

Occasional News Wrap - #16/July-September, 2024



FSSAI and the Path Ahead for Food Safety Regulation:

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In this period of ONW, story starts from India's top food regulator cancelling the manufacturing licences of 111 spice makers, asking them to stop production with immediate effect, after food regulator found samples of spices to have more than the permissible levels of ethylene oxide, a cancer-causing pesticide, in some overseas markets recently.

In an interesting move, The Information and Broadcasting Ministry now requires self-declaration certificates only for food and health ads, simplifying the process for advertisers. On the other hand, India's apex food regulatory authority has refrained from fining or taking other punitive actions against at least 32 advertisements of various food products deemed misleading by its own committee.

In an important decision, FSSAI has approved a proposal to display nutritional information regarding total sugar, salt and saturated fat in bold letters and bigger font size on labels of packaged food items. With the amendment, packaged food brands will have to display the information regarding per-serve percentage contribution to recommended dietary allowances (RDAs) in bold letters for total sugar, total saturated fat and sodium content. Now, from the consumer's angle, this is not exactly what the organisations had wanted, so the tussle continues with the food regulator.

The apex court pulled up the Centre, States and Union Territories for not using the legal machinery against manufacturers of drugs, cosmetics and health products indulging in misleading advertisements and issued directions to the Ministry of Ayush to create a centralised dashboard where citizens across the country can access information about the action taken on their complaints.

On a different note, a political consensus seems to be emerging on the need to reduce or even eliminate the GST Tax on health insurance policies, which is currently levied at 18% on the gross premium amount. A reduction in tax incidence on endowment life insurance policies, where gross premiums minus the savings are being taxed on a sliding path, is also being sought.

In this sixteenth volume of Occasional News Wrap, various dimensions of health regulation issues have been captured, which appeared by way of op-eds, articles, news etc. during the month of July-Sept, 2024.

S.N.	Article/Op-ed	Key Takeaway
1.	<p>FSSAI Cancels Manufacturing Licences of 111 Spice Producers Across India</p> <p><i>Somrita Ghosh</i></p> <p><i>Livemint</i></p> <p><i>July 1, 2024</i></p>	<p>India's top food regulator has cancelled the manufacturing licences of 111 spicemakers, asking them to stop production with immediate effect. The action from FSSAI comes after samples of spices from India were found to have more than the permissible levels of ethylene oxide, a cancer-causing pesticide, in some overseas markets recently.</p>
2.	<p>Centre Limits Self-Declaration Certificate for Ads of Food, Health Sectors</p> <p><i>Javed Farooqui,</i></p> <p><i>ET Bureau</i></p> <p><i>July 4, 2024</i></p>	<p>The IBM Ministry now requires self-declaration certificates only for food and health ads, simplifying the process for advertisers. This change, particularly beneficial for digital advertising, precedes a significant July 9, 2024 court hearing. The Information and Broadcasting Ministry said self-declaration certificates (SDCs) are mandatory only for food and health advertisements, modifying its earlier notification that required SDCs for every ad across TV, print, radio and digital.</p>
3.	<p>Inaction or Delay in Referrals to Monitoring Panel': Food Regulator Falts on Misleading Ads</p> <p><i>G S Mudur,</i></p> <p><i>The Telegraph Online</i></p> <p><i>July 6, 2024</i></p>	<p>India's apex food regulatory authority has refrained from fining or taking other punitive actions against at least 32 advertisements of various food products deemed misleading by its own committee, a nutrition advocacy and health group said.</p> <p>Such delays and inaction allow sections of the food industry to continue releasing misleading advertisements of food products, including those high in fat, salt and sugar, NAPI said in a report. It flagged concerns that such advertisements might be fuelling the consumption of unhealthy food products.</p>
4.	<p>Delhi HC Upholds FSSAI Regulation to Enhance Statutory Warning Size on Pan Masala Packages</p> <p><i>Healthworld.com</i></p> <p><i>July 11, 2024</i></p>	<p>Noting that the intention of the Food Authority in introducing the impugned regulation is that the statutory health warning statement serves as a crucial public health measure and it would be suitable that the warning statements are made highly visible so that the same is noticeable to the consumers.</p>
5.	<p>FSSAI's Food Labelling Norms: The Need for Loud and Clear Food Labels</p> <p><i>Anviti Rai</i></p> <p><i>Financial Express</i></p> <p><i>July 15, 2024</i></p>	<p>The food safety regulator is proposing display of information on salt, sugar and saturated fat content prominently on packaged food. This article looks at how better food labelling norms can nudge consumers and brands towards healthier options.</p>

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6.	<p>Health Ministry Directs FSSAI to Waive Off Registration Fee for Street Food Vendors</p> <p><i>Business Line</i> July 20, 2024</p>	<p>Union Health Minister, Jagat Prakash Nadda, stressed on providing ‘Street Safe’ Rapid Testing Kit to ensure safe food is used by street food vendors and highlighted the need to empower them by enrolling them on food delivery platforms.</p>
7.	<p>Govt. Extends Deadline for Pharma Co. Bosses to Submit Unethical Marketing Practices Undertaking</p> <p><i>Priyanka Sharma</i> <i>Livemint</i> July 25, 2024</p>	<p>The Central Government has extended the deadline for pharma and medical device company bosses to file their legal self-declarations assuring the government that they will not indulge in unethical marketing practices to promote their drugs.</p>
8.	<p>Health Budget Focuses on Strengthening State Drug Regulatory Systems</p> <p><i>Sohini Das</i> <i>Business Standard</i> July 25, 2024</p>	<p>As India's drug regulator gets stricter with drug manufacturing units with regular audits and risk-based inspections, this year's Union Budget saw the allocation for strengthening state drug regulatory systems increase significantly from the revised budgetary estimates of 2023-24. In 2024-25, the Health Budget has allocated around Rs 75 crore for strengthening state drug regulatory systems, which is up from Rs 52 crore in the revised estimates of 2023-24.</p>
9.	<p>FSSAI and the Path Ahead for Food Safety Regulation</p> <p><i>J P Nadda</i> <i>HT</i> July 25, 2024</p>	<p>A strong food safety ecosystem can only be built on the foundation of strong food policies and standards. It is heartening to know that FSSAI’s scientific panels and expert committees have expanded significantly, comprising 286 experts from 88 organisations. This has significantly expedited the pace of development of standards and policies that are on a par with the global standards.</p>
10.	<p>Govt. Proposes to Amend Pollution Control Norms to Levy Penalties</p> <p><i>Puja Das, Manas Pimpalkhare</i> <i>Mint</i> July 26, 2024</p>	<p>Taking India’s fight against air pollution a step further, the Ministry of Environment, Forest and Climate Change (MoEFCC) has drafted a set of proposals to amend the rules enabling prevention of air pollution by various industries, while issuing guidelines for the creation of a crop of adjudicating officers to decide the penalty for violations of these rules.</p>

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11.	<p>SC Directs Centre to Set up Dashboard on Misleading Ads on Drugs, Cosmetics</p> <p><i>Abraham Thomas</i></p> <p><i>HT</i></p> <p><i>July 30, 2024</i></p>	<p>The Supreme Court pulled up the Centre, States and Union Territories for not using the legal machinery against manufacturers of drugs, cosmetics and health products indulging in misleading advertisements and issued directions to the Ministry of Ayush to create a centralised dashboard where citizens across the country can access information about the action taken on their complaints.</p>
12.	<p>India Pledges US\$ 85 Million to WHO Global Traditional Medicine Centre</p> <p><i>Kavita Bajeli-Datt</i></p> <p><i>The IE</i></p> <p><i>August 1, 2024</i></p>	<p>India has committed US\$ 85 million over 10 years to support the programming of the WHO Global Traditional Medicine Centre, a knowledge hub dedicated to advancing traditional medicine, in Gujarat. India's ten year financial contribution will support a cross-sectoral program of work to strengthen the evidence base for traditional medicine by providing data and evidence on traditional medicine policies, practices, products and public use.</p>
13.	<p>Health Cover for All</p> <p><i>The Financial Express</i></p> <p><i>August 14, 2024</i></p>	<p>A political consensus seems to be emerging on the need to reduce—or even eliminate—the Goods and Services Tax on health insurance policies, which is currently levied at 18% on the gross premium amount. A reduction in tax incidence on endowment life insurance policies, where gross premiums minus the savings are being taxed on a sliding path, is also being sought.</p>
14.	<p>Govt. Proposes 'Trust-Based' Rules for Industrial Pollution; Experts Wary</p> <p><i>Jayashree Nandi</i></p> <p><i>HT</i></p> <p><i>Aug. 17, 2024</i></p>	<p>The provisions propose to amend the Air Act, 1981, and the Water Act, 1974, and will bring in a new framework that will allow some industries to be exempted, such as those considered non-polluting or those being assessed for environment impact assessment from needing mandatory consent of central or state pollution control boards.</p>
15.	<p>FSSAI Asks to Exhaust Packaging Materials Claiming 100% Fruit Juices by December 2024</p> <p><i>PTI</i></p> <p><i>Aug. 20, 2024</i></p>	<p>In June, FSSAI had asked food business operators (FBOs) to immediately remove claims of 100 percent fruit juices in advertisements as well as labels on packaged products. Based on the various representations received from stakeholders, it has been decided to extend the deadline for using pre-printed packaging materials. The new deadline for utilising these materials is now December 31, 2024," Food Safety and Standards Authority of India (FSSAI) said in an advisory to FBOs.</p>

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16.	<p>FSSAI Directs Food Businesses to Remove A1, A2 Milk Claims from Products</p> <p><i>PTI</i></p> <p><i>Aug. 22, 2024</i></p>	<p>FSSAI directed food businesses, including e-commerce players, to remove claims of 'A1' and 'A2' types of milk and milk products from packaging, calling such labelling misleading. FSSAI said these claims do not conform with the Food Safety and Standards Act, 2006.</p>
17.	<p>FSSAI to Crack Down on Restaurants Not Displaying Nutritional and Allergen Info On Menu</p> <p><i>Abhyjith K. Ashokan</i></p> <p><i>HT</i></p> <p><i>Aug. 22, 2024</i></p>	<p>The FSSAI made it mandatory in July 2022 for certain restaurants and ecommerce food businesses to display the nutritional content, but only some declare it. Thousands of restaurants across India are expected to be adversely impacted as the government plans a crackdown on restaurant chains with 10 or more outlets yet to declare nutritional information, the Economic Times reported, citing unnamed officials from the Food Safety and Standards Authority of India.</p>
18.	<p>FSSAI CEO Urges States to Cut Pesticide Use, Form Safety Panels</p> <p><i>K J Krishi Jagran</i></p> <p><i>Aug. 26, 2024</i></p>	<p>There is a need to slash the usage of pesticides to provide safe food to consumers, according to regulator FSSAI CEO G Kamala Vardhana Rao. To ensure this, Rao asked states to set up inter-ministerial panel. At the 44th meeting of the Central Advisory Committee of Food Safety and Standards Authority of India, Rao discussed the formation of an inter-ministerial committee to address concerns over pesticide usage.</p>
19.	<p>NP-NCD, FSSAI Plan Policy for Salt Reduction in India</p> <p><i>IANS</i></p> <p><i>Sept. 2, 2024</i></p>	<p>The experts contended on harmonising salt reduction and iodine intake in India at a consultative meeting -- led by a consortium of partners Nutrition International and World Health Organization-India, Resolve to Save Lives and Iodine Global Network -- held in the national capital.</p>
20.	<p>Regulatory Reform in Recall Guidelines Stuck in a Loop in Health Ministry</p> <p><i>Dinesh S. Thakur,</i> <i>Prashant Reddy T.</i></p> <p><i>TH</i></p> <p><i>September 10, 2024</i></p>	<p>Earlier this year, the Drugs Controller General of India (DCGI), working under the direct control of the Ministry of Health and Family Welfare, announced policy initiatives on three issues: recall guidelines, guidelines on good distribution practices and the use of similar brand-names by pharmaceutical companies for their drugs.</p>
21.	<p>Expanding Ayushman Bharat to Cost Centre ₹2,000 Cr. Per Year</p> <p><i>Anubhuti Vishnoi ..</i></p> <p><i>ET,</i></p> <p><i>Sept. 13, 2024</i></p>	<p>The expansion of the Ayushman Bharat-Pradhan Mantri Jan Arogya Yojana (AB-PMJAY) health coverage to all citizens above 70 years of age will involve central outgo of nearly 2000 crores per annum.</p>

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22.	<p>Govt. to Provide One-time Financial Aid for Coastal Waste Recycling Units</p> <p><i>PTI</i></p> <p><i>Sep. 21 2024</i></p>	<p>The government will provide one-time financial support for setting up recycling plants for abandoned fishing gear and plastic waste in coastal areas, Union Environment Minister Bhupender Yadav said. He announced guidelines for "One-Time Financial Support for Establishing Recycling Plants". Preference will be given to new plastic recycling units to be optimally located closer to beaches, harbours, fishing hotspots, high tourist footfall areas and other strategically important locations.</p>
23.	<p>Regulatory, Policy Reforms Crucial for Future of India's Pharma R&D: Report</p> <p><i>Business Line/PTI</i></p> <p><i>Sept. 29, 2024</i></p>	<p>India's regulatory and policy reforms are crucial for shaping the future of pharmaceutical research and development by streamlining approval processes, strengthening IP protections and incentivising innovation, as several policy challenges continue to hinder the growth of R&D in the sector, according to a report. Inadequate capacity for drug regulation, need for advanced testing facilities, lack of strong framework for monitoring quality compliance among policy challenges, says report.</p>