

**Voluntary Report** – Voluntary - Public Distribution

**Date:** August 16, 2023

**Report Number:** IN2023-0055

**Report Name:** India Provides a Six-Month Timeline Extension for Brand Name-Trademark Disclaimer on Front-of-Pack Labels

**Country:** India

**Post:** New Delhi

**Report Category:** FAIRS Subject Report

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**Report Highlights:**

On July 5, 2023, the Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) notified Direction No. I-94/FSSAI/SP (Claims and Advertisement)/2017. The notification was subsequently published on the FSSAI website on July 6, 2023. The FSSAI direction extends the compliance timeline by a period of an additional six-months for sub-regulation (7) of Regulation 4 of the Food Safety and Standards (Advertising and Claims) Second Amendment Regulations (2022), that deals with the disclaimer for brand name/trademark on the front-of-pack labels. The second timeline extension is granted to give additional transition time for stakeholders to exhaust their current inventory of old packaging materials. With this second additional six-month extension, the new effective compliance date is December 12, 2023.

**DISCLAIMER:** The information contained in this report was retrieved from the Food Safety and Standards Authority of India's (FSSAI) website <http://www.fssai.gov.in>. The Foreign Agricultural Service (FAS) Office of Agricultural Affairs at the U.S. Embassy in New Delhi, USDA, and/or the U.S. government make no claim of accuracy or authenticity. The Government of India has not officially endorsed this report. Import approval for any product is subject to local rules and regulations as interpreted by Indian officials at the time of product entry. [Note: Use Google Chrome to access the links that do not open in Microsoft Edge. Indian host sites will geo-block site access on a rolling basis].

## GENERAL INFORMATION

On July 5, 2023, the Ministry of Health and Family Welfare/Food Safety and Standards Authority of India (FSSAI) notified **Direction No. I-94/FSSAI/SP (Claims and Advertisement)/2017** (see, Appendix I). The notification was subsequently published on the FSSAI website on July 6, 2023.

The FSSAI direction extends the compliance timeline by a period of an additional six-months for sub-regulation (7) of Regulation 4 of the **Food Safety and Standards (Advertising and Claims) Second Amendment Regulations (2022)**, that deals with the disclaimer for brand name/trademark on the front-of-pack labels. The second timeline extension is granted to give additional transition time for stakeholders to exhaust their current inventory of old packaging materials. With this second additional six-month extension, the new effective compliance date is December 12, 2023.

### Background:

On February 27, 2022, the FSSAI published **Direction No. I-94/FSSAI/SP (Claims and Advertisement)/2017**. The FSSAI direction extended the compliance timeline by a period of six-months for sub-regulation (7) of Regulation 4 of the **Food Safety and Standards (Advertising and Claims) Second Amendment Regulations (2022)**, that deals with the disclaimer for brand name/trademark on the front-of-pack labels. The timeline was extended to provide additional transition time for stakeholders to print new labels, as well as to exhaust their existing inventory of packaging materials. With a six-month extension, the new compliance date was set for August 26, 2023. See, [GAIN-INDIA | IN2023-0022 | India's FSSAI Grants a Six-Month Timeline Extension on the Implementation of the Disclaimer for Brand Name-Trademark on Front-of-Pack Labels](#).

On December 13, 2022, the FSSAI published **Notification No. Std/EC/T(NSF-01)** in the Gazette of India: Extraordinary (official gazette). The notification was subsequently published on the FSSAI website on December 14, 2022. The new FSSAI notification refers to amendments made in the **Food Safety and Standards (Advertising and Claims) Regulations (2018)**. For additional background on the regulation (see [GAIN-INDIA | IN2022-0116 | The FSSAI's 2021 Draft Amendments to the Advertising and Claims Regulation now Published as a Final Amendment](#) and [GAIN INDIA | IN9063 | Compliance Timeline Extended for Advertising and Claims Regulations](#)).

The full text of the July 5, 2023, FSSAI direction is accessible on the FSSAI website located at: [http://fssai.gov.in/upload/advisories/2023/07/64a669e74d46edirection\\_Ad\\_06072023.pdf](http://fssai.gov.in/upload/advisories/2023/07/64a669e74d46edirection_Ad_06072023.pdf)

**FSSAI DIRECTION I-94/FSSAI/SP (Claims and Advertisement)/2017 (July 5, 2023)**

**F. No.1-94/FSSAI/SP(Claims and Advertisement)/2017**

**Food Safety and Standards Authority of India**

(A Statutory Authority established under the Food Safety & Standards Act, 2006)

FDA Bhawan, Kotla Road, New Delhi-110002

Dated, the 05<sup>th</sup> July, 2023

**Subject: Direction under Section 16 (5) of Food Safety and Standards Act, 2006 regarding enforcement of the Food Safety and Standards (Advertising and Claims) Second Amendment Regulations, 2022**

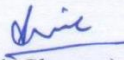
Reference is drawn to the Food Safety and Standards (Advertising and Claims) Second Amendment Regulations, 2022 notified in the Gazette of India on 13<sup>th</sup> December, 2022 and direction (F. No.1-94/FSSAI/SP(Claims and Advertisement)/2017) dated 27<sup>th</sup> February, 2023 under Section 16(5) of Food Safety and Standards Act, 2006.

2. In the said direction, extension of six months was provided for the enforcement of sub-regulation (7) of regulation 4 of Food Safety and Standards (Advertising and Claims) Second Amendment Regulations, 2022, based on the representations received from stakeholders requesting for such extension so as to exhaust the existing inventory of old packaging materials.

3. Now fresh representations have been received from industry requesting for further extension of the date of enforcement of the aforementioned sub-regulation to exhaust the still existing inventory of old packaging materials.

4. After due consideration of the representations received from industry and also to ensure sustainable practices for food business operations, it has been decided to extend the date of enforcement of sub-regulation (7) of regulation 4 of Food Safety and Standards (Advertising and Claims) Second Amendment Regulations, 2022 by a further period of six months from 13<sup>th</sup> June, 2023.

5. This issues with the approval of the Competent Authority in exercise of the powers conferred under Section 16 (5) of the Food Safety and Standards Act, 2006.

  
(Dr. Amit Sharma)  
Director (Regulation)

**Attachments:**

No Attachments.