SHORT COMMUNICATION

Food Labelling Exemptions: A Scientific and Comprehensive Analysis

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ABSTRACT

Nutrition constitutes a vital element of health and development. In India, there is an alarming rise in the food industry and this has led to an increased uptake of foods high in fats, salt, and sugar (HFSS) and ultra-processed foods. Food labelling is a procedure where a label, containing printed, written, or graphic materials, is provided with the food thereby facilitating communication between the consumer and the manufacturers. In 2022, FSSAI has exempted specific food products from the stringent requirements of detailed nutritional labelling. Exemptions are applied to commodities such as raw agricultural products, liquid products in reusable bottles, alcoholic beverages, self-serve condiments, and modified meals as per the customer's request, single unit packaging, and packets under 100 sq. cm. In conclusion, these exemptions strike a balance between reducing the regulatory burden for smaller packaging and ensuring consumers' right to essential information.

Keywords: FSSAI, Food labelling, exemption

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INTRODUCTION

Nutrition constitutes a vital component of health and developmental processes. Enhanced nutritional status correlates with heightened well-being in infants, children, and mothers, bolstered immune functions, enhanced safety during pregnancy and childbirth, reduced susceptibility to non-communicable ailments such as diabetes and cardiovascular diseases, and increased life expectancy.[1] However, in India, due to the alarming rise in the food industry, there is an increased uptake in the consumption of food high in fats, salt, and sugar (HFSS) and ultra-processed foods.[1] Increased consumption of HFSS foods is interlinked with urbanization, global connectivity, aggressive marketing, and a hike in disposable income.[2] According to the recent data from the Comprehensive National Nutritional Survey (CNNS), overweight prevalence is more than the national average in 22 Indian states due to HFSS food consumption.[3] To tackle this, food labelling proposed by FSSAI becomes an important strategy to educate buyers in making informed choices.[4]

Food labelling is a procedure where a label, containing printed, written, or graphic materials, is provided with the food.[5] This label furnishes consumers with details about the product, including descriptions and properties, along with instructions and preventive measures to follow, including the percentage of the recommended daily allowance (RDA) for total calories, saturated and trans fats, sodium, and added sugar per 100 grams of food.[4,5] Information on ingredients, nutrition, batch number, food additives, irradiation status, importer's address, license number, usage instructions, and logos is typically included.[5] An optimal food label would exhibit simplicity, directness, interpretability, and cross-cultural relevance, catering to India's diverse socioeconomic, linguistic, and regional demographics. This label functions as a pivotal conduit facilitating communication between manufacturers and consumers.[4]

Recent regulations implemented by the Food Safety and Standards Authority of India (FSSAI) in 2022 introduce exemptions for specific food products from the stringent requirements of detailed nutritional labelling. These exemptions primarily apply to products subject to minimal or no taxes, thereby warranting relaxed labelling rules compared to other food items.[5,6]

RECENT EXEMPTIONS IN FOOD LABELLING

The primary aim of food processing is to uphold the quality and safety of food products. Minimally processed foods undergo specific alterations for preservation while ensuring that these modifications do not compromise the nutritional integrity of the food.[5] Minimal food processing procedures include removing undesirable components, pasteurization, refrigeration, grinding, freezing, vacuum packaging, and fermentation.[5] Consequently, including nutritional information tables delineating the nutritive content is not mandated. This exemption applies to commodities including raw agricultural products such as wheat, rice, cereals, pulses, fruits, and vegetables, salt and its substitutes, tea, coffee, herbs and spices single-ingredient products, products undergoing a processing regimen limited to maturation, water, vinegar that have undergone fermentation, including those where the sole additional components consist of flavoring, etc.[5,6] Minimally processed foods undergo some modifications primarily for preservation purposes, without affecting the nutritional content of the food.[7] It is documented that the exemptions will also prevent the market from misleading the consumers through their guidelines, preventing the rise of food commodities due to extra costs of menu labelling, and preventing misleading labels.[8] However, food labelling may serve the purpose of ensuring consumer awareness.

The list of ingredients for liquid products in reusable bottles is exempted while the nutritional information remains mandatory.[6] This distinction emphasizes the significance of ensuring consumers have access to key dietary information, even in the case of reusable packaging.

According to recent guidelines, alcoholic beverages are exempted from mandatory nutritional labelling.[6] Alcohol possesses a notably elevated energy content, as a single standard drink, defined as a beverage containing 10 g of alcohol, provides a minimum of 290 kJ solely from its alcohol content.[9] Thus, recent guidelines represent a lost chance to educate individuals on the significant energy content and limited nutritional benefits of alcoholic drinks, as well as to emphasize the potential adverse health and social consequences associated with alcohol consumption. Implementation of compulsory nutritional labelling on alcoholic beverages, along with limitations on nutrition-related claims should be considered as a component of broader initiatives aimed at enhancing overall dietary patterns and mitigating harm linked to alcohol use.[9]

The objective of menu labelling is to furnish consumers with pertinent information regarding restaurant food, facilitating informed decision-making. This practice not only contributes to the amelioration of public health but also aids restaurants in establishing themselves as proponents of health-conscious dining.[10] However, certain food products are exempted from menu labelling. They are self-serve condiments and modified meals as per the customer's request.[5,10] This is a prudent choice since customers often customize their meals, making them well-informed about the meal's nutritional content. In addition to specific food products, particular food service providers are subject to exemptions from menu labelling prerequisites. These exemptions pertain to event caterers and food service establishments with an operational duration of fewer than 60 days annually and

establishments such as restaurants, clubs, and canteens holding state licenses and operating at fewer than 10 locations.[5] This indicates that the government understands and acknowledges the short-term nature of the food industry. Imposing requirements on such a temporary industry will lead to potential entrepreneur's discouragement due to undue burdens and extra paperwork. Similarly, the exemption for restaurants with fewer than 10 locations recognize the hurdles faced by small eateries as they lack the infrastructure and resources to implement such complex rules. This exemption will ultimately allow the eateries to focus on delivering quality food services. Mid-day meal canteens are also exempted from menu labelling.[5] It is a rational decision as it is a centrally sponsored scheme for school children, and food is served according to the pre-set caloric values. Moreover, these services are usually subject to strict nutritional guidelines to ensure the health and well-being of the students, making extensive labelling somewhat redundant.[5]

Furthermore, the allowance for providing specific information through barcodes or Global Trade Identification Numbers (GTINs) is a forward-looking approach. It recognizes the growing role of technology in labelling and information dissemination. The regulation aligns with evolving industry practices by permitting barcodes or GTINs for details such as the brand owner's address and the manufacturer's or marketer's license number. It facilitates efficient information retrieval for consumers.[6]

FSSAI's recent regulations exempt food packets under 100 sq. cm from labelling and those under 30 sq. cm from "Date of Manufacture" for single-unit packages. Multi-unit packages must adhere to these requirements to provide consumers with essential product information.[6] The sale of food products in single-unit packaging does not inherently render the product either healthful or less detrimental to consumer well-being. For example, pre-packaged buttermilk, designed for immediate consumption and potentially containing elevated levels of supplementary sodium, will be excluded from obligatory nutrition labelling due to their classification as single-ingredient products.[11] Nutritional labelling enhances consumers' comprehension of a product's nutritional details, empowering them to make well-informed food choices during purchases. This involves providing consumers with interpretative forms of nutritional information on food products.[4] Consequently, the Food Safety and Standards Authority of India (FSSAI) should contemplate a reassessment of this regulation. In instances where it is unfeasible for a product to furnish comprehensive nutritional data on the packaging, an alternative avenue could involve the provision of specific nutritional information through the utilization of barcodes or similar technologies. This approach aligns with contemporary practices in information dissemination and serves to enhance consumer awareness and facilitate informed dietary choices.

WAY FORWARD

2022 FSSAI regulations have exempted certain products from detailed nutritional labelling involving diverse categories such as minimally processed foods, alcoholic beverages, and specific food service providers. This reflects a nuanced approach to balancing consumer information and industry realities. Despite the rationale behind exemptions, certain considerations merit attention.

The exclusion of nutritional labelling for alcoholic beverages represents a missed opportunity to educate consumers on the significant energy content and potential health consequences associated with alcohol consumption. Similarly, regarding the exemption of food packets under 100 sq. cm, concerns are raised about the limiting essential information for consumers, urging a reassessment of this regulation. Use of barcodes or Global Trade identification code for food packets under 100 sq. for displaying nutritional labelling should be considered.

In moving forward, it is imperative to strike a balance between regulatory flexibility and ensuring that consumers receive pertinent information to make informed dietary choices. This involves continuous evaluation of exemptions considering evolving scientific evidence, technological advancements, and societal health needs. A united effort is needed to enhance the simplicity and cross-cultural relevance of food labelling, catering to India's diverse demographic landscape. Ultimately, the scientific underpinning of these regulatory measures plays a pivotal role in safeguarding public health and promoting informed decision-making in the realm of nutrition and food consumption.

CONCLUSION

In conclusion, these exemptions strike a balance between reducing the regulatory burden for smaller packaging and ensuring consumers' right to essential information. However, manufacturers should be transparent and accountable to provide correct information to consumers to make informed choices about the products they consume.

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