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Beyond Compliance: Evaluating India's Food Labelling Enforcement Framework and the Consumer's Right to Informed Choice

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ABSTRACT

Food labels constitute the primary source of nutritional and ingredient-related information available to consumers. In a market characterised by significant information asymmetry, consumers lack the expertise and resources necessary to independently verify nutritional claims, ingredient disclosures, and health-related representations made by food manufacturers. Consequently, the effectiveness of food regulation depends not merely upon the existence of statutory safeguards but upon their consistent enforcement.

This paper critically examines India's food-labelling regime through the framework established by the Food Safety and Standards Act, 2006, the Food Safety and Standards (Labelling and Display) Regulations, 2020, and the Consumer Protection Act, 2019. It analyses the role of the Food Safety and Standards Authority of India (FSSAI) and the Central Consumer Protection Authority (CCPA) in regulating misleading food claims and protecting consumer interests. Drawing upon statutory provisions, enforcement data, parliamentary disclosures, regulatory actions, and constitutional jurisprudence under Article 21, the paper argues that India possesses a comprehensive legal framework governing food labelling and consumer protection. However, persistent levels of non-conforming food products, recurring labelling defects, information asymmetry between consumers and manufacturers, and limited consumer awareness continue to raise questions regarding the effectiveness of regulatory enforcement.

The paper further explores the relationship between truthful food labelling, informed consumer choice, and the broader constitutional commitment to protecting public health. It concludes that while the challenge is no longer the absence of regulation, significant improvements in enforcement transparency, inter-agency coordination, consumer awareness, and regulatory accountability remain necessary to ensure that legal protections translate into practical consumer trust.

KEYWORDS: Food Safety and Standards Authority of India (FSSAI), food labelling, consumer protection, misleading advertisements, information asymmetry, Article 21, right to health, informed consumer choice, regulatory enforcement, food law.

INTRODUCTION

A consumer standing before a supermarket shelf is required to make a decision that may directly affect their health, yet possesses remarkably little information with which to make that decision. They cannot conduct laboratory tests, verify nutritional claims, analyse ingredient composition, or independently determine whether a product's advertised benefits are scientifically accurate. Instead, they must rely almost entirely on the information printed on the food package.

This reliance creates a significant imbalance between consumers and food manufacturers. Food businesses possess access to food scientists, nutrition experts, legal advisors, regulatory consultants, and extensive product-testing mechanisms. Consumers possess only the label. The modern food regulatory system is therefore built upon a fundamental assumption: that the information presented on food packaging is accurate, verifiable, and subject to effective regulatory oversight.

Recognising the importance of truthful food information, Parliament enacted the Food Safety and Standards Act, 2006, consolidating multiple food laws under a unified regulatory framework and establishing the Food Safety and Standards Authority of India (FSSAI) as the country's principal food regulator. The Act, supplemented by the Food Safety and Standards (Labelling and Display) Regulations, 2020, prescribes detailed requirements concerning ingredient disclosure, nutritional declarations, health claims, and consumer-facing information. The Consumer Protection Act, 2019 further strengthens this framework by prohibiting misleading advertisements and unfair trade practices through the enforcement powers of the Central Consumer Protection Authority (CCPA).

At first glance, India's legal framework appears comprehensive. Food businesses are subject to statutory obligations, regulators possess enforcement powers, and consumers are provided multiple avenues for redress. However, the existence of legal protections does not automatically guarantee their effectiveness. Recent parliamentary disclosures indicate that between 2022 and 2025, more than 5.18 lakh food samples were analysed across the country,

resulting in over 88,000 penalties and more than 3,600 convictions for violations of food safety standards. These figures demonstrate active regulatory enforcement, but they also reveal a persistent reality: non-conforming food products continue to emerge despite an extensive legal and institutional framework.

The challenge, therefore, is not whether India possesses food-labelling laws. The challenge is whether those laws are sufficiently effective in ensuring that consumers receive accurate, reliable, and meaningful information about the products they consume. This question becomes particularly important in light of the information asymmetry that characterises modern food markets. Consumers frequently make purchasing decisions based upon nutritional claims, ingredient disclosures, health-related representations, and front-of-package information that they lack the expertise to independently verify. In such circumstances, regulatory oversight becomes essential to the protection of informed consumer choice.

The issue extends beyond conventional consumer protection concerns. The Supreme Court of India has consistently interpreted Article 21 of the Constitution as encompassing the right to health, human dignity, and conditions necessary for a meaningful life. Although food-labelling disputes are often viewed through the lens of regulatory compliance, the accuracy of food information directly affects the ability of individuals to make informed decisions regarding their health and well-being. Consequently, the effectiveness of food-labelling regulation carries implications that extend beyond commercial transactions and into the broader constitutional commitment to protecting public health.

This paper critically examines India's food-labelling enforcement framework through the combined lens of consumer protection law, food safety regulation, and constitutional principles. It analyses the statutory framework governing food labelling, evaluates available enforcement data, examines the role of regulatory institutions, and explores the challenges posed by information asymmetry and limited consumer awareness. The paper argues that while India possesses a robust legal framework governing food labelling and consumer protection, persistent levels of non-compliance and continuing information gaps raise important questions regarding the effectiveness of enforcement and the practical realisation of informed consumer choice.

The paper is divided into six parts. Part II examines the concept of information asymmetry and the consumer's dependence upon food labels. Part III analyses the statutory framework governing food labelling in India. Part IV explores the constitutional dimensions of informed food choices under Article 21. Part V evaluates enforcement challenges and regulatory effectiveness through available empirical data. Part VI proposes reforms aimed at strengthening consumer protection and regulatory accountability. The paper concludes by assessing whether India's current framework adequately protects the consumer's right to make informed dietary decisions in an increasingly complex food marketplace.

INFORMATION ASYMMETRY AND THE CONSUMER'S DEPENDENCE ON FOOD LABELS

Modern consumer markets operate upon an assumption that individuals are capable of making rational and informed purchasing decisions. This assumption, however, becomes difficult to sustain when one party possesses significantly more information than the other. In economic and regulatory theory, such a situation is commonly described as information asymmetry, a condition in which one participant in a transaction has access to knowledge that is unavailable to the other. Few markets illustrate this imbalance more clearly than the food industry.

Food manufacturers possess extensive knowledge regarding the products they place before consumers. They determine ingredient composition, production methods, nutritional content, processing techniques, shelf-life calculations, flavouring agents, preservatives, and marketing strategies. They employ food scientists, nutritionists, quality-control experts, regulatory consultants, and legal teams to ensure that products meet applicable standards and achieve commercial objectives. Consumers, by contrast, have access only to the information disclosed on the product packaging.

This disparity is particularly significant because food is unlike many other consumer goods. The consequences of misinformation extend beyond financial loss. Decisions concerning food consumption directly affect physical health, nutritional intake, disease management, allergies, and long-term well-being. A consumer purchasing a mobile phone or a piece of clothing may eventually discover whether the product performs as advertised. A consumer purchasing packaged food often lacks any realistic means of independently verifying whether the nutritional information, ingredient list, or health-related claims are accurate.

The problem becomes even more pronounced in the context of modern dietary concerns. Individuals suffering from diabetes, hypertension, cardiovascular disease, food allergies, obesity, or other health conditions frequently rely upon nutritional information to make informed dietary choices. Parents purchasing food for children, elderly individuals managing chronic illnesses, and consumers attempting to maintain healthier lifestyles similarly depend upon the accuracy of food labels. In such circumstances, food labels serve not merely as marketing tools but as instruments of public health communication.

Recognising the importance of accurate information, regulatory frameworks across jurisdictions increasingly emphasise transparency and disclosure obligations. The Food Safety and Standards (Labelling and Display) Regulations, 2020 require manufacturers to disclose essential information regarding ingredients, nutritional values, allergens, and other product characteristics. These requirements are founded upon a simple principle: consumers cannot make informed choices unless they receive accurate information.

However, the mere presence of information does not necessarily eliminate information asymmetry. Nutritional declarations frequently contain technical terminology, percentage calculations, serving-size assumptions, and scientific measurements that many consumers may find difficult to interpret. Even where information is disclosed accurately, consumers may struggle to assess its practical significance. The average purchaser is unlikely to possess specialised knowledge concerning recommended dietary allowances, nutrient thresholds, food additives, or regulatory standards governing health claims.

Consequently, consumers are compelled to place substantial trust in both manufacturers and regulators. They trust manufacturers to provide truthful information and trust regulatory authorities to verify compliance with legal requirements. The effectiveness of food-labelling regulation therefore depends not only upon disclosure obligations but also upon credible enforcement mechanisms capable of ensuring that disclosed information remains accurate and reliable.

This relationship between information asymmetry and regulatory oversight provides the theoretical foundation for food-labelling law. The objective of regulation is not simply to punish violations after they occur but to create conditions in which consumers can reasonably rely upon the information presented to them. Effective regulation reduces informational

disadvantages, promotes market transparency, and enables individuals to exercise meaningful autonomy over decisions affecting their health.

The significance of this objective has become increasingly apparent in contemporary food markets. The growing prevalence of packaged foods, health-oriented marketing, nutritional claims, and specialised dietary products has expanded the volume of information upon which consumers must rely. At the same time, the complexity of food production and distribution has made independent verification increasingly difficult. The result is a marketplace in which consumer trust becomes an indispensable component of effective regulation.

Food-labelling law therefore serves a function that extends beyond ordinary commercial regulation. It acts as a mechanism for correcting informational imbalances that would otherwise undermine consumer choice. Where consumers lack the ability to independently verify product claims, the law assumes responsibility for ensuring that the information provided is truthful, complete, and not misleading. The effectiveness of India's food-labelling framework must consequently be evaluated against this central objective: whether it successfully enables consumers to make informed dietary decisions despite the inherent information asymmetry that characterises modern food markets.

Understanding this informational imbalance is essential because it explains why food-labelling disputes cannot be dismissed as minor regulatory infractions. The integrity of food labels directly influences consumer decision-making, market fairness, and public confidence in regulatory institutions. It is this broader context that justifies the extensive statutory framework governing food labelling in India and underscores the importance of examining whether that framework functions effectively in practice.

THE STATUTORY FRAMEWORK GOVERNING FOOD LABELLING IN INDIA

India's food-labelling regime is governed by an interconnected network of statutes, regulations, and regulatory institutions designed to ensure that consumers receive accurate information regarding the food they purchase and consume. The framework reflects a legislative recognition that food safety and consumer protection are inseparable objectives. While the Food Safety and Standards Act, 2006 serves as the principal legislation governing food regulation, its effectiveness is reinforced by subordinate regulations and complementary consumer-

protection mechanisms. Together, these instruments establish the legal standards against which food-labelling practices must be assessed.

A. The Food Safety and Standards Act, 2006

The Food Safety and Standards Act, 2006 (hereinafter "FSS Act") was enacted to consolidate multiple food-related laws into a unified regulatory framework and establish a science-based system for regulating food safety in India. Prior to its enactment, food regulation was fragmented across several statutes and regulatory bodies, resulting in overlapping jurisdictions and inconsistent enforcement. The Act sought to address these concerns by creating the Food Safety and Standards Authority of India (FSSAI) as the central authority responsible for food regulation.

The objectives of the Act extend beyond the prevention of unsafe food. The legislation seeks to ensure that consumers receive food that is not only safe for consumption but also accurately represented. This objective is reflected in the Act's provisions concerning misbranding, misleading advertisements, and the responsibilities imposed upon food business operators.

Section 18 of the Act establishes the general principles that guide food regulation in India. Among these principles is the protection of consumer interests, including the prevention of fraudulent, deceptive, and unfair trade practices in the food sector. The provision recognises that consumer protection requires more than the mere absence of contamination; it also requires the availability of truthful and reliable information.

The Act places primary responsibility for compliance upon food business operators. Section 26 requires manufacturers, distributors, importers, and sellers to ensure that food products satisfy the requirements of the Act and applicable regulations. This statutory obligation reflects a preventive approach to food regulation, under which responsibility for compliance rests first with those who introduce products into the market.

The Act also addresses the issue of misbranding. Under Section 3(1)(zf), food may be considered misbranded where it is falsely described, misleadingly presented, or marketed in a manner likely to create a false impression regarding its nature, quality, or composition. Section 52 prescribes penalties for misbranded food, while Section 53 specifically addresses misleading advertisements relating to food products. These provisions demonstrate that the legislature

regards inaccurate or deceptive food information as a matter of regulatory concern rather than merely a private commercial dispute.

Importantly, the statutory framework does not require proof of actual physical harm before regulatory action may be taken. The potential to mislead consumers itself constitutes a basis for intervention. This reflects a recognition that consumer protection depends upon preventing misinformation before it influences purchasing decisions.

B. The Food Safety and Standards (Labelling and Display) Regulations, 2020

While the FSS Act establishes the legislative foundation of food regulation, the Food Safety and Standards (Labelling and Display) Regulations, 2020 provide the detailed requirements governing information disclosure on food packaging.

The regulations prescribe mandatory disclosures that must appear on packaged food products. These include the name of the food, ingredient lists, nutritional information, allergen declarations, manufacturer details, net quantity, date markings, and licence information. By standardising these disclosures, the regulations seek to ensure that consumers receive consistent and comparable information across products.

A significant feature of the regulations is their treatment of nutritional and health claims. Manufacturers are not permitted to make claims concerning nutritional benefits, health effects, or product characteristics unless such claims satisfy prescribed regulatory standards. This requirement seeks to prevent businesses from creating exaggerated impressions regarding the benefits of their products while maintaining consumer confidence in food-related information.

The regulations also recognise that the presentation of information can be as important as the information itself. Disclosure requirements therefore extend beyond content and encompass issues of visibility, readability, prominence, and accessibility. Information that is technically present but practically inaccessible does little to promote informed consumer choice.

In recent years, FSSAI has undertaken additional initiatives aimed at improving nutritional transparency, including reforms relating to front-of-package disclosures and enhanced visibility of nutritional information. These developments reflect an increasing recognition that food labelling serves not merely a compliance function but also an educational and publichealth function.

C. The Consumer Protection Act, 2019 and the Role of the CCPA

Food-labelling regulation in India does not operate exclusively through food-safety legislation. The Consumer Protection Act, 2019 (hereinafter "CPA 2019") provides an additional layer of protection by addressing misleading advertisements and unfair trade practices across all sectors, including food products.

The CPA 2019 defines misleading advertisements broadly and empowers regulatory authorities to intervene where representations made to consumers are false, deceptive, or likely to create an erroneous impression regarding a product. The legislation therefore complements the FSS Act by providing an alternative enforcement mechanism where food-related representations affect consumer interests.

A major innovation introduced by the CPA 2019 was the establishment of the Central Consumer Protection Authority (CCPA). The CCPA possesses investigative and enforcement powers relating to misleading advertisements and unfair trade practices. It may direct the discontinuation or modification of misleading advertisements, impose penalties, and initiate appropriate corrective measures.

The relevance of the CCPA to food-labelling disputes is significant. A misleading nutritional claim may simultaneously constitute a violation of food-safety regulations and an unfair trade practice under consumer-protection law. Consequently, food businesses are subject to overlapping obligations arising under both regulatory frameworks.

This overlap should not be viewed as duplication. Rather, it reflects the multidimensional nature of food-labelling disputes. Such disputes implicate public health, consumer rights, market transparency, and commercial fairness simultaneously. The existence of parallel regulatory mechanisms enhances the capacity of the legal system to address misleading representations from multiple perspectives.

D. An Integrated Regulatory Framework

Taken together, the FSS Act, the Labelling and Display Regulations, and the Consumer Protection Act establish a comprehensive legal framework governing food information in India. The framework imposes disclosure obligations, prohibits misleading representations, establishes enforcement institutions, and provides avenues for consumer redress.

From a legislative perspective, the framework is extensive. It recognises the importance of transparency, consumer autonomy, and informed decision-making. It provides regulators with powers to investigate, penalise, and deter non-compliance. It also imposes affirmative obligations upon businesses to ensure the accuracy of the information they provide.

The existence of this framework is not seriously in dispute. The more difficult question—and the one that forms the central concern of this paper—is whether these legal protections are functioning effectively in practice. The answer to that question requires an examination not merely of statutory provisions but of constitutional principles, enforcement realities, and the practical challenges that continue to shape food regulation in India.

CONSTITUTIONAL DIMENSIONS: ARTICLE 21, PUBLIC HEALTH, AND THE RIGHT TO INFORMED CHOICE

Food-labelling disputes are commonly viewed as matters of regulatory compliance, consumer protection, or commercial conduct. However, the implications of food information extend beyond statutory obligations. Decisions concerning food consumption directly affect physical health, nutritional well-being, and an individual's ability to exercise informed control over matters that are fundamental to daily life. Consequently, the effectiveness of food-labelling regulation cannot be examined solely through the lens of administrative enforcement. It must also be considered within the broader constitutional framework governing health, dignity, and individual autonomy.

Article 21 of the Constitution of India provides that no person shall be deprived of life or personal liberty except according to procedure established by law. Although the constitutional text appears concise, judicial interpretation has expanded its scope considerably. Over the decades, the Supreme Court has consistently held that the right to life extends beyond mere physical existence and encompasses those conditions necessary for living with dignity, health, and human development.

A landmark articulation of this principle emerged in *Maneka Gandhi v. Union of India*, where the Supreme Court rejected a narrow interpretation of Article 21 and emphasised that constitutional protections must be understood in a manner consistent with fairness, reasonableness, and substantive justice. The decision transformed Article 21 from a procedural

safeguard into a source of broader substantive rights and laid the foundation for subsequent judicial recognition of health-related protections.

The constitutional connection between health and Article 21 was further strengthened in *Consumer Education and Research Centre v. Union of India*. In that case, the Supreme Court recognised that the right to health constitutes an integral component of the right to life. The Court observed that meaningful enjoyment of life becomes impossible in the absence of adequate protection of health and working conditions. The judgment affirmed the principle that the State bears obligations extending beyond passive non-interference and must take positive measures to safeguard the health and welfare of individuals.

Similarly, in *Paschim Banga Khet Mazdoor Samity v. State of West Bengal*, the Supreme Court emphasised that the preservation of human life is a matter of paramount constitutional importance and that governmental authorities possess corresponding responsibilities in relation to public health. The Court recognised that constitutional guarantees would be rendered ineffective if the State failed to establish mechanisms capable of protecting health-related interests.

These decisions collectively establish an important constitutional proposition: the protection of health is not merely a policy objective but a constitutional concern. The question, however, is how this principle applies to food-labelling regulation.

The present paper does not suggest that every instance of inaccurate food labelling automatically constitutes a violation of Article 21. Such a proposition would be difficult to sustain and would extend constitutional doctrine beyond its current judicial foundations. Nevertheless, it is equally difficult to ignore the relationship between food information and health-related decision-making.

Consumers routinely rely upon food labels when making choices concerning sugar intake, sodium consumption, allergen exposure, nutritional content, dietary restrictions, and broader health objectives. Individuals suffering from diabetes, hypertension, cardiovascular conditions, obesity, food allergies, and other medical concerns often depend upon packaging information to make decisions affecting their well-being. Where such information is inaccurate, incomplete, or misleading, the consumer's ability to make informed health-related choices is undermined.

This issue is particularly significant because consumers generally lack the means to independently verify the information provided. Unlike manufacturers, they cannot conduct laboratory testing, analyse ingredient composition, or evaluate compliance with regulatory standards. Their decisions are therefore heavily dependent upon the accuracy of information supplied by businesses and monitored by regulatory authorities.

From a constitutional perspective, this informational dependence engages broader values of autonomy and dignity. The ability to make informed choices regarding one's health is closely connected to the concept of personal autonomy that underlies Article 21 jurisprudence. A legal framework that seeks to protect public health must therefore concern itself not only with preventing unsafe food but also with ensuring that consumers receive sufficient information to exercise meaningful choice.

The constitutional relevance of food-labelling regulation becomes even clearer when viewed alongside the objectives of the Food Safety and Standards Act, 2006. The Act seeks to prevent deceptive practices, ensure accurate information, and protect consumer interests. These objectives complement constitutional commitments to health and human welfare by creating regulatory mechanisms through which individuals may make informed decisions regarding food consumption.

At the same time, constitutional analysis requires restraint. Courts have generally recognised that questions of regulatory design, enforcement priorities, and technical standards fall primarily within the domain of specialised regulatory authorities. Consequently, the constitutional argument advanced in this paper is not that Article 21 mandates any specific labelling requirement or enforcement mechanism. Rather, the argument is that effective foodlabelling regulation contributes to the broader constitutional objective of protecting health, dignity, and informed decision-making.

Viewed in this manner, food-labelling law performs a function that extends beyond ordinary consumer regulation. It acts as a bridge between statutory consumer protection and constitutional values. The effectiveness of regulatory enforcement therefore carries implications not only for market transparency but also for the practical realisation of healthrelated autonomy. A consumer who cannot reasonably trust the information provided on food packaging is deprived of a meaningful opportunity to make informed choices regarding matters that directly affect personal well-being.

The constitutional significance of food-labelling regulation therefore lies not in transforming every regulatory violation into a constitutional dispute, but in recognising that accurate food information plays an important role in enabling individuals to exercise rights and freedoms that Article 21 seeks to protect. The challenge for policymakers and regulators is ensuring that statutory safeguards operate effectively enough to translate these constitutional values into practical consumer confidence.

Having examined the constitutional foundations of informed food choice, the discussion now turns to the practical realities of enforcement. The effectiveness of any regulatory framework ultimately depends not upon the breadth of its statutory provisions but upon its capacity to achieve compliance in practice. The next section therefore evaluates India's food-labelling enforcement framework through available regulatory data, enforcement statistics, and institutional challenges.

THE ENFORCEMENT CHALLENGE: EVALUATING REGULATORY EFFECTIVENESS

The effectiveness of any regulatory framework cannot be assessed solely by examining statutory provisions. Laws may be comprehensive, institutions may be well established, and enforcement powers may exist on paper, yet regulatory objectives may remain unfulfilled if compliance is not achieved in practice. Consequently, the true measure of India's food-labelling regime lies not merely in the existence of legal safeguards but in the effectiveness with which those safeguards are enforced.

The discussion in the preceding sections demonstrates that India possesses an extensive legislative framework governing food safety, food labelling, and consumer protection. The Food Safety and Standards Act, 2006, the Labelling and Display Regulations, 2020, and the Consumer Protection Act, 2019 collectively establish a robust legal structure designed to prevent misleading representations and protect consumer interests. The critical question, however, is whether this framework is producing the desired outcomes in the marketplace.

A. Enforcement Activity: The Data Tells a Complex Story

A common criticism directed at regulatory authorities is that violations persist because regulators fail to act. Available enforcement data presents a more nuanced picture.

According to information placed before Parliament, more than 5.18 lakh food samples were analysed across India between 2022 and 2025. During the same period, regulatory authorities imposed over 88,000 penalties, secured more than 3,600 convictions, and cancelled over 1,100 licences. These figures indicate that enforcement activity is not merely symbolic. Regulatory authorities are actively investigating food products, initiating proceedings, and imposing consequences for non-compliance.

At first glance, these statistics appear to reflect a functioning enforcement system. However, they simultaneously reveal a more troubling reality. The necessity of imposing such a large number of penalties suggests that non-compliance remains a recurring and substantial challenge within the food sector.

Historical enforcement data reinforces this conclusion. FSSAI reports have consistently documented significant numbers of non-conforming food samples across multiple years. Regulatory testing has repeatedly identified products classified as unsafe, sub-standard, misbranded, or otherwise non-compliant with applicable standards. Although increased testing may partially explain higher detection rates, the persistence of substantial non-conformity suggests that compliance challenges remain deeply embedded within the regulatory landscape.

The enforcement data therefore produces an apparent paradox. On one hand, regulatory authorities are demonstrably active. On the other, non-compliance continues to occur at a scale that raises legitimate concerns regarding regulatory effectiveness. This paradox forms the central challenge of contemporary food regulation in India.

B. The Difference Between Enforcement and Effectiveness

The existence of enforcement activity should not be confused with regulatory success. A regulatory authority may issue notices, conduct inspections, and impose penalties while still struggling to achieve sustained compliance.

Effective regulation requires more than detecting violations after they occur. It requires creating conditions in which compliance becomes the norm rather than the exception. From this perspective, the persistence of recurring violations raises important questions regarding whether existing enforcement mechanisms possess sufficient deterrent value.

The issue is particularly significant in relation to large commercial entities. For regulatory sanctions to influence corporate behaviour, the costs associated with non-compliance must

outweigh the benefits derived from violations. If penalties are perceived merely as an operational expense, their capacity to deter misconduct becomes limited.

This does not necessarily imply that current penalties are inadequate in every circumstance. Rather, it highlights the need for ongoing evaluation of whether enforcement outcomes are achieving their intended objectives. Regulatory effectiveness should be measured not only by the number of actions taken but also by the degree to which those actions encourage sustained compliance.

C. Institutional and Structural Constraints

Any assessment of regulatory effectiveness must acknowledge the scale of the challenge confronting food regulators in India.

India possesses one of the largest and most diverse food markets in the world. Regulatory authorities are required to oversee manufacturers, importers, distributors, retailers, restaurants, food-processing units, and countless other participants operating across multiple states and territories. The sheer volume of products entering the market creates significant monitoring challenges.

Even the most sophisticated regulatory system faces practical limitations. Inspecting every product, verifying every label, and continuously monitoring every manufacturer is neither economically nor administratively feasible. Consequently, regulators must rely upon risk-based approaches, periodic inspections, complaint-driven investigations, market surveillance, and targeted enforcement initiatives.

These structural realities do not excuse non-compliance. However, they help explain why enforcement remains a complex and resource-intensive undertaking. Regulatory effectiveness must therefore be evaluated with an appreciation for both the breadth of statutory obligations and the practical constraints under which regulatory institutions operate.

D. The Consumer Awareness Gap

An often-overlooked aspect of regulatory effectiveness concerns consumer participation.

The modern food regulatory system relies not only upon regulators but also upon informed consumers capable of identifying and reporting potential violations. FSSAI has established complaint mechanisms, consumer grievance platforms, and reporting systems designed to

facilitate public participation in regulatory enforcement. Similar avenues exist under consumer protection legislation.

Despite the existence of these mechanisms, public awareness remains limited. Many consumers remain unfamiliar with the procedures for reporting misleading labels, lodging complaints, or seeking regulatory intervention. Others may be unaware that certain representations constitute potential regulatory violations.

This awareness gap weakens the effectiveness of the broader enforcement framework. A right that consumers do not know how to exercise offers limited practical protection. Similarly, a complaint mechanism that remains largely unknown cannot fully contribute to regulatory oversight.

The issue is particularly significant in the context of food labelling because consumers are often the first to encounter potentially misleading claims. Enhancing consumer awareness therefore serves not merely an educational function but an enforcement function as well.

E. Regulatory Coordination and Overlapping Jurisdictions

Food-labelling disputes frequently implicate multiple regulatory concerns simultaneously. A misleading nutritional claim may raise questions of food safety regulation, consumer protection law, advertising standards, and commercial fairness.

This reality creates a need for effective coordination between regulatory institutions. FSSAI possesses specialised expertise concerning food standards and labelling requirements, while the Central Consumer Protection Authority addresses misleading advertisements and unfair trade practices. In many cases, violations may fall within the jurisdiction of both authorities.

The existence of overlapping powers presents opportunities for stronger enforcement. Coordinated action can enhance regulatory efficiency, reduce enforcement gaps, and provide more comprehensive protection for consumers. Conversely, inadequate coordination may result in fragmented responses, duplication of effort, or uncertainty regarding regulatory responsibility.

Strengthening institutional cooperation therefore represents an important component of improving overall regulatory effectiveness.

F. Assessing the Current Framework

The available evidence does not support the conclusion that India's food-labelling framework suffers from regulatory inactivity. Nor does it support the assertion that the legal framework itself is fundamentally inadequate. On the contrary, the statutory structure is extensive, enforcement mechanisms exist, and regulatory authorities actively engage in monitoring and enforcement activities.

The more accurate conclusion is that India faces a challenge common to many regulatory systems: translating formal legal protections into consistent marketplace outcomes. The persistence of non-conforming products, recurring labelling violations, information asymmetry, and limited consumer awareness indicates that the existence of regulation alone cannot guarantee consumer confidence.

The central issue is therefore one of effectiveness rather than existence. The challenge is not creating additional regulatory institutions or expanding statutory obligations. The challenge lies in strengthening compliance, improving enforcement efficiency, enhancing consumer participation, and ensuring that regulatory protections achieve their intended purpose.

Ultimately, the legitimacy of any food-labelling regime depends upon public trust. Consumers must be able to reasonably assume that the information appearing on food packaging is accurate, reliable, and subject to meaningful oversight. The continuing effort to build and maintain that trust represents the most important objective of food-labelling regulation in India.

RECOMMENDATIONS AND REFORM PROPOSALS

The preceding analysis demonstrates that India's food-labelling framework is not characterised by an absence of regulation. The legislative structure is extensive, regulatory institutions are operational, and enforcement mechanisms are actively utilised. The principal challenge lies in ensuring that these mechanisms consistently translate into meaningful consumer protection. Consequently, the objective of reform should not be to create an entirely new regulatory

framework but to strengthen the effectiveness, transparency, and accessibility of the existing one.

A. Enhancing Enforcement Transparency

Regulatory effectiveness depends not only upon enforcement action but also upon public confidence in enforcement outcomes. Consumers are more likely to trust regulatory institutions when enforcement activities are visible, understandable, and publicly accessible.

Although FSSAI regularly conducts inspections, testing exercises, and enforcement actions, information regarding violations and their outcomes is often dispersed across reports, press releases, and administrative records. A centralised public database containing information relating to enforcement actions, product recalls, labelling violations, and regulatory penalties would significantly enhance transparency.

Such a system would serve multiple objectives. Consumers would gain access to relevant information regarding products available in the marketplace, researchers would obtain valuable compliance data, and businesses would face increased reputational incentives to maintain compliance. Transparency itself can operate as a regulatory tool by encouraging voluntary adherence to legal standards.

B. Strengthening Consumer Awareness and Regulatory Literacy

One of the most significant weaknesses identified in the present framework is the gap between legal rights and public awareness. Food-labelling regulations are effective only to the extent that consumers understand and utilise them.

FSSAI and related authorities should expand public-awareness initiatives aimed at educating consumers regarding food labels, nutritional disclosures, complaint mechanisms, and available remedies. Such initiatives should be conducted through multiple channels, including digital platforms, educational institutions, public-service campaigns, and regional-language outreach programmes.

Consumer education should extend beyond informing individuals that rights exist. It should equip consumers with the practical skills necessary to interpret nutritional information, identify potentially misleading claims, and seek appropriate regulatory intervention when violations occur. An informed consumer base enhances both market accountability and regulatory effectiveness.

C. Improving Inter-Agency Coordination

Food-labelling disputes frequently involve overlapping issues of food safety, consumer protection, advertising regulation, and commercial conduct. Effective enforcement therefore requires meaningful coordination between regulatory authorities.

The relationship between FSSAI and the Central Consumer Protection Authority is particularly important in this regard. While FSSAI possesses specialised expertise concerning food standards and labelling requirements, the CCPA is empowered to address misleading advertisements and unfair trade practices. Greater institutional cooperation between these bodies would reduce enforcement fragmentation and improve regulatory efficiency.

A formal coordination framework could facilitate information sharing, joint investigations, referral mechanisms, and coordinated enforcement strategies. Such measures would help ensure that violations are addressed comprehensively rather than through isolated regulatory responses.

D. Expanding Risk-Based Surveillance and Market Monitoring

Given the scale of India's food sector, universal inspection is neither practical nor economically feasible. Regulatory resources must therefore be allocated strategically.

FSSAI should continue strengthening risk-based surveillance models that prioritise products, sectors, and businesses presenting elevated compliance risks. Data-driven monitoring can improve enforcement efficiency by directing resources toward areas where violations are most likely to occur.

In addition, periodic market-wide testing initiatives should be expanded and their findings publicly disseminated. Regular surveillance not only facilitates the detection of noncompliance but also signals to businesses that regulatory oversight remains active and continuous.

E. Reassessing the Deterrent Value of Penalties

The effectiveness of any regulatory system depends in part upon its ability to discourage violations before they occur. Penalties that fail to influence commercial decision-making may have limited deterrent value, particularly when applied to large corporations with substantial market presence.

This does not necessarily require immediate increases in statutory penalties. However, periodic review of enforcement outcomes should be undertaken to assess whether existing sanctions are achieving their intended purpose. Regulatory authorities and policymakers should evaluate whether penalties are producing measurable improvements in compliance behaviour and whether alternative enforcement tools may be necessary in appropriate circumstances.

The objective of enforcement should not be punishment for its own sake. Rather, it should be the promotion of long-term compliance and consumer confidence.

F. Promoting Clearer and More Accessible Food Information

Food labels fulfil their purpose only when consumers can understand them. Technical accuracy, while essential, is insufficient if information remains inaccessible to ordinary consumers.

Future reforms should continue emphasising clarity, readability, and prominence in foodlabelling requirements. Simplified disclosures, improved nutritional communication, and enhanced visibility of key information can assist consumers in making informed decisions without requiring specialised knowledge.

Recent regulatory efforts concerning front-of-package nutritional disclosures represent a positive step in this direction. Continued emphasis on accessibility will help ensure that food

labels function as practical tools for consumer decision-making rather than merely as instruments of formal compliance.

G. Building Consumer Trust Through Regulatory Accountability

Ultimately, the effectiveness of food-labelling regulation depends upon trust. Consumers must trust that manufacturers are complying with legal obligations, that regulators are monitoring compliance effectively, and that meaningful remedies exist when violations occur.

Trust cannot be mandated through legislation alone. It must be earned through consistent enforcement, institutional transparency, public engagement, and demonstrable accountability. Regulatory authorities therefore bear a responsibility not only to enforce the law but also to maintain public confidence in the integrity of the food marketplace.

The recommendations advanced in this chapter are guided by this principle. The goal is not the creation of additional regulatory complexity but the enhancement of regulatory effectiveness. A food-labelling system that consumers can understand, trust, and rely upon is essential to the broader objectives of consumer protection, public health, and informed choice.

India possesses the legal foundations necessary to achieve these objectives. The challenge now lies in refining and strengthening the practical operation of the framework so that statutory protections become meaningful realities for the consumers they are intended to serve.

CONCLUSION

The modern consumer relies upon food labels in much the same way that citizens rely upon public institutions: with the expectation that the information provided is accurate, reliable, and worthy of trust. In an increasingly complex food marketplace, consumers cannot independently verify nutritional claims, analyse ingredient composition, or assess regulatory compliance. Their ability to make informed dietary decisions therefore depends substantially upon the integrity of the information presented to them and the effectiveness of the institutions responsible for regulating that information. This paper has examined India's food-labelling framework through the combined lenses of consumer protection, regulatory enforcement, and constitutional values. The analysis demonstrates that India possesses a comprehensive legal

architecture governing food safety and food information. The Food Safety and Standards Act, 2006, the Food Safety and Standards (Labelling and Display) Regulations, 2020, and the Consumer Protection Act, 2019 collectively establish extensive obligations concerning food disclosure, misleading representations, and consumer protection. Regulatory authorities possess significant powers of investigation and enforcement, while available enforcement data demonstrates that these powers are actively exercised.

At the same time, the persistence of non-conforming food products, recurring labelling violations, information asymmetry between consumers and manufacturers, and limited public awareness indicate that the existence of regulation does not automatically guarantee effective protection. The central challenge facing India's food-labelling regime is therefore not the absence of legal safeguards but the practical task of ensuring that those safeguards consistently achieve their intended objectives.

The discussion further highlights the broader constitutional significance of food information. Although food-labelling disputes are often treated as matters of regulatory compliance, accurate food information plays an important role in enabling individuals to make informed choices concerning their health and well-being. In this respect, effective food-labelling regulation contributes to the broader constitutional values of dignity, autonomy, and health that underpin Article 21 of the Constitution of India.

The evidence examined in this paper does not support the conclusion that India's regulatory institutions are inactive or ineffective by design. Rather, it reveals a more complex reality. Regulatory authorities operate within one of the world's largest and most diverse food markets, confronting significant practical and institutional challenges. The task before policymakers is therefore not to construct an entirely new regulatory framework, but to strengthen transparency, improve consumer awareness, enhance inter-agency coordination, and ensure that enforcement mechanisms continue evolving in response to emerging challenges.

Ultimately, food-labelling law serves a purpose that extends beyond technical compliance. It seeks to correct the informational imbalance that exists between consumers and food manufacturers and to create conditions in which individuals can make meaningful choices about what they consume. The success of India's food-labelling framework should therefore be

measured not only by the number of inspections conducted, penalties imposed, or regulations enacted, but by a simpler and more fundamental question: can consumers reasonably trust the information placed before them?

A regulatory system that earns and sustains that trust fulfils not only its statutory mandate but also its broader responsibility to protect consumer welfare, public health, and informed choice. The continued strengthening of India's food-labelling framework is therefore not merely a matter of regulatory efficiency; it is an investment in consumer confidence and the integrity of the marketplace itself.

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