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THE JUNK PUSH

Rising Ultra-processed Food Consumption in India -Policy, Politics and Reality

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Policy, Politics and Reality

Authors

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The Junk Push: Rising Ultra-processed Food Consumption in India- Policy, Politics and Reality

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Ethical Policy: BPNI does not accept funds or any support from any person or organisation with conflicts of interest in this work, such as manufacturers of baby foods, feeding bottles or infant feeding related equipment. BPNI does not associate with organizations having conflicts of interest. In the same spirit NAPi does not accept any financial support from the food industry.

Disclaimer: This report aims to contribute to the discourse on public health and nutrition by providing insights into ultra processed foods (UPF), also known as junk food, by examining some of the widely marketed brands, their advertising, and their marketing techniques. It examines the claims made by manufacturers or distributors of UPF/junk food in contrast to the listed ingredients of such foods, and tests these in light of current scientific knowledge, peer-reviewed studies, and guidelines or standards prescribed by the Government of India, W.H.O., and other multilateral agencies. The Report examines the advertising strategies used for the promotion of many popular junk food brands made by or marketed by diverse companies in India. This is neither a disparagement of any brand or product, nor an endorsement or recommendation of any brand or product. The Report merely makes reasonable and fair comments on the products that are most widely available in the marketplace and visible in advertisements and commercials. This is done for the purposes of public information, education, formulation of public policy, and in the interest of public health. The mention of specific products and/or their companies, does not imply that these are disparaged or defamed in any manner, nor that they are endorsed or recommended by BPNI and NAPi. The data presented in this study are based on publicly accessible advertisement content available on mass media platforms, as also information printed on packages and labels available to the general public. The transgressions or violations of nutritional guidelines or standards as alleged in the report are based on fair and transparent interpretations by the authors. Readers are urged to exercise critical judgment before drawing conclusions and/or making any behavioural decisions based thereon.

Designed by: The Visual House.

We may emphasize that any food article which is hazardous or injurious to public health is a potential danger to the fundamental right to life guaranteed under Article 21 of the Constitution of India. A paramount duty is cast on the States and its authorities to achieve an appropriate level of protection to human life and health which is a fundamental right guaranteed to the citizens under Article 21 read with Article 47 of the Constitution of India.

…Supreme Court Judgement (Writ petition (civil)) No 681 of 2004, dated: October 22, 2013.

Regular consumption of ultra-processed High Fat Sugar and Sodium (HFSS) foods has adverse effects on the health of individuals. Review of scientific literature suggests a strong association between higher consumption of processed foods high in fat, sugar and sodium with obesity markers such as greater Body Mass Index (BMI) and waist circumference and many non-communicable diseases (NCDs).

…Dr. Bharati Pravin Pawar, Minister of State for Health and Family Welfare in response to a question in the Parliament, February 7, 2023.

...When crafting preventive strategies, government officials must recognize that the widespread occurrence of obesity and diabetes throughout a population is not a failure of individual willpower to resist fats and sweets, or exercise more. It is a failure of political will to take on powerful economic operators, like the food and soda industries. If governments understand this duty, the fight against obesity and diabetes can be won. The interests of the public must be prioritized over those of corporations.

…Dr. Margret Chan 2016 Former Director General of the World Health Organization, Part of the Keynote address at the 47th meeting of the National Academy of Medicine, 17 October 2017, Obesity and Diabetes: The Slow-Motion Disaster.

TABLE OF CONTENTS

ACKNOWLEDGEMENT

We want to express our sincere gratitude and appreciation to everyone who made a significant contribution to the development of this report. We appreciate the help and encouragement from the members of Nutrition Advocacy in Public Interest in India (NAPi) in completing this report.

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Authors

FOREWORD

As maladapted modernity unleashes many threats to human health, ultra-processed foods (UPF) are amongst the most dangerous products of industrial manipulation of natural nutrient sources. They assault the human body through a diversity of adverse health effects. The scale of their production and consumption constitutes a grave danger that must be recognised and countered as a commercial determinant of ill health.

UPF products endanger human health in many ways. They erode immunity, corrode blood vessels, stoke inflammation, catalyse thrombosis and derail body's physiological mechanisms which regulate blood pressure, blood glucose, body weight, body fat levels and patterns of distribution. Heart attacks, brain strokes, cancers, diabetes, obesity, osteoporosis, metabolic associated steato-hepatitis (MASH or fatty liver), polycystic ovary syndrome (PCOS), infertility, depression and loss of cognitive function. UPF are often high in sugar, salt and unhealthy fats and shorn of protective nutrients like dietary fibre. They also frequently contain harmful additives which add colour and flavour but damage health.

Despite rapidly growing scientific knowledge on the multifold harm caused by UPF their consumption is increasing manifold. This is because of aggressive marketing by the manufacturers. Regulatory measures are inadequately framed or ineffectively enforced. Neither policy makers nor the public are adequately informed about the health harm from UPF, even as a deluge of direct and indirect forms of advertising, sponsorship and promotion drowns out attempts to inform people about the health harm caused by UPF. Several celebrities too promote these products, flouting the canons of social responsibility.

It is essential to provide accurate and adequate information to people on the nature of UPF, levels that cause adverse health effects, the diversity of those effects and the regulatory measures which are needed to curb the harm. This will help individuals and families to make informed choices. It will also shape public opinion and mobilise popular demand for effective regulatory measures which must span the spectrum of UPF production, distribution, pricing and promotion. Popular will must both stimulate initiation of impactful policy interventions and ensure their effective implementation.

The Junk Push report is a powerful document which provides factual information on UPF in a compelling presentation on what constitutes UPF, why those products must be regarded as inimical to health, why they must be avoided by consumers and how they should be regulated by policymakers who have a responsibility for protecting population health. NAPi, BPNI and Dr Arun Gupta deserve our gratitude for producing this report, which renders commendable public service. I hope it will galvanise action against UPF, so that this threat to health and wellbeing can be effectively mitigated.

K. Srinath Reddy

Founder (Past) President and
Distinguished Professor
Public Health Foundation of India

ACRONYMS

AIFPA	All India Food Processors Association
ASCI	Advertising Standards Council of India
CAG	Comptroller and Auditor General of India
CCPA	Central Consumer Protection Authority
CNNS	Comprehensive National Nutrition Survey
CPA	Consumer Protection Act
CSR	Corporate Social Responsibility
CVD	Cardiovascular Diseases
EAR	Estimated Average Requirements
ECHO	Ending Childhood Obesity
FAO	Food and Agriculture Organization
FCTC	Framework Convention on Tobacco Control
FOPL	Front of the Pack labels
FOPNL	Front-of-pack nutrition labelling
FSS	Food Safety Standards Act
FSSAI	Food Safety and Standards Authority of India
FV	Fruit & Vegetable
GDA	Guideline Daily Amount
HFSS	High Fat, Sugar and Salt
ICMR	India Council of Medical Research
ICMR-INDIAB	India Council of Medical Research – India Diabetes
IMS Act	India's Infant Milk Substitutes Feeding Bottles, and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003
INR	Indian Nutrition Rating
IYNCI	Infant and Young Child Nutrition Council of India
MedDiet	Mediterranean Diet
MoHFW	Ministry of Health and Family Welfare
NAPi	Nutrition Advocacy in Public Interest
NCDs	Non-communicable diseases
NFHS	National Family Health Surveys
NIN	National Institute of Nutrition
NLM	Nuts, Legumes & Millets
NMAP	National Multisectoral Action Plan for Prevention and Control of Common NCDs

NPCDCS	National Programme for Prevention & Control of Cancer, Diabetes, Cardiovascular Diseases & Stroke
NPM	Nurtient Profile Model
PAHO	Pan American Health Organization
PREDIMED	Prevención con Dieta Mediterránea (Prevention with Mediterranean Diet)
RDA	Recommended Dietary Allowance
T2DM	Type-2 Diabetes Mellitus
TL	Traffic Light
UN	United Nations
UPF	Ultra-processed Foods
WHA	World Health Assembly
WHO	World Health Organization
WHO SEARO NPM	World Health Organization South-East Asia Region Nurtient Profile Model

EXECUTIVE SUMMARY

India is experiencing a rapid rise in non-communicable diseases (NCDs), both in children and adults, with an alarming 1 in 4 individuals suffering from diabetes, much of it caused by obesity. Growing body of scientific evidence indicates that increased consumption of junk foods is linked to higher risk of diabetes, cancers, heart diseases, high blood pressure, mental health issues, and premature deaths. The uptick in consumption of unhealthy diets is engendered by intensive marketing of junk foods and/or beverages. Junk food leads to a person eating more, resulting in weight gain and increased intake of sugars, salt, and saturated fat.

India is a party to the World Health Assembly (WHA) resolutions, one of which is a resolution on marketing of foods and non-alcoholic beverages to children, highlighting the need to protect children from harmful marketing of junk foods. The Government of India has made strong commitments to tackle the NCD crisis through the National Multisectoral Action Plan for Prevention and Control of Common NCDs, 2017-22 (NMAP).

Junk foods are advertised aggressively. A qualitative analysis of 43 advertisements of pre-packaged food products and their composition revealed that these foods were high in one or more nutrients of concern such as sugars, salt and saturated fat. All the 43 products were Ultra Processed Foods (UPFs). Marketing relied upon celebrity endorsements, emotional appeals, unsubstantiated health claims and targeted children, while none provided the most important information about the product which is the amount of sugars, salt and Fat, and a few might even violate the Food Safety and Standards Act 2006 (FSS Act) and Consumer Protection Act 2019.

Pervasive marketing techniques targeting children, positioned junk food as 'good' or even 'healthy,' adding to greater consumption at the most vulnerable ages. Marketing uses various strategies aimed at displacing healthy and cultural food practices.

The World Health Organization (WHO) and other UN agencies recognise that policies need to be mandatory and that policy development should be led by governments, without involving the food industry, to achieve actual curbs on aggressive marketing of junk foods.

Three policies have been identified globally, which can be helpful to reduce the exposure and consumption of junk foods: First is mandatory front of the pack labels (FOPL), which indicate the amount of sugars/salt or saturated fat in a clear manner. An "interpretive" FOPL is more effective as it truly shows what is in the packet and it is recommended by the NMAP. Interpretive warning labels can be adapted for non-literate populations too. Second is placing reasonable restrictions on marketing, especially to children on television and other media, like prohibiting junk food commercials between 6 am to 10 pm, and restricting some strategies like incentives and sponsorship of school events. Third is ensuring high taxes on junk food sales to discourage people buying them. The objective method of identifying foods as healthy or unhealthy requires some cut-off limits, which WHO's nutrition profile model for the South East Asia Region and FSSAI's draft regulation provides.

India's response to the three policies lies in the NMAP. While the plan envisaged the fulfilment of all the policy promises by 2022 and targeted arresting the rise of obesity and diabetes by 2025, the desired results are not in sight. There are many regulatory frameworks in place that may address food labelling and advertising provisions. These are: the Cable Television Networks (Regulation) Act 1995, the Food Safety and Standards Act, 2006, the Food Safety and Standards (Advertising

and Claims) Regulations 2018, the Consumer Protection Act 2019, the Food Safety and Standards (Labelling and Display) Regulations, 2020, the Food Safety and Standards (Safe food and balanced diets for children in school) Regulations, 2020, Food Safety and Standards (Labelling & Display) Regulations, 2020, and Draft Notification regarding Food Safety and Standards (Labelling & Display) Amendment Regulation 2022. Despite having several legal frameworks, our analysis highlights critical gaps. These gaps make the policy ineffective to control advertising or have an interpretive FOPL. India has made progress on awareness and promoting physical exercise, which is good but in addition, a regulatory approach needs to be in place to be more effective.

Food industry both globally and nationally adopts methods that tend to interfere with and retard policy development. While mouthing platitudes about assisting the government efforts to promote healthy eating habits, it actually uses strategies like 'coalition management', 'tied funding', suppressing unfavourable research and disseminating research favourable to commercial interests, and challenging regulatory measures or restrictions on the rare occasions when they are adopted. In India, the food industry interferes in policy development, holds consumers responsible for their choice, claims to pursue self-regulation (which has minimal or no impact on the exposure of children to junk foods), gains political legitimacy, and divides public opinion. Multilateral agencies including UNICEF and WHO, our own national policy under NMAP, as well as global and Indian public health experts, human rights groups and consumer organisations, all recommend that policy development processes be safeguarded from the food industry. Yet it is found that FSSAI commonly partners with the food industry or their front organisations or representatives. Examples include domination in the process for developing FOPL policy and efforts to dilute or destroy a central law on baby food marketing in the past.

During the past few years, several countries have implemented policies and regulations to curb the trend of rising consumption of junk foods. These practices are useful to take stock of while developing India's policy, one of which focuses on keeping the food industry away from the policy-making table.

This report provides insights into ultra- processed foods (UPF), also known as junk food, by examining some of the widely marketed brands, their advertising, and their marketing techniques. It examines advertising strategies and claims made by manufacturers or distributors of UPF/junk food in contrast to the listed ingredients of such foods, and tests these in light of current scientific knowledge, peer-reviewed studies, and guidelines or standards prescribed by the Government of India, W.H.O., and other multilateral agencies. The report reviews the existing policy framework and implementation, and suggests plans to curb consumption of unhealthy diets that are high on UPFs and other junk foods – which are a major cause of the rising prevalence of NCDs in India.

The following 10 recommendations, backed by credible scientific evidence and materials, are suggested for action. It is our hope that these are considered as an urgent public health priority. These will help the Government of India to bridge the gaps in current policy and to showcase its will to prevent NCDs and contribute to fulfil its promise to halt the rise of obesity and diabetes at least by 2030.

1. Food companies or their front organisations or individuals supported by them, should not be part of the decision making to develop a policy to reduce exposure of harmful marketing and consumption of the UPFs or other junk foods. Article 5.3 of the Tobacco Treaty, Framework Convention on Tobacco Control (FCTC) prevents Tobacco companies from contributing to health policy. Similar guidelines may be developed and applied to eliminate food industry influence on policy making.

2. The MoHFW may urgently establish the thresholds of nutrients of concern i.e. sugars, salt and saturated fat in pre-packaged foods. This would be of immediate help to identify which foods can be advertised or have warning FOPL or deserve higher taxes. The HFSS definition in the FSSAI Draft Regulation (September 2022) may be a good start.

3. The FSSAI under the MoHFW, as a follow up action of NMAP, may urgently adopt an interpretive FOPL (warning label) for all junk foods (HFSS or UPFs).

4. The MoHFW and/or the Ministry of Information and Broadcasting (MoIB) may frame a 'Bill' on "Prevention of NCDs to halt the rise of diabetes and obesity in India" with the objectives to define healthy foods and junk foods (UPF, HFSS), and impose reasonable restrictions on the marketing and advertising of junk foods especially to children up to 18 years. Reasonable restrictions could include every medium, sponsorship in schools or gifts for students etc. Television advertisements of junk foods may be prohibited from 6 am to 10 pm. Further, the MoIB may also amend the Cable Television Networks Regulation (Amendment) Act 2000, Rule 7(2)(viii), to include a ban on advertisements that directly or indirectly promote HFSS/ junk foods, similar to the existing ban on advertisements for infant foods.

5. The MoHFW, Ministries of Education, Sports, Home Affairs may direct schools, hospitals, prisons, and other public service offices/areas not to serve UPFs and other junk foods.

6. The GST council may consider the highest GST slab for UPFs and other junk foods, similar to a "sin"-tax for cola drinks.

7. The Ministry of Food and Civil Supplies, and Food Processing, Government of India should consider making real food affordable and accessible by incentives to produce "healthy foods", and making sure that junk food industry is not incentivised.

8. The Ministry of Consumers Affairs may consider an amendment to CCPA guidelines 2022 to prevent misleading advertisements by removing provisos in section 8(i) and Section 9. Further, a clear interpretation of what is the "most important information" of food products, would be helpful. Suggested definition may be included for quick decision making on misleading advertisements.

9. The MoHFW could expedite the implementation of the NMAP, to achieve its targets to halt the rise of obesity and diabetes. Operational guidance of the National Programme for Prevention and Control of Cancer, Diabetes, Cardiovascular Diseases and Stroke (NPCDCS) 2023 may also be reviewed to focus on primary prevention.

10. Civil society organisations, consumer groups, human rights groups, professional and academic groups in public health, academicians and others concerned should be encouraged to join hands with the Government to form a 'strong coalition' to work together and find ways and means to educate children and adults on the harms of UPFs and other junk foods, and to combat the food industry's objective of derailing policy. However, such organisations and the Coalition must not have any conflicts of interest.

1. INTRODUCTION

According to the WHO, Non-communicable diseases (NCDs) kill 41 million people each year, equivalent to 74% of all deaths globally. Each year, 17 million people die from an NCD before the age of 70, with 86% of these premature deaths estimated to occur in low- and middle-income countries.[1]

India is witnessing a rapid rise of NCDs such as cardiovascular diseases (CVD), cancers, chronic respiratory diseases and diabetes. These diseases are estimated to account for 60% of all deaths in the country[2] - a 23% rise since in 1990. A Government of India study[3] (Table 1, Page 3) revealed that obesity and diabetes are on the rise with staggeringly high numbers in 2023. It showed the prevalence of diabetes to be 11.4% (1 in 9 individuals), prediabetes to be 15.3% (1 in 7 individuals), hypertension to be 35.5% (1 in 3 individuals), generalised obesity to be 28.6% (1 in 4 individuals), abdominal obesity to be 39.5% (1 in 3 individuals), and hypercholesterolemia to be 24% (1 in 4 individuals).

Aggressive marketing of foods/beverages promote products high in fat, sugar and salt (HFSS) foods or ultra-processed foods (UPF) This contributes to poor dietary behaviours in children[4] that continue later in life. Increasing junk foods consumption makes our diets unhealthy, thus contributing to diet-related NCDs.

In this report, we study how food products are advertised in India;[5] define junk foods as HFSS and or UPF; review the existing policies and plans surrounding the consumption of junk foods, and how well these policies can influence consumption; analyse the impact of marketing and advertising of these foods, the weak policy response in face of unchecked marketing practices, the strategies employed by the food industry to infiltrate the policy development process, the key policies that matter, and the best practices from other countries. To conclude, we make recommendations for better protecting future generations.

2. BACKGROUND

THE PROBLEM OF NCDS AND THE GLOBAL RESPONSE

As early as 2010, the 63rd WHA, with India as a Member State, adopted a resolution[6] titled 'Marketing of food and non-alcoholic beverages to children'. It endorsed a set of recommendations by the WHO to restrict the marketing of foods and non-alcoholic beverages to children. The resolution recognized the growing concern surrounding the impact of marketing of unhealthy foods and non-alcoholic beverages on children, and its link with the rising prevalence of NCDs. It highlighted the need for action at the national level to protect children from the harmful effects of such marketing practices. The report 'Set of Recommendations on the Marketing of Foods and Non-Alcoholic Beverages to Children (2010)'[7] provided guidance to Member States on how to reduce the harmful impact of food marketing. In 2016, another WHO report confirmed that marketing of foods and non-alcoholic beverages high in saturated fat, salt and/or free sugars, influences childhood obesity, recommending restrictions on marketing of foods and beverages.[8] The WHO reported that the global prevalence of overweight and obesity among children and adolescents aged 5-19 has risen dramatically from just 4% in 1975, to over 18% in 2016.[9]

In 2016, the Commission on Ending Childhood Obesity (ECHO) made a recommendation to "implement comprehensive programmes that promote the intake of healthy foods and reduce the intake of unhealthy foods and sugar-sweetened beverages by children and adolescents".

In 2018, the UN Food and Agriculture Organization (FAO) recommended limiting the consumption of UPFs through policies and regulations.[10] UNICEF in 2021, too, recognised that the food industry, including unhealthy food marketing, plays an important role in shaping children's diets and recommended developing legally binding provisions to restrict harmful marketing without food industry involvement.[11] In 2022, a WHO report confirmed "..that marketing of foods that contribute to unhealthy diets remains pervasive and persuasive and provides evidence that strengthens the rationale for action to restrict food marketing to which children are exposed".[12]

Noting that countries have not done much work in this area, in July 2023, the WHO launched new guidelines titled 'Policies to protect children from the harmful impact of food marketing'. The WHO guidelines stated that policies to restrict food marketing are effective if they are mandatory using a government-led nutrient profile model to classify foods to be restricted from marketing.

INDIA'S CONCERNS

After the 1990s, globalisation, spread of consumer awareness, and rising female employment led to an increase in demand for junk foods and beverages. Food companies such as Coca-Cola, Pepsi, Mondelez, Dunkin Donuts, Pizza Hut, KFC[13] grabbed the opportunity to target the Indian market. India witnessed a steep rise in the incidence of overweight and diabetes. The Comprehensive National Nutrition Survey

> *Food marketing remains a threat to public health and continues to negatively affect children's food choices.*
>
> **—World Health Organization (2023)**

(CNNS) (2016)[14] revealed that 56% of children aged between 5 to 19 years had cardio-metabolic risk factors. Similarly, data in the National Family Health Surveys (NFHS) 3,4 and 5 showed that obesity is quickly rising in children and adult men and women (Figure. 1, 2).

According to WHO[15] the vast majority of overweight and obese children live in developing countries, where the rate of increase has been more than 30% higher than that of developed countries. This is because out of fear of the dwindling sales in developed countries, the food industry is finding great opportunities in the poor and developing nations.[16] The New York Times has reported that "over the last 20 years, sales of full-calorie soda in the United States have plummeted by more than 25 percent".[17]

The Indian Council of Medical Research – India Diabetes (ICMR-INDIAB) study reveals that India faces a massive burden of NCDs - in 2021, the country had 10.1 crore people suffering from diabetes, 13.6 crore with prediabetes, 31.5 crore with hypertension, 25.4 crore with generalized obesity, and 35.1 crore with abdominal obesity. In addition, 21.3 crore people had hypercholesterolemia, and 18.5 crore had high LDL cholesterol.[18] (Table 1). In 2017, the ICMR had estimated the number of diabetics to be 6 crores.

The Convention on the Rights of the Child provides that policies should protect all children up to the age of 18 years. The Supreme Court of India has recognised this in a judgement (Civil WP 681 of 2004): October 22, 2013. "We may emphasize that any food article which is hazardous or injurious to public health is a potential danger to the fundamental right to life guaranteed under Article 21 of the Constitution of India. A paramount duty is cast on the States and its authorities to achieve an appropriate level of protection to human life and health which is a fundamental right guaranteed to the citizens under Article 21 read with Article 47 of the Constitution of India".

Table 1: Findings of the ICMR-INDIAB study - Prevalence and projections for metabolic diseases in India

S. No.	Non-communicable diseases (NCDs)	National prevalence	Estimated number of people in India, in Crores (Burden)
1.	Diabetes	11.4%	10.1
2.	Prediabetes	15.3%	13.6
3.	Hypertension	35.5%	31.5
4.	Generalized Obesity	28.6%	25.4
5.	Abdominal Obesity	39.5%	35.1
6.	Hypercholesterolemia	24.0%	21.3

Source: Adapted from - Metabolic non-communicable disease health report of India: the ICMR-INDIAB national cross-sectional study (ICMR-INDIAB-17). Available from: https://www.thelancet.com/journals/landia/article/PIIS2213-8587(23)00119-5/fulltext

Figure 1: Percentage (%) of increase in overweight/obesity among female and male adults aged 15-49 years

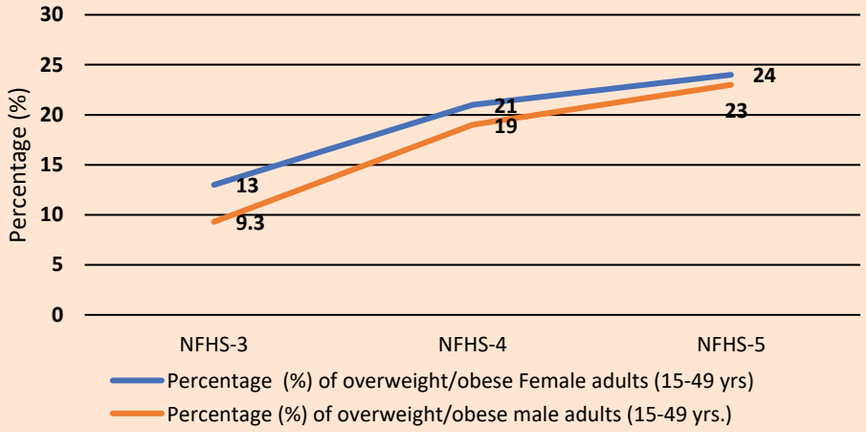
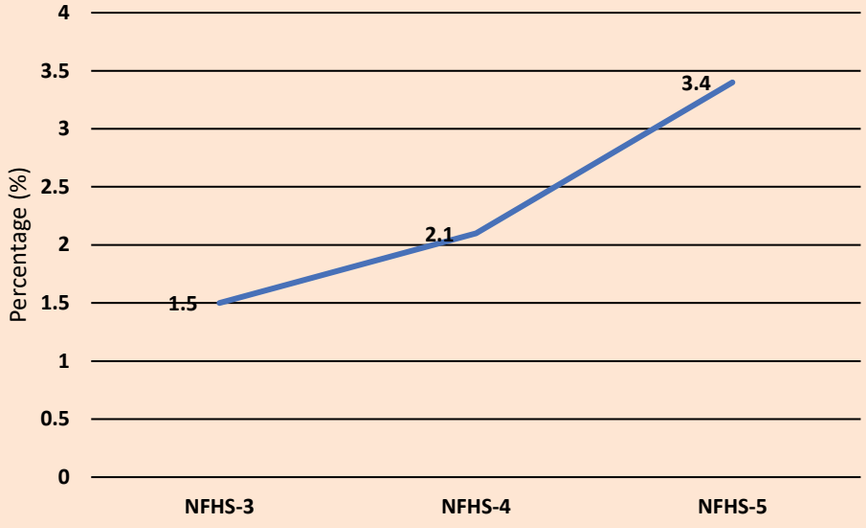


Figure 2: Percentage (%) of increase in overweight among children under 5 years of age



3. WHAT ARE JUNK FOODS?

Michael Jacobson, the director of the Centre for Science in Washington, D.C., first used the term "junk food" in public interest in 1972.[19] The term 'junk foods' is now used broadly to describe unhealthy foods that are high in calories but low in nutritional content. The World Heart Federation defines an unhealthy diet as "diets high in sugars, saturated and trans fats, low fibre foods and high-sugar drinks".[20]

According to ICMR NIN – Dietary guidelines for Indians "Unhealthy (junk) foods are those containing little or no proteins, vitamins or minerals but are rich in salt, sugar, fats and are high in energy (calories). Some examples are chocolates, artificially flavoured aerated drinks, potato chips, ice creams, French fries etc."[21] More recently, specific definitions of unhealthy foods have emerged based on either the nutrient content, or degree of food processing. These are 'HFSS' foods or 'UPF'.

HFSS foods are defined by FSSAI in the draft regulation of September, 2022, as: "high fat, sugar, and salt foods are a processed food product with high levels of saturated fat, total sugar, or sodium. The declared values of these ingredients are such that the product does not satisfy the value of energy (kcal) from total sugar less than 10% of total energy, or from saturated fat 10% of total energy, and sodium less than 1 mg/1 kcal."

Unsafe Food is defined by the 'Food Safety and Standards Act, 2006' as: "Unsafe food means an article of food, whose nature, substance or quality is so affected as to render it injurious to health" and further as "the article being so coloured, flavoured or coated, powdered or polished as to damage or conceal the article so as to make it appear better or of greater value than it really is..."

The Nova Classification of Foods

In 2010, Brazilian scientists came up with a new classification for food products based on the degree and intent of processing, and termed it as the 'Nova classification'.[22]

Prof. Carlos Monteiro explained the NOVA Food Classification System: rationale, description, and applications, at Columbia University Teachers College on April 6th, 2023.[23] Nova classification has four food groups. (Figure 3)

Group 1 consists of unprocessed or minimally processed foods such as fruits, vegetables, pulses, rice, eggs, meat, fish, or milk.

Group 2 consists of processed culinary ingredients, including salt, vegetable oils, butter, sugar, and other substances used to prepare meals.

Group 3 is 'processed foods', which consist of canned vegetables or fruits with added salt or sugar.

Group 4 consists of ultra-processed foods (UPFs) such chips, cookies, sweets, soft beverages, hot dogs, instant noodles, sugary cereals, frozen meals, ice cream, bakery items, and chocolates. UPFs undergo numerous industrial processes, and are chemically or physically transformed, by destroying the food matrix. These contain colouring and flavouring agents, making them highly palatable and addictive. Cosmetic additives, stabilisers, emulsifiers and/or other components not typically found in domestic kitchens are present UPFs. UPFs usually contain a high quantity of

sugars, saturated fat and salt/sodium, and are typically available as pre-packaged and wrapped in plastic. UPFs are characterized by low nutritional quality and high energy density. The palatability, affordability (by use of cheaper ingredients), and convenience help in displacing real foods.

Figure 3: The NOVA Food Classification System

4. RISING CONSUMPTION OFJUNK FOOD AND IMPACT ON HEALTH

The rising consumption of junk food and beverages underscores the epidemic of NCDs, which is now reaching children and vulnerable populations.[24,25]

In India, the UPF industry grew at a compound annual growth rate of 13.37% in terms of retail sales value between 2011 and 2021, according to a recent WHO report. Additionally, it is expected that UPF would expand more quickly than staple foods. The study predicted that the use of UPFs will continue to rise. Between 2006 and 2019, the retail value of packaged junk food and soft drinks in India is showing an upward trend.[26,27]

Researchers project that by 2024, the combined sales volume of UPFs in the middle-income countries will reach the sale volumes of high income countries. The annual growth in UPF sales is higher in middle income countries, as compared to high income countries.[28]

The ultra-processed food industry grew at a compound annual growth rate of 13.37% between 2011 and 2021, with projections that by 2024, the combined sales volume of UPFs in middle income countries will reach high income countries.

Surveys from the slums of Delhi found that 11% of a family's monthly expenditure is on snacks, and 15% of the working members of a household eat outside home.[29] Junk food is also seen as an aspirational choice and a show upward mobility in social status.[30] It has also been reported how junk food and beverages have made their way into sections of the urban poor in India.[31] A study, that uses panel data from Kantar-Worldpanel Division, India, found that three-quarters of urban Indian households purchased over ten processed food groups between 2013 and 2016. According to a fresh survey in May 2023, the households purchasing beverages, including soft drinks, squashes, powdered mixes and packaged juices, rose from 38% in 2019 to 47% in 2023.[32]

UPF purchases were at 6.4 kg in 2016, but had increased by 6% since 2013.[33]

Another study titled 'Intake of ultra-processed foods among adolescents from low-and middle-income families in Delhi' reported that compared to adolescents from low-income homes, adolescents from middle-class families consumed much more energy, fat, carbohydrate, and protein from ultra-processed foods.[34] A study conducted in urban Indian middle-class found increasing consumption of processed and UPFs.[35] Meanwhile, another Kolkata based study conducted on 1026 students showed 70% of adolescents aged 14-16 years consume three or more servings of energy-dense snacks the previous day, indicating poor dietary intakes.[36]

Junk food consumption is increasing among school children[37] and people aged less than 30 years.[38] In South India too, consumption of sugary snacks, salty snacks, and other processed

foods is rising quickly.[39] A PAN India survey found that 93% of children ate packed food, 68% consumed packaged sweetened beverages more than once a week, and 53% ate these products at least once in a day. Nearly 25% of school-going children consume ultra-processed foods.[40]

It is evidenced from so many studies that junk food consumption is indeed rising.

IMPACT ON PUBLIC HEALTH

Briefly, we describe the impact and mechanisms of the impact on public health.

The Government of India recognises that consumption of junk food is harmful to health, and responsible for rising NCDs. In 2022, the Minister of State of Health and Family Welfare, in response to a question in Parliament said: "Regular consumption of ultra-processed High Fat Sugar and Sodium (HFSS) foods has adverse effects on the health of individuals. Review of scientific literature suggests a strong association between higher consumption of processed foods high in fat sugar and sodium with obesity markers such as greater Body Mass Index (BMI) and waist circumference and many non-communicable diseases (NCDs)". (Annex 1)

Plethora of scientific evidence over the last decade also links junk food to growing burden of NCDs. Ultra-processing alters the food matrix and its structure, destroying the nutrition quality, and affecting the satiety centre, which makes people eat more. High consumption of ultra-processed diets has been found to be associated with overweight.[41] These UPFs are exposing billions of people to a higher risk of type 2 diabetes, heart disease, stroke, depression and premature death.[42] One study even points out that every 10% increase in UPF consumption (kcal/d) is associated with a 15% higher risk of Type-2 diabetes mellitus (T2DM) among adults.[43] New research highlights how UPF can also significantly accelerate a person's cognitive decline.[44] Studies also reveal the link between consumption of UPF and dementia, as well as cases of anxiety and depression.[45] Another recent study found that higher UPF consumption was associated with reduced survival and higher CVD mortality rate, independent of diet quality in people with T2DM.[46] Association with cancers occurring early is reported too.[47]

WHAT MAKES JUNK FOOD HARMFUL?

Junk foods work through various mechanisms.[48] A study in India concluded that junk foods contribute substantially to the daily intake of carbohydrates, free sugars, total fats, saturated fat, and sodium in children.[49] Junk foods make a person eat more via an addictive mechanism. Junk food is linked to negative health outcomes independent of the nutrient content.[50] An observational study conducted within the frame of PREDIMED-Plus cohort study found that UPF consumption, high in energy density, added sugars, salt, and saturated and trans fatty acids, was positively associated with lower adherence to Mediterranean Diet ('MedDiet') and higher total energy intake. It also found a positive association between UPF consumption to inflammatory gastro-intestinal diseases and low fruits and vegetables consumption.[51]

There are trillions of gut microbes, which protect human health through core functions such as digestion, metabolism and immune mechanisms; and intake of UPFs alters this arrangement thereby losing out on this protection. Food additives such as colorants, emulsifiers can lead to chronic inflammatory diseases. Some beverages include artificial sweeteners, which can cause cancer.[52] During packaging, potentially toxic compounds are added into the food, especially with long exposures.[53]

5. EVIDENCE OF PERVASIVE MARKETING

In this chapter we present evidence that shows marketing of junk foods is pervasive, and targets children and the vulnerable populations.

According to UNICEF, marketing is defined as "…any form of commercial communication of messages that are designed to, or have the effect of, increasing the recognition, appeal and/or consumption of products and services. This includes any acts to advertise or otherwise promote a product or service."[54] In context of food, marketing has led to mass production and consequent affordability of junk food.

Junk food advertisements target children's programmes and more commonly employ creative strategies to appeal to children.[55] A study showed that 39% of food advertisements targeted general audiences, and 61% targeted children.[56] Constant exposure to these advertisements can lead children to develop a preference for junk foods, which can contribute to an unhealthy diet. Television viewing has been shown to be independently associated with obesity in children, partly due to advertising of unhealthy foods.[57]

Marketing has led to mass production and affordability of junk food, particularly targeting children's programs. Constant exposure to these advertisements can lead to unhealthy diets, with a significant portion of them being HFSS.

According to an unpublished WHO India's report, marketing of HFSS foods and sugar-sweetened beverages is extensive to the tune of more than 200,000 advertisements per month found on select TV, digital and print mediums.

In a study conducted on 400 school-aged adolescents in Delhi,[58] 403 advertisements were reportedly broadcast on the three most-watched channels between 8 and 10 PM. 58.4% of food-related advertisements promoted junk food, 26.7% promoted beverages. Commonly advertised junk food included candies, chocolate, and confectionary and beverages, 85% advertisements included sugary soft drinks. Researchers found that food product advertisements targeting children and youth were high in fat, salt, and sugar.[59]

In July 2023, the World Health Organization released new guidelines[60] to protect children from the harmful impact of food marketing, and noted that "aggressive and pervasive marketing of foods and beverages high in fat, sugars and salt to children is responsible for unhealthy dietary choices".

In a systematic review and meta-analysis of 96 studies (64 randomized clinical trials, 32 non-randomized studies), food marketing was associated with significant increases in food intake, choice, preference, and purchase requests,[61] justifying the need for strong policies to curb

exposure. A cross-sectional study found the prevalence of misleading advertisements to be 60% (720 out of 1200), of which 90% were concerning HFSS foods.[62]

MARKETING'S PESTER POWER

Food marketing often targets children, using persuasive and appealing techniques to entice them to request the advertised products from their parents. This "pester power" can put pressure on parents to give in to their children's requests for unhealthy foods, making it difficult to establish healthy dietary patterns at home.[63] When children demand unhealthy products, parents may be more likely to purchase them, further reinforcing unhealthy dietary habits within the entire household, and thus replacing traditional diets.

The evidence and facts in chapter 4 and 5 indicate that only hope to control the rising consumption is to regulate the marketing of junk food, effectively.

6. ADVERTISING OF PRE-PACKAGED FOODS IN INDIA: A QUALITATIVE ANALYSIS

We conducted a qualitative study of 43 pre-packaged food products to look how these are advertised on television, YouTube, Instagram, Facebook or print media. We purchased the advertised food products and analyzed it's nutrients of concern (sugars, salt and fat). We used the reference of World Health Organisation South-East Asia Region Nurtient Profile Model (WHO SEARO NPM) nutrient thresholds for total fat, sodium, and total sugars per 100g/ml of foods or beverages and used Nova Classification to identify if these products are UPF.

Further, we used the provisions of the Consumer Protection Act (CPA), 2019, section 2(28), Central Consumer Protection Authority (CCPA), 2022 guidelines, and the Food Safety Standards Act (FSSA) 2006 to define misleading advertisements. In addition, we also analysed other strategies used by the food industry such as celebrity endorsements, featuring children, emotional appeal, and the use of health claims to promote these products.

Table 2 provide details of strategies used to advertise the products along with categories and Table 3 provides analysis of advertisements based on Indian regulations. Individual product details are provided from Page 14 to Page 64. These 43 products are just tip of the iceberg. The information provided in the product list is based on analysis from the time of access and purchase of the advertisement and products respectively.

FINDINGS

Based on the WHO-SEARO Nutrient Profile Model, all 43 products exceeded the cut-off limits of at least one nutrient of concern. It was found that total sugars were high in 31 products, total fat was high in 29 products, and sodium was high in 19 products. Additionally, 8 products exceeded the thresholds for all three nutrients of concern.

The study on 43 pre-packaged food products found that all exceeded the nutrient of concern thresholds, with high sugars, fats, and sodium.

Based on the list of ingredients and additives, we classified these 43 products as UPFs as per Nova classification. Various additives used in these included emulsifiers, preservatives, thickening agents, anticaking agents, inverted sugar syrup, raising agent, refined palm oil, natural identical flavouring substances, stabilizers, acidity regulators, artificial flavour, and colours, sweeteners, polydextrose, and maltodextrin.

Section 2 (28) of the Consumer Protection Act (CPA), 2019 defines "misleading advertisement" in relation to any product or service, to mean an advertisement, which – "i) falsely describes such product or service; or ii) gives a false guarantee to, or is likely to mislead the consumers as to the nature, substance, quantity or quality of such product or service; or iii) conveys or express or

implied representation which, if made by the manufacturer or seller, or service provider thereof, would constitute an unfair trade practice; or iv) deliberately conceals important information".

We interpret that 'most important information' about any food product is the amount of nutrients of concern. None of the advertisements for 43 pre-packaged food products in this study provided this information. Therefore, we believe these are in violation of the Consumer Protection Act 2019.

The Food Safety and Standards Act, 2006 says in Section 24 that "no advertisement shall be made of any food which is misleading or deceiving or contravenes the provisions of this Act, the rules and regulations made thereunder". However, 25 products had celebrity endorsements, 12 featured children, 8 made health claims, and 38 used emotional appeals as promotional strategies.

Furthermore, 7 advertisements appear to violate the following provisions of the CCPA guidelines (2022) directed for children, and its sections (Details in Table 3):

- 1(c) (exaggerate the features of the goods, product or service in such a manner as to lead children to have unrealistic expectation of such goods, product or service)
- 1(f) (include a direct exhortation to children to purchase any goods, products or service or to persuade their parents, guardians or other persons to purchase such goods, product or service for them)
- 1(b) (take advantage of children's inexperience, credulity or sense of loyalty)
- 1(n) (claim that consumption of a product advertised shall have an effect on enhancing intelligence or physical ability or bring exceptional recognition without any valid substantiation or adequate scientific evidence)
- 1(j) (make it difficult for children to judge the size, characteristics and performance of the advertised products and to distinguish between real life situations.)

Additionally, 6 advertisements appear to violate the FSS Act (2006) Section 53 which says penalty for misleading advertisement (falsely describes any food or is likely to mislead as to the nature or substance or quality of any food or gives false guarantee.)

Table 2: Category of pre-packaged food products and strategies used

S. No.	Product Category (n=43)	Celebrity Endorsement	Featuring Children	Health Claims	Emotional Appeal
1.	Confectionery (n=4)	4	1	1	4
2.	Fine bakery wares (n=17)	6	6	4	13
3.	Bread and ordinary bakery Wares (n=2)	0	1	1	2
4.	Cereals (n =3)	0	1	1	2
5.	Beverages (a) Juices (n=5)	5	1	1	5
6.	Beverages (c) water based (n=4)	3	0	0	4
7.	Ready-to-eat savouries (savoury snack foods) (n=6)	6	0	0	6
8.	Pasta and noodles like products (n=2)	1	2	0	2

Table 3: Analysis of advertisements based on Indian regulations			
S. No.	**Name of the regulation/law**	**Provisions**	**Number of advertisements and brands violating the regulation**
1	The Consumer Protection Act (2019)	Section 2(28) "misleading advertisement" in relation to any product or service, means an advertisement, which-- (iv) deliberate concealment of important information,	All 43 products
2	The Food Safety and Standards Act, 2006	Section 53 penalty for misleading advertisement (a) falsely describes any food; or (b) is likely to mislead as to the nature or substance or quality of any food or gives false guarantee.	6 products **Brands:** Sunfeast Mom's Magic, Cashew & Almond Patanjali Doodh Biscuit Cadbury Bourn Vit Biscuits Britannia Good Day Harmony Fanta Apple Delite Britannia Nutrichoice Protein Milk and Almond Biscuit
3	Central Consumer Protection Act (CCPA) Guidelines (2022)	Children targeted advertisement: Section 1 (b) take advantage of children's inexperience, credulity, or sense of loyalty; Section 1 (c) exaggerate the features of the goods, product or service in such a manner as to lead children to have unrealistic expectation of such goods, product or service; Section 1 (f) include a direct exhortation to children to purchase any goods, products or service or to persuade their parents, guardians or other persons to purchase such goods, product or service for them; Section 1 (n) claim that consumption of a product advertised shall have an effect on enhancing intelligence or physical ability or bring exceptional recognition without any valid substantiation or adequate scientific evidence; Section 1 (j) make it difficult for children to judge the size , characteristics and performance of the advertised products and to distinguish between real life situations .	7 products **Brands:** Sunfeast Mom's Magic, Cashew & Almond Patanjali Doodh Biscuit Cadbury Bourn Vit Biscuits Parle G Britannia Good Day Harmony TRDP Mario Rusk Kinder Joy

Category-1

Confectionary

WHO Thresholds per 100 gram

Total Sugars 6g | **Total Fat 8g**

HERSHEY
THE HERSHEY COMPANY

Hersheys Kisses Milk Chocolate

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Total Sugars and High Total Fat.*

Source: Television and Official YouTube Channel - https://www.youtube.com/watch?v=f-pUeuuWvg5c (Accessed On - 20th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
41g	30g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Sugar, Milk Solids (27%), Cocoa Butter, Cocoa Solids & Emulsifiers (476, 322 (i)). (Approximate Values) Contains Added Artificial Flavouring Substances (Vanilla, Oligofructose).

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement — Shradha Kapoor

Emotional Appeal — Love

FERRERO

Kinder Joy

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Total Sugars and High Fat.*
- *According to Central Consumer Protection Act Guidelines (2022) Section 1(n) the advertisement claims to improve children's imagination without any valid scientific evidence.*

Source: Television- Discovery Channel and Official YouTube Channel - https://www.youtube.com/watch?v=o6eqqfnZTW4 (Accessed On - 20th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
51g	32g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Sugar, palolein, skimmed cow milk powder (19.5%), palm oil, low fat cocoa powder(4%) refined wheat flour (maida),refined salseed fat, wheat starch, powdered barley malt extract, emulsifier (lecithin- INS 322), whey protein concentrate, sunflowerseed oil(igh oleic acid), raising agents (INS 50ii, INS 500ii), Iodized salt, contains added flavour (nature-identical flavouring substances)

Marketing Tactics

- Use of children
- Use of celebrities
- Use of emotional appeal
- Use of health claims

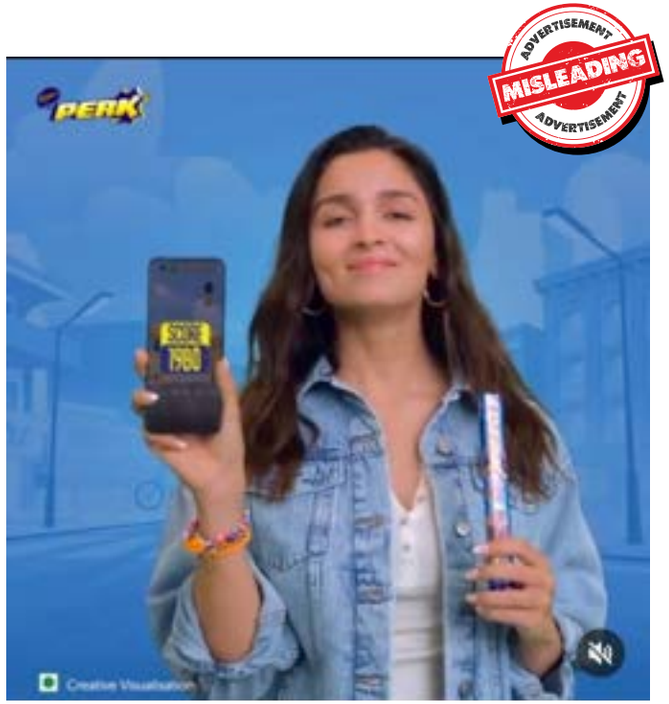
Celebrity/Social Media Influencer Involvement	**Hiten Tejwani**
Emotional Appeal	**Happiness, surprise and curiosity.**
Health Claims	**A special toy in the product will improves child's imagination**

Mondelēz International

Cadbury Perk

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Total Sugars and High Fat.*



Source: Official Instagram handle (Cadbury Perk India) https://www.instagram.com/reel/CgJLHzr-BHg6/?igshid=MzRlODBiNWFlZA== (Accessed on - 25th January 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
44.9g	25.4g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Sugar, hydrogenated oils, refined wheat flour(maida), lactose- rich deproteinized whey permeate powder, starch, cocoa solids (5%), palmolein, emulsifiers (442,322.476), iodised salt, yeast, flavours (natural, nature substances), raising agent(500 (ii), improver (110 (i)

Marketing Tactics

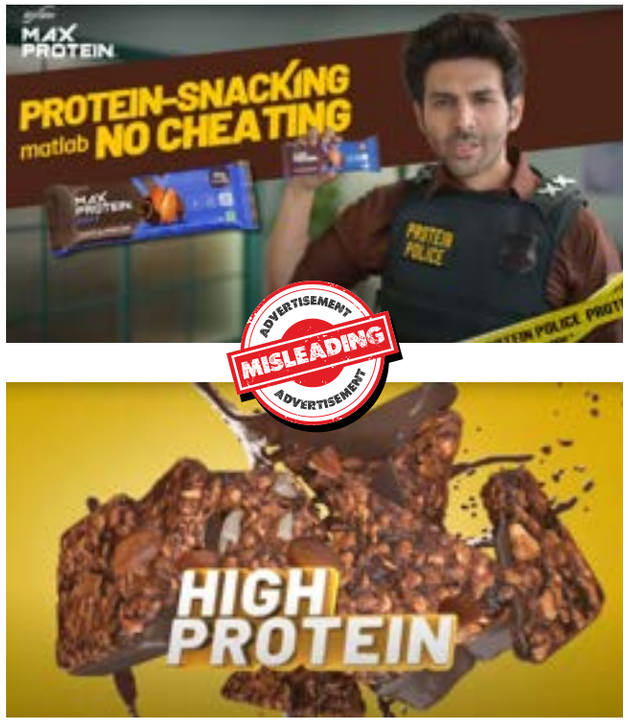
- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement	**Alia Bhatt**
Emotional Appeal	**Interest and Triumph**

Max Protein Daily, Choco Almond Bar

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Sodium and High Total Fat.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=RmRvujMSBzI (Accessed on 25th April 2023)

Health Risk Factors

Total Fat (g) per 100 gram
13.6g

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Protein blend (29%), (Soy nuggets, whey protein concentrate, calcium caseinate, Soy Concentraye), Dietary fiber (16%) (Fructooligosacharide, Chicory root fiber) dark compound no added sugar (12%) (Maltitol, edible vegetable fat(hydrogenated), cocoa solids, emulsifier(Soy lecithin), Maltitol, whole grain rolled oats(8%), almonds (7%), brown rice crispy , edible vegetable oil (high oleic sunflower oil), humectant (glycerine), cocoa powder, cocoa mass, flaxseeds, Tribasic phosphate, Emulsifier(soy lecithin), binding agent (Gua gum), soy protein, isolate, salt and citric acid, Antioxidant (Vitamin C), Added vitamins and Minerals

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement	Kartik Aaryan
Emotional Appeal	Guilt and Fear

Category-2

Fine Bakery Wares

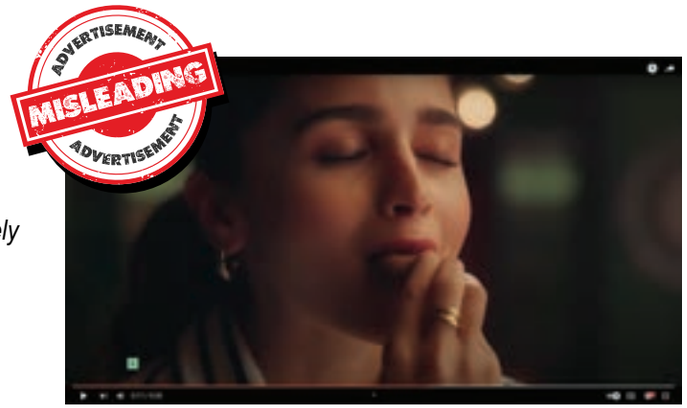
WHO Thresholds per 100g

Total Sugars 6g | **Total Fat 8g** | **Total Sodium 250 mg**

Dark Fantasy Choco Fills Biscuits

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Sugars and Total Fat.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=kWP-WUGFpv88 (Accessed On - 20th April 2023)

Source: Newspaper (Times of India - 17th August 2021, Tuesday)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
35.8g	27.2g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Choco crème (38%) (sugar, refined palm oil, cocoa solids, Emulsifier (lecithin (from soyabean) nature identical flavouring substances (chocolate) and artifician flavouring substances (vanilla) refined wheat flour, hydrogenated vegetables oil, sugar, invert syrup, liquid glucose, raising agents (INS 503 (ii), INS 500 (ii), INS 450 (i)) cocoa solids, butter, milk solids , iodized salt, nature identical flavoring substances (chocolate) colors (INS 150c, INS 150 d)Emuslifiers (lecithin (from soyabean) mono and di glycerides of fatty acid (from palm oil) and artificial flavouring substances (milk and vanilla) contains wheat milk, soy. May contains Nuts, sulphites

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement	Alia Bhatt
Emotional Appeal	Joy

Sunfeast Mom's Magic, Cashew & Almond

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars, High Sodium, High Total Fat.*
- *According to Food Safety and Standards Act (2006) Section 53(b) the advertisement misleads by falsely describing the biscuit as a main meal.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=Qu3yT-nUq5os (Accessed on 15th April 2023)

Source: Newspaper (The Times of India - 7 March 2022, Monday)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
22.7g	938.3mg	22.1g

HIGH IN SUGARS

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined wheat flour (maida), sugar, refined palm oil, invert syrup,cashew kernels (0.9%), raising agents (INS 450(i), INS 503(ii), INS 500(ii)), iodized salt, milk solids, butter (0.3%), nature identical flavourig substances, emulsifiers(diiacetyl tartaric acid ester of mono-diglycerides(from sunflower and palm oil) lecithin (from soyabean), mono and diglycerides of fatty acids (from palm oil) almond kernels (0.1%) artificil flavoring substances (butter and vanilla), flour treatment agent (INS 223) and color (INS 102)

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement — Shreya and Supriya Pilgaonkar

Emotional Appeal — Mother's Love

PATANJALI®

Patanjali Doodh Biscuit

NUTRITIONAL INFORMATION (Approx. Values) Serving Size:18.8g, Servings per pack 36 nos		
NUTRIENTS	Per 100g	%RDA/serve
Energy	468 kcal	2.34
Total Carbohydrates	72 g	
-Total sugar	24 g	
- Added sugar	22 g	4.40
Dietary fibre	6 g	
Protein	7.2 g	
Total Fat	17 g	2.54
Saturated fat (not more than)	8.3 g	3.77
Trans fat (not more than)	0 g	
Cholesterol	1.6 mg	
Sodium	349 mg	1.75

%RDA per serve is calculated on the basis 2000kcal energy,67g total fat, 50g added sugar, 2000mg sodium requirement for avg adult per day

ADVERTISEMENT MISLEADING ADVERTISEMENT

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars, High Sodium, High Total Fat.*
- *According to Food Safety and Standards Act (2006) Section 53(b) the advertisement misleads about the nature of the biscuit by claiming 100% wheat whereas the ingredients list has only 58.6% wheat flour. Also, exaggerate the features of the product by claiming "Milk biscuit" whereas the milk solid ingredient is only 1.7%.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=7a337O1VIFg (Accessed on 01st May 2023)

Source: Newspaper (The Times of India - 28th March 2022, Monday)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
24g	349mg	17g
HIGH IN SUGARS	HIGH IN SODIUM	HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Wheat flour (atta-58.6%), edible vegetable oil (palm), sugar, liquid glucose, milk solids (1.7%), edible common salt, leavening agents (INS-500(ii), INS 503 (ii), INS-341(i)), cheese dough conditioner (INS 223), antioidant (INS 319), Emulsifier (INS 322(i), contains added flavour, natural , nature identical artificial flavouring substances (milk and vanilla)

Marketing Tactics

Use of children ✓	Use of celebrities ✗	Use of emotional appeal ✓	Use of health claims ✓
Emotional Appeal		**Happiness**	
Health Claims		**Easy to digest and contains fiber, vitamins and minerals that is the perfect choice for health.**	

Mondelēz International

Cadbury Bourn Vita Biscuits

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars, High Sodium, High Total Fat.*
- *According to Central Consumer Protection Act Guidelines (2022) Section 1(b) and 1(f) the advertisement gives false guarantee about the outcome of consuming this product and take advantage of children's inexperience, credulity persuading their parents and guardians to purchase this product.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=mD_BOpwX-jUw (Accessed on 10th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
34.2g	300mg	15.1g

HIGH IN SUGARS

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined wheat flour, maida (51%), sugar, palmolein oil, cereal based beverage mix, 5%, (cereal extract 57%)(barley , wheat), sugar , cocoa solids, colour (150c), liquid glucose , wheat gluten , Maltodextrin , Emuslifier (322, 477), edible rennet casein, milk solids, vitamins , minerals, raising agent (500(ii), iodised salt, flavours(natural nature identical and atificial (vanilla) flavouring substances , invert sugar,cocoa solids (1.5%), Milk solids (1%),leavening agents (500 (ii), 503 (ii), minerals, iodised salt, flavours (natural and nature identical flavouring substances), Emulsifier (322), color (150c), vitamins

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✓	✗	✓	✓

Emotional Appeal — Mother Approval for improving a child's strength

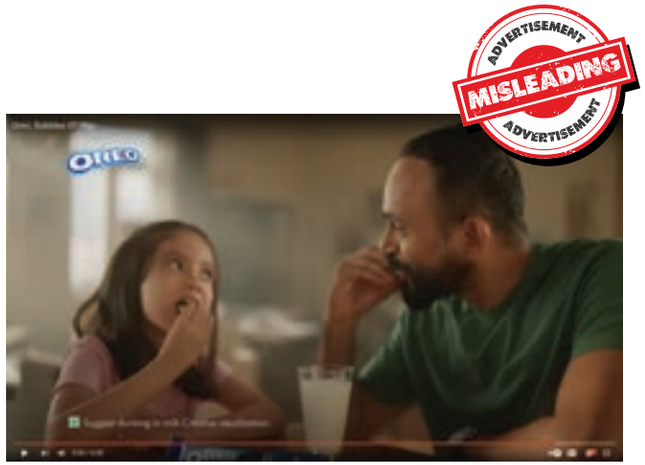
Health Claims — Give bones and muscles the strenght of Iron and Calcium

Mondelēz International

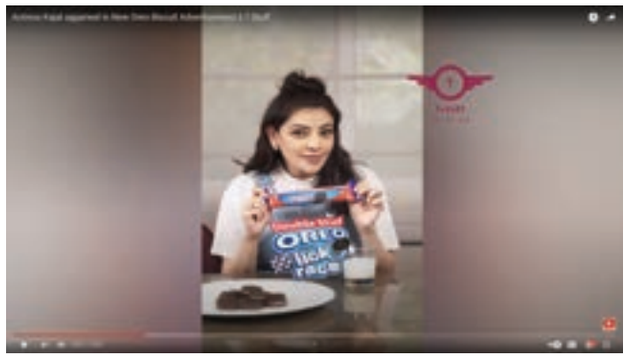
Choco Crème Oreo

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars, High Sodium and High Total Fat.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=oio3JCUhl5Q (Accessed on 01st May 2023)



Source: Official YouTube Channel - https://www.youtube.com/watch?v=y1KgOqxoD-Ho (Accessed on 01st May 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
38g	420mg	19.7g
HIGH IN SUGARS	HIGH IN SODIUM	HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined wheat flour, sugar, edible vegetable fat, palm olein oil, cocoa solids, invert syrup, leavening agents (500(ii), 503 (ii)), edible salt, Emulsifier (322)

Marketing Tactics

Use of children ✓	
Use of celebrities ✓	
Use of emotional appeal ✓	
Use of health claims ✗	
Celebrity/Social Media Influencer Involvement	Kajal Aggarwal
Emotional Appeal	Play time of Kids and their parents with Oreo

Orion Strawberry Choco Pie

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars, High Total Fat.*

Source: Newspaper (Delhi times - 24th March 2022, Sunday)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
29g	15.6g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined Wheat flour (maida), choco covering (21%) sugar, hydrogenated vegetable fat, cocoa solids, milk solids, emulsifier (INS 322) and nature identical flavour (Vanillin), sugar, Liquid glucose, strawberry filling (9.3%), strawberry pulp (39%), sugar, liquid glucose,humectants (INS 420(i), INS 422) Acidity regulator 9INS 330), Preservatives (INS 211, INS 202), Stablizers (INS 440, INS 415), Nature identical flavour(strawberry), natural color (INS 150d) and synthetic food color (INS 122) Hydrogenated vegetable fat, Humectant (INS 422), Dextrose, Raising Agents (INS 500 (ii), INS 503 (ii)), Stabilizers (INS 407, INS 440, INS 415, INS 410) Edible common salt, Hydrolyzed peaprotein preserbatives (INS 202, INS 281), Acidity regulator (INS 341 (i), Emulsifier (INS 322), Nature identical flavour (Vanillin)

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✗
- Use of health claims ✗

Parle G

NUTRITIONAL INFORMATION*		
	AMOUNT PER 100 g	PER SERVE % CONTRIBUTION TO RDA
ENERGY (kcal)	454.0	3.4
PROTEIN (g)	6.9	-
CARBOHYDRATE (g)	77.3	-
TOTAL SUGARS (g)	25.5	-
ADDED SUGARS (g)	25.0	7.5
TOTAL FAT (g)	13.0	2.9
SATURATED FAT (g)	6.0	4.1
TRANS FAT (g)	0	0
CHOLESTEROL (mg)	0	-
SODIUM (mg)	296	2.2

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information ie; High Total Sugars, High Sodium and High Fat.*
- *According to Central Consumer Protection Act Guidelines (2022) Section 1(n) the advertisement claims that consumption of this product shall influence in enhancing the intelligence of child by claiming "G" means Genius.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=O5oqa0kDx-qE (Accessed on 10th Feb 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
25.5g	296mg	13g
HIGH IN SUGARS	HIGH IN SODIUM	HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined wheat flour (maida) (68%), sugar, refined palm il, invet sugar syrup (sugar , citric acid), iodised salt, raising agents (503 (ii), 500 (ii)), milk solids, flour treatment agent (1101(ii) and emulsifier of vegetable origin (472e), contains added flavour(artificial flavouring substances- vanilla)

Marketing Tactics

- Use of children ✓
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal **Compassion**

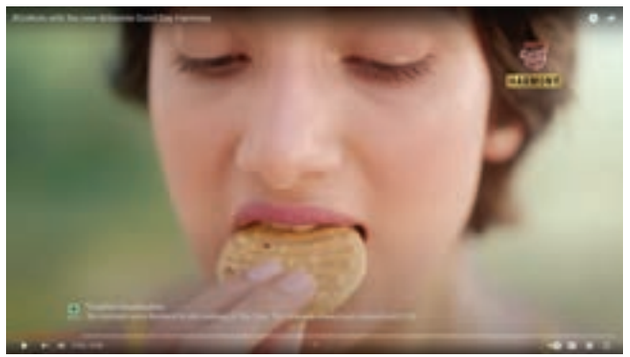
BRITANNIA

Britannia Good Day Harmony

NUTRITION INFORMATION		
Serving Size: 10g (approx 1 biscuit)		Per Serve (%) RDA
No. of servings per pack - 12		
Approx. Values per 100g		
Energy	513kcal	3
Protein	7.2g	
Carbohydrate	84.8g	
of which total sugars	21.5g	
Added sugars	20.2g	4
Total Fat	25g	4
Saturated fatty acids	11.2g	5
Mono unsaturated fatty acids	10.5g	
Poly unsaturated fatty acids	2.8g	
Trans fatty acids	0g	0
Cholesterol	3mg	
Sodium	216mg	1

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars and High Total Fat.*
- *According to Food Safety and Standards Act (2006) Section 53(b) the advertisement falsely describes the nature of the product by projecting that it has so many nuts whereas the ingredients list shows only 8%.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=AnALwIz-VO8E (Accessed on 01st May 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
21.5g	25g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined wheat flour, sugar, refined palm oil, nuts and nut product (8%) cashwes, almonds, pistachio & hazelnut paste) invert sugar syrup, milk solids, butter, raising agents (503(ii) & 500(ii), iodised salt, emulsifiers (322 (i), 471, 472e) and flavours (nature identical and artificial (milk and vanilla) flavouring substances

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal

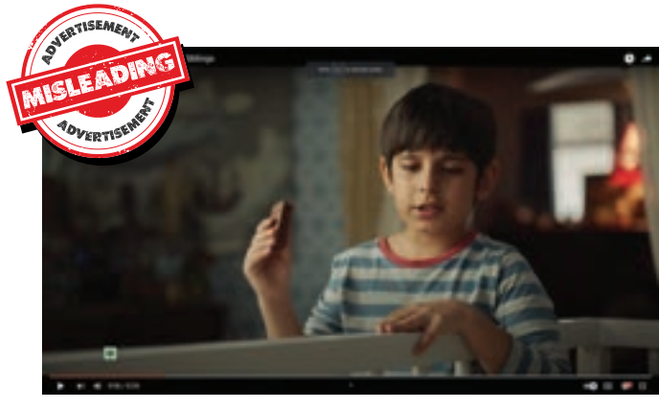
Fantasy

Mondelēz International

Cadbury Chocobakes Choco Layered Cakes

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars and High Total Fat.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=6nr2VP6uvCM (Accessed on 20th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
41.1g	21.9g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Cake (45%*) - (Refined Wheat Flour (Maida), Sugar, Humectants(420 (Ii), 422, 1520), Palm Olein, Liquid Glucose, Milk Solids, Cocoa Solids, Starch, Emulsifiers (322, 475, 471, 491), Raising Agent (500(Ii), 450 (I), 341 (I)), Iodised Salt, Preservative (202), Stabilizer (415)), · Choco Layer (29%*) - (Sugar, Hydrogenated Vegetable Fat, Milk Solids, Cocoa Solids, Emulsifiers (442, 476)); ColourFilling (26%*) - (Sugar, Edible Vegetable Fat, Liquid Glucose, Humectant (422, 1520), Water, Emulsifiers (322, 475, 471, 491), Cocoa Solids, Iodised Salt, Preservative (202)) Contains Added Flavours (Natural, Nature Identical And Artificial (Vanilla Caramel) Flavouring Substances)

Marketing Tactics

- Use of children ✓
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal

Sibling Love and bond

BRITANNIA

Britannia Nutrichoice, Seeds Biscuits

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars, High Sodium and High Total Fat.*

Source: Facebook - https://hi-in.facebook.com/BritanniaNC/videos/introducing-nu-trichoice-seeds-nutrichoice-herbs-with-the-power-of-5-and-0-maidan/718553335840903/

Source: Newspaper (The Times of India 19th August 2022, Friday)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
13.6g	314mg	23.4g
HIGH IN SUGARS	HIGH IN SODIUM	HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Wheat flour(atta) 49%, oil seeds (15%), (flax seeds, watermelon seeds, sunflower seeds, chia seeds and pumpkin seeds), refined plam oil, sugar, sweetners (965(i) and (ii)), milk solids, liquid glucose, date and raisin paste, raising agents (503)ii) & 500 (ii), butter, invert sugar syrup, emuslsifier (322)i) and 471) and iodised salt

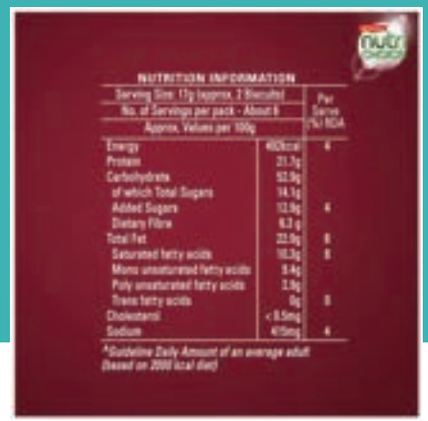
Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal **Power**

BRITANNIA

Nutrichoice Protein Milk Almond Biscuit



WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information.*
- *According to Food Safety and Standards Act (2006) Section 53(b) the advertisement is misleading by saying - "you do not need to be a good cook, you just need a good cookie to fulfill protein requirement".*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=SdiTzdpMUC4 (Accessed on 28th April 2023)

Source: Newspaper (The Times of India - 29th September 2022, Thursday)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
14.1g	415mg	22.9g

HIGH IN SUGARS

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Wheat Flour (Aita) (43%), Refined Palm Oil Soy Protein Isolate (16%), Sugar, Almonds (4.3%), Sweetener [965(I) & (Ii)], Milk Products (2.5%) [Sweetened Condensed Milk & Milk Solids], Oats Fibre, Raising Agents [503(Ii) & 500(11)1, Emulsifiers [322(I), 472e & 471), Iodised Salt And Flavours (Natural & Nature Identical Flavouring Substances). (Numbers In Brackets As Per International Numbering System) Contains Wheat, Soya, Milk, Nuts And Oats.

Marketing Tactics

Use of children ✗	
Use of celebrities ✓	Danish Sait
Use of emotional appeal ✓	Humour
Use of health claims ✓	Get the power of 20% Protein

Celebrity/Social Media Influencer Involvement

Emotional Appeal

Health Claims

TRDP Mario Rusk

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars and High Total Fat.*
- *According to Central Consumer Protection Act Guidelines (2022) Section 1(b) the advertisement claims to pick and eat this product anywhere it's found considering its their own, taking advantage of children's inexperience, credulity, or sense of loyalty.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=tdNMnucGyoA (Accessed on 28th April 2023)

Source: (The Times of India - 8th October 2022, Saturday)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
24g	10.3g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined Wheat Flour (maida) (59%), Sugar, Edible Vegetable Oil (refined Palm Oil), Suji, Yeast, Milk Solids, Invert Syrup, Edible Common Salt, Spice (cardamom & Its Oil (0.25%)), Wheat Fibre, Emulsifier (471, 472e & 481()), Antioxidant (300) & Flour Treatment Agents (1100(i)). (Numbers In Brackets As Per International Numbering System).

Marketing Tactics

Use of children ✓	
Use of celebrities ✓	
Use of emotional appeal ✓	
Use of health claims ✗	
Celebrity/Social Media Influencer Involvement	Kirron Kher
Emotional Appeal	Belongingness

BRITANNIA

Nutrichoice Digestive Zero Biscuits

Nutrition Information	per 100g product (approx)
Carbohydrate	69g
of which	
- Added Sugars	0g
- Naturally occuring Sugars	3g
Dietary Fibre	9g
Protein	8g
Fat	21g
Saturated fatty acids	10g
Mono unsaturated fatty acids	8g
Poly unsaturated fatty acids	3g
Trans fatty acids	0g
Cholesterol	0mg
Energy	497 kcal

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Fat.*

Source: Newspaper (The Times of India - 29th March 2023, Wednesday)

Health Risk Factors

Total Fat (g) per 100 gram

21g

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Whole Wheat Flour (Atta) (61%), Edible Vegetable Oil (Palm), Polyols [965 (I) & (Ii)], Wheat Bran (5.4%), Raising Agents [503(Ii)& 500(11)], Maltodextrin, Milk Solids, Iodised Salt, Emulsifiers (322, 471 & 472E), Malt Extract, Antioxidant(307C), Sweetener (955), Dough Conditioner (223) And Spice (Nutmeg). Contains Added Flavours [Nature Identical & Artificial (Milk) Flavouring Substances]

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal

Belongingness and Guilt

BRITANNIA

Britannia Good Day

NUTRITION INFORMATION per 100g product (approx...)	
Carbohydrate	71g
of which Sugars	30g
Protein	5g
Fat	21g
Saturated fatty acids	7.5g
Mono unsaturated fatty acids	9.7g
Poly unsaturated fatty acids	3.7g
Trans fatty acids	0g
Cholesterol	0mg
Energy	493kcal

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Fat.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=NdrQf19EPBU (Accessed on 28th April 2023)

Source: Newspaper (The Times of India - 17th November 2022, Thursday)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
30g	21g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined Wheat Flour (Maida), Sugar, Edible Vegetable Oil (Palm), Chocolate Chips (11%) [Sugar, Cocoa Solids, Cocoa Butter, Dextrose, Emulsifier (322) And Added Natural Flavouring Substance (Vanilla)], Chocochips (10%)[Sugar, Edible Hyorogenated Vegetable Oil, Cocoa Solids, Dextrose, Emulsifier (322) And Added Natural Flavouring Substance (Vanilla)], Invert Syrup, Raising Agents [503(I), 500(I), 450(I)], Cocoa Solids, 10Dised Salt And Emulsifiers (322, 472E). Contains Permitted Natural Food Colour (150) And Added Flavours (Artificial Flavouring Substances (Chocolate& Vanilla))

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal

Joy and Excitement

Britannia NutriChoice 5 Grain Digestive

NUTRITION INFORMATION		
Serving Size: Approx. 17 g (approx. 1 Biscuit)		Per Serve (%) RDA
No. of Servings per pack - About 12		
Approx. Values per 100 g		
Energy	466 kcal	4
Protein	7.4 g	
Carbohydrate	72.1 g	
of which Total Sugars	17.9 g	
Added Sugars	17.4 g	6
Dietary Fibre	9 g	
Total Fat	18.5 g	5
Saturated fatty acids	8.9 g	7
Mono unsaturated fatty acids	6.9 g	
Poly unsaturated fatty acids	2.3 g	
Trans fatty acids	0 g	0
Cholesterol	0 mg	
Sodium	227 mg	2

ADVERTISEMENT MISLEADING ADVERTISEMENT

Source: Newspaper (The Times of India - 21st March 2023, Tuesday)

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars and High Total Fat.*

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
17.9g	18.5g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Wheat Flour (Atta) (48%), Sugar, Refined Palm Oil, Cereal Products (15%), (Ragi Flour, Jowar Flour, Rice Flour, Rolled Oats, Corn Flakes and Quinoa Flour), Wheat Bran (6%), Milk Products (Sweetened Condensed Partly Skimmed Milk and Milk Solids), Raising Agents [503 (ii), 500(ii)], Iodised Salt, Emulsifiers [322(i), 472e & 471], Honey (0.4%) and Nature identical and Artificial (Vanilla) Flavouring Substances.

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✗
- Use of health claims ✗

BRITANNIA

Britannia NutriChoice Oats Orange and Almond

Nutrition Information	per 100g product (approx.)
Carbohydrates	70g
Sugars	22g
Dietary Fiber	6g
Protein	7g
Fat	20g
Saturated Fatty Acids	8.5g
Mono Unsaturated Fatty Acids	8.7g
Poly Unsaturated Fatty Acids	2.7g
Trans Fatty Acids	0g
Cholesterol	0mg
Energy	488kcal

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars, and High Total Fat.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=E8g9FHfu7rQ (Accessed on 28th April 2023)

Source: Newspaper (The Times of India - 3rd March 2023, Friday)

Health Risk Factors

Total Sugars (g) per 100 gram	Total Fat (g) per 100 gram
22g	20g

HIGH IN SUGARS

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined Wheat Flour (Maida) (37%), Sugar, Edible Vegetable Oil (Palm), Rolled Oats (14%), Almond (3%). Raisins (3%). Wheat Bran (2.7%), Liquid Glucose, Raising Agents [500(Ii), 503(Ii).450(I)], Maltodextrin. Oats Fibre (1.5%), Milk Solids (0.9%), Invert Syrup, Orange Peel (0.5%). Emulsifiers [322(0, 471, 4724 Iodised Salt And Orange Powder (0.12%) Contains Permitted Natural Food Colour (150D) And Added Flavour [Nature Identical Flavouring Substance]

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✗
- Use of health claims ✓

Health Claims — **Healthier choice**

Parle-G Oats and Berries Biscuits

NUTRITIONAL INFORMATION^		
SERVE SIZE: 10.8 g PER SERVE SERVINGS PER CONTAINER: 5	AMOUNT PER 100 g	PER SERVE % CONTRIBUTION TO RDA*
ENERGY (kcal)	445.0	4.2
PROTEIN (g)	7.2	-
CARBOHYDRATE (g)	78.8	-
TOTAL SUGARS (g)	25.6	-
ADDED SUGARS (g)	24.6	9.2
TOTAL FAT (g)	11.2	3.2
SATURATED FAT (g)	5.0	4.3
TRANS FAT (g)	0	0
CHOLESTEROL (mg)	0	-
SODIUM (mg)	303	2.8

*APPROX. VALUES ^RDA REQUIREMENT FOR AVERAGE ADULT PER DAY (2000 kcal)

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars, High Sodium and High Total Fat.*

Source: Newspaper (Sunday Times 26th March 2023, Sunday)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
25.6g	303mg	11.2g
HIGH IN SUGARS	HIGH IN SODIUM	HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined Wheat Flour, Sugar, Refined Palm Oil, Rolled Oats, Invert Sugar Syrup, Dried Sweetened Cranberry, Raising Agents, Iodised Salt, Barley Flour, And Emulsifier Of Vegetable Origin, Artificial Flavouring Substance Of Cranberry And Cereal

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✗
- Use of health claims ✗

Category-3

Bread and Ordinary Bakery Wares

WHO Thresholds per 100 gram

Total Sugars 6g | **Total Fat 8g** | **Total Sodium 250 mg**

English Oven, Subfootlong Bread, Roasted Garlic and White Bread

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Total Sugars and High Total Fat.*

Source: Newspaper (Hindustan Times, 6th February 2022, Sunday)

Health Risk Factors

Total Sugars (g) per 100 gram	Sodium (mg) per 100 gram
6.24g	592mg

HIGH IN SUGARS

HIGH IN SODIUM

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined Wheat Flour (Maida), Water, Cheese And Herbs Seasoning } Milk Solids, Cheese Powder, Anticaking Agent (551), Acidity Regulator (270, 330, 260), Stabilizers { 340 (ii), 341 (iii), 451 (i)}}, Sugar, Yeast, Wheat Gluten, Edible Vegetable Oil (Palm), Edible Common Salt, Dehydrated Vegetables { Garlic 1% And Onion}, Seasoning And Condiments, Improvers (170 (i), 300, 1100 (i), 1102), Class Ii Preservative (282), Soya Flour, Emulsifiers (471, 472e, 481 (i)) Contains Added Flavours - Natural And Nature Identical (Cheeses And Pepper) Allergen Declaration: Contains Refined Wheat Flour) Wheat Gluten, Milk Solids And Soya Ingredients.

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal

Happiness and Aspiration

Bonn High Fibre Brown Bread

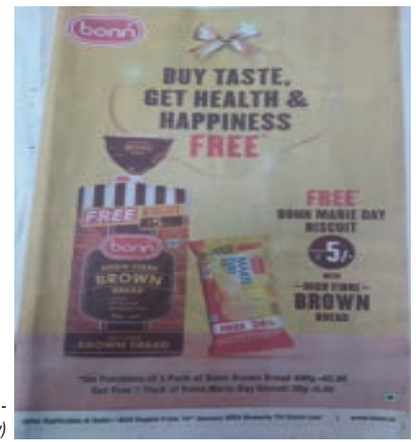
Nutritional Information**	Per 100g	% RDA Per Serve #
Energy (kcal)	248	6.20%
Total Fat (g)	1.70	1.27%
Saturated Fat (g)	0.70	1.59%
MUFA (g)	0.62	
PUFA (g)	0.15	
Trans Fat (g)	0	0%
Cholesterol (mg)	0	
Carbohydrate (g)	48.00	
Total Sugars (g)	2.40	
Added Sugars (g)	1.50	1.50%
Dietary Fibre (g)	6.57	
Protein (g)	7.80	
Sodium (mg)	450	11.25%

Per Serve Percentage (%) contribution to Recommended Dietary Allowance for average adult per day (2000 kcal).
 # If serving is 50g, pack contains 9 servings.
** Approximate values

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Sodium*

Source: Official Youtube Channel - https://www.youtube.com/watch?v=ztsFvh1GAUE (Accessed on 28th April 2023)



Source: Newspaper (The Times of India - 18th January 2023, Wednesday)

Health Risk Factors

Sodium (mg) per 100 gram

450mg

HIGH IN SODIUM

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Wheat Flour-Atta(53%),Water, Sugar, Yeast, Edible Common Salt, Malt Extract, Refined Palm Oil, Soyabean Oil, Gluten, Brown Bread Concentrate, Soy Flour, Preservatives [280, 281 & 200], Flour Improvers [1100(I) & 1104], Antioxidant [300], Anticaking Agent [170(I)] And Emulsifiers [481(0,471,472-8C 479].

Marketing Tactics

Use of children ✓	Use of celebrities ✗
Use of emotional appeal ✓	Use of health claims ✓

Emotional Appeal — Happiness

Health Claims — With Bonn everyone's health gets amazing

Category-4

Cereals

WHO Thresholds per 100 gram

Total Sugars 9g | **Total Fat 12g** | **Total Sodium 350 mg**

NESTLE GOLD Crunchy Oat and Corn Flakes, Breakfast Cereal

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Sodium.*

Source: https://www.youtube.com/watch?v=rcOUC5JHaQo (Accessed on 26th March 2023)

Source: Newspaper (The Times of India - 16th March 2022, Wednesday) and Official YouTube Channel

Health Risk Factors

Sodium (mg) per 100 gram
709.7mg

HIGH IN SODIUM

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Degermed maize (corn) grits (64.7%) extruded whole maize (corn) flour (17%0, whole oat flour (10.3%) sugar, minerals, iodized salt, malt extract, glucose syrup, Acidity regular (339iii), emulsifier (471), antioxidant(307b) and vitamins; contains oats, barley and sulphite may contain wheat, milk, soy, nut, mustard, celery, sesame and lupin

Marketing Tactics

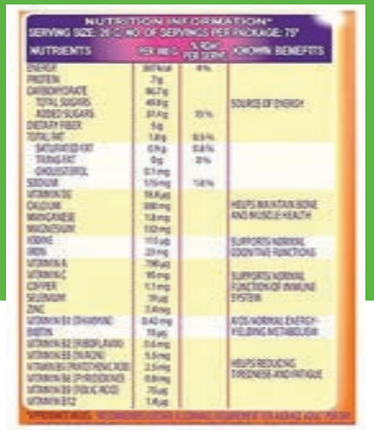
- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✗
- Use of health claims ✓

Health Claims

With immunonutrients

Mondelēz International

Cadbury Bournvita Chocolate Health Drink



WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) Deliberately Conceals important Information i.e; High Total Sugars.*

Source: Official Youtube Channel - https://www.youtube.com/watch?v=GZ9Ojq5lcH0 (Accessed on 28th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram
49.8g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Malt Extract (50%), Sugar, Milk Solids, Maltodextrin, Cocoa Solids, Emulsifiers (471, 322), Raising agent (500(ii)), Vitamins, Minerals, Salt. Contains Permitted Natural Colour (150 c) and Added flavour (Natural Identical Flavouring Substances).

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✓	✗	✓	✓

Emotional Appeal	**Anxiety, Anticipation and Satisfaction**
Health Claims	**8 immunity nutrients help maintain inner strength**

TATA
CONSUMER
PRODUCTS

TATA Soulful Millet Muesli Fruit and Nut

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars.*

Source: https://www.youtube.com/watch?v=Lv605z2lhlo (Accessed on 28th April 2023)

Source: Newspaper (The Times of India - 14th December 2022, Thursday)

Health Risk Factors

Total Sugars (g) per 100 gram
19.7g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Rolled Oats (31%), Whole Wheat Flakes (23%), Ragi Flakes (13%), Corn Flakes (7%), Dried Cranberry (5%), Refined Sugar, Black Raisins (4.5%), Dried Papaya (3.3%), Almonds (3%), Invert Sugar Syrup, Honey, Malt Extract, Emulsifier (322i), Strawberry Powder, Natural Flavor, Natural Color (162), Antioxidant (320). Allergens: Contains Oats, Soy, Wheat, Nuts.

Marketing Tactics

- Use of children ✗
- Use of celebrities ✗
- Use of emotional appeal ✓
- Use of health claims ✗

Emotional Appeal

Desire, romance and adoration

Category-5

Ready to eat Savouries

(savoury snack foods)

WHO Thresholds per 100g

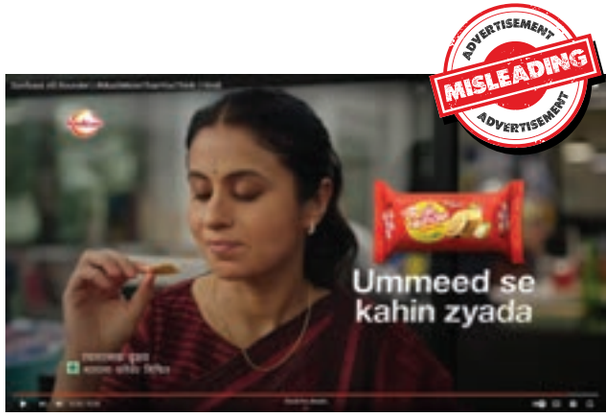
Total Fat 8g | **Total Sodium 250 mg**

ITC Limited

Sunfeast All Rounder Chatpata Masala Thin Potato Biscuits

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Fat.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=ILWRK_9S5zo (Accessed on 20th April 2023)

Source: (Hindustan Times - 8th February 2022, Tuesday)

Health Risk Factors

Total Fat (g) per 100 gram

19.5g

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined wheat flour (maida), refined palm oil, sugar, refined palmolein, dehydrated potato (potato (4.5%), Emulsifier (INS 471), Stabilizer (INS 450 (i), Antioxidants (INS 223, INS 330), Liquid Glucose, Starch, Iodized salt, Invert syrup, Milk solids, raising Agents (INS 500(ii), INS 503 (ii), Emuslifiers (INS 322(i), INS 471, INS 472e) and flour treatment agents (INS 223, INS 110 (i))

Marketing Tactics

Use of children ✗	
Use of celebrities ✓	
Use of emotional appeal ✓	
Use of health claims ✗	
Celebrity/Social Media Influencer Involvement	**Rasika Duggal**
Emotional Appeal	**Inspiration and romanticisng childcare leave**

Bikano Aloo Bhujia/ Bikaneri Bhujia

NUTRITIONAL INFORMATION
Servings Per Package: 16 approx.
Serving Size: 30 g

	AVERAGE QUANTITY PER SERVING	AVERAGE QUANTITY PER 100g
ENERGY	782 kJ	2610 kJ
PROTEIN	2.6g	8.7g
FAT, total	14.1g	47.1g
- saturated	3.6g	12.0g
- trans fat	0.0g	0.0g
CARBOHYDRATE	12.4g	41.4g
- sugars	0.7g	2.2g
SODIUM	250mg	835mg

READY-TO-EAT SAVOURIES (PROPRIETARY FOOD)

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Sodium and High Total Fat.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=QcE5YeZubnE (Accessed on 15th April 2023)

Source: Newspaper (Times of India - 12 March 2022, Saturday)

Health Risk Factors

Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
835mg	47.1g

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Potato (51.3%), edible vegetable oil (refined palmolein oil, refined ricebran oil, refined cotton oil, rice flour, chickepea flour (5%), spices and condiments (red chilli powder, dried mint, dried mango powder,cumin powder, gooseberry powder, criander powder, cardamon powder, geen chilli powder, Nutmeg powder, dried ginger powder, carom seeds powder, black pepper powder), husked dew, moth bean flour, iodized salt, sugar (surose), onion powder, garlic powder, black salt, asafoetida, acidity regulators (E296 and E330), contains added flavour (natural and nature identical flavouring substances)

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement	**Sahil Anand**
Emotional Appeal	**Humour that idealises the product**

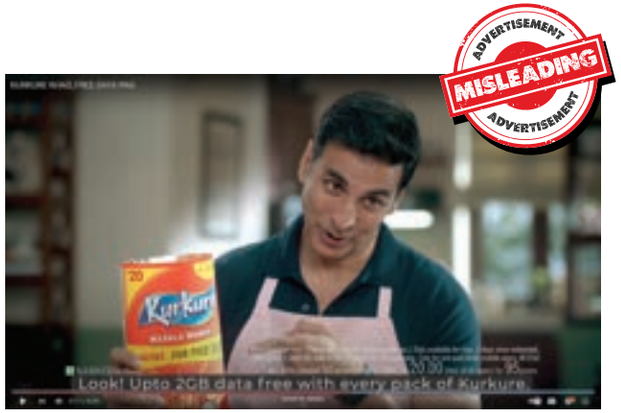
PEPSICO

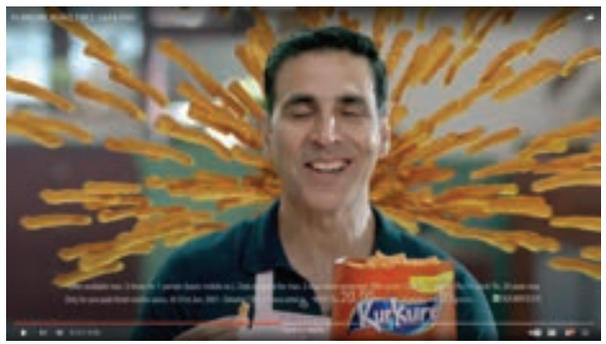
Kurkure Masala Munch

NUTRITIONAL INFORMATION (^APPROX.):		
		Per 100g
Energy	kcal	558
Protein	g	6.4
Total Carbohydrate	g	55.2
of which Sugars	g	1.0
Total Fat	g	34.6
Saturated Fat	g	16.0
Trans Fat	g	0.1
Sodium	mg	892

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Sodium and High Total Fat.*





Source: Official YouTube Channel - https://www.youtube.com/watch?v=ulS1rY33vh8 (Accessed on 24th April 2023)

Health Risk Factors

Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
892mg	34.6g

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Cereal products (61%), (Rice meal (42%), corn meal (19%) edible vegetable oil (Palmolein) * seasoning (spices and condiments, iodised salt, maltodextrin, sugar, black salt, acidity regulator (330,296,334) tomato powder, hydrolysed soy protein, flavour (natural and nature identical flavoring substances), dextrose, emulsifier (414), milk solids, edible starch, flavour enhancer (627 & 631) gram meal (3%)

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement	**Akshay kumar**
Emotional Appeal	**Humour and surprise**

Bikaji Soya Sticks

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisment Deliberately Conceals important Information i.e; High Sodium and High Total Fat.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=0JIbh2fXUzU (Accessed on 26th March 2023)

Source: Newspaper (The Times of India - 13th March 2022, Sunday)

Health Risk Factors

Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
1146mg	34g

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Edible vegetableoil (palmolein oil and cotton seed oil, tapioca starch, black gram flour (10%), soya powder (7%), rice flour(5%), whole lentil flour(5%), ground spices and condiments iodized salt, sugar, maltodextrine, fennel, cumin, red chilli, ginger, turmeric (colouring & spices) dried mango, corn starch , garlic, mustard seeds , acidity regulator (INS 330, INS 296), Anticaking agent (INS551), Asafoetida, flavoring enhancers (INS 627, INS 631, INS 635), Hydrolyzed vegetable protein (soya)

Marketing Tactics

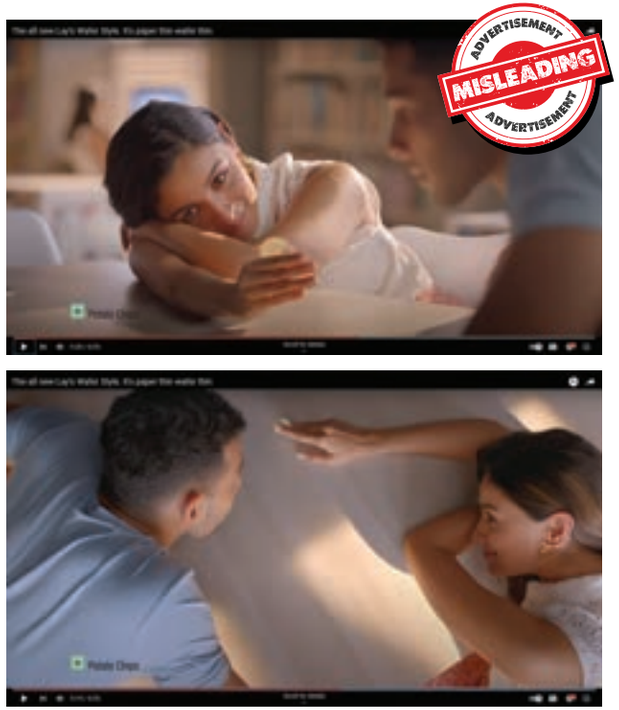
- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement	Amitabh Bachchan
Emotional Appeal	Humour

PEPSICO

Lay's Wafer Style

NUTRITIONAL INFORMATION* SERVE SIZE 20 g	2.4 SERVES IN THIS PACK	
Nutrients	Per 100 g	%RDA Per Serve
Energy	542 kcal	3%
Protein	6.9 g	
Carbohydrate	50.9 g	
Total Sugars	3.8 g	
Added Sugars	3.0 g	1%
Total Fat	33.6 g	10%
Saturated Fat	12.7 g	12%
Trans Fat	0.1 g	1%
Sodium	606 mg	6%
*Approximate		



Source: Official YouTube Channel - https://www.youtube.com/watch?v=0rZBLiJaeQ8 (Accessed on 24th March 2023)

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Sodium and High Total Fat.*

Health Risk Factors

Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
606mg	33.6g

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Potato, Edible vegetable oil (palmolein rice bran oil), seasoning (sugar, iodised salt, spices and condiments, acidity regulators (330, 334) flavour (natural and nature identical flavoring substances), milk solids, anticaking agents (551)

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✗	✓	✓	✗

Celebrity/Social Media Influencer Involvement	Alia Bhatt and Sidharth Chaturvedi
Emotional Appeal	Desire

ITC Limited

Bingo Mad Angles Achari Masti

Source: Social Media, Instagram - https://www.youtube.com/watch?v=viCcpU32RA4 (Accessed on 8 June 2023)

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Sodium and High Total Fat.*

Health Risk Factors

Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
790mg	32.3g

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Rice grits , seasoing (refined palmolein sugar, spices and condiments, iodized salt, nature identical flavoring substances, hydrolyzed vegetable protein and natural flavors and natural flavours and natural substances) refined palmolein, degermed corn grits and bengal gram grits

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement	Ranveer Singh
Emotional Appeal	Humour

Category-6

Beverages (a) Juices

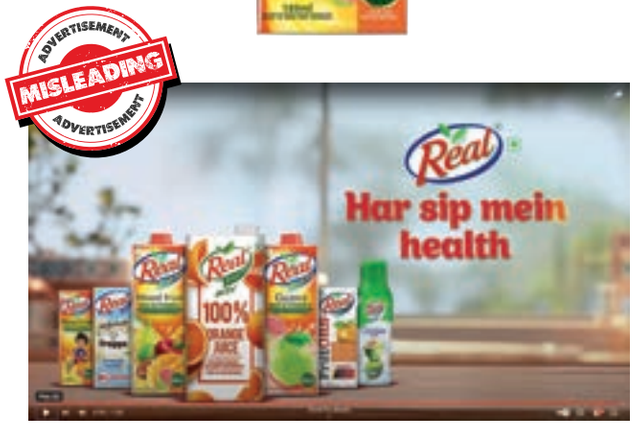
WHO Thresholds per 100g/ml

Total Sugars **6g**

Real Fruit Power, Mixed Fruit

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=LmGeVJKbuuI-https://www.youtube.com/watch?v=LmGeVJKbuuI (Accessed on 9 June 2023)

Source: Newspaper (Delhi Times - 7th August 2022, Sunday)

Health Risk Factors

Total Sugars (g) per 100 gram/ml

13.1g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Water, concentrated mixed fruit juice (12.03%) (from apple, orange, guava, apricot, mango, banana, lime, passion fruit, pineapple), sugar, acidity regulators (INS 330), Stabilizer (INS 440), Colours (INS 160 a(ii) & (iii) and flavours (natural & nature identical flavouring substances)

Marketing Tactics

- **Use of children** ✓
- **Use of celebrities** ✓
- **Use of emotional appeal** ✓
- **Use of health claims** ✓

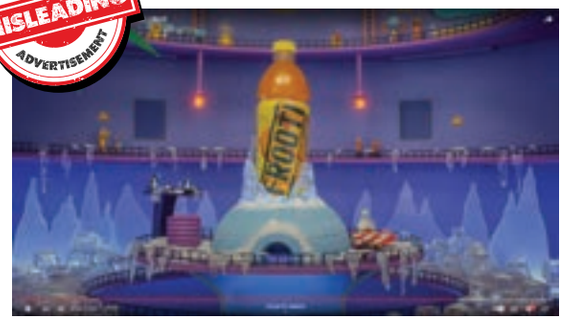
Celebrity/Social Media Influencer Involvement	**Kareena Kapoor Khan**
Emotional Appeal	**Guilt and Desire**
Health Claims	**It provides energy, immunity, minerals and vitamins and Health in every sip**

Parlé Agro
refreshing india

Frooti Drink

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=-nSE5UTTecI (Accessed on 21st April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram/ml
15.5g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Water, mango pulp, sugar, acidity regulator(INS 330,INS 331(iii) preservative (INS 211,INS 224, INS 202), Antioxidant (INS 300) nature identical flavouring substances (mango) and Contains permitted synthetic food colour (INS 110)

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✗	✓	✓	✗

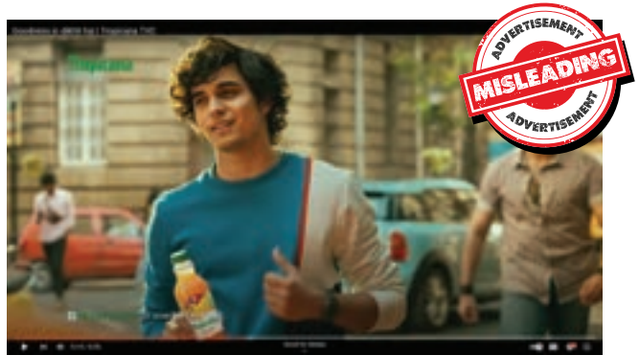
Celebrity/Social Media Influencer Involvement	**Alia Bhatt**
Emotional Appeal	**Happiness and Surprise**

PEPSICO

Tropicana Fruit Juice Mixed Fruit Delight

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=il6hLjLsVb4 (Accessed on 22nd April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram/ml

12g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Water, concentrated mixed fruit juice 10% (from apple, mango, guava, oange, banana, apricot, peach), sugar, acidity regulator(330), stabilizer (466, 440) iodised salt, flavour (natural and nature identical flavoring substances), sweetners (960a), colour (160a(i)

Marketing Tactics

Use of children ✗	Use of celebrities ✓
Use of emotional appeal ✓	Use of health claims ✗

Celebrity/Social Media Influencer Involvement	**Niketen Dheer**
Emotional Appeal	**Humor, Happiness and Regret**

PEPSICO

Tropicana Slice

Nutritional Information per 100ml (Approx.*): Energy: 64kcal, Total Carbohydrate: 15.9g, 'of which Sugars: 15.5g, Total Fat: 0g, Saturated Fat: 0g, Trans Fat: 0g, Protein: 0g, Sodium: 12mg.
#including natural fruit sugars
‡Guideline Daily Amount (2000 kcal diet)

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars.*

ADVERTISEMENT MISLEADING ADVERTISEMENT

Source: Official YouTube Channel - https://www.youtube.com/watch?v=cVZffMcZcI0 (Accessed on 28th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram/ml

15.5g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Water, Sugar, Concentrated Mango Pulp And Alphonso Mango Pulp (13.6%* Mango Pulp), Acidity Regulator (330), Stabilizer (440), Preservative (202), Antioxidant And Added Flavour (Natural And Nature Identical (300).contains Permitted Synthetic Food Colours (102, 110) Flavouring Substances).

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✗	✓	✓	✗

Celebrity/Social Media Influencer Involvement — Kiara Advani

Emotional Appeal — Satisfaction, Desire and Accomplishment

Coca-Cola

Fanta Apple Delite- Natural Juice, Tempting Taste, Tingling Bubbles

NUTRITION FACTS (Typical Values per 100ml)	
ENERGY	48 kcal
CARBOHYDRATE	12.1 g
SUGAR	12 g
PROTEIN	0 g
FAT	0 g
SODIUM	8.5 mg

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars.*
- *According to the Food Safety and Standards Act (2006) Section 53(b) the advertisement falsely describes the nature of the product by projecting that it has real apple juice whereas the ingredients list shows its only 10.5% apple juice reconstituted from apple juice concentrate. It also claims that the product has real apple's bite in every sip.*

Source: Television - Sony TV, 18th March 2:12 PM (IST) and Official YouTube Channel - https://www.youtube.com/watch?v=0za0s2_KolA (Accessed on 10th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram/ml

12g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Carbonated Water, Sugar, Apple Juice(10.5%) (Reconstituted from Apple Juice Concentrate), Acidity Regulator (296), Stabilizer (452(i)), Preservatives (202,211), Colour (150d), Apple Flavour (Nature Identical Flavouring Substances)

Marketing Tactics

Use of children	✗
Use of celebrities	✓
Use of emotional appeal	✓
Use of health claims	✗

Celebrity/Social Media Influencer Involvement	**Kartik Aryan and Samantha Ruth Prabhu**
Emotional Appeal	**Humour and Happiness**

Category-7

Beverages (c) Water Based

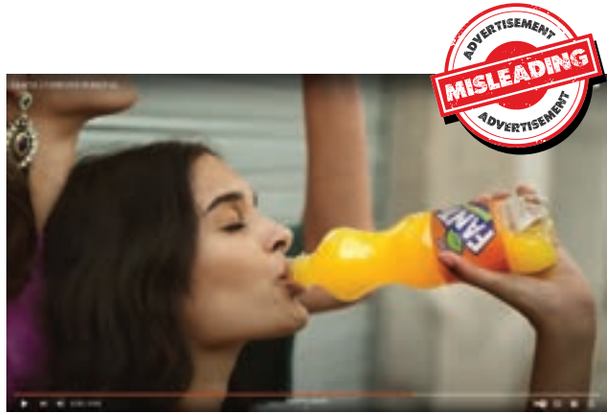
WHO Thresholds per 100g/ml

Total Sugars **2g**

Fanta Soft Drink

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=rksSo7pWuJM (Accessed on 26th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram/ml

13.7g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Carbonated Water, Sugar, Acidity Regulator (330), Stabilisers (414, 445) Preservative (211), Contains Permitted Synthetic Food Colours (110) And Added Flavours, (Natural & Nature-Identical Flavouring Substances).

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✗	✗	✓	✗

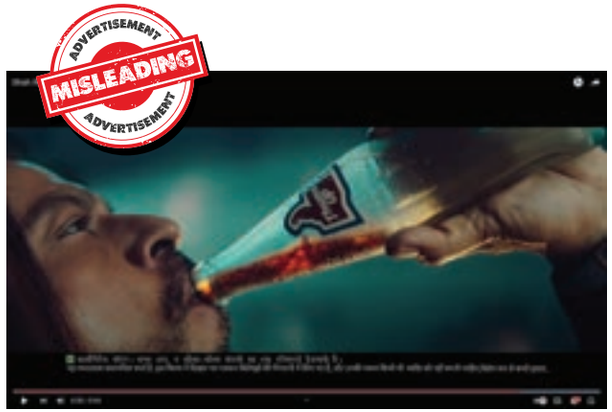
Emotional Appeal **Joy**

Coca-Cola

Thums UP

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Total Sugars.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=s42gsntYWgg (Accessed on 17th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram/ml

10.4g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Carbonated Water, Sugar, Acidity Regulator (338), Caffeine, Colour (150d). Contains Permitted Natural Colour & Added Flavours (Natural, Nature Identical Artificial Flavouring Substances), Contains no Fruit

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✗	✓	✓	✗

Celebrity/Social Media Influencer Involvement — **Shahrukh Khan**

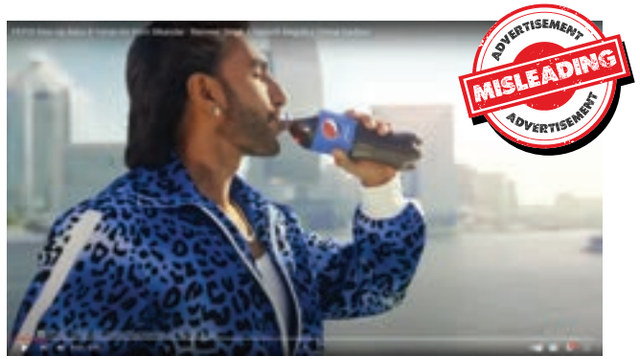
Emotional Appeal — **Thrill**

Pepsi

Nutritional Information
Per 100 ml (Approx.):
Energy: 43kcal,
Total Carbohydrate: 10.9g,
of which Sugar: 10.9g,
Total Fat:0g, Saturated Fat: 0g, Trans Fat: 0g, Protein: 0g,
Sodium: 11mg

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars.*



Official Youtube Channel - https://www.youtube.com/watch?v=gXYxwJSErVE (Accessed on 28th April 2023)

Source: News Paper (Delhi Times - 29th January 2023, Sunday and 5th March 2023, Sunday)

Health Risk Factors

Total Sugars (g) per 100 gram/ml
10.9g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Carbonated water, high fructose corn syrup, caramel color, sugar, phosphoric acid, caffeine, citric acid, natural flavor.

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✗	✓	✓	✗

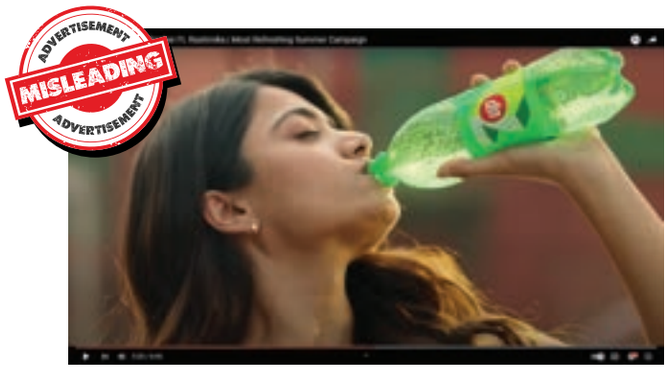
Celebrity/Social Media Influencer Involvement	**Ranveer Singh, Yash**
Emotional Appeal	**Courage**

PEPSICO

7 Up Soft Drink

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisemnt deliberately conceals important Information i.e; High Total Sugars.*



Source: Official Youtube Channel (6th March 2023)- https://www.youtube.com/watch?v=3jQ_toeu314 (Accessed on 28th April 2023)

Health Risk Factors

Total Sugars (g) per 100 gram/ml

11.4g

HIGH IN SUGARS

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Carbonated water, citric acid, sugar, and sodium citrate, Natural Lemon and Lime Flavors.

Marketing Tactics

- Use of children ✗
- Use of celebrities ✓
- Use of emotional appeal ✓
- Use of health claims ✗

Celebrity/Social Media Influencer Involvement — Rashmika Mandana

Emotional Appeal — Surpise and Happiness

Category-8

Pasta and Noodles like Products

WHO Thresholds per 100g

Total Fat **3g** | **Total Sodium** **250 mg**

Nestle

Maggi

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Sodium and High Total Fat.*

Source: Official YouTube Channel - https://www.youtube.com/watch?v=c-VcbIscZ00 (Accessed On - 20th May 2023)

Source: Newspaper (Times of India - 19th Feb 2023, Sunday)

Health Risk Factors

Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
1028mg	13.5g

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Refined wheat flour (maida), palm oil, iodised salt, wheat gluten , Thickeners (508 and 412), acidity regulator (501(i) & 500 (i)) and humectant (451 (i), Masala : Hydrolysed groundnut protein, refined whaet flour (maida), mixed spices (13.1%), sugar, onion powder, starch, palm oil, garlic powder, iodised salt, Thickner (508), acidity regulator (330 and 500 (ii), mineral, flavour enhancer (635), colou (150d) and wheat gluten

Marketing Tactics

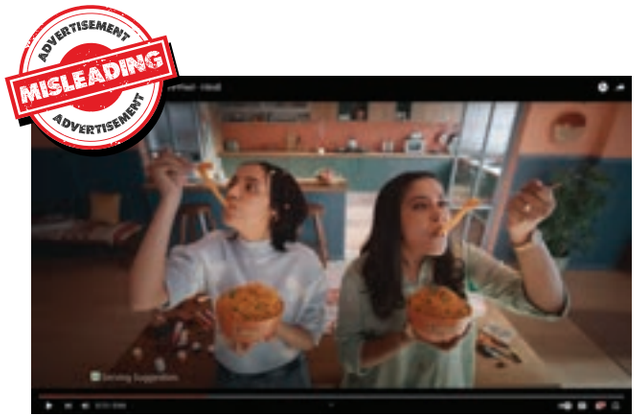
Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✓	✗	✓	✗

Emotional Appeal — **Happiness**

Yippee Magic Masala Noodles

WHY MISLEADING?

- *According to Consumer Protection Act (2019) Section 2 (28) (iv) the advertisement deliberately conceals important Information i.e; High Sodium and High Total Fat.*



Source: Official YouTube Channel - https://www.youtube.com/watch?v=lNevV1llo-o (Accessed on 11th April 2023)

Source: Newspaper (Hindustan Times 13th March 2022, Sunday

Health Risk Factors

Sodium (mg) per 100 gram	Total Fat (g) per 100 gram
1247.1mg	20.1g

HIGH IN SODIUM

HIGH IN FAT

Ingredients that makes this product an UPF

Ultra-Processed Food Product/ UPF

Instant Noodles: Refined wheat flour (78.4%), Refined plam oil, iodized salt, wheat gluten (0.4%) Thickeners (INS 508, INS 412), Stabilizers (INS 170(i), INS (339(ii), INS 450(iii), INS 452 (i) and acidity regulator (INS 501(i) ,INS 500 (i) and INS 330 Seasoning ;Maltodextrin, Yeast extract, acidity regulator(INS 330) Flavour enhancer (INS 627, INS 631), Anticaking Agent (INS 551)

Marketing Tactics

Use of children	Use of celebrities	Use of emotional appeal	Use of health claims
✓	✓	✓	✗

Celebrity/Social Media Influencer Involvement	MS Dhoni
Emotional Appeal	Desire and Happiness

7. POLICIES TO REDUCE CONSUMPTION OF JUNK FOOD

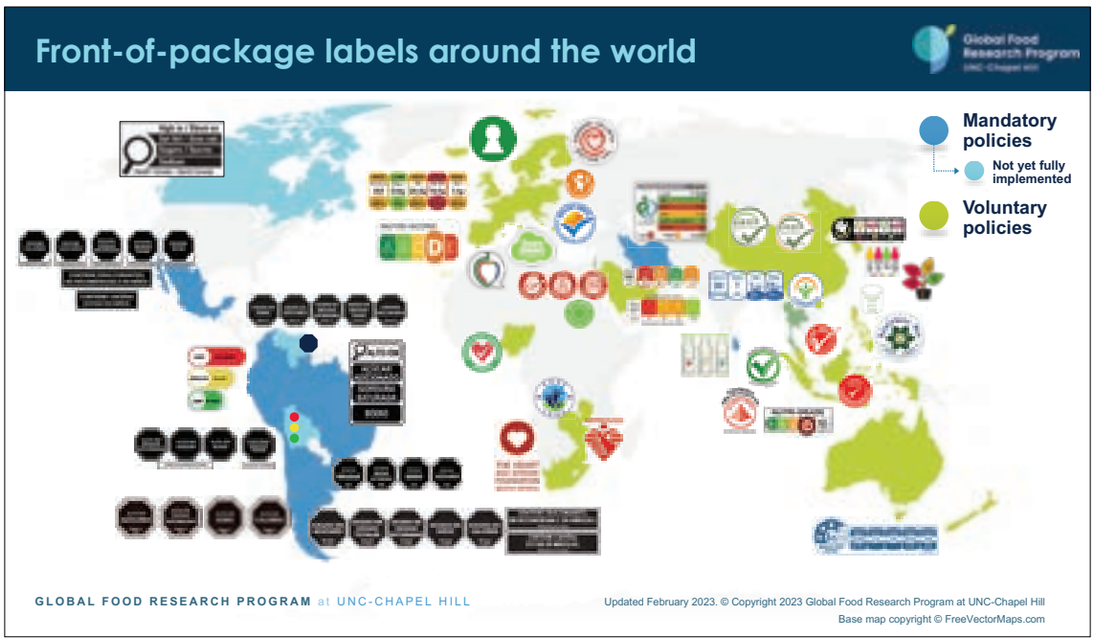
WHAT DO WHO AND UNICEF RECOMMEND?

Both UN agencies working on health and children rights recommend reducing the consumption of junk foods. Evidence-based policies should be led by the government, and made mandatory. These include front of the pack labels (FOPL), restrictions on marketing, and higher taxes on junk foods. WHO has also developed nutrition profile model for South East Asia to provide an objective method of describing foods as 'healthy' or 'unhealthy'. This model is consistent with international guidance on preventing chronic disease, and underlines a clear threshold for determining which foods are not suitable for advertising to children.[64]

The WHO Regional Office for Europe nutrient profile model provides a set of criteria for classifying foods based on their nutritional quality. Both of these nutrient profile models are based on the notion that children have a right to be protected from unhealthy food marketing's adverse effects.[65] The Pan American Health Organization (PAHO) nutritional profile model's guiding principles served as the basis for the threshold justification in both of these Nutrient Profile Model (NPM).[66] For a comparison of the thresholds for these models please see (Annex 2).

LABELLING REGULATIONS

FOPL is simple method to inform consumers about health implications of eating a food product. It is aimed at changing behaviour patterns to reduce the consumption of junk foods, and thus decrease the prevalence obesity and NCDs. There are different type of FOPL being used. Summary



indicators, including traffic light (TL), guideline daily amount (GDA), and nutrition warning systems. A warning FOPL is more effective as it conspicuously shows the amount of nutrient of concern in the food product and can be adapted for non-literate populations. These are "interpretive labels". Summary indicators may not be helpful to people having NCDs who want to cut sugar/salt or fat from their diets. Cut off limits of nutrients of concern i.e., total sugars, saturated fat or salt/sodium, or definition of UPF could be used to alert consumers upfront. India can build its NPM model based on the definition of HFSS in the draft FSSAI regulation, or WHO's model.

MARKETING AND ADVERTISING REGULATIONS

Restriction of the advertising and marketing of junk foods are constituted with the objective of reducing exposure of such foods, especially to vulnerable populations like children.

It requires the formation of a cut off limit of nutrients of concern i.e., total sugars, saturated fat and salt/sodium, for prohibiting advertisements. Alternatively, the definition of UPF could be used to set the cut off limits. Advertisements can also be prohibited by viewing times to reduce exposure to children.

TAXATION POLICY

Increasing taxes on junk food products and making them expensive may also encourage them to choose healthier options. Extra tax income could be used to subsidise healthier foods, and for implementing policies against NCDs.

In the next chapter we provide key provisions in India's policies concerning marketing of junk foods and the gaps that exist.

8. INDIA'S POLICY RESPONSE

The Government of India remains committed to reduce the burden of NCDs, and has developed relevant policy and plans. This chapter analyses the policies, plans and identifies gaps.

NATIONAL MULTISECTORAL ACTION PLAN (NMAP) FOR PREVENTION AND CONTROL OF COMMON NCDS (2017-2022)

The NMAP is a blueprint providing a clear direction to the nation's pursuit for tackling the growing menace of NCDs. The plan has set targets (Annex 3) to halt the rise of obesity and diabetes by 2025. It has defined potential role of different ministries. Annex 4 enumerates the regulatory provisions.[67]

> *Separate modalities of engagement will be developed for civil society and private sector entities with potential conflicts of interest"*
>
> **—NMAP (2017-2022)**

Consumption of unhealthy diet (junk foods) is a risk factor for NCDs as per NMAP and the key goal is to reduce its consumption. The NMAP proposes to address this by regulating marketing and advertising of such foods, higher taxation, and interpretive labelling (FOPL). NMAP recognises the conflict-of-interest situations in decision making and intends to develop a process to engage with food industry.

Gaps: The NMAP is unlikely to achieve the target of halting obesity and diabetes by 2025 given the new data showing alarming rise of these diseases and weak implementation of the plan.

OPERATIONAL GUIDANCE OF THE NATIONAL PROGRAMME FOR PREVENTION AND CONTROL OF NON-COMMUNICABLE DISEASES (2023-2030)[68]

Prevention of NCDs has a component of "Prevention and health promotion" at the community health centers through health education and counselling to the patients and their attendants upon a visit to community health center. The NCD Counsellor advises on the merits of healthy diet, importance of physical activity, and harmful effects of tobacco and alcohol". The handbook for counsellors explains that "Unhealthy foods include fat (especially of animal origin), "fast" foods (which are low in fibre and vitamins), foods high in salt and fat (e.g., fried potato chips/samosas/ pakoras), etc".[69]

Gaps: Operationally, it reaches out to only those who come to the health centre and is thus unlikely to target the entire population. The handbook for counsellors' explanation of unhealthy foods does not specify what is high in salt or fat, and misses out foods high in sugar.

REPORT OF WORKING GROUP ON ADDRESSING CONSUMPTION OF FOODS HIGH IN FAT, SALT AND SUGAR (HFSS) AND PROMOTION OF HEALTHY SNACKS IN SCHOOLS OF INDIA (2015)

This report provided a definition of "HFSS Foods" and calls for strict regulatory provisions for advertisement and promotion of pre-packaged foods targeted at children and sales in school canteens.

Gaps: This report has indicated the roles of various ministries, but its not been fully implemented.

EAT RIGHT MOVEMENT (2018)

In 2018, Government of India and the Food Safety and Standards Authority of India (FSSAI) FSSAI launched the "Eat Right India movement to ensure safe, healthy, and sustainable food for all Indians. It is a digital platform that intends to provide preventive and promotive healthcare for all citizens of the country. The movement[70] has focused on the building capacities of food businesses on food safety and hygiene standards through its programmes like 'Clean Street Food Hub', 'Clean and Fresh Fruit', and 'Vegetable Markets and the Hygiene Rating' scheme. It launched public awareness through celebrity brand ambassadors to convey messages like "Eat less of sugars and salt", etc. The movement partners with most of the food companies to reformulate their products.

Gaps: The Eat Right movement lacks emphasis on communicating about the risks of junk food consumption. With several food product companies as its partners, it defeats the basic principle of NMAP on conflict of interest.

NATIONAL INSTITUTE OF NUTRITION (NIN) GOVERNMENT OF INDIA DIETARY GUIDELINES FOR INDIANS (2011)[71]

The guidelines define unhealthy junk foods and recognises that aggressive marketing of junk food and health beverages alters people's perceptions of food and their eating patterns. It advises to minimise the use of processed foods and restrict salt intake to minimum along with physical exercise and covers the elements of healthy dietary behaviour. It clearly discourages the use of processed foods/unhealthy junk foods explaining why these are harmful and lack any essential nutrient value.

> *The shift from traditional to 'modern' foods, changing cooking practices, increased intake of processed and ready-to-eat foods, intensive marketing of junk foods and 'health' beverages have affected people's perception of foods as well as their dietary behaviour… Since people consume food, it is essential to advocate nutrition in terms of foods, rather than nutrients.*
>
> **—Dietary guidelines for Indians, ICMR-National Institute of Nutrition (NIN), India.**

Gaps: The NIN guidelines focus on the dietary behaviour of people. However, the policy action to minimise the consumption of unhealthy junk foods remains a gap.

THE FOOD SAFETY AND STANDARDS ACT (2006)[72]

The Parliament of India enacted the 'Food Safety and Standards Act, 2006' (FSS) to regulate the manufacture storage, distribution, sales and import of food articles to ensure availability of safe and wholesome food for human consumption.

According to the Act, "food safety" means the assurance that food is acceptable for human consumption according to its intended use.

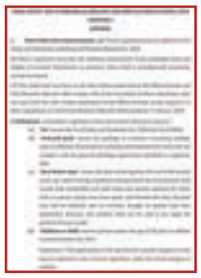
Section 24 of the FSSA states: "(1) Restrictions of advertisement and prohibition as to unfair trade practices: No advertisement shall be made of any food which is misleading or deceiving or contravenes the provisions of this Act, the rules and regulations made thereunder". In the section (2) it elaborates that "no person shall make a false or misleading representation concerning the need for, or the usefulness." It prescribes the penalty under Section 53: "Any person who publishes, or is a party to the publication of an advertisement, which-- (a) falsely describes any food; or (b) is likely to mislead as to the nature or substance or quality of any food or gives false guarantee, shall be liable to a penalty which may extend to ten lakh rupees."

Gaps: The FSS Act intends to prohibit 'misleading' advertising of unsafe food, but fails to objectively define what is constituted as a misleading advertisement. It is driven by a complaint system, which results in inordinate delays. According to FSSAI, in response to a specific complaint of an advertisement of product high in sugars but not mentioned in the advertisements, it says "FSS Regulations nowhere specify that nutritional information of a food product must be provided in the advertisement." (Annex 5)

THE FOOD SAFETY AND STANDARDS (ADVERTISING AND CLAIMS) REGULATIONS (2018)[73]

This regulation defines 'advertising' and 'nutrition claims' (including nutrient content or nutrient comparative claims) and for non-addition claims (including non-addition of sugars and sodium salts), and health claims (reduction of disease risk). It prohibits the companies from using deceptive words like "natural", "fresh", "original", "traditional", "premium", "finest", "best", "authentic", "genuine" and "real". Regarding advertisements, section 11 states that advertisements for food or beverages shall not be promoted or portrayed as a meal replacement unless otherwise specifically permitted as a meal replacement under any other Regulations made under Food Safety and Standards Act, 2006 (34 of 2006). Section 12 states that claims in advertisements shall be consistent with information on the label of the food or beverage, and section 13 says that no advertisement shall be made for food products, which is deceptive to the consumers.

Gaps: The regulation does not clearly prohibit advertisements of HFSS or junk foods. The regulation provides leverage to food industry to escape regulatory compliance and is unable to end advertisements of junk food and reduce its consumption.

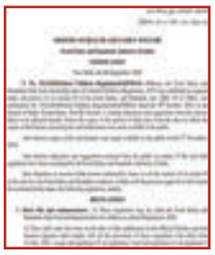


THE FOOD SAFETY AND STANDARDS (LABELLING AND DISPLAY) REGULATIONS (2020)

The FSSAI notified regulations called the Food Safety and Standards (Labelling and Display) Regulations, 2020, which prescribed the labelling requirements of pre-packaged foods and display of essential information on premises where food is manufactured, processed, served and stored. Few conditions for advertising include: Vegetarian or Non-vegetarian shall be prominently on the pamphlets, leaflets and advertisements; for "pan masala", the advertisement

shall carry warnings on health; for aspartame, advertisements to include 'not recommended for children; and for mono sodium glutamate (MSG), to incorporate 'not recommended for infants below 12 months and pregnant women'.

Gaps: The regulations are silent on prohibition of advertising and marketing of HFSS and junk foods in general. It does not put any emphasis on labelling of high sugar, sodium and fat, except a declaration of nutritional information on the back of pack with percentage of recommended daily allowance.



THE FOOD SAFETY AND STANDARDS (SAFE FOOD AND BALANCED DIETS FOR CHILDREN IN SCHOOL) REGULATIONS (2020)[74]

Section 5 of the act deals with food marketing and advertisement and selling to children in school, with subsection 1 noting that no person shall advertise or market or sell or offer for sale including free sale, or permit sale of, food products high in saturated fat or trans-fat or added sugar or sodium in school campus or to school children in an area within fifty meters from the school gate in any direction. It includes guidance on "to be eaten occasionally" – in small portion size and reduced frequency (e.g., once in a week) or "not to be made available in the school, hostel, etc".

Gaps: It lacks clarity and provides some contradictory guidance. For example - To be eaten occasionally, includes ice creams, milk-based and dairy based sweet/desserts, bakery products such as white breads, biscuits, beverages, juices, cereal or malt-based beverages, flavoured soya milk, etc. Most of these would be classified as junk foods. On the other hand, these are also stated not to be made available in the school.

THE CONSUMER PROTECTION ACT (2019)[75]

It provides a definition of misleading advertisements of any products and services. The Consumer Protection Act 2019 (CPA) section 2 (28) defines "misleading advertisement" as one which deliberately conceals most important information about the product. Section 21 is about 'Power of Central Authority to issue directions and penalties against false or misleading advertisements. In addition to the Act, the Central Consumer Protection Authority issued the guidelines to "provide for the prevention of false or misleading advertisements" and "making endorsements",[76] with several details. See BOX 1

Gaps: The guidelines lack restriction or prohibition of advertisements of junk foods in general except in a sub-section where it is advertised in children-related programmes. Celebrities can endorse a food product unless, another law issued a health warning for such advertisement or cannot be purchased by children. Similarly in section 9, the guideline is dependent on another law to be effective. There is a long process in settling complaints for identifying misleading advertisements. (Annex 6)

BOX- 1

"(1) An advertisement shall be considered to be valid and not misleading, if – "it contains truthful and honest representation" and; it does not exaggerate "accuracy, scientific validity or practical usefulness".

"Children targeted advertisements. –

(1) An advertisement that addresses or targets or uses children shall not – (a) condone, encourage, inspire or unreasonably emulate behaviour that could be dangerous for children; (b) take advantage of children's inexperience, credulity or sense of loyalty; (c) exaggerate the features of goods, product or service in such manner as to lead children to have unrealistic expectations of such goods, product or service; (d) condone or encourage practices that are detrimental to children's physical health or mental wellbeing; (e) imply that children are likely to be ridiculed or made to feel inferior to others or become less popular or disloyal if they do not purchase or make use of such goods, product or service; (f) include a direct exhortation to children to purchase any goods, product or service or to persuade their parents, guardians or other persons to purchase such goods, product or service for them; (g) use qualifiers such as 'just' or 'only' to make the price of goods, product or service seem less expensive where such advertisement includes additional cost or charge; (h) feature children for advertisements prohibited by any law for the time being in force, including tobacco or alcohol-based products; (i) feature personalities from the field of sports, music or cinema for products which under any law requires a health warning for such advertisement or cannot be purchased by children; (j) make it difficult for children to judge the size, characteristics and performance of advertised products and to distinguish between real life situations and fantasy; (k) exaggerate what is attainable by an ordinary child using the product being marketed; (l) exploit children's susceptibility to charitable appeals and shall explain the extent to which their participation will help in any charity-linked promotions; (m) resort to promotions that require a purchase to participate and include a direct exhortation to make a purchase addressed to or targeted at children; (n) claim that consumption of a product advertised shall have an effect on enhancing intelligence or physical ability or bring exceptional recognition without any valid substantiation or adequate scientific evidence; (o) claim any health or nutritional claims or benefits without being adequately and scientifically substantiated by a recognized body; and (p) be published in any mass media, including advertisement on network games in respect of medical services, drugs, dietary supplements, medical instruments, cosmetic products, liquor or cosmetic surgery, which are adverse to the physical and mental health of children.

(2) An advertisement of any goods, product or service which addresses or targets children shall not– (a) be such as to develop negative body image in children; and (b) give any impression that such goods, product or service is better than the natural or traditional food, which children may be consuming.

(3) An advertisement for junk foods, including chips, carbonated beverages and such other snacks and drinks shall not be advertised during a program meant for children or on a channel meant exclusively for children.

(4) Any advertisement which offers promotional gifts to persuade children to buy goods, product or service without necessity or promotes illogical consumerism shall be discouraged.

9. Advertisements prohibited by law. In addition to the prohibited advertisements as set out in these guidelines, no advertisement shall be permitted which is designed, produced and published in respect of goods, products or services which are prohibited from being produced, sold or provided or which are prohibited from being advertised under any law for the time being in force or under any rules or regulations made thereunder.

DRAFT REGULATION: THE FOOD SAFETY AND STANDARDS (LABELLING & DISPLAY) REGULATIONS, 2020, AMENDMENT REGULATION (2022)

In September 2022, FSSAI issued the draft notification for public comments seeking objections in 2 months. The Amendment Regulation is proposed to be voluntary for 4 years from date of its being final publication in the Official Gazette. It provided definition of front-of-pack nutrition labelling (FOPNL) and high fat, sugar, or salt (HFSS) food. It created an Indian Nutrition Rating (INR) that provides the baseline reference values for four health risk increasing factors e.g., energy, total sugars, saturated fat and sodium per 100 g or 100 ml of the product. It uses the minimum percentage of positive nutrients viz., fruit and vegetable (FV); nuts, legumes and millets (NLM); fibre and protein for consideration in the calculation for rating of a specific solid foods or liquid foods. The INR system provides a rating from 1⁄2 star (least healthy) to 5 stars (healthiest). Scientific studies do not support use of Star rating.[77,78] The report on which FSSAI rested its decision to go for Star Rating has been questioned by independent experts.[79]

Gaps: The draft regulation is waiting to be finalised, pending the analysis of the comments sent by people. The definition of HFSS is not used in the regulation. In fact, the baseline for sugars is kept 21 gm/ 100 gm in the INR, which is more than double of the definition for HFSS foods. There is no scientific evidence that adding for example nuts in a chocolate can minimise the harm caused by sugar. If this draft is accepted, it would be unlikely to reduce consumption of junk foods. The regulation misses the recommendation of the NMAP to have an "interpretive" FOPL. Allowing 4 years to make it mandatory is too long a period.

THE CABLE TELEVISION NETWORKS (REGULATION) ACT (1995)

The primary objective of this act was to regulate and govern the cable television industry in India. Rule 7(2) (viii) of Advertising code in this Act prohibits promotion of consumption of cigarettes, tobacco products, alcoholic beverages, infant formula, feeding bottles, baby food, etc.

Gaps: The Cable TV Act does not prohibit advertisements of HFSS foods for children under 18 years and misses the outputs of the NMAP.

TAXATION POLICY (2017)

Recognizing the harmful effects of products with a high sugar content, the Indian government has imposed sin taxes[80] on sweetened carbonated beverages (SCBs). With the implementation of the sin tax on sweetened carbonated beverages on July 1, 2017, India to puts these beverages into highest tax slab of 40%.

Gaps: Other junk foods are not yet included in the tax bracket according to the NMAP recommended proposal.

9. WHY DO THE GAPS EXIST?

Despite existing policy framework gaps remain especially in the regulatory response. In this chapter we analyse the reasons behind these gaps.

In order to weaken or prevent public health regulation globally, food industry and its lobbies are known to interfere in policy making by influencing WHO through 'coalition management', which includes alliances with corporations lobbying with governments to push their positions in policy formulation and funding, disseminating research favourable to commercial interests, and challenging unfavourable evidence.[81]

Similar strategies are used by food industry at the national level. One of the most significant concerns is the attempt to be a legitimate partner in policy development. Here are some examples.

FOOD INDUSTRY CREATES POWER IMBALANCE

As early as in 1999, with increased awareness surrounding health risks associated with sugar consumption, the food industry expressed its wish to be part of 'the solution', in a bid to protect its public image. Michael Moss,[82] who received the Pulitzer Prize in 2010, conducted an investigation and exposed this in New York Times, describing the strategies employed by the food industry.

Typically, the industry would oppose demands for a more stringent regulatory approach and accountability. It uses the tools such as Public-private partnerships (PPPs) and "stakeholder dialogues"[83] making industry a legitimate partner in policy development. It is reported that FSSAI commonly enters into several partnerships with food industry and related organisations.[84]

The FSSAI has been developing a Front of the pack labelling (FOPL) regulation for almost a decade. In 2018, under the powerful food companies' influence, Government of India withheld a decision to put red warning labels on unhealthy packaged food.[85] International Life Sciences Institute, a known food industry lobby was part of the decision making process. In September 2022, considered the minutes of the stakeholder meeting of February 2022 and the research report presented by IIM-Ahmedabad,[86] a draft regulation for food labelling is in public domain. According to one of the RTI responses, the FSSAI did not even analyse the IIM report, which many public health experts called out to be questionable in methods and interpretation. (Annex 7)

It is reported that one of the members of the FSSAI's own expert scientific panel, said, "We had insisted that a copy of the IIM-A study be shared with us for internal consultation before being presented to the larger group of stakeholders. This was so we could deliberate on it and prepare our comments, but we were given no time".[87]

In a report, 'FSSAI seemed to side with industry',[88] George Kurian, a consumer expert and member of the stakeholder group, pointed out how decisions were being taken without any transparency: "On June 25, 2021, prior to the 6th meeting of the stakeholders, the CEO convened a meeting of consumer/ civil society organisations and parachuted the idea of health star rating (HSR), which was never mentioned/discussed in any of the stakeholder's meetings" He further said, "Each of the seven stakeholders' meetings, both physical and virtual, were attended by an average of 28-30 representatives other than FSSAI officials. Of this, the representatives of consumer organisations

were only 4-5. Remaining 25 representatives were from the major industry associations and national/multinational food industries".

This power imbalance clearly weighed the policy in favour of the food industry. FSSAI ignored the recommendation of an "interpretive" FOPL by the NMAP and twenty-six public health and consumer organisations.[89] The decision, of course went up the ladder and was approved by the concerned Authority. FSSAI went ahead with it despite the outcry.[90] A final decision is still awaited as we write this report.

HOLD CONSUMERS RESPONSIBLE FOR THEIR CHOICE

Food industry always puts the responsibility of food choices on consumers or parents, justifying that marketing is just a tool to disseminate information. However, it is the intensive marketing[91] that influences the decisions and attracts individuals to buy and consume junk foods.

PURSUES SELF-REGULATION

Food Industry promotes self-regulation or voluntary measures, even as these have no or minimal impact on children's exposure to junk foods. A self-regulatory guideline in 2009[92] appointed Advertising Standards Council of India (ASCI), a food industry promoted body, to monitor the advertisements. However, it does not have the power to penalise any food advertiser.

In a 22-country study, those with industry self-regulatory codes on food marketing to children had significantly higher rates of advertising for unhealthy foods and beverages during children's peak viewing times, indicating self-regulation has not been successful in lowering children's exposure to marketing for harmful foods.[93]

> *Calls to responsible marketing practices have not had a meaningful impact. Governments should establish strong and comprehensive regulations.*
>
> **—Dr. Francesco Branca, Director of the Department of Nutrition and Food Safety, World Health Organization.**

DIVIDING PUBLIC OPINION

In 2014, All India Food Processors Association (AIFPA), represented by Nestle, was part of the Committee that High Court of Delhi had ordered to be constituted to develop guidelines and regulations for junk food in schools. Coca Cola represented the National Restaurant Association of India in this committee, thus creating clear conflicts of interest.[94] They both challenged the definition of junk foods. While the FOPL regulation is under finalisation, the Indian Sellers Collective, an umbrella body of trade associations and sellers across the country, opposed the Food Safety and Standards Authority of India's proposal of developing it, saying it might ruin the local and ethnic food industry. AIFPA, a body of food industry[95] also opposed it as well.

GAINING POLITICAL LEGITIMACY

Government's reliance on corporate partnerships for achieving economic objectives legitimises food industry entities. Nestle partnered with Universities in India to run nutrition education programmes for schoolgirls. Coca Cola, too, has partnered with NDTV to get into schools.[96] In 2018, Minister of State for information and Broadcasting, Government of India during a Parliamentary hearing expressed that there are no plans to pursue a regulatory restriction on the junk food advertisements believing that the food and beverage companies will follow self-regulatory process.[97]

These examples demonstrate food industry's deep involvement in development of policies which makes it the reason behind weak regulatory approach. Experts nationally and globally support this view. A study by marketing experts in India also demonstrated that India's regulatory provisions are not strong enough to safeguard children from harmful advertising.[98] In his book Junk Food Politics, Prof. Gomez reviewed how and why regulatory policy formulation has been weak in India because of partnerships between food industry and the government. This has obvious implications.

> *...ineffective regulations emerged in the area of food labelling; the marketing of these products has instead relied on ineffective industry self-regulation, sans government involvement, while to this day, not a single piece of legislation exists regulating junk food sales especially towards children.*
>
> **—Junk Food Politics: How Beverage and Fast-Food Industries are Reshaping Emerging Economies (Gómez EJ 2023, 7).**

UNICEF reviewed this issue and concluded: "The policy development process should be safeguarded from undue food industry interference. Stakeholders should be engaged in consultation, but industry should not be invited to co-design or be part of decision-making process". WHO's Dr. Francesco Branca, Director of the Department of Nutrition and Food Safety[99] supported this view and said, "Calls to responsible marketing practices have not had a meaningful impact. Governments should establish strong and comprehensive regulations."

No wonder why two constitutional bodies, the Comptroller and Auditor General of India (CAG) and Parliamentary Standing Committee on Health and Family Welfare indicted FSSAI for faulting on the processes and food industry involvement. (See Box-2 and Box 3)

BOX-2

The Comptroller and Auditor General of India (CAG) Indicts FSSAI on processes and conflicts of interest

The Report of the Comptroller and Auditor General of India on Performance Audit of Implementation of Food Safety and Standards Act, 2006 (Report No. 37 of 2017)[100] was tabled in Parliament. It made some scathing observations such as:

i) Even after more than a decade of the enactment of the Act, the Ministry and Food Authority are yet to frame regulations governing various procedures, guidelines and mechanisms enunciated in different sections of the Act.

ii) Food Authority failed to devise action plans to identify areas on which standards are to be formulated/revised within specified time frames and the manner of selection of food products for formulation of standards.

FSSAI notified regulations and standards without considering the comments of stakeholders. Primarily because of the absence of policy guidelines and standard operating procedures (SOP), Food Authority took between one year and three years to notify amendments.

iii) FSSAI continues to issue directions without following the procedure of previous approval of the Central Government, previous publication and notification (as contained in section 92 of the Act), the placing of such regulations and rules before Parliament (as contained in section 93 of the Act).

> *FSSAI has, for some food categories, entrusted the task of suggesting revision of standards to representatives of the food business operators (FBO), whose opinions cannot be considered unbiased.*
>
> **—Executive Summary of Report No.37 of 2017 – Performance Audit on Implementation of Food Safety and Standards Act, 2006 Union Government, Comptroller and Auditor General (CAG) of India.**

BOX 3

A Parliamentary Standing Committee on Health and Family Welfare questions FSSAI's Working

In a report submitted in 2018 the Committee indicated FSSAI over weak enforcement of food safety laws and also recommended restructuring of the autonomous body that functions under the health ministry.[101]

10. BEST PRACTICES

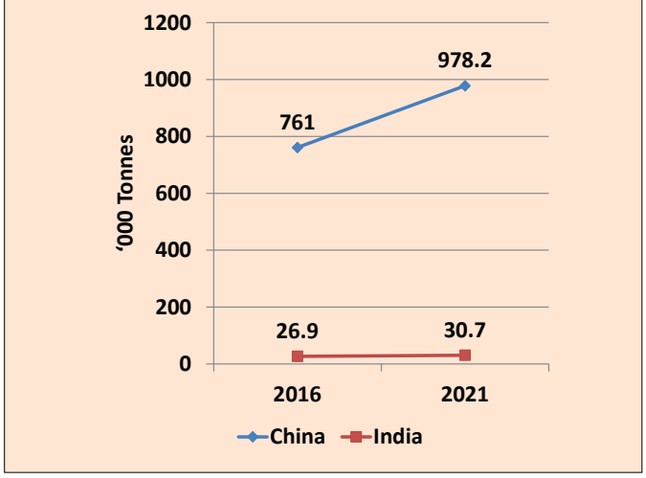
The world is facing an unprecedented rise of NCDs in light of the rising consumption of junk foods. Many countries have enacted policies and regulations for curbing the rise in their consumption, such as introduction of FOPL, marketing regulations to facilitate well-informed choices, and protecting people from aggressive marketing of junk food industry.

Here are some of the effective practices, from across the world, to achieve this:

INDIAN BABY FOOD LAW

India enacted the Infant Milk Substitutes Feeding Bottles, and Infant Foods (Regulation of Production, Supply and Distribution) Act 1992, and Amendment Act 2003 (IMS Act), which is meant to control the marketing of baby foods. This is an encouraging public health regulation that has led to the reduction in the sales (thus consumption) of commercial baby foods in India. The sales were reported to be 40,000 Tonnes in 1980s,[102] and after 2016 till 2021, data showed sales to be about 30,000 tonnes. India is the only country where it is projected to decline in 2025. On the other side, China, where the law is weaker, is selling about 900,000 tonnes annually (Figure 4).

FIGURE 4: SALES OF BREAST MILK SUBSTITUTE (BMS) IN 2016 AND PROJECTED SALES IN 2021 IN CHINA AND INDIA



Source: *Green Feeding to Achieve Global Nutrition Targets 2025: Report Cards of China and India. IBFAN Asia and BPNI 2015. https://www.bpni.org/wp-content/uploads/2018/11/Green-Feeding-RC-Carbon-Footprint-10-Asian-Countries.pdf*

ESTABLISHING A PROCESS FREE OF CONFLICTS OF INTEREST

Israel has set an example of establishing the fundamentals for developing FOPL, by constituting a scientific committee with representatives from academia, the hospital sector, and MOH. To develop the criteria for "healthy food", the committee could talk to food industry, but not allow them to be part of the development of criteria.[103]

MARKETING REGULATIONS

In **Thailand**, a notification in 2020 banned marketing and promotion activities for all types of foods and beverages in educational institutions. The Broadcasting Authority of Ireland, in accordance

with its statutory authority, created **Ireland's** Commercial Communications Code (2013 revision) to address advertising, sponsorship, product placement, and other types of commercial promotion aimed at children or broadcast in or around children's programming. Advertising, sponsorship, teleshopping, and product placement of foods high in fat, sugars, and salt (as determined by a nutrient profile model) during children's television and radio programming, as well as any other programming with a 50% or higher audience of viewers under the age of 18, are specifically prohibited by the regulation.[104]

Chile, in 2012 approved a Law of Nutritional Composition of Food and Advertising and in 2015, a regulation was made under that law requiring its implementation. The law mandated front-of-pack warning labels, restricted the marketing of foods to children under the age of 14 years, and banned the promotion and sale of foods and beverages containing added sugars, sodium or saturated fat that exceed set nutrient or calorie thresholds in schools.

The government of **Norway**[105] has decided to outlaw the marketing of food and drink items that are regarded harmful and are intended for children under the age of 18. In June 2023, the nation's parliament, passed the measure with a majority. At the beginning of next year, the junk food regulations will go into effect together with a restriction on the sale of energy drinks to those under the age of 16.

> *Regulation of marketing is a cost-effective measure to reduce the demand for unhealthy products, including ultra-processed products. In the majority of countries in the Region of the Americas, and throughout the world, these policies are absent or lack rigorous implementation, monitoring, and compliance.*
>
> **—Report on the regional workshop on regulation of the marketing of unhealthy food products. Washington, D.C., 15-17 October 2019. Washington, D.C.: PAHO; 2020**

Any commercial advertising that targets children under the age of 13 was prohibited in **Canada** in 1978 on radio, television, print, the internet, mobile devices, signage, and promotional products. Marketing of products like food and drinks is included in the ban as per its consumer protection law. The **United Kingdom** Code of Broadcast Advertising Practise prohibits placing adverts for foods high in saturated fat, trans fat, free sugars or salt next to television shows made especially for or appealing to children. In 2019, the government made clear that it intended to implement a policy that would forbid advertisements for foods high in salt, free sugars, trans fats, or saturated fat from appearing on television or online between 5:30 and 21:00.[106]

In 2019, advertising that targets children and teenagers under the age of 16 is prohibited in **Peru** under the Law Promoting Healthy Eating for Children and teenagers. This means that businesses cannot utilise actual or fictional characters, presents, prizes, or any other form of reward to promote the purchase or consumption of food or beverages in an age-inappropriate manner. Based on the WHO Europe nutrient profile model, in 2011 and then in 2019 **Turkish** Broadcast Regulation imposes restrictions on the marketing of foods to children. It is forbidden to market some food categories during children's programming, including chocolate, energy bars, sweet biscuits and waffles, potato chips, and beverages with added sugar.

EXAMPLES OF WARNINGS ON FRONT OF PACK LABELS

Many countries have mandated warning labels.

On January 31, 2023, the **South African**[107] Department of Health issued rules requiring warning labels on pre-packaged food products. According to the proposed regulations, these warning labels must be in use by 2025.

For front of pack labelling, **Chile** has “high in” warning labels for products that have added nutrients of concern above the thresholds. Utilising two colours, the **Israel** FOPL system requires a warning label in red colour to identify salt, sugar and fat. Positive label for “healthy food” is in green colour.

The FOPL model in **Canada** recommends “high in” warning label for most pre-packaged food products containing nutrients of public health concern (saturated fat, sugars and/or sodium) at or above specified thresholds. Additionally, **Argentina** has a law on ‘Promotion of Healthy Eating’ that recommends FOPL model as “excess” warning labels for products that have added nutrients of concern above the thresholds, and precautionary labels when these have sweeteners &/ or caffeine.[108] Recently, laws requiring warning FOPL, identical to Chile’s (black-and-white stop sign warnings), were passed in **Mexico** (2020) and **Uruguay** (2021).[109] **Brazil** adopted warning labels in 2022. (Annex 8)

CONCLUSION AND RECOMMENDATIONS

India is facing a rapid rise of obesity and diabetes with 1 in 4 individuals suffering from it. The Government of India has planned to halt this rise by 2025. It is a grave public health problem that requires urgent policy measures. One of the major contributors to this disease burden is rising consumption of junk foods, which must be reduced. Huge body of scientific research supports this view.

Aggressive and pervasive marketing strategies play a substantial role in increasing consumption. More than 200,000 advertisements are flashed per month. Studies in India demonstrate that harmful food marketing targets children, uses celebrities, makes health claims and attracts parental influence and approval through emotionally strong messages.

The NMAP (2017-2022) outputs include a legal framework to restrict advertisements, provide interpretive FOPL and impose higher taxation on junk foods, WHO also supports these interventions. This is the opportunity; India cannot afford to miss. However, India's strong reliance on self -regulation makes it difficult to adopt regulatory policy in these areas.

Following 10 recommendations, backed by good evidence are suggested for action. It is our hope that these are considered as a public health priority regardless of any other consideration. These will help the Government of India to bridge the gaps in current policy and showcase its will to prevent NCDs and contribute to fulfil its promise to halt the rise of obesity and diabetes by 2030 if not 2025. An inter-ministerial group may consider these recommendations. The Ministry of Health and Family Welfare, Government of India (MoHFW) could coordinate in its leadership role to establish a timeline to implement the agreed actions, and report annually.

1. Food companies or their front organisations or individuals supported by them, should not be part of the decision making to develop a policy to reduce exposure of harmful marketing and consumption of the UPFs or other junk foods. Article 5.3 of the Tobacco Treaty FCTC prevents Tobacco companies from contributing to health policy. Similar guidelines may be developed and applied to eliminate food industry influence on policy making.

2. The MoHFW may urgently establish the thresholds of nutrient of concern i.e. sugars, salt and saturated fat in pre-packaged foods. This would be of immediate help to identify which foods can be advertised or have warning FOPL or deserve higher taxes. The HFSS definition in the FSSAI Draft Regulation (September 2022) may be a good start.

3. The FSSAI under the MoHFW, as a follow up action of NMAP, may urgently adopt an interpretive FOPL (warning label) for all junk foods (HFSS or UPFs).

4. The MoHFW and/or the Ministry of Information and Broadcasting may frame a 'Bill' on "Prevention of NCDs to halt the rise of diabetes and obesity in India" with the objectives to define healthy foods and junk foods (UPF, HFSS), and impose reasonable restrictions on the marketing and advertising of junk foods especially to children up to 18 years. Reasonable restrictions could include every medium, sponsorship in schools or gifts for students etc. Television advertisements of junk foods may be prohibited from 6 am to 10 pm. Further, the MoIB may also amend the Cable Television Networks Regulation (Amendment) Act 2000,

Rule 7(2)(viii), to include a ban on advertisements that directly or indirectly promote HFSS/ junk foods, similar to the existing ban on advertisements for infant foods.

5. The MoHFW, Ministries of Education, Sports, Home Affairs may direct schools, hospitals, prisons, and other public service offices/areas not to serve UPFs and other junk foods.

6. The GST council may consider highest GST slab for UPFs and other junk foods, similar to a "sin"-tax for cola drinks.

7. The Ministry of Food and Civil Supplies, and Food Processing, Government of India should consider to make real food affordable and accessible by incentives to produce "healthy foods", and making sure that junk food industry is not incentivised.

8. The Ministry of Consumers Affairs may consider an amendment to CCPA guidelines 2022 to prevent misleading advertisements by removing provisos in section 8(i) and Section 9. Further, a clear interpretation of what is the "most important information" of food products, would be helpful. Suggested definition may be included for quick decision making on misleading advertisements.

9. The MoHFW could expedite the implementation of the NMAP, to achieve its targets to halt the rise of obesity and diabetes. Operational guidance of NPCDCS 2023 may also be reviewed to focus on primary prevention.

10. Civil society organisations, consumer groups, human rights groups, professional and academic groups in public health, academicians and others concerned should be encouraged to join hands with the Government to form a 'strong coalition' to work together and find ways and means to educate children and adults on the harms of UPFs and other junk foods, and to combat the food industry's objective of derailing policy. However, such organisations and the Coalition must not have any conflicts of interest.

ANNEX 1

PARLIAMENTARY QUESTION ANSWER, FEBRUARY 2023.

GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH RESEARCH

RAJYA SABHA
UNSTARRED QUESTION NO. 614
TO BE ANSWERED ON 7TH FEBRUARY, 2023

HFSS FOOD

614. SHRI DEREK O' BRIEN:

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

(a) whether Government has commissioned a study to assess the health impact of High Fat Sugar and Sodium (HFSS) foods on different age groups of the Indian population;

(b) if so, the details thereof, age-wise;

(c) whether Government has data to suggest that Front-of-package nutritional disclosure will lead to people making healthier choices; and

(d) whether Government plans to dissuade people from consuming HFSS foods by increasing taxes on them?

ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE
(DR. BHARATI PRAVIN PAWAR)

(a) to (d): Regular consumption of ultra-processed High Fat Sugar and Sodium (HFSS) foods has adverse effects on the health of individuals. Review of scientific literature suggests a strong association between higher consumption of processed foods high in fat sugar and sodium with obesity markers such as greater Body Mass Index (BMI) and waist circumference and many non-communicable diseases (NCDs).

As per the Food Safety and Standards (Labelling and Display) Regulations, 2018, Food Safety and Standards Authority of India (FSSAI) has mandated declaration of Nutritional Information per 100g or 100ml or per single consumption pack of the product and per serve percentage (%) contribution to Recommended Dietary Allowance.

FSSAI has issued Food Safety and Standards (Safe food and balanced diets for school children) Regulations, 2020 to curb the HFSS food consumption among children. This regulation aims to encourage schools to adopt safe food and balanced diets amongst school children as per the guidelines issued by the National Institute of Nutrition. Further, foods which are referred to as food product high in saturated fat or trans-fat or added sugar or sodium (HFSS) cannot be sold to school children in school canteens/mess premises/hostel kitchens or in an area within fifty meters from the school gate in any direction.

*****

ANNEX 2

CRITERIA FOR IDENTIFYING HFSS FOODS ADAPTED FROM DIFFERENT NPM BY DIFFERENT WHO REGIONS

NUTRIENT PROFILE MODELS (NPM) BY WHO REGION

Nutrient & product categories	**WHO Regional Nutrient Profile Model thresholds***			
	SEARO[**1]	**AFRO**[***2]	**EURO**[****3]	**PAHO**[*****4]
TOTAL SUGARS	g/100g			g/100 g or mL/100 mL *Free sugar
Confectionery: Cocoa products and chocolate products including imitations and chocolate substitutes	6	6	No marketing allowed for any Chocolate & sugar confectionery and Cakes & sweet biscuits	≥10% of total energy from free sugars
Confectionery - Hard Candy	6	6		
Confectionery: Soft candy, Nougats and marzipans	6	6		
Fine bakery wares (Cakes, cookies, pies, doughnuts, sweet rolls, muffins, macaroons, biscuits, pancake ready–to-eat form)	6	6		
Bread and ordinary bakery wares (Bread and rolls, pita, naan, rotis, steamed bread, steamed buns, crackers, mixes for making bread and ordinary bakery wares)	6	6	12.5	
SODIUM	mg/100g			
Ready-to-eat savouries: Snacks and savouries - – potato, cereal, flour or starch based (from roots and tubers, pulses and legumes)	250	250	500	≥1 mg of sodium per 1 kcal
Ready to Eat Savouries – Processed Nuts including coated nuts and nut mixtures	50	50	100	
SATURATED FAT	% total kcal			
Cheese and analogues: Unripened or ripened cheese, whey cheese, processed cheese, cheese analogues, whey protein cheese that can be classified based on physical characteristics as hard (e.g. Parmesan), semi-hard (e.g. cheddar), medium-hard (e.g. edam), semi-soft and soft (e.g. mozzarella, paneer, cottage) as well as serving style as slice, grated or spreadable.	No threshold provided	No threshold provided	No threshold provided	≥10% of total energy from saturated fat

* Nutrient profile modeling is used as an approach to identify foods whose marketing should be restricted in an effort to implement World Health Assembly endorsed recommendations to control marketing of foods and non-alcoholic beverages to children.

** The WHO SEARO NPM was designed for use by member states to implement these recommendations to control marketing of food and beverages to children. Another goal of the NPM is to encourage reformulation.

***The AFRO NPM was designed for use by member states to control obesogenic food environments, promote healthy diets, and primarily, to protect children from marketing of unhealthy foods and beverages.

**** The EURO NPM was designed for use by EURO state governments to restrict food marketing to children. The EURO NPM report outlines what measures a government should take to determine whether a food product should be marketed.

***** The PAHO NPM can be used to inform a number of policies, including but not limited to, establishing

restrictions for marketing/promotion of unhealthy food and beverages to children, regulation of school food environments, FOP warning labels, establishment of taxation policies to limit consumption of unhealthy foods, assessment or reexamination of agricultural subsidies, development of guidelines for foods provided by social programs to vulnerable populations.

REFERENCE

[1] Regional Office for South-East Asia, World Health Organization. (2016). WHO nutrient profile model for South-East Asia Region. WHO Regional Office for South-East Asia. Accessed on: August 21, 2023. Available From: https://apps.who.int/iris/bitstream/handle/10665/253459/9789290225447-eng.pdf?sequence=1&isAllowed=y

[2] Regional Office for Africa; 2018. Licence: CC BY-NC-SA 3.0 IGO. Accessed on: August 21, 2023. Available From: https://apps.who.int/iris/bitstream/handle/10665/329956/9789290234401-eng.pdf?sequence=1&isAllowed=y

[3] WHO Regional Office for Europe nutrient profile model: second edition. Copenhagen: WHO Regional Office for Europe; 2023. Licence: CC BY-NC-SA 3.0 IGO. Accessed on: August 21, 2023. Available From: https://www.who.int/europe/publications/i/item/WHO-EURO-2023-6894-46660-68492

[4] World Health Organization, Regional Office for the Americas. Pan American Health Organization Nutrient Profile Model. Washington, D.C, 2016. Accessed on: August 21, 2023. Available From: http://iris.paho.org/xmlui/bitstream/handle/123456789/18621/9789275118733_eng.pdf?sequence=8

ANNEX 3

TARGETS AND INDICATORS - NMAP (2017 - 2022)

National Response to NCDs

Targets and Indicators - National Monitoring Framework for Prevention and Control of NCDs

National NCD Monitoring Framework

S.No.	Framework element	Targets		
		Outcome	2020	2025
1.	Premature mortality from NCDs	Relative reduction in overall mortality from cardiovascular disease, cancer, diabetes, or chronic respiratory disease	10%	25%
2.	Alcohol use	Relative reduction in alcohol use	5%	10%
3.	Obesity and diabetes	Halt the rise in obesity and diabetes prevalence	No mid-term target set	Halt the rise in obesity and diabetes prevalence
4.	Physical inactivity	Relative reduction in prevalence of insufficient physical activity	5%	10%
5.	Raised blood pressure	Relative reduction in prevalence of raised blood pressure	10%	25%
6.	Salt/sodium intake	Relative reduction in mean population intake of salt, with aim of achieving recommended level of less than 5gms per day	20%	30%
7.	Tobacco use	Relative reduction in prevalence of current tobacco use	15%	30%
8.	Household indoor air pollution	Relative reduction in household use of solid fuels as a primary source of energy for cooking	25%	50%
9.	Drug therapy to prevent heart attacks and strokes	Eligible people receiving drug therapy and counselling (including glycemic control) to prevent heart attacks and strokes	30%	50%
10.	Essential NCD medicines and basic technologies to treat major NCDs	Availability and affordability of quality, safe and efficacious essential NCD medicines including generics, and basic technologies in both public and private facilities	60%	80%

Source: *National Multisectoral Action Plan (NMAP) for Prevention and Control of Common Noncommunicable Diseases (2017- 2022). Ministry of Health & Family Welfare (MoHFW) Government of India. Available From: NMAP Display 25 March 2019 REV.cdr (mohfw.gov.in)*

ANNEX 4

ROLE OF MINISTRIES TO DEVELOP LEGAL FRAMEWORK (NMAP)

S. No	Responsible Ministry/Department	NMAP Recommended Policy Options
1.	Ministry of Information and Broadcasting	• Develop a legal framework to regulate the advertising of High in Fats, Salt, Sugar (HFSS) food and Sugar Sweetened Beverages. • Amendments to the Code of Cable Television Networks Rules, 1994, and the Norms of Journalist Conduct, 2010, in order to reduce exposure to children.
2.	Ministry of Law and Justice (Legal Affairs)	• Support in the development of public health regulations/legislation for the prevention and control of risk factors for NCDs, such as regulating advertising, marketing, and promotion of unhealthy foods to children.
3.	MoHFW (FSSAI) and Ministry of Food Processing Industries	• Implementation of explanatory front-of-pack labelling and detailed back-of-pack nutrient labelling. Elimination of trans fats from the food chain, as well as regulations promoting the reformulation of processed foods to reduce the quantity of fat, sugar, and salt in such products.

Source: *Adapted from Ministry of Health & Family Welfare (MoHFW) Government of India, National Multisectoral Action Plan (NMAP) for Prevention and Control of Common Noncommunicable Diseases (2017- 2022). Available From: NMAP Display 25 March 2019 REV.cdr (mohfw.gov.in)*

ANNEX 5

RESPONSE OF FSSAI ON MISLEADING ADVERTISEMENT COMPLAINT

File No. Std/SP-08/ Misc./2022/FSSAI

Food Safety and Standards Authority of India

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

(Science & Standards Division)

FDA Bhawan, Kotla Road, New Delhi-110 002

Dated, the 27th June, 2023

To,

[redacted]

Subject: Complaint regarding Parle-G biscuit containing 27.3 grams of sugars per 100grams

Sir,

This is with reference to letter dated 13.06.2023 from National Commission for Protection of Child Rights, forwarding your complaint regarding subject cited above.

2. In this regard, it is to state that as per FSS Act, 2006, no advertisement shall be made of any food which is misleading or deceiving or contravenes the provisions of this Act, the rules and regulations made thereunder. Further, FSS (Labelling & Display) Regulations, 2020 specify labelling requirements of pre-packaged foods. However, FSS Regulations nowhere specify that nutritional information of a food product must be provided in the advertisement.

Yours Sincerely,

(P.Karthikeyan)
Joint Director (Science & Standards)

Copy to:

Registrar, NCPCR, 5th Floor, Chanderlok Building, 36, Janpath, New Delhi.

ANNEX 6
COMPLAINTS TO CCPA

S. No	Product	Grievance Number / Docket Number	Grievance Registration Date and Time	Platform used
	Real Fruit Power	ED101495328IN*	12-08-2022	Offline Complaint by Speed Post to Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumer Affairs
	Nutrichoice Protein Milk Almond Biscuits	3949318	20-10-2022 17:32:58	Grievances Against Misleading Advertisements (GAMA) Online Portal
	Britannia Milk Bikis	4141601	29-12-2022 14:32:07	Grievances Against Misleading Advertisements (GAMA) Online Portal
	Cadbury BournVita “Forced Pack”	4062723 later changed to 4199267	20-01-2023 09:29:47	Grievances Against Misleading Advertisements (GAMA) Online Portal
	Parle-G Royale	4597183	04-06-2023 19:03:48	Jago Grahak jago National Consumer Helpline (NCH) - WhatsApp number
	Amul Ice-cream	4660868	25-06-2023 11:27:44	Jago Grahak jago National Consumer Helpline (NCH) – WhatsApp number

*Consignment Number

ANNEX 7
RTI RESPONSE FROM FSSAI

File No STD/SP-08/G(RTI)
Food Safety and Standards Authority of India
(A Statutory Authority established under the Food Safety and Standards Act, 2006)
Science and Standards (S&S) Division
FDA Bhawan, Kotla Road, New Delhi – 110002

Dated, the 13th May, 2022

To,

[redacted]

Sir,

This is in reference to your RTI application vide registration no FSSAI/R/E/22/00315/1 received in S&S Division by transfer on 05/05/2022. In respect of query numbers 6,7,9,10 received on transfer, the information available with this division is as under:

Sr. No.	Reply
6	The scientific evidence can only be shared if the recommendation of Scientific Panel is endorsed by the Scientific Committee & further approved by the Food Authority. Till such time information cannot be provided. The same is also transferred to CPIO, Regulatory Compliance Division, FSSAI under section 6(3) of RTI Act, 2005 to provide information , if any to the applicant directly.
7	No such analysis has been done by the Scientific Panel. The same is also transferred to CPIO, Regulatory Compliance Division, FSSAI under section 6(3) of RTI Act, 2005 to provide information , if any to the applicant directly.
9	It is informed that the requisite information contains third party information and cannot be disclosed.
10	No such information is available with this division.

2. The First Appellate Authority for the undersigned is Sh. Pushp Vanam Joint Director, Standards, FSSAI, FDA Bhawan, Kotla Road, New Delhi – 110002. It is informed that first appeal, if any, can be made within 30 days from the date of receipt of this letter.

Yours faithfully,

13/5.

(Harish Kumar R.K.)
Asst. Director (Tech.) & CPIO (S&S)

Copy to-
CPIO, Regulatory Compliance Division, FSSAI, New Delhi with a request to provide information with respect to sr. no. 6 & 7, if any to the applicant directly.

ANNEX 8

Mandatory front-of-package warning labels

Chile (2016)

Peru (2019)

Israel (2020)


סוכר
נתרן
שומן רווי
בכמות גבוהה
הסימון הירוק
Voluntary positive label)

Mexico (2020)

Uruguay (2021)

Argentina (August 2022)

Canada (July 2022 — industry has until 1 Jan. 2026 to comply)

Brazil (October 2022)

Passed but not yet implemented:

Colombia (2019 and more recently 2021 with warning label required and PAHO guidelines)

Venezuela (2020)

REFERENCES

1. Non-communicable diseases – Key Facts, WHO, 2022 September;16. Accessed on: August 19, 2023. Available From: https://www.who.int/news-room/fact-sheets/detail/noncommunicable-diseases
2. National Health Mission. Accessed on: August 19, 2023. Available From: https://nhm.gov.in/index1.php?lang=1&level=2&sublinkid=1048&lid=604
3. Anjana RM, Unnikrishnan R, Deepa M, Pradeepa R, Tandon N, Das AK, Joshi S, Bajaj S, Jabbar PK, Das HK, Kumar A. Metabolic non-communicable disease health report of India: the ICMR-INDIAB national cross-sectional study (ICMR-INDIAB-17). The Lancet Diabetes & Endocrinology. 2023 Jun 7. Available From: https://www.thelancet.com/journals/landia/article/PIIS2213-8587(23)00119-5/fulltext
4. Boyland E, McGale L, Maden M, Hounsome J, Boland A, Angus K. Association of food and non-alcoholic beverage marketing with children and adolescents' eating behaviors and health: a systematic review and meta-analysis. JAMA Pediatr [Internet]. 2022 Jul 1 [cited 2022 Oct 7]; 176 (7): e221037–e221037. Available From: https://jamanetwork.com/journals/jamapediatrics/fullarticle/2791859
5. Gupta A, Bidla N, Joshi Y, Prasad V, Sachdev HS, Kumar P. Advertising of Pre-Packaged Foods in India: A Qualitative Analysis. Indian Pediatrics. 2023 Apr 20: S097475591600529-. Available From: https://www.indianpediatrics.net/epub042023/RP-00529.pdf
6. WHA63 R. 14. Marketing of food and non-alcoholic beverages to children. Sixty-third World Health Assembly, Geneva. 2010 May;21. Accessed on: August 19, 2023. Available From: https://apps.who.int/gb/ebwha/pdf_files/WHA63/A63_R14-en.pdf
7. World Health Organization. Set of recommendations on the marketing of foods and non-alcoholic beverages to children. 2010 June;15. Accessed on: August 19, 2023. Available From: https://www.who.int/publications/i/item/9789241500210
8. World Health Organization. Regional Office for Europe. (2016). Tackling food marketing to children in a digital world: trans-disciplinary perspectives: children's rights, evidence of impact, methodological challenges, regulatory options and policy implications for the WHO European Region. World Health Organization. Regional Office for Europe. Accessed on: August 19, 2023. Available From: https://apps.who.int/iris/handle/10665/344003
9. World Health Organization. Obesity and overweight: Key Facts. Geneva; 2021. Accessed on: August 19, 2023. Available From: https://www.who.int/news-room/fact-sheets/detail/obesity-and-overweight
10. Monteiro, C.A., Cannon, G., Lawrence, M., Costa Louzada, M.L. and Pereira Machado, P. 2019. Ultra-processed foods, diet quality, and health using the NOVA classification system. Rome, FAO. Accessed on: August 19, 2023. Available From: https://www.fao.org/3/ca5644en/ca5644en.pdf
11. UNICEF. Marketing of unhealthy foods and non-alcoholic beverages to children. Policy Brief. UNICEF. 2021. Accessed on: August 19, 2023. Available From: https://www.unicef.org/media/116691/file/Marketing%20restrictions.pdf
12. Food marketing exposure and power and their associations with food-related attitudes, beliefs and behaviours: a narrative review. Geneva: World Health Organization; 2022. Licence: CC BY-NC-SA 3.0 IGO. Accessed on: August 19, 2023. Available From: https://www.who.int/publications/i/item/9789240041783
13. Balch, Oliver. 2012. "India: Food, Marketing and Children's Health." The Guardian, 2012 July; 10. Accessed on: August 20, 2023. Available From: https://www.theguardian.com/sustainable-business/fast-food-marketing-childrens-health
14. National Health Mission. Accessed on: August 20, 2023. Available From: https://nhm.gov.in/WriteReadData/l892s/1405796031571201348.pdf

15. World Health Organization. Obesity. Accessed on: August 20, 2023. Available From: https://www.who.int/health-topics/obesity#tab=tab_1

16. Gómez EJ. Junk Food Politics: How Beverage and Fast-Food Industries are Reshaping Emerging Economies. JHU Press; Chapter 2; 2023 Jan 31. Available From: https://books.google.co.in/books/about/Junk_Food_Politics.html?id=DiGnEAAAQBAJ&redir_esc=y

17. Margot Sanger-Katz. 2015. "The Decline of 'Big Soda.'" New York Times, 2015 Oct; 2. Accessed on: August 20, 2023. Available From: https://www.nytimes.com/2015/10/04/upshot/soda-industry-struggles-as-consumer-tastes-change.html

18. Anjana RM, Unnikrishnan R, Deepa M, Pradeepa R, Tandon N, Das AK, Joshi S, Bajaj S, Jabbar PK, Das HK, Kumar A. Metabolic non-communicable disease health report of India: the ICMR-INDIAB national cross-sectional study (ICMR-INDIAB-17). The Lancet Diabetes & Endocrinology. 2023 Jun 7. Available From: https://www.thelancet.com/action/showPdf?pii=S2213-8587%2823%2900119-5

19. Brendan O'Neill. 2006. "Is this what you call junk food?." 2006 Nov; 30. Accessed on: August 20, 2023 Available from: http://news.bbc.co.uk/2/hi/uk_news/magazine/6187234.stm

20. World Heart Federation. Unhealthy Diet: Factsheet. 2017. Accessed on: August 20, 2023. Available From: https://world-heart-federation.org/wp-content/uploads/2017/05/Factsheet_Unhealthy_diet.pdf\

21. Manual A. Dietary guidelines for Indians. Nat Inst Nutrition. 2011;2:89-117. Accessed on: August 21, 2023. Available From: https://www.nin.res.in/downloads/DietaryGuidelinesforNINwebsite.pdf

22. Monteiro CA, Cannon G, Levy RB, Moubarac JC, Louzada ML, Rauber F, Khandpur N, Cediel G, Neri D, Martinez-Steele E, Baraldi LG. Ultra-processed foods: what they are and how to identify them. Public health nutrition. 2019 Apr;22(5):936-41. Available From: https://www.cambridge.org/core/services/aop-cambridge-core/content/view/E6D744D714B1FF09D5BCA3E74D53A185/S1368980018003762a.pdf/ultra-processed-foods-what-they-are-and-how-to-identify-them.pdf

23. Scrinis G, Monteiro CA. Ultra-processed foods and the limits of product reformulation. Public Health Nutrition. 2018 Jan;21(1):247-52. Available From: https://www.cambridge.org/core/services/aop-cambridge-core/content/view/D3B0F3EEFE0A71D84DEE80DB7E1488AB/S1368980017001392a.pdf/ultra-processed-foods-and-the-limits-of-product-reformulation.pdf

24. Durairaj, Amialya. 2018. June. "Diabetes Is on the Rise in India: Is Fast Food to Blame? Food Tank. Accessed on: August 20, 2023. Available From: https://foodtank.com/news/2018/06/diabetes-india-fast-food-nutrition/

25. Sharma, S. 2017. "One in Every Four of India's Youth Suffer from Deadlier Type 2 Diabetes." The Hindustan Times, November 14. Accessed on: August 20, 2023. Available From: https://www.hindustantimes.com/health/world-diabetes-day-one-in-every-four-of-india-s-youth-suffer-from-the-deadlier -type-2/story-LP4ugRJsqqLNITYg24xCbO.html

26. World Health Organization. Regional Office for South-East Asia. (2023). The growth of ultra-processed foods in India: an analysis of trends, issues and policy recommendations. World Health Organization. Regional Office for South-East Asia. License: CC BY-NC-SA 3.0 IGO. Accessed on: August 23, 2023. Available From: https://apps.who.int/iris/bitstream/handle/10665/372414/9789290210672-eng.pdf?sequence=1&isAllowed=y

27. Euromonitor International (2020). Packaged Food in India – Final Report. Accessed on: August 20, 2023. Available From: https://www.euromonitor.com/packaged-food

28. Moodie R, Bennett E, Kwong EJ, Santos TM, Pratiwi L, Williams J, Baker P. Ultra-processed profits: the political economy of countering the global spread of ultra-processed foods-a synthesis review on the market and political practices of transnational food corporations and strategic public health responses. 2021 Dec 1. Available From: https://pubmed.ncbi.nlm.nih.gov/34124866/

29. Pingali P, Aiyar A, Abraham M, Rahman A. Transforming food systems for a rising India. Springer Nature; 2019. Page. 84. Available From: https://library.oapen.org/handle/20.500.12657/22829

30. Balch, Oliver. 2012. "India: Food, Marketing and Children's Health." The Guardian, July 10. Accessed on: August 20, 2023. Available From: https://www.theguardian.com/sustainable-business/fast-food-marketing-childrens-health

31. Kaamil Ahmed. 2023. "How Food Companies Sweetened the World - and increased the risk of disease." The Guardian, July 12. Accessed on: August 20, 2023. Available From: https://www.theguardian.com/

global-development/2023/jul/14/how-food-companies-sweetened-the-world-and-increased-the-risk-of-disease-acc?ref=refind

32. Namrata Singh. 2023 "Soft drinks flowing freely in Indian homes." The Times of India, August 2. Accessed on: August 20, 2023. Available From: http://timesofindia.indiatimes.com/articleshow/102331305.cms?from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

33. Tak M, Law C, Green R, Shankar B, Cornelsen L. Processed foods purchase profiles in urban India in 2013 and 2016: a cluster and multivariate analysis. BMJ open. 2022 Oct 1;12(10):e062254. Available From: https://bmjopen.bmj.com/content/12/10/e062254.abstract

34. Jain A, Mathur P. Intake of ultra-processed foods among adolescents from low-and middle-income families in Delhi. Indian Pediatrics. 2020 Aug;57:712-4. Available from: https://link.springer.com/article/10.1007/s13312-020-1913-8

35. Kumar GS, Kulkarni M, Rathi N. Evolving food choices among the urban Indian middle-class: a qualitative study. Frontiers in Nutrition. 2022 Mar 29;9:844413. Available From: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9001910/

36. Rathi N, Riddell L, Worsley A. Food consumption patterns of adolescents aged 14–16 years in Kolkata, India. Nutrition journal. 2017 Dec;16:1-2. Available From: https://doi.org/10.1186/s12937-017-0272-3

37. Gupta A, Kapil U, Singh G. Consumption of junk foods by school-aged children in rural Himachal Pradesh, India. Indian Journal of public health. 2018 Jan 1;62(1):65-7. Available From: https://pubmed.ncbi.nlm.nih.gov/29512570/

38. Manideep K, Mythili GY, Gowtham K, Gowtham V, CH SV, Yeshwanth S. Study on eating habits among different age group in south India. International Journal for Advance Research and Development. 2018;3(4):47-9. Available From: https://www.ijarnd.com/manuscripts/v3i4/V3I4-1187.pdf

39. Law C, Green R, Kadiyala S, Shankar B, Knai C, Brown KA, Dangour AD, Cornelsen L. Purchase trends of processed foods and beverages in urban India. Global food security. 2019 Dec 1;23:191-204. Available From: https://www.sciencedirect.com/science/article/pii/S2211912419300136

40. Singh A, Dhanasekaran D, Ganamurali N, Preethi L, Sabarathinam S. Junk food-induced obesity-a growing threat to youngsters during the pandemic. Obesity Medicine. 2021 Sep 1;26:100364. Available From: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8459649/pdf/main.pdf

41. Hall KD, Ayuketah A, Brychta R, Cai H, Cassimatis T, Chen KY, Chung ST, Costa E, Courville A, Darcey V, Fletcher LA. Ultra-processed diets cause excess calorie intake and weight gain: an inpatient randomized controlled trial of ad libitum food intake. Cell metabolism. 2019 Jul 2;30(1):67-77. Available From: https://www.cell.com/cell-metabolism/pdf/S1550-4131(19)30248-7.pdf

42. Pagliai G, Dinu M, Madarena MP, Bonaccio M, Iacoviello L, Sofi F. Consumption of ultra-processed foods and health status: a systematic review and meta-analysis. British Journal of Nutrition. 2021 Feb;125(3):308-18. Available From: https://pubmed.ncbi.nlm.nih.gov/32792031/

43. Moradi S, Hojjati Kermani MA, Bagheri R, Mohammadi H, Jayedi A, Lane MM, Asbaghi O, Mehrabani S, Suzuki K. Ultra-processed food consumption and adult diabetes risk: A systematic review and dose-response meta-analysis. Nutrients. 2021 Dec 9;13(12):4410. Available From: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8705763/

44. Weinstein G, Vered S, Ivancovsky-Wajcman D, Ravona-Springer R, Heymann A, Zelber-Sagi S, Shahar DR, Beeri MS. Consumption of ultra-processed food and cognitive decline among older adults with type-2 diabetes. The Journals of Gerontology: Series A. 2023 Jan 1;78(1):134-42. Available From: https://link.springer.com/article/10.1007/s00394-022-02982-0

45. Lane MM, Gamage E, Travica N, Dissanayaka T, Ashtree DN, Gauci S, Lotfaliany M, O'neil A, Jacka FN, Marx W. Ultra-processed food consumption and mental health: A systematic review and meta-analysis of observational studies. Nutrients. 2022 Jun 21;14(13):2568. Available From: https://doi.org/10.3390/nu14132568

46. Bonaccio M, Di Castelnuovo A, Costanzo S, Ruggiero E, Esposito S, Persichillo M, Cerletti C, Donati MB, de Gaetano G, Iacoviello L, Moli-sani Study Investigators. Ultra-processed food consumption is associated with all-cause and cardiovascular mortality in participants with type 2 diabetes independent of diet quality: a prospective observational cohort study. The American Journal of Clinical Nutrition. 2023 Jul 26. Available From: https://doi.org/10.1016/j.ajcnut.2023.07.004

47. Sridhar Devi. 2023. "Why is cancer striking earlier? One answer could be a diet of ultra-processed foods." The Guardian, July 25. Accessed on: August 20, 2023. https://www.theguardian.com/commentisfree/2023/jul/25/cancer-striking-earlier-ultra-processed-foods#comments

48. Srour B, Kordahi MC, Bonazzi E, Deschasaux-Tanguy M, Touvier M, Chassaing B. Ultra-processed foods and human health: from epidemiological evidence to mechanistic insights. The Lancet Gastroenterology & Hepatology. 2022 Aug 8. Available From: https://pubmed.ncbi.nlm.nih.gov/35952706/

49. Mehar P, Bera R, Swarnim S, Mishra D. Composition of Common Junk Food Items and Their Contribution to the Dietary Requirement of Children and Adolescents. Indian Pediatrics. 2023 Mar;60(3):221-3. Available From: https://link.springer.com/article/10.1007/s13312-023-2839-1

50. Dicken SJ, Batterham RL. The role of diet quality in mediating the association between ultra-processed food intake, obesity and health-related outcomes: a review of prospective cohort studies. Nutrients. 2021 Dec 22;14(1):23. Available From: https://www.mdpi.com/2072-6643/14/1/23

51. Atzeni A, Martínez MÁ, Babio N, Konstanti P, Tinahones FJ, Vioque J, Corella D, Fitó M, Vidal J, Moreno-Indias I, Pertusa-Martinez S. Association between ultra-processed food consumption and gut microbiota in senior subjects with overweight/obesity and metabolic syndrome. Frontiers in Nutrition. 2022 Oct 10;9:976547. Available From: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9589409/

52. Debras C, Chazelas E, Srour B, Druesne-Pecollo N, Esseddik Y, de Edelenyi FS, Agaësse C, De Sa A, Lutchia R, Gigandet S, Huybrechts I. Artificial sweeteners and cancer risk: Results from the NutriNet-Santé population-based cohort study. PLoS medicine. 2022 Mar 24;19(3):e1003950. Available From: https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1003950

53. Alamri MS, Qasem AA, Mohamed AA, Hussain S, Ibraheem MA, Shamlan G, Alqah HA, Qasha AS. Food packaging's materials: A food safety perspective. Saudi Journal of Biological Sciences. 2021 Aug 1;28(8):4490-9. Available From: https://www.sciencedirect.com/science/article/pii/S1319562X21003090

54. UNICEF. Marketing of unhealthy foods and non-alcoholic beverages to children. Policy Brief. UNICEF. 2021. Accessed on: August 19, 2023. Available From: https://www.unicef.org/media/116691/file/Marketing%20restrictions.pdf

55. Food marketing exposure and power and their associations with food-related attitudes, beliefs and behaviours: a narrative review. Geneva: World Health Organization; 2022. Licence: CC BY-NC-SA 3.0 IGO. Accessed on: August 19, 2023. Available From: https://www.who.int/publications/i/item/9789240041783

56. Soni P, Vohra J. Advertising foods to Indian children: what is the appeal?. Young Consumers. 2014 Jun 10;15(2):178-92. Available From: https://www.emerald.com/insight/content/doi/10.1108/YC-06-2013-00380/full/html

57. Zimmerman FJ, Bell JF. Associations of television content type and obesity in children. American journal of public health. 2010 Feb;100(2):334-40. Available From: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2804635/

58. Gupta S, Kalra S, Kaushik JS, Gupta P. Content of food advertising for young adolescents on television. Indian Journal of Community Medicine: Official Publication of Indian Association of Preventive & Social Medicine. 2017 Jan;42(1):43. Available From: https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5349003/

59. Bassi S, Bahl D, Maity H, Dudeja S, Sethi V, Arora M. Content analysis of food advertisements on popular indian television channels among children and youth: a cross-sectional study. Journal of Global Health Reports. 2021 Oct 5;5:e2021089. Available From: https://www.joghr.org/article/28355-content-analysis-of-food-advertisements-on-popular-indian-television-channels-among-children-and-youth-a-cross-sectional-study

60. WHO recommends stronger policies to protect children from the harmful impact of food marketing. News. 2023 July; 3. Accessed on: August 20, 2023. Available From: https://www.who.int/news/item/03-07-2023-who-recommends-stronger-policies-to-protect-children-from-the-harmful-impact-of-food-marketing

61. Boyland E, McGale L, Maden M, Hounsome J, Boland A, Angus K, Jones A. Association of food and nonalcoholic beverage marketing with children and adolescents' eating behaviors and health: a systematic review and meta-analysis. JAMA pediatrics. 2022 May 2:e221037-. Available From: https://jamanetwork.com/journals/jamapediatrics/fullarticle/2791859

62. Kaushal N, Dudeja P. Food advertisements boon or bane: A prevalence study of misleading food advertisements in India. J Child Obes. 2017 Dec;2(04). Available From: https://www.napiindia.in/docs/Annex-6.pdf

63. Ocean Robbins. 2021. "Healthy Crunchy Snacks to Beat Those Potato Chip Cravings." June 30. Accessed on: August 20, 2023 Available from: https://foodrevolution.org/blog/healthy-crunchy-snacks/

64. Regional Office for South-East Asia, World Health Organization. (2016). WHO nutrient profile model for South-East Asia Region. WHO Regional Office for South-East Asia. Accessed on: August 21, 2023. Available From: https://apps.who.int/iris/bitstream/handle/10665/253459/9789290225447-eng.pdf?sequence=1&isAllowed=y

65. WHO Regional Office for Europe nutrient profile model: second edition. Copenhagen: WHO Regional Office for Europe; 2023. Licence: CC BY-NC-SA 3.0 IGO. Accessed on: August 21, 2023. Available From: https://www.who.int/europe/publications/i/item/WHO-EURO-2023-6894-46660-68492

66. World Health Organization, Regional Office for the Americas. Pan American Health Organization Nutrient Profile Model. Washington, D.C, 2016. Accessed on: August 21, 2023. Available From: http://iris.paho.org/xmlui/bitstream/handle/123456789/18621/9789275118733_eng.pdf?sequence=8

67. National Multisectoral Action plan for Prevention and control of Common Non-communicable diseases (NMAP). Ministry of Health and Family Welfare. 2017. Accessed on: August 21, 2023. Available From: https://main.mohfw.gov.in/sites/default/files/National%20Multisectoral%20Action%20Plan%20%28NMAP%29%20for%20Prevention%20and%20Control%20of%20Common%20NCDs%20%282017-22%29_1.pdf

68. Revised Operational Guidelines, Prevention, Screening and Control of Common Non-Communicable Diseases: Hypertension, Diabetes and Common Cancers (Oral, Breast, Cervix) (Part of Comprehensive Primary Health Care). Ministry of Health and Family Welfare. 2023. Accessed on: August 21, 2023. Available From: https://main.mohfw.gov.in/sites/default/files/Operational%20Guidelines%20on%20Prevention%2C%20Screening%20and%20Control%20of%20Common%20NCDs_1.pdf

69. Handbook For Counselors Reducing Risk Factors for Noncommunicable Diseases, Risk Factors for NCDs, National Programme for Prevention and Control of Cancer, Diabetes, Cardiovascular Diseases and Stroke (NPCDCS). Directorate General of Health Services Ministry of Health and Family Welfare Government of India. 2017. Accessed on: August 21, 2023. Available From: https://main.mohfw.gov.in/sites/default/files/National%20Multisectoral%20Action%20Plan%20%28NMAP%29%20for%20Prevention%20and%20Control%20of%20Common%20NCDs%20%282017-22%29_1.pdf

70. Eat Right India Initiatives. Food Safety and Standards Authority of India (FSSAI). Accessed on: August 21, 2023. Available From: https://eatrightindia.gov.in/eri-initiatives.jsp

71. Manual A. Dietary guidelines for Indians. Nat Inst Nutrition. 2011;2:89-117. Accessed on: August 21, 2023. Available From: https://www.nin.res.in/downloads/DietaryGuidelinesforNINwebsite.pdf

72. India Code – Digital Repository of all central and State Acts. Accessed on: August 21, 2023. Available From: https://www.indiacode.nic.in/handle/123456789/2027?sam_handle=123456789/1362#:~:text=An%20Act%20to%20consolidate%20the,and%20wholesome%20food%20for%20human

73. The Food Safety and Standards (Advertising and Claims) Regulations, 2018. Accessed on: August 21, 2023. Available From: https://www.fssai.gov.in/upload/uploadfiles/files/Compendium_Advertising_Claims_Regulations_14_12_2022.pdf

74. The Food Safety and Standards (Safe food and balanced diets for children in school) Regulations, 2020. Accessed on: August 21, 2023. Available From: https://www.fssai.gov.in/upload/uploadfiles/files/Gazette_Notification_Safe_Food_Children_07_09_2020.pdf

75. The Consumer Protection Act, 2019. Accessed on: August 21, 2023. Available From: https://www.indiacode.nic.in/handle/123456789/15256?sam_handle=123456789/1362

76. Central Consumer Protection Authority Act, 2019. Notification, 9th june, 2022, F. No. j-25/4/2020- CCPA (Reg). Accessed on: August 21, 2023. Available From: https://consumeraffairs.nic.in/sites/default/files/file-uploads/latestnews/CCPA%20Notification.pdf

77. Bhawan VR. Report On Assessing Effectiveness of Front-Of-Pack Nutrition Labels (Fopnl) For Pre-Packaged Processed Foods In India–A Study On Formats, Acceptability And Potential Use. Accessed on: August 21, 2023. Available From: https://www.nin.res.in/survey_reports/fopnl_report.pdf

78. Singh SK, Taillie LS, Gupta A, Bercholz M, Popkin B, Murukutla N. Front-of-package labels on unhealthy packaged foods in India: Evidence from a randomized field experiment. Nutrients. 2022 Jul 29;14(15):3128. Available From: https://pubmed.ncbi.nlm.nih.gov/35956305/

79. Comments on the IIM Study: Consumer preference for different nutrition front of-pack labels in India. Nutrition Advocacy in Public Interest (NAPi). Accessed on: August 21, 2023. Available From: https://www.bpni.org/wp-content/uploads/2022/05/Critique-of-IIM-Ahmedabad-Study-by-4-Independent-Experts.pdf

80. India Applies Sin Tax on Sweetened Carbonated Beverages. Press. India Resource Centre. 2017 Aug; 17. Accessed on: August 21, 2023. Available From: http://www.indiaresource.org/news/2017/1007.html

81. Lauber K, Rutter H, Gilmore AB. Big food and the World Health Organization: a qualitative study of industry attempts to influence global-level non-communicable disease policy. BMJ global health. 2021 Jun 1;6(6):e005216. Available From: https://gh.bmj.com/content/6/6/e005216

82. Michael Moss. 2013. "The Extraordinary Science of Addictive Junk Food." The New York Times Magazine, February 20. Accessed on: August 21, 2023. Available From: https://www.nytimes.com/2013/02/24/magazine/the-extraordinary-science-of-junk-food.html

83. Gupta A, Dadhich JP, KHAIRA NS, Holla R. Manipulation by association: Is the private sector undermining nutrition?. Economic and Political Weekly. 2014 Jul 26:18-21. Available From: https://www.epw.in/journal/2014/30/commentary/manipulation-association.html

84. Nagarajan Rema. 2019. "Food regulator sleeping with 'enemy'." The Times of India, October 08. Accessed on: August 21, 2023. Available From: http://timesofindia.indiatimes.com/articleshow/71485212.cms?frmapp=yes&from=mdr&utm_source=contentofinterest&utm_medium=text&utm_campaign=cppst

85. Andrew Jacobs. 2019. "A Shadowy Industry Group Shapes Food Policy Around the World." The New York Times Magazine, September 16. Accessed on: August 21, 2023. Available From: https://www.nytimes.com/2019/09/16/health/ilsi-food-policy-india-brazil-china.html

86. Minutes of the Stakeholders' meeting on Front of Pack Labelling held on 15th February 2022. Accessed on: August 21, 2023. Available From: https://www.fssai.gov.in/upload/advisories/2022/02/6214c8ca94fedMinutes_FOPL_22_02_2022.pdf

87. Maitri Porecha. 2022. "Seeing stars: FSSAI's food labelling decision opens a can of worms." The Ken, April 08. Accessed on: August 21, 2023. Available From: https://the-ken.com/story/food-labelling-decision/

88. George Cheriyan. 2022. "FSSAI sides with industry, puts consumers at risk." Policy Circle, May 09. Accessed on: August 21, 2023. Available From: https://www.policycircle.org/opinion/fssai-backs-health-star-rating/

89. Front-of-Pack Labelling (FOPL) on Unhealthy Food/Drink Products. A Position Statement of Indian Organisations Protecting Public Health. Nutrition Advocacy in Public Interest (NAPi). Accessed on: August 22, 2023. Available From: https://napiindia.in/docs/Position-Statement-English.pdf

90. Media Coverage. Nutrition Advocacy in Public Interest (NAPi). Accessed on: August 22, 2023. Available From: https://napiindia.in/media-coverage

91. The Guardian view on ultra-processed food: blame business, not consumers. The Guardian, 2023 Aug; 13. Accessed on: August 22, 2023. Available From: https://www.theguardian.com/commentisfree/2023/aug/13/the-guardian-view-on-ultra-processed-food-blame-business-not-consumers

92. Food Safety & Standards Authority of India (2009). Concept Note-Guidelines - Code of Self-Regulation in Food Advertisement. Accessed on: August 22, 2023. Available From: https://fssai.gov.in/upload/uploadfiles/files/Draft_code_for_selfregulation_October2009.pdf

93. Kelly B, Vandevijvere S, Ng S, Adams J, Allemandi L, Bahena-Espina L, Barquera S, Boyland E, Calleja P, Carmona-Garcés IC, Castronuovo L. Global benchmarking of children's exposure to television advertising of unhealthy foods and beverages across 22 countries. Obesity Reviews. 2019 Nov;20:116-28. Available From: https://doi.org/10.1111/obr.12840

94. Junk Food Targeted at children. 2014. Centre for Science and Environment (CSE), July 25. Accessed on: August 22, 2023. Available From: https://www.cseindia.org/junk-food-targeted-at-children-5464

95. Office Bearers. All India Food Processors' Association. Accessed on: August 22, 2023. Available From: https://aifpa.net/office-bearers/

96. Nagarajan R. (2011) MNC in secret pact with universities for food education. Times of India New Delhi. 2014 Jan; 24. Accessed on: August 22, 2023. Available From: http://articles.timesofindia.indiatimes.com/2011-01-24/india/28379474_1_mou-pau-punjab-agricultural-university

97. No proposal to ban junk food advertisements on television: Government. The Economic Times. 2018 Feb; 08. Accessed on: August 22, 2023. Available From: https://economictimes.indiatimes.com/industry/services/advertising/no-proposal-to-ban-junk-food-advertisements-on-television-government/articleshow/62833414.cms?from=mdr

98. Akhter A, Batra DK, Ravichandran N. Policy Regulation of advertising to children. International Journal of Marketing & Business communication. 2012 Apr 1;1(2):1. Available From: http://www.publishingindia.com/GetBrochure.aspx?query=UERGQnJvY2h1cmVzfC8xMTYyLnBkZnwvMTE2Mi5wZGY=

99. WHO recommends stronger policies to protect children from the harmful impact of food marketing. News. 2023 Jul; 3. Accessed on: August 20, 2023. Available From: https://www.who.int/news/item/03-07-2023-who-recommends-stronger-policies-to-protect-children-from-the-harmful-impact-of-food-marketing

100. Report of the Comptroller and Auditor General of India on Performance Audit of Implementation of Food Safety and Standards Act, 2006. Union Government (Civil) Ministry of Health and Family Welfare Report No. 37 of 2017 (Performance Audit). Accessed on: August 22, 2023. Available From: https://cag.gov.in/uploads/download_audit_report/2017/Report_No.37_of_2017_-_Performance_Audit_on_Implementation_of_Food_Safety_and_Standards_Act,_2006_Union_Government.pdf

101. FSSAI to focus on enforcement of food standards in 2019. Times of India. 2019 Jan; 01. Accessed on: August 22, 2023. Available From: https://timesofindia.indiatimes.com/business/india-business/fssai-to-focus-on-enforcement-of-food-standards-in-2019/articleshow/67334814.cms

102. Chander Uday Singh. 2014. "Baby food manufacturers in India ignore both spirit and letter of WHO code." March 1983, updated 2014. Accessed on: August 22, 2023. Available From: https://www.indiatoday.in/magazine/special-report/story/19830315-baby-food-manufacturers-in-india-ignore-both-spirit-and-letter-of-who-code-770490-2013-07-23

103. Gillon-Keren M, Kaufman-Shriqui V, Goldsmith R, Safra C, Shai I, Fayman G, Berry E, Tirosh A, Dicker D, Froy O, Gordon E. Development of criteria for a positive front-of-package food labeling: the Israeli case. Nutrients. 2020 Jun 23;12(6):1875. Available From: https://www.mdpi.com/2072-6643/12/6/1875

104. Taking action to protect children from the harmful impact of food marketing: a child rights-based approach. Geneva: World Health Organization and the United Nations Children's Fund (UNICEF), 2023. Licence: CC BY-NC-SA 3.0 IGO. Accessed on: August 22, 2023. Available From: https://www.who.int/publications/i/item/9789240047518

105. Coyne Andy. 2023. "Norway to ban unhealthy food adverts aimed at kids." Just Food. 2023 June; 06. Accessed on: August 22, 2023. Available From: https://www.just-food.com/news/norway-to-ban-junk-food-adverts-aimed-at-kids/#:~:text=Norway's%20government%20is%20to%20ban,on%20Friday%20(2%20June)

106. Taking action to protect children from the harmful impact of food marketing: a child rights-based approach. Geneva: World Health Organization and the United Nations Children's Fund (UNICEF), 2023. Licence: CC BY-NC-SA 3.0 IGO. Accessed on: August 22, 2023. Available From: https://www.who.int/publications/i/item/9789240047518

107. Aggressive marketing tactics by the food industry can have an impact on your health. UNICEF South Africa. Blog. 2023 April; 03. Accessed on: August 22, 2023. Available From: https://www.unicef.org/southafrica/blog/aggressive-marketing-tactics-food-industry-can-have-impact-your-health

108. Global Health Advocacy Incubator (GHAI). Front-of-package warning labeling regulations around the world. June, 2023. Accessed on: August 22, 2023. Available From: https://dfweawn6ylvgz.cloudfront.net/uploads/2023/FOPWL_Regulations.pdf

109. Front-of-Package (FOP) Food Labelling: Empowering consumers and promoting healthy diets. Global Food Research Program University Of North Carolina At Chapel Hill. October 2021. Accessed on: August 22, 2023. Available From: https://www.globalfoodresearchprogram.org/wpcontent/uploads/2021/10/FOP_Factsheet_UNCGFRP.pdf

ABOUT BPNI: The Breastfeeding Promotion Network of India (BPNI) is a 31 years old registered, independent, non-profit, national organisation that works towards protecting, promoting and supporting breastfeeding and appropriate complementary feeding of infants and young children. BPNI works through policy analysis, advocacy, social mobilization, information sharing, education, research, training and monitoring the company compliance with the IMS Act. BPNI serves as the global secretariat for World Breastfeeding Trends Initiative (WBTi) programme, that analyses policy & programmes and galvanises action at country level in different regions of the world. BPNI is part of the International Baby Food Action Network (IBFAN).

ABOUT NAPi: NAPi is a national think tank on nutrition –consisting of independent experts in epidemiology, human nutrition, community nutrition and pediatrics, medical education, administration and management; having decades of experience in respective fields; has come together to advocate on nutrition policy in public interest. NAPi has been invited to be a 'Member' of the Interdepartmental Committee to prepare guidelines on protecting consumer against unhealthy food products by the Ministry of Consumer Affairs, Food and Public Distribution, Department of Consumer Affairs, India.

NOTES

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NAPi

Breastfeeding Promotion Network of India (BPNI)
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