



Centre for  
Science and  
Environment

# NATIONAL CONCLAVE ON FOOD

## Draft Food Labelling Regulations

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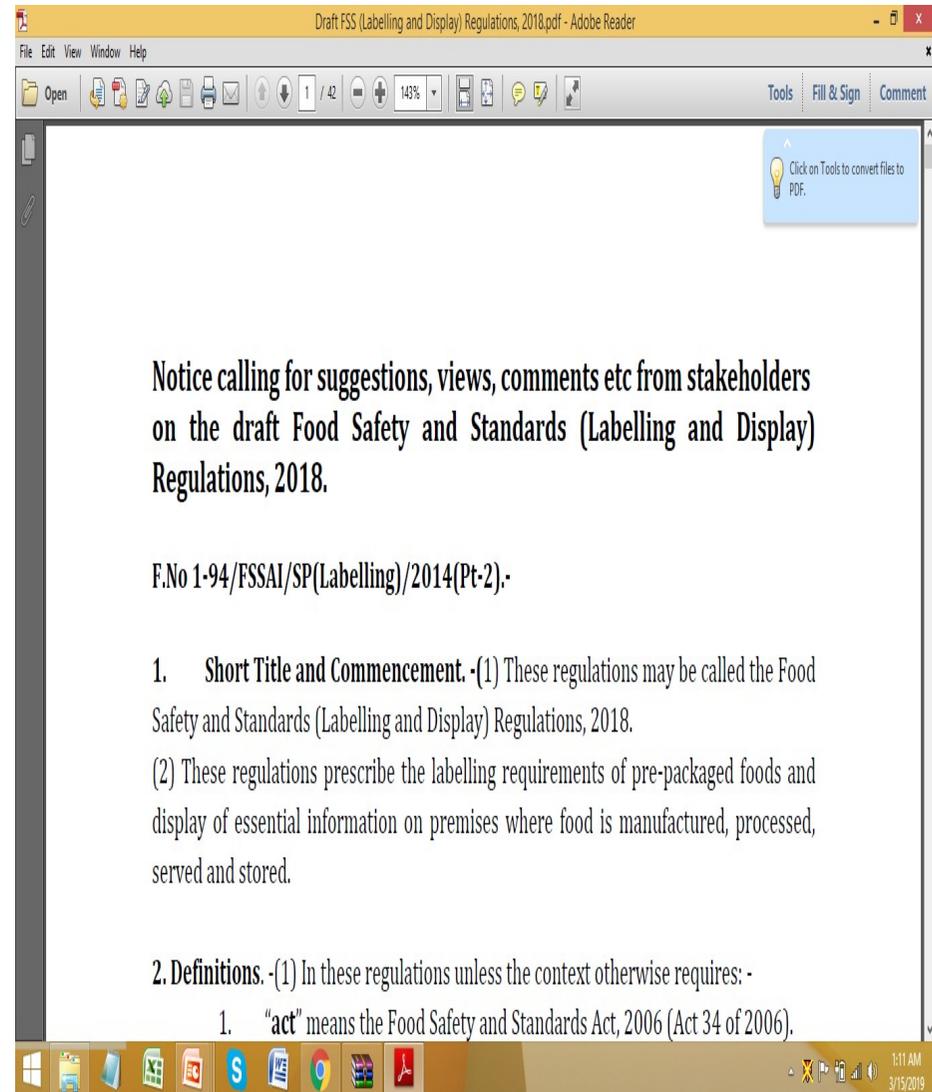
Food Safety and Toxins

Centre for Science and Environment



## Draft Food Labelling Regulations by FSSAI: April, 2018

- **Though not strong; but a big step in the right direction!**
- **Seems to have succumbed to industry pressure despite a compromised version.**
- **Failing to reach its logical end ...a final notification even after a year of deliberations / negotiations!**







## Nutrition labelling in India

### **As per the Food Safety and Standards (Packaging and Labelling) Regulations, 2011**

- Energy, along with amount of protein, carbohydrate and fat, is required to be declared
- The quantity of sugar is to be specified along with carbohydrate
- The information could be mentioned as per 100 g or 100 ml or per serving of a product
- In case of per serve declaration, serving measure is to be mentioned alongside



## Gaps with reference to best practice (such as in the US)

- Amount of salt/sodium, added sugar, dietary fibre, vitamin and minerals is **not mandatorily required**. It is required only in case a claim is made
- Amount of saturated fatty acids, MUFA, PUFA, trans fatty acids and cholesterol are to be declared **only in case of a claim**
- Per serve nutrient declaration and serving size is **optional**.
- Number of servings in a package/container **not required even in case of per serve declaration**.
- Nutrient declaration as percentage of Daily Value (or Recommended Dietary Allowance—RDA) **not required**.
- **No particular format** of nutrient declaration suggested such as the tabular format of Nutrition Facts in the US

<b>Nutrition Facts</b>	
8 servings per container	
<b>Serving size</b>	<b>2/3 cup (55g)</b>
<b>Amount per serving</b>	
<b>Calories</b>	<b>230</b>
<b>% Daily Value*</b>	
<b>Total Fat</b> 8g	<b>10%</b>
Saturated Fat 1g	<b>5%</b>
Trans Fat 0g	
<b>Cholesterol</b> 0mg	<b>0%</b>
<b>Sodium</b> 160mg	<b>7%</b>
<b>Total Carbohydrate</b> 37g	<b>13%</b>
Dietary Fiber 4g	<b>14%</b>
Total Sugars 12g	
Includes 10g Added Sugars	<b>20%</b>
<b>Protein</b> 3g	
Vitamin D 2mcg	<b>10%</b>
Calcium 260mg	<b>20%</b>
Iron 8mg	<b>45%</b>
Potassium 235mg	<b>6%</b>

\* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Mandatory nutrient declaration as part of 'Nutrition Facts' in the US



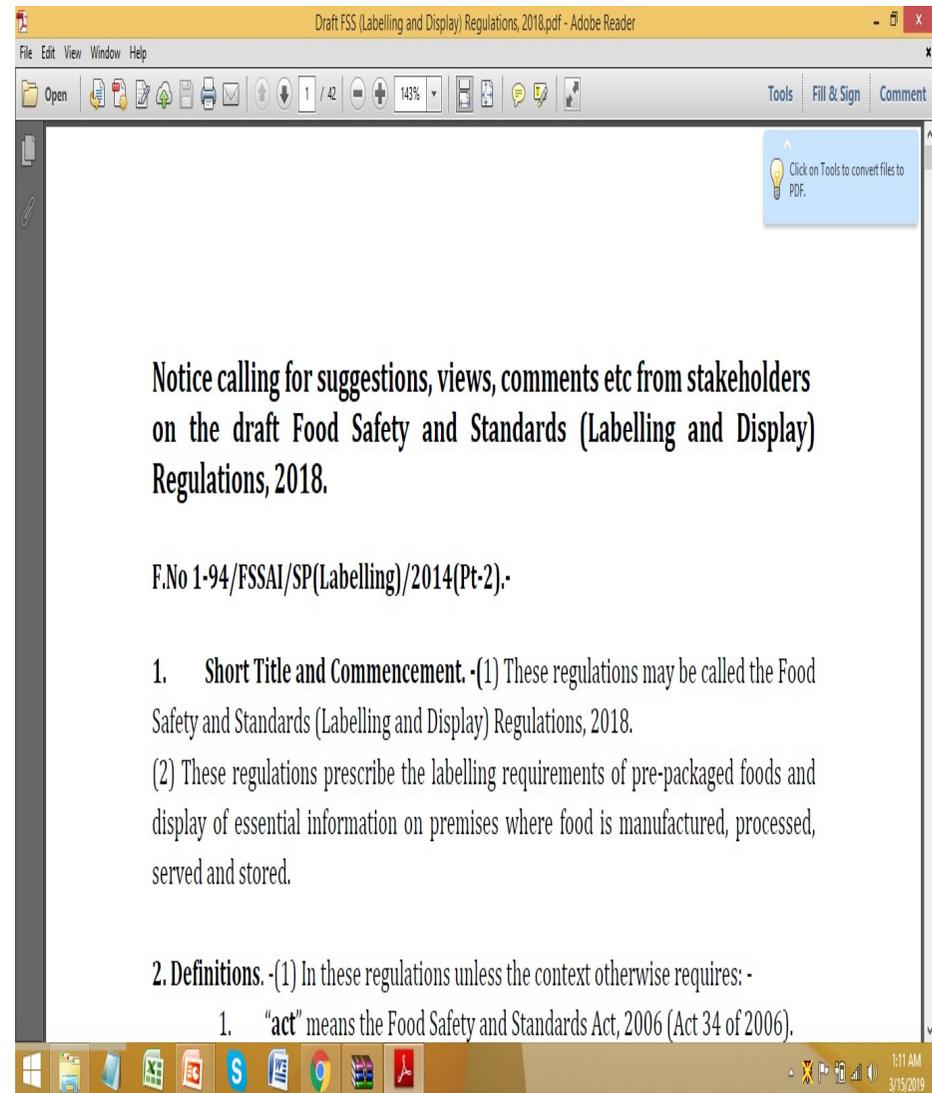
## What we said...

- **The current nutrition labelling or nutrition facts labelling needs to strengthen.** It should include:
  - Mandatory labelling of salt/sodium, added sugar, saturated fats and trans fats
  - Nutrient declaration per serve and per 100 g or 100 ml should be made mandatory.
  - Accordingly, serving size, number of servings in a pack must be mentioned wherever applicable
  - Serving size must be standardized for food categories to help per serve information disclosure
  - Per serve nutrient information should be mentioned along with percentage contribution to the daily value or RDA. The reference value used for calculating percentage should also be mentioned
- **An easy-to-understand front-of-pack labelling system should be developed**
- **A system to ensure display of warning symbols at the front-of-pack should be developed**
- **A specific format for nutrition labelling needs to be finalized and enforced**



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- **Aims to cover decent ground from where we are such as in case of:**
  - SALT
  - FRONT OF PACK LABELLING
  - PER SERVE, RDA ETC.
  - WARNING SYMBOLS
- **But also has gaps and exemptions which leave a lot of space of maneuvering, their by giving HUGE ADVANTAGE TO INDUSTRY**





## 'Added sugar' must be declared on nutrition labels

HUGE  
INDUSTRY  
ADVANTAGE

- Added sugar is known to cause **detrimental health impacts**
- **Ultra-processed foods** typically have **high quantity of added sugar**
- Added by the manufacturer, these can be **measured** and **controlled**
- International best practices (such as in the US) **require disclosure**
- For calculation of per serve contribution to recommended dietary allowance (RDA), the **upper limit** of added sugar per day must be set equal to or below **25 grams**.
  - 'Added sugar' is a sub-set of 'free sugars', which also includes sugars naturally present in honey, syrups, fruit juices and concentrates.
  - WHO recommends that for additional health outcomes, intake of 'free sugars' should be below 5 per cent i.e. 25 grams per day
  - NIN also suggests 25-30 grams of sugar per day
- **Carbohydrates and sugar should not be clubbed**
  - Label should read as:  
*"Carbohydrates ..... x g  
Of which total sugar ..... y g  
Of which added sugar ..... z g"*



## Declaration of dietary fibre must be mandatory

HUGE  
INDUSTRY  
ADVANTAGE

- Dietary fibre is a critical component of diet; known to delay absorption of sugars, fats, maintain gut health and prevent against cancers of the gastrointestinal tract
- Typically, **dietary fibre** content in **packaged food is very low.**
  - Food companies **disclose** it when they want to **claim high levels** of it
  - Consumer does not get to know if the dietary fibre levels are low
- In the USA and Canada, declaration of dietary fibre is **mandatory**
- For the purpose of nutrition labelling, FSSAI should take no less than **40 grams** per day as RDA for dietary fibre



## Serving sizes must be standardised

HUGE  
INDUSTRY  
ADVANTAGE

- Draft regulation defines ‘**serving size**’ but **does not standardize** them
- Manufacturers may take **unrealistically small serving sizes** for reference and manipulate labels.
- There are **examples of manipulating serving sizes**:
  - Very small packet of namkeen (worth Rs 5) claimed to have 2 servings of the namkeen, and
  - Chocolates as small as 36 g mentioning half of it (18 grams) as a serving size
- This is unrealistic as such small values are practically consumed at one instance only . Further, bigger packages are made more attractive and despite them claiming a small serving size, consumers often consume full packet
- **FSSAI must set specific standards for serving sizes of different food categories, particularly those which are HFSS and make sure that they are based on the quantity of a food items customarily consumed in the Indian context and not what should be consumed.**
- Examples of realistic serving sizes:
  - Serving size of carbonated beverages should be taken as 300 or 330 ml (size of glass bottle or can).
  - It cannot be less than a medium size 10 Rs packet for chips or less than a medium size chocolate.
- **Serving size should be mentioned clearly on the nutrition label and the FoP label.**



## Exemption from nutrient information declaration for small packets must be revised

HUGE  
INDUSTRY  
ADVANTAGE

- The draft provides exemption from various forms of labelling on **packages which have a surface area less than 100 square cm.**
- **Small package** size cannot make an HFSS product healthy or **less harmful**
- Selling in small packets has been a successful **marketing strategy**
- Small packets are likely to be bought and consumed more frequently by **school children and adolescents**
- Small packets are **already declaring** nutrient information. Example, a small packet of kitkat chocolate which costs Rs 10 (weights about 13 grams) and has a surface area of about 70 sq cm declares nutrition information including list of ingredients and other information
- **There should be no exemption at all for FoP labelling**



## Reusable glass bottles must not be exempted from nutrient information declaration and FoP labelling

HUGE  
INDUSTRY  
ADVANTAGE

- Glass bottles are **environment-friendly** than **one-time-use plastic bottles**
- They are commonly used in India, **particularly in rural areas**
- Sugar sweetened beverages (SSBs), known to have a negative health impact, are typically sold in glass bottles
- Glass bottles are used for **smaller and cheaper versions of SSBs**, they contribute to frequent consumption and cover a **major part of the SSB market**
- Glass bottles **need not be phased out** and the only way out is appropriate labelling
- **Therefore, no exemption should be given in case of glass bottles. Any such move will defeat the purpose of labelling one of the unhealthiest HFSS food product targeted at school children and adolescents**



## Exemption from colour coding to beverages providing less than 80 kcal/serve should be omitted

HUGE  
INDUSTRY  
ADVANTAGE

- In principle, **small size** of an HFSS food product **does not make it healthy**
- If **serving sizes not standardized**, soft drink companies can claim a **reduced serving size** to bypass the colour coding on the FoP label
- Even if **serving sizes are standardized**; it could be misused
  - 100 ml of a soft drink typically provides about 40 kcal
  - To take undue benefit of this provision, smaller bottles (of say, 180 ml) can be introduced. There are examples of SSBs sold in similar size.



## Calories should be labelled red in FoP labels, if high

HUGE  
INDUSTRY  
ADVANTAGE

- The draft regulation requires FoP labels to declare the calories per-serve and its contribution towards the RDA; However, unlike salt, sugar and fat, **no threshold criteria for calories** has been provided
- There could be a situation, wherein a product barely meets the cut-off of sugar and fat and is therefore, not 'red' marked, but the **overall calories in the product are substantially high**
- There are **examples of FoP labels** which include calories
- **FSSAI must also develop threshold criteria for calories**



## Stringent standards for labelling of genetically modified food products must be adopted

HUGE  
INDUSTRY  
ADVANTAGE

- **If food product is manufactured using GM ingredient(s), it must be labelled**, even if the final product does not contain GM DNA or protein
- **Exemption from labelling requirement** must be only subject to following two conditions:
  - Total GM DNA (of all GM crop ingredients) in the food product not more than **1 per cent (instead of proposed 5 per cent)**; and
  - The presence of GM DNA is due to inadvertent contamination
- **Onus on the food manufacturer to prove eligibility of exemption criteria** (*FSSAI to develop procedures and requirements for proving eligibility and to effectively monitor and cross-check information provided by the manufacturer*)
- **Labelling format: Must be symbol-based; The letters 'GM' must be placed on the front of the pack** (*consumer friendly approach; will address language issues*)

Details of the GM ingredients to be mentioned as text along with information on ingredients used



## Labelling of fortified food should be neutral in nature and must not look like a health claim

HUGE  
INDUSTRY  
ADVANTAGE

- Current draft proposes that every package of fortified food shall be accompanied by a tag line which loosely translates to “*complete nutrition, healthy life*”.
- This is like a health claim and will lead to an incorrect impression that packaged food can replace a balanced diet
- This should not be allowed for HFSS packaged food
- **No such tag line which reflects a health claim and that a product can substitute a balanced diet should be allowed**



## Definition of HFSS foods and FoP labels should not include trans fat

- Trans fats are a matter of concern across the world; WHO has recently recommended to completely eliminate industrially produced trans fatty acids (trans fats)
- FSSAI has also recently announced its intent to eliminate trans fats from India by 2022
- Draft regulation includes trans fats in the definition of HFSS and also incorporates trans fat on the FoP label, whereas worldwide, the accepted definition of HFSS foods does not incorporate trans fat
- Analysis of key FoP labels from across the world has also shown that trans fat is not included in the FoP; Inclusion of trans fats on the FoP label will imply that there is a safe or recommended limit, which is not the case
- **There are greater issues here:**
  - **A) Multiple extensions given to industry on transfat labelling over the last many years**
  - **B) Who is checking if the industry is complying? Is there any monitoring data?**



## Draft Food Labelling Regulations by FSSAI: April, 2018

- **Despite HUGE ADVANTAGE GIVEN TO INDUSTRY in the draft, it has been stalled (reportedly by the industry itself).**
- **It is unclear how the FSSAI plans to take this forward.**
- **But, it is good to go! It need not wait any longer. This should be notified soon and modifications can be planned for a later stage.**

Draft FSS (Labelling and Display) Regulations, 2018.pdf - Adobe Reader

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**Notice calling for suggestions, views, comments etc from stakeholders on the draft Food Safety and Standards (Labelling and Display) Regulations, 2018.**

F.No 1-94/FSSAI/SP(Labelling)/2014(Pt-2).-

**1. Short Title and Commencement.**-(1) These regulations may be called the Food Safety and Standards (Labelling and Display) Regulations, 2018.  
(2) These regulations prescribe the labelling requirements of pre-packaged foods and display of essential information on premises where food is manufactured, processed, served and stored.

**2. Definitions.**-(1) In these regulations unless the context otherwise requires: -

1. **“act”** means the Food Safety and Standards Act, 2006 (Act 34 of 2006).

1:11 AM 3/15/2019



# Thank you!

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