



**SEVENTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**FIRST SESSION**

**THURSDAY 27 OCTOBER 2022**

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Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity
Hon. Louis Steven Obeegadoo	Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism
Hon. Mrs Leela Devi Dookun-Luchoomun, GCSK	Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology
Dr. the Hon. Mohammad Anwar Husnoo	Vice-Prime Minister, Minister of Local Government and Disaster Risk Management
Hon. Alan Ganoo	Minister of Land Transport and Light Rail Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
Hon. Mrs Fazila Jeewa-Daureeawoo, GCSK	Minister of Social Integration, Social Security and National Solidarity
Hon. Soomilduth Bholah	Minister of Industrial Development, SMEs

	and Cooperatives
Hon. Kavydass Ramano	Minister of Environment, Solid Waste Management and Climate Change
Hon. Mahen Kumar Seeruttun	Minister of Financial Services and Good Governance
Hon. Georges Pierre Lesjongard	Minister of Energy and Public Utilities
Hon. Maneesh Gobin	Attorney General, Minister of Agro-Industry and Food Security
Hon. Jean Christophe Stephan Toussaint	Minister of Youth Empowerment, Sports and Recreation
Hon. Mahendranuth Sharma Hurreeram	Minister of National Infrastructure and Community Development
Hon. Darsanand Balgobin	Minister of Information Technology, Communication and Innovation
Hon. Soodesh Satkam Callichurn	Minister of Labour, Human Resource Development and Training Minister of Commerce and Consumer Protection
Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
Hon. Sudheer Maudhoo	Minister of Blue Economy, Marine Resources, Fisheries and Shipping

Hon. Mrs Kalpana Devi Koonjoo-Shah

Minister of Gender Equality and Family  
Welfare

Hon. Avinash Teeluck

Minister of Arts and Cultural Heritage

Hon. Teeruthraj Hurdoyal

Minister of Public Service, Administrative  
and Institutional Reforms

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**MAURITIUS**

**Seventh National Assembly**

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**FIRST SESSION**

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**Debate No. 26 of 2022**

**Sitting of Thursday 27 October 2022**

The Assembly met in the Assembly House, Port Louis, at 3.30 p.m.

**The National Anthem was played**

*(Mr Speaker in the Chair)*

**ANNOUNCEMENT**  
**NATIONAL ASSEMBLY SITTING 18.10.22 - HON. BHAGWAN -**  
**BREACH OF ORDER**

**Mr Speaker:** I have an announcement for you, hon. Members.

At the Sitting of Tuesday last, after I ordered hon. Bhagwan to withdraw from the Chamber during the remainder of the day's Sitting following his grossly disorderly conduct, pursuant to Standing Order 48 of the Standing Orders and Rules of the National Assembly (1995), hon. Bhagwan uttered the following words to my address, I quote –

“You are acting like an agent of the MSM, not as Speaker. An agent of the MSM!”

I consider the words uttered as being contemptuous and outrageous against the Chair as well as casting aspersions on the impartiality of the Chair.

Moreover, instead of leaving the Chamber forthwith, as required, hon. Bhagwan persisted in his grossly disorderly conduct. When I consequently suspended the Sitting to allow the restoration of order in the Chamber for the resumption of the business of the House, hon. Bhagwan further uttered contemptuous and outrageous remarks to the address of other Members of this august Assembly, as can be ascertained from the Hansard.

I am reporting this incident to the Assembly because in my opinion, this type of incident and grossly disorderly conduct, if left unchecked, would represent serious challenges to the authority of the Chair and of the decorum and dignity of the Assembly.

In the circumstances, I leave it to the Assembly to proceed, as it may deem necessary, against the said Member as it thinks fit in dealing with the above-mentioned breaches of order, pursuant to Standing Order 49(8), which provides as follows, I quote –

“Nothing in this Order shall be deemed to prevent the Assembly from proceeding against any Member for any breach of order not specified herein or from proceeding in any other way it thinks fit in dealing with the breaches of order herein mentioned.”

I thank you for your attention.

**PAPERS LAID**

**The Prime Minister:** Mr Speaker, Sir, the Papers have been laid on the Table.

**A. Prime Minister's Office**

**Ministry of Defence, Home Affairs and External Communications**

**Ministry for Rodrigues, Outer Islands and Territorial Integrity**

- (a) Certificate of Urgency in respect of the Dangerous Drugs (Amendment) Bill (No. XV of 2022). (In Original)
- (b) The Public Service Commission (Amendment) Regulations 2022. (Government Notice No. 286 of 2022)
- (c) The Civil Status (Non-production of Foreign Affidavit or Other Legal Document) Regulations 2022. (Government Notice No. 287 of 2022)

**B. Ministry of Finance, Economic Planning and Development**

- (a) Virement Warrant – Quarter 4 (April – June 2022): Nos. 53 to 81; 83 to 215. (In Original)
- (b) Retrospective Virement Warrant - Quarter 4 (April – June 2022): Nos. 216 to 221. (In Original)
- (c) Virement (Contingencies) Warrant – Quarter 4 (April – June 2022): Nos. 11 to 14. (In Original)
- (d) Virement Certificate – Quarter 4 (April – June 2022): Vote/Sub-Head (Certificates Nos.): 1-2(16), 1-5(3-5), 1-6(7-10), 1-7(9), 1-9(3,4), 1-10(5-10), 1-11(1,2), 1-12(3,4), 1-15(11-16), 2-101(14), 2-106(6-8), 2-108(2), 2-2(3), 2-3(5-9), 2-4(5), 2-5(10-25, 27-35), 2-6(1-9), 2-10(4-8), 3-1(9-15), 3-2(3-7), 3-3(5-7), 4-1(7-10,12-16), 5-1(5-9), 5-2(1,2), 5-3(5,7,9-11,13,16,19), 5-4(14R,15-18), 6-101/6-102(6-12), 6-103(5), 6-2(5), 6-3(4-7), 7-1(6-8,10,11), 7-3(6-16), 7-4(2-4), 7-5(7-9), 7-6(1-4,6,8,9), 9-1(2,3), 9-2(6-8,10-30), 10-101(14-23), 10-102(4-12), 10-104(4,5,7-12), 11-1(5-8), 11-2(4-11), 12-1(5-12), 13-1(5,7), 13-2(4,5), 13-3(6), 13-4(3,4),14-1(9-17), 15-1(7-15), 15-2(9,10), 16-1(9-14,16,17), 16-103(9-13), 17-1(6-9), 17-2(9,11, 13-15), 19-1/19-2(10-14,16,17,19-27,29-31), 19-2(32,34,35), 20-1(5-15), 21-1(4-7,9,10), 22-1(5-7), 23-1(8-10), 24-1(9). (In Original)
- (e) Virement Warrant – Quarter 1 (July – September 2022): Nos. 2 to 4. (In Original)
- (f) Virement (Contingencies) Warrant – Quarter 1 (July – September 2022): Nos. 1 to 3. (In Original)

- (g) Virement Certificate – Quarter 1 (July – September 2022): Vote/Sub-Head (Certificates Nos.): 1-7(1,2), 1-15(1), 4-1(1), 8-1(1), 11-2(1), 12-1(1), 16-1(1-3), 18-102(1), 23-1(1,2). (In Original)
- (h) Carry-Over Warrant No. 01 of 2022. (In Original)

**C. Ministry of Social Integration, Social Security and National Solidarity**

- (a) The National Pensions (Amendment of Schedule) Regulations 2022. (Government Notice No. 283 of 2022)
- (b) The Social Aid (Amendment No. 3) Regulations 2022. (Government Notice No. 284 of 2022)
- (c) The Social Aid (Amendment of Schedule) Regulations 2022. (Government Notice No. 285 of 2022)
- (d) The Annual Report and Report of the Director of Audit on the Financial Statements of the Senior Citizens Council for the period July 2020 – June 2021. (In Original)

**D. Ministry of Labour, Human Resource Development and Training  
Ministry of Commerce and Consumer Protection**

The Annual Reports and Reports of the Director of Audit on the Financial Statements of the National Wage Consultative Council for the financial years -

- (i) 2016 - 2017;
- (ii) 2017 - 2018;
- (iii) 2018 - 2019;
- (iv) 2019 - 2020; and
- (v) 2020 - 2021.

**E. Ministry of Gender Equality and Family Welfare**

The Annual Report and Report of the Director of Audit on the Financial Statements of the National Children's Council for the year ended 30 June 2021.

**ORAL ANSWER TO QUESTION****BABY S. - HEALTH - L'OISEAU DU PARADIS RELAY SHELTER - ENQUIRY**

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Minister of Gender Equality and Family Welfare whether, in regard to Baby S. who was in the care of the Cap Malheureux Relay Shelter, also known as *L'Oiseau du Paradis*, she will state if she has ordered an enquiry into the circumstances in which the latter fell critically ill in the night of 21 October 2022, indicating –

- (a) if the relevant personnel of the shelter have been interdicted pending conclusion of the enquiry, and
- (b) the qualifications of the four carers on duty on that night.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I thank the hon. Leader of the Opposition to put this PNQ forward because it gives me the opportunity to shed some light on this case and hopefully prevent any speculative comments on the case.

Mr Speaker, Sir, I am informed that on 04 August of this year, a case of 'Child abandonment' was referred by the medical social worker of Dr. A. G. Jeetoo Hospital to the Child Development Unit of my Ministry. It was reported that one Mrs M. who had given birth to a baby girl on 27 July this year, had left hospital without being discharged and had abandoned the baby thereat.

Consequently, on 09 September this year, following an Emergency Protection Order issued by the Children's Court, the baby was placed at *L'Oiseau du Paradis* Relay Shelter which is managed by the National Children's Council.

Mr Speaker, Sir, I am further informed that on 20 October, the baby was brought to SSRN Hospital for medical treatment as she had a few bouts of diarrhea. According to the medical report from the hospital, the baby was tolerating her feeds and was well perfused. She had a sore throat and congested nose but otherwise had no other reported issues.

Consequently, the baby was prescribed medicines and allowed to return to the Shelter. On 21 October, the baby was given anti-diarrhea milk and the prescribed medication. In the early hours of the morning, the child caregivers observed that the baby was weak and immediately conveyed her to SSRN Hospital where she was admitted in the Neo-natal Intensive Care Unit on

the same day. According to the latest report from the Hospital, the baby is still admitted in Neonatal Intensive Care Unit and is in a critical medical state.

Mr Speaker, Sir, I wish to inform the House that in view of the seriousness of the case, a Fact-Finding Committee has been put in place to assess whether all protocols have been observed. The Committee comprises representatives of my Ministry, the National Children's Council, the National Empowerment Foundation, the Ministry of Health and Wellness, the Police Department and one independent member of the National Children's Council Board. The Committee has already met on 25 October and its assessment is still ongoing.

Mr Speaker, Sir, with regard to part (a) of the question, the conclusions of the Fact-Finding Committee will determine any actions or sanctions as appropriate.

As regards part (b) of the question, Mr Speaker, Sir, I am informed that the four child caregivers who were on duty on 21 October possess the requisite qualifications as per the Scheme of Service, which is as follows –

- A Certificate of Primary Education, and
- At least reckon two years' experience in working with children.

All caregivers have been provided with an induction course as well as hands-on training and additional training on the following –

- The Children's Act of 2020 and Residential Care Institution for Children Regulations of 2022;
- The Child Protection and Child Abuse;
- Childcare and identification of signs and symptoms of abuse;
- Management of children in care, handling of children, including handling of babies;
- Briefing session on the UNCRC, the United Nations Convention on the Rights of the Child, its rules and regulations;
- Roles and responsibilities, work ethics, team spirit;
- Performance and attitude towards children; interpersonal relationships and childcare and child welfare;
- Briefing on bullying, non-discrimination, teen-dating violence;
- Coping strategies of different developmental stage for shelter residents;

- Food handling;
- Basic hygiene, and
- First aid; only to mention a few.

Mr Speaker, Sir, I wish to also inform the House that according to reports from the Ministry of Health and Wellness, the child was born premature with Intra-Uterine Growth Restriction (IUGR) and was diagnosed with a congenital cardiac anomaly at birth.

Moreover, the mother has a history of repeated termination of pregnancies. She had also been consuming alcohol, smoking cannabis and injecting hard and illicit substances throughout her pregnancy and had not followed antenatal care (ANC) treatment at all.

Following the case of child abandonment, my Ministry is closely following the matter with the Police.

Mr Speaker, Sir, it is very unfortunate that this child is critically ill today due to the neglect of the mother during her pregnancy. Here we have a child born in extremely difficult circumstances. My Ministry has been on the forefront to provide her with all necessary care and support and I am personally following up on the matter with regular visits to the hospital.

**Mr X. L. Duval:** Mr Speaker, Sir, I am pleasantly surprised with the announcement that there will be a Fact-Finding Committee. We have some trouble hearing the Minister; I do not know if she wishes to remove her mask, as is allowed nowadays. Now, I would like to ask the hon. Minister, firstly, - it may have been told, maybe I have missed it - who is chairing this Committee, please, and the Terms of Reference.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the Fact-Finding Committee is being chaired by the Permanent Secretary of my Ministry.

*(Interruptions)*

**Mr Speaker:** Continue!

**Mrs Koonjoo-Shah:** I do not have the Terms of Reference in front of me, but I will be very happy to table it to the House.

**Mr X. L. Duval:** May I ask the hon. Minister whether the Terms of Reference will include staffing standards, human resource requirements, specialised training that is required,

also adequate management and supervision, and in particular the need to standardise the standards in the public sector shelters with the private sector shelters? Will the Terms of Reference include all of these items?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the Terms of Reference of this Fact-Finding Committee will be limited to ascertaining that all protocols pertaining to this particular case have been followed or not followed. The recommendations will be based for this case in particular.

**Mr X. L. Duval:** I would like to ask the Minister to consider enlarging, as you will understand from the questions that I am going to put to you, that there is a need to enlarge the Terms of Reference to include everything. Now, this child, as we are told, fell ill on the night she took her milk apparently at 7.30 p.m. and did not wake up at all during the night. It was only in the morning that she was taken to the hospital.

Can I ask the hon. Minister whether she has made preliminary enquiries to find out –

- (1) what happened during that night; why when she did not wake up to take her milk, say after three hours, she was not woken up, and why alarm bells did not ring immediately for her to be taken to hospital?
- (2) whether there are protocols in place for night emergencies and, if so, would she table these protocols?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, there are definitely very strict and well-established protocols for night rounds. Allow me to inform the House that according to section 10(5) (b) (i) of Residential Care Institutions for Children Regulations of 2022, the ratio of Caregivers is 1:5 to begin with. I will come to your question; the protocol for the night shift which you have asked, is that one Caregiver is always present in the baby section, and every two hours, rounds are carried out to make sure that babies are faring well.

On the night of 21 October, Mr Speaker, Sir, there were twelve residents and four Caregivers who were in attendance. As to what exactly happened and whether these protocols were respected or not, Mr Speaker, Sir, this is precisely the reason why the Fact-Finding Committee has been established; to make light on what happened exactly between those hours.

**Mr X. L. Duval:** I understand that there are cameras at the shelter. I presume that the Minister has arranged for these cameras to be secured so that they can be used for the enquiry.

My question was protocol for night emergencies. Therefore, let me ask the hon. Minister: Do you have this protocol - I presume it must be written somewhere - and would you like to share this protocol with this House?

**Mrs Koonjoo-Shah:** The protocols are in place. They are not with me at the moment. I will have to see whether they can be tabled to the House, but the protocols are in place.

**Mr X. L. Duval:** We hope! I do not see anything that will preclude you from sharing this. May I ask the hon. Minister, and I come back to this question. I understand that the child has meningitis. Everyone knows that meningitis, not being a doctor myself, has to be treated within hours; otherwise, it is often too late. From 7.30 p.m. onwards, it took twelve hours for the child to be taken to the hospital. This is why I am coming back to this issue, which is an issue of life and death for this poor child. Why was the child not taken to hospital at night, as I presume is in your protocol? Why? Because a child is in a tragic situation at that moment.

**Mrs Koonjoo-Shah:** I completely agree with the Leader of the Opposition that this is a very unfortunate case of a critically ill child. But myself not being a medical doctor, I have been informed that the symptoms and diagnosis of meningitis in infants are often masked, as what was diagnosed initially as bouts of gastro enteritis. It is only yesterday or very recently that the diagnosis for meningitis was established and even that the bacteria that will confirm this diagnosis has yet to be established.

**Mr X. L. Duval:** Okay. So, we will wait for the Fact-Finding Report to know why she was not taken immediately to the hospital at night when she did not take her milk. I do not think the Minister addressed that part of my question.

I would like to ask the hon. Minister this question. The baby was premature and had obvious medical conditions, which I have just stated. How is it that after 40 days in a hospital, this baby was removed from the hospital, taken to this care centre where there is no medical practitioner, no nursing staff, and apparently the Caregivers only have a CPE to account for themselves? I will come afterwards to your own protocol for private sector. Why was this child, who has a medical condition, taken to this type of shelter after only 40 days?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, any child referred to the Child Development Unit of my Ministry from the hospital is done so up by being medically discharged. So, it is not as if

the personnel of CDU has gone and plucked the child from the hospital and brought it to the Cap Malheureux Relay Centre. I would also like to point out, Mr Speaker, Sir, that, again, the personnel, the Caregivers at any shelter for that matter are not doctors, like you are not or I am not, but they have the requisite qualifications to take care of our babies.

**Mr X. L. Duval:** The hon. Minister is aware, I presume, that at this present moment, there is an Expression of Interest issued by her Ministry for private sector shelters. In part 3 of that Expression of Interest, it says, where the child has a “medical condition,” the shelter should have a “Medical Practitioner, a Specialised Nursing Officer.”

And, at section 4, that the Caregivers –

- “(i) should be aged 25 and above,
- (ii) have a School Certificate, and
- (iii) Diploma in nursing.”

These are for children in the private sector who have medical conditions. You have yourself admitted that this child had a medical condition. This is my question! And now you tell me that CPE is okay! It is not, according to your own Terms of Reference. That is what I am saying.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, we have to understand and the House needs to take note that *l’Oiseau du Paradis* at Cap Malheureux is not a shelter. It is a Relay Centre where we welcome children temporarily before placing them in other adequate institutions where they are going to be taken care of. Whether they are placed back to home, whether they are placed in foster families or they are being taken care of in other Residential Care Institutions is a matter of a case to case basis as and when they come to our Relay Centre, Mr Speaker, Sir.

**Mr X. L. Duval:** The Minister will note that children stay in this Relay Centre for months and months. I do not need to quote the figures for that. What’s in a name? I am not worried about the name; whether it is Relay Centre or *l’Oiseau du Paradis*. This child, a vulnerable child, a weak child, a child who had a medical condition has, against the advice of your own Ministry for the private sector, been placed in an institution which had none of the medical facilities which are normally attached to institutions which can welcome such children. So, this is why I am saying to you it would be good to enlarge the Terms of Reference, because to me, it seems unacceptable that the private sector has standards like Nursing Diploma and the

public sector has standards like this! And this is why we end up probably with issues that could have been avoided.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, allow me to make it clear that when this baby was discharged by the Dr. A. G. Jeetoo Hospital, the baby did not present any symptom. The baby was born with a congenital cardiovascular anomaly, but it was not a baby who was sick, and it was deemed fit to be discharged, Mr Speaker, Sir. That is when the baby was taken care of and was taken under the guard of the Relay Centre at Cap Malheureux.

**Mr X. L. Duval:** Very well, let that be, Mr Speaker, Sir. I understand that it is only now that the Ministry has requested the Mauritius Institute of Education to run intensive courses for its staff beginning January. This is an admission, in fact, that all this time there was not adequate training for the staff. Not only are their academic qualifications far lower than might be acceptable for the private sector, but also it is only now, as from January, that they will be following a 10-week intensive course by the MIE at the request of your Ministry. The question is why only now? Why, after so many years, it is only now, after the ombudsman has made the recommendation, I presume?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, it is not only after the Ombudsperson's Office had made the recommendation. This has been a process that my Ministry has been working very hard on implementing for quite a long time. And we should note that, at present, there are no shelters that have the specialised personnel that the Leader of the Opposition has mentioned. The standards are very high, but, to be able to adhere to those standards, the adequate training exactly has to be provided. So, the provisions for those are being made and will be met.

**Mr X. L. Duval:** Can I ask the hon. Minister for a guarantee that the standards in the public sector will be not an iota lower than the standards in the private sector? So, we expect, in fact, the same standards to apply, whether you are a poor child in a public sector institution or whether you are in a private sector institution. This is the minimum commitment, I think, that the hon. Minister should make.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, allow me to reassure this House and the population that when it comes to the welfare of our children, there is no standard high enough; there is always room for higher and higher and better standards. Thank you.

**Mr X. L. Duval:** Just one or two more questions and I will give way, Mr Speaker, Sir. One question is: the Ombudsperson has said it, the Vellien Fact-Finding Committee of 2015 said it, and the United Nations said it, that it is undesirable, unacceptable, even probably, that young babies like that are placed in shelters where there are up to 50 or more other children; that this should not happen, and every effort should be made to put these children in foster care. Now, right after coming out of hospital, being born, where have you reached with placing children in foster care and why were not such young babies placed in foster care as is recommended since 2015?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I would like to inform the House that one of the children of the same mother is currently in foster care, and a request placed by my Ministry and a request had been made to the same family to be able to cater for the needs of this baby – the one that we are currently talking about – to join her sibling in the same family. But the foster care family was not ready at present to welcome the child. As to what is happening with our efforts in advancing and improving the foster care, we are professionalising this department, Mr Speaker, Sir, and one recent measure is the increase in stipend provided to foster care parents, which I am very grateful that my colleague, the hon. Minister of Finance, agreed to, and is already in place.

**Mr X. L. Duval:** I have one last question and maybe a final question if there is time. We have heard that the Adoption Bill is on the cards. This should be obviously - it is not a perfect solution - a part solution to the issues of abandoned children as we have seen. Where are we with the Adoption Bill and when are we going to have it in this House?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the Adoption Bill is currently at the level of the State Law Office. Cabinet has already approved for the drafting instructions to be conveyed and the team at the level of the State Law Office is working on the finalisation of that Bill. There have been numerous back-and-forth with my Ministry and the SLO. I have no doubt that I will be bringing this piece of legislation imminently to the House and I am very happy to see that the hon. Leader of the Opposition agrees that although it might not be the magic solution to our problem, it will streamline a lot of procedures when it comes to adoption of our children and somehow alleviate this burden when it comes to cases like these in our Relay Centres and our Residential Care Institutions. And I am hoping that when the Bill does come to Parliament, which it will very shortly, he will have the same good sentiments during the debates.

**Ms Anquetil:** Je vous remercie, M. le président. La ministre est-elle au courant des gros manquements au *Shelter* de Cap Malheureux ? Pas de stérilisateurs de biberons pour stériliser les biberons mais dans un bol en plastique ; camera dans la salle de repos pour visionner les *female caregivers* qui dorment ; toilettes cassées ; salle de bains souillée ; problème d'hygiène ! *To pa au courant mem ? To continn voyazé, promené dans Dubaï ?*

*(Interruptions)*

**Mr Speaker:** Put your question!

**Ms Anquetil:** Est-elle au courant de ces manquements ?

**An hon. Member:** *Seryé ki sa selma !*

*(Interruptions)*

**An hon. Member :** *Ki cinéma ? La honte sa!*

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I cannot comment on pieces of paper being flashed and waved around in this august Assembly, as is very often done by Members of the Opposition. I cannot judge the authenticity of what the hon. Member is waving at me. I would really like it if she could table those pictures and the authenticity of which could be confirmed to me before I can say anything on the matter. Thank you.

**Mr Speaker:** Hon. Dr. Aumeer!

**Dr. Aumeer:** Thank you, Mr Speaker, Sir. The hon. Minister mentioned very clearly that this very unfortunate baby had three major issues –

- (i) it was born preterm;
- (ii) it was the birth of a baby out of a mother who had extreme, enormous risks, and
- (iii) the baby had congenital malformation.

My question is: was your Ministry comfortable that such a baby that has so much risks of post term will be transferred to a shelter where there is no medical surveillance? Thank you.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, this is the same Opposition which has on numerous occasions criticised when we leave our babies in hospital for a lengthy amount of time. The baby was medically discharged and medically deemed fit to be discharged from a hospital

and placed in a residential care institution. The decision does not rest with my Ministry; that is a decision that is made by qualified medical personnel like yourself.

**Mrs Navarre-Marie:** La ministre ne pense-t-elle pas qu'il serait souhaitable que le *Fact-Finding Committee* soit présidé par une personne indépendante et non le *PS* qui pourrait être juge et partie, car le *Shelter* tombe sous la juridiction du ministère ?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, the Committee comprises not only officials of my Ministry, it comprises officers from the Police Department, from the Ministry of Health and Wellness, the National Empowerment Foundation and independent members of another Board. So, I can reassure the House that the responsibilities that will rest on the Fact-Finding Committee will be carried out judiciously.

**Mr Uteem:** May I know from the hon. Minister whether, according to the protocol, being given that this Relay falls under Government purview, whether there is any protocol requiring the assistance of a doctor; whether there is any doctor on call who can be called, and if there is such a protocol, why was the doctor not called on that night?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, there are regular established doctors' visits that are carried out at the level of the Relay Centre. There are established protocols with the Ministry of Health where we have follow-up on all our residents, whether it is at the level of community health centres, area health centres or to the hospital. This was deemed an emergency and, in emergency, you would have done the same thing and taken the baby to the hospital straightaway instead of waiting for the doctor to come to the shelter.

**Mr Speaker:** Hon. Leader of the Opposition!

**Mr X. L. Duval:** My last question, Mr Speaker, Sir. The Vellien Fact-Finding Committee of 2015 asked for an independent regulatory body to supervise all shelters; hopefully also publicly-owned Ministry shelters. Where are we with the setting up of this regulatory body?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I welcome this question from the hon. Leader of the Opposition. Most of the recommendations stipulated in *le rapport Vellien* have already been implemented when it comes to the Residential Care Institutions (Regulations) 2022, except the setting up of this Authority which is currently being worked on.

**Mr Speaker:** Your question!

**Dr. Boolell:** Thank you very much, Mr Speaker, Sir. Can I come back to the question of my colleague, hon. Dr. Aumeer, in relation to established protocol. We are talking of a patient; of a child, of a baby who is at risk. How is it that this child was discharged, notwithstanding that there is no foster parent available? Why is it that there was no special ward in the hospital to ensure that these at-risk children are kept in the hospital?

**Mrs Koonjoo-Shah:** Again, Mr Speaker, Sir, let me make this very clear. Discharging a child or anybody for the matter is not the purview of my Ministry or the responsibility of my Ministry. This is done so by the personnel of the hospital. So, I cannot answer your question, hon. Member of the Opposition, as to why the child was deemed fit to be discharged from the hospital, but once the child was discharged, she was taken very good care of at my shelter. It is not my decision to discharge somebody.

**Mrs Navarre-Marie:** La ministre peut-elle informer la Chambre du *time frame* qui a été accordé à ce comité pour compléter l'enquête, s'il-vous plait ?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, I will happily table the Terms of Reference of the Committee to the House because I do not have details right now in front of me.

**Mr Ramful:** Can I also ask the hon. Minister whether she will happily table the findings of the Fact-Finding Committee and make it public, except, of course, for the medical conditions of the baby which are confidential?

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, allow me first to take cognizance of the findings of this Committee before deciding whether it is appropriate to be tabled or made public. Mr Speaker, Sir, allow me to just add one very important thing. We should not over here miss the aim of the situation at hand. This is a case of a very unfortunate baby who is seriously ill and I have answered and I have put forward all the very good reasons why this baby finds herself in this situation today, and here we are talking about the preventive measures that are being taken by this Government. We are talking about the Bill that is going to be presented later on at First Reading by my hon. colleague, the Minister of Health, on the Dangerous Drugs (Amendment) Bill. We are looking at the source of the problem, where a mother had been injecting herself with hard drugs and eventually, it is important to see the context in which this baby is here today. It is very important to realise that, and I would urge not just the Members of the Opposition, anybody

who is finding it correct to do so, to stop using this as a platform for any kind of game, any political game because *c'est malheureux*.

*(Interruptions)*

**Mr X. L. Duval:** I am really surprised by what the hon. Minister has said, as if it is the baby's fault...

**Mrs Koonjoo-Shah:** No, I never said that!

**Mr X. L. Duval:** ... that the mother...

**Mrs Koonjoo-Shah:** No, I never said that!

**Mr X. L. Duval:** ... that the mother...

**Mrs Koonjoo-Shah:** I never said that, Mr Speaker, Sir...

**Mr X. L. Duval:** Let me finish. I am giving you the chance to clear this up also. We should not give the impression that it is the baby's fault that it is there. Therefore, it is now in your care; whether the mother was this or that; that is not the concern of the baby. The baby must be given 1000% support to survive and thrive and to live a good life. So, I regret the fact that the hon. Minister has brought the status of the mother in a PNQ dealing with the baby.

**Mrs Koonjoo-Shah:** Mr Speaker, Sir, there was no question, but I will indulge the Leader of the Opposition. It is not a question of blaming the child or the mother. It is actually putting all the facts to the House and to the population as how we have ended up with a critically ill baby today. So, I think that the Leader of the Opposition should actually salute the work of this Government in its relentless combat against drugs so that we do not have such illicit substances being consumed by expectant mothers in our country. This is why I have laid the facts to the House, Mr Speaker, Sir.

**Mr Speaker:** Time over!

**MOTION****SUSPENSION OF S. O. 10(2)**

**The Prime Minister:** Mr Speaker, Sir, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

**The Deputy Prime Minister seconded.**

*Question put and agreed to.*

(4.07 p.m.)

**PUBLIC BILLS***First Reading*

*On motion made and seconded, the Dangerous Drugs (Amendment) Bill (No. XV of 2022) was read a first time.*

*Second Reading***THE MAURITIUS FOOD STANDARDS AGENCY BILL****(NO. XIII OF 2022)**

*Order read for resuming adjourned debate on the Mauritius Food Standards Agency Bill (No. XIII of 2022).*

*Question again proposed.*

**Mr Speaker:** Resumption of debates. Hon. Dhaliah!

(4.08 p.m.)

**Mr R. Dhaliah (Second Member for Piton & Rivière du Rempart):** Thank you, Mr Speaker, Sir, for allowing me to take the floor to debate on this vital piece of legislation, that is, the Mauritius Food Standards Agency Bill in this august Assembly.

M. le président, ce projet de loi, nous ne pouvons le nier, constitue un outil indispensable dans un pays comme le nôtre où on veut que notre population ait l'occasion de consommer ce qui est bon, sain et propre. Ce projet de loi est aussi une indication supplémentaire que la santé et le bien-être de tous les citoyens de notre République est une des priorités de ce gouvernement.

Notre Premier ministre, l'honorable Pravind Kumar Jugnauth, n'a cessé de le répéter et son implication personnelle dans divers activités visant à promouvoir le bien-être et la santé en sont la preuve. L'introduction du *Mauritius Food Standards Agency Bill*, M. le président, est la suite logique du *Food Bill* présenté récemment et qui a déjà été voté.

Donc, avec le *Food Bill* qui est déjà là, il faut maintenant un cadre légal, approprié, à travers une agence digne de ce nom pour permettre son implémentation dans le but de servir le publique comme il se doit. C'est justement ce que l'honorable ministre de la Santé et du Bien-être s'est évertué à faire avec ses proches collaborateurs.

M. le président, d'ailleurs, à la lecture de chaque point avancé dans le projet de loi sur lequel nous avons la tâche de débattre aujourd'hui, il est clair que l'honorable ministre de la Santé et du Bien-être a abattu un véritable travail d'orfèvre. Les efforts prouvent que ce gouvernement a la volonté de s'assurer que la population soit bien servie et respectée à sa juste valeur par les fournisseurs et autre opérateurs directement ou indirectement engagés dans la préparation de tout ce qui touche à notre nourriture, à notre alimentation.

Lorsqu'on parle d'alimentation, M. le président, c'est vraiment sérieux. La bonne nourriture a toute son importance pour notre santé, pour notre survie même. Dans le cas des enfants, leur croissance et leur épanouissement passent incontestablement par la consommation d'une bonne nourriture.

M. le président, on ne peut gagner la confiance des consommateurs sans mettre en avant la qualité d'abord. Ce projet de loi vient justement responsabiliser à la fois les consommateurs, les fournisseurs et les opérateurs. Ce texte, qui confirme la volonté de notre gouvernement de s'assurer du bien-être de la population, est le meilleur moyen pour nous de nous assurer que nous consommons ce qui est bon et qui nous évitera des ennuis de santé liés à l'alimentation.

Mr Speaker, Sir, when we talk about food consumption, there is no place for an ounce of compromise. In recent past years, there have been extensive publications of reports on dangers of artificial food dyes. I would take some of the time given to me to make an exposure on the dangers of artificial colouring.

Over decades, there has been a steady increase in the use of synthetic dye used in food. Mr Speaker, Sir, the use of artificial colouring is widely used in many common food products,

some of which are breakfast cereals, candies, snacks, deserts, pickles, salad dressings, tomato paste, soya sauce, oyster sauce, and monosodium glutamate, popularly known as Ajinomoto. Since the common people have very little or no experience in medical science, they may not be conscious of the harm that some foodstuff can cause. *Ces additifs si attractifs mais aussi dangereux pour la santé ne doivent pas se retrouver dans nos assiettes.*

*Ces food dyes, œuvres dangereuses de l'homme, sont des produits chimiques connus comme des silent killers. Je parle sous la correction des experts en science médicale, on sait que les principales causes du cancer, une des principales causes de décès à travers le monde, sont des produits que nous consommons. Les cancer causing and toxic contaminants sont communs et Dieu sait le tort qu'ils font aux familles.*

M. le président, ce projet de loi fait provision pour que le public soit mieux informé des contenus exacts des produits alimentaires. Ce projet de loi vise la transparence et se veut être un outil pour la promotion du commerce alimentaire tout en s'assurant que la sécurité du public au niveau de la santé et la protection du consommateur ne soient pas des vains mots.

Voilà un projet de loi qui vient se poser comme un rempart contre la mauvaise alimentation, M. le président, que ce soit lorsqu'on parle de ce que nous produisons, de ce que nous importons ou de ce que nous exportons. J'ose croire qu'il y aura toute une vaste campagne de communication et d'éducation qui sera enclenchée par le ministère de la Santé et du bien-être pour faire comprendre à la population que la bonne alimentation est devenue obligatoire. L'incidence de la bonne alimentation sur l'économie est facilement explicable. Une bonne alimentation permet de vivre bien, d'éviter des dépenses au niveau des soins médicaux et d'être plus productif.

Mr Speaker, Sir, I turn briefly to the main provisions of the Bill which sets out guiding principles on the way the Agency would work. First and foremost is that the essential aim of the Agency is the protection of public health in relation to food. The Explanatory Memorandum of the Bill sets out this main objective very clearly. It will carry out all of its functions with this overriding objective in mind, free from any conflict of interest.

Mr Speaker, Sir, the Agency will work in any area sound science is absolutely essential and where new developments are brought all the time. The Bill gives the Agency the general function of keeping abreast of the latest scientific and technological understanding and of any

other developments relevant to its work. We expect the Agency to take a strong lead in developing a sound scientific base for food safety. It will also work closely with other departments and research funders to help coordinate food safety research and ensure that available resources are used effectively.

Mr Speaker, Sir, part of the responsibility for keeping track of scientific developments will be the Agency's ongoing monitoring of the safety of the food supply. The Bill provides the Agency with powers to carry out observations at any stage in the food chain, enabling it to monitor the general safety of the food supply, identify and track any problems and inform good decision making. The Agency will normally seek to work with the full cooperation of the industry in carrying out that function since food safety is clearly in the interest of business as well as of consumers. The Bill will provide powers of entry to be used if necessary to obtain information needed for public health reasons.

Mr Speaker, Sir, the Bill gives the Agency a new function of monitoring food law enforcement. I should like to make it absolutely clear that contrary to the claims of some commentators, there are no plans to transfer general food law enforcement from local authorities to the Agency. The Government believes that there are considerable benefits to the current system of local enforcement of food laws and the Agency will build on that approach. We are concerned about consistency and effectiveness. The Agency will, therefore, be able to set standards forth and audit enforcement by local authorities working in partnership with local government to raise standards in that area.

Mr Speaker, Sir, although the Bill gives significant independence to the Agency, it also makes clear that it must act responsibly. The Bill contains provisions which will ensure that the Agency acts reasonably and proportionately and is duly accountable through Ministers to Parliament. Clause 5, paragraph 1 provides for a statement to be drawn up of the Agency's objectives and practices.

Mr Speaker, Sir, Clause 5, paragraph 3, subsection (1) provides for the new entity to make regulations to establish a statutory notification scheme for foodborne diseases. It is a valuable way of improving the quality of information about the prevalence and incidence of different types of foodborne diseases, which will help the Agency and other bodies concerned with public health to tackle food poisoning problems.

Mr Speaker, Sir, one of the many detrimental factors of the ongoing pandemic is the rise of food fraud. Food fraud, a term coined by two American academics from the Michigan University in 2011, is defined as: ‘when food or drink is sold in a way that deliberately misleads or deceives consumers or customers for financial gain.’ Such examples are incorrect ingredients labelled on food packaging items, substitution of the goods and unapproved enhancements amongst others.

Mr Speaker, Sir, with growing financial pressures, there may be little monitoring and the increase of supply chain disruptions across the world. It is a temptation for some businesses to tamper with foods and ingredients in order to keep up with the panic buying of consumers. To give an example, the European Anti-Fraud Office also known as the OLAF; the Law Enforcement Agency also known as Europol and the International Criminal Police Organisation undertake an annual operation called operation OPSON whereby counterfeit and substandard food and beverages are taken off the market. The operation takes place in 72 Member States combined and from December 2020 to June 2021, around 15,000 tons of food and beverages with a value of about €3.8 m. were seized. The International Criminal Police Organisation commonly known as Interpol, Secretary General Jürgen Stock commented that operation OPSON demonstrates the massive profits food crime can generate and which can then fund other organised crime activities.

Mr Speaker, Sir, illicit trade with food and beverages not only poses a real health risk to Mauritian consumers but also harms the economic interest of our country. This Bill provides a platform where such kind of issues can be discussed and frameworks can be implemented and followed up to ensure a higher degree of consumer safety, a greater transparency in food industry supply chain as well as holding the relevant industries accountable to their wrong doings when needed.

To conclude, Mr Speaker, Sir, we have already made good progress towards implementing the provisions of the Food Bill. This Bill will make it possible for the Agency to operate as a separate legal entity. It is the Government’s aim, subject to the successful passage of the Bill that the Agency formally starts its work.

Mr Speaker, Sir, the Bill will provide the basis for a unique new Body, authoritative, independent, open and responsive to the concerns of consumers. It will build firm foundations

for a new era of competence in our food sector from which we will all benefit; consumers and the food industry alike. On these lines, I, therefore, fully support all the provisions of this Bill.

Long live the Republic of Mauritius!

Thank you, Mr Speaker, Sir.

(4.24 p.m.)

**Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes):** Mr Speaker, Sir, the Mauritius Food Standards Agency Bill is a Bill of major significance and is a logical follow-up to the Food Act. The Bill has shortcomings but is non-controversial. Therefore, I don't intend to pick a quarrel with the Minister over a comb or a hair brush. It will be an awakening call.

Let me come to the Explanatory Memorandum which whets our appetite with well-defined purpose. However, implementation remains key to the provisions of the Bill. The resources are available to assess quality of processed and non-processed foods. There is no shortage of physical and human resources, and we need to ask some questions why is it then that we fall short of standards. These shortcomings will be identified.

Mr Speaker, Sir, the country is a maze of poor utilisation, unutilisation and duplication of resources. The Minister has to inform the House if a dedicated team will be set up shortly after the Bill is passed to prepare the regulations. The Mauritius Food Standards Agency cannot be a one size fits all. The regulations should be carved out to cater for different categories of operators. As a net feed, food-importing country, exporter of agro related products and a service oriented economy, we need to level up to meet demands of consumers. The essence as spelt out in the Bill is safety and nutritional quality of food. Expectations are indeed very high and there should be no faulty line on norms and standards, that is, no let go of safeguards to public health and consumer protection, as highlighted in the Bill. The Minister has unfettered powers which give him the freedom to expedite matters. However, the freedom should not be a licence for arbitrariness.

Mr Speaker, Sir, did the Minister really have an in-depth discussion with the stakeholders at the bar of public opinion? So he said! I am not saying that I don't subscribe to what he has said, but I invite him to lay on the Table of the National Assembly, without fear or prejudice, the salient features of the findings of the outcome of the meeting. The information relayed to me

from reliable sources say the meeting had no scale, no scope and no depth. Then, one swallow, Mr Speaker, Sir, does not make a spring.

I will turn now to specific cases. The protest staged by the owner of 'Aka Roti' on the 20<sup>th</sup> of this month before Parliament raises legitimate questions over the unfair application of the letter of the law. I am glad that there has been a positive outcome following the intervention of hon. David, prominent Member of Constituency No. 1, with the support of hon. Juman, did not go unnoticed. Of course, there should be no departure from basic established norms and standards. I grant you the Minister of Health and Wellness acted as facilitator and I hope this spirit will prevail as there are several cases which have to be addressed.

Food handlers operating at Le Réduit, whose certificate and work permits are in order, are being chased like wild cats without any alternative site being proposed. Why? They have been told that it's due to the extension of the rail track. But they have been there since more than 10 years. I met them in the presence of Mr Dayal and they cannot be treated shoddily. Vegetable sellers, victuallers of meat and fish shops of Quatre Bornes Market Fair are through mucks because of the uncertainty and unpredictability of the regime. What will happen to the Market Fair which has cost taxpayers more than Rs20 m.? It was constructed only a few years ago. Will the operators be relocated? But the operators, vegetable sellers or victuallers, they have rights, and the regime cannot run away from its obligation. Since operators cannot depart from Health Safety Regulations, the Agency will have to be fully involved in the decision making process.

The representative of the Local Government on the Board has to voice out that to meet food standards, the Agency has to see to it that, irrespective of temporary location, the infrastructural set-up has to be appropriate. As we say, Mr Speaker, Sir, it takes two to tango. My colleagues on the Opposition bench have urged note of caution unlike the regime. The Bill may not be controversial but is replete with the word 'may'. Therefore, it may open the door for abusive practices. The Agency has to be equipped, and acquisition will be made, but the question that begs an answer: will there be accountability and transparency in contract allocation? Professionalism and integrity cannot stay in the cloud or sent to oblivion. I hope lessons have been drawn and learnt.

The Director of Audit drew our attention in his report over controversial allocation of tenders of more than 1 billion for emergency procurement. Bad habits breed contempt with a

regime whose days in office may be numbered. This is a regime of kickback waited to be kicked out.

Mr Speaker, Sir, let me come to the thrust of the Bill. Like the Food Act, the objects of the Mauritius Food Standards Agency will not be met immediately despite the Agency's best endeavour. I vividly recall the aggressiveness and zeal with which his predecessors, under the Labour led Government, acted. Health and quality of life matter indeed. It was a crusade against those who acted against the provision of the Food Act and we must not lose sight that our yearly export of agro-related products totals 23.6 billion while our tuna, our sugar, especially our special sugars, our cane juice from pineapple sought-after. Norms, standards and quality control matter. Constant levelling up to keep our brand name should be our mantra.

Agromoris then cannot rest upon its laurels because competitiveness is the norm. There was a time when we even exported organic sugar, and I have been told that there is a big craze for jackfruit in UK amongst the vegans. Therefore, the Mauritius Food Standards Agency has to deliver. A roadmap has to be established with clearly defined policies. The Minister of Health is right to lay emphasis on the relevance of the CODEX Alimentarius of FAO. The Bill is being moved when a sizable number of persons hardly have food; adequate food on the plate to move their bowels. This is a day in the occurrence in our Ocean State, and I am sure many of us have a history to tell of the number of persons coming to us in the car park of supermarkets like Oliver Twist, asking money to buy food.

How many stomachs are held hostage by the cost of living crisis? Against the consequences of war in Ukraine, the lingering effect of COVID, mismanagement of our economy by hard up regime to rein in inflation, a surge in food bills has been inevitable. The immediate concern of the mere mortal is not quality food, food of nutritional value or food with safety standards. The worry is whether the family can afford a meal a day. Informed choices indeed, but unlike the war chest or money bag of the MSM, the purse of the individual does not stretch to buy food of one's choice.

The Fit for Market of Agri produce from farm to fork, financed by the European Union and the ACP under COLEACP Programme set the standards. Since 2019, due to the increasing incidents of COVID cases, application of standards and norms are most rigorous, but as I said, low quality produce are available due to the cost of living crisis. My good friend, the Minister of

Public Service, Administrative and Institutional Reforms, knows the relevance of certification and anti-dumping. Our Victorian pineapples are much sought after in EU, sweet and juicy, but beware of artificial sweeteners. There is fierce competition from Kenya. Mauritius was taken to task over dumping and non-compliance to norms and standards. As of now, there is no certainty on import criteria of processed products, especially chicken from South Africa. The regulations are yet to be drafted and conflicting views expressed by technicians from the Vet Services of the Ministry of Agro-Industry.

The officers are not to be blamed. Since 2015, there has been no follow-up to prepare the regulations. Operators have to bear an additional cost, importers feel aggrieved and as members of SADC, an African Continental Free Trade Agreement, compliance to non-tariff barriers like sanitary and phytosanitary standards should be binding. Yes to level playing field and no departure from international obligations.

Mr Speaker, Sir, I recall, one exporter of precooked *samosa* lost his niche market to European Union because of water dripping from ceiling.

Let me come to some food borne diseases. Who has not heard of the story of Mary the cook who had to quit her job because she was a carrier of hepatitis which is easily transmitted to customers? Herding of live animals in feedlots or pens, carriers of sheep cargo may give rise to Salmonella, Foot-and-Mouth diseases and Typhi.

You recall the number of cattle which was slaughtered of mad cow disease; the avian flu in China led to the elimination of all poultry farms in Hong Kong and China. A recent bird flu outbreak has led to restriction in specific areas in UK. Keepers of live animals have to follow strict sanitary condition.

Mr Speaker, Sir, our quality of life rests on the diligence and honesty of our health inspectors. Confidence will grow as long as cases secondary to food borne diseases are constantly on the decrease. There was a time when agricultural services used to publish pesticide residue level in vegetables on a fortnightly basis, and we know that these pesticides residues are carcinogenic. Certain vegetables are best eaten frozen and locally grown squash and good veggies better be avoided.

Mr Speaker, Sir, don't spare the multinational food chain simply because of brand name. Superheated cooking oil is being used over and over and harmful to the health. Level up starts with a host of accompanying measures; handholding the food handlers first and advise a rapid reach out for a better outreach. Street food should be of quality. It is a treat, in fact, for all of us, mainly for tourists, and we should see to it that they do not beg to differ.

Who does not enjoy a walk to the Central Market? But what has been done since 2015 to upgrade health and sanitary facilities? And if you want to be greeted by the biggest green flies, carriers of food borne diseases, go to the food, to the fish and meat sections of the Central Market.

Mr Speaker, Sir, let me come to the Agency; one-stop-shop and should operate under one roof. If the will is there to address the issue of food standards in a meaningful and effective manner, the battle is, therefore, not arduous. Manpower training, dissemination of information and physical resources are strong links in the conveyor belt. The awarding Bodies have their reputation to keep and I must say the Mauritius Standards Bureau used to deliver. It is a mandatory Bureau.

I have to pay tribute to its former Director, Mrs Nanhuck, who left a good legacy to the politically appointed Manager, and we are told that the General Manager of Mauritius Standards Bureau is acting like KGB and has put her staff under strict monitoring and surveillance. There is no direction given that this is a highly technical Bureau. The Bureau has nine laboratories, but find out what has happened to the micro laboratory lab! It is inoperable! An example; in 2020, Mr Speaker, Sir, the then Director made a request for a budget to buy a DNA equipment, polymerase DNA for testing of basmati rice to control non-basmati sold on the market as basmati, and which will check if it is quality basmati, fake basmati or no basmati at all. Equipment sent back after two years! That was acquired more than two years ago; it has been of no use; purchased at an exorbitant price from one of the major companies, and this equipment has become almost obsolete. They could make good use of it, and then it had to be sent back. And in many areas, the MSB, Mr Speaker, Sir, is moving backward, and it is sad for our country.

Mr Speaker, Sir, data to measure and analyse trends are relevant. I hope Food Agricultural Research and Extension Institute and the Statistical Division of the MSIRI and the MCIA are living up to the expectation of our producers. Where is the inter and intra institutional

approach? Yet the international safety standards and nutritional quality of food relevant to improve consumer confidence in products and to incorporate greater control of risks for food safety, these are imperative.

Let me now come to the recruitment. I pray that the Minister of Health understands the meaning of lessons drawn and learnt. A Director of the Agency has to be chosen on the grounds of merit. The Board has to be diligent. The Director should be at the Board and the selected candidate should not be plucked by the Minister from the backstreets of the MSM. The transfer or appointment of employees, if carried out after consultation with the PSC or Local Government Service Commission certainly would give some respite. It should not, and my fear is that it is going to be jobs for the boys, but it should be jobs for the well deserved.

Mr Speaker, Sir, the narrative, the Minister starts from beyond farm gate to the fork. And as a net food, fuel, feed-importing country, let us look at our Food Bill; it is a staggering Rs45 billion, if not more. The Government has a moral, legal responsibility to protect the health of the nation. The global food chain is compelling and we have to hear the voices of those who occupy its upper and lower rungs. The law is an ass and loopholes have to be plugged to avoid potential injury being inflicted by multinational supermarket or any other stakeholder.

By introducing this Bill, the Department of Health and Welfare aims to convey proper information about the food distributed to our local market. And the question that begs an answer is: has the consumer been informed that the food system is fragile because of the size of its ecological footprint? The Minister of Environment has not been reassuring despite his long diatribe. The cost of a green revolution is expensive with excessive use of chemicals or fertilisers; the escalating cost of fuel needed to drive tractors to prepare the land, and water to irrigate the fields. If we factor in the cost of haulage and logistics to ferry produce from port to factories and vice versa, the cost is prohibitive. The revolution is meant to swell the pockets of multinationals or big companies in the multibillion agri-business.

Let us give serious thought to what once was a reality, and I will come back to it, Mr Speaker, Sir. Eat what we produce and produce what we eat is now a reality for many micro and Small Island Developing States. Unfortunately, the regime has encroached upon massive prime agricultural land. Where is our topsoil for quality produce? Where is our smart agriculture and

farm breeding policy? Our feedlots are cauldrons of blood, antibiotics and massive grave; the chicken meat is too soft and the venison from the feedlot is too tough.

Mr Speaker, Sir, let me conclude by calling upon the Agency to fully grasp the relevance and importance of food safety standards. Is it the produce of free and fair trade? Can we have food or trade free of ethical health and environmental conditions? No, but I expect the Mauritius Food Standards Agency to be the watchdog. What will the Prime Minister say at COP27 to be held in Sharm el-Sheikh? The Agency will have to fulfil its role and wage an aggressive campaign, as was stated very clearly by hon. Dhaliah, to sensitise the public at large but also to sensitise the public on Genetically Modified Organisms. Choices have led to the setting up of dedicated eco-friendly NGOs. I hope consumers will not be gagged and misled. Artificial intelligence should be applied for informed decisions and to understand customer behaviour.

Mr Speaker, Sir, the Minister has a plate full of expectations. The Agency has to deliver and should not fall foul of set objectives. I ask the Minister to carve out and not to cave in to multinationals.

Thank you very much.

(4.45 p.m.)

**Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue):**

Thank you, Mr Speaker, Sir, for allowing me to bring my humble contribution to this debate. At the very outset, allow me to congratulate the hon. Minister of Health and Wellness, hon. Dr. Kailesh Kumar Singh Jagutpal, for presenting a sensible Bill to the House; a Bill which is of concern to every citizen in this country. It is under this regime and under the able leadership of the hon. Prime Minister that such a Bill is being presented.

Let me reassure the respected former Member who spoke right before me, on the other side of the House, as he mentioned lessons drawn and learned, that yes, we have learned the lesson that excess of *cotomili*, *satini* or Amul milk could be very bad for our digestive system!

*(Interruptions)*

**An hon. Member:** *Laisse li koze!*

**Mrs Luchmun Roy:** Mr Speaker, Sir, I have always been listening very carefully and I have tried to understand whether we were referring to the same Bill in this House. We are here

talking about the Mauritius Food Standard Agency Bill, but during the debate, I could hear about food handlers and the market of Quatre Bornes. I was trying to find the essence of where it is in this Bill. As he often says it that the proof of the pudding is very often in the eating, I guess he did not digest this bold Bill being presented in this House!

Well, Mr Speaker, Sir, one might call it a coincidence, but I believe that it is a right opportunity for us to present such a Bill to this House because on 16 August, we celebrated the World Food Day and the theme this year was: ‘better production, better nutrition, better environment and a better life.’ However, on the other hand, the World Bank Report 2022 clearly states that the COVID-19 pandemic triggered the largest global economy crisis seen in more than a century with especially severe impacts in emerging economies. This sets the theme and the tone for reasonable debates on the Mauritius Food Standards Agency Bill. One cannot dispute that for better production, better nutrition and better environment, one undeniably needs a better policy and agency for regulation.

The former Member who spoke right before me mentioned about some queries, and this is where I think we fail as Members of the National Assembly: to explain to the population who are following the debates. The Explanatory Memorandum gives clear explanations to all your doubts and all your queries that you have put forward in this House. The Explanatory Memorandum is very clear; it mentions clearly that it is there to ensure a high degree of consumer confidence in the safety and nutritional quality of food produced, processed, imported, sold in, or exported from Mauritius. You have queries about it; it is there in the Explanatory Memorandum.

It also says at (f) –

“developing standards and procedures for the certification of vegetarian food, halal food and such other food as may be prescribed (...)”

So, if one takes the time to read the Bill, the Explanatory Memorandum in itself is very clear.

Mr Speaker, Sir, COVID-19 has impeded progress and created setbacks contributing to a slow and mixed picture of our economic system whereby it gave rise to, not only in Mauritius, but in the whole world, hunger, food security or malnutrition in all forms.

Nevertheless, we also have to face the Ukraine war which is disrupting the supply chain, affecting the global grain, fertiliser and energy prices. Global food and energy prices are soaring and have reached levels not seen in decades. This is not this regime; it is a world thing happening.

The growing frequency and intensity of extreme climate events continue to be major disruptors of agricultural production and supply chain affecting food security. The intensification of the major drivers behind recent food insecurity, malnutrition trends like conflict, climate extremes and economic shocks have combined with high cost of nutritious foods and growing inequalities which is actually challenging all the food security and nutrition. This will actually be the case until the agri-food systems are transformed and become more resilient. And this is what this regime is doing.

Through the Mauritius Food Standards Agency Bill, the Minister comes forward with a clear view about what is going to be the role of this Agency in terms of telling us what we are eating. We always say we are what we eat, but do we really know what we eat?

All of us sitting here, we are great fans of whether it is *mine bouilli*, whether it is *dholl puri*, whether it is a pudding, whether you go to the Central Market, like you have said, hon. Member, you have been there but this is what this Bill is coming forward to, that is, to regularise everything that we are eating. My friend, hon. Dhaliah, mentioned about the preservatives, about everything that is causing harm to our health. So, these are things which are on the wrong side, but this Bill comes to really cater for all that we have been questioning ourselves and all of us sitting here are parents, we are foodies as we used to say it, we are people who consume. So, this Bill, in the very essence in itself, comes forward with what requires for us as citizens, as consumers to know exactly what is in our plate.

Well, there are also numerous reports which came forward and, I think, that there is the report of the Ministry of Health itself which is the Mauritius Non-Communicable Diseases Survey 2022 where the figures clearly state that one third of the adult Mauritian population have hypertension and a large proportion of them are not aware that they have this disease. How do we get hypertension? Because we consume a lot of fast food. Do we actually know what is in there? We have products like soy sauce, we don't know whether it is good for our health or whether it is bad and what amount is in there? This Agency will give us all the details.

There is also the prevalence of diabetes. Let us talk about our children. There are some worldwide reports which come forward saying that there is an increasing number of obesity in our children because we are always consuming fast food. Now, this Agency will come to correct all these inequalities, all these irregularities about our family.

Mr Speaker, Sir, the FAO came forward with a report and in its recommendation it mentioned that a key recommendation is that Government starts rethinking how they can reallocate their existing public budget to make them more cost effective and efficient in reducing the cost of nutritious foods and increasing the availability and affordability of healthy diets from sustainable agrifood system and leaving no one behind. This is what this Government is doing; we are aligning ourselves to international standards.

I would like to stick to the essence of the very Bill itself. The function of the Agency, as mentioned in Section 5(1) clearly mentions that –

“(1) It shall be the duty of the Agency to provide advice, technical support and recommendations to the Minister on standards and regulations under the Food Act 2022 (...).”

Another very important element under Section 5(3) is –

“(i) conduct food hazard monitoring surveys, food borne disease surveys and audits for the purpose of implementing performance measures to test the effectiveness of the food control (...).”

which, I think, is really laudable.

Mr Speaker, Sir, another element which is of high importance in this Bill is Section 5, that is, the functions of the Agency where it mentions that the role is to develop the food standards having regard to relevant international standards and recommending maximum limits for food additives which we consume each and every day, microbiological counts, pesticides residues, veterinary drug residues, heavy metals processing aids. And, I would also appreciate the effort of the hon. Minister by proposing amendments at Committee Stage in regard to clause 5 subclause (3)

“In clause 5 –

(a) in subclause (3), by deleting paragraph (k) and replacing it by the following paragraph –

(k) develop procedures under which risks shall be assessed, analysed, communicated and managed by using developed protocols, where available;”

Mr Speaker, Sir, I would like to conclude on the note that as a mother of two children, I fully support this Bill because I think it is absolutely important for us, as consumers, to know exactly what is in our plate and I certainly support this Bill. But I, however, want to set it on record that I condemn Members on the other side who had the opportunity to do *politique autrement* by sticking to the Bill itself, by supporting the Bill which is of concern for each and every citizen of Mauritius, but yet another missed opportunity from the Members of the Opposition to show their good faith.

I thank you for your attention.

**Mr Speaker:** Hon. Members, at this stage, I suspend the Sitting for 30 minutes.

*At 4.56 p.m., the Sitting was suspended.*

*On resuming at 5.41 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Remain seated and be seated! Next orator!

(5.40p.m)

**Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East):** Thank you, Mr Speaker, Sir.

First of all, I will thank the hon. Minister of Health and Wellness for having brought to the House this Bill which will help in ensuring that consumers get safe and quality food on the market.

In fact, Mr Speaker, Sir, the Mauritian family has always appreciated and shared local dishes. However, in order to avoid food poisoning, allergies, dehydration, and other food-borne contamination, the hon. Minister is now coming with this Bill to avoid all these various contaminations by controlling at source the packaging, transportation, storing, preparation, cooking and food serving. The Food Standards Agency Bill is to bring these said controls

throughout the food chain and thus raising consumer confidence. Furthermore, Mr Speaker, Sir, this Bill will also ensure that standards and certification for vegetarian and halal food be harmonised.

Mr Speaker, Sir, during his speech on the Food Bill on 29 June 2022, hon. Reza Uteem rightly pointed out that sizeable portion of the Mauritian population is either vegetarian or only eats halal food. That is why, Mr Speaker, Sir, in the Health Sector Strategic Plan 2020-2024, Strategic Goal 22: ‘Safeguard health security through the promotion of food safety’ is one of the strategic actions, that is, to establish a Food Standards Agency which will be responsible to set standards on fast food and soft drinks, and also for the certification of vegetarian and halal food, among others.

Today, Mr Speaker, Sir, with this Bill, the Government clearly shows that it walks the talk and cares for our people and is here to ensure that our population eats appropriate food according to their beliefs. One of these measures, Mr Speaker, Sir, is to have the halal certification based on guidelines set by Codex Alimentarius Commission. This Commission, Mr Speaker, Sir, is a collection of internationally recognised standards, codes of practice, guidelines and recommendations made by the Food and Agriculture Organisation (FAO) and the World Health Organisation (WHO) to protect consumers’ health and promote fair practices in the food business.

Mr Speaker, Sir, the halal part remains a sensible issue and may give rise to unfruitful and irreverence debate. I believe in the good faith of the Minister for regulating the issue of halal certificate. Surely, a compromise must be reached in matters related to halal certificate. And again, Mr Speaker, Sir, I hope for a consensus from those who approve the certification with the hon. Minister.

This Agency, Mr Speaker, Sir, will further provide to the public comprehensive information on food safety and nutritional value of food. This will largely help to educate our population on choosing the right, healthy food and curbing bad food habits which lead to chronic diseases like hypertension, diabetes, cholesterol and heart related diseases.

Mr Speaker, Sir, the Mauritius Food Standards Agency Bill will simplify the task of all stakeholders in the food supply chain as it will be a One-Stop Shop where they will first get information and secondly, apply for certification. Furthermore, as announced by the hon.

Minister of Health and Wellness during his concluding speech on the Food Bill, MFSA will be operational as from early next year.

Furthermore, Mr Speaker, Sir, with the implementation of the Food Standards Agency, stakeholders in the food sector will also be guided by the procedure and system which the Agency will develop to help in enforcing and complying with the Food Act 2022, thus ensuring consumers' safety and health. The Agency, Mr Speaker, Sir, will also be of great support to the Sanitary Department as it will help in conducting food hazard monitoring surveys, foodborne disease surveys and audit for the purpose of implementing performance measures to test the effectiveness of the food control system. All this, Mr Speaker, Sir, has as sole and unique objective, to ensure an effective, transparent and accountable regulatory framework within which the food industry can work efficiently and thus bring a high degree of consumer confidence in the safety and nutritional quality of food produced, processed, imported, sold in or exported from Mauritius.

Mr Speaker, Sir, this Government is fully committed to ensure that food safety challenges are adequately met to minimise any disruption in the future. Here, Mr Speaker, Sir, I would like to mention that I am fully confident that the hon. Minister, Dr. Jagutpal will, in his *sagesse*, act in the best interest of each and every one while exercising powers given to him under this Bill as far as nomination of competent persons at the level of the Agency.

Thus, Mr Speaker, Sir, I shall end by congratulating the hon. Minister of Health and Wellness for bringing this new Bill which will ensure a high degree of consumer confidence in the safety and nutritional quality of food. Mr Speaker, Sir, I trust that this will be handled by good hands within the new Agency, thus congratulating the hon. Minister.

With these words, I thank you, Mr Speaker, Sir and everyone here for listening to what I had to say in this august Assembly.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Ramchurrun!

(5.50 p.m.)

**Mr P. Ramchurrun (Third Member for Savanne & Black River):** Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, I am immensely grateful for being given the opportunity to address this august Assembly on this landmark piece of legislation. Indeed, the Mauritius Food Standards Agency Bill is another historic step in the construction of a sound, viable and healthy food system; one which consolidates confidence both within our local food-related institutions for the population's overall health. In fact, at the very core of this legislation, it is the earnest wish of the hon. Prime Minister and the Government to continue his relentless mission in protecting the population from potential health issues.

Mr Speaker, Sir, we are starting this parliamentary year with yet another achievement for which the hon. Minister of Health and Wellness must be commended. This piece of legislation, Mr Speaker, Sir, indeed comes at the most opportune moment for our country. However, the operation and purpose of the new Mauritius Food Standards Agency must be clear for everyone and it is our duty to ensure that we explain clearly the ultimate objective of the proposed institution to our constituents.

Mr Speaker, Sir, the COVID-19 pandemic has undeniably highlighted the need to build food systems that are not just sustainable, but also healthy, inclusive and resilient. Hence, I very much welcome the alignment of the Mauritius Food Standards Agency Bill with the UN Sustainable Development Goals which aims at eradicating hunger, reducing malnutrition, accelerating climate action and making of food systems more sustainable.

This Bill demonstrates the Government's dedication to guaranteeing food safety and stability which is crucial for both the health of consumers in Mauritius and abroad and for our reputation in international trade. It displays a dedication to on-going development of the legal framework that supports the food and beverage sector. Food and beverage exports/imports, local, direct and indirect employment numbers contribute significantly to our economy. Therefore, the Bill intends to safeguard our public health and upholds Mauritius' reputation as a provider of adequate and safe food both locally and abroad.

The Bill also has an overarching aim which is to centralise the enforcing powers of the Mauritius Food Standards Agency which will lead to a reduction in reactive for businesses in terms of certification, applications, processes and timelines.

Hence, as the sole national regulator, the existing enforcement tools will adequately arm the Mauritius Food Standards Agency, irrespective of the type of food so as to encourage

behaviour change and deal swiftly with operators who do not comply. This Bill, Mr Speaker, Sir, represents a significant improvement in the way we manage food safety. We are very much an exporting nation and we truly live and die on the market perception. As anyone who has ever been involved in marketing would know, perception is incredibly crucial the value of a product. Our foods standards must be able to specify the format, procedure and timeframes for regulator to receive risk based plans and programmes from food firms.

Hence, the Mauritius Food Standards Agency must receive the risk based plans and they must also be submitted for assessment. This means that producers must create plans and the regulator must confirm the legitimacy of the organisations that will assess those plans. Risk based planning is one of the areas which should be significantly enhanced. Our food safety system is built on these blue prints which outlined how operators will be in charge of their own risk management procedures.

Thus, the legislation will make it possible to create regulations that specify which components of these risk based plans must be submitted to the regulator for registration. These clauses will aid in addressing the enquiries that the regulator occasionally lacks and complete knowledge of risk management strategies. The basis for food product traceability will also be strengthened through the setting up of the Bill for businesses to be able to react promptly during a food safety event using strategies that they and the authorities know will work. Traceability and recall systems are essential.

Mr Speaker, Sir, I believe that the Mauritius Food Standards Agency Bill will improve consumer access to healthy food while also preserving Mauritius' standing in international trade. We aim to make sure that our legal framework continues to prevent as many food safety accidents as possible and has the procedures and resources to handle any unforeseen circumstances with promptness and effectiveness. The Bill is an additional step in the on-going efforts by this Government to strengthen the law. Governing food safety requires a food system that fosters creativity, promotes value addition and motivates more food companies to export.

Mr Speaker, Sir, there is also significant opportunity for the Mauritius Food Standards Agency to further enhance its collaboration with the Codex Commission. The Codex Alimentarius Food Code is a collection of standards, guidelines and codes of practice developed by consensus based on the most robust up-to-date science available. Codex texts are not

mandatory, but governments frequently use them as the basis for national legislation to ensure food safety, quality and fair practices in food trade. Since 1963, Codex has developed hundreds of internationally recognised standards, guidelines and codes. It has defined thousands of permitted levels of additives, contaminants and chemical residues in food. The end goal ensures food is safe for everyone and everywhere.

The standards are adopted by the Codex Alimentarius Commission (CAC) which currently comprises of 188 member countries and one member organisation, the European Union, 240 observers of which 60 are inter-governmental organisations, 164 non-governmental organisations and 16 United Nations Agencies. The Commission also known as CAC was established in 1963 by the Food and Agriculture Organisation of the United Nations (FAO) and the World Health Organisation to protect consumer health and promote fair practices in the food trade. Mauritius has been a member of the Codex Commission since 1971 and for the Mauritius Food Standards Agency, Mauritius will have a stronger presence.

Mr Speaker, Sir, after the setting up of the Mauritius Food Standards Agency, there is a genuine opportunity for Mauritius to be a regional leader in promoting the consolidation of high food standards in the Sub-Saharan Africa origin. Potentially, Mauritius could spearhead a regional centre of excellence to generate and share the latest research, consultation papers and data analysis. Through our experience and growing expertise, we can aim to be a leading player in the regional design assessment and enhancement of food standards. Such a role will fit perfectly within our country's ambition to establish Mauritius at the leading international food standards platform. There is also potential to increase our collaboration throughout to obtain cutting edge training and co-offer research pieces with international association for food protection and international network which represents more than 50 countries and more than 4,500 food safety professionals.

Mr Speaker, Sir, salute to the hon. Minister of Health and Wellness's vision, hard work and decorum for presenting this piece of legislation. Mr Speaker, Sir, the hon. Prime Minister has been unyielding in setting up this right institution to cater for the protection of the population's health. He has a solid track record and will not stop here in terms of new ideas on how to better protect, educate and inform our population.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Mrs Mayotte!

(6.02 p.m.)

**Mrs S. Mayotte (Second Member for Savanne & Black River):** Merci, M. le président de me donner l'opportunité aujourd'hui de m'adresser à cette assistance sur ce projet de loi qui me semble tout à fait judicieux par les temps qui courent. Permettez-moi pour commencer de remercier mon collègue, le ministre de la Santé et du Bien-être, le Dr. Kailesh Jagutpal, qui a ouvert les débats sur le *Mauritius Food Standards Agency Bill*.

M. le président, les restrictions que de nombreux pays ont mis en place pour gérer la propagation de la Covid-19 ont à leur tour eu de graves répercussions sur l'industrie alimentaire. Les habitudes d'achats des consommateurs ont changé. Ce qui a provoqué une panique qui a mis à l'épreuve la capacité de certaines chaînes alimentaires à réagir tandis que les fermetures des points de vente des services alimentaires et des détails non alimentaires ont entraîné la perte des marchés pour d'autres. Dans les usines, par exemple, l'accent a été mis à juste titre sur la modification de notre mode de travail en introduisant une distanciation sociale comme tel a été le cas partout à travers l'île et presque partout dans le monde avec les nouvelles pratiques de travail pour préserver la santé des travailleurs.

Le conflit entre l'Ukraine et la Russie n'arrangeant pas les choses, les changements auxquels nous sommes tous en train de faire face ont toutefois introduit de nouveaux défis dans la manière donc nous devons gérer la sécurité alimentaire car nous avons déjà commencé à faire face à une perturbation potentielle des chaînes d'approvisionnement et des conséquences dans l'industrie alimentaire.

M. le président, la sécurité sanitaire des aliments est devenue un sujet de préoccupation de plus en plus important car il est là question de la santé des consommateurs, le renforcement de la sécurité alimentaire et la promotion du commerce international. Garantir la sécurité sanitaire et la qualité des aliments est devenue de plus en plus important surtout pour notre pays qui importe et qui peut aussi exporter des produits alimentaires vers les principaux blocs commerciaux du monde développé. Le respect des normes internationales, des principes directeurs et des recommandations ayant trait à la production d'aliments dont la sécurité sanitaire et la qualité sont des conditions préalables au commerce international.

L'implémentation de ce projet de loi vaudra surtout dire que l'île Maurice possède maintenant la capacité analytique nécessaire pour détecter et surveiller les contaminants alimentaires tels que les résidus de pesticides, les médicaments vétérinaires, ou la présence d'antibiotique pendant le processus de production et dans les produits alimentaires finis et garantir la qualité des produits agrochimiques utilisés.

Selon l'organisation mondiale de la santé, les premières estimations mondiales publiées à ce jour sur les maladies d'origine alimentaire montrent que chaque année une personne sur dix tombe malade en consommant des aliments contaminés et que 420,000 personnes dans le monde en meurent.

Les enfants de moins de cinq ans sont exposés à un risque particulièrement élevé et 125,000 personnes dans le monde meurent chaque année de maladies d'origine alimentaire. C'est dans les régions OMS de l'Afrique et de l'Asie du Sud Est, que la charge de morbidité imputable à ces maladies est la plus élevée.

Près d'un tiers, soit 30% des décès dus aux maladies d'origine alimentaire concernent des enfants de moins de cinq ans bien qu'ils ne représentent que 9 % de la population mondiale. C'est en tout cas l'une des constatations d'un document intitulé - *Estimates of the Global Burden of Foodborne Diseases* de l'organisation mondiale de la santé. C'est le rapport le plus complet à ce jour qui traite de l'impact des aliments contaminés sur la santé et le bien-être.

Le rapport qui estime la charge de morbidité imputable aux maladies d'origine alimentaire dues à 31 agents pathogènes –

- (a) bactéries ;
- (b) virus ;
- (c) parasites ;
- (d) toxique, et
- (e) produits chimiques

indique que chaque année près de 600 millions de personnes dans le monde, soit près d'un sur dix dans le monde, tombent malade après avoir consommé des aliments contaminés. Parmi elles, 420,000 en meurent dont 125,000 des enfants de moins de cinq ans.

La qualité nutritionnelle des produits alimentaires liés au contenu, c'est-à-dire les ingrédients, nombre de calories et aux propriétés de santé donc réduction de risque de maladies sont des informations essentielles à une bonne hygiène de vie. Lorsque le consommateur achète une denrée alimentaire ou un produit industriel, il lui est souvent difficile de choisir parmi un grand nombre de produits qui semblent tous présenter les mêmes caractéristiques, les mêmes performances et les mêmes composants. Certains produits se différencient des autres car ils portent sur leurs emballages à côté, des informations réglementaires obligatoires, la dénomination de vente, la date limite de consommation, le pays d'origine, etc. Des informations facultatives à vocation commerciale pour attirer l'attention du consommateur.

Ce projet de loi, M. le président, vient à point nommé pour compléter les efforts fournis par ce gouvernement en vue de garantir la sécurité sanitaire et la qualité des aliments ainsi que le renforcement du système de contrôle alimentaire. Les aliments impropres à la consommation constituent une menace pour la santé dans le monde et mettent en danger tout un chacun, les nourrissons, les jeunes, les enfants, les femmes enceintes, les personnes âgées, et les personnes atteintes de maladies chroniques sont particulièrement vulnérables.

Chaque année, 220 millions d'enfants dans le monde contractent des maladies diarrhéiques dont 96,000 décèdent. La sécurité sanitaire des aliments est une responsabilité partagée du gouvernement, des producteurs et des consommateurs. L'île Maurice importe la majeure partie des produits alimentaires que nous consommons. De ce fait, la sécurité et la qualité alimentaire sont des enjeux pour notre pays. Afin de garantir cette sécurité auprès des consommateurs, le ministère de la Santé et le gouvernement central apportent maintenant ce projet de loi, le *Mauritius Food Standards Agency Bill*. Un projet de loi qui apportera certes des réformes conséquentes dans le domaine de la normalisation et la promotion de la qualité afin de contribuer à l'amélioration de la sécurité sanitaire des aliments.

M. le président, manger permet de vivre, mais manger peut aussi tuer, c'est ce que nous disent les experts du Bangladesh, pays où on utilise excessivement des pesticides. Il y a une absence de réglementation sur la vente d'aliments de rue et le manque de sensibilisation à l'innocuité des aliments qui sont d'ailleurs à l'origine de pas mal de problèmes de santé chez des millions de personnes chaque année. Au Bangladesh toujours, les enfants de moins de cinq ans sont les plus exposés au risque de consommer des aliments dangereux. Au moins 18 % des décès

d'enfants de moins de cinq ans et 10 % des décès de personnes adultes sont imputable à la consommation d'aliments dangereux. Cela d'après une étude réalisée par le centre de santé animal et de sécurité alimentaire de l'Université Américaine du Minnesota.

Au Bangladesh toujours, la Constitution garantie à tous les citoyens le droit d'accès à une alimentation sûre et nutritive mais les choses sont différentes dans la rue, les vendeurs de rue qui disposent de petits chariots non règlementés nourrissent plusieurs millions de personnes chaque jour et n'offrent aucune garantie, malheureusement, de sécurité.

Le *Mauritius Food Standards Agency Bill* agira également comme régulateur à notre cuisine de rue, à cette cuisine fusion qui fait partie du folklore de notre pays et dont nous ne pouvons-nous passer. La cuisine de rue, M. le président, a accompagné l'évolution de notre civilisation au fil des siècles. Comme cela arrive souvent, c'est justement dans la pauvreté que le génie humain trouve sa plus haute expression et crée les bases immortelles d'une culture gastronomique particulière. C'est sans nul doute le plus gros préjugé sur la cuisine de rue parce qu'elle est née dans la pauvreté, dans l'exigence primordiale de nourrir la populace. La cuisine de rue a toujours été sous-évaluée et pourtant, et encore plus à l'heure de la mondialisation, il s'agit souvent du dernier rempart de la tradition et de l'identité d'un territoire. Il suffit de penser à nos gâteaux piment, *samosa*, du pain frit, *roti*, *dholl puri* ou un bon bouillon de boulettes, des mines, *kebab* ou briani, et j'en passe. La cuisine de rue identifie et délimite la tradition tout en conservant l'un des aspects les plus importants de la culture d'un peuple - ses coutumes alimentaires.

Aujourd'hui pour faire plus tendance, on parle de *street food*. La mode actuelle de *street food* est en train de prendre un aspect bien différent en misant sur l'aspect culturel de la tradition parfois revisitée, fusionnée, améliorée sur la qualité d'une cuisine de plus en plus raffinée. Le slogan *street food* actuel pourrait se résumer ainsi une cuisine de rue qui est le vrai témoin de l'identité d'un peuple. À n'en pas douter, M. le président, elle permet de mesurer le degré de culture alimentaire et sa tradition mais aussi la capacité de se réinventer continuellement dans la jungle quotidienne d'un tissu urbain en perpétuelle évolution tout en maintenant ses racines dans l'histoire de notre pays. En bref, la cuisine de rue s'est délibérée des préjugés pour revendiquer sa place sous le soleil en tant qu'expression de notre folklore mauricien.

Idem pour les *fast foods*, n'oublions pas cette réalité de notre société ; la population *fast foods* et ses à-côtés. Ces *fast foods* qui ne font pas toujours l'unanimité auprès du ministère de la Santé et autres professionnels de santé mais qui ne font pas aussi nécessairement de bien à notre santé avec plus de 45,000 mauriciens en surpoids mais ces *fast foods*, oh combien savoureux ! Ce qui est sûr, M. le président, c'est que ce projet de loi va remédier aux faiblesses de l'actuel système de réglementation de l'innocuité des aliments, y compris le manque d'application de loi, de contrôle des aliments tout le long de la chaîne d'approvisionnement. Ce projet de loi introduira également un système de surveillance des maladies d'origine alimentaire et exposera les grandes lignes d'un plan de réponse d'urgence en cas d'épidémie de maladie d'origine alimentaire.

Un code pratique concernant l'hygiène alimentaire serait égal à un mirador aux contrôles nécessaires tout au long de la chaîne alimentaire, de la production primaire jusqu'à la consommation finale pour que tous les acteurs, agriculteurs, cultivateurs, fabricants, transformateurs, manipulateurs d'aliments et consommateurs puissent être responsables de veiller à ce que ces produits alimentaires soient sans danger et propre à la consommation.

M. le président, l'objectif principal de ce projet de loi est d'élaborer et réviser les normes alimentaires en tenant compte des normes nationales et internationales et ainsi recommander des limites maximales pour les additifs alimentaires, l'énumération microbiologique, les résidus de pesticides, les résidus de médicaments vétérinaires, les métaux lourds, les auxiliaires technologiques et les radiations des aliments. Le *Mauritius Food Standards Agency Bill* opérera en un *One-Stop-Shop* pour tous les *stakeholders* comme annoncé dans le programme du gouvernement. Le *Mauritius Food Standards Agency Bill* veillera à la production, le stockage, la gestion, la manipulation et la consommation des aliments afin qu'il n'affecte pas la sécurité sanitaire de nos aliments pour le respect des normes alimentaires internationales et l'instauration d'un système efficace de contrôle de la réglementation alimentaire.

M. le président, en tant que gouvernement responsable, l'introduction du *Mauritius Food Standards Agency Bill* aura définitivement pour objectif de protéger la santé des consommateurs en veillant à ce que la nourriture consommée, distribuée, importée et commercialisée soit conforme aux normes les plus strictes de sécurité sanitaire et d'hygiène alimentaire. Il est important de souligner que les aliments malsains contenant des bactéries nocives, de virus, des

parasites ou des produits chimiques causent plus de 200 maladies. Des récentes estimations indiquent que l'impact des aliments impropres à la consommation coûte chaque année environ 95 milliards de dollars aux pays à faible revenu et aux pays à revenu moyen du fait des pertes de productivité. De bonnes pratiques d'hygiène dans le secteur de l'alimentation et de l'agriculture aideront à limiter l'émergence et la propagation de maladie d'origine alimentaire.

M. le président, j'apprécie les mesures prises en ce qui concerne les normes relatives aux aliments halal et végétariens qui comprendront dorénavant des règles qui vont être strictement suivies à de nombreuses étapes de la production telle que l'achat, la préparation, la transformation, la classification l'emballage, l'étiquetage, le contrôle, le chargement, le déchargement, le transport, la distribution et le stockage conformément aux règles. Et là, permettez-moi, M. le président, de mettre en lumière le travail déjà fait par le gouvernement concernant la sécurité alimentaire. Par l'intermédiaire de la commission FAO/OMS du Codex Alimentarius ou toutes autres normes internationales pertinentes, le gouvernement, en partenariat avec les gouvernements des états membres, insiste sur les normes alimentaires internationales qui servent de base pour garantir les objectifs de santé publiques telles que la sécurité alimentaire et la nutrition. Il ne faut pas non plus oublier le rôle joué par le ministère de l'Agro-industrie et la Sécurité Alimentaire qui veille également à la prévention de l'entrée et de la présence de parasites exotiques, à la mise en œuvre de programmes d'action pour la protection des végétaux et aussi à la surveillance et la gestion des parasites existants et nouvellement introduits.

Dans cette optique concernant les normes relatives aux produits de transformation, il serait bon de ne pas oublier les artisans charcutiers locaux spécialisés dans la transformation de la viande de porcine. Ces fabricants devront également être formés et être informés afin de mettre en œuvre les meilleures pratiques de fabrication et d'hygiène de base et d'assurer une qualité standard des produits finis et d'améliorer la qualité sanitaire.

M. le président, il est difficile aujourd'hui d'imaginer les commerces alimentaires sans normes. Les normes alimentaires permettent aux consommateurs d'avoir confiance dans la sécurité, dans la qualité, l'authenticité des aliments qu'ils consomment de la ferme, de la terre, de la mer jusqu'à la fourchette. Qui n'a jamais été surpris en lisant la liste des ingrédients sur les emballages de produits où on découvre des fois les codes assez illisibles comme E509, E224 ou E338 ? Et, j'en passe ; ce sont là, la plupart du temps, des additifs alimentaires et qui jouent

d'ailleurs un rôle important dans la conservation et aussi dans le rehaussement de goût des aliments. La santé et la durabilité alimentaire sont des priorités croissantes pour le gouvernement ainsi que pour les consommateurs dont nous protégeons les intérêts.

Alors, aujourd'hui je voudrais encore une fois soutenir ce projet de loi et remercier le ministre de la Santé car pour répondre à ces ambitions, le système alimentaire a un devoir d'y contribuer. Et c'est le rôle que jouera le *Mauritius Food Standards Agency* pour faciliter l'accès des consommateurs à une alimentation plus saine et plus durable. Ceci dit, M. le président, il est évident que le *Mauritius Food Standards Agency* viendra agrémente le *Food Act* déjà existant.

Je vais terminer mon intervention ici en félicitant le ministre de la Santé. Je recommande ce projet de loi à la Chambre. Merci, M. le président.

**Mr Speaker:** Hon. Vice-Prime Minister!

(6.20 p.m.)

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, thank you for giving me the opportunity to intervene on the Mauritius Food Standards Agency Bill.

As a small nation, highly dependent on imports for our food supply and food security, food safety is a prominent concern for us. This Bill, Mr Speaker, Sir, will be a significant step forward for the food industry sector in Mauritius. By providing a regulatory framework, it will allow us to ensure best practice in the food trade and hence, protect the health of our consumers. It will also promote transparency regarding the functioning of our food industry as well as ensure consumer confidence, accountability, information and certification.

Mr Speaker, Sir, access to safe and nutritious food is key to sustaining life and promoting good health. On a global perspective, figures are alarming when we see the number of food contaminations and deaths occurring due to consumption of unsafe food.

As had been mentioned by the previous speaker, according to the World Health Organisation every year nearly 600 million people fall sick and about 420,000 die globally because they consume unsafe food contaminated with bacteria, viruses and other chemicals. Studies have revealed that unsafe food containing harmful bacteria, virus, parasites and chemical

substances cause more than 200 diseases including allergies, infectious diseases and cancer among others.

Furthermore, unsafe food also creates a vicious circle of disease and malnutrition, particularly affecting the most vulnerable members of the society, that is, the infants, young children, the elderly and the sick.

Mr Speaker, Sir, safe and nutritious food is the key to promoting good health and wellbeing, but we often take for granted that the food we are consuming is safe. Thus, in a world where the food supply chains have become more complex, any food safety incident has negative effect on the public health trade and the economy, thus making food standard and regulation that much more important. Everybody has a role to play, that is, as we mentioned from farm to table to ensure the food we consume will not harm our health. The responsibility is shared between the government, the producers and the consumer as well.

The Mauritius Food Standards Agency will ensure that the food we are producing, consuming, importing and/or exporting complies with the regional and international regulatory measures. One of the many objectives of the Mauritius Food Standards Agency is that as a regulatory body, it will be responsible for the recommendation of the limits of pesticide residues in food. Globally, almost 3 billion tons of pesticides are deployed per annum. As far as our country is concerned, a 2018 report from the United Nations Food and Agricultural Organisation has shown that we have increased the use of pesticides in our crops, but apparently this trend is decreasing now.

Pesticides are agrochemicals that have proved to be extremely useful naturally in fighting pests and diseases in our crops. Should these pests have proliferated, our crops would have been severely affected, thus, putting our food security and economy at risk. However, the use of high level of agrochemicals in protecting our crops can also have potentially and highly deleterious impact on the economic environment and particularly on the public health.

One of the many health hazards that can be triggered with the use of occupational exposure to pesticides is the development of cancer. The acute and chronic effects associated with the production, distribution and the use of pesticides may be manifested in cytotoxic disorders, genotoxic mechanism with immune toxicity and hormonal change and carcinogenesis.

Studies have shown that a number of different cancers are associated to exposure to pesticides including multiple myeloma, Non-Hodgkin's lymphoma, leukaemia, bladder, breast and prostate cancer. As far as Mauritius is concerned, recent figures have shown an increase in the trend of new cancer cases among our population. According to the Cancer Registry 2020 Report, an increasing incidence of cancer is noted both in males - increased by 8.3%, and in females - increased by 7.8%, compared to the 2019 figures.

As I mentioned earlier, Mr Speaker, Sir, the setting up of the Mauritius Food Standards Agency will undoubtedly address the issue of use and overuse of pesticides in our crops with an aim to control the same, thus, preventing health hazards. I am confident that such an endeavour will to a certain extent contribute to the decrease in the incidence of cancer in our population. Even if not directly, then at the very least, this measure of control will allow us to eliminate it as a confounding variable in our quest to decrease the harm to our population through the exposure to food.

Mr Speaker, Sir, another important aspect with regards to this Bill which I would like to highlight is the purpose of developing standards and procedures for the certification of halal food.

In the Bill, Mr Speaker, Sir, at Section 4(f), mention is made to the effect that the Agency shall be responsible for developing of standards and procedures for the certification of vegetarian food, halal food and such other food as may be prescribed with such standards as the Agency may determine. Since halal foods require rigorous production standards, it is a worldwide trend that consumers are beginning to see halal food products as healthy, organic, ethical, animal-friendly as well. In fact, the halal industry is one of the fastest growing food industries and there is an increasing trend for consumers, regardless of their religious inclination, to choose halal products over products with uncertain sources or ingredients.

Many countries around the world, whether in the Middle East or in Europe, have implemented a halal authority for food analysis and consumption. For example, the European Committee for Standardisation (CEN) has set up a European Standard on halal food. Countries that have adopted a halal food certification include countries like Iceland, Norway, Switzerland and the Netherlands, amongst others. Halal food refers to food which is safe, hygienic and not harmful to health. Determination and certification of "halalness", apart from the religious aspect,

is mostly concerned with how the meat, the ingredients and the food products are chosen and handled in the food production process, and how cross-contamination is eliminated.

In addition, Mr Speaker, Sir, halal implies a strict adherence to quality and hygiene in compliance with guidelines around good manufacturing practices. The Jummah Mosque in Mauritius has over the years been taking the responsibility for certifying whether the food is halal or not, but unfortunately, we did not have a legal or regulatory body to support this endeavour. Now, the Mauritius Food Standards Agency can work together with such bodies as the Jummah Mosque, which as I have mentioned above has a long experience in this field, to provide a better legal framework for this important aspect of the food industry. This is specifically what this Bill addresses as the Mauritius Food Standards Agency will be responsible for ensuring a high degree of consumer confidence ensuring food safety, hygiene, nutritional quality and certification of processed food products for consumption.

Mr Speaker, Sir, a key role of the Mauritius Food Standards Agency will be to look into guidelines and compliance with regulatory measures. It will also work closely and collaborate with stakeholders in the private sector to promote awareness of food standards. It will also help to increase transparency and accountability through food hazard monitoring surveys, looking into the effectiveness of the food control system as well as labelling standards for foods. It will also carry out training programme related to food safety and standards.

This Bill, Mr Speaker, Sir, is also expected to promote consistency between the regulatory measures at the national, regional and international levels. Food safety and consumption is a shared responsibility between the government, producers, and consumers. Everybody has a role to play in this sector to ensure the food we consume is safe and will not harm our health. Today, this Government is presenting a Bill to the House which has taken into consideration all the aspects of food, ranging from production to consumption. It is also to be noted that many local health experts and dieticians have welcomed the introduction of this Bill and have said that it is high time to introduce this Bill.

Mr Speaker, Sir, this Bill will ensure a high degree of confidence in the food produced locally, and those that we import as well as export. By the setting up of the Mauritius Food Standards Agency, Mauritius is stepping forward to join the league of European countries as well as other countries, like Singapore and Malaysia, in the food sector.

On an ending note, Mr Speaker, Sir, we are confident that this Bill will modernise the food production sector in Mauritius. On this side of the House, we entirely support this Bill. Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Dr. Jagutpal!

(6.31 p.m.)

**The Minister of Health and Wellness (Dr. K. Jagutpal):** Mr Speaker, Sir, before proceeding with the summing-up, I would like to thank hon. Members of Parliament from both sides of the House for having brought their insights on the Mauritius Food Standards Agency Bill 2022.

You will recall that on 05 July, the Food Bill 2022 was enacted in this House. The Mauritius Food Standards Agency will complement this new Food Act. It will be a one-stop-shop cutting across the whole food supply chain from production to consumption. The proposed Mauritius Food Standards Agency is a regulatory body, which has been inspired from the best-established agencies worldwide including Australia, New Zealand, the European Union and its member States. It will use as benchmarks legislative guidelines by the Food and Agricultural Organisation and the World Health Organisation. It will adapt the main guidelines of the Codex Alimentarius Commission to the realities of our Mauritian society.

This Agency will be operational on 01 January 2023, as announced in the Government Programme 2020-2024 of this Government under the able leadership of the Prime Minister, hon. Pravind Kumar Jugnauth, who is determined to materialise this landmark achievement.

Mr Speaker, Sir, Government has to ensure that the food that reaches the plate of every Mauritian is safe, healthy and of nutritional value.

Let me bring some clarity on the views and comments expressed by MPs. Hon. Dr. Aumeer stated that we have not launched any campaign to create awareness for all stakeholders.

Mr Speaker, Sir, let me remind the House that the draft MFSA Bill was circulated among the key stakeholders in November 2021, last year. Among the stakeholders, there were the Ministry of Agro-Industry and Food Security, Mauritius Standards Bureau, representatives of various Food Business Operators syndicates and representatives of consumers such as

*Association des Consommateurs de l'île Maurice*, the Association for the Protection of Environment and Consumers as well as the Consumer Advocacy Platform.

In the same vein, a webinar was held on Monday 20 December 2021 at the WHO Local Office in Port Louis with all the key stakeholders to discuss with the technical committee and the Consultant, Dr. Bittisnich, some of the pertinent issues raised in their representations.

According to hon. Dr. Boolell, he has reliable information of the meeting held; and he believes that the meeting did not meet its objectives. So, we would like to know exactly. It is good to hear from somebody who participated in the meeting, how the meeting was held; and it was by large and far. But it is good to know what exactly he came to know. We are supposed, obviously, to give the information and not just ask to table the document.

Hon. Dr. Aumeer again argued that the public is unlikely to be willing to pay the cost of achieving maximum theoretical level of safety whether that cost is manifested in higher food prices or in restriction of freedom of choice.

Mr Speaker, Sir, it is an international practice for a country to have an agency to set out food standards. It is not a theoretical measure. It is a practical and reasonable measure and it is happening at the right time. The determinant of food prices are demand and supply, country of origin, competition, foreign currency, mainly freight and not only safety and quality. Therefore, we cannot compromise on food safety and nutritional quality.

Mr Speaker, Sir, hon. Dr. Aumeer stated that Government has unfortunately not consulted all stakeholders and that Food Experts, be it from private sector or from other Ministries should be able to give their opinions independently.

Again, let me remind the House that during the workshop that was organised in the presence of Dr. Bittisnich, those who were present in that workshop were –

- Microbiologist, Chief Government Analyst, Chief Nutritionist of my Ministry;
- General Secretary of ACIM;
- Health Inspector of the City of Port-Louis;
- President of Consumer Advocacy Platform;
- Representative of Ecolosia Group;

- Manager of EDB;
- Head of Quality of IBL;
- Seafood and Food Coordinator of MEXA;
- Head of Chemical Unit of Mauritius Standards Bureau;
- Principal Scientific Officer of the Ministry of Agro-Industry;
- Development Officer from the Ministry of Cooperatives;
- APS from the Ministry of Education;
- Analyst from the Ministry of Finance;
- Health Inspector of the Moka District Council;
- Acting Director of the Office of the DPP;
- Representative of SME Mauritius;
- Assistant Commercial Manager of the STC, and
- Associate Professor from the University of Mauritius.

The hon. Member also commented on over regulation. Mr Speaker, Sir, I will comment on this issue at a later stage when refuting the arguments of hon. Uteem.

Hon. Dr. Aumeer went further stating that there were serious omissions in the composition of the Board - there is no representative of the Ministry of Fisheries. In fact, representative of the Ministry of Fisheries can be co-opted, as specified in Section 8(10) of the Bill to attend the Board meeting if their presence is needed.

Hon. Dr. Aumeer talked about the possibility of having sub-committees for Vegetarian and Halal Certification. I wish to point out that Section 9 provides for committees on specific issues such as vegetarian foods and halal foods, where expert in these areas can be co-opted as provided in Section 8(10). And as rightly pointed out by the hon. Vice-Prime Minister, we can get people who have experience, especially in halal food, from the Jummah Mosque to be part of that committee.

In the section 9, the committee shall consist of not more than 4 members determined by the Board and shall meet as often as is necessary. The committee shall report to the Board after completion of their work within such time as the Board may determine.

Mr Speaker, Sir, if we had to include representatives of all organisations in the Board. We would end up having more than 20 members. Would it be appropriate to have a board with more than 20 members?

Hon. Dr. Aumeer further mentioned that the MFSA should be able to assess novel food, food additives and genetically modified organisms. This has also been pointed out by hon. Dr. Boolell. And secondly, Dr. Aumeer also proposed the setting-up of a National Food Crime Unit to look into food fraud risk in the country.

We should make the distinction between the Food Act 2022 including the Regulations and the Mauritius Food Standards Agency Bill. In the Food Act, there is provision to prohibit or regulate the sale advertisement or importation of any novel food. In the Food Regulations, any person importing manufacturing or selling any novel food shall obtain a pre-market approval permit issued by the supervising officer. So, it is already catered in that law. Whereas the Mauritius Food Standards Agency Bill provides for the development of standards related to novel food at Section 4 (a) where it has the responsibility to ensure a high degree of consumer confidence in the safety and nutritional quality of food.

Now, concerning fraud risk, may I draw the attention of the hon. Member, that investigating into fraud risk is the responsibility of the enforcement division of the Ministry, that is, the Public Health and Food Safety Inspectorate, which is already catered for in the Food Act. He also mentioned about reviewing the actual sampling strategy.

Going through the Bill properly, there is provision at Section 5(3) (g) of the Bill, which reads as follows –

“The MFSA will develop methods of sampling, analysis and examination for the purpose of enforcing the provisions of the Food Act 2022.”

So, the standard will be developed by the MFSA, but the implementing agency will be through the health inspectorate as the provision is made in the Food Act 2022. So, it means the MFSA will develop guidelines which will be exercised by the Public Health and Food Safety

Inspectorate through enforcement of the Food Act and the Food Regulations. He further proposed that the Bill must also consider animal welfare, environment and economic impact. Hon. Dr. Boolell, during his speech, also stated issues related to food born diseases, market sanitary conditions, but the mandate of this Bill is food safety and food nutrition, not animal welfare.

Now, I will come up to the points raised by hon. Uteem. The hon. Member mentioned that ingredients are written in small characters. The MFSA is mandated to look into it at Section 5(3) (a) where the Agency may develop draft standards and guidelines in relation to the articles of food under the Food Act 2022.

As I said earlier, the MFSA developed the guidelines and standards while the Public Health and Food Safety Inspectorate is the enforcement component under the Food Act. So, it is already taken on board in the Food Regulations, where all mandatory food information on the label of pre-packed food shall be clearly legible as specified in guidelines, which will be developed by the MFSA. Until we do not have the guidelines developed by the MFSA, we cannot implement it. I wish to inform the House that the new Food Regulations under the Food Act are in the process of finalisation. We will have the Food Act with a new set of Food Regulations and at a later stage, the MFSA and its regulations.

Hon. Uteem raised concern about coding of ingredients. This has already been considered in the Bill at Section 4(f). In fact, the MFSA will develop standards and procedures for the certification of vegetarian food, halal food and such other food, as may be prescribed with such standards as the Agency may determine. Among others, food certified as vegetarian or halal will bear the corresponding symbols. Obviously, we have to wait for the time when this Agency comes into operation and by the time they will start functioning, have consultation with all the stakeholders and then start implementing these measures.

The hon. Member also stated the Agency may require to disclose the fat content, sugar content in a product sold locally. Here again, the hon. Member must be made aware that this has already been considered in the draft regulations of the Food Act 2022. The MFSA will set criteria to ensure that Food Business Operators disclose fat content or sugar content in a product sold locally as set in Section 4 (a) as mentioned earlier.

In the forthcoming regulations, the following food containing any of the following nutritional items should bear a statement setting out the amount of each item per 100 milligrams or 100 millilitres and the percentage of daily intake. These are –

- (i) energy, expressed in kilojoules or kilocalorie;
- (ii) protein;
- (iii) fat;
- (iv) saturated fatty acid;
- (v) carbohydrate;
- (vi) sodium;
- (vii) sugars;
- (viii) dietary fibre, and
- (ix) trans fat.

Again, these are information for the public in general so that they get all the information required on what will be displayed and the concerns that we will be having. So, obviously, all these measures will come in time. We have to give time for information, for the communication before applying these measures. Hon. Uteem elaborated on the accuracy of information and maximum limit of additives and pesticide residue. So, as rightly pointed out the responsibility of the MFSA is to develop or revise food standards having regards to international relevant standards and recommending maximum limits of food additives, micro-biological counts, pesticide residues, veterinary drug residues, heavy metals, processing aids, micro-toxins and irradiation of food as per Section 5(3)c of the MFSA Bill.

These standards will be adapted from international organisations like the Codex Alimentarius or Food Standards Australia and New Zealand. Stakeholders will have to be given prior notice and will have to be communicated properly before the implementation through regulation.

Hon. Uteem elaborated on the Mauritian Culture of Street food and on the importance of training. Training of food handlers is already provided in the Food Regulations and has been

ongoing for the past 22 years. In fact, training of food hygiene handlers is one of the mandatory requirements prior to obtaining a Food Handlers Certificate under the Food Regulations.

Presently, there are 13 Regional Health Offices of the Public Health and Food Safety Inspectorate around the island with a workforce of 102. We intend to increase that number with the coming into force of the MFSA Bill. Last year, 17,355 Food Handlers Certificate were delivered to them. For this year from January to September, a total of 58,173 Food Handlers Certificate have already been issued.

In 2021, the Public Health and Food Safety Inspectorate carried out 19,162 inspections around the island and issued 2,134 Improvement Notices and established 374 contraventions. In 2022, as at end of September, 14,564 inspections were carried out, out of which, 2,290 Improvement Notices issued and 293 contraventions established.

Hon. Uteem queried whether this will be a condition to obtain their licence and secondly whether food hawkers will be given a moratorium to comply with any food safety standard prescribed by the Agency? Obviously, yes. All Food Handlers must be in possession of the Food Handlers Certificate before they start to operate and there will be a moratorium for food hawkers, food business operators to comply with any food safety standard prescribed by the Agency.

We have no intention to ostracize, persecute or harass food business operators. Our aim is to ensure that healthy food lands in our plates; hence, we have to be cautious at all levels of food supply chain.

On one side, yes, we have to guarantee public confidence, food safety and nutritional quality. On the other side, we have to ensure that Food Business Operators clearly understands Government's mission to safeguard food safety and nutritional quality.

Let me inform the House about the case hon. Dr. Boolell just pointed out, that is, a Food Business Operator in the region of Port Louis was served an emergency closing order. This is because our Public Health and Food Safety Inspectorate found that he did not satisfy conditions necessary for the hygienic production of food. After inspection, 22 shortcomings were noted on his food premises and a Notice before Issue of Emergency Closing Order was served on the operator for non-compliance with standards set in the Food Regulations in force. Unfortunately, he failed to comply with the Order and an Emergency Closing Order was served. Eventually he

was allowed to operate again as he agreed to stop some of his activities which were causing non-compliance and my intervention in this case was not to interfere with the decision of the health inspectors as pointed out. It was not my intention to interfere. In fact, we politicians, we should not interfere in the work of the health inspectors when they are carrying out their duties nor try to make this become a political issue by going to the Press and do all sort of issues.

In fact, we have to understand that the FBO, that is, the Food Business Operators, they have to abide to regulation. They will be served a notice for compliance and it is not that that the Emergency Order will come the next day. They have to be given the time but here, because of non-compliance and after that food business operator, he himself, said ‘okay, I am going to operate part of this business’ which was allowed by the health inspectors - and it is not the Minister who has to interfere.

Hon. Uteem talked about the powers of the Minister. Just to summarise his queries –

- (a) He questioned the presence of the Director of MSB or;
- (b) He talked about apparent *mainmise* of the Minister on the Operations of the agency;
- (c) He questioned the appointment of a representative of organisations;
- (d) He also questioned the appointment of the Director, the staff and whether the Director would depend on the Minister; or
- (e) Why the Director is not from the private sector, and
- (f) Whether the Minister would he approve the estimates of income and interfere on the Board’s decisions to buy equipment or the Minister will act as the Human Resource Manager.

So, let me answer this.

Now, concerning the Board member of MSB, it is true that there is presently no Director in post at the Mauritius Standards Bureau. However, as stated in the Section 7 (j) of the MFSA Bill, the Director or his representative may act as member of the Board. So, there is always somebody who can represent the MSB.

Hon. Uteem argued that the Minister will have a *mainmise* on the operations of the agency and that he will approve the appointment of the Director. There is some confusion here between the appointment and the approval. The Director of the MFSA is appointed by the Board and the members of the Board, I believe you have it in Section 7, there are more than 12 members of that Board including representatives from Consumer Protection and different Ministries. They will appoint the Director. The Minister only gives the approval. This is normal administrative procedures. I believe at one time, if ever but it does not seem to be in the near future, whenever you will come on this side of the House, you will understand the administrative procedures. Now, this is the usual practice.

Anyway, concerning Directors deciding policies, no; it is the Government which decides the policies. Directors, Directors of corporate, they only develop and implement these policies, they do not decide policies. We decide policies, we debate on such policies and they implement the decision taken.

Let me remind you about the introduction of the Nursing Council Bill in 2003. I believe you will understand why I pointed out 2003. I have not done much homework; just this little bit. So, at Section 41 of the Bill, for the Nursing Council –

“The Minister may give to the Council such directions of a general nature, not inconsistent with this Act, as he thinks fit, and the Council shall comply with such directions”.

So, the hon. Member is talking about *mainmise*; I will not go further into that. We have to understand. Hon. Luchmun Roy already referred to this Section 5 of this Bill, that is, the function of the agency and I am not going to reply to it again.

Now, the question was about the appointment of the representative of the Consumer Organisation. Mr Speaker, Sir, it is not the responsibility of the Agency to decide who will represent the Consumer Organisation. The various Consumer Organisations should be able to delegate a representative for the Board of the MFSA. So, it is not the Agency that will decide. It will come from the different organisations.

Hon. Uteem asked about the terms and conditions of the employment of the Director, of the staff of the Agency, whether, the Director would depend on the Minister and as to why the Director does not come from the Private Sector. So, let us answer these questions.

So, now imagine the Director from the private sector is appointed by the Board and the Board decides the salary of the Director. This has nothing to do with the Minister. The package of its members, the terms and conditions of appointment are totally independent and earlier the question was raised by hon. Dr. Aumeer about 'over-regulating'. Now, we give that independence totally to the Board and they decide whatever they wish to do and you, address me a PQ on this issue and now I will reply you in simple language –

As per the Mauritius Food Standards Act, I do not have any power. I cannot even question the Board because it is totally independent. It decides the salary, it decides the terms and conditions, whether they overregulate under regulate, they take all the decisions.

Again, you as the Chairman of the Public Accounts Committee, do you not want to know what the Board is doing, what the Director is doing, if it is coming from the Ministry of Health? Do you not want to get this information? You referred to purchase of equipment, procurement; yes, we are accountable. It is okay, you try to get the political mileage. That is okay, we understand that but you as the Chairman of the Public Accounts Committee, do you not want to get this information? Were you not happy to question the officers of the Ministry, to put questions to me, to address PNQ to me. I am here to answer to you. That is why in the Bill, there is a provision for the Minister to give approval for the terms and conditions. So, that is the reason. It is good to see the other side but try to see this side also -what is good in this Bill and then the Minister is here to give you all information.

So, I believe that I have answered most of your queries. Probably it is good to mention that and it is good for the public to know – you mentioned also that the post of the Director of the MFSA may be tailor made. Mr Speaker, Sir, Section 10 (4) of the MFSA Bill stipulates that the Director shall be an officer of the Ministry holding a degree in Food Safety, Food Hygiene, Food Science or any equivalent or qualification and at least 7 years of experience. Presently, there are at least 24 officers of the Ministry eligible for the post of Director as they all meet the qualifications and work experience of requirements. Is this tailor made?

I will also point out that officers of the Ministry are more acquainted with our policies and set up. Can you imagine that you get somebody from the private sector, the Director? And we are talking about regulations on food quality and food control and earlier, you were talking on *marsan gato piman* and *roti*. Can you imagine if ever we do not have any say in such an Agency, what would happen? You would have come and tell us. We would have to modify and to say that yes, we should be answerable to Parliament; we should be answerable to whatever the Agency is doing for the population because after all, we are democratically elected. I believe that you will agree with us even though at some point in time, you did not agree with us but now it is time to agree that we are all democratically elected by the people, for the people. And we have to be responsible for this management of public fund.

So, Mr Speaker, Sir, the Mauritius Food Standards Agency will be a game changer in ensuring that food is safe and of nutritional value. We have to give time for this Agency to start its operation; we should not press on them, we should give them time to accumulate, to get all the experiences and then to start acting. And I am sure that in years to come this Mauritius Food Standards Agency will be able to achieve what really the Government is willing to.

With the enactment of the Food Act 2022, we have paved the way for the introduction of innovative measures. This MFSA will also be a think tank and carry out research work so as to ensure that our population is healthy. It will act primarily as an advisory body proposing food standards for adoption as well as coordinating and reviewing the food control system.

The next step is now to inculcate healthy eating habits among the population. And to be able to do so, it is the responsibility of the Government to ensure that food available is safe, of nutritional value, properly legislated and regulated.

Mr Speaker, Sir, the MFSA Bill sets out ambitious objectives. My Ministry will ensure that the proper information, communication and assistance are provided to all stakeholders in order to ensure a smooth transition. In doing so, we shall make sure that we are at par with international norms and standards we aim to meet.

The collaboration of all stakeholders, be it food business operators, food hawkers, unions, NGOs and consumers is required for the successful implementation of the Mauritius Food Standards Agency.

To end up, I would like to thank the Attorney General's Office and the Public Health and Food Safety Inspectorate of my Ministry, particularly –

- (i) Mr Nagapachetty, Director;
- (ii) Mr Yusoof Gungoo, the Principal of Public Health and Food Safety Inspector;
- (iii) Former Directors: Mr Bisnoochamdur Temba and Mr Emjan Beeharry for their assistance in the preparation of this Bill.

And the whole team for their involvement in preparing this Bill.

Mr Deputy Speaker, Sir, I thank you for your attention. I now commend the Bill to the House.

*Question put and agreed to.*

*Bill read a second time and committed.*

### **COMMITTEE STAGE**

*(Mr Speaker in the Chair)*

### **THE MAURITIUS FOOD STANDARDS AGENCY BILL**

**(NO. XIII OF 2022)**

*Clauses 1 to 4 ordered to stand part of the Bill.*

*Clause 5 (Functions of Agency).*

*Motion made and question proposed: "that the clause stand part of the Bill".*

**Dr. Jagutpal:** Mr Chairperson, I move for the following amendments in clause 5–

“In clause 5 –

- (a) in subclause (3), by deleting paragraph (k) and replacing it by the following paragraph –
  - (k) develop procedures under which risks shall be assessed, analysed, communicated and managed by using developed protocols, where available;

- (b) in subclause (4)(k), by deleting the words “the Codex Alimentarius” and replacing them by the words “any relevant international standard”.”

*Amendments agreed to.*

*Clause 5, as amended, ordered to stand part of the Bill.*

*Clauses 6-28 ordered to stand part of the Bill.*

*The title and enacting clause were agreed to.*

*The Bill, as amended, was agreed to.*

*On the Assembly resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.*

### *Third Reading*

*On motion made and seconded, the Mauritius Food Standards Agency Bill (No. XIII of 2022) was read a third time and passed.*

## **ADJOURNMENT**

**The Deputy Prime Minister:** Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Thursday 03 November 2022 at 3.30 p.m.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo) seconded.**

*Question put and agreed to.*

**Mr Speaker:** The House stands adjourned.

Adjournment matter! I will leave you in the hands of my learned friend, the Deputy Speaker.

*At this stage, the Deputy Speaker took the Chair.*

**The Deputy Speaker:** Thank you very much. Please be seated! Hon. Osman Mahomed!

## MATTERS RAISED

(7.08 p.m.)

### VALLÉE PITOT, BLOCK 10 – HIGH-VOLTAGE CABLES

**Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central):**

Thank you, Mr Deputy Speaker, Sir. I would like to address the hon. Minister of Public Utilities tonight regarding the shifting of high-voltage cables that are low-lying over several houses in a region in Vallée Pitot known as Block 10. Following a formal request that I had received from *Association Sociale et Civique*, I had formally written to the General Manager of the CEB five months ago, on 23 May 2022, following which a site visit took place and some commitments were taken by the CEB officers. However, since then nothing has happened. My request tonight is for the hon. Minister to kindly request the CEB to revive this matter with a view to having these dangerous high-voltage cables shifted the soonest possible. I have the document with me; I will submit it for the attention of the hon. Minister.

**The Minister of Finance, Economic Planning and Development (Dr. R. Padayachy):**

Mon collègue n'a pas pu venir aujourd'hui, je vais passer le message et retransmettre le dossier et il prendra les actions nécessaires.

**The Deputy Speaker:** Hon. Uteem!

(7.09 p.m.)

### HSC EXAMINATION PAPER – LEAKAGE

**Mr R. Uteem (Second Member for Port Louis South & Port Louis Central):** Thank you, Mr Deputy Speaker, Sir. The matter which I would like to raise concerns the hon. Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology. Unfortunately, she is not here. It relates to the leakage of the examination paper for HSC which happened last week. The exam paper was pure Maths. I have received calls from various parents who are very worried about how such an incident happened, but also what would happen to that examination paper, whether it would be cancelled, whether new exam would be taken. And especially those competing for scholarships are very mindful that any student who may have had access to the leaked mathematics paper does not get an unfair advantage over someone who was very honest and did not have a look at any of the leaked papers. So, I would be grateful if the

hon. Vice-Prime Minister, Minister of Education could at least make a statement to the Press and reassure all these parents as to what will happen with regard to the examination in pure Maths.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Deputy Speaker, Sir, I will pass on the message to the Minister concerned.

**The Deputy Speaker:** Thank you. Hon. Mrs Luchmun Roy!

(7.11 p.m.)

### **PRIEST PEAK MOUNTAIN – ILLEGAL WORKS**

**Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue):** Thank you, Mr Deputy Speaker, Sir.

My address this evening is to the Deputy Prime Minister, hon. Steven Obeegadoo, Minister of Land and Housing as well. I have been informed by the inhabitants of Ramsurrin Lane in Vallée des Prêtres of illegal work on the flank of Priest Peak Mountain. They have sent a copy of the letter to you and to the LDA as well as they have informed the MPs of the area that there are some illegal works according to them being carried out in that area and which is considered to be flood-prone. So, I would request the Deputy Prime Minister to use his good office and to look into the matter urgently.

Thank you.

**The Deputy Speaker:** Thank you very much. Hon. Deputy Prime Minister!

**The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo):** Certainly, Mr Deputy Speaker, Sir. I must confess that I have not come across such a correspondence. I would urge my hon. friend to bring any information she has in her possession to my attention and if it is suspected that an illegal act has been committed, I am sure you will concur, Mr Deputy Speaker, Sir, that the first step would be to report it to the Police.

**The Deputy Speaker:** Thank you very much. Hon. Ms Joanna Bérenger!

(7.12 p.m.)

**GOVINDEN LANE - SIVANANDA AVENUE, VACOAS – LIGHTING &  
ACCESSIBILITY ISSUES**

**Ms J. Bérenger (First Member for Vacoas & Floréal):** Je vous remercie. Ma requête s'adresse à l'honorable ministre des Collectivités Locales. Les habitants de Vacoas, devant emprunter la ruelle aussi connue sous le nom de Govinden Lane, déplorent le manque de luminosité et le fait que les escaliers fraîchement construits et menant à l'avenue Sivananda, ne soient pas équipés de barrières de soutien pour les personnes âgées ni de facilité d'accès pour fauteuil roulant. Je lui demanderai donc de bien vouloir faire le nécessaire et de s'assurer que toutes démarches soient inclusives et prennent en considération les besoins de tout un chacun.

Je vous remercie.

**The Deputy Speaker:** Thank you. Hon. Vice-Prime Minister!

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Deputy Speaker, Sir, I will pass on the message to the Chief Executive of Vacoas-Phoenix.

**The Deputy Speaker:** Hon. Dr. Farhad Aumeer!

(7.13 p.m.)

**DR. EUGENE LAURENT STREET, PORT LOUIS - *MIRADOR* - ERECTION**

**Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central):** Thank you.

My request is addressed to the Vice-Prime Minister, Minister of Local Government. My request concerns the erection of pretty huge *mirador* that occupy more than half of the width of the road along Dr. Eugene Laurent across the Mauritius Turf Club on Fridays, preceding race course events organised by People's Turf. Will the Minister see with the relevant authorities that appropriate warning signs, reflecting banners and lighting equipment be affixed to this *mirador* to avoid unfortunate accidents? This being a major route for the inhabitants of Vallée Pitot and Tranquebar.

Thank you.

**The Deputy Speaker:** Hon. Vice-Prime Minister!

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Yes, Mr Deputy Speaker, Sir. I will pass on the message to the Municipality of Port-Louis.

**The Deputy Speaker:** Hon. Fabrice David!

(7.14 p.m.)

### **PLAINE LAUZUN – ROAD SIGNS & MARKINGS**

**Mr F. David (First Member for GRNW & Port Louis West):** Merci, M. le président. Ce soir je souhaiterais attirer l'attention du ministre des Transports Terrestres sur une zone à risque pour les accidents de la route, à savoir la zone industrielle de Plaine Lauzun qui est traversée quotidiennement par des centaines de véhicules individuels, professionnels et industriels. A plusieurs croisements de cette zone industrielle, le marquage au sol est devenu quasi invisible et les panneaux de signalisation sont souvent inexistants. L'un des exemples les plus flagrants est l'intersection se trouvant non loin du supermarché Dream Price à Plaine Lauzun où la ligne blanche a disparu et où je n'ai vu pas le moindre panneau *Stop* depuis au moins deux ans. Pour réduire le risque important d'accidents de la route, puis-je suggérer en particulier à cette dangereuse intersection grandement traversée, l'installation de ce qu'on appelle techniquement un *Raised Safety Platform (RSP)* qui obligera les automobilistes à ralentir ? Merci pour la considération du ministre et du ministère concerné.

**The Deputy Speaker:** Minister, please.

**The Minister of Finance, Economic Planning and Development (Dr. R. Padayachy):** M. le président, je prends note et j'informerai mon collègue de ce problème, et il va prendre les actions nécessaires.

Merci.

**The Deputy Speaker:** Hon. Aadil Ameer Meea!

(7.15 p.m.)

### **ABBATOIR ROAD, ROCHE BOIS – BAD STATE**

**Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East):** Yes, thank you, Mr Deputy Speaker, Sir. The issue I am raising tonight is addressed to the

Minister of Public Utilities but also to the Minister of Public Infrastructure. It is in relation to the very bad state of the Abbatoir Road which is found in my Constituency; Constituency No. 3 in Roche Bois. It starts from the junction of St Martin Street up to the motorway near the *passerelle* in Roche Bois. What happened is that it has been more than a year that following the works of CWA at the said site, the conditions of the road have been left unattended, resulting in a hole of approximately one metre width and 50 metres long.

So, as you are aware that this road is being used as a shortcut to enter and leave the city and the very bad state of the road causes traffic congestion but is also a risk for accidents. Therefore, I urge the hon. Minister if he can do needful to tar the road ASAP. Thank you.

**The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint):** M. le président, je vais transmettre les doléances de notre honorable membre au ministre concerné.

**The Deputy Speaker:** I believe that we are done for the day. Have a safe trip back.

*At 7.17 p.m., the Assembly was, on its rising, adjourned to Thursday 03 November 2022 at 3.30 p.m.*