

PRESS NOTE

FSSAI has taken note of various media reports including on social media about various health claims made by the Food Business Operators in the country. In this regard, it is reiterated that the mandate of FSSAI is to lay down science based standards for food products in the country and enforce the same. Accordingly, in order to regulate the advertisement and claims on food products by Food Business Operators (FBOs), FSSAI has notified a regulation i.e. Food Safety and Standards (Advertisements & Claims) Regulations, 2018 under which the deceptive claims or advertisements are prohibited and are punishable offences under Section-53 of FSS Act, 2006.

Every claim including the permitted nutrient based claims under the said Regulations are required to meet the criteria stipulated in the said Regulations and no false or exaggerated health claim is permitted. Further, any nutrient function claims and other functional claims made on the food products are required to be based on the current and relevant scientific evidence. The claims made by a FBO in relationship to health should strictly be in accordance with the conditions laid down in the Regulation. Where a claimed health benefit is attributed directly to the product, it shall be based on statistically significant results from well-designed human intervention studies, conducted by or under guidance of established research institutions, in line with the principles of GCP (Good Clinical Practices) and peer reviewed or published in a peer reviewed reputed scientific journal.

In order to ensure compliance with the said provisions the Licensing cum Designated Officers notified both at the Central and State levels are empowered to call upon the FBOs to submit scientific evidence for such health claims being made on the products, failing which or in case of unsatisfactory response the FBO is required to withdraw such claims or modify them as per the provisions of the said Regulations failing which the FBO can be penalised with a fine extending up to Rs. 10 lakhs, as per Section-53 of the Food Safety and Standards Act 2006, apart from other stringent punishments like suspension/cancellation of license etc. in case of repeated offences.

Further, FSSAI has set up a dedicated **Advertisement Monitoring Committee** which periodically scrutinizes the advertisements and claims being made by the FBOs on various channels including social media and e-commerce platforms. The said committee monitors the advertisements/claims regularly of different food products in Indian Market and in case of any default noticed prima facie actions including issuance of Improvement Notices under Section-32 of FSS Act, 2006 are initiated against the FBO. During the last six months, the said Committee has scrutinized Advertisements and Claims on many food products and has reported **138 cases including that of many prominent brands** as non-compliant and misleading for the consumers vis-à-vis Regulatory provisions and the provisions of FSS Act, 2006 and for further enforcement actions the same have been referred to the concerned Licensing Authorities for issuance of notices to all such FBOs for withdrawing of misleading claims or scientifically substantiate the same.

FSSAI is actively discharging its statutory role for the sake of consumers by acting against the FBOs reported to be involved in making any false/misleading claims on food products to protect the interests of the consumers while ensuring fair trade practices and orderly growth of food industry in the country.