

**F. No. RCD-02001/2/2021-Regulatory-FSSAI-Part(1) [E-9768]**  
**Food Safety and Standards Authority of India**  
(A Statutory Authority established under the Food Safety and Standards Act, 2006)  
**(Regulatory Compliance Division)**  
FDA Bhawan, Kotla Road, New Delhi – 110002

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**Dated: 16<sup>th</sup> April, 2025**

**Notice for inviting public comments**

Several media reports have been surfaced wherein it is claimed that products like 'Analogue in dairy context' are being sold as 'Dairy products', thus misleading consumers. It is to inform that Food Safety and Standards Authority of India (FSSAI) has already laid down regulation for distinct labelling of 'Analogue in dairy context' to ensure their clear bifurcation with dairy products.

2. To discuss on the compliance with the provisions of 'Analogue in dairy context' laid down under Food Safety and Standards Regulations, a meeting (hybrid mode) was held with the stakeholders on 07<sup>th</sup> April, 2025 at FSSAI, FDA Bhawan. Based on the deliberation held, it was proposed to publish a consultation paper on the said matter on FSSAI website seeking comments/suggestions from the stakeholders at large.

3. It is requested to furnish the comments/suggestions, if any, in the in the Google response form (<https://forms.gle/o1yh2vCmMs7XvgEK8>) along with justification/rationale **within 60 days** from date of issuance of this notice. The consultation paper is enclosed (**Annexure-1**) for information.



**Rakesh Kumar**  
**Director**  
**(Regulatory Compliance Division)**

**Encl:** as above

**To:**

1. All Food Business Operators, Industry Association, Consumer Organization, Food Safety Mitra and other stakeholders;
2. Commissioners of Food Safety of all States/UTs;
3. All Divisional Heads, FSSAI;
4. Directors of all Regional Offices, FSSAI;
5. Principal Manager (SBCD)- for wider circulation through social media;
6. CTO- for uploading on FSSAI website- for wider circulation.



# CONSULTATION PAPER ON COMPLIANCE WITH THE PROVISIONS OF 'ANALOGUE IN DAIRY CONTEXT'

Google form URL for providing comments/ suggestions within 60 days:  
[https://docs.google.com/forms/d/e/1FAIpQLSdFNX8oXlbhlj\\_PJ1CQIipmsSnn-MP-ftbtWINrVnqRGOnnzQ/viewform?usp=header](https://docs.google.com/forms/d/e/1FAIpQLSdFNX8oXlbhlj_PJ1CQIipmsSnn-MP-ftbtWINrVnqRGOnnzQ/viewform?usp=header)

Short URL: <https://forms.gle/o1yh2vCmMs7XvgEK8>

16<sup>th</sup> April, 2025  
Regulatory Compliance Divisions  
Food Safety and Standards Authority of India  
FDA Bhawan, New Delhi.

## A. Background:

Several media reports have been surfaced wherein it is claimed that products like ‘Analogue in dairy context’ are being sold as ‘Dairy products’, thus misleading consumers. Food Safety and Standards Authority of India (FSSAI) has already laid down regulation for distinct labelling of ‘Dairy Analogue’ products to ensure their clear bifurcation with dairy products. To discuss on the compliance with the provisions of ‘Analogue in dairy context’ laid down under Food Safety and Standards Regulations, a meeting was held with the stakeholders on 07<sup>th</sup> April, 2025 at FSSAI, FDA Bhawan, wherein total of 57 participants including representative of industry association, consumer organization, MSME attended the meeting. Additionally, FSSAI has also conducted meeting with Hotel, Restaurants, Catering Services (HoReCa) industry in the month of March, 2025 to emphasize on labelling requirements of dairy analogues.

## B. Overview of regulatory framework:

### I. Definition of ‘Analogue in the dairy context’:

Sub-regulation 2.1.1 (1), clause (aa) of Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, states-

*“Analogue in the dairy context’ means a product in which constituents **not derived from milk take the place, in part or in whole, of any milk constituent(s) and the final product resembles, organoleptically and/or functionally, milk or milk product or composite milk product as defined in these regulations”.***

### II. Labelling requirement of pre-packaged foods for ‘Analogues in dairy context’:

Sub-regulation 2.1.1 (5), clause (b) Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011, mentions the following-

*(a) In respect of each such constituent **not derived from milk that takes place of a milk constituent in the product:***

*“Contains .....*”

*Blank to be filled with name of the constituent including the source”*

*(b) In respect of each such milk constituent whose place is **fully taken over by a constituent not derived from milk in the product:***

*“Contains no milk .....*”

*Blank to be filled with name of the constituent”*

### III. Use of dairy terms for other foods:

Sub-regulation 2.1.1 (3), clause (f), sub-clause (i) & (ii) of Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 states the following-

a. *Analogues in the dairy context’ are **not considered milk, milk products or composite milk products as defined in these regulations.***

b. *in respect of a product which is not milk, a milk product or a composite milk product, **no label, commercial document, publicity material or any form of point of sale presentation shall be used which claims, implies or suggests that***

*the product is milk, a milk product or a composite milk product, or which refers to one or more of these products;*

- c. *Provided also that if the final product is intended to substitute milk, a milk product or composite milk product, dairy terms shall not be used:*
- d. *Provided also that the products which contain milk, or a milk product, or milk constituents, which are not an essential part in terms of characterization of the product, dairy terms shall only be used in the list of ingredients. For these products, dairy terms shall not be used for other purposes.*

**IV. Manufacturers of pre-packaged food shall not create erroneous impression:**

Chapter-2, Sub-regulation 4 (3) Food Safety and Standards (Labelling & Display) Regulations, 2020 clearly mentions that- *“Pre-packaged food shall not be described or presented on any label or in any labelling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect;”*

**V. Compliance to be followed by Hotel, Restaurants, Catering Services (HoReCa) industry:**

Food Safety and Standards (Licensing & Registration of Food Businesses) Regulations, 2011, in other conditions of license (Condition number 2 of Annexure-3 of Schedule 2) mentioned that- *“Food Business Operators selling cooked or prepared food shall display a notice board containing the nature of articles being exposed for sale.”*

**C. Public comments are invited on the following:**

In view of the existing provisions and deliberation held with the stakeholders, it is requested to respond to the following suggestions with justification/rationale and supporting documents/examples, if any.

1. **Nomenclature of ‘Analogue in dairy context’ on label:** Terminology for products of ‘Analogue in dairy context’ shall be suggested.  
\*For example: Whether words like ‘Non-dairy’ or ‘Analogue’ can be used as prefix to the dairy terminology, in both the cases where any milk constituents are substituted partially or wholly.
2. **Label declaration for pre-packaged food when ‘Analogue in dairy context’ is used as an ingredient:** Dairy analogue used in pre-packaged food product as an ingredient, shall clearly mention the nature of the ‘Dairy analogue’ in the ingredient list (e.g., Analogue of cream, Analogue of cheese etc.) immediately accompanied by a list in brackets of its ingredients in descending orders of proportions.  
\*For example: Ingredients- Analogue of Cheese (Milk Solids, Refined Palm Oil, Hydrogenated Vegetable fat, Modified Starch, Emulsifier).

3. **Declaration of nature of food items served in HoReCa industry:** Restaurants, caterers and other food service establishments serving cooked and prepared food or in recipe directly or indirectly **must clearly indicate the exact nature of food items**— prefixing word ‘Non-dairy’ or ‘Analogue’ before the dairy term—**on menu cards or boards or booklets or other relevant materials- readily legible to the consumers**- when ‘Dairy Analogue’ is used as ingredient instead of dairy products.  
\*For example- If Analogue of Paneer has been used for preparation of Kadhai Paneer or Analogue of Cheese is used in Burger instead of dairy products, exact nature of the ingredient shall be mentioned, thus providing informed choice to the consumer.
4. **Prohibition in sale of ‘Analogue in dairy context’ in loose form:** ‘Analogue in dairy context’ shall only be sold in **packed condition not less than 500 gms** with proper labelling declaration mentioned under sub-regulation 2.1.1 (5), clause (b) Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011.
5. **Restriction in FSSAI registration for food businesses manufacturing dairy analogue:** Petty food manufacturer whose turnover is upto Rs. 12 Lacs per annum or production capacity is upto 100 Kgs/Ltrs per day is considered under FSSAI Registration. Considering the probable misuse of dairy analogue as dairy products, it is suggested to restrict grant of FSSAI registration for FBOs manufacturing Dairy Analogue (i.e., Analogue of Paneer, Analogue of Cream, Analogue of Milk, Analogue of Cheese etc.). The category of ‘Analogue in dairy context’ will only be considered for State and Central license, to ensure greater compliance responsibility by Food Business Operators.

**Note:** The terminology used above w.r.t declaration of dairy analogue is only suggestive and will be finalized after consultation.

#### **D. Google form for providing comments/ suggestions:**

It is requested to provide your comment/suggestion through google form ([https://docs.google.com/forms/d/e/1FAIpQLSdFNX8oXlhlj\\_PJ1CQIipmsSmn-MP-ftbtWlNrVnqRGOnnzQ/viewform?usp=header](https://docs.google.com/forms/d/e/1FAIpQLSdFNX8oXlhlj_PJ1CQIipmsSmn-MP-ftbtWlNrVnqRGOnnzQ/viewform?usp=header)) within 60 days. [Short URL: <https://forms.gle/o1yh2vCmMs7XvgEK8>]

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