

Press Release

State Food Safety Departments are directed to investigate the alleged use of dairy terms on the labels of plant based beverages and food products

New Delhi, Sep 03, 2021: The Food Regulator, in a recent order, has directed the State Food Safety Departments to investigate and identify specific instances for violation of the use of dairy terminology for non-dairy or plant based products by Food Business Operators (FBOs).

In case of any violation, FBOs may be granted 15 days' time to suitably improve/modify their product labels and strictly comply with the relevant provisions of FSS (Food Products Standards and Food Additives) Regulation, 2011 before the Food Safety Departments take any enforcement action. This step will ensure an appropriate enforcement action against such defaulting FBOs as per the provisions of Food Safety and Standards (FSS) Act, 2005 and Rules/Regulations made thereunder.

As per the 'General Standards for Milk and Milk Products' under the 'Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011', use of any dairy term(s) for a product which is not milk/ a milk product or a composite milk product (e.g. plant based products / beverages) is prohibited and any such action is in contravention of the said Regulations. Further, the term 'curd' is also not considered a dairy term exclusively for such products, and has been associated with non-dairy products such as 'soybean curd' in our regulations which also is in consistency with the relevant Codex standards.

However, exceptions are permissible for usage of dairy terminology in the nomenclature of certain products like coconut milk, peanut butter etc. in reference to the internationally accepted principle that dairy terms were being traditionally used in their nomenclature and such products are not substitutes for milk or milk products.

Since, a lot of such products are sold through E-Commerce Food Business Operators (FBOs), FSSAI has also instructed all E-Commerce platforms to delist such products which are reported to be in contravention to the regulatory provisions related to the application of dairy 'terms' from their online platforms immediately. FSSAI has further directed that no such defaulting products listed on the online platforms are allowed for sale in the future as well.

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