

E-File No. RCD-15001/12/2023-Regulatory-FSSAI-Part(1) (E-10434)

Food Safety and Standards Authority of India

(A Statutory body under Ministry of Health and Family Welfare)

(Regulatory Compliance Division)

FDA Bhavan, Kotla Road, New Delhi-110 002

Dated, the March, 2024

Advisory

To

All E-Commerce Food Business Operators (FBOs)

Subject: Clarification regarding categorization of 'Health Drinks / Energy Drinks' on E-Commerce website -reg.

It has come to the notice of FSSAI that food products licensed under 'Proprietary Food' with the nearest category- Dairy Based Beverage Mix or Cereal Based Beverage Mix or Malt Based Beverage are being sold in the e-commerce website under the category '**Health Drink**', '**Energy Drink**' etc.

2. In this regard, it is to inform that, the term- "**Energy**" drinks is permitted to be used on the products licensed under FCS 14.1.4.1 & 14.1.4.2 (Carbonated & non-carbonated water based flavored drinks), standardized under sub-regulation 2.10.6 (2) of FSS (Food Product Standards and Food Additives) Regulations 2011. Further, '**Health Drink**' is not defined/standardized anywhere under the FSS Act 2006 or rules/regulations made there under.

3. Therefore, all e-commerce Food Business Operators (FBOs) are hereby advised to remove / de-link such drinks / beverages falling under the purview of FSS Act 2006 from the category of '**Health Drinks / Energy Drinks**' on their website and place such products in the appropriate category as provided under the extant law. This action will enhance clarity and transparency regarding the nature and functional properties of the products, allowing consumers to make informed choices without any misleading information.

This issues with the approval of the Competent Authority.

Digitally Signed by Rakesh
Kumar

Date: 28-03-2024 14:31:57

Reason: Approved

(Rakesh Kumar)
Director (Regulatory Compliance Division)

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