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**Effective and Inclusive Regulation of Street
Foods in Kumasi: Promoting Food Safety,
Protecting Consumers and Enhancing the Well-
being of Food Vendors**

Prepared by

Dr John Boulard Forkuor*, Professor Kofi Osei Akuoko* and Dr Eric Henry Yeboah*

*Department of Sociology and Social Work, Kwame Nkrumah University of Science and Technology, Kumasi, Ghana



PREFACE

Purpose of the Brief

This brief was prepared to begin stakeholder discussions and plans on improving the safety of street-vended foods through effective regulations and inclusive participation and ownership of regulations by vendors. It puts forward a number of specific recommendations aimed at improving the safety of street-vended foods within the Kumasi metropolis. The recommendations are based on three years of research (2012-2015) into the regulations governing street-vended foods in the Kumasi Metropolis. The aim of this brief is not to dictate solutions to policy makers and regulatory authorities, but to serve as a platform on which stakeholders can deliberate and develop draft regulations that will help to protect both consumers and street food vendors.

Structure of the Brief

The brief is presented in four parts. It begins with an executive summary, followed by a discussion of the background information, the problem and a justification of the study leading to this brief. The third part of the brief specifically explores the challenges and limitations within the existing regulatory framework and practices. Finally, specific recommendations for actionable activities have been made.

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EXECUTIVE SUMMARY

In urban areas of developing countries like Ghana, street-vended foods play an essential part in the lives of residents, serving as important sources of food and employment. In the Ghanaian city of Kumasi however, this research has revealed that the potential benefits of street-vended foods are affected by challenges to an effective regulation of street foods.

Presently, this research has revealed that there is no regulatory body in Kumasi with its sole mandate the regulation of street foods. What exists are a number of institutions whose mandate include, but are not limited to the regulation of street-vended foods. There is also a lack of specific street food rules that take into consideration the different modes of preparation of the different street-vended foods. Regulators work within a weak organisational context of poor resources (human, financial and logistics), a situation, which has affected their effectiveness as well as their motivation. Vendors in turn are poorly informed of who regulators are and what they are legally allowed to do. These challenges have negative implications for the regulation of street-vended foods and for the well-being of street food vendors and urban residents at large.

This brief recommends the establishment of a separate well-resourced street food regulatory division, with officers well motivated and trained with Hazard Analysis and Critical Control Point (HACCP) knowledge of how to regulate specific street vended foods. This brief further recommends the use of HACCP studies, through the collaboration of various stakeholders, to develop street food specific laws that take into consideration the differing modes of preparation and contamination points of the key foods prepared within the metropolis.

BACKGROUND

Street Food (SF) has been an essential aspect of urban living for years, serving as a source of food, nutrients and employment for urban residents (Abdussalam & Kaferstein, 1993; Meagher, 1995). It is estimated that 2.5 billion people world-wide consume SF on a daily basis, mainly as a result of its low cost and ease of access (Fellows and Hilmi, 2012). In addition to its importance as a source of food and nutrients, SF also serve as an important source of employment for urban residents (Meagher, 1995). In the South American countries of Brazil and Mexico for instance, approximately one million people are directly employed in the Street Food Sector (SFS). Furthermore, in India, approximately 3 million people are directly involved in the SFS (Fellows and Hilmi, 2012). Similarly, sub-Saharan African countries have experienced a steady growth in SF, with the SFS playing an important role as a source of food, nutrients, income, and employment for urban residents (Muleta and Ashenafi, 2001; Riet, Hartog, Mwangi, Mwadime, Foeken, and Steveren, 2001; Acho-chi, 2002; Mitullah, 2003; Ohiokpehai, 2003).

In view of the important role played by SF, governments, policy makers, researchers and academics (Draper, 1996; Ekanem, 1998; Maxwell, Levin, Armar-Klemesu, Ruel, Morris, and Ahiadeke, 2000; Mensah, Yeboah-Manu, Owusu-Darko, and Ablordey, 2002) have emphasised the need for all stakeholders to ensure that SF are safe for consumption by urban residents. In Ghana, Johnson and Yawson (2000) have argued that as a result of the important contribution of SFs to urban livelihoods, it is essential that the Street Food Sector (SFS) is regulated and developed into a hygienic, safe and sustainable sector to promote the socio-

economic well-being of urban Ghanaians. This research investigated the regulation of street foods in the Kumasi metropolis of Ghana, with an aim of informing and improving regulatory practices and ensuring the provision of safe street foods for urban residents and the socio-economic well-being of street food vendors.

As the second largest city in Ghana, the research location of Kumasi was appropriate for various reasons. As a result of its transport network and commercial activities, a lot of travellers, goods, and services pass through Kumasi to other parts of Ghana, and the West African sub-region on a daily basis (Adarkwa, 2011). For these commercial businesses and workers, travellers and shoppers, SFs serve as a source of easily available food as they work in the city or pass through the city to other parts of Ghana and the West African sub-region (Feglo and Sakyi, 2012). This has resulted in a significant number of street food vendors operating in the metropolis. Because of the important role that SFs play for residents and for travellers through the city, the regulation of SFs has implications for both residents of Kumasi, as well as for traders and travellers from other parts of Ghana and the West African sub-region. In other words, Kumasi is strategically placed to benefit from research that aims at improving the regulation of SFs. This underscores the importance of Kumasi as an ideal area for research study into the regulation of SFs.

CHALLENGES WITH THE PRESENT REGULATORY SYSTEM

This research revealed that despite the presence of other government institutions, it is the Environmental Health and Sanitation Unit (EHU) of the Kumasi Metropolitan Authority, with its Environmental Health Officers or Health inspectors, that are directly involved in the day-to-day regulation of street foods. The challenge is that these officers combine street food regulations with a host of other non-street food regulatory activities as well. Thus, even though having a single agency like the EHU handle the day to day regulation of street foods may be beneficial (increasing accountability, efficiency, and uniformity of implementation) (FAO & WHO, 2003), the multiple responsibilities performed negate the benefits that may have emerged from having a single agency to regulate street foods.

Another significant challenge to the regulation of street foods is that the EHU is under-resourced (financial, human, logistics), lack access to adequate security during field regulatory activities and do not have access to transportation. These challenges affect food inspection and vendor education in diverse ways. Specifically, it has been revealed that, because of the challenges above, regulators have become less motivated, feel undervalued, and lack a sense of belongingness. This lack of motivation and a lack of feeling of value and belongingness are crucial because, research have revealed that the ability of employees to identify with and feel valued in their work is essential for effective performance (Chalofsky and Krishna, 2009).

The EHU within KMA was found to be relying on a variety of laws in regulating street foods. These laws are rather general food control laws applicable to food manufacturing firms, formal hotels, restaurants and slaughterhouses. The challenge here is that these laws are then subject to the discretion and interpretation of EHOs who may implement them differently

under different circumstances. In other words, the lack of specificity of these laws gives street food regulators increased discretion in implementing them, deciding which laws to enforce, ‘where’ and ‘when’. Consequently, the increased discretion that EHOs enjoy can be detrimental to the well-being of SFVs in the form of harassment of vendors. This is a major limitation for street food regulations in Kumasi since having laws that are specific to a cultural context has been argued to be important for effective regulation of SFs (Fellows and Hilmi, 2012; Nicolo’ and Bendeck, 2012). The FAO and WHO (2003) have argued for instance, that it is essential for street food regulatory policies to consider the varying needs, constraints and abilities of various street vendors, and to take into consideration local conditions and risk factors that are specific to particular food preparation procedures.

Transparency through education of vendors about what regulators are legally allowed to or not to do is essential since such transparency has been suggested as important for the effectiveness of food safety policies and regulations (Bessy, 2009). This research rather revealed that education of food vendors focused mostly on the importance of maintaining food hygiene environments and the food vendor health certificate, without teaching vendors about what regulators were legally allowed and not allowed to do. The implication of this is that, vendors are left unaware of what may be considered an acceptable and unacceptable action by food regulators, putting them at a disadvantage and often at the mercy of street food regulators. Thus, uncertainty, lack of clarity, and lack of knowledge on the part of vendors about laws promote harassment of vendors by city authorities and regulators (Cohen et al. 2000).

For vendors, lack of knowledge of regulatory practices, harassment and a lack of trust in regulators in general were found to be some of the main challenges. Alfors (2011) asserts that harassment of vendors by regulators persists partly as a result of a lack of any form of institutionalised communication between these two stakeholders. Such an assertion appears applicable to the street food regulatory sector in Kumasi. The lack of good communication structures between these two key stakeholders, coupled with the suspicion and lack of trust with which SFVs perceive regulators have negative implications on the effectiveness of regulations: *“to help street food handlers change their behaviour, you will need to dialogue with them and build an interpersonal relationship of trust and credibility”* (FAO, 2009: 120). The statement above underscores the importance of maintaining a sustained relationship between street food vendors and regulators. Regulators must (be made to) understand that: *“behavioural change is a long term process. It is neither immediate nor constant. It is gradual and comes from a long period of learning”* (FAO, 2009: 120).

In the various spheres of interaction among stakeholders, Street Food Vendors (SFVs) remain largely recipient of instructions rather than as equal and active partners in regulation. This remains a major limitation, which needs to be addressed. This is because, regulatory practices that are inclusive and involve key stakeholders (including vendors) working towards a negotiated but common goal has been argued and found to be effective (Chen, 2004; Kumar, 2012). In Dar es Salaam, Tanzania, the adoption of an inclusive participatory approach to regulation of street vendors has reportedly resulted in the reduction of crime, improved cleanliness of streets, and enhanced implementation plans in general (International Labour Office, 2013). Inclusive participation and partnership between vendors and regulators working together to achieve a single goal can help re-establish trust between SFVs and

regulators in Kumasi, as has been demonstrated in Bhubaneswar, India and other places (Kusakabe, 2006; Kumar, 2012).

One phenomenon found in this research and that has gained significant attention in literature is the phenomenon of taking bribes from street food vendors (Anjaria, 2006; Skinner, 2008c and Alfes, 2011). Vendors expressed a feeling of helplessness in their relations with regulators regarding inspection and enforcement. This has eventually led to a feeling of suspicion and distrust of regulators, where vendors feel that inspection is simply an attempt by regulators to extort money. Such feelings of suspicion and distrust may negatively affect vendors' willingness to comply with regulatory requirements. This may explain some of the cited instances where food vendors attacked regulators.

POLICY RECOMMENDATIONS

On the basis of the challenges outlined above, the following recommendations are made for effective and inclusive regulation of street foods in Kumasi:

Establish a Separate Street Food Regulatory Body

Since the EHU also performs other non-street food regulatory activities, this research recommends that in order to enhance the effective regulation of street foods and to improve the efficiency and expertise of street food regulators, the KMA must establish a separate division that will have, as its sole purpose, the regulation of street foods. Officers in this new street food division must be provided with, in addition to the environmental health training, street food specific training including safe cooking methods, and food handling and storage, as well as preservation practices. These officers must also be trained to acquire expertise in identifying critical points of possible contamination for the various food types prepared and sold in Kumasi. Street food regulators must also be provided with sufficient resources including uniforms and identification cards, given at least a fixed amount for field expenses and must be well remunerated. This will also have positive implications on regulations and on both the safety of street vended foods, and the well-being of street food vendors. This is because, the improved resources will motivate regulators, reduce cases of harassment against vendors and impersonation of street food regulators.

Collaborate with Stakeholders and use HACCP to Develop Context Specific Laws

Secondly, since the existing laws are not specific enough, this research recommends that the EHU, the FDA, the GTA and other stakeholders, together with street food vendors, work collaboratively in developing both context (Kumasi) and phenomenon (street foods) specific laws. In other words, using Hazard Analysis and Critical Control Point (HACCP) analysis as a guide, stakeholders should come together to develop laws that capture the unique and diverse street-vended foods and their differing modes of preparation, storage, and sale in Kumasi. As suggested by the FAO (2009), HACCP analysis of the preparation and sale of particular traditional foods (fufu and banku) can help regulators enact laws to specifically control and guide specific aspects of the preparation and sale of different street vended foods in Kumasi. HACCP analysis that are made specific for particular foods helps to make inspection more effective since regulators are equipped with knowledge of the depth and type of inspection needed for each stage of food preparation and sale.

Modify the Form and Content of Food Vendor Education to Empower Food Vendors

This research recommends that the content of education for street food vendors must include, in addition to health and hygiene, information about who the regulators are, their responsibilities and what they (regulators) are legally allowed to do. This will empower street food vendors, reduce harassment of vendors by some regulators, reduce impersonation of regulatory officers and increase accountability. If educational content is not improved to include aspects that teach vendors about what they can reasonably and legally expect from the government and from regulators, vendors will perceive education only as a routine way of listening to the demands of regulators and will not take the content as a shared responsibility. It is also recommended that the micro educational approach (where regulators educate vendors at their vending sites) be encouraged alongside the macro approach (where regulators and other stakeholders assemble vendors at specific locations) since the micro approach often promote dialogue and the exchange of ideas between regulators and street food vendors. Furthermore, macro educational approaches must be made participatory and involve more discussions to improve the exchange of ideas among resource personnel and street food vendors.

Improve Street Food Vendor Access to Infrastructural Facilities

This research further recommends that for street food hygiene to improve and for vendors to effectively adhere to hygiene standards and regulations, the government must also play its part by improving infrastructural access and access to services like running water, provision of covered receptacles, cleaning of drainages, etc. In this way, vendors will perceive regulators and the government as partners, and their cost of compliance to hygiene standards will be significantly reduced.

Increase the Involvement of Stakeholders in Inspections and in Research

This research found that even though non-governmental stakeholders play a key role in regulation, their contribution is limited to mostly education and research. Consequently, this research recommends that as a key stakeholder that is already involved in both day and night time monitoring of some street food vending stands in Kumasi, Nestle Ghana Limited's relationship with the EHU should be strengthened beyond food vendor education to include collaboration in inspection and monitoring. This approach will help complement the human resource challenge of regulators in carrying out inspection activities. In addition, it is recommended that public media campaigns should be undertaken to educate the public regarding what is expected of food vendors. This way the general public and consumers, as important stakeholders, can effectively monitor food vendors and help ensure the virtual presence of regulators at all times of the day and all days of the week.

Improve Communication between Street Food Vendors and Regulators

Finally, there is a need for improved communication between vendors and regulators. One way of improving communication between vendors and regulators is by strengthening the vendor associations. These associations can serve as links between vendors and regulators, an outlet for implementing street food control measures and for defending vendors against harassment (FAO, 1997). This research recommends that vendor associations should be strengthened through alliance with international bodies and organizations such as Self Employed Women's Union (SEWU), StreetNet International and Women in Informal Employment, Globalising and Organising (WIEGO). These international organisations can provide local vendor associations with information on, for instance, which negotiating strategies have been found to be effective for other vendors in different parts of the world.

Such knowledge could be used to increase participation of vendors and to improve the effectiveness of these associations in negotiating with regulators (Bonner, 2013).

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