

Needed a truly independent food and drug regulatory commission

AKM SHAMSUDDIN

FROM the beginnings of civilisation, people have been concerned about the quality and safety of foods and medicines. In 1202, King John of England proclaimed the first English food law, the Assize of Bread, which prohibited adulteration of bread with such ingredients as ground peas or beans.

Regulation of food in the United States dates from early colonial times. Federal controls over the drug supply began with inspection of imported drugs in 1848.

In Bangladesh too, the journey began with the Bangladesh Pure Food Ordinance, 1959. LGRD and Cooperatives Minister Abdul Mannan Bhuiyan, who is also the ruling party secretary general, tabled a bill titled: Bangladesh Pure Food (Amendment) Act 2005 in parliament on September 13, seeking to amend this ordinance.

The proposed amendments include, among other things, punitive fines ranging from Taka 75,000 to 300,000, coupled with rigorous imprisonments ranging from one to three years. It also provides for forfeiture of shops or factories, including assets, to the government or to the local government authorities. The proposed act encompasses a number of acts and intentions relating to food and food-related substances. It also proposes formation of "pure food court" and "national food safety advisory council." The good intentions of the government are clear from the introductory speech of the minister.

The concern and interest of the general people in securing food and drug safety is manifest from media reports and coverage of the ongoing drive against adulterers. Most newspapers covered the introduction of the bill as their main news. It is, therefore, pertinent to analyse and evaluate the proposed bill to

see if it will serve the intended purpose or not. This is more so in view of the recent experiences of similar government initiatives. Moreover the penalties proposed are too meagre, these are no real deterrents.

The plight of existing regulatory bodies are cases in point. Bangladesh Telecommunication Regulatory Commission (BTRC), Anti-Corruption Commission (ACC) and the Bangladesh Energy Regulatory Commission (BERC) were all formed by the incumbent government. These statutory bodies were formed with good intentions no doubt, but all of them are practically

numerous such examples around us. The boards of important organisations like BOI, Privatisation Board, BEPZA, etc do not sit regularly. Even within the same organisation, the right hand does not seem to know what the left hand is doing. The debacle with the recent enhancement of hospital charges is a case in point. Recently this scribe went to a social function where most attendees were senior functionaries of the Ministry of Power, PDB, and DESA. The messages I got were 'nobody cares' and 'mark time.' Is that what is to expect of our administration?

interim solution, a long term solution has to be formulated soon. For this we don't need too much homework. Successful examples are aplenty. Let's look at US FDA, the most prominent of such regulatory bodies, as an example.

The original Food and Drugs Act was passed by Congress on June 30, 1906, and signed by President Theodore Roosevelt. It prohibited interstate commerce in misbranded and adulterated foods, drinks and drugs.

The Meat Inspection Act was also passed the same day. Shocking disclosures of unsanitary conditions in meat-packing

Food and Drug Administration Act of 1988 officially establishes FDA as an agency of the Department of Health and Human Services with a Commissioner of Food and Drugs appointed by the President with the advice and consent of the Senate, and broadly spells out the responsibilities of the Secretary and the Commissioner for research, enforcement, education, and information.

In 2003 the National Academy of Sciences released: Scientific Criteria to Ensure Safe Food, a report commissioned by FDA and the Department of Agriculture, which buttresses the value

- Hearing Aids, etc.
- Biologics: Vaccines, Blood Products, etc.
- Animal Feed and Drugs: Livestock, Pets, etc.
- Cosmetics: Safety, Labeling, etc.
- Radiation-Emitting Products: Cell Phones, Lasers, Microwaves, etc.
- Combination Products

The above illustrates the evolution that made the FDA of today. We are fortunate that we do not need to reinvent the wheel. Following good examples is a praiseworthy idea. From the US FDA example one can instantly infer that the proposed Bangladesh Pure Food (Amendment) Act 2005 is inadequate and would not serve the intended purpose because:

- LGRD Ministry is the wrong anchor;
- The proposed penalties are too small;
- It does not differentiate individual proprietary offenders and corporate offenders;
- Too many "chiefs" will be involved with too few "Indians" to administer the act;
- Cosmetic and toiletry products are not covered;
- Radiation emitting products like mobile phone, etc are not covered; and
- Possibility of conflict with the Department of Drugs Administration.

What the country needs is enactment of an all-embracing law covering food (including animal food), drugs (including herbal, homeopathic, livestock, etc), cosmetics, and toiletries, under the control of a truly independent (including budgetary, hiring and firing independence) regulatory commission. This is the right moment. Let our legislators give this proposal a good look.

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HOMAGE ON BIRTH ANNIVERSARY

Paulo Freire

A legend of participatory education

SHAZZAD KHAN

THE legend in education arena Paulo Freire was born in 1921 on the 19th September. This year is his 84th birth anniversary. He was a radical Brazilian educator known for his methods of using everyday words and ideas to teach non-literates to read -- and to be critically inquisitive about prevailing social and political systems.

Freire refined the traditional education methods beginning in the late 1950s during literacy campaigns among the peasants in the poverty-stricken north-east of Brazil. He propounded them in his best-selling book, "Pedagogy of the Oppressed" in 1970.

Despite Freire's worldwide renounce as progressive educationist, his Brazilian professional world collapsed in 1964, after a rightwing military coup in his homeland supported by USA. He was jailed for 75 days as a subversive and spent more than 15 years in exile. Brazil stayed under military rule for two decades -- during which the government banned his theories on education.

During his exile, his ideas came to be better known outside Brazil. His exile years were spent mainly in Geneva. He also established critical literacy programmes in Chile and Nicaragua and in the nations of Portuguese-speaking Africa, and lectured widely.

He returned permanently to Brazil under a political amnesty in 1980. After returning to Brazil from exile, he was a professor of education for some years at the Catholic University of Sao Paulo, and the posts he held in Brazil included serving for a time as General Coordinator of the national plan for adult literacy.



He actively involved in democratic politics by establishing workers' party, which is now in power in Brazil led by Lula da Silva.

By late 1980s, Freire's techniques had been put into use in the United States by black, Hispanic and feminist organisations carrying out literacy programmes or training teachers. His liberating education theory and practice has been widely used in many countries of Africa, Latin America and Asia. He wrote two dozen books, among which popularly known are Cultural Action for Freedom, Education for Critical Consciousness, Politics of Education, Pedagogy in Process: The Letters to Guinea-Bissau, Pedagogy of Hope, etc. He received 31 honorary doctoral degrees from home and abroad.

He died on the 2nd May 1997 leaving behind a legacy of education of political nature for the emancipation of the oppressed people.

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non-functional. That definitely was not intended, yet the end results are similar in all the three cases.

BTRC is now almost four years old. Even today it is not fully functional. Positions of commissioners are vacant for long, it does not have its own manpower, people on deputation from other departments are guests waiting to return home. The commission does not have recruitment authority, nor does it have its own budget or budgeting authority. Similar story can be told of the other commissions, who are supposed to be independent. The less is said about the ACC the better. The other day this scribe went to the newly formed BERC. What a pitiable situation to behold! Out of five members, only three are in place, no manpower, some even do not have telephones.

Historically, inter-ministerial committees do not seem to work in this country. Some of these committees never sat even once after their formation. There are

Our constitution guarantees protection of certain fundamental rights for the citizens. Pure food and pure drugs are such rights, among more important ones of course. While any attempt to improve upon the current deplorable situation is welcome, this is also the most appropriate time to do our homework right and not repeat the misfeasance of recent times.

The proposed "national food safety advisory council" will be headed by the LGRD minister himself and will have representation from the ministries of agriculture, commerce, food and natural disaster management, health and family welfare, industry, environment and forest, home affairs, fishery and livestock, and establishment.

Additionally DC Dhaka, DG of BSTI, two Dhaka University teachers, and a representative from FBCCI will also be members. It does not require a genius to see that the council is a non-starter. While the concept of "pure food court" is an excellent

plants, the use of poisonous preservatives and dyes in foods, and cure-all claims for worthless and dangerous patent medicines were the major problems leading to the enactment of these laws.

In 1952 FDA consumer consultants were appointed in each field district to maintain communications with consumers and ensure that FDA considers their needs and problems.

Consumer Bill of Rights was proclaimed by President John F. Kennedy in a message to Congress in 1962. Included were the right to safety, the right to be informed, the right to choose, and the right to be heard.

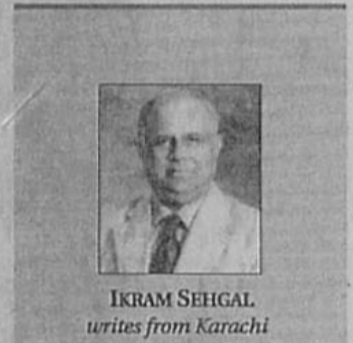
Fines Enhancement Laws of 1984 and 1987 amended the US Code to greatly increase penalties for all federal offenses in 1984. The maximum fine for individuals is now \$100,000 for each offense and \$250,000 if the violation is a felony or causes death. For corporations, the amounts are doubled.

of the Hazard Analysis and Critical Control Point (HACCP) approach to food safety already in place at the FDA and invokes the need for continued efforts to make food safety a vital part of our overall public health mission.

Formation of the Drug Safety Board was announced in 2005, consisting of FDA staff and representatives from the National Institute of Health and the Veterans Administration. The Board will advise the Director, Center for Drug Evaluation and Research, FDA, on drug safety issues and work with the agency in communicating safety information to health professionals and patients.

- Food: Foodborne Illness, Nutrition, Dietary Supplements, etc.
- Drugs: Prescription, Over-the-Counter, Generic, etc.
- Medical Devices: Pacing, Contact Lenses,

The bitter economic pill



IKRAM SEHGAL writes from Karachi

FOR those who are starving, are without adequate shelter or potable water, living in absolute poverty and in unhygienic filthy conditions without necessary medical care, etc, "trickle-down" economics has as much meaning as gibberish. Regrettably unpalatable measures taken to resuscitate the economy add to the miseries of the poor and downtrodden. Sacrifices being necessary to make things economically better, the underprivileged are the only ones who have to do all the sacrificing, they are the only ones swallowing a bitter economic pill.

"Efficiency" means reducing overheads, during "downsizing" jobs are lost. There is a time lag before a revitalised economy creates job opportunities again. The middle class gets on the gravy train gradually, in direct proportion many more are beggared in the process. This is the time-tested route to economic emancipation, unless of course we have a major strike of oil and/or gas, etc. Even then, endemic corruption can take the stash away to Zurich or some other money-haven, look at the state of many of the former East European countries, Russia included. The government's responsibility is to maximise the number of people benefiting from the new economic opportunities, while minimising the number suffering from rising prices, to attempt to keep the gap between the rich and the poor close. The poor have to be cushioned against the hard times they have to endure to make the economy dynamic.

Economists look to "housing starts" and "automobile sales" as the major indicators of economic progress. A third indicator is now getting recognition, "mobile phone" sales. Notwithstanding the government's inability to provide good governance, and notwithstanding the fact that Pakistan is the major beneficiary of 9/11, both economic and political (and for that we can heartily blame Presi-

dent Musharraf's timely U-turn), and though the indicators are based on some wishy-washy premises, one cannot discount economic dynamism being in the air in Pakistan. More important, is it sustainable?

Sustainability is dependant upon the government taking some fundamental steps to ensure that our vibrant economic indicators do not have feet of clay. Local automobile manufacturers must

adhere to the "deletion" program promised by them. There are increases in "manufacturing" only when it is not mere "assembling," something this country was already doing as far back as 40-45 years ago. I for one had a Chittagong-assembled "Ford Consul 315" car in December 1965. Unless the majority of the parts are made in Pakistan and the vendor industry proliferates, the indicators' potency is missing. With more and more parts being made locally, economies of scale would bring the price down, the prices are ridiculously higher than in India. The quality of the vendor industry has enhanced over the years, the local assemblers must deal more firmly with their foreign principals. Financial institutions have helped the car boom by providing credit on easy installments, this "consumer financing" in turn has been extremely beneficial for the financial institutions. At the moment each car sale contributes immensely to the Japanese and/or South Korean economy.

"Housing starts" is on the rise, some of it sustainable for the economy, most of it is not. The government has encouraged banks to give housing loans, thereby increasing real-estate purchases. With people soon exploiting loopholes, borrowed money started to fuel skyrocketing prices of land. Some shortages of

dangerously it will expand the gap between the haves and have-nots.

While multitudes of cellular phones do qualify as indicators of a good economy, almost all developing countries in the world are going through the same phenomena. New companies (Warid and Telecom) each targeted 500,000 phones in Pakistan by the middle of this year, they are already plus of 1 million each and going strong. Mobilink is up to nearly 7 million, or maybe even more. The thing to remember is that mobile phones are imported and the profits from calls made thereof also go abroad. That really does not matter if they make a direct contribution to the exchequer, but we do need to tap into the windfall profits of mobile telephones by increasing the direct taxes on local calls made. Contrary to common perception, this should not burden the economy, as basically it is "taxing" ether. People are talking on mobiles far more than they need to, a little taxation will help both ways, viz (1) the government by increased revenues and (2) the consumer by economically curbing his enthusiasm for long mobile conversations of not much consequence.

We keep on talking of Foreign Direct Investment (FDI) when we should be talking of what is possible, Non-Resident Pakistanis' Investment (NRPI). Foreign investment will come but mostly in partnership with NRPs. However, first we must make it convenient for the foreign investors to come to Pakistan, not treat them like dirt! This message does not seem to have gone through to the diplomats.

(DHA Karachi, easily one of the most brilliant housing plans conceived in Pakistan. A brainchild of Lt Gen (Retd) Tariq Waseem Ghazi, the present Defence Secretary when he was Commander 5 Corps, and therefore President of the Governing Board, DHA, Karachi, Creek City has played a major contribution to the perception of economic boom, it was a force-multiplier in Pakistan's property market. True, DHA Karachi had (and has) infrastructure problems, but give credit to Ghazi that soon after launching Creek City, he embarked on major renovation and refurbishment of water, sewerage, roads, electricity, facilities, etc in DHA. The DHAs are criticised normally for many reasons, most patently unfair. The fact of the matter is that people like to live in DHAs. Why are property prices high in the DHAs? Why do housing schemes floated (or being floated) by DHAs have maximum participants? Government should heavily tax unused plots of land like in the DHAs and at their market price (which the DHAs should also do). That will not only deter speculation, it will encourage construction. Consider what is happening in Gwadar. There is no development, only exchange of plots! Prices of real-estate must be artificially forced down, otherwise the middle class dream to own an apartment or a small house will evaporate in frustration, more

Achieving MDGs and promoting gender equality

A H M KISHOWAR HOSSAIN

IN 2000, the 189 member states of the United Nations agreed to a broad set of goals setting international development priorities for the coming years. The Millennium Development Goals (MDGs) were built on a number of international conferences held in the 1990s, including the International Conference on Population and Development (ICPD) in 1994. Most of the goals will be globally achieved by the year 2015. The aims of Millennium Development Goals are as follows.

1. Eradicate extreme poverty and Hunger,
2. Achieve universal primary education,
3. Promote gender equality and empower women,
4. Reduce child mortality,
5. Improve maternal health,
6. Combat HIV/AIDS, malaria, and other diseases,
7. Ensure environmental sustainability and
8. Develop a global partnership for development.

The 1990s was an outstanding decade for bringing issues of reproductive health and rights, violence against women, and male responsibility for gender power relations to the centre of global and national debates on human rights and human development. The UN conferences of the 1990s, particularly the World Conference on Human Rights (Vienna, 1993), the ICPD (Cairo, 1994) and the Fourth World Conference on Women (Beijing, 1995) were central to a major paradigm shift in population policy.

The third goal of the Millennium Summit of 2000 is to promote gender equality and empower women. The target (target four of the MDGs) of this goal is to eliminate gender disparity in primary and secondary education preferably by 2005 and in all levels of education no later than 2015. Whether the target is achieved or not is visualised by several indicators. These indicators are firstly, the ratio of girls to boys in primary, secondary and tertiary education; secondly, the ratio of literate females to males of 15-24 years old; thirdly, the share of women in wage employ-

To ensure women's legal rights, exiting laws on marriage, sexual harassment and sexual assault must be effectively implemented. To help ensure implementation of policies in local levels the roles and functions of women representatives need to be identified and clarified in the Union Parishads.



ment in the non-agricultural sector and finally, the proportion of seats held by women in national parliament.

In first indicator, female share in primary school shows an increasing trend since 1992 reaching a ratio of 48:52 in 2004 for female to male primary school enrolment rate in Bangladesh. The largest disparity exists at the tertiary level of education in our country. The female to male ratio was 36:64 in 2002.

The second indicator (indicator 10 of the MDGs) shows a disappointing picture in youth education sector in Bangladesh. There is a big gap between male and female literacy. The gap is significantly large for the older age of 20-24 years where male literacy rate was 77 percent, compared to 66 percent for females in 2004. Girls not completing the secondary cycle face a severe limitation to their participation in economic and

tribute to women's weak bargaining power.

The final indicator to achieve the goal number 3 of MDGs is the proportion of seats held by women in national parliament. The provision in the Constitution for 30 reserved seats for women lapsed in 2001. It was replaced by the introduction of the Fourteenth Amendment in the Constitution which reserves 45 seats for women in proportion to parliamentary representation. The situation is slightly better in the case of local government. Twenty five percent of the members in the Union Parishads (Councils), the City Corporation and Pourashava (municipality) are women who have been directly elected to local bodies.

Gender disparity is a reflection of complex social, cultural and economic issues. True empowerment is still a distant goal in Bangladesh. Bangladesh could not fulfil the target of eliminating gender disparity in primary and secondary education by 2005. Can Bangladesh achieve full elements of the third goal of the MDGs by the year 2015? If it wants to do so, several steps should be taken and implemented immediately. Huge challenges lie ahead for the programme planners and policy makers in ensuring gender equality for this country's women. To ensure women's legal rights, exiting laws on marriage, sexual harassment and sexual assault must be effectively implemented. To help ensure implementation of policies in local levels the roles and functions of women representatives need to be identified and clarified in the Union Parishads. More facilities and financial supports should be offered for girls' education. Raising gender awareness, especially among adolescent girls, is needed for breaking the silence about issues such as trafficking, sexual exploitation, HIV/AIDS, acid attacks, early marriage and domestic labour as well as to create a more open and empowering environment for the girls.

The third indicator (indicator 10 of the MDGs) denotes share of women in wage employment in the non-agricultural sector. In 1997, about 10 percent of all employees were women and of these, 11 percent held professional jobs. In 2000, about 22 percent of the paid non-agricultural workers and 19 percent of the paid agricultural labourers were female. Female wage in the agriculture sector is 70 percent and in the non-agricultural sector 42 percent of male wage. Insufficient education, training and skills, together with low productivity, often arising from poor health, c-

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