed the BIS committee that the caffeine limit should be 75 ppm. This was accepted by the BIS committee, which has noted that once the decision has been taken by the Ministry of Health to reduce the caffeine limit under the Prevention of Food Adulteration Act, it will be mandatory and the limit will be reduced in the BIS standard as well.

I hope this letter will clarify to you the status of the issue and will assist you in taking the necessary action. I would strongly urge you to take urgent steps, as there is increasing public concern and disquiet about the inaction by government on matters so critical to health and safety.

I will look forward to hearing from you on this matter

With regards,

Yours cordially,

Sunita Narain