

MEDIA RELEASE

India's Rising Burden of Non Communicable Diseases(NCDs)

Public Health Advocates Demand Warning Labels and a Law to Ban Advertisements of Junk Foods

Given that 1 in 4 adults is obese, diabetic or pre-diabetic; rapidly increasing childhood obesity; unhealthy junk food replacing Indian food culture; which is killing more people than Tobacco, time has come for an effective legislative solution.

New Delhi. 22 September 2023: In a pathbreaking report released today, “The Junk Push: Rising Consumption of Ultra-processed foods in India- Policy, Politics and Reality”, public health experts, consumers groups, lawyers, youth and patient groups called upon the Government of India to check the soaring consumption of High Fat Sugar or Salt (HFSS) foods or ultra-processed foods (UPF), popularly called junk food. Pre-packaged sugary beverages, juices, bakery products, cookies, chocolates, confectionary, health drinks, chips, ice-creams and pizzas, are a few examples. Fear of depressing sales in the west, transnational food corporations descended fast into India post 1990s as markets opened up.

India faces a severe public health crisis of obesity and diabetes. As the 2023 [ICMR-INDIAB](#) study shows there are 100 million cases of diabetes and 1 in every 4 individuals is either suffering from diabetes or is pre-diabetic or obese. Government of India had set a target to halt the rise of obesity and diabetes by 2025, which seems nowhere in sight. New data collected via Poshan tracker revealed that [43 lakh children under the age 5 are obese or overweight](#), which is 6% of total children tracked. One of the major underlying factor is increasing consumption of junk foods triggered by food industry's pervasive advertising and promotional techniques to increase sales.

According to a WHO India [study](#), the retail sale of ultra-processed foods in India grew at a compound annual growth rate (CAGR) of 13.37% between 2011 and 2021. Quite evident that market has [penetrated](#) the poor sections of society in India.

[Scientific research](#) has found that consuming junk foods makes a person eat more, consume ~500 excess calories per day, and gain weight by ~900 grams in 2 weeks. [Studies](#) also found that 10% increase in consumption of UPFs could increase the risk of diabetes by 15% and higher premature mortality due to cardiovascular diseases. Increasing consumption of UPFs (meaning more than 10% vs less than 4% of daily diet) [has a devastating impact](#) on human health in India and worldwide, with a higher risk of CVD, cerebrovascular disease, depression and all-cause mortality.

The Government of India, committed to tackle the burden of non-communicable diseases (NCDs) and put in place a National Multisectoral Action Plan (NMAP) for Prevention and Control of Common NCDs (2017-22). However, gaps remain. Its recommendations such as preventive legal frameworks to control advertising and labelling are yet to be acted upon to cut down the consumption of junk foods.

“Existing regulatory policies remain ineffective to minimise any advertisements of junk foods, which are mostly misleading and especially directed at children and adolescents,” said Dr. Arun Gupta, Convenor of NAPi, the national think tank on nutrition policy. He said, “None of the legal frameworks or guidelines in India have the potential to stop most of the misleading advertisements of pre-packaged junk or HFSS foods, or to ban misleading claims or warn people about the risks to health. The intent that there shall be no ‘misleading advertisement’ needs a clearly worded law.”

NAPi welcomes the development of a new Inter-ministerial committee by the Ministry of Consumers Affairs, which is looking into the gaps in existing policies. The Junk Push reports exactly responds to this need with detailed analysis.

The report provides evidence from 43 junk food advertisements, which is just the tip of the iceberg. These advertisements commonly relied on celebrity endorsements, emotional appeals, unsubstantiated health claims, and targeted children. None of the advertisement provided the “most important information” as demanded by the Consumer Protection Act 2019, for a food product, the amount of sugar, salt, or saturated fat in it. Therefore, NAPi believes these ads are misleading.

Nupur Bidla, a social scientist and member of NAPi says, “You pick up any advertised pre-packaged food product, invariably you will find it HFSS and ultra-processed in nature, containing all kinds of additives, colours, flavours and emulsifiers. As per an unpublished WHO India study, more than 200,000 such advertisements are flashed each month just on 10 select channels. These advertisements target children, seek parental approval, use celebrities, project junk foods as healthy. It is because of such pervasive and aggressive marketing techniques, we call it is “The Junk Push”.

Chander Uday Singh, a senior advocate in the Supreme Court of India, said: “A stronger regulatory framework is needed in order to control pernicious marketing and advertising that is undoing the efforts of Government to combat obesity, diabetes, and the wholly avoidable toll on human health and lives. And it is entirely possible for Parliament to enact suitable legislation for this purpose, in order to balance the citizens’ right to life and health against the businessman’s right to commercial free speech”. He stressed that this is an urgent necessity, especially in view of the rampant and all-pervasive advertising that is making India the unhealthiest nation in the world.

According to Dr K Srinath Reddy, distinguished Professor at PHFI, “ Junk Foods offer very poor balance of the nutrients which the body needs for growth, health and wellbeing while loading us with high levels of salt, sugar, unhealthy fats and chemical additives. While science is clear on why these foods should be excluded from our regular diets, their consumption is rising to alarming levels because of commercial drivers. Knowledge about the harm caused by these foods is inadequate in the public domain while misleading claims and high pitched advertising are driving increasing addiction to these products. This Junk Push needs to be countered by sharing factual information on health harms and creating public demand for strong regulatory measures.”

Another policy missing the attention of policy makers is also a recommendation of the NMAP, i.e. an “interpretive” front of the packet label (FOPL). This can act as a warning to consumers before they decide to purchase and eat. Evidence generated in India and globally, suggests that “warning label” works more effectively. FOPL such as High in Sugar /Salt or saturated fat on the FOPL of the junk food is likely to reduce consumption. Many countries in the Latin American region have already shown that such policies are working.

Prof. HPS Sachdev, a renowned epidemiologist and researcher of India says, “Policy making on Front of Pack labelling (FOPL) has not been free from food industry involvement, which led to a flawed policy of “health star rating” on junk foods. He said, “Food industry continues to push for [self-regulation, which does not work as the 22 country study tells us](#). Moreover, food and nutrition policy development should be completely devoid of conflict of interest such as in Israel”. WHO and UNICEF also opined that policies need to be mandatory and policy development should be led by governments, without involving the food industry.

It is almost an year that FSSAI is sitting on the draft notification on FOPL pending its finalisation.

Ensuring a high GST slab on junk food sales to discourage people buying them is yet another policy that aims at reducing consumption.

Speaking to reporters Dr. Vandana Shiva, renowned ecologist said, “The Non communicable chronic disease burden is related primarily to junk food /ultra-processed food, which is emerging as a pandemic and a health emergency. Protecting and promoting healthy, diverse food & regulating ultra-processed food is the duty of Government. The Report “Junk Push” provides timely policy inputs. Industrially and chemically produced food products are destructive of our food cultures and health of people. They also destroy the planet while ecological regenerative food systems contribute to a healthy planet and healthy people.”

Considering the enormity of public health crisis due to NCDs, it is an imperative that India should work towards a clear objective to halt the rise of junk food consumption. This will act as a logical step to halt obesity and diabetes by 2030 or 2035 if not 2025. The report makes specific recommendations to bridge the gaps.

1. Low Hanging Fruits

- To reduce exposure of harmful marketing and consumption of junk foods, food companies or their front organisations or individuals supported by them, **should not be part of the decision making to develop a policy.**
- The MoHFW and FSSAI may urgently **establish the thresholds** of nutrients of concern i.e. sugars, salt and saturated fats that would guide the interpretive FOPL (warning label) for all junk foods and marketing restrictions.
- The MoHFW and FSSAI may come up with an **“interpretive FOPL”** (warning label) as recommended in the NMAP.

2. A Bill in the Parliament

- The Ministry of Health and FW, Information and Broadcasting (MoIB) and Law and Justice may frame a **‘Bill’ for “Prevention of NCDs to halt the rise of diabetes and obesity in India”** with the objectives to define healthy foods and junk foods (UPF, HFSS), and impose reasonable restrictions on the marketing and advertising of junk foods especially to children up to 18 years. Reasonable restrictions could include every medium of communication, sponsorship in schools or gifts for students etc. Television advertisements of junk foods may be prohibited from 6 am to 10 pm.

3. Amendments to Existing Regulations

- As in the case of infant foods, The MoIB may also amend the Cable Television Networks Regulation (Amendment) Act 2000; Rule 7 (2)(viii) to include ban on advertisements that directly or indirectly promote HFSS/Junk foods.
- The Ministry of Consumers Affairs may consider an amendment to CCPA guidelines 2022 section 8 and 9 making it explicit to ban advertisements of HFSS foods by removal of a proviso for another law.

4. Miscellaneous Actions

- An inter-ministerial group may frame guideline to direct schools, hospitals, prisons, and other public service offices/areas not to serve HFSS/ junk foods and engage in any kind of food industry sponsorship.
- The GST council may consider the highest GST slab for UPFs and other junk foods, similar to a “sin”-tax for cola drinks.
- A broader coalition of academic and civil society organisations without any conflicts of interest may assist the Government of India in achieving the targets set.

[#EndTheJunkPush](#) [#WholsEatingWhom](#)

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