



Submissions by
Consumer Unity & Trust Society (CUTS)
to
Food Safety & Standard Authority (FSSAI)
on

Subject: Notice Calling for suggestions, views, comments etc from stakeholders on the draft notification related to Food Safety and Standards (Labelling and Display) Regulations, 2018 (F.No 1-94/FSSAI/SP (Labelling)/2014 (Pt-2).

FORMAT FOR SENDING THE COMMENTS AND SUGGESTIONS

Sr. No.	Name and Address of the organisation/person, contact number and E-mail	Relevant section in the draft notification on which comments are being provided	Comments/suggestion	Rationale	Remarks
1.	Name: George Cheriyan Director, CUTS International Address: D 218-A, Bhaskar Marg, Banipark,	4.2: Labelling Requirements, Section 3	While it is useful to understand total fat, the most critical component is saturated fat. Saturated fat should be added to the labels as well as the amount of trans fats.	Adding saturated fats and trans fats to the label would bring the nutrition facts panel up to fit our current understanding of the critical components of fat that impact our health most severely. ¹⁻³	FSSAI's proposal provides a strong set of standards for the nutrition facts panels and to demarcate vegetarian food options.

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	Jaipur, Rajasthan. Pincode: 302016 Phone No.: +911412282821-3 ext. 302 Mob.: 098292 85930 Email: gc@cuts.org				Requiring a standardized and cogent presentation of nutrition facts is an important and fundamental step towards improving nutrition awareness and promoting healthy choices.
2.		4.2: Labelling Requirements, Section 3, Item (ii)	Warning labels should be made for products containing any artificial trans-fat. Due to the widespread efforts to eliminate trans fats from the food supply, the threshold for trans fats should be the presence of any artificial trans fats. ¹ The ideal standard is to limit the amount of trans-fats to comprise less than 2% of all fats and oils, but warning labels for all products with trans-fats is a good accompaniment.	The recent WHO document on trans fats and saturated fats echoes a literature that has grown globally to create a clear consensus against these two components of our diet, especially saturated fat that comes from the palm oil which is omnipresent at this time in India but can readily be replaced by other options. ¹	

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3.		5: Principal Display Panel, Section 4	While the proposed FOP label design and paradigm does incorporate some important and actionable information and evidence-based color-coded elements, the absence of a clear warning label feature may represent a missed opportunity.	Research strongly suggest that FOP labels depicting explicit warning label designs/icons may be the most impactful in terms of altering purchasing and consumption patterns. Simple FOP labels enhance understanding and use of nutrition information, especially by those with less education and nutrition knowledge. ^{2,4-6}	The FOP label requirement is a strong feature of the proposal. Simple FOP labels are more effective at encouraging healthier product choices and may positively impact consumption, intent to consume, and nutrition knowledge when compared to NFP alone. Simple FOP labels enhance understanding and use of nutrition information, especially by those with less

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					education and nutrition knowledge. Inclusion of calorie content, trans fat, sugar, and salt in FOP label is useful and consistent with IOM recommendations. ² The FOPL and NFP are mutually reinforcing.
4.		5: Principal Display Panel, Section 4, Item d	FSSAI's proposed stipulation that FOP labels are colored red when a food items meets HFSS is a strength and will optimize efficacy.	Color coding may effectively increase the attention to FOP labels relative to monochromatic FOP labels. ⁷	
5.		4.2: Labelling Requirements, Section 3, Item b, sub-item iv	Instead of using serving sizes, best international practice is to base food on kcal or grams of fat, etc., per 100 grams or ml of the food/beverage product. This is being	The use of serving sizes is increasingly being removed across the globe. Serving sizes are often arbitrary and	

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			done in most countries globally and is by far the best way for Nutrition Facts panels in the back and for front-of-the-package-profiles.	do not contribute to standardization that cultivates nutritional fluency among consumers. Serving size can be overly permissive and difficult to regulate. ⁸	
6.		“Definitions”, Item 17 and all other mentions of RDA	The proposed FOP label design is predicated on a calculation of per serving contribution to GDA/RDA which is not an ideal metric. We strongly recommended to remove GDAs/RDAs as part of FOPL proposal.	A growing number of independent studies across the world shows that the GDAs/RDAs perform poorly in a number of dimensions compared with other existing FOP labelling systems, and that GDAs/RDAs are the least impactful and ineffective globally. ^{2,6,9-16,20-23}	Research overwhelmingly demonstrates that consumers cannot readily interpret this information and that the appearance of multiple numeric metrics on labels serve only to introduce additional confusion into the process of evaluating the nutritional profile of food/beverage items. ¹⁷⁻¹⁹

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7.			There is a need for rigorous testing of the labels and various design features of the FOP component of the proposal before finalization.	The front of the package design, the colors selected, are all as important as is the content. These elements should be tested through focus groups and other market research to ensure maximum impact.	
8.		Schedule II – Exempted Food Categories	The schedule of exempted foods should be as limited as possible and should reflect only feasibility challenges or other applicability factors in order to maximize the number of food items that are ultimately labeled.	It is important that the labelling paradigm apply broadly to all food items that contribute materially to sodium (and other nutrients of concern) consumption. Evidence suggests that inconsistently applied labelling paradigms can lead to misperceptions about the healthfulness of products. ²²	An example of a more limited schedule of excluded products is the Chile FOP labeling which includes all foods with added sugars (honey, sugar, syrups), sodium (salt, additives); and

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					SFA (an oil or fat with SFA) and its content.” ²⁸
9.			Publicize criteria well in advance of implementation to encourage timely reformulation		
10.			Consider more broad/inclusive criteria for food products requiring labelling		
11.		6: Mandatory Declarations	It states that the Food Authority may introduce a color coding system in addition to the marking of foods as “red” within the specific thresholds from time to time. Please clarify further what this entails.	Our concern is the adding of green and yellow colors later on, resulting in the traffic light system which has proven problematic. ²⁴	
12.		7: Exemptions from certain labelling requirements	It states that in premises where food is with a red mark is served, a message on healthy eating shall be displayed. Please clarify what the details of this proposal would be. Since many of these packaged foods are sold in stores, and not “served”, when would this scenario occur?		

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13.		5: Principal Display Panel, Section 9	It states that HFSS food products shall not be advertised to children in any form. How are “advertised”, “in any form”, and “children” being defined here?		This is an extremely important issue and we are very happy to see it being addressed here, but there is a need for further details here.
14.			Simple, interpretive labels that incorporate uncomplicated formats, warning labels, and icons best facilitate consumer comprehension and discrimination between healthy and less healthy products	Experiments with warning labels on sugary beverages found that warning labels are linked to decreased choice of sugary beverages, decreased perceptions of their healthfulness, and decreased purchasing intent. ^{25,26} The Chilean warning label approach is the strongest to date. ¹⁶	
15.			A strong FOP label system must be mandatory and apply to all products	Evidence suggests that applying a label only to certain brands can mislead consumers about the	

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				healthfulness of a product and use of multiple different types of logos and labels, can increase confusion and decrease the labels' usefulness. ²⁷⁻²⁹	
16.		4 (3) (ii) (c)	<p>Nutritional information regarding Poly Unsaturated Fatty Acids (PUFA).</p> <p>PUFA is of two types. One is Omega 3 and Omega 6. They are both required or say essential for the body to function but have opposite effects when it comes to the inflammatory response and cardiovascular health. Too much omega-6 and too little omega-3 are among the causes for many diseases in modern society.</p> <p>So display information of these two types of PUFA separately, is must for consumer health. It is as much important as separately mentioning the percentage of Trans Fats.</p>	Imbalace of Omega 3 and Omega 6 also result in to so many Cardio vascular and other diseases.	

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17.		Section 4 (4.2) (2) (F). Compound Ingredients less than 5% of the food.	In case of a compound ingredient, having less than 5% in the food, some times can have detrimental effects on consumer health. So here all the ingredients which are capable of degrading consumer health even if consumed in minimal quantities, or say less than 5% should be listed in an exhaustive manner.	Some ingredients if consumed even in less than 5% quantity, have detrimental effects on consumer health.	
18.		Section 7 (1)	<p>This section, provides for an exemption from certain labelling requirements including the nutritional information when the surface area of the package is not more than 100 square centimetres but these requirements should be fulfilled in case of a multiunit package.</p> <p>Herein there should be some requirements which should be mandatorily fulfilled like nutritional information which should not be compromised due to area of the package.</p>	The surface area of the package should not become an excuse for labeling requirements for nutritional information.	
19.		Section 7(4)	Some more information related to Trans Fats in the fat or oil used in the served food shall also be mentioned.	Transparency regarding the fat or oil used in the food items is necessary for the consumers.	

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20.		9 (2) (b) (ii)	In the case of mixtures of flavourings, the name of each flavouring present in the mixture, the ratio of the “natural”, nature-identical”, or “artificial” combination must be displayed.	Consumers must know the exact ratio of flavours because these flavours are considered as harmful for health of the consumers.	

Date: June 06, 2018



George Cheriyan

Name and signature

Place: Jaipur, Rajasthan

References

1. WHO. Draft guidelines on saturated fatty acid and trans-fatty acid intake for adults and children. In: Nutrition, editor. Geneva: WHO; 2018. p. 103.
2. IOM (Institute of Medicine). 2011. Examination of Front-of-Package Nutrition Rating Systems and Symbols: Promoting Healthier Choices. Washington, DC. Washington, DC: The National Academies Press.
3. Mozaffarian D, Micha R, Wallace S. Effects on coronary heart disease of increasing polyunsaturated fat in place of saturated fat: a systematic review and meta-analysis of randomized controlled trials. PLoS Med. 2010; **7**(3): e1000252.
4. Bix L, Sundar RP, Bello NM, Peltier C, Weatherspoon LJ, Becker MW. To See or Not to See: Do Front of Pack Nutrition Labels Affect Attention to Overall Nutrition Information? PLoS ONE. 2015; **10**(10): e0139732.
5. Roberto CA, Wong D, Musicus A, Hammond D. The Influence of Sugar-Sweetened Beverage Health Warning Labels on Parents' Choices. Pediatrics. 2016.
6. Hawley KL, Roberto CA, Bragg MA, Liu PJ, Schwartz MB, Brownell KD. The Science on front-of-package food labels. Public Health Nutrition. 2012;**16**(3):430-39.
7. Becker MW, Bello NM, Sundar RP, Peltier C, Bix L. Front of pack labels enhance attention to nutrition information in novel and commercial brands. Food policy. 2015; **56**: 76-86.
8. Roberto CA, Khandpur N. Improving the design of nutrition labels to promote healthier food choices and reasonable portion sizes. International Journal of Obesity. 2014;**38**:S25-S33
9. Stern D TL, Barquera S. . Revisión del etiquetado frontal: análisis de las Guías Diarias de Alimentación (GDA) y su comprensión por estudiantes de nutrición de México. Cuernavaca, México; 2011.
10. De la Cruz-Góngora V, Torres P, Contreras-Manzano A, Jáuregui de la Mota A, Mundo-Rosas V, Villalpando S, et al. Understanding and acceptability by Hispanic consumers of four front-of-pack food labels. International Journal of Behavioral Nutrition and Physical Activity. 2017; **14**(1): 28.
11. Bialkova S, Grunert KG, Juhl HJ, Wasowicz-Kirylo G, Stysko-Kunkowska M, van Trijp HCM. Attention mediates the effect of nutrition label information on consumers' choice. Evidence from a choice experiment involving eye-tracking. Appetite. 2014; **76**: 66-75.
12. Siegrist M, Leins-Hess R, Keller C. Which front-of-pack nutrition label is the most efficient one? The results of an eye-tracker study. Food Quality and Preference. 2015; **39**: 183-90.
13. Boztuğ Y, Juhl HJ, Elshiewy O, Jensen MB. Consumer response to monochrome Guideline Daily Amount nutrition labels. Food Policy. 2015; **53**: 1-8.
14. Siegrist M, Leins-Hess R, Keller C. Which front-of-pack nutrition label is the most efficient one? The results of an eye-tracker study. Food Quality and Preference. 2015; **39**: 183-90.

15. Ducrot P, Julia C, Mejean C, Kesse-Guyot E, Touvier M, Fezeu LK, et al. Impact of Different Front-of-Pack Nutrition Labels on Consumer Purchasing Intentions: A Randomized Controlled Trial. *Am J Prev Med.* 2016; **50**(5): 627-36.
16. Instituto Nacional de Salud Pública de México and UNICEF. Review of current labelling regulations and practices for food and beverage targeting children and adolescents in Latin America countries (Mexico, Chile, Costa Rica and Argentina) and recommendations for facilitating consumer information. Mexico City: UNICEF; 2016. p. 27.
17. Pettigrew S, Talati Z, Miller C, Dixon H, Kelly B, Ball K. The types and aspects of front-of-pack food labelling schemes preferred by adults and children. *Appetite.* 2017; **109**: 115-23.
18. Talati Z, Pettigrew S, Ball K, Hughes C, Kelly B, Neal B, et al. The relative ability of different front-of-pack labels to assist consumers discriminate between healthy, moderately healthy, and unhealthy foods. *Food Quality and Preference.* 2017; **59**: 109-13.
19. Ni Mhurchu C, Volkova E, Jiang Y, Eyles H, Michie J, Neal B, et al. Effects of interpretive nutrition labels on consumer food purchases: the Starlight randomized controlled trial. *The American journal of clinical nutrition.* 2017; **105**(3): 695-704.
20. Brownell KD, Koplan JP. Front-of-package Nutrition Labeling – An Abuse of Trust by the Food Industry? *New England Journal of Medicine.* 2011;365(25):2373-5.
21. Emrich TW, Arcand J, L'Abbe MR. Front-of-pack Nutrition Labelling Systems: A Missed Opportunity? *Canadian Journal of Public Health.* 2012;103(4):260-62.
22. Andrews JC, Jordan Lin C-T, Levy AS, Lo S. Consumer Research Needs from the Food and Drug Administration on Front-of-Package Nutritional Labeling. *Journal of Public Policy and Marketing.* 2014;33(1):10-16.
23. Lando AM, Labiner-Wolfe J. Helping Consumers Make More Healthful Choices: Consumer Views on Modifying Food Labels and Providing Point-of-Purchase Nutrition Information at Quick-service restaurants. *Journal of Nutrition Education and Behavior.* 2007;39(3):157-63.
24. Arrúa A, Machín L, Curutchet MR, Martínez J, Antúnez L, Alcaire F, et al. Warnings as a directive front-of-pack nutrition labelling scheme: comparison with the Guideline Daily Amount and traffic-light systems. *Public Health Nutrition.* 2017; **20**(13): 2308-17.
25. Roberto CA, Wong D, Musicus A, Hammond D. The Influence of Sugar-Sweetened Beverage Health Warning Labels on Parents' Choices. *Pediatrics.* 2016.
26. Bollard T, Maubach N, Walker N, Mhurchu CN. Effects of plain packaging, warning labels, and taxes on young people's predicted sugar-sweetened beverage preferences: an experimental study. *Int J Behav Med.* 2016; **13**(1): 95.
27. Kleef EV, Dagevos H. The growing role of front-of-pack nutrition profile labeling: A consumer perspective on key issues and controversies. *Critical reviews in food science and nutrition.* 2015; **55**(3): 291-303.
28. Andrews JC, Burton S, Kees J. Is simpler always better? Consumer evaluations of front-of-package nutrition symbols. *Journal of Public Policy & Marketing.* 2011; **30**(2): 175-90.
29. Draper AK, Adamson AJ, Clegg S, Malam S, Rigg M, Duncan S. Front-of-pack nutrition labelling: are multiple formats a problem for consumers? *The European Journal of Public Health.* 2013; **23**(3): 517-21.
30. Hamlin RP, McNeill LS, Moore V. The impact of front-of-pack nutrition labels on consumer product evaluation and choice: an experimental study. *Public Health Nutr.* 2014:1-9.
31. Bialkova S, van Trijp H. What determines consumer attention to nutrition labels? *Food Quality and Preference.* 2010;21(8):1042-1051.



32. Feunekes GI, Gortemaker IA, Willems AA, Lion R, Van den Kommer M. Front-of-pack nutrition labelling: testing effectiveness of different nutrition labelling formats front-of-pack in four European countries. *Appetite*. 2008;50(1):57-70.
33. Antúñez L, Giménez A, Maiche A, Ares G. Influence of Interpretation Aids on Attentional Capture, Visual Processing, and Understanding of Front-of-Package Nutrition Labels. *Journal of Nutrition Education and Behavior*. 2015.
34. Guideline Daily Amounts. GDAs: Guideline Daily Amounts. 2006; http://www.fooddrinkeurope.eu/uploads/publications_documents/GDAs_-_Guideline_Daily_Amounts.pdf. Accessed November 3, 2017.
35. The Food and Drink Federation. The facts: science behind Guideline Daily Amounts. 2009; http://www.fdf.org.uk/publicgeneral/gdas_science_Jul09.pdf. Accessed November 3, 2017.
36. Corvalan C, Reyes M, Garmendia ML, Uauy R. Structural Responses to the obesity and non-communicable diseases epidemic: the Chilean Law of Food Labeling and Advertising. *Obesity Reviews*. 2013;14(Suppl. 2):79-87.
37. VanEpps Em, Roberto CA. The Influence of Sugar-Sweetened Beverage Warnings: A Randomized Control Trial of Adolescents' Choices and Beliefs. *American Journal of Preventive Medicine*. 2016;51(5):664-72.