



Workshop regarding Advertisement & Claims regulation

Perspective on Nutrient Content Claims

Akanksha
Corporate Regulatory Affairs

Improving Lives; enhancing Nutrition and wellness, using science and innovation

Notice calling for suggestions, views, comments etc from stakeholders on the draft Food Safety and Standards (Advertisements and Claims) Regulations, 2017.

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

(c) "claim" means any representation which is printed, oral, audio or visual and states, suggests, or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or otherwise;

Claim tells consumers what to expect from products and give them reasons to believe

(i) "nutrition claim" means any representation which states, suggests or implies that a food has particular nutritional properties including but not limited to the energy value and to the content of protein, fat and carbohydrates, as well as the content of vitamins, minerals and other permitted listed nutrients;

Other permitted nutrients are not listed ?



What is nutrient

- Definition is not there in DRAFT
- Any cross reference??
 - Nutraceutical regulation- defines **Nutrient ingredients**

(m) “**nutrient ingredients**” means vitamins, minerals, and amino acids as specified in Schedule I and Schedule II;.

- What does Codex says

- 2.5 **Nutrient** means any substance normally consumed as a constituent of food:
- (a) which provides energy; or
 - (b) which is needed for growth, development and maintenance of life; or
 - (c) a deficit of which will cause characteristic bio-chemical or physiological changes to occur.

4. NUTRITION CLAIMS

- 4.1 The only nutrition claims permitted shall be those relating to energy, protein, carbohydrate, and fat and components thereof, fibre, sodium and vitamins and minerals for which Nutrient Reference Values (NRVs) have been laid down in the *Codex Guidelines for Nutrition Labelling*.

(j) “nutrient content claim” is a nutrition claim that directly or indirectly describes the level of a nutrient contained in a food. (Examples: contains/source of; high in; rich in; low in etc.);

- Energy value
- Content of Protein, Fat, Carbohydrate
- Content of Vitamins, Minerals,
- and other permitted listed nutrients



Nutrient content claim may be made in accordance with the conditions specified in Schedule I

Schedule - I

NUTRITION CLAIMS

A claim that a food containing the nutrient mentioned in column (2) is likely to have the benefits as mentioned in column (3) or has the same meaning for the consumer may be made subject to the conditions as mentioned in column (4) below:

(1)	(2)	(3)	(4)
Sl. No	Nutrient/ component	Claim	Conditions
1.	Energy	Low	Not more than 40 kcal[#] per 100 g for solids 20 kcal per 100 ml for liquids. Table-top sweeteners (which have equivalent sweetening properties to 6g of sucrose (approximately 1 teaspoon of sucrose providing 24kcal) can bear this claim if they contain no more than 4 kcal (17k)/portion.

Energy, Fat, Saturated Fat, Cholesterol, Sugars	<u>Low/Free</u>
---	-----------------

Protein, Vitamins, Minerals, Dietary Fiber	<u>source/high</u>
--	--------------------

Sodium	<u>Low, very low, free</u>
--------	----------------------------

Etc..

Title : Nutrition claims--- **numerical claims**

S.No. 1-14 ----- Content claims

S.No. 15 ----- Comparative claims

S.No. 16, 17 ----- Content claim - Prebiotic & Probiotics **(is this a nutrient or nutritional ingredients as given in Nutra regulation- sch VIII & VII resp ??)**

S.No. 18 GI ----- Content claim **(This is not a nutrient.... Why placed here?)**

Flexibility in wording can be made as per Schedule II

Schedule - II
Synonyms which may be used for claims defined in these regulations

Free	Low	Reduced/Less	Increased/More
Zero, No, Without, Trivial, Negligible Source, dietary insignificant source Of	Little, few (for calories), contains a small amount of, low source of	Lower, fewer (for calories)	Higher

- **CONTAINS/PROVIDES** Vitamins and Minerals
 - Shouldn't it be a synonym for “Source” - USFDA

Enriched is “high” / “rich” – not present in Sc II

Synonyms - Should not be left to the discretion of the manufacturer

Claimed Nutrient needs to come on the NFP

- Declare the amount of nutrient for which a content claim is made
- Any claim of amount or type of **fatty acids / cholesterol**
- Needs to be supported with
 - ✓ Saturated fatty acids (g)
 - ✓ MUFA, PUFA (g)
 - ✓ Trans fatty acid (g)
 - ✓ Cholesterol (mg)

Nutrition Facts	
Typical Value per 100g of product	
Energy (Kcal)	233
Protein (g)	11.3
Fat (g)	3.8
Carbohydrates (g)	12.2
Approx. Values	



Nutrition Information	per 100g product (approx.)
Carbohydrates	68g
Sugars	14.5g
Dietary Fibre	6g
Protein	8g
Fat	21g
Saturated Fatty Acids	10g
Mono Unsaturated Fatty Acids	8.5g
Poly Unsaturated Fatty Acids	2.5g
Trans Fatty Acids	0g
Cholesterol	0mg
Energy	493kcal



Servings per can – 2	
Typical values	Per 100g
Energy	277kJ 66kcal
Fat	0.2g
– of which saturates	Trace
Carbohydrate	9.5g
– of which sugars	1.9g
Fibre	3.6g
Protein	4.6g
Salt	0.4g

ingredients
Beans (50%), Tomatoes (37%), Water, Modified Cornflour, Spirit Vinegar, Salt, Natural Flavouring, Spice Extracts, Sweetener - Steviol Glycosides, Herb Extract.
Contains naturally occurring sugars.

Sugar	Low	5 g of sugar per 100 g for solids or 2.5 g of sugar per 100 ml for liquids.
	Free	0.5 g of sugars per 100 g or 100 ml.
	With no added sugar or without added sugar	Product does not contain any added mono-or disaccharides or any other food used for its sweetening properties. If sugars are naturally present in the food, the following indication should also appear on the label: ‘CONTAINS NATURALLY OCCURRING SUGARS’.

Nutritional Information*

*Approximate Values per 100 g of Product:

Energy (kcal)	454	Dietary Fibre (g)	4.9
Protein (g)	8.3	Vitamin B1 (mg)	0.70
Carbohydrate (g)	75.6	Vitamin B2 (mg)	0.74
(of which Sugar) (g)	23.3	Vitamin B3 (mg)	8.25
Fat (g)	13.1	Vitamin B6 (mg)	1.17
Saturated fatty acids (g)	8.5	Vitamin B9 (mg)	0.09
Mono unsaturated fatty acids (g)	4.2	Vitamin B12 (mg)	0.001
Polyunsaturated fatty acids (g)	0.25	Iron (mg)	2.76
Cholesterol (mg)	1.0	Total trans fat content not more than 0.1 percent by weight	
Trans fatty acids (g)	0.1	Total saturated fat content not more than 8.56 percent by weight	

Trans fat	Free	The food contains no detectable trans fatty acids
------------------	------	---

FSS(P&L)R, 2011 ----- 'trans fat free' ---trans fat < 0.2 gm per serving of food

US FDA ----allows labels to list trans fats as "0" if the foods contain less than 0.5 grams per serving

Not aligned with the LODs of the instruments



Nutrition Information	per 100g product (approx..)
Carbohydrates	68g
Sugars	14.5g
Dietary Fibre	6g
Protein	8g
Fat	21g
Saturated Fatty Acids	10g
Mono Unsaturated Fatty Acids	8.5g
Poly Unsaturated Fatty Acids	2.5g
Trans Fatty Acids	0g
Cholesterol	0mg
Energy	493kcal

Cholesterol	Low	20 mg cholesterol per 100 g and 1.5 g saturated fat per 100 g for solids or 10 mg per 100 ml and 0.75 g of saturated fat per 100 ml for liquids and in either case must provide no more than 10% of energy.
	Free*	1.5 mg cholesterol per 100g for solids or 100 ml for liquids. Additionally NMT 1.5 g saturated fat per 100 g for solids or 0.75 g of saturated fat per 100 ml for liquids and in either case must provide no more than 10% of energy.
Dietary fibre	Source	3 g of fibre per 100 g OR 1.5 g per 100kcal
	High / Rich	6 g per 100 g OR 3 g per 100 kcal

Some points to ponder upon

- Claims -part of Nutraceutical Regulation
 - Should move under horizontal standard except specific claim conditions, if any
- Misleading advertisement should be defined

One should make a claim falling in one of the category, otherwise it will be a **non-standardized claim**.

Contains Lycopene/ Polyphenols/ Lutein

High in antioxidant

Contains 28 Vitamins/ Minerals

Contains 10% Vit A- not qualified High/Source- non-compliant/misleading?

95% Fat Free- does not qualify as Low Fat/ Fat Free

Can we claim presence / absence of Amino acids