



Legal mechanisms for organizing prosecutorial supervision over the implementation of legislation on food security and their improvement

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Abstract: In this article, the legal mechanisms of the prosecutor's control over the implementation of legislation on food safety and issues of their improvement, the analysis of the opinions of legal scholars on this issue, and the legislative experience of foreign countries are studied. As a result of the analysis, suggestions on improving the legal mechanisms of the prosecutor's control over the implementation of the legislation on food safety are substantiated.

Keywords: Analysis, suggestions, legal mechanisms.

Introduction: The prosecutor's control over the implementation of legislation on food safety can be fully implemented only if the basis of activity in this field is guaranteed.

Of course, in this direction, the normative rules for organizing prosecutorial control are one of the most important mechanisms for organizing prosecutorial activities, and they cannot be considered declarative in nature.

Because the normative acts contain certain guarantees for the implementation of the activities of the prosecutor in the field of food safety, which is a factor that directly affects the positive result of the prosecutor's control.

The mechanism of organizing the prosecutor's control over food safety means the set of tools necessary for the full and effective implementation of the prosecutor's control in this direction.

The following can be included in such important legal mechanisms of organizing prosecutor's activities:

1. Normative legal documents regulating prosecutor's control activities.

Article 3 of the Law of the Republic of Uzbekistan "On the Prosecutor's Office" of August 29, 2001 establishes the procedure for the organization and functioning of prosecutor's offices, as well as their powers, as determined by the Constitution of the Republic of Uzbekistan, this Law and other legislative acts.

In accordance with Article 143 of the Constitution of the Republic of Uzbekistan, control over the precise and uniform implementation of laws (including those on food safety) in the territory of the Republic of Uzbekistan is carried out by the Prosecutor General of the Republic of Uzbekistan and prosecutors subordinate to him.

In accordance with Article 7 of the Law of the Republic of Uzbekistan "On Regulatory and Legal Acts" dated April 20, 2021, the Constitution and laws of the Republic of Uzbekistan, as well as resolutions of the chambers of the Oliy Majlis of the Republic of Uzbekistan, are included in the list of legislative acts.

Such legislative acts include the Laws of the Republic of Uzbekistan "On the Quality and Safety of Food Products" (1997), "On Measures to Provide the Population with Certain Types of Food Products" (2021), "On Amendments to the Tax Code of the Republic of Uzbekistan Aiming at Guaranteed Provision of the Population with Basic Types of Food Products" (2021), "On Supporting Breastfeeding and Requirements for Food Products for Infants and Young Children" (2019), "On the Prosecutor's Office" (2001), the Laws of the President of the Republic of Uzbekistan "On Measures to Further Ensure the Food Security of the Country" (2018), "On Additional Measures to Ensure Price Stability in Consumer Markets and Increase the Effectiveness of Antimonopoly Measures" (2022), "On the Development Strategy of the New Uzbekistan for 2022–2026" (2022) Decrees, the Resolution "On measures to organize the activities of the Inspectorate for Supervision of the Agro-Industrial Complex and Food Safety under the Prosecutor General's Office of the Republic of Uzbekistan" (2018), the Resolutions of the Cabinet of Ministers " On measures to ensure the stability of prices for basic food and essential products and systematic control over the safety and quality of products" (2022), "On additional measures to ensure food safety and price stability in the domestic market" (2022).

2. The activities of the prosecutor's office and the principles of its organization;

The principles of organizing the activities of the prosecutor's office over the execution of legal acts related to food safety are reflected in Article 5 of the

Law "On the Prosecutor's Office", and the main principles of their activity are unity, centralization, legality, independence and transparency.

The prosecutor's offices form a single centralized system headed by the Prosecutor General of the Republic of Uzbekistan, and operate on the basis of subordination and accountability of lower-ranking prosecutors to higher-ranking prosecutors and the Prosecutor General of the Republic of Uzbekistan.

It is also established that a higher-ranking prosecutor has the right to give instructions to a lower-ranking prosecutor or to change or cancel any of his decisions, including procedural ones, and that he is fully responsible for the proper organization of the work of all prosecutors under his command.

In addition, when exercising control over the implementation of legislation on food safety, employees of the prosecutor's office must strictly observe and implement the requirements of the Constitution of the Republic of Uzbekistan and other legislative acts.

exercises his powers independently of any state bodies, public associations and officials, subject only to the law.

3. Powers used by the prosecutor in the implementation of control activities;

Among the mechanisms of the prosecutor's control over the implementation of legislation on food safety, the powers of the prosecutor occupy an important place.

The powers of the prosecutor vary depending on the direction of control. The Law of the Republic of Uzbekistan "On the Prosecutor's Office" distinguishes the powers of the prosecutor in exercising control over the observance of the rights and freedoms of citizens (Article 25), the powers of the prosecutor in exercising control over the implementation of laws by bodies responsible for combating crime (Article 28), the powers of the prosecutor in exercising control over the observance of the law in places of detention of detainees, prisoners, during the execution of criminal penalties and other measures of criminal legal impact (Article 31), and the participation of the prosecutor in the consideration of cases in courts (Article 33).

The prosecutor's obligations in carrying out supervisory activities are reflected in regulatory legal acts, as well as in ethical rules approved by internal local legal acts (for example, a code of professional ethics).

4. Prosecutor's procedure;

It is important for the prosecutor to follow the established procedures while exercising control over the implementation of legal acts related to food safety. Non-observance of certain procedural rules while carrying out supervision by the prosecutor has a

negative effect on the quality of his supervision.

5. Legal Sanctions.

Prosecutor's sanctions are another mechanism of prosecutor's supervision in the field of food safety.

Prosecutor's sanctions are manifested in various forms of liability (criminal, administrative, etc.).

The issue of the offender's responsibility and the prosecutor's sanction are important in the relations of the prosecutor's control.

There are 2 types of sanctions in prosecutorial control relations:

1) Sanctions directly related to the prosecutor himself;

For example, if the court approves the indictment without conducting a full preliminary investigation for the production, storage, transportation or sale of goods that do not meet the requirements of consumer safety or health, the court may return the criminal case to the prosecutor for additional investigative actions. This is one of the sanctions related to the prosecutor's activities.

2) Sanctions related to other persons who enter into legal relations with the prosecutor in the exercise of supervisory activities.

In particular, the administrative liability of citizens for obstructing the lawful activities of a prosecutor is included in the sanctions related to persons who enter into relations with the prosecutor.

Effective organization of the prosecutor's supervision over the implementation of legal acts related to food safety serves as an important guarantee of satisfying the population's demand for food products, reducing imports, and ensuring the quality of food products.

It is impossible not to agree with A. Weingard's

opinion that "the implementation of prosecutorial control is directly related to the strengthening of law and order in the activities of representative and executive bodies." Indeed, the implementation of prosecutorial control over the implementation of laws encourages the full and proper performance of their duties in the implementation of laws and the officials responsible for them. Therefore, the proper organization of prosecutorial control over the implementation of food safety legislation has a positive impact on ensuring the rule of law and strengthening legality in our country.

In legal literature, legal scholars also put forward positive opinions about the importance of organizing control over the implementation of laws. For example, B.Kh. Pulatov puts forward the idea that "the organization of control over the implementation of

laws is one of the specific methods of prosecutorial control activities, and the success of this activity is determined by the degree to which it is organized in the center and in the localities." According to F.Kh. Rakhimov, preparation for each inspection and the study of laws are the basis for the qualitative and effective conduct of inspections.

The above-mentioned points show that the organization of work on monitoring the implementation of laws - as a set of measures for selecting, placing, training prosecutor's office employees, regulating their activities, providing them with all necessary means, collecting and analyzing information, planning work, and monitoring - serves to strengthen the rule of law in society, set clear tasks for prosecutor's office employees, take into account their capabilities, and effectively manage the team by properly distributing these capabilities.

Although the proper organization of work on monitoring the implementation of food safety legislation is considered important in our country in providing the population with high-quality and safe food products, it shows that there are some serious problems in organizing prosecutorial control in this area. Therefore, the failure to comply with legal requirements in the cultivation, cultivation, production, storage, transportation and circulation of food crops, the indifferent attitude of some leaders to established procedures and legal regulations are of serious concern. The extent to which A.B. Komilov's opinion that "at the moment, prosecutors are not fully using their potential to expose cases of abuse of official authority and embezzlement by officials of local khokimiyats, supervisory and inspection and management bodies, and law enforcement agencies" is correct, raises the need to find solutions to existing problems in this area as well.

When it comes to the role of the prosecutor in ensuring food security in the country, information analysis activities play an important role in the timely identification, prediction, and elimination of internal and external threats.

In the theory of prosecutor's control, the basis of information-analytical activity is the state of legality, that is, the state of crime and the set of cases of law violations that do not have a criminal character.

The legislative situation is characterized by a set of quantitative and qualitative indicators reflecting the actual implementation (or non-implementation) of legal requirements during a certain period of time under study. The criminal situation is expressed by qualitative and quantitative indicators reflecting the number of criminally punishable acts of various severity committed

during a certain period of time without complying with the prohibitions established by law.

The prosecutor's office faces certain tasks in order to obtain reliable information about the state of affairs in a particular area of social life.

Let's consider some tasks aimed at identifying, predicting and eliminating risks in the food sector.

1. Identify the number, structure, dynamics, stages of their development, and factors leading to the commission of criminal, administrative, and civil and economic offenses in the region.

Analyzing the state of the law, the prosecutor examines existing problems comprehensively, not in specific sectors, as the supervisory authority does. The prosecutor's task is to identify legal loopholes and difficulties in applying legal norms.

At the same time, the prosecutor evaluates the measures taken by supervisory authorities to identify and eliminate violations of the law in the field of food safety, and studies judicial practice in this area.

As a result of such work, trends in the development of certain processes are determined.

2. Forecasting the legal situation for the development of the prosecutor's activity strategy.

When the prosecutor has comprehensive information about the development of negative processes in the field of food safety, he can influence these cases, i.e. take measures to reduce them, if he does not have the authority, he enters information about the cases of violations of the law and measures to eliminate them to the competent executive authorities (for example, when it is determined that there are gaps in the legal documents on food safety, the prosecutor has the right to initiate legislation about this sending information to the subject).

3. To study the effectiveness of measures aimed at eliminating cases of violations of the law.

4. Alerting the Prosecutor General to processes and events leading to violations of the law in a particular region, and to prosecutors' efforts to strengthen the rule of law in the country.

This task is one of the most important tasks for a prosecutor.

No matter how successfully the prosecutor works at the district, city and regional level, he cannot change the situation in the country. It will be possible to achieve a certain positive result only by taking comprehensive measures at the republic level.

Thus, by receiving information on the state of the law in various regions, the Prosecutor General is aware of the situation in a particular area throughout the

country and can inform the highest state authorities about it.

At the same time, such reports are not only informative, but also important in that they can influence the current situation in ensuring food safety, reducing or completely eliminating risks in the sector.

The production of local food products and raw materials plays an important role in organizing the prosecutor's control over the implementation of legislation on food safety.

The purposeful and efficient use of land and its protection in the production of food products and raw materials should be the constant focus of prosecutors.

According to Article 1 of the Land Code of the Republic of Uzbekistan, land is a national asset, it must be used rationally as the basis of the life, activities and well-being of the people of the Republic of Uzbekistan, and it is protected by the state.

The analysis shows that due to the water shortage observed in recent years, the poor land reclamation condition, and the failure to take other organizational measures in a timely manner, the condition of 427 thousand hectares of irrigated land deteriorated last year, sharply reducing soil fertility. True, the deterioration of the condition of these areas was also caused by problems with water supply and natural factors associated with changes in soil composition. However,

the deterioration of the land reclamation condition of 3,588 hectares of land due to the inoperability or unusability of land reclamation networks is precisely the fault of those responsible.

This, in turn, has a negative impact on food production.

The current situation in the preservation and use of reserve lands shows the need for a radical revision of the prosecutor's control in this area as well. According to the received data, as of January 1, 2022, 632,000 hectares of agricultural land in the republic are in the reserve of district administrations, unused.

Analyses show that cases of arbitrary occupation of land and illegal construction are increasing year by year. In particular, during the land inventory conducted by the prosecutor's office together with relevant departments in 2019-2020, it was revealed that 9,012 hectares of land were occupied arbitrarily in 32,216 cases across the republic, and 3,500 hectares of illegal construction was carried out in 46,212 cases.

In such a case, the prosecutor, along with resolving the issue of liability of the guilty parties, will also have to apply measures to revoke the rights to the land plot specified in Article 36 of the Land Code. Because food independence cannot be achieved without effective and

rational use of land.

Legal scholars Yu.O. Karpysheva and A.L. Repetskaya emphasized that agricultural land is related to food security and assessed it as an investment object of strategic importance.

As the area of land suitable for food production shrinks, the use of new chemical agents, growth-promoting hormones, soilless crop cultivation, breeding work, and the application of genetic engineering have expanded.

However, not all products produced using the above methods meet safety requirements.

German scientists N. Villiers and L. Kichler believe that as demand for environmentally friendly products increases, attention will be paid to producing products without the use of chemicals.

Other foreign scientists S. Dmitriy and I. Obkoltzer note that the demand for the cultivation of environmentally friendly products has increased in developed countries.

This is about organic agriculture. However, it is difficult for food products produced using industrial and intensive technologies to comply with the principles of organic agriculture, since food products grown in an intensive manner do not meet the high environmental standards required.

The use of pesticides and agrochemicals in food production can cause serious harm not only to the lives and health of people living today, but also to future generations.

For example, Yu.O. Karpysheva and A.L. Repetskaya believe that the Russian Federation poses a serious threat to the soil and human life due to the use of large amounts of chemicals by citizens of the PRC or Russian citizens of Chinese ethnicity in greenhouses to grow food using banned chemicals.

The field of cultivation of crops in China is developing very actively, and this country is the world's largest producer of fruits, vegetables, poly products, and all fertilizers that accelerate their development.

According to A.V. Palamarchuk, Head of the Federal Law Enforcement Directorate of the Prosecutor General's Office of the Russian Federation, the greatest threat to the ecology of the Russian Federation is the accumulation of toxic waste that destroys the fertile layer of the soil. Although 5 billion tons of waste are collected in Russia annually, only 15 percent of it is recycled. In total, more than 30 billion tons of waste are collected in Russia, destroying thousands of hectares of fertile soil.

Uzbekistan also generates 7 million tons of solid

household waste annually. At 2 percent per capita, this is twice the global average.

In our country, research into these problems is very slow, and the laboratories of the Republican Center for Agrochemical Analysis are very outdated and lack modern tools to determine the level of soil contamination by chemicals.

Prosecution authorities should actively participate in neutralizing these problems.

Inspections of the use of pesticides and agrochemicals in the production of food products, as well as product quality, conducted in cooperation with the prosecutor's office and supervisory authorities, have an effective impact on eliminating violations and allow the prosecutor to apply all possible measures of influence against violations of the law (from filing a lawsuit to suspend activities, to recovering illegally occupied land or recovering damage caused to the environment, to determining criminal liability).

Prosecutorial supervision over the implementation of food safety legislation can examine not only the activities of illegal producers, but also the activities of legal agricultural producers related to the storage and use of pesticides and agrochemicals.

aerial spraying of fields without prior notification of the population, and failure to comply with the requirements of sanitary protection zones when carrying out such chemical spraying, are among these.

Or, in most cases, pesticides and agrochemicals can be stored in an open area, not intended for storage.

If such cases are identified, prosecutors should, as a rule, require the offender to store or dispose of pesticides and agrochemicals in an appropriate location through judicial proceedings.

If the violator is not identified, the pesticides will be deemed ownerless and the local government will be responsible for disposing of them in accordance with a court decision based on a prosecutor's complaint.

Thus, as a result of the increase in inspections and monitoring by prosecutors in recent years regarding the illegal storage and use of dangerous pesticides and agrochemicals, certain positive results have been achieved in preserving agricultural land, ensuring the safety of food products, and ensuring food security in Uzbekistan.

Another area of activity of the prosecutor in the field of food safety is to ensure control over its quality.

For example, prosecutors periodically check the quality of food products supplied to educational and medical institutions, social facilities, trade networks, markets, and state reserves.

In almost all such investigations, cases of violation of the law are identified, and appropriate prosecutorial control documents are used.

Violations of the law, such as non-existence of control over the quality of products purchased in educational and medical institutions, non-compliance with their storage conditions, are widely recognized.

Of course, the main specialist and supervisor in this regard is the Consumer Rights Protection Agency under the Anti-Monopoly Committee of the Republic of Uzbekistan and its regional bodies.

Only, in some cases, this Agency itself may become an object of control by the prosecutor's office and investigative bodies.

Thus, the primary task of the prosecutor's office in ensuring the quality of food products is to ensure control over the actions (inaction) of a specialized state authority - the Consumer Rights Protection Agency and its territorial bodies, as well as to conduct joint inspection activities with this body.

In our opinion, another area of ensuring the safety of food products is the quality and safety of drinking water, which is an integral part of the daily diet of any person.

The work in this field can be divided into 2 main parts: the first is to ensure the enforcement of laws on the use of surface waters and their protected areas, and the second is to ensure the legislation on the use of underground waters.

Another direction of the prosecutor's supervision regarding food safety is the physical and economic access of citizens to food products.

While the physical availability of food products is the availability of food products necessary for the needs of the population, economic availability should be understood as the ability of each population to economically purchase this food product.

As a result of the establishment of prosecutorial control in our country to ensure food safety, which has given import-substituting products wide access to the domestic consumer market, there are also cases of attempts by local producers to unjustifiably raise food prices through extortion.

To prevent such illegal actions, it is advisable for prosecutors' offices to conduct regular monitoring activities with the Antimonopoly Committee of the Republic of Uzbekistan.

The prosecutor's office draws a conclusion that the information received by the prosecutor's office about the fact of violation of the law and the results of the prosecutor's information and analytical checks, as well

as the work plans of the prosecutor's office, should be taken into account.

Sh.J. Rakhimov, in his research, shows that at least the following three conditions are necessary for the work to be done correctly: "first, information about violations of the law and the circumstances that led to these violations; second, means of obtaining, collecting and processing information; and finally, the presence of a clear goal for planning the work."

In our opinion, both scientists overlooked the fact that in order to properly conduct research, it is first necessary to carefully study the existing regulatory and legal framework in the field.

The reason is that before collecting any information, one must fully study the regulatory legal documents that assign which body what tasks, and then have a clear idea of what information to obtain from whom.

After collecting and evaluating information received on violations of the law, determining the scope of objects, and formulating issues that need to be identified by the prosecutor in the supervised bodies, the prosecutor draws up an inspection plan for conducting an inspection.

Planning the prosecutor's work. Activities of prosecutors to control the implementation of legal documents on food safety should be carried out on the basis of well-developed plans, like all their other activities.

Preparation for a prosecutor's inspection includes drawing up a plan for its implementation. The plan shall indicate: the names of the objects planned to be inspected, including their structural divisions; a list of legislative norms and relevant regulatory documents on food safety, compliance with which is planned to be checked; the essence of the main issues to be clarified; a list of documents and other information required for the inspection; basic tactics; determining the procedure for identifying the circle of persons and obtaining explanations from them; ensuring the safety of relevant documents; the procedure for studying and analyzing the collected information, as well as responsible executors.

Preparation for the prosecutor's examination includes: study of laws and other legal documents related to food safety;

Familiarize yourself with the orders and instructions of the Prosecutor General, determine the requirements for prosecutorial investigations in this area;

- get acquainted with the system of food safety control by government bodies;

- preliminary analysis of statistical report data on food

safety;

- familiarize yourself with the materials of previous investigations by the prosecutor and state control bodies.

An essential condition for the effectiveness of inspections is knowledge of the regulatory documents that regulate food safety. Therefore, it is necessary to review the legislation and other regulatory documents on food safety immediately before the inspection.

Sh.J. Rakhimov in his study recommends that auditors be involved in the audit. However, one cannot agree with this opinion of the researcher, since prosecutorial audit and audit are completely different concepts, and in accordance with Article 36 of the Law "On Auditing Activities", initiative audit audits are conducted for a fee.

The inspection plan should provide for the forms of using specialists. It is recommended to involve specialists in various fields of knowledge - sanitation, standardization, consumer protection, and to formulate questions for them, and to issue written conclusions on them. Thus, when confirming information about food substandardness, employees of the sanitary epidemiology field, scientific laboratory workers may be involved in the prosecutor's inspection. The inspection plan must indicate the forms of participation of specialists in the prosecutor's inspection.

Thus, the plan indicates the following: the object of the inspection; its start and end dates; the part of the legislation that must be observed; a list of specialists; a list of organizations being inspected; a list of issues to be identified; drawing up a conclusion based on the results of the inspection and preparing the prosecutor's response documents.

Before the inspection, it is recommended to hold a meeting of a group of employees - responsible executives, and if necessary, invite the heads of the inspected objects. The meeting should introduce the participants, discuss the inspection plan and determine the procedure for mutual cooperation. In addition, the prosecutor must immediately before the inspection familiarize himself with the relevant regulatory legal acts, sources of information on violations, analytical materials, materials obtained at the request of the prosecutor, the results of previous inspections and the measures taken in response to them.

After collecting and evaluating the information received on violations of the law, determining the scope of objects, and formulating issues that need to be clarified by the prosecutor in the controlled bodies, a decision is made to conduct a prosecutorial

inspection.

As is known, in accordance with Clause 3 of the Resolution of the President of the Republic of Uzbekistan No. PP-4643 dated March 18, 2020 "On measures to further improve the management system of the agrarian and food sectors", the following positions were introduced in the structure of the Prosecutor General's Office of the Republic of Uzbekistan: Deputy Prosecutor General of the Republic of Uzbekistan, Deputy Prosecutors of the Republic of Karakalpakstan and regions, and Senior Assistant to the Transport Prosecutor of the Republic of Uzbekistan, who are responsible for monitoring compliance with the requirements of legislation in the field of agriculture and food safety and their implementation. Also, by this Resolution, the Department for Supervision of the Implementation of Legislation in the Agricultural Sector of the Prosecutor General's Office of the Republic of Uzbekistan was renamed the Department for Supervision of the Implementation of Legislation on the Development of the Agrarian and Food Sectors, and the departments for supervision of the implementation of legislation in the agricultural sector of the prosecutor's offices of the Republic of Karakalpakstan and regions were renamed the departments for supervision of the implementation of legislation on the development of the agrarian and food sectors, and an additional 145 staff units were allocated to them.

In order to effectively organize prosecutorial control over the implementation of legislation on food safety, the Department for Supervision of the Implementation of Legislation on the Development of the Agrarian and Food Sectors of the Prosecutor General's Office of the Republic of Uzbekistan, together with the relevant departments of the Prosecutor's Offices of the Republic of Karakalpakstan and regions (hereinafter referred to as the Departments), should systematically analyze the legality of the implementation of control over compliance with legislation on food safety, study prosecutorial and law enforcement practice in this regard, identify relevant problems, and make proposals for their solution.

The Department should provide practical and methodological assistance to departments in organizing prosecutorial supervision over the implementation of food safety legislation, and manage and monitor their activities.

The departments of the prosecutor's offices of the Republic of Karakalpakstan and the regions for monitoring the implementation of legislation on the development of the agrarian and food sectors should, within the framework of their powers, ensure effective monitoring of the implementation of legislation in the

field of food safety, taking into account the current situation. In order to carry out prosecutorial control in this area, prosecutors are required, within the framework of their powers, to organize the systematic collection and analysis of data characterizing the state of legality in the field of food safety. Therefore, they should actively use the information and telecommunications network "Internet" and data from state information systems as a source of information.

It is necessary to organize an immediate investigation of information about violations of the law that require the intervention of the prosecutor. In case of detection of information indicating persistent negative trends in this area, measures should be taken to include them in the work plan of the prosecutor's offices for appropriate control measures.

The prosecutor should inform the relevant levels of state and local authorities about the most pressing problems related to food safety. It is necessary to ensure that information on the state of the legislation and the results of the activities of the prosecutor's offices in this area is regularly brought to the attention of the population.

by the prosecutor to prevent the cultivation, production, circulation of substandard food, failure to form reserves, and embezzlement of funds allocated to the sector is also of great importance. The creation of permanent interdepartmental working groups with the participation of law enforcement agencies, state authorities, local government authorities, scientific organizations, and public representatives to address the most pressing issues in the field of food safety at the initiative of the prosecutor's office is a positive experience.

As noted by legal scholar A.Yu. Vinokurov, the cooperation of prosecutor's offices with environmental protection and other bodies and the public is an important aspect of organizing the activities of the prosecutor's office. Only in close cooperation with them can prosecutor's offices achieve even greater results in strengthening the rule of law in the environmental sphere. The prosecutor's office, like all other bodies, should act as a single, well-coordinated mechanism in which each body has a clearly defined role.

Ensuring close cooperation with public and other non-governmental non-profit organizations, with a focus on protecting the rights of the public to exercise control over the observance of consumer rights, should also be one of the main tasks of the prosecutor's office.

Consistent and decisive action is essential to effectively eliminate violations in the field of food safety regulation. Given that eliminating such violations

requires a long time and significant financial resources, the prosecutor should retain control of the relevant documents until the prosecutor's requirements are fully met.

To clarify issues requiring specialized knowledge (sampling, laboratory tests, damage assessment, etc.), state authorities and management bodies, local government bodies, supervisory bodies and institutions subordinate to them, as well as specialists from other organizations, should take measures to involve them in joint inspections.

One of the important directions of the prosecutor's office is to check the full and timely performance of the powers, functions and tasks assigned to them by the state authorities and management bodies, local state authorities, supervisory bodies, their officials, commercial and non-commercial organizations in the field of food safety.

The prosecutor must also respond to cases of failure to take measures to prevent and resolve conflicts of interest. If there are sufficient grounds, he must also put on the agenda the issue of removing individuals from their positions due to loss of trust.

If during the inspection signs of crimes in the field of food safety are identified, a decision is made to send the relevant materials to the investigative bodies or inquiry bodies on the basis of Part 1 of Article 34 of the Criminal Procedure Code. Controls their timely resolution, completeness and impartiality. Ensures compliance with the requirements of the law in receiving, registering and resolving reports of crimes, their timely and high-quality resolution, and making lawful and substantiated decisions based on pre-investigation inspection materials.

Takes immediate action, within the limits of the powers granted by the legislation, against violations committed by investigators and inquiry officers during pre-investigation checks and criminal cases.

The prosecutor should have up-to-date information about all facilities (enterprises) that have a negative impact on food safety. He should pay special attention to implementing measures to reduce violations in the sector.

According to Article 22 of the Law of the Republic of Uzbekistan "On the Prosecutor's Office", in the process of exercising control over the implementation of laws, the prosecutor, within the scope of his powers, has the right to freely enter the territories and premises of ministries, state committees, departments, enterprises, institutions, organizations, military units, view documents and materials, conduct inspections, and request for inspection decisions, orders, orders and

other documents, information on the state of legality and measures to ensure it.

Based on these requirements specified in the law, it is considered appropriate for the prosecutor to receive the following information from the competent authorities in order to organize and analyze the prosecutor's control over the implementation of legislation on food safety:

1. From local government bodies - information on the land allocated for the production of food products and the state of their use, the location of the created food reserves, the funds allocated for food reserves and their targeted spending, the development and implementation of food security programs;

2. Sanitary and epidemiological services - the state of state policy in the field of food safety, the implementation of state programs and other programs in this area, coordination of the activities of state and economic management bodies, requirements for food safety, control measures and measures taken to ensure the maximum permissible levels of contaminants, including pesticides, biological and chemical agents, feed additives and residues of veterinary drugs, inspections conducted to study the sanitary and epidemiological situation during the production, transportation, storage and sale of food products, work carried out to combat food poisoning, the state of state registration and maintenance of the state register of baby food products, biologically active and food additives, new food products, functional and specialized food products, the concept of safe nutrition of the population, the implementation of national standards developed in accordance with the recommendations of international organizations, etc. information;

3. From the agencies of the Agency for Technical Regulation - information on the state of prevention and prevention of violations of legislative acts in the field of technical regulation, conformity assessment and metrology and comprehensive assistance to business entities, the organization of work on identifying food products that are found to be non-compliant with regulatory documents and mandatory requirements established by legislation in the field of technical regulation of food products, the organization and implementation of state control over compliance with legislative acts in the field of technical regulation of food products, conformity assessment and metrology, work carried out to identify violations in the field of certification of food products and technical regulation, measures taken, the withdrawal from trade in accordance with the established procedure of products that do not comply with the requirements of

current technical regulations, standards and legislation on food safety, certification of agricultural and food products, control over the activities of laboratories established on the basis of public-private partnership;

4. From agricultural departments - digitalization of the food security sector, implementation of a unified state policy in the field of food security, which includes the introduction of modern resource-saving and intensive agrotechnologies in the production of food products, creation of a value-added chain of agricultural and food products through the expansion of modern cooperative relations, creation of conditions for mutually beneficial relations between enterprises producing (producing) fruits and vegetables, meat, dairy and other agricultural food products and enterprises processing, preparing and selling these products, increasing the competitiveness of local food products and their diversification, development of strategies and models for the development of the food industry based on the productive use of existing natural and economic resources of the regions, support for business entities processing fruits and vegetables, meat, dairy and other agricultural food products, implementation of projects, attraction of private and direct foreign investments in the development of the food industry, modern trade and information on the organization of logistics centers, measures to promote local food products in world markets, increase their competitiveness, expand export potential and reduce import volumes, coordinate state support measures for agriculture that help ensure food security and increase exports of agricultural products, monitor the placement, planting and care of food crops, coordinate and regulate the activities of all interested organizations within the framework of organic production and good agricultural practices (Global G.A.P);

5. From the Agency for Plant Quarantine and Protection - the conduct of field radiological and toxicological analyses of pesticide, nitrate and heavy metal salt residues in food products, the status of control and monitoring of plant quarantine objects and other harmful organisms, measures taken to prevent and eliminate the entry and spread of plant quarantine objects and other harmful organisms that can cause economic damage to the territory of the republic, control measures taken to prevent the entry and spread of plant quarantine objects and other harmful organisms, permits and certificates issued for the import of chemical agents, the status of issuing quarantine inspection reports, laboratory examinations conducted, the status of detection of chemical substances used in plant protection that have a negative impact on human health, early detection of pests, diseases and weeds in food crops grown in the territory

of the republic, study of bioecological characteristics and improvement of methods of control depending on the level of damage the status of their work, quarantined plant products imported from foreign countries that do not meet phytosanitary requirements or are exported in transit, restrictions on the entry and exit of food products, state-registered plant protection products and pesticides, conclusions on the quality of mineral fertilizers and chemical agents used in plant protection imported into the republic, prohibitions on their use, the status of quarantine inspections, laboratory examinations of hidden contamination of plant products and other materials, and other information;

6. From the State Committee for the Development of Veterinary and Animal Husbandry - implementation of state control over animals, products and raw materials of animal origin, veterinary drugs, strains of microorganisms, feeds and nutritional supplements, veterinary equipment, as well as plant food products sold in markets, products and raw materials in this field in markets, trade organizations and other trade facilities, as well as plant and food products sold in markets the conclusions of the veterinary-sanitary expertise given to the reception, storage and sale of products, cases of violations of veterinary, veterinary-sanitary rules and norms and prohibitions and restrictions on their use, implementation of epizootic control measures, information on the detected violations of the law and the measures taken;

7. From the Consumer Rights Protection Agency - information on the work carried out in the field of protecting the rights of food consumers and regulating the advertising market, the state of ensuring the ability of consumers to obtain accurate and complete information about the manufacturer, performer and seller of food products, including using information and communication technologies, the implementation of programs aimed at increasing consumer knowledge and literacy of the population, practical assistance provided to consumers in protecting their rights and interests, the implementation of state control over compliance with legislation on consumer rights protection, the work carried out in the field of food safety and quality control, the analysis of the causes of violations of consumer rights, the preparation of proposals for their elimination, and the work carried out to prevent violations of consumer rights;

8. From the tax authorities - about the privileges and preferences applied to food producers, producers, sellers, importers and exporters;

Information on subsidies and preferential loans allocated to food producers, manufacturers, sellers,

exporters and importers from financial institutions and commercial banks, and the status of their targeted use ;
10. It is advisable to request information from state customs authorities on the volume of imports and exports of food products, as well as on the customs privileges applied to exporters and importers of food products.

In addition, in our opinion, it is appropriate to list a number of problems in the implementation of the prosecutor's control over the implementation of legal documents related to food safety.

of the Prosecutor General of the Republic of Uzbekistan dated May 25, 2021,

the Department of Supervision over the Implementation of Legislation on the Development of the Agrarian and Food Sectors of the Prosecutor General's Office is entrusted with monitoring the development and implementation of comprehensive measures to ensure food safety.

Paragraph 3.1 of Order No. 166 of the Prosecutor General of November 24, 2017 "On further improving prosecutorial control over the implementation of social and economic legislation" stipulates the task of exercising control over the implementation of legislation on replenishing the domestic market with necessary consumer goods and accessories in the field of control over the implementation of economic legislation.

In our view, in the orders of the Prosecutor General, control over the implementation of legislation on the cultivation of food products is assigned to the department and departments of the control over the implementation of legislation on the development of agricultural and food sectors, control over the formation and provision of food reserves in social facilities is assigned to the department and departments of control over the implementation of legislation in the social sphere, the formation and provision of food reserves in economic sectors, including markets, in the Economic sphere It is proposed to assign control over the implementation of legislation to departments and departments.

As a result, the state of legality in the field will improve, and the quality and efficiency of control will increase.

In this regard, it is not appropriate to make a comparison, since in the prosecutor's systems of the CIS countries, prosecutorial control in the social and economic sphere of agriculture is integrated into the general direction of prosecutorial control. For example, in accordance with the Order of the Prosecutor General of the Russian Federation No. 195 of December 7, 2007, prosecutorial control in the area of food safety is carried

out by the Main Department for Supervision of the Implementation of Federal Legislation of the Prosecutor General of the Russian Federation.

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