

RCD-15001/6/2021-Regulatory-FSSAI [E-1475]  
**Food Safety and Standards Authority of India**  
(A Statutory Authority established under the Food Safety and Standards Act, 2006)  
**Regulatory Compliance Division (RCD)**  
FDA Bhawan, Kotla Road, New Delhi-110002

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Dated: 02nd February, 2024

**ORDER**

**Subject: Usage of the term “ORS” along with brand names-reg.**

Reference is invited to FSSAI order dated 14th July, 2022 on the subject cited above vide which it was decided to allow those FBOs having valid trademarks for the product names similar to ‘ORS’ to manufacture such products under their respective Trademarked names till the decision of the Office of the Controller General of Patents Designs and Trade Marks (CGPDTM) is received, which shall be binding and final on all such FBOs.

2. In this regard, is to inform that the matter was taken up with O/o Controller General of Patents, Designs and Trademarks (CGPDTM) and it has been informed by the CGPDTM that “as far as the word ***“ORS along with other prefix or suffix”*** is concerned the same may be used by the applicant as a whole in view of Section-17 the said Act.” (Trade Marks Act, 1999)

3. Further, in light of above, the matter was further examined and all the concerned FBOs are directed to ensure compliance with the following conditions for manufacturing of such products-

(a) FBOs may use the word “ORS along with other prefix or suffix” as a whole in consonance with Section 17 of the Trade Marks Act, 1999.

(b) All such FBOs shall provide prominent declaration on their Front-of-Pack that ***'The product is NOT a ORS formula as recommended by WHO'***, or any similar meaning phrases without changing the intent to avoid any confusion or misleading the consumers. The font size of the above disclaimer shall not be less than 1.5 mm for principal display panel up to 100 Sq. cm, not less than 2 mm for principal display panel between 100-200 Sq. cm and not less than 3 mm in case of principal display panel above 200 Sq. cm.

(c) In addition to above, FBOs shall also comply with the provision made under sub-regulation 4 (7) of the FSS (Advertising and Claims) Regulations, 2018, while clearly stating the disclaimer on the front of pack of the product i.e. ***“This is only a brand name or trademark, or fancy name and does not represent its true nature; (relevant one may be chosen as applicable)”*** in specified font size mentioned under the said provision.

(d) All the concerned FBOs shall ensure compliance with the above directions w.e.f 01<sup>st</sup> April, 2024.

4. This issues with the approval of Competent Authority.

(Rakesh Kumar)  
Director (Regulatory Compliance Division)

**Copy to:**

1. Commissioners of Food Safety of all States and UTs;
2. All Regional Directors, FSSAI;
3. All Central Licensing Authorities, FSSAI;
4. The Controller General of Patents, Designs and Trademarks, Mumbai (CGPDTM), Mumbai.