

USDA Foreign Agricultural Service

GAIN Report

Global Agricultural Information Network

THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Voluntary Public

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India

Post: New Delhi

FSSAI Announces Advertising Claims Violations

Report Categories:

Exporter Guide

FAIRS Subject Report

Sanitary/Phytosanitary/Food Safety

Product Brief

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Report Highlights:

On November 22, 2012, The Food Safety and Standards Authority of India published a summary of violations under the provisions of Section 24 of the Food Safety and Standards Act, 2006 and the Food Safety and Standards (packaging and labeling) regulation, 2011. According to the announcement, 19 cases have been filed for prosecution for misleading advertising claims made by various food manufacturers. It appears that all of these cases involve domestic food processors and the cases are illustrative of the type of reviews that FSSAI is conducting.

General Information:

On November 22, 2012, The Food Safety and Standards Authority of India (FSSAI) published a summary of cases of violation of Section 24 of Food Safety and Standards Act, 2006 and the Food Safety and Standards (packaging and labeling) Regulation, 2011. The summary report gives details of FSSAI's findings concerning false advertising involving 19 different cases.

FSSAI labeling regulations indicate that: "Pre – packaged food shall not be described or presented on any label or in any labeling manner that is false, misleading, or deceptive or is likely to create and erroneous impression regarding its character in any respect." and "There shall be no advertisement of any food which is misleading or contravening the provisions of Food Safety and Standards, Act 2006 (34 of 2006) or the rules/regulations."

A detailed account of all packaging and labeling regulations is available in Chapter 2 of the Food Safety and Standards Regulations and can be accessed at: [Food Safety and Standards \(Packaging and Labeling\) Regulations, 2011](#).

The full text of the November 22, 2012, announcement from FSSAI can be accessed through the FSSAI website at [Summary of violation cases](#).

Comment: Some of India's largest and most advanced foods processing firms are cited in the review and the regulatory action provides an indication of the type of reviews that FSSAI will be conducting as it continues to expand its oversight of India's food system. It does not appear that any of the cases involved imported foods, but U.S. exporters should work closely with their importers to ensure that they have reviewed their product's health claims.