

Subject: Proposals submitted by M/s The Nutrition Alchemy regarding FOP Labelling - reg.

Reference PUC:

Draft Food Safety and Standards (Labelling & Display) Regulations, 2019 were notified on 25th June, 2019 for inviting comments from various stakeholders. These regulations will supersede the Food Safety and Standards (Packaging and Labelling) Regulations, 2011. According to the proposed draft Food Safety and Standards (Labelling and Display) Regulations, the packaged food companies will need to declare nutritional information such as calories (energy), Saturated fat, trans-fat, added sugar and sodium per serve on the front of the pack. The food labels will also declare, per serve percentage contribution to RDA (recommended dietary allowance) on the front of the pack.

In a bid to encourage consumers make healthier food choices, these regulations propose to make it mandatory to display red colour-coding on front-of-the-pack labels on packaged food products that have high-fat, high-sugar and high-salt content levels. This requirement would be implemented in phased manner for a period of three years.

2. The comments received on this draft are being examined by Scientific Panel on Labelling and Claims/Advertisements.
3. With respect to front of pack labelling, Industry Associations presented before Chairperson, FSSAI on 29th July, 2019 and thereafter before Scientific Panel on Labelling and Claims/Advertisements in its 31st meeting held on 14th-15th October, 2019. Industry Associations presented that proposed thresholds need to be reviewed and have submitted a proposal to create market validated category wise baseline data for setting thresholds (F/X). In the Panel meeting, Ms Rashida Vapiwala from M/s The Nutrition Alchemy presented data of survey conducted by them regarding food labels. It was suggested that more data need to be collected about the current levels of salt sugar and fat in the food categories having majority market shares of packaged food. The minutes of meeting are in draft stage.
4. In reference to this discussion, M/s The Nutrition Alchemy has submitted following two proposals vide email dated 18th October, 2019:
 1. **Nutrient (Fat, Sugar & Sodium) Threshold Study in packaged foods.** The following deliverables have been stated:
 - a) Data repository of the nutritional information (per 100gm/ml) of packaged food products across major FSSAI defined food and beverage categories & sub categories.
 - i. Energy
 - ii. Total fats
 - iii. saturated Fats
 - iv. Mono-unsaturated fats (MUFA)
 - v. Poly-unsaturated fats (PUFA)
 - vi. Trans Fats
 - vii. Total Carbohydrates
 - viii. Total sugars
 - ix. Added sugars(sucrose)
 - x. Added Sugars
 - xi. Salt
 - xii. Sodium
 - xiii. Protein
 - xiv. Dietary fibre
 - b) Category and sub-category wise(FSSAI food categorisation document) data analysis reports(min., max., mean \pm SD)
 - c) Threshold values for per 100gm/ml contribution of above nutrients for FOP labelling based on FSSAI/international benchmarks

Reference note at pre-page and discussion with Advisor (Stds):

With respect to information sought by Finance Division, the following is submitted:

- a) According to the proposed draft Food Safety and Standards (Labeling and Display) Regulations, the packaged food companies will need to declare nutritional information such as calories (energy), Saturated fat, trans-fat, added sugar and sodium per serve on the front of the pack.

In this regard, a request to review the thresholds proposed in draft FSS (Labeling and Display) Regulations was received from Ministry of Food Processing Industries. Further industry Associations and FBOs also represented their concerns regarding the thresholds.

In view of this, the concerned Scientific Panel in its 31st meeting held on 14th-15th October, 2019 recommended to constitute a Working Group to review the thresholds category & sub category, wise vis a vis Indian data. Panel further recommended that an independent agency may collect data about the current levels of salt, sugar and fat in the packaged food available in market. In the same panel meeting Ms. Rashida Vapiwala (representative of Nutrition Alchemy) on the invitation of CEO FSSAI delivered a presentation of a survey conducted by them regarding food labels on the basis of which CEO suggested that The Nutrition Alchemy may submit a proposal in this regard.

The Nutrition Alchemy has submitted their proposal in reference to the study on draft regulation for collection of data regarding Nutrient Threshold Study in packaged foods that will help in finalization of draft FSS (Labeling and Display) Regulations (w.r.t. FOPL part).

It may be noted that the said draft Regulation is pending since last 3-4 years and as recommended by the Scientific Panel in its meeting held on 14th-15th October, 2019, it would be appropriate that an agency may be hired for the above said study to be completed in a time bound manner.

In view of above, as observed by Finance division, a relation between the draft FSS (Labeling and Display) Regulations and study by M/s The Nutrition Alchemy is established.

- b) With regard to selection of single source agency, it is intimated that there is rising incidences of non-communicable diseases in the country and several representations were received at FSSAI to address the issue of consumption of HFSS foods. FSSAI initiated exercise to make the existing national labeling regulations more robust and effective. Issue relating to Front of Pack Labeling (FOPL) is under discussion in FSSAI, which in Public health interest requires to be finalized at the earliest possible.

It is further submitted that we need to get the desired survey/study done with in time bound manner so as to further present the outcome before the working group and Scientific Panel on Labeling & display for further cause of action. Therefore we have very limited scope to exercise tendering process as the process would take minimum one month time which may further delay the revision of thresholds leading to delay in finalization of draft labeling (FOPL) regulations.

As far as reasonability of quoted price is concerned, we could not find any prevailing market rate.

- 2. The file is submitted for perusal & consideration please.

(Signature)
19/12/19
(Manpreet Kour)

T.O. (Standards); 19.12.2019

JD (Standards)

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AD (F)

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