

Eliminating TFAs from India by 2022 Challenges and Way Forward



Background

In tough times of the COVID-19 pandemic, there are some issues like Trans Fatty Acids (TFAs) which cause cardiovascular diseases, hypertension, and diabetes that increase the risk of COVID among common consumers. Therefore, to have a multi-stakeholder brainstorming on the issue, CUTS International organised the first national-level webinar on 'Eliminating TFAs from India by 2022: Challenges and Way forward' on August 06, 2020.

The webinar aimed to know the status of various regulations related to TFAs which are pending at the FSSAI level. It also shed light on alternative approaches to TFAs; global lessons and best practices of eliminating TFAs from all fats, oils, and foods; compliance of present regulations by industries and their challenges; perspectives of the World Health Organisation (WHO) about India, etc.

The webinar witnessed the participation of 65 participants from all over India as well as across the world, representing different stakeholder groups, including, policymakers and influencers, regulators, industry, academia, think tanks, civil society, and media.

Panellists

1. Sunil Bakshi, Head (Regulation/Coded/International Cooperation), FSSAI
2. Rachita Gupta, National Professional Officer, WHO, Delhi

3. Eram Rao, Associate Professor, University of Delhi
4. Lopa Ghosh, GHAI, India Country Coordinator
5. George Cheriyan, Director, CUTS (Moderator)

Proceedings

George Cheriyan, Director, CUTS International, moderated the session and delivered his opening address. He briefly touched upon the webinar objectives and explained the context. While moderating the discussion he said that the coronavirus outbreak has created an unprecedented situation around the world and studies have demonstrated that the presence of any comorbidity, one or more additional conditions often co-occurring or people having pre-existing NCDs, are associated with an increased risk of catching COVID-19.

He further shared the worrying condition of non-communicable diseases (NCDs) at a global level by highlighting the finding of a World Health Organisation (WHO) study that shows nearly 40 million of the total deaths or 70 percent of all deaths are attributed to the NCDs. In India, 61 percent of the total deaths are caused by NCD and almost 23 percent are at risk of premature deaths due to such diseases. It is also estimated that almost 5.8 million people are losing their lives in India and out of these nearly 45 percent are having cardiovascular diseases.

He also highlighted various forms of trans-fats present in India. He stated that how just two percent of energy intake from trans-fat is resulting in a 25 percent increase in cardiovascular diseases or death. He also shed light on efforts taken to reduce the TFAs in India and underlined the need for earliest notification of related regulations.

Sunil Bakshi, Head (regulations/Codex/International Cooperation), FSSAI spoke about a range of regulatory interventions that have taken place in the last couple of years by FSSAI. He said that most of the regulations related to limiting the TFAs in all fats, oils, and food by two percent of weight are being revised and will be notified soon. He briefly summarised the case of regulatory aspects and said that currently there is a limit of maximum trans-fat, which is 5 percent specified for four types of products, i.e. Vanaspati, Bakery Shortenings, Margarine, and interesterified vegetable oils and fats.

As per Bakshi, current proposed regulations are at a final stage and waiting for the government's approval. Once this notification comes into place, the current five percent limit of TFAs for only four products will apply to all edible vegetable oils and including fat products. Through the proposed new regulation of FSSAI intend to bring down TFAs contained in vegetable oils and fat to a level of 2 percent in a phased manner, i.e. to three percent by January 01, 2021, and 2 percent by January 01, 2022.

However, these limits will not apply to any crude or raw oils. FSSAI is also considering an amendment regulation that is currently being finalised, wherein it proposes that all food products which contain vegetable oil and fats, will not have more than two percent of TFAs.

He mentioned various campaigns, enhanced surveillance, and monitoring mechanism of food safety in India. Bakshi also updated the audience about using ground-level evidence and primary research inputs in drafting the regulations related to TFAs.

Regarding the challenges, he highlighted the practical difficulty in working in close coordination with related organisations due to the ongoing pandemic, and hence the deadline set for reducing the trans-fat as per the regulation might face some challenges. However, he categorically stated that FSSAI does not face any challenge from industries. While concluding, Bakshi ensured that FSSAI would take every effort to reduce trans-fat in the food product within the specified deadline.

Eram Rao, Associate Professor (Food Technology) at Delhi University spoke about the consumption patterns of Indians, who love to snack. Data shows that among the low-income group, industrial labourers, and the urban slums dwellers, consume the most TFAs in the form of snacks, such as pakoras, etc. She provided a brief overview of industrially-produced TFAs, their physical composition, properties, sources of TFAs, and different alternative approaches of eliminating TFAs from all foods.

She also highlighted the role of various key stakeholders of TFAs and underlined the importance of industry and surveillance in making India a Trans-fat free nation. FSSAI is currently implementing the *Eat Right Movement* to cultivate the demand-driven sector where the consumer says no to the trans-fat. The way forward is going to be these multifaceted approaches where all stakeholders will come together on a common platform and ask for the product which is healthy, safe, and nutritious.

Rachita, National Professional Officer, Nutrition, WHO, Delhi provided an overview of the REPLACE action package, which provides a strategic approach to eliminating industrially-produced trans-fat from national food supplies, with the goal of global elimination by 2023. She described the REPLACE and appreciated the initiatives taken by FSSAI in this direction. She spoke about various issues related to industries that need to follow all the regulations voluntarily or compulsorily. Furthermore, there is a need to build the capacity of small and medium enterprises towards eliminating industrially-produced TFAs. The testing capability of the government labs needs to be enhanced to make the surveillance and monitoring of food safety effective.

Moving forward, India needs to strengthen the assessment to accurately trace the level of TFAs in products, including building standards for labs, capacity for assessment and ensuring quality in testing, these are the biggest challenge that lies ahead for India. As

per her opinion, India needs to design and implement an appropriate inspection strategy to assess compliance to TFAs regulation and set up an information system and track indicators about compliance and non-compliance by sector or region, etc.

Lopa Ghose, India Country Coordinator, Global Health Advocacy Incubator appreciated the regulatory reforms being done by FSSAI and shared the global best practices of eliminating the industrially-produced TFAs from their food systems. She referred to the Denmark and Chile models which succeeded because of strong political will and strict compliance respectively. Denmark which is usually considered as or known for their success with eliminating TFAs, enacted way back in 2003 the 2 percent limit on fats, oil and food. Their actual work started in 90s (around 1993-94) when they started thinking about the ill effects of TFAs in food and tested their popular Danish pastries to find the number of TFAs in all of those products. They also looked at which of the population group got most impacted by it. Having that kind of baseline understanding of the TFA amount in food is very important, and their implementation of regulation from 2003 was also very successful.

Also, they set up very good testing capacity and enforcement skills and powers across the supply chain. Very different from the Denmark experiences, a country like Chile though most recent, has also done well, despite having inherent challenges of the country. Chile took a consultative approach and had a very strong political will and work across sectors along with the Ministry of Health. There was some reluctance from the food industry due to possible price rise etc., but this argument got pivoted on the health care cost that would result from TFA consumption.

In 2006 they mandated TFA labeling which was followed by a 2 percent limit in 2009. Compliance in Chile is very very high, even though resources and enforcement were very limited - compliance almost 100 percent. Small producers face the challenges but the government and the large food industries work hand in hand to ensure capacity building. Chile is planning to go one step further by introducing a total ban.

She also briefly spoke about the Argentine and Saudi Arabian experiences of making their food systems free from killer TFAs. She summed up expressing the need of making the compliance level stronger for effective results.

Question and Answer Session

George Cheriyan summarised the session and opened the floor for discussion. During the discussion, various queries were raised by the attendees, which were suitably answered by the panelists. Important questions raised by the attendees are as follows:

1. What is the status of these regulations and what you think is delaying the setting of the limit to two percentages in all foods? And where we stand now whether

FSSAI is having any data or the baseline in terms of the compliance of this 5 percentage limit?

2. What about palm oil whether it is healthy, as most consumers are having great concern about that and can we use palm oil as an alternative? If Kerala can achieve that what is the problem in replicating it or scaling it up to the national level. Why is it getting delayed and what according to you is the main hindrance in scaling up this model?
3. Why we are giving more importance to the industries to self regulate and cooperate? Whether WHO is having any plan to create massive awareness among the consumers about the ill effects of the trans-fat and generating the consumer demand? What is the status of REPLACE, what we are expecting from the annual report of REPLACE, whether you are having any information or any data?
4. What you think is lacking in India, in taking it forward or you think that India is moving in the right direction and we will be able to achieve the target? Based on working in various countries, what is your suggestion concerning India?

As per our panellists, two different sets of amendments of regulation are under consideration. While the one which sets a two percent limit for all fats and oil is almost being finalised and awaiting approval from the government. The second regulation has been cleared by the scientific panel, and the finalisation part of the regulation is underway. It will go to the Scientific Committee for discussion now and thereafter will be approved by the Food Authority, within a timeline of around six months.

The issue of compliance need to be focused upon. Surveillance needs to be made an integral part of our overall management of the food regulatory system in the country.

Replacing PHVO, i.e. vanaspati, with palm oil for frying or cooking, is a good alternative. As per the WHO, right now trans-fat reduction is five percent that is aiming to go down to two percent and then eventually be eliminated completely.

Kerala has taken lead in the elimination of trans-fat hazard. It has come up with an alternative to trans-fat, that remained competent price wise. Moreover, the taste was also not affected and alternative was easily available for the small and medium sized food vendors. The Kerala model can be replicated in other states as well.

There is mere five percent regulation on trans-fats in place. There is no clarity about its enforcement due to the absence of data on compliance. There is an urgent need for the industries to self-comply with the regulation. Therefore, industries have major role to play in producing a healthier, safer and cheaper alternative for PHVOs to tackle trans-fats.

WHO essentially do not have a mandate on behaviour change communication, but it provides technical support to the government and creates content for behaviour change communication campaigns. WHO has a global communication material that can be adapted at the country level. Hence, it is readily available for India as well.

India is globally known for crafting world class regulations. But the challenge of enforcement for a country as diversified as India is not an easy task. India needs capacity building across the level of the supply chain and hand holding along with sharing of technical solutions.

In the end, Madhu Sudan Sharma of CUTS summed up the webinar and proposed a vote of thanks to participants and speakers.

Highlights

- The presence of FSSAI throughout the event was good
- Throughout the webinar, discussions were right on the topic
- A good number of participants across the states.

Lowlights

- The presence of CEO, FSSAI and one prominent industry representatives could have been better.