

Labelling and Display Regulations Update

- By Meenu Yadav (Mondelez India)

Current Packaging and Labelling Regulations

Chapter 1

- 1.1 Short Title and commencement
- 1.2 Definition (12 Definitions)

Chapter 2 Packaging and Labelling

2.1 Packaging

- 2.1.1: General Requirements
- 2.1.2: Product specific requirements

2.2 Labelling

- 2.2.1: General Requirements (7 points)
- 2.2.2: Labelling of Prepackaged foods
 1. Name of the food
 2. List of ingredients
 3. Nutritional information including **definitions for Health claims, Nutrition claims and Disease risk reduction claims**
 4. Declarations regarding Veg and Non Veg
 5. Declaration regarding Food Additives
 6. Name and complete address of the manufacturer
 7. Net quantity
 8. Lot/Code/Batch identification
 9. Date of Manufacture or packing
 10. Best Before and Use by date
 11. Country of origin for imported foods
 12. Instructions for use

2.3: Manner of Declaration

- 2.3.1: General Conditions
- 2.3.2: Principal Display Panel
- 2.3.3: The height of numeral in the declaration

2.4: Specific Requirements/ Restrictions on manner of labelling

- 2.4.1: Labelling of infant milk substitutes and infant foods
- 2.4.2: Labelling of edible oils and fats
- 2.4.3: Labelling of permitted food colors
- 2.4.4: Specific labelling requirements of other products
- 2.4.5: Specific restriction on product label

2.5: Restriction on advertisement

2.6: Exemptions from Labelling requirements

Red Clause removed

New Labelling and Display Regulations

- Chapter 1:** 1.1 Short Title and commencement : (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
- 1.2 Definition (22 Definitions) with changes in existing definitions
 - FSSAI may establish an internal mechanism to address the problems arising out of implementation/ interpretation of the regulations

Chapter 2 Labelling

4. Labelling of Prepackaged foods

- 4.1: General Requirements (8 points)
- 4.2: Labelling requirements
 1. Name of the food
 2. List of ingredients
 3. Nutrition Information
 4. Declarations regarding Veg and Non Veg
 5. Declaration regarding Food Additives
 6. Name and complete address of the manufacturer
 7. FSSAI logo and license number
 8. Net quantity, **Retail sale price and consumer care details**
 9. Lot/Code/Batch identification
 10. Date marking (Date of manufacturing and **Expiry/ Use by date**)
 11. Country of origin for Imported foods
 12. Instructions for use

5. Principal Display Panel including FOP labelling

6. Mandatory declaration

7. Exemptions from certain Labelling requirements

Chapter 3

8. Labelling requirements of non retails containers

Chapter 4 Labelling of Food additives when sold as such

9. Labelling of packaged Food additives for retails sale

10. Labelling of pre packaged Food additives sold other than by Retail

Schedule I: Nutrient threshold for Food categories (for FOP labelling)

Schedule II: Exempted categories

Schedule III: Logo for Fortified foods and organic foods

Schedule IV:

1. Mandatory declaration
2. Specific requirements/ restrictions on manner of labelling
 - 2.1 Labelling of infant milk substitute and infant food
 - 2.2 Labelling of edible oils and fats
 - 2.3 coffee chicory mixture
 - 2.4 Labelling of Milk and Milk products
 - 2.5 Labelling prohibitions on packaged drinking water and packaged mineral water
 - 2.6 Labelling of "Gluten free" and "Low gluten"
 - 2.7 Labelling of Genetically Engineered or Modified foods

Blue Clause inserted

Critical Watch outs from New Labelling and Display Regulations

- Labelling definition is extending its scope to all forms of display: “**labelling**” means any written, printed or graphic matter that is present on the label, accompanies the food or is displayed near the food, including that for the purpose of promoting its sale or disposal.
- Coding of Lot No: New definition of “**lot number**” or “**code number**” or “**batch number**” means the identification mark declared on the label by the use of numeral or alphabet or combinations thereof, preceded by “Lot number” or “code number” or “batch number” by which the food can be traced in manufacture and identified in distribution. This means that the coding of lot no should be preceded by only these three numbers and hence might impact coding pattern at our factories.
- Definition of “**non-vegetarian food**”: “**non-vegetarian food**” means an article of food which contains whole or part of any animal including birds, insects, fresh water or marine animals or eggs or products of any animal origin, but does not include milk, milk products, honey or bees wax or carnauba wax or shellac wax. This is bringing more clarity around Veg Nog Veg regulations.
- New definition for non-retail containers notified: “**Non-retail containers**” means any container that is not indented to be offered for direct sale to consumer. The food in such container is of same kind, pre-packaged or not, and intended for further business operations or processing activities. This is bringing new labelling provisions for Non Retail containers
- New definitions for assorted packs, compound food, e commerce, HFSS foods are introduced.
- **HFSS Foods are defined under these regulations with additional restrictions: “high fat, sugar, salt (HFSS) food”** means a processed food product which has high levels of total fat or trans fat or total sugar or salt. The declared values of these ingredients are such that the product; does not satisfy the value of energy (kcal) from total sugar less than 10 percent of total energy, or energy from trans fat less than 1 percent of total energy; or has total fat or sodium above the thresholds specified under Schedule –I of these regulations. **These foods are not allowed to advertise to children (children age not defined in this document) and will carry additional Red coded labelling on Front of pack.**

- Requirements for e-commerce: When a food product is sold through e-commerce or any other direct selling means, the mandatory requirements of the label as given in these regulations shall be provided to the consumer through appropriate means before sale. The means are not defined specifically but must be available to consumer before the purchase of the product.
- The name of the food is now required on FOP along with brand name.
- All types of Sucrose are allowed to be labelled as Sugar and all milk and milk products solely derived from Milk can be labelled as Milk solids. This is creating an anomaly within different sections of same regulation.
- **Allergen information is now coming as Regulation** and without complete guidelines to implement
- Nutritional information:
 - Sugars are now defined under nutritional information bringing clarity and sync with global regulations.
 - **Fat has been defined as total lipids. This might impact declaration of total fat on our labels as we declare crude fat vs. Total lipids**
 - **Dietary fiber definition is coming up. This is not a mandatory requirement and hence we might need to replace in case the levels are below 3%.**
 - **Per Serve % contribution to RDA is mandatory for nutrition information table**
 - Salt will replace sodium and is now mandatory
 - Nutrition information panel shall include the amount of food in gram (g) or millilitre (ml) for reference beside the serving measure and the number of servings in the package
 - The compliance to quantity of declared nutrients on the label shall have the tolerance of maximum minus 10 percent of the value for that nutrient declared on the label at any point in time within declared shelf life of the product.

•Veg symbol is getting changed and this will impact every artwork and display materials including advertisement.
This should come on FOP.



•Every product not meant for human consumption shall carry this



•Now colour and flavors will be a part of ingredient listing and no need of additional bold declaration for products containing the same.

•**Expiry Date is now mandatory to be declared on labels.**

•**We need to declare FSSAI logo wherever we are handling our food product including our plants and Vehicles.**

•**The minimum font size of letter is now getting increased from 1mm to 2 mm for most of our packs and >2 mm for more pack surface area**

•All food products having total **Genetically Engineered (GE)** ingredients 5% or more shall be labelled

•Issue of Polyol and Polydextrose laxative labelling getting resolved for products having levels below 10%

•**Stevia (nonnutritive sweetener) is coming under the purview of NRC labelling (Not Recommended for Children) which is completely non-technical and without any valid reason.**

•FSSAI logo and license number and FOP labelling are not exempted from packages less than 100square centimeter

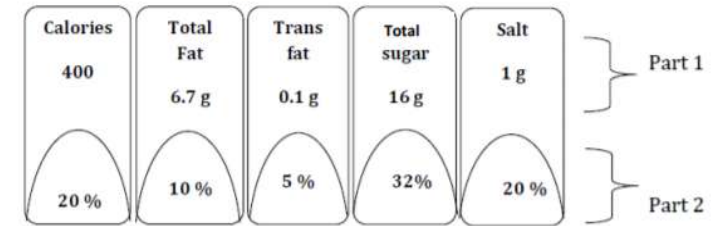
Update on HFSS

FoP Color code labelling

- Authority Proposed Front of Pack (FOP) Colour code Labelling for better communication to the consumer on foods having High Fat, Sugar and Salt (HFSS)
- HFSS is defined on basis of thresholds on Sugars, total fat, trans fats and sodium.
- Thresholds based on WHO PAHO and SEARO Models
- Thresholds are too stringent and challenge the technological possibility and hence do not help Reformulations
- About 90% of the packaged foods will be having **RED dots** for one or the other nutrients

(4) The following information shall be declared on the front of pack:

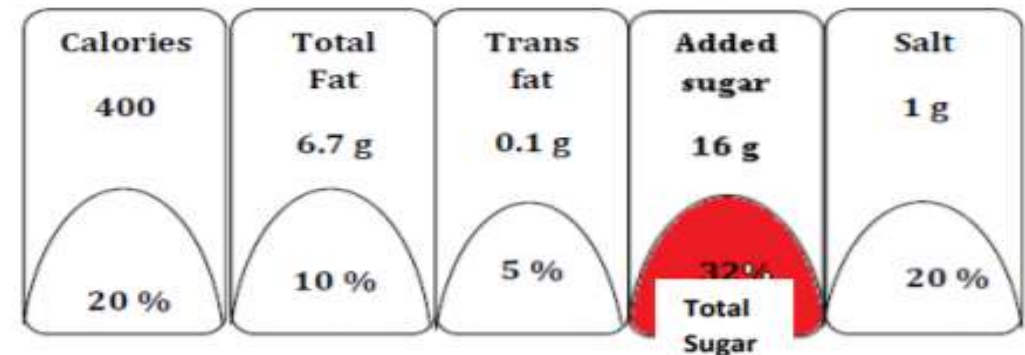
- (a) The name of food;
- (b) Declaration regarding veg or non-veg;
- (c) Per serve contribution of energy, total fat, trans fat, total sugar and salt (sodium chloride) to RDA as per format indicated below:



Part 1: Declares the amount of energy, total fat, trans fat, total sugar and salt (sodium chloride) per serve;

Part 2: Declares the per serve percentage (%) contribution to RDA as provided under regulation 4.2 (3) (b);

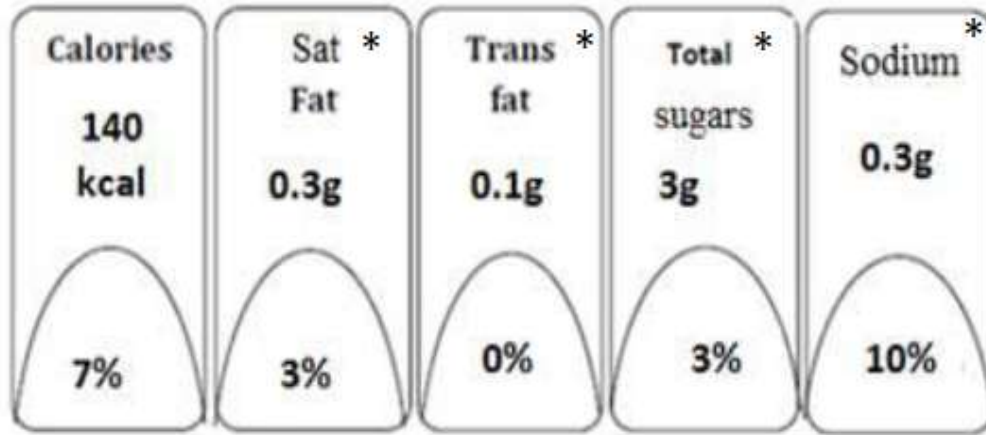
(d) The block(s) of nutrient(s) for "High Fat, Sugar and Salt" (HFSS) food shall be coloured 'RED' as depicted below, in case the value of energy



Our proposal-1: Monochrome GDA

labelling information to enable consumers make informed choices

Per serve (xx)



of an adult's guideline daily amount

Nutrient	Reference Value
Energy	2000 Calories
Sat Fat	20g
Trans Fat	<1% of energy
Sodium	2000mg
Total Sugars*	90g

Scientific rationale for the reference values



Energy (2000 kcal/day)

- Average energy requirement for a moderately active woman and sedentary woman is 2065 kcal, which is rounded to 2000 kcal (ICMR, 2010).
- As per *Annexure X111 PART B of EU document 1169*, The reference intake of energy is 2000 kcal.
- As per *US FDA requirement as stated in Food Labelling Guide (14. Appendix F: Calculate the Percent Daily Value for the Appropriate Nutrients)*, the energy value is taken as 2000 kcal.

Saturated Fat (20g/day)

- Saturates (saturated fat) content in a daily diet should be within 10% of the daily energy requirement (ICMR, 2010).
- Considering 2000 kcal as the daily energy requirement, it is recommended to limit the saturates to 20 g per day.
- Benchmarking against other guidelines (*Annexure X111 PART B of EU document 1169 -2011* and *NRVs-saturated fat value from Codex guidelines on Nutrition Labelling CAC/GL 2-1985*).

Total Sugars (90g/day)

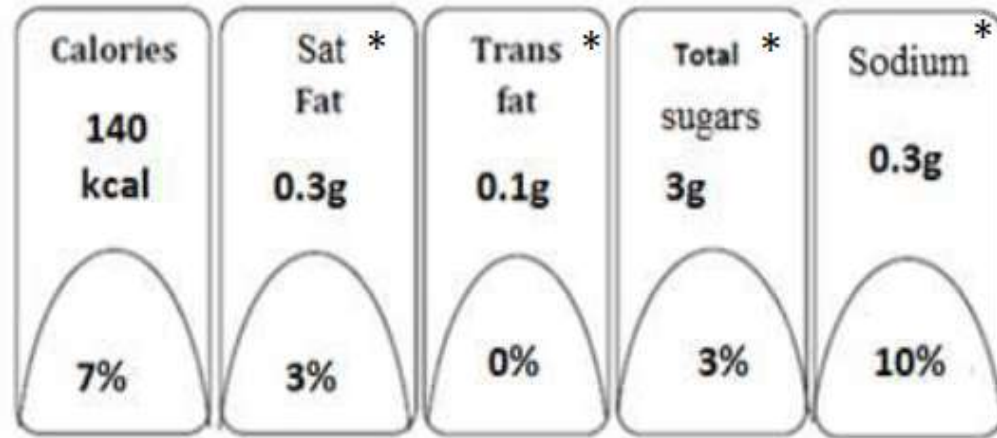
- Total sugars comprises of the sugars present in fruits, vegetables, milk and milk products including added sugars.
- Sugars are defined as the sum of all mono and disaccharides which would include glucose, fructose, galactose, lactose, sucrose, and maltose.
- In the absence of quantitative guidelines for intake of total sugars in India and globally, the guideline of 90g is in line with (*EU*) *No 1169/2011 as per Annexure XIII PART B*.

Sodium (2.0 g/day)

- WHO recommendation for sodium for healthy adults is < 2 g sodium/day which is equivalent to 5 g salt/day (*WHO, 2012*).
- Maximum salt intake should not exceed 5 g per day, which is equivalent to 2000 mg sodium (ICMR, 2010).
- The reference intake value for salt is set at 6 g (*Annexure X111 PART B of EU document 1169 -2011*) for GDA labelling purposes. This is equivalent to 2.4 g (2400 mg) of sodium as the guideline daily intake.
- 2 g sodium (5 g of salt) has been considered as the guideline daily amount for labelling purposes in India.

Our Proposal-2: Monochrome GDA with Statement

Per serve (xx)



of an adult's guideline daily amount



* These nutrients should be consumed in moderation

Also promote physical activity and active lifestyle
symbols/communication on-pack/social-media

eat[®]
right.



And icons to discourage excessive TV, Mobile use,
Longer sitting etc.

THANKS