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EDITORIAL ANALYSIS

A Claim on a Food Packet Is a Claim, Not a Guarantee

THE HINDU

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A Claim on a Food Packet Is a Claim, Not a Guarantee

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INTERVIEW ANGLE

"FSSAI has stalled for eight years on front-of-pack warning labels yet moved swiftly against misleading claims with over 150 notices. As a regulator, why is policing words easier than mandating labels, and what does that asymmetry tell you about where industry resistance actually binds?"

Source: Original editorial ↗ The Hindu

Every fact web-verified against primary sources

THE LIFT LINE

WHY THIS EDITORIAL MATTERS FOR YOUR EXAM

Pair this with today's red-hexagon article and you hold both halves of a complete GS2 answer on **regulatory capacity**: rule-making that stalls under industry consensus requirements, and enforcement that accelerates because it needs none. The piece also supplies the **claims-law toolkit**, FSS Act, 2018 Regulations, Section 53, CCPA guidelines, that questions on misleading advertising expect by name.

BACKGROUND AND CONTEXT

The trigger. Following an FSSAI notice, **Mondelez India withdrew certain health and nutrient-comparison claims for Bournvita** and removed the related advertisements from e-commerce platforms in August 2026.

The campaign it belongs to. FSSAI states it has issued **more than 150 notices to food companies** in recent months over misleading advertisements, false claims and labelling non-compliance, with reporting naming **Nestle India, PepsiCo, Coca-Cola India, Abbott India, Red Bull India, Monster Energy**

India, Danone India, Mondelez India, Ferrero India, Kenvue, Amway India and Juza Foods, plus **a dozen notices to e-commerce entities and over thirty to food-service operators** including large restaurant chains.

Bournvita's arc, which is the mechanism in miniature. Intense public scrutiny began in **2023** over sugar content, via the influencer video that made "FoodPharmer" a household name; the **NCPCR** directed the company off the "health drink" description; the commerce ministry in 2024 advised e-commerce portals to delist such drinks from health-drink categories; the company cut sugar by roughly fifteen per cent; and the 2026 notice completed the correction. **No new regulation was required at any step.**

The "100%" doctrine. By an advisory of **May 2025**, FSSAI told food businesses to stop using **"100%"** on labels and promotional material: the term is **undefined in the FSS Act and rules**, and conveys "a **false sense of absolute purity or superiority**" over competitors, offending the 2018 Regulations' command that claims be **truthful, unambiguous, meaningful and not misleading**. **Amway** dropped "100% Pure Coconut Oil" and the "Energy Drink" descriptor from caffeinated XS products; Kerala's **Juza Foods** withdrew immunity, stronger-bones and comparative-calcium claims from baby food.

THE ANALYSIS

The regulator's theory, in its own words. Perappadan's senior-official quote deserves memorising: "Food regulation is not limited to checking whether a product contains permitted ingredients. It also governs **how a product's nutritional qualities and benefits are communicated**." A statement that a product delivers a health outcome "can create expectations beyond what its ingredient composition or available evidence may justify." The regulated object is the **expectation**, not only the powder.

Why e-commerce is the right new front. Online product pages carry **claims, images and promotional language that differ from the physical package**, and the purchase decision increasingly happens at the banner. Enforcement confined to the supermarket shelf polices the surface consumers have stopped reading. FSSAI's own line: "Our enforcement reflects how food advertising has changed."

The asymmetry that is the real story. Set the two clocks side by side. **Claims enforcement**: months, 150-plus notices, visible corrections. **Labelling regulation**: **2018** draft with red colour-coding, shelved; 2019 revision; 2020 final rules with no front-of-pack warning; **2022** star-rating draft; committees to 2025 finding no consensus; withdrawal recommended; and in August 2026, under Supreme Court pressure in *3S and Our Health Society*, an affidavit proposing red hexagons, still **not a gazetted regulation**. A notice needs a signature. A regulation, it turns out, needs the industry's permission. **Where a regulator moves fastest tells you where resistance binds least, and that is a diagnostic, not a compliment.**

The durability problem, stated fairly. Perappadan closes with it: a company can remove a claim after receiving a notice, "but consumers may already have encountered it for years"; advertisements vanish from one platform and persist on another; listings change rapidly. Corrections are real and reversible. The challenge is "to make compliance routine rather than a temporary response to regulatory scrutiny", which requires the monitoring infrastructure and repeat-offender escalation, including to the **CCPA's fifty-lakh repeat penalties**, that episodic campaigns lack.

The public-health backdrop that raises the stakes. The claims being policed sell into the population NFHS-6 describes: **30.7 per cent of women and 27.3 per cent of men overweight or obese**, sharp rises in elevated blood sugar, and a Prime Ministerial appeal in early 2025 to cut cooking-oil use by ten per cent a month. False reassurance on packs is not a niche consumer grievance; it is a nutrition-transition accelerant.

DATA AND INSTITUTIONS VAULT

PRELIMS-GRADE FACTS:

- FSSAI has issued more than 150 notices to food companies over misleading claims in recent months.
- A dozen notices went to e-commerce entities and over thirty to food-service operators.
- Mondelez India withdrew Bournvita health and nutrient-comparison claims after an FSSAI notice in August 2026.
- Bournvita scrutiny began in 2023; the NCPCR directed removal of its "health drink" description.
- The commerce ministry in 2024 advised e-commerce portals to delist such drinks from health-drink categories.
- FSSAI's advisory of May 2025 bars "100%" on labels as conveying false absolute purity or superiority.
- The term "100%" is undefined in the FSS Act, 2006 and its regulations.
- The FSS (Advertising and Claims) Regulations, 2018 require claims to be truthful, unambiguous and not misleading.
- Section 53 of the FSS Act allows a penalty up to Rs 10 lakh for a misleading advertisement.
- CCPA guidelines of June 2022 permit penalties up to Rs 10 lakh, and Rs 50 lakh for repeat contraventions.
- Amway India dropped "100% Pure Coconut Oil" and the "Energy Drink" descriptor from caffeinated XS products.
- FSSAI is a statutory body under the FSS Act, 2006, under the Ministry of Health and Family Welfare.
- NFHS-6 found 30.7 per cent of women and 27.3 per cent of men overweight or obese.

> *The crackdown does* **not** *establish that Bournvita or any named product is* **unsafe**. *The regulatory question is narrower and sharper: whether* **specific claims were adequately supported and non-misleading**. *Conflating claim-policing with safety findings is the standard error, and the piece itself draws the distinction.*

THE DEBATE

Enforcement-first is right. It uses law already on the books, corrects the market in weeks, disciplines the largest players by name, and builds the evidentiary record and regulatory confidence that labelling reform will need. Waiting for the perfect regulation while claims mislead daily is abdication dressed as thoroughness.

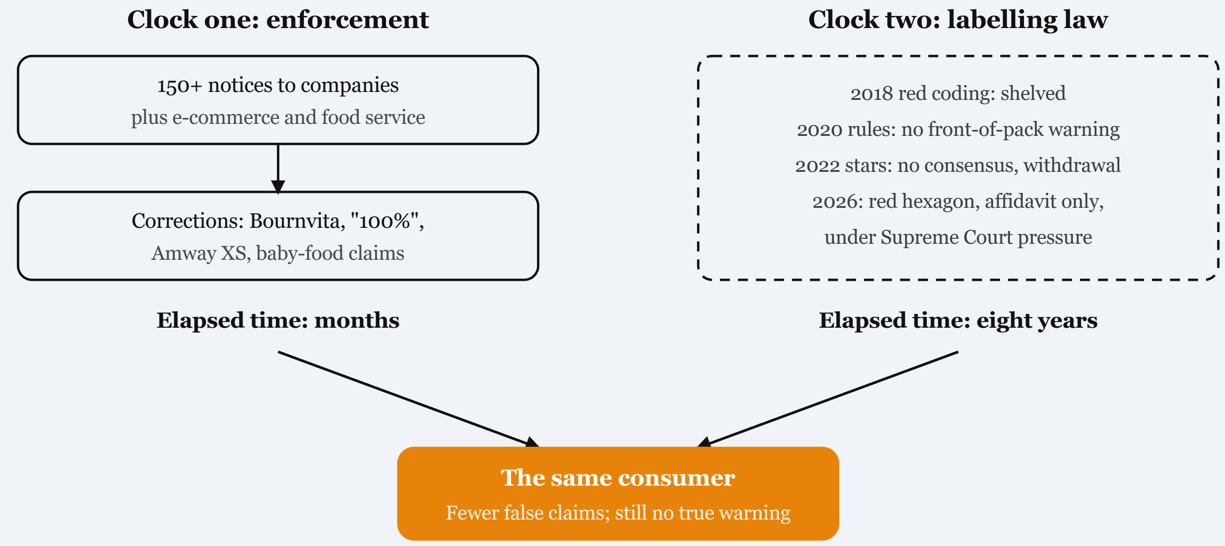
Enforcement-first is a decoy. Ten-lakh penalties are rounding errors; removals follow years of profit; nothing prevents reworded relistings; and the spectacle of 150 notices manufactures rigour while the reform industry genuinely fears, mandatory warning labels, stays parked in an affidavit. Regulators, like water, flow around the hardest obstacle.

The synthesis. Both are true because they answer different questions: is the campaign real, yes; is it sufficient, no. Claims enforcement deletes **false positives** on packs; only warning labels supply the **true negative**. A consumer protected from "immunity booster" but unwarned about sugar is half-protected.

HOW TO THINK ABOUT THIS

Use the two-clock test on any regulator: compare the speed of its **enforcement actions** with the speed of its **rule-making**, and ask what explains the gap. Where enforcement outruns rule-making by years, the usual answer is that notices bind individual firms while regulations bind the industry's business model, and industry resistance concentrates on the second. The gap itself is evidence, citable in a GS2 answer, of **where capture operates**, and it converts a news story about notices into an argument about institutions.

DIAGRAM-IN-WORDS



Two clocks, one consumer. The speed difference between them is not efficiency; it is a map of where industry resistance binds.

TAKEAWAY BOX

A health claim on a food packet is a claim, not a guarantee.

150+ notices, 12 to e-commerce, 30+ to food service; Bournvita arc from the 2023 video through NCPCR to the 2026 withdrawal; “100%” advisory of May 2025, term undefined in the FSS Act; Advertising and Claims Regulations 2018; Section 53’s Rs 10 lakh; CCPA 2022 guidelines, Rs 50 lakh on repeat; FSSAI under the Health Ministry.

Run the two-clock test: enforcement in months versus rule-making in eight years locates regulatory capture at the rule-making stage. Argue claims-policing and warning labels as complements, deleting false reassurance while supplying true warning.

If you led FSSAI for one year, would you spend your political capital on a hundred more notices or one gazetted label? Defend the choice.

Source: A Claim on a Food Packet Is a Claim, Not a Guarantee — Ujiyari.com | Free UPSC & State PCS Editorial Analysis

KEY ARGUMENTS AT A GLANCE

Writing in The Hindu, Bindu Shajan Perappadan documents FSSAI's shift from rule-making to enforcement: over 150 notices to food companies, a dozen to e-commerce platforms and thirty to food-service operators, the Bournvita climbdown, and the advisory retiring "100%" from labels, which together show a regulator discovering that policing claims under existing law moves faster than writing new labelling law, because a notice needs no consensus and a regulation apparently needs eight years of it.

✓ SUPPORTING

- The Bournvita sequence proves the mechanism: scrutiny that began with a 2023 influencer video and an NCPCR direction ended in August 2026 with Mondelez withdrawing health and nutrient-comparison claims after an FSSAI notice, a correction achieved without a single new regulation.
- The "100%" advisory of May 2025 shows the doctrine maturing: the term is undefined in the FSS Act, conveys a false sense of absolute purity, and so falls foul of the 2018 Advertising and Claims Regulations' requirement that claims be truthful and unambiguous, reasoning that converts an undefined superlative into a violation.
- Extending scrutiny to e-commerce listings closes the modern gap: online product pages carry claims and imagery that differ from the physical pack, and consumers increasingly buy from the banner rather than the label, so enforcement that stopped at the supermarket shelf would police the wrong surface.

⚠ COUNTER

The counter-view is that enforcement-by-notice is regulation's weakest form: a company can profit from a claim for years and remove it in a day, penalties under Section 53 cap at ten lakh rupees, monitoring of relisted claims is sporadic, and the crackdown's very success gives the appearance of rigour while the structural reform that industry actually fears, mandatory warning labels, stays stalled.

→ WAY FORWARD

Perappadan's framing implies the way forward is to treat claims enforcement and labelling reform as complements: sustain the notice regime with published compliance tracking and repeat-offender escalation to the CCPA's higher penalties, while the Supreme Court's pressure converts the red-hexagon affidavit into a gazetted regulation, because the consumer needs both fewer false positives on packs and a true negative signal.

MAINS ANSWER FRAMEWORK

QUESTION

Enforcement against misleading food claims has outpaced the mandating of front-of-pack warning labels in India. Account for this asymmetry, and evaluate whether claim-policing can substitute for labelling reform. (250 words)

INTRODUCTION

In August 2026 Mondelez India withdrew health claims for Bournvita and pulled its advertisements from e-commerce platforms after a notice from the Food Safety and Standards Authority of India. Bindu Shajan Perappadan's explainer in The Hindu places that climbdown inside a wider campaign, over 150 notices to food companies, and the campaign inside a paradox: Indian food regulation is moving fastest where it legislates least.

BODY

The enforcement wave has three fronts. Companies: 150-plus notices over misleading advertisements, false claims and labelling non-compliance, naming the industry's largest houses, Nestle, PepsiCo, Coca-Cola, Abbott, Red Bull, Danone, Mondelez, Ferrero, Kenvue among them.

Platforms: a dozen notices to e-commerce entities, on the correct theory that online listings carry claims and imagery that differ from the physical pack and that consumers increasingly decide at the banner, not the label. Food service: thirty-plus notices to restaurant chains.

The legal machinery is not new: the FSS Act of 2006, the Advertising and Claims Regulations of 2018 requiring claims to be truthful, unambiguous and not misleading, Section 53's penalty of up to ten lakh rupees, and, in parallel, the CCPA's 2022 misleading-advertisement guidelines under the Consumer Protection Act with penalties to fifty lakh for repeat offences. What is new is the will.

The Bournvita arc shows the sequence: an influencer video in 2023, an NCPCR direction against the "health drink" label, a commerce ministry advisory delisting such drinks from health-drink categories in 2024, sugar reduced by about fifteen per cent, and finally the 2026 notice and withdrawal. The "100%" advisory of May 2025 shows doctrinal confidence: since the FSS framework nowhere defines "100%", the term can only mislead, conveying absolute purity or superiority over competitors, and so is barred by the 2018 regulations' first principles; Amway dropped "100% Pure Coconut Oil" and its "Energy Drink" descriptor for caffeinated XS products, and a Kerala baby-food maker withdrew immunity and bone-strength claims.

Perappadan's senior-official quote states the theory of the campaign: food regulation governs not merely what a product contains but how its qualities are communicated. The asymmetry with labelling reform is the analytical heart: the same regulator that has issued 150 notices in months has spent eight years, 2018 to 2026, failing to gazette a front-of-pack warning, because a notice requires no stakeholder consensus while a regulation apparently requires unanimity industry will never supply.

Enforcement is the path of least resistance, and it is real, but a claim can be removed after years of profit, relisted elsewhere, and reworded; the correction is durable only under sustained monitoring the regulator has yet to institutionalise.

CONCLUSION

The verdict Perappadan's closing line invites is the right one: a health claim on a food packet is a claim, not a guarantee, and the consumer's protection cannot rest on episodic notices alone. Claims enforcement and warning labels are complements, the first deleting false reassurance, the second supplying true warning, and a regulator serious about the obesity transition documented in NFHS-6 will be judged on delivering both, not on substituting the easy one for the hard one.

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