

Food regulator FSSAI slaps show-cause notice on McDonald's for derogatory 'ghiya-tori' ad

In its notice, the FSSAI referred to a full-page advertisement by McDonald's in newspapers earlier this month that had said, "Stuck with Ghiya-Tori (bottle gourd-sponge gourd) Again? Make the 1+1 Combo you love"

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Food regulator FSSAI has slapped a show-cause notice on McDonald's for disparaging freshly cooked food and vegetables in its advertisements to promote fast food.

In its notice, the FSSAI referred to a full-page advertisement by McDonald's in newspapers earlier this month that had said, "Stuck with Ghiya-Tori (bottle gourd-sponge gourd) Again? Make the 1+1 Combo you love".

The food sector watchdog issued a show-cause notice to Hardcastle Restaurants and Connaught Plaza Restaurants Ltd - the franchise that operates McDonald's fastfood chain in India - seeking response on why action should not be initiated against them, a statement by the FSSAI said.

McDonald's had over the last weekend carried advertisements in newspapers seeking to get traffic at its outlets by allegedly disparaging home cooked food and healthy vegetables.

The regulator has "noted with concern incidence of irresponsible advertising by some food companies to promote sales of their own foods often considered unhealthy as substitute for healthy foods", the Food Safety and Standards Authority of India (FSSAI) said.

McDonald's has been asked to give explanation in a stipulated timeframe. Violation of FSSAI's advertisement code attracts a penalty up to Rs 10 lakh.

"Central licensing authority and FSSAI's designated officer at New Delhi and Mumbai have taken cognizance of this and issued show-cause notices for contravening the provisions of Food Safety and Standards (Advertising and Claims) Regulations, 2018 as to why further action should not be initiated against McDonald's for this," the statement said.

Hardcastle Restaurants Private Limited (HRPL) said in a statement that it "operates restaurants in west and south India and the print ad in question was not issued by us. We have already written to the FSSAI clarifying the same".

In a letter to the regulator, Hardcastle Restaurants has requested it to withdraw the notice. While response from Connaught Plaza Restaurants could not be immediately obtained.

These FSSAI regulations, which are aimed at cracking down on misleading advertisements and making brand ambassadors accountable, came into effect from July this year.

"We Hardcastle Restaurants operate Quick Service Restaurants (QSRs) under the brand name of McDonald's in the territories of the west and south India. The entity which operates QSRs under the brand name McDonald's in the territories of north and east India is Connaught Plaza Restaurants which is a separate and distinct legal entity and with which we do not have any nexus and/or connection of any nature whatsoever," Hardcastle said in the letter to the FSSAI.

The franchisee further said that the Delhi market comes under north India where it does not operate.

"Tendency of the food companies to disparage freshly cooked food and vegetables that are healthier is a matter of grave concern. Such advertisements are against national efforts for promoting healthier and right eating habits, especially in the children from a young age, with the aim to ensure safe and wholesome food for them so that the kids feel better, grow better and learn better," the FSSAI said in the statement.

The regulator acknowledged that advertising and marketing plays a key role in people making food choices, particularly children but went on to expressed deep concern about "irresponsible" advertising and marketing by food companies.

It cited WHO's resolution asking member-states to reduce the impact on children of marketing of foods high in saturated fats, trans-fatty acids, free sugars, or salt.

"Aligned with the WHO advice, the FSSAI has recently finalized the 'Food Safety and Standards (Advertising and Claims) Regulations, 2018'. Under these regulations, the advertisements should not undermine the importance of healthy lifestyles, and also shall not promote or portray their food and beverages as a meal replacement unless otherwise specifically permitted by FSSAI," the statement said.

Further, no advertisements or claims for articles of foods shall be made by any food business operator that undermines the products of any other manufacturer for the purpose of promoting their products or influencing consumer behaviour, it said.

FSSAI said it is also in the process of finalising regulations to ensure safe and wholesome food for school children.

"A key proposal in the regulations is that foods that are high in fat, salt and sugar cannot be sold to school children in school canteens / mess premises / hostel kitchens or within 50 meters of the school campus," it said.

Unhealthy diets, the regulator said, are a key risk factor in childhood obesity that is rising rapidly.

"Diets that have excess of salt and sugar not only harm the body but also the cognitive capabilities of the children. Therefore, at the heart of the proposed regulations is a fundamental idea to make it clear what is healthy for children and what is not, and promote healthy eating habits amongst the children," the statement said adding the regulations are in draft stage under consultation.