

From Claims to Credibility: The New Imperative for Food Companies

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Once again, the Food Safety and Standards Authority of India (FSSAI) and food major Nestlé are at loggerheads. Earlier, it was the company's popular ready-to-cook noodle brand Maggi that was at the centre of controversy. Now, the focus has shifted to its infant nutrition products.

FSSAI's latest action against Nestlé over three infant nutrition products has placed a larger question before India's rapidly evolving food industry: how far can innovation, nutrition claims and marketing go, particularly when the consumer is an infant and the purchasing decision-maker is a parent? The question extends well beyond one company or three products. It goes to the heart of how India should build a credible, science-led and trusted food and nutrition economy.

Last month, FSSAI initiated three adjudication cases against Nestlé India concerning its infant nutrition products. Two cases relate to promotional claims associated with NAN Excella Pro Stage 1 and Lactogen Pro 1. Claims relating to five human milk oligosaccharides (HMOs) and whey protein were flagged in NAN Excella Pro, while claims regarding the easy digestibility of whey protein in Lactogen Pro 1 were also questioned.

According to FSSAI, such promotional claims are restricted under the Food Safety and Standards (Foods for Infant Nutrition) Regulations, 2020. The regulator has also referred to provisions of the Infant Milk Substitutes, Feeding Bottles and Infant Foods Act, 1992.

The third case concerns a follow-up formula sample that, according to FSSAI, did not meet the prescribed requirement for biotin, or vitamin B7. The regulator said that after the initial test, the sample was tested again by a referral laboratory and was again found to be non-conforming.

Disputing the allegations, Nestlé has maintained that its products comply with applicable regulations and that the labels of NAN Excella Pro and Lactogen Pro had been approved by the FSSAI expert committee. The company has also maintained that the claims in question are factual and supported by scientific literature. While the adjudication process will take its course, the episode offers some important lessons for the wider food and nutrition industry.

The first is that the age of aggressive nutrition claims is giving way to an age of evidence-based claims. India's nutraceutical and functional food markets are expanding rapidly, with consumers increasingly looking for products carrying claims around immunity, gut health, protein, prebiotics, probiotics, vitamins, minerals and specialised nutrition. Food companies, meanwhile, are investing heavily in R&D, new ingredients, differentiated formulations and new categories of food.

Such innovation is positive. But every additional claim also creates a corresponding responsibility. The line between communicating a nutritional fact and implying a health or functional benefit can sometimes become blurred. Claims therefore need to be supported by robust evidence, appropriate regulatory interpretation and transparent communication rather than marketing language alone.

This is particularly important in the Indian context, where a growing range of bioactive ingredients is transforming the food and nutrition landscape. Their presence can provide genuine nutritional or functional value. However, the presence of an ingredient does not automatically justify every possible claim associated with it. Its effect may also be influenced by other ingredients, the formulation, dosage and the manner in which the product is consumed.

The issue will become increasingly important as food companies move closer to the territory traditionally associated with pharmaceuticals. Nutraceuticals, functional foods and dietary supplements are not medicines; they are food products. Yet their marketing can sometimes adopt language that sounds medicinal, while consumers may interpret certain claims as promises of specific health outcomes. This grey zone requires greater scientific discipline.

Nestlé may ultimately be proven right in its assertion that the labels had previously received expert-committee approval. The ongoing regulatory and legal process will determine that. But the episode highlights a broader need for clarity—not only about what is prohibited, but also about how claims are substantiated, reviewed and approved before they reach consumers.

Companies need to ensure that there is little room for ambiguity when a new product or claim is launched, particularly given the significant investments involved in product development, manufacturing, marketing and brand building.

Importantly, FSSAI's examination also included promotional material available on e-commerce platforms. This is a reminder that the food industry's marketing environment has changed significantly. A claim no longer exists only on a package label, in print or in a television advertisement. It can appear on an e-commerce listing, in search results, across social media, in digital campaigns or even through an influencer's communication. Regulatory compliance, therefore, increasingly extends into the digital arena.

The recent Nestlé-related episode should encourage food companies to establish stronger claim-governance systems, with scientific, regulatory, legal and marketing teams jointly reviewing consumer-facing communication. Such systems can help companies identify potential areas of ambiguity before products reach the market and reduce the risk of regulatory disputes later.

India wants to build a large, innovation-driven food and nutrition economy. That ambition requires investment in research, modern processing, novel ingredients and globally competitive brands. But it also requires a culture in which every claim is supported by evidence, every label communicates clearly and every innovation is measured against consumer trust.

The FSSAI-Nestlé proceedings will ultimately be decided through the regulatory and legal process. For the wider industry, however, the message is clear: as nutrition becomes a bigger business, scientific credibility and regulatory responsibility must become bigger business priorities too.