



NEED FOR ADDING PRODUCT CLAIM

Targeted Nutrition / Well being

Disclaimer – All views / opinions expressed are my own and do not necessarily represent the views of Herbalife Nutrition

HEALTHY
LIVING

The infographic features a light gray background with several white curved lines. In the top left is a green rounded rectangle. In the center are two overlapping circles: an orange one on the left and a larger blue one on the right. The text 'HEALTHY LIVING' is in the green shape. The text '30% GENES' is in the orange circle, and '70% LIFESTYLE' is in the blue circle.

30%
GENES

70%
LIFESTYLE

Source: United Nations Department of Economic and Social Affairs, Population Division.
World Population Prospects. The 2004 Revision. New York: United Nations 2005


Preface...

- Specialised Foods like Food or Health supplements. FSDUs, Nutraceuticals etc. have witnessed a tremendous growth in India in recent years due to their potential in providing health benefits, which is the key driving factor for this sector and
- Address Reducing dietary deficiency and improve general wellbeing and physiological conditions


Key differentiators:

- Cannot be compared with conventional foods or standardised Foods.
- Formats – capsule, tablets, pills, sachets, jelly or gel, liquid, powder.
- To be taken in measured unit quantities / recommended serving.

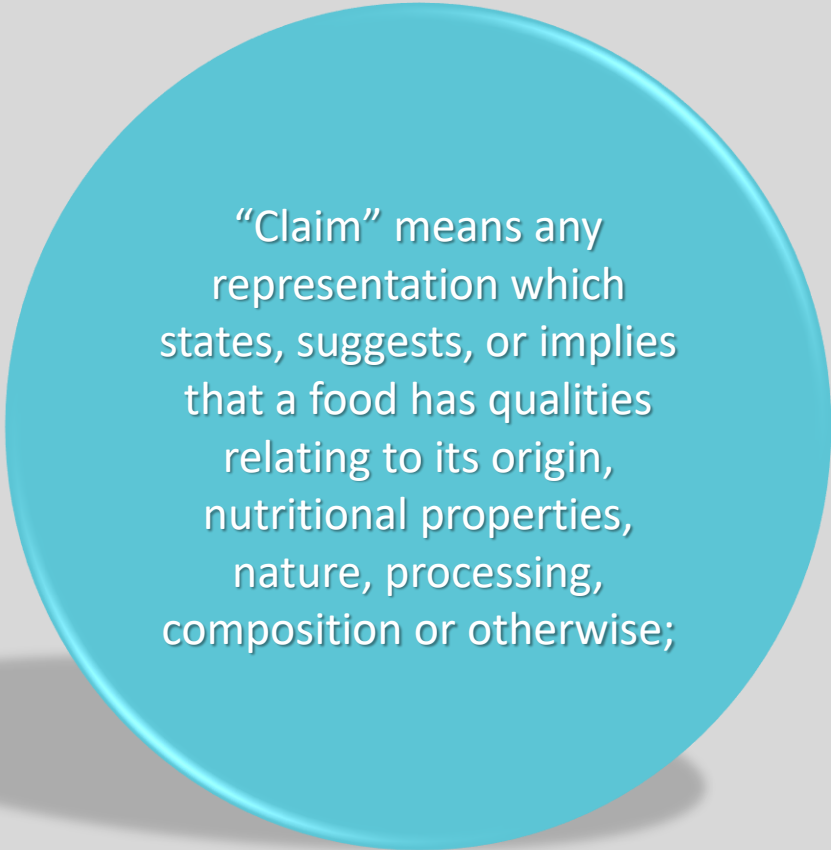
What is Claim and Product Claim ?



Literally, claim is demand of ownership



Advertisements / promotions etc. are all different kinds of claims and it is not limited to Product label



“Claim” means any representation which states, suggests, or implies that a food has qualities relating to its origin, nutritional properties, nature, processing, composition or otherwise;

Why we need claims ?

➤ Three Perspectives

Business: Brand + Product

Consumer : Product + Goodness + Brand

Regulatory: Overall Product or Nutrient on Positive Health impact

Right Claim makes the product stands out

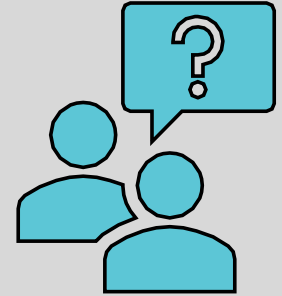
Every year, thousands of new products are launched in the market. A quick and simple answer to this question is by making performance promises that are honest, genuine and appealing to the target consumer!

These promises are called product



However, claims used for marketing of such food products must be truthful, objective based and on reliable, established scientific evidences

Why are claims important for business ?



- ✓ Easy and reliable way to reach prospective customer / consumer
- ✓ Claims are important for business because they can be used to reach out to customers / consumers and create a positive impact in consumers' minds – Consumer Preference
- ✓ Products when formulated correctly, claims can support right placement, marketing and bring in - Brand visibility
- ✓ Product claims in alignment with the brand association, support and convey right harmony across and help establish the product – Product Stability and penetration

Why claims are important for consumers



- Claims summarize products in a quick and concise manner
- Inform the customer what the product is all about and what to expect
- Products when scientifically substantiated, nutrition and health claims linked to food products can help consumers make well-informed food choices
- Health claims play a major role in modifying consumer choices when contrasted with other choice factors.
- Consumers can understand the promised benefit of the claims
- consumer can compare and able to evaluate products

Selecting a Claim

- Proper knowledge and understanding of the local regulatory requirements. Right understanding of the Product and strategy about how to review / assess the claims
- Identification of such allowable or promotional claims that can be used on the label, advertising and promotional material, as per the regulatory requirement based on ingredient or nutrients.
- Identification of claims based on the product classification, functional support it is intended for and availability of supporting scientific data/studies
- General principles for claims and advertisement with applicable regulations
- Product formulations to be evaluated to determine qualification of the proposed claims
- Classification of claims : guidelines on use of certain words or phrases in claims, synonyms that can be used to define a claim in the right perspective.
- Due care towards wrong /restricted or prohibited claims
- Understanding the process of claim evaluation and application



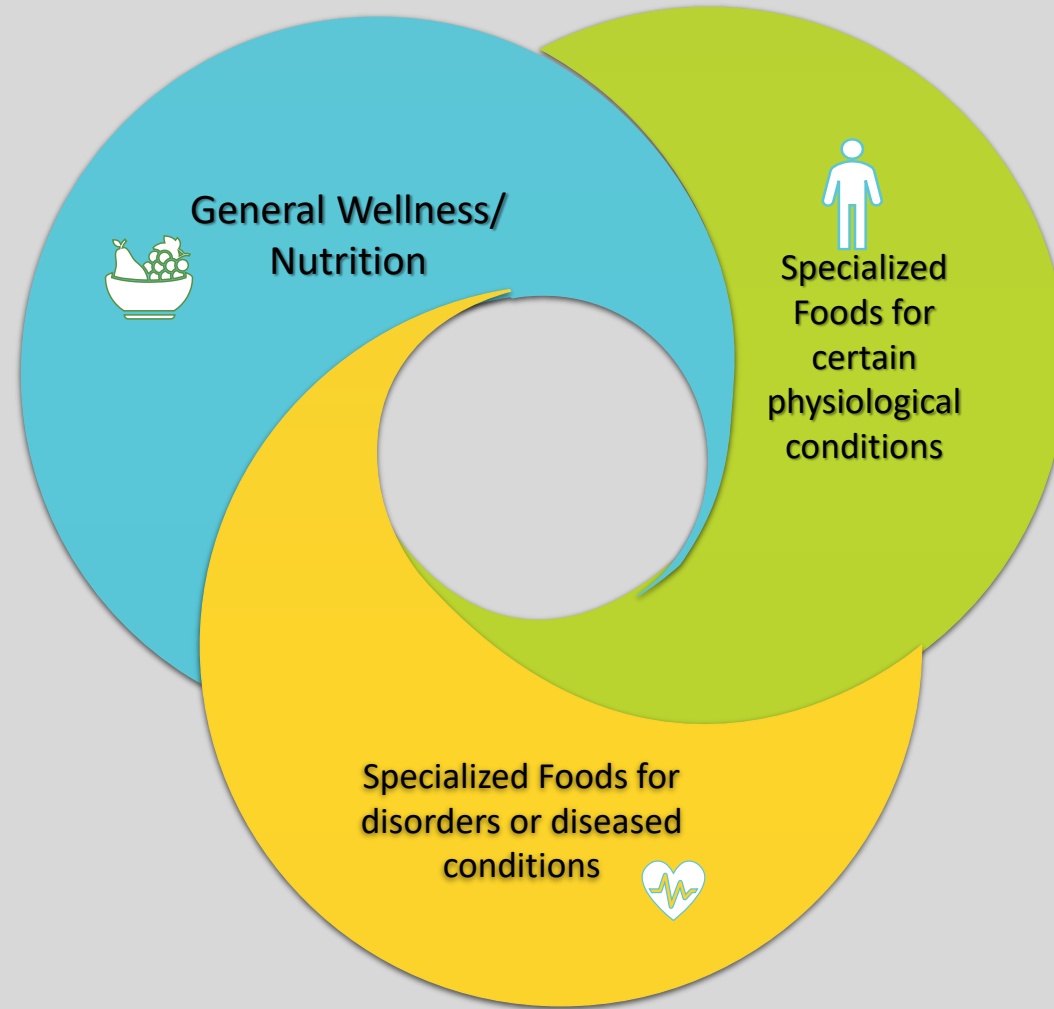
Few Examples: Product Claims

- Quality : best / good/ special
- Quantity: high / low/ free
- Goodness – Specific health impact or benefit
- General : Organic, gluten free, California apple, home grown etc.

- Backed by Science / Facts
- Safety and Efficacy
- Studies, Research, Evidence data / Clinical studies

Regulatory Framework : Claim Approval

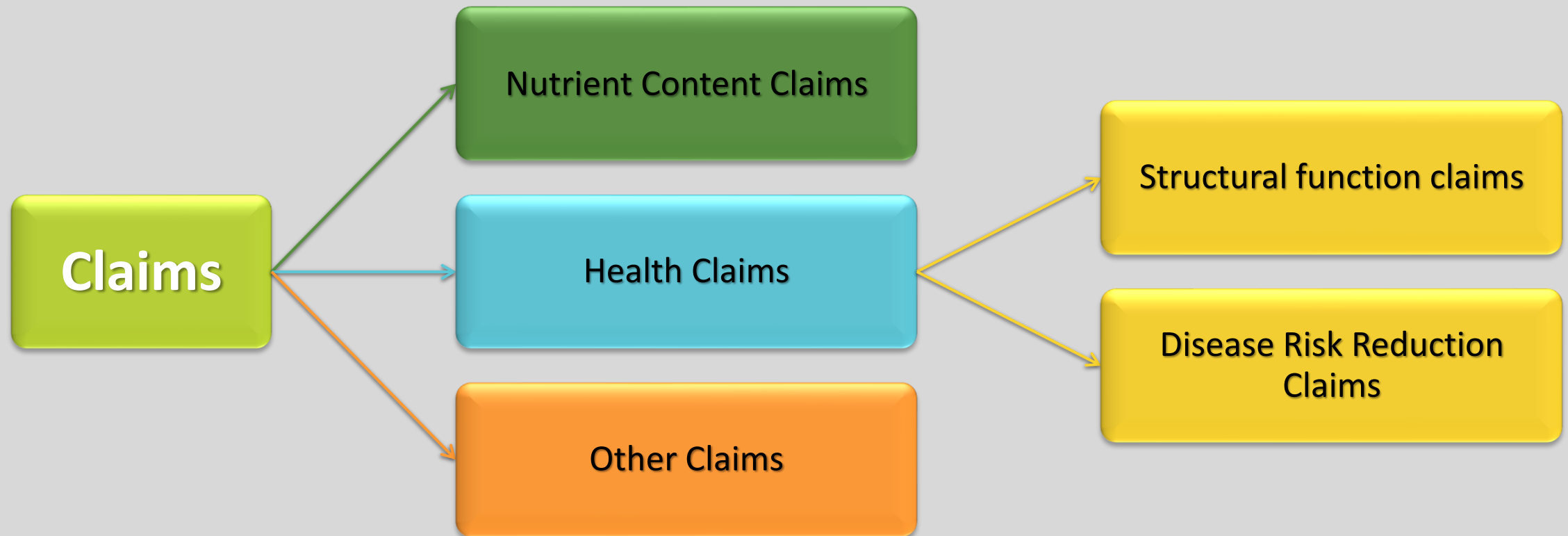
PRODUCTS COVERAGE



As per the international Regulations and Codex Guidelines such products are marketed as **“Food”**

FSS Nutraceutical Regulation 2016

❑ Types of Claims that are allowed under Health Supplements / Nutraceuticals:



General Health Claims - conditions

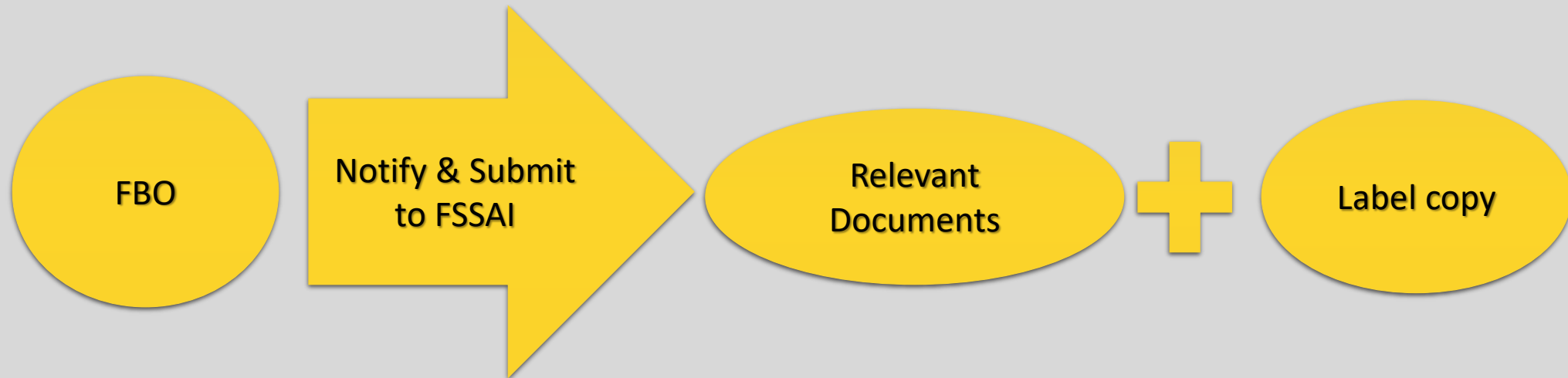
- Health Claims in respect of an article of food shall be commensurate with **adequate level of documentation and valid proof**
- **The same shall be** made available for review by the Food Authority **when called for**
- A statement relating to the structure or function or the general well being of the body may be allowed by the Food Authority, if the statement is supported by the generally accepted scientific data

PRIOR APPROVAL

- For health claims where scientific support does not exist, or if a novel ingredient is to be introduced, a **prior approval** of the Authority based on adequate scientific evidence is required.
- Other claims in an article of food (that are not drug claims) may be allowed subject to **prior approval** of the Food Authority

Specific Product Led Claims

In case of health claims that are **Product Led**, the food business operator shall **notify** the Food Authority before putting the same in the market, by submitting relevant documents along with a copy of the label.



Mandatory Notification to FSSAI before marketing the product in the market.

Overarching Regulatory Requirements

As in today, Supplements / Nutraceuticals or FSDU and FSMPs comes under the requirement of another Horizontal regulation i.e. FSS Advertising & Claims Regulations 2018.

The conditions / requirements outlined, need to be complied with as well

As per Nutraceutical Regulation, specific claims are allowed including DRR claims (having adequate documentation), however, under Advertising & Claim Regulation

Disease Risk Reduction (DRR) Claims shall require **APPROVAL** from Authority. Only listed DRR claims can be used as it is

Even, for making Nutrient Content Claim, detailed conditions are laid down

Conclusion and way forward

Claims can be a great tool to convey right, appropriate and necessary information expected by the Consumer / Customer, provided they remain truthful, backed by science and evidence based.

It is important to strive to be better as claims directly impact the product and the business sustainability

Industry may constitute a Task Force on Claims to further work with stakeholders and regulatory authorities to evolve, strengthen and safeguard the eco system

Thank you for your attention