

Summary Sheet

Following are the key recommendations of the CUTS to FSSAI

1. Warning Labels

Simple, interpretive labels that incorporate uncomplicated formats, warning labels, and icons best facilitate consumer comprehension and discrimination between healthy and less healthy products. Studies have found that warning labels are linked to decreased choice of sugary beverages, decreased perceptions of their healthfulness, and decreased purchasing intent. 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 suggest that FOP labels depicting explicit warning label icons may be the most impactful in terms of altering purchasing and consumption patterns.^{24, 26, 36, 37}

2. Inclusion of Saturated Fat and Trans-Fat on Nutrition Fact Panel

While it is useful to understand total fat, saturated fat is a much more critical component. Saturated fat should be added to the panel, in addition to amount of trans-fats. This would bring the nutrition facts panel up to meet the current understanding of the critical components of fat that impact our health most severely. Saturated fat has a unique role in myriad NCDs occurring globally and should be addressed distinctly and specifically for this reason.¹⁻³

3. Zero Artificial Trans-Fat

Warning labels should be required for products containing any level of artificial trans-fats. Due to the widespread efforts to eliminate trans-fat from the food supply, the threshold for a warning label indicating trans-fat should be the presence of any artificial trans-fat. The ideal standard that FSSAI should consider is to limit the amount of trans-fats to less than 2% of all fats and oils in the product, 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 palm oil, which is omnipresent at this time in India but can readily be replaced by other options.¹

4. Discontinued Use of Serving Sizes

The use of serving sizes is increasingly being removed across the globe. Serving sizes are often arbitrary and do not contribute to standardization that cultivates nutritional fluency among consumers. Serving size can be overly permissive and difficult to regulate. We see that 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 done in most countries and is by far the preferred approach for both back and front-of-package nutrition labeling.⁸

5. Discontinued Use of GDAs and RDAs

We believe that the use of the Recommended Daily Allowances (RDAs) or the Guidelines for Daily Allowances (GDAs) should not be part of this 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 labeling systems, and that GDAs/RDAs are the least impactful and least effective globally. Research overwhelmingly demonstrates that consumers cannot readily interpret this information and that the appearance of multiple numeric metrics on labels serves only to introduce additional confusion into the process of evaluating the nutritional profile of food and beverage items.^{2, 6, 9-23}

6. Test the Chosen Approach

We recommend that FSSAI rigorously test the labels and the various design features of the FOP component of the proposal before finalization. The front-of-package design, the colors selected, and the content are all important. These elements should be tested through focus groups and other market research to ensure the labelling is effective.

7. Limited Exempted Product Schedule

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 labeling paradigm apply broadly to all food items that contribute materially to sodium (and other nutrients of concern) consumption. Evidence suggests that inconsistently applied labeling paradigms can lead to misperceptions about the healthfulness of products. The use of multiple different types of logos and labels can increase confusion and decrease the labels' usefulness.

8. Clarify the Details

There are a few areas in the proposal that require more clarification if they are to be effective. First, it needs to be made clear that in the designation of some foods with red labels, other colors (yellow and green) should not be added. This creates a "traffic light" system that has proven ineffective and confusing to consumers. Next, the proposal states that in premises where food with a red mark is served, a message on healthy eating shall be displayed. Lastly, the proposal states that HFSS food products shall not be advertised to children in any form. This is an extremely important issue and we are pleased to see it addressed. However, there is a need for further details. How are "advertised", "in any form", and "children" being defined for purposes of this regulation?

In conclusion, we appreciate the opportunity to provide FSSAI with these comments and recommendations. We believe appropriate regulations will help to educate consumers and benefit public health. We offer these comments in the spirit of encouragement to FSSAI and encourage you to take the strongest possible measures based on science and international best practices. Doing so will not only bring benefit to the citizens of India but become a new model of excellence and leadership in public health decision making for the rest of the world.
