

Frequently Asked Questions (FAQs) on
(i) regulatory provisions for “Analogues in the Dairy Context”
and
(ii) use of dairy terms in the nomenclature of milk, milk
products and other foods

A. IDENTITY OF “ANALOGUES IN THE DAIRY CONTEXT”

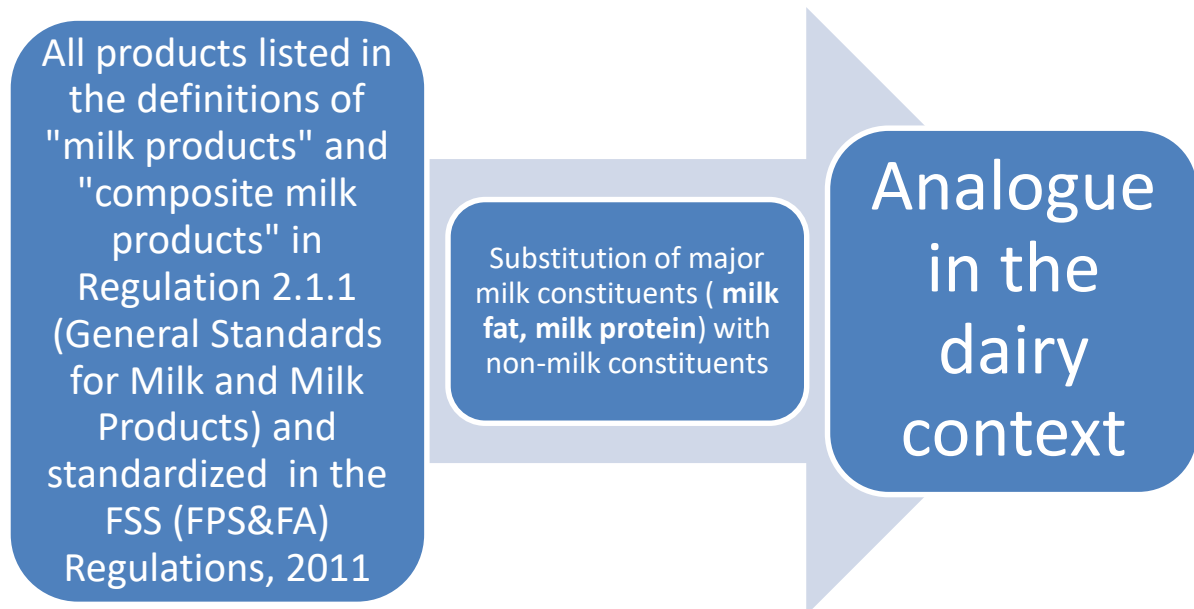
1. Question: What is “Analogue in the Dairy Context”?

Answer: As defined in the regulations, “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.

(In the subsequent part of the FAQs “analogue in the dairy context’ is being simply referred to as “analogue(s)”.

2. Question: Specifically which products are CONSIDERED analogues in the context of the definition given in the regulations?

Answer: All milk products and composite milk products listed / standardized in the regulations, when **compositionally altered with by way of substitution** of their major milk constituents (milk fat, milk protein) with non-milk constituents (e.g. vegetable oil / fat, vegetable protein), the resultant (lookalike) products would be analogues. More clearly, it is depicted in the figure below:



3. **Question:** Which products are NOT CONSIDERED as analogues in the context of the definition given in the regulations?

Answer:

(i) **“Composite milk products”** which are essentially milk products (**dairy being an essential part of these products in terms of quantity**) and also contain characterising non-dairy ingredients as permitted in the regulations (**specifically not for the purpose of replacing any milk constituent**), and conforming to the standards specified for individual composite dairy products, are not analogues.

Examples: *Shrikhand* with fruits; ice cream with fruits; flavoured fermented milks; drinks based on fermented milks etc.

(ii) **Compositionally modified milk products**, milk products altered in composition (e.g. modification of fat content, lactose free, fortification) compared to reference product by way of addition / deletion of a milk constituent or addition of micronutrients in accordance with their regulatory standards, are not considered analogues. In such cases, there is no substitution of the milk constituent with a non-milk constituent that essentially defines an analogue in the dairy context. These include, among others, products like:

- Milk in which milk fat has been extracted or added for the purpose of standardization (complying to specified standards for fat).

Examples: Full cream milk, Standardized milk, Toned milk, Double toned milk, Skimmed milk.

- Milk products or composite milk products allowed to be modified in respect of fat content as compared to the reference product.

Examples: Medium or low fat ice cream (Reference product being Ice Cream).

- Milk which has been modified to reduce the level of a milk constituent to meet the standards specified for the modified milk.

Examples: Reduced lactose milk, Lactose free milk etc.

- Milk which has been modified with the addition of micronutrients.

Examples: Fortified milk.

(iii) **Products exclusively made from non-dairy ingredients** are not categorized as analogues under the regulations and are excluded from the definition of “Analogues in the dairy context” given in the regulations.

Examples: Coconut milk, Peanut butter, other plant-based (such as soy, nuts, rice) beverages etc.

(iv) **Products** of other food categories (e.g. Cocoa products, Bakery products) containing

dairy ingredients only as an essential part for characterization of the product are not considered analogues.

Examples: Milk chocolate, Milk biscuits, Cream biscuits, Cheesecake, Butter cookies etc.

4. Question: Can analogues be prepared in respect of all milk products?

Answer: The “Note” under the definition of “analogues in the dairy context” specifically mentions that admixtures of certain dairy products and other ingredients not exclusively derived from milk, sale of which are prohibited as per Food Safety and Standards (Prohibition and Restriction on Sales) Regulations, 2011 are excluded from this definition.”

Examples: In the FSS (Prohibition and Restrictions) Regulations, 2011; the following admixtures are prohibited:

- *ghee* which contains any added matter not exclusively derived from milk fat;
- a mixture of *ghee* or butter and any substance prepared in imitation of or as a substitute for *ghee* or butter; or consisting of or containing any oil or fat which does not conform to the definition of *ghee*;

Hence, no analogues product can be prepared by blending non-milk components (e.g. vegetable fat/oil) in *ghee* and butter.

5. Question: Are analogues considered as dairy products?

Answer: Analogues are not recognized as dairy products under the regulations (Ref: proviso of Clause (f)(i) of the Sub-regulation 2.1.1(3) of the General Standard for Dairy Products)

6. Question: Are analogues standardized / amenable to standardization?

Answer: ‘Analogues’ in the dairy context have been defined in the regulations. Further, standardization of various analogues may also be feasible. However, standardization of an analogue is considered only if it is necessary to specify basic identity and quality parameters for better regulatory oversight and fair practices.

Examples: Analogues, namely, Frozen Dessert and Mixed Fat Spread are standardized in the regulations with details related to their identity, composition, quality parameters etc. specified therein.

7. Question: Can analogues get license/ registration under proprietary foods?

Answer: ‘Analogues in the dairy context’ are to be licensed under ‘General Manufacturing –Kind of Business’ as standardized food product and not under the ‘proprietary food’ Kind of Business (KoB). These products are mapped to the corresponding category of dairy

product (e.g. analogue in the context of cheese, analogue in the context of cream etc.) in FoSCoS under General Manufacturing KoB for the purpose of licensing and applicability of corresponding additive provisions /safety standards (microbiological specifications and maximum levels of contaminants).

B. USE OF DAIRY TERMS IN FOOD PRODUCT NOMENCLATURE

8. Question: What is meant by dairy terms:

Answer: “Dairy terms” means names, designations, symbols, pictorial or other devices which refer to or are suggestive, directly or indirectly, of milk or milk products;

The general principle laid down in the General Standards for Milk and Milk Products is that dairy terms are reserved to milk and milk products conforming to the definition of milk in this general standard. In other words Common dairy terms (e.g., milk, cream, cheese, specific cheese names, butter, yogurt, *dahi* etc.) are reserved for products that are made from milk and milk products.

9. Question: Are there any guidelines for use of dairy terms in a product nomenclature?

Answer: Clause 3 (*Application of Dairy Terms*) of the sub-regulation 2.1.1 (*General Standard for Milk and Milk Products*) under the ‘*Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011* lays down guidelines for use of dairy terms in the nomenclature of dairy products (milk, milk product or a composite milk product) as well as for other foods (non-dairy products) including related prohibitions for such use in non-dairy products. These provisions are in alignment with the relevant standards under Codex Alimentarius.

10. Question: Which products can use dairy terminology in their nomenclature?

Answer: As per the regulations (referred under Question #8 above), use of the dairy terms in nomenclature of a product is allowed / disallowed as under:

- All milk, milk products and composite milk products standardised in the regulations and meeting the provisions of their respective product standards **can use** their standardized name or dairy terms in the nomenclature.
- Use of dairy term for any product which is not milk, a milk product or a composite milk product **is prohibited** in general unless otherwise provided in the regulations.
- Among other foods (non-dairy), only certain products **can use** dairy terminology in their nomenclature if the same is provided in their standards specified under the regulations. Such exemption for use of terms is based on the principal that the dairy term in their nomenclature has been a traditional (long established) usage and such products are not intended to replace (or be an alternative) to the corresponding dairy product.

Examples: Coconut milk, Coconut milk powder, Peanut butter etc.

- Similarly products of other food categories (e.g. Cocoa products, Bakery products) containing dairy ingredients only as an essential part for characterization of the product **can use** dairy terms in their nomenclature.

Examples: Milk chocolate, Milk biscuits, Cream biscuits, Cheesecake, Butter cookies etc.

11. Question: Can analogues use dairy terminology in their nomenclature?

Answer: Analogues are not recognized as milk products under the regulations (as explained in Question #5 above) and also do not meet the criteria for use of dairy terms for other foods specified in the regulations. Hence, use of dairy term is not allowed in the nomenclature of analogues.

C. LABELLING PROVISIONS FOR ANALOGUES

12. Question: What are the specific labelling requirements for analogues applicable in general and what is the manner of such labelling?

Answer: Specific labelling provisions for dairy analogues are as under:

- a) If milk constituent(s) (milk fat and/or milk protein) is partly replaced by a constituent not derived from milk (e.g vegetable oil/fat and/or vegetable protein) in the product, the manner of declaration will be:

“Contains”. (Blank to be filled with name of the constituent and source.)

Examples:

- If Soy protein concentrate is used as a protein constituent partly replacing milk protein in the product, the declaration will be “**Contains Soy Protein**”
- If Hydrogenated vegetable fat from mixed oil source is used as a fat constituent partly replacing milk fat in the product, the declaration will be “**Contains mixed Vegetable Fat**”

- b) If milk constituents (milk fat and/or milk protein) is fully replaced/substituted by a constituent not derived from milk (e.g vegetable oil/fat and/or vegetable protein) in the product, the manner of additional declaration will be:

“Contains no”. (Blank to be filled with name of the constituent)

Examples:

- “**Contains no Milk Fat**”;
- “**Contains no Milk Protein**”

- “Contains no Milk Fat and Milk Protein”;
- c) Dairy analogues for which no identity standards have been specified in the regulations shall declare on their labels the word ‘Analogue’ alongwith food category number under which the product is licensed.

Examples:

- For **analogue in the context of cheese**, the label declaration will be as under:

“Analogue -1.6.5”

- For **analogue in the context of cream**, the label declaration will be as under:

“Analogue -1.4.4”

13. **Question:** What specific labelling requirements are applicable to analogues standardized under the regulations?

Answer: For an analogue product which is standardised under the regulations, the labelling requirements specified in the standard of the analogue product will be applicable and prevail, even if these are in variance with the labelling requirements for analogues in general.

D. USE OF MILK LOGO

14. **Question:** Which products CAN USE Milk Logo

Answer: Only milk, milk products and composite milk products listed in the Sub-regulation 2.1.1 (General Standard for Milk and Milk Products) and standardized under the FSS (Food Products standards and Food Additives) Regulations, 2011 are eligible to use Milk Logo on the product labels and **such use is mandatory** for these products.

Namely, these include: (i) Milk; (ii) cheese, processed cheese, processed cheese spread; (iii) condensed milk, evaporated milk; (iv) cream; *malai* (v) *dahi*; yoghurt, fermented milk; fermented milk drink; (vi) milk powders, dairy whitener; (vii) *ghee*, butter oil, anhydrous milk fat; (viii) table butter, white butter, milk fat spread; (ix) ice-cream; *kulfi*; (x) *chhana*, *paneer*; (xi) *khoa*; (xii) *Chhana* and *Khoa* based sweets; (xiii) milk ices, milk lollies (xiv) milk derivatives such as whey proteins, caseins, lactose, milk protein concentrates, whey protein concentrates, dairy permeate powder etc.; (xv) colostrum and colostrum products; (xvi) any other product as may be specified as milk product (not an analogue) in these regulations in future.

15. Question: Which products CANNOT USE Milk Logo

Answer:

- Analogues in the dairy context.
- Food products of other food categories containing milk, milk product or milk constituent as an essential part only for characterization of the product.
Examples: Milk chocolate, Milk Biscuits, Cream biscuits, Cheesecake, Butter cookies etc.
- Food products of other food categories containing milk, milk product or milk constituent merely as one of the ingredients.
Examples: Confectionary, soups, batter, mixes etc.
- Proprietary foods of any nature, even if containing dairy ingredients.
- All other non-dairy foods.

16. Question: How is the textual part (terms “Milk” and “दूध”) to be mentioned in the Milk logo?

Answer: The terms “Milk” and “दूध” can be used either alone or together in the logo. In other words, the Milk Logo on the product label may either carry only one of the two terms or both the terms together as “Milk/ दूध”.

17. Question: What are the specific dimensions and colour scheme of the milk logo?

Answer: The dimensions and colour scheme of the Milk Logo are being finalized and will be uploaded on the FSSAI website in due course of time. Accordingly, time line for compliance in respect of the mandatory use of Milk Logo for milk, milk products and composite milk products has been extended by six months, i.e. till 31st December 2022. However, interested FBOs may still voluntarily use the Milk Logo for the specified products till then.