

Executive and Preventive Criminal Policy in Protecting Food Safety

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The present study aims to explain the executive and preventive criminal policy in protecting food safety in Iran. The research was conducted using an analytical-descriptive method through an examination of laws, regulations, and higher-order policy documents. The findings indicate that Iran's criminal policy in this field operates through two main pillars: the executive dimension (administrative, disciplinary, and civil networks) and the preventive dimension (situational and social). In the executive dimension, the focus is placed on non-criminal responses such as supervision, licensing, financial penalties, and suspension of activities. In the preventive dimension, measures such as technical monitoring, standardization, border control, and nutritional education have been emphasized. However, the results reveal inconsistencies in criminalization, insufficient attention to social prevention, and inadequate participation of civil society. Consequently, to achieve sustainable food security, it is essential to revise the existing laws, strengthen intersectoral cooperation, and expand preventive programs based on public participation.

Keywords: criminal policy, food safety, food security, situational prevention, social prevention.

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1. Introduction

Food safety and security, as one of the fundamental pillars of public health and sustainable development, have always been at the core of governance and policymaking systems. Food is recognized not only as an essential commodity for survival but also as a decisive factor in quality of life, disease prevention, and the realization of human capital (Moqaddasi, 2019; Rahimi Badr, 2017). In the modern era, with the increasing complexity of the food supply chain, the growth of food industries, globalization of trade, and the emergence of new threats such as fraud, chemical and microbial contamination, and genetically modified organisms, the necessity of adopting a comprehensive and integrated policy for the “protection

of food safety” is felt more than ever (Beygdeli & Badi' Sanāye' Isfahani, 2014; Pour Esmā'ili & et al., 2017; Rahnemā, 2015).

In this regard, *criminal policy*—as a set of state instruments and strategies to confront criminal and deviant phenomena—plays a pivotal role (Ashtariān, 2017; Marty, 2016). Criminal policy in the field of food safety goes beyond the traditional and purely punitive perspective and includes two main pillars: *executive criminal policy* (administrative, disciplinary, and civil networks) and *preventive criminal policy* (situational and social prevention) (Jahāni & Khāleghi, 2021; Sā'ed, 2014). The executive approach primarily focuses on non-criminal responses such as supervision, licensing, financial penalties, and suspension of activities (Hosseini & Ahmadi, 2014; Rahbari, 2015). In contrast, the



preventive approach aims to address threats at their root through measures such as standardization, border control, technical monitoring, and nutritional education (Tavakkoli & Haqshnās, 2014; Zamānī & Gharīb Ābādī, 2017).

In Iran, valuable scholarly efforts have been made to explore different dimensions of this subject. For example, Tavakkoli and Haqshnās (2014) emphasized the role of executive criminal policy as an effective tool in combating threats to food safety (Tavakkoli & Haqshnās, 2014). Hoseinvand (2022) analyzed the rationale for employing non-criminal administrative and disciplinary networks in criminal policymaking and highlighted their regulatory function (Hoseinvand, 2022). Similarly, Sā'ed (2014) noted the absence of impermeable boundaries between various response systems (criminal, administrative, and civil) and the possibility of their interaction and overlap (Sā'ed, 2014). Other studies have examined practical examples of these policies. For instance, Rahbari (2016) and Bandariyān (2009) analyzed administrative and disciplinary criminalization in multiple laws—from the Food and Beverages Act (1967) to the Biosafety Law (2009)—and pointed out their shortcomings (Bandariyān, 2009; Rahbari, 2016). Research by Jahānī and Khāleghī (2021) and Saffārī and Ijtehādī (2017) has focused respectively on civil remedies and anti-competitive behavior in the food supply chain (Jahānī & Khāleghī, 2021; Saffārī & Ijtehādī, 2017).

Despite this rich background, there remains a clear gap for a comprehensive study that simultaneously explains and analyzes both the *executive* and *preventive* pillars of Iran's criminal policy in the field of food safety—taking into account the scattered and inconsistent legal frameworks, the processes and authorities responsible for response, and the role of various actors (Rahbari, 2015; Shahrī & et al., 2017). Many previous studies have either focused exclusively on the punitive aspect or addressed a specific dimension such as consumer rights or smuggling (Asghari, 2018; Qārī Sayyed Fāṭemī & Reżā'īān, 2018).

The significance of this study lies in filling this gap and providing a systematic analysis of Iran's criminal policy toward food safety. Conducted through an analytical-descriptive approach and by examining laws, regulations, and higher-order documents, this research seeks to answer the fundamental question of how and

through what instruments Iran's criminal policy protects food safety, and to what extent these instruments are effective in practice (Darvishī Hoveydā, 2011; Marty, 2016). The study examines two main domains—executive and preventive criminal policy—and aims to address key questions such as: Which administrative and disciplinary authorities and processes operate in the field of food safety, and what are their strengths and weaknesses? How are forms of criminalization and civil responses (compensation mechanisms) manifested, and how effective are they in protecting victims? How do the main actors (victims, offenders, social groups, and the state) interact within these networks? What is the role of situational and technical preventive measures (such as supervision, standardization, and technological control) in countering food safety threats?

2. Executive Criminal Policy in Protecting Food Safety

2.1. Controlling Phenomena Threatening Food Safety through Civil Institutions

In Iran's criminal policy, *civil infractions* are among the most common forms of non-criminal state violations and often coexist with professional, administrative, or criminal offenses (Jahānī & Khāleghī, 2021; Shahrī & et al., 2017). The foundation of such infractions lies in *fault-based liability*; however, developments in supplier liability toward consumers—especially following the enactment of the *Consumer Protection Act* (2009)—have shifted the orientation toward the *strict liability* doctrine (Qārī Sayyed Fāṭemī & Reżā'īān, 2018). Accordingly, the civil offender is obligated to compensate for damages arising from threats to food security, and in some cases, the state or third parties are recognized as responsible for compensation (Beygdelī & Badi' Sanāye' Isfahani, 2014).

In the field of food security, civil offenses are generally designed to ensure restitution and prevent the continuation of behaviors that violate public health. The *Civil Liability Act* of 1960, emphasizing fault-based responsibility, obliges the injurer to compensate for material and moral damages and even permits compensation in the form of annuities (Beygdelī & Badi' Sanāye' Isfahani, 2014). Additionally, criminal and Islamic provisions—such as the *Islamic Penal Code* of 2013—have introduced supplementary civil responses

in the form of *diyah* (blood money) and *arsh* (compensation for bodily injury) for physical harms and nutrition-related threats, including injuries to organs and senses associated with eating or illnesses caused by hunger and thirst (Jahānī & Khāleghī, 2021; Rahbari, 2016).

In certain cases, the *public treasury* or governmental institutions are deemed substitutes for the offender and held liable for *diyah* and compensation, particularly when the offender is unidentified or financially incapable. This model resembles the *collective compensation system* in French law, which, as Delmas-Marty suggests, enhances civil protection for victims (Marty, 2016). Furthermore, regulations concerning *standards* and *consumer protection* (1992 and 2009) hold producers and sellers liable for defective or substandard goods, even without proof of fault—mere occurrence of harm suffices for liability (Beygdeli & Badi' Sanāye' Isfahani, 2014).

In more recent legislation, such as Article 34 of the *Sixth Development Plan Act* (2016), for the first time, all participants in the livestock and livestock product supply chain are required to compensate consumers in the event of violations of sanitary regulations. This indicates a legislative shift toward more effective *civil remedies* in the field of food security (Rahīmī Badr, 2017). Likewise, under the *Guild System Act* (2013), behaviors such as overpricing, fraud, and sale of expired goods, in addition to disciplinary consequences, are subject to civil liability (Asghari, 2018). Nevertheless, with respect to *social and collective damages* arising from such infractions, sufficient compensatory mechanisms have yet to be established (Sā'ed, 2014).

Overall, Iran's criminal policy regarding civil infractions and responses in the field of food security—though advancing consumer protection—remains fragmented and insufficient. Legal gaps persist concerning potential, moral, and environmental damages (Qārī Sayyed Fātemī & Rezā'īān, 2018; Zamānī & Gharīb Ābādī, 2017). Therefore, to ensure comprehensive food security, a specialized civil and protective network should be established, and civil offenses should be revisited in light of modern liability theories, including *strict liability* and *supplier liability*, to effectively respond to the emerging challenges of public health and nutrition (Bandariyān, 2009; Jahānī & Khāleghī, 2021).

2.2. Controlling Criminal Phenomena through Administrative and Criminal Networks

Article 38 of the *Fifth Economic, Social, and Cultural Development Plan Act of the Islamic Republic of Iran* authorizes the Ministry of Health, Treatment, and Medical Education—as the policymaker and supreme supervisor of public health—to establish, in cooperation with the Central Insurance of Iran, a mandatory system of monitoring and insurance for guaranteeing the quality of food production and distribution. This system, based on training and supervision, was to be developed under regulations approved by the Cabinet by the end of the second year of the Plan and implemented in cities with populations exceeding 100,000 by the end of the program period (Rāsekh & Āmeri, 2013).

In the realm of civil and legislative responses, according to the *Constitution of the Islamic Republic of Iran*—the highest national covenant between the state and the people—the principal institution responsible for criminal legislative policy is the *Islamic Consultative Assembly (Parliament)*, which, in practice, performs its legislative duties jointly with the *Expediency Discernment Council of the System*, often referred to as the supreme legislative authority. At the macro-policy level, the *Supreme Leader*, in consultation with the *Expediency Council*, plays a decisive role in approving and issuing overarching policy documents such as the *Twenty-Year Vision Document (2025)* and the *Resilient Economy Policy Framework*, thereby shaping criminal policy in the domain of food security primarily through strategic planning and high-level supervision (Rahīmī Badr, 2017).

Moreover, Article 37 (Clause A) of the *Permanent Provisions of the Country's Development Plans Act* (2016) reiterates the crucial role of the Supreme Leader as a fundamental reference and source in policy formation, emphasizing the need to establish institutional mechanisms and funding to implement the policies he promulgates (Habībnejād & Sa'īd, 2017).

Within the framework of *judicial criminal policy*, the *Judiciary*—responsible for submitting judicial bills—is the principal authority for legal responses. Civil courts, along with criminal courts handling restitution claims arising from offenses, serve as key adjudicating bodies. The *Dispute Resolution Councils* (established under the 2015 Act) mediate civil and non-governmental disputes between individuals and legal entities. According to

Articles 1 and 10 of the Act, these councils handle all civil and compensable criminal cases by mutual consent, as well as specific monetary disputes up to 200 million rials, thereby playing a functional role in civil response mechanisms (Jamshīdī, 2019).

The legislative process within the *Islamic Consultative Assembly* involves the review and ratification of parliamentary bills and governmental proposals by specialized committees and final approval in the plenary session, subject to the *Guardian Council's* review for conformity with the Constitution and Islamic law. In cases of conflict between the Parliament and the Guardian Council, the *Expediency Council* intervenes to resolve the matter. Legislative criminal policy—particularly regarding civil responses—generally follows this procedure, reflecting a hierarchical and inter-institutional model of lawmaking (Habībnejād & Sa'īd, 2017).

Judicial responses in civil enforcement are primarily administered by civil and occasionally criminal courts and *Dispute Resolution Councils*, within their respective jurisdictions, based on the *Civil Procedure Code* (2000) and the *Dispute Resolution Councils Act* (2015). Civil sanctions often take the form of interim orders or final judgments awarding compensation, executed by enforcement offices under the *Civil Enforcement Act* (Jamshīdī, 2019).

Among non-judicial institutions, the *Competition Council*—established under Chapter Nine of the *Law on the Execution of General Policies of Article 44 of the Constitution* (2008)—plays a central role in facilitating competition and preventing monopolies. Articles 53 and 62 of the Act authorize the Council to issue administrative and civil orders, functioning as a quasi-judicial authority. Its decisions, except for monetary penalties, are enforceable and subject to appellate review. Final decisions of the Council have binding effect equivalent to judicial rulings, and the *Judiciary's Enforcement Office* ensures their implementation (Article 66) (Habībnejād & Sa'īd, 2017).

The Council, however, lacks jurisdiction over financial compensation claims. According to Article 66, victims must file independent lawsuits in competent civil courts based on the Council's final decision confirming the anti-competitive conduct. Unlike France, Iran lacks additional non-judicial compensation commissions apart from the *Competition Council* (Rāsekh & Āmeri, 2013).

Access to civil and administrative recourse mechanisms, such as courts and dispute resolution councils, is provided through direct complaint filing. Recently, however, electronic *Judicial Service Offices* have replaced direct filings in civil courts, though access to the *Competition Council* remains open through the *National Competition Center*. Judicial oversight of administrative decisions operates via a two-tiered system of trial and appeal courts or, where applicable, the *Supreme Court*. The *Administrative Justice Court* exercises quasi-judicial supervision over administrative acts and decisions (Hosseini & Ahmadi, 2014).

Regarding administrative civil decisions of the *Competition Council*, two or more senior judges from the *Supreme Court* participate in both primary and appellate review stages (Articles 53 and 64 of the Act). The Council's majority decisions are binding, and oversight is limited to the *Administrative Justice Court* as the designated supervisory body. Failure to execute civil judgments by courts or councils may, in some cases, result in supplementary sanctions, including imprisonment until payment is made.

Misconduct by members or employees of the *Dispute Resolution Councils*—such as breaches of statutory duties or ethical standards—constitutes an offense subject to disciplinary proceedings and penalties, including suspension or fines, under Articles 33–36 of the *Dispute Resolution Councils Act*. Misconduct by judges of courts or the *Competition Council* is adjudicated under the *Judicial Discipline Act* by the *Judiciary's Prosecutor's Office* and *Judicial Disciplinary Court*, depending on the nature of the violation (Rāsekh & Āmeri, 2013).

In the legislative process—particularly in civil response policymaking—key criminal policy actors include social groups representing victims and offenders who, albeit indirectly, participate through their elected representatives in the *Parliament* and appointed representatives in the *Guardian Council*, *Expediency Council*, and *Assembly of Experts*. Their degree of participation depends on the overall level of public political engagement and the mechanisms of direct and indirect democratic representation outlined in the Constitution (Habībnejād & Sa'īd, 2017).

On the other hand, the effectiveness of the participation and intervention of criminal policy actors—including social groups, victims, and offenders—is ensured through the supervisory authorities established under

the *Constitution* and other ordinary laws, such as the *Election Laws* of the Islamic Consultative Assembly and the Assembly of Experts, the *Dispute Resolution Councils Act* (2015), Article 39 regarding the judges of the Councils, and the *Law on the Execution of the General Policies of Article 44 of the Constitution* (Hosseini & Ahmadi, 2014).

In terms of participation in *criminalization* and *civil response formulation*—including the nature of offenses, the types of sanctions, and the design of civil remedies in bills and enacted laws—the involvement of social groups, victims, and offenders primarily takes an indirect form. This occurs through their elected representatives in the *Islamic Consultative Assembly* and, for socially active groups in this domain, through social or expert participation in drafting and amending bills, engaging in research collaborations, public consultations, and field-based evaluations (Jamshidi, 2019).

Among the notable strengths of the civil response and adjudication system are the principles of *legality*, *judicial process*, and *two-tier adjudication*, along with the *independence of judges* in decision-making—at least at the legislative level, if not always in practice. However, these principles generally govern formal institutions and procedures, while informal processes—unavoidably surrounding legislative or judicial criminal policymaking—often influence formal systems without necessarily being bound by such principles (Heydari, 2017).

Beyond these general observations on Iran's criminal policy institutions and processes, including the civil network, the *victim* plays a central role in the civil response to food security threats. The primary burden of initiating and pursuing civil liability claims before civil courts or Dispute Resolution Councils rests upon the victim. Filing such lawsuits—whether to demand damages, enforce legal obligations, or seek injunctions—requires the victim to submit petitions, complete procedural formalities, pay substantial material and moral costs, and, most importantly, bear the *burden of proof* throughout the litigation process. This underscores the victim's active yet burdensome role within Iran's civil justice framework (Beygdeli & Badi' Sanāye' Isfahani, 2014).

Nevertheless, theoretical developments in producer and supplier liability, especially within the food supply chain,

suggest a gradual shift from *fault-based civil liability* to *strict* or *absolute liability*. Such evolution may relieve some of the heavy burdens placed on victims in seeking compensation and civil redress (Zamāni & Gharīb Ābādī, 2017). Victims, in principle, have access to procedural facilities guaranteed by the *Civil Procedure Code* and related laws (Bandariyān, 2009).

In practice, however, victims possess little influence over determining the type, nature, or extent of civil remedies. The adjudicating civil judge decides these matters based on the evidence, expert assessments, and overall circumstances of the case. It is worth noting that Iran's civil justice network does not yet recognize *collective* or *class actions*—procedural mechanisms that could allow victims with shared interests to pursue compensation jointly—thereby limiting equitable access to justice (Jahāni & Khāleghi, 2021).

Article 48 of the *Electronic Commerce Act* (2003) authorizes consumer protection organizations—whether statutory or civil—to file lawsuits either independently or at the request of one or more injured consumers, or as representatives of multiple consumers suffering common harm. However, this provision remains an incomplete and loosely structured framework, as its executive bylaw, approved by the Cabinet, has limited applicability and guidance (Habībnejād & Sa'id, 2017).

Access to qualified experts, consultants, and legal advisors—such as attorneys, official experts, or arbitrators—to assist victims in civil claims related to food safety threats remains a major challenge within Iran's judicial criminal policy system. There are few reliable mechanisms for identifying or evaluating the expertise and experience of such professionals, particularly in this specialized field (Rāsekh & Āmeri, 2013). Professional associations such as the *Bar Association* and the *Association of Official Experts* play a limited role beyond initial licensing, minimal competency assessment, and general oversight of ethical compliance.

Likewise, social groups and non-governmental organizations lack official access to reliable data that would allow for continuous and fair evaluation of professionals' performance. Even if such access were granted, empowering the public or civil groups to exercise evaluative oversight seems unlikely from both governmental and professional perspectives. Thus, one

can reasonably conclude that Iran's criminal policy framework has effectively left victims to navigate this difficult and costly path largely on their own—bearing the physical, financial, and emotional consequences of the harm they have endured (Habibnejād & Sa'īd, 2017). Furthermore, enforcing civil judgments in favor of victims—especially financial compensations—remains highly problematic. A significant proportion of judgments are never executed, even in the medium term (Jamshīdī, 2019). Existing and new provisions—such as those allowing offenders to file extraordinary appeals, challenge final judgments, or easily claim *insolvency*—combined with weak enforcement of anti-money laundering and transparency laws, facilitate evasion of judicial obligations. The widespread practice of fictitious transactions to avoid debt repayment, coupled with a cultural reluctance to accept judicial rulings and declining moral responsibility among debtors, has further undermined the effectiveness of civil redress mechanisms (Habibnejād & Sa'īd, 2017).

Moreover, Iran's civil framework for countering criminal phenomena threatening food security lacks any *specialized insurance or social compensation fund* to provide financial redress for victims through the government or public institutions. Civil society organizations and social associations also play no significant role in supporting such victims—either independently or in coordination with courts. Consequently, the level of *social participation* in the civil redress process remains minimal. Similarly, the legal obligation under the *Fifth Development Plan Act* to establish a system of compulsory insurance and supervision to guarantee the quality and safety of food production and distribution has remained unimplemented—a mere aspiration rather than a reality (Mubīnī Dehkordī, 2004).

Given the above discussion, it is difficult—and indeed an exaggeration—to claim that the existing legislative criminal policy framework in Iran has effectively incorporated standards such as facilitating victims' access to justice, simplifying litigation procedures, expanding provisional and protective measures in favor of victims, accelerating compensation processes, or ensuring the efficiency of civil redress mechanisms. These criteria are scarcely realized in the current judicial criminal policy either. In this regard, the statement of the French criminal policy scholar *Christine Lazerges* seems

particularly apt: Iran's legal framework has not yet matured to the point of fully recognizing the victim as an autonomous actor in the justice process (Marty, 2016). Therefore, neither the legislative nor the judicial and executive dimensions of Iran's criminal policy can truly be described as *victim-centered* or *victim-oriented*. It appears that the victim still has not been perceived as a full-fledged participant in this process (Beygdēlī & Badi' Sanāye' Isfahani, 2014).

As for the role of the *offender* within the civil network and his interaction with other actors, it can be stated that the civil offender, as the *defendant* in a civil court, enjoys all procedural guarantees under the *Civil Procedure Code*. He faces no additional difficulties for being a defendant in a civil lawsuit related to food safety violations. Like other civil defendants, he benefits from legal protections such as the *presumption of innocence*, the right to challenge the constituent elements of the plaintiff's claim, and the ability to present defenses (Heydarī, 2017). The civil judge is obliged to hear and adjudicate the case and cannot abstain from issuing a judgment. In practice, however, the offender is often involved in the process of finding a civil settlement, which has traditionally strengthened the relational dynamics between the civil system and the offender (Bandariyān, 2009).

In cases where the offender is convicted in a civil lawsuit and ordered to pay compensation, several challenges arise. First, when the offender lacks the financial capacity to pay damages, a *substitute criminal sanction*—namely, deprivation of liberty until payment—is applied. In practice, this measure contributes to prison overcrowding without achieving the victim's principal goal of financial restitution (Heydarī, 2017). Second, due to the inactivity or lack of obligation of insurance companies to cover the *risk* of the offender's civil liability, and the absence of a collective compensation mechanism or public fund (similar to *bīt al-māl* liability) for indemnification, the offender faces an additional risk of imprisonment in cases of non-payment, at least until financial insolvency is proven. This situation leaves the offender, too, in a vulnerable and precarious position (Heydarī, 2017).

Third, there is no active *social reintegration institution* operating to facilitate the rehabilitation of civil offenders. As a result, offenders are often released from the post-response phase without re-establishing mutual

relationships with victims or society. This neglect has lingering effects on future social and legal interactions (Darvishi Hoveyda, 2011).

Concerning the *judicial system* as another criminal policy actor, aside from the previously mentioned points, the lack of specialized judicial branches and trained judges for adjudicating food safety violation cases remains a major deficiency. With the exception of a few specialized prosecutors and judges in Tehran and other major cities, the judiciary faces overwhelming case congestion. Moreover, its predominant focus on *financial sanctions* in civil judgments, alongside the neglect of other forms of civil remedies—such as mandatory obligations, restorative measures, and full reparation to restore victims to their prior condition, especially regarding non-material and psychological harm—has weakened the efficacy of Iran’s judicial criminal policy (Sen, 2011). These shortcomings, arising from cultural, procedural, and supervisory weaknesses, prevent a holistic consideration of the multifaceted dimensions of each case and ultimately undermine the objectives of the country’s civil and judicial criminal policy.

3. Preventive Criminal Policy in Protecting Food Safety

3.1. Situational Prevention

In *situational prevention*, control and proactive measures replace punishment and passivity. By adopting diverse and appropriate strategies aimed at potential targets of crime, this approach seeks to prevent criminal acts. From this perspective, crime is predictable, and regardless of the underlying motives behind criminal behavior, opportunities for offending can be reduced or eliminated through physical (material) interventions or by modifying and controlling conducive environments. The two fundamental assumptions supporting this theory are that crimes are committed consciously and rationally, and that the perpetrator makes an economic calculation between potential benefits and risks—such as detection, arrest, social disgrace, and punishment—before deciding to act. Thus, situational prevention relies on rational choice and deterrence through environmental design (Jamshidi, 2019).

In contrast to punitive measures, modern governments increasingly focus on minimizing the use of criminal instruments and expanding non-punitive preventive

approaches, collectively referred to as *situational prevention*. The essence of this approach lies in changing either the *individual’s circumstances* or the *environmental context*. It aims to create conditions that make offending not only more difficult but, in many cases, nearly impossible. Accordingly, techniques such as *risk-enhancing*, *offense-hindering*, and *target-devaluing* measures are employed—each of which will be further discussed below (Marty, 2016).

3.1.1. Risk-Enhancing Measures

Situational crime prevention techniques that increase the risk of offending include surveillance and monitoring strategies designed to convey a clear message to potential offenders: “You are likely to be detected and apprehended.” These deterrent measures—by expanding oversight and supervision—instill hesitation in potential offenders. A persistent sense of being monitored serves as a powerful deterrent, as individuals who perceive surveillance are less likely to engage in criminal acts (Heydari, 2017).

Supervision in this context ensures compliance with regulations by competent authorities and is complemented by two other essential components: *rule-making* and *sanctioning*. Without supervision, regulations lose efficacy, and without sanctions, supervision becomes meaningless. In high-risk contexts, the need for enhanced oversight becomes paramount. Modern technologies, including laboratory diagnostics and intelligent monitoring tools, have significantly strengthened these mechanisms, especially in preventing crimes affecting food security (Asghari, 2018).

In Iran’s criminal policy framework, various forms of inspection and supervision can be observed in sectors of production, distribution, import, and export of food products. Key examples include oversight by the *Competition Council and the National Competition Organization* (Rahbari, 2016), inspections conducted by the *National Standards Organization* (1992), the *Health and Veterinary Supervision Act* (1971, with later amendments), the *General Inspection Organization* (2014), and the regulatory activities of the *Ministry of Commerce*, the *Organization for Governmental Sanctions* (Ta’azirat), and the *Market Regulation Headquarters*. Furthermore, several laws—such as the *Anti-Smuggling of Goods and Currency Act* (2013; amended 2015), the

Customs Affairs Act (2011), and the *Sixth Development Plan Act* (2016)—establish comprehensive supervisory and risk-based preventive measures across borders, markets, and the food supply chain (Almond & Powell, 2001; Asghari, 2018).

3.1.2. Offense-Hindering Measures

Another dimension of situational prevention involves measures designed to *complicate the commission of crime*. These include entry controls and monitoring of food imports through customs and health regulations outlined in the *Food, Beverages, Cosmetics, and Hygienic Products Act* (1967), the *Anti-Smuggling of Goods and Currency Act* (2013), and the *Customs Affairs Act* (2011) (Moqaddasi, 2019). These statutes require importers to obtain prior authorization from the Ministry of Health and provide sanitary certificates from both the country of origin and the destination.

Additionally, the use of electronic and intelligent systems for monitoring imports, exports, transportation, and storage—such as the *Comprehensive Trade System* and the *Anti-Smuggling Information Network*—has been institutionalized to strengthen technological prevention. Non-compliance with these systems carries both criminal and administrative sanctions (Heydari, 2017).

Further key measures include the establishment of *credit scoring* and *trader ranking systems*, warehouse registration schemes, and labeling initiatives such as the “Shabnam” traceability label and color-coded nutritional indicators on food packaging. These initiatives promote transparency in trade, enhance consumer awareness, encourage healthier consumption patterns, and ultimately strengthen food security (Moqaddasi, 2019).

In the field of *genetically modified organisms (GMOs)*, all activities related to production, importation, distribution, and consumption are governed by the *Biosafety Act* (2009) and its executive bylaw, which mandate licensing, risk assessment, and contingency planning to manage unintentional environmental releases (Pour Esmā'ili & et al., 2017).

The *Veterinary Organization of Iran*, pursuant to the 1971 Act and its executive regulations, also enforces multiple preventive measures to combat livestock diseases and contamination of raw animal products. These include import/export licensing, sanitary quarantines, destruction of contaminated consignments, and supervision of veterinary drugs and vaccines. These

measures, supported by administrative and criminal sanctions, play a crucial role in preventing offenses against food security (Moqaddasi, 2019; Pour Esmā'ili & et al., 2017; Rahnemā, 2015). Meanwhile, the *Ministry of Health* monitors chemical contaminants in agricultural and animal products and prevents the distribution of unauthorized food items (Sā'ed, 2014).

3.2. Social Prevention

3.2.1. Education through Unions and Trade Associations

Food safety is one of the principal components of public health, as a significant proportion of infectious diseases and food poisonings result from non-compliance with hygienic standards during food production, storage, and distribution (Tavakkoli & Haqshnās, 2014). Training and education for food industry professionals—particularly through unions and trade associations—play a critical role in enhancing public health. Such educational efforts reduce foodborne illnesses by promoting correct handwashing, thorough cooking, and the use of clean equipment, and by preserving food quality through temperature control and proper storage (Qārī Sayyed Fātemī & Rezā'īān, 2018).

Another key element involves preventing *cross-contamination* by separating raw and cooked foods, using distinct utensils, and maintaining clean work surfaces (Tājik, 2012). Furthermore, personal hygiene among food handlers—through training on glove use, uniforms, and sanitation—improves the workplace environment and public trust in food products. The result of such initiatives is an increase in consumer confidence and an improvement in the economic standing of trades and producers. Trade associations, by organizing workshops, drafting health guidelines, and cooperating with governmental agencies, thus play a vital role in ensuring food safety and advancing community health (Qārī Sayyed Fātemī & Rezā'īān, 2018).

3.2.2. Public Education

Public education on food safety is among the most effective methods of preventing diseases and poisonings caused by food contamination. These initiatives aim to increase public awareness about proper food handling, preparation, and cooking practices (Tavakkoli &

Ḥaqshnās, 2014). Educational methods vary and include mass media—television, radio programs, newspaper articles, and magazines—as well as workshops and practical training sessions for families and food industry workers. Educational brochures and posters with simple visuals displayed in public places can also help communicate hygienic practices more effectively (Mubīnī Dehkordī, 2004).

Furthermore, the use of *digital media*—such as social networks, websites, and specialized blogs—offers new opportunities for disseminating food safety information (Tavakkolī & Ḥaqshnās, 2014). Collaboration among health organizations, schools, and universities can foster coordinated and goal-oriented educational programs. Altogether, food safety education through mass media, digital platforms, and educational institutions plays an essential role in preventing foodborne diseases and promoting public health. Its full realization, however, requires consistent coordination and active participation among the government, organizations, and the public (Qārī Sayyed Fāṭemī & Reḡā'īān, 2018).

4. Conclusion

This study aimed to explain the executive and preventive criminal policy for protecting food safety in Iran. By examining relevant laws, regulations, and policy documents, it analyzed the role of administrative, disciplinary, civil, and criminal networks. The findings indicate that although Iran's criminal policy in this domain possesses considerable potential in both executive and preventive dimensions, it faces multiple structural, legislative, and operational challenges that undermine its overall effectiveness.

In the domain of *executive criminal policy*, the main focus has been on non-criminal responses such as supervision, licensing, financial penalties, and suspension of activities. However, inconsistencies in criminalization, fragmentation of laws, and lack of coordination in implementation, on one hand, and the inability to ensure timely and fair compensation for victims, on the other, remain major weaknesses of this system. Furthermore, the role of the victim in the civil litigation process is minimal, and modern mechanisms such as *class actions* or *collective compensation systems* have not yet gained proper recognition within Iran's legal framework.

In the realm of *preventive criminal policy*, although situational and technical measures such as monitoring,

standardization, border control, and nutritional education have been emphasized, insufficient attention to *social prevention* and limited participation of civil society and non-governmental organizations have reduced their effectiveness. In particular, public education and the role of unions and professional associations in promoting a culture of food safety—though addressed in legislation—face significant implementation and structural barriers.

The interrelation of influencing factors shows that the lack of coordination among supervisory bodies, multiplicity of decision-making authorities, and absence of an integrated perspective on food security have weakened Iran's criminal policy in this area. Identified deficiencies include the absence of a specialized civil network for comprehensive food security coverage, limited adoption of strict liability, and lack of collective compensation mechanisms.

The new concepts introduced in this study—such as revising the foundations of civil liability toward *strict liability*, establishing *mandatory insurance funds for food quality and safety*, and integrating civil and criminal institutions in responding to violations—offer promising directions for transforming Iran's criminal policy framework. Unlike previous research that focused solely on punitive aspects or on specific segments of the food supply chain, this study adopted a systematic approach that examined the interaction between the executive and preventive pillars and addressed both theoretical and practical gaps in this field.

Theoretically and academically, this study provides an analytical framework for redefining criminal policy in the domain of food law and contributes to the enrichment of the legal and criminological literature in this area. Practically, the findings can serve as a valuable basis for legislators, policymakers, and supervisory institutions to revise existing laws, strengthen intersectoral cooperation, and expand preventive programs grounded in public participation.

Ultimately, it can be concluded that Iran's criminal policy for protecting food safety requires a *fundamental transformation* at the legislative, executive, and cultural levels—a transformation in which an integrated perspective, genuine civil society participation, and emphasis on social prevention, alongside effective and equitable response mechanisms, form the core of policy development.

For future research, comparative studies on successful systems of collective compensation and integrated food policy frameworks, as well as investigations into the legal challenges of emerging food technologies, are recommended. Practically, the results highlight the necessity of drafting a *Comprehensive Food Safety Act*, strengthening intersectoral collaboration among supervisory institutions, institutionalizing public education, and establishing a *Mandatory Food Quality Insurance Fund* to achieve sustainable food security and effective consumer protection.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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Declaration of Interest

The authors report no conflict of interest.

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Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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