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## Delhi High Court asks Britannia not to use pack 'deceptively similar' to ITC

By [Writankar Mukherjee](#), [Ratna Bhushan](#), ET Bureau | Sep 07, 2016, 07.22 AM IST

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The court asked Britannia to adopt a "distinctively different" packaging from the one currently used by ITC for its biscuit as such "deception" could confuse the consumers.

KOLKATA/NEW DELHI: The Delhi High Court directed [Britannia](#) **NSE -0.35%** Industries Ltd to withdraw its [Nutri Choice Digestive Zero](#) biscuits in their current packaging in four weeks from the market after [ITC](#) **NSE 0.18%** Ltd alleged the former had copied the packaging of its Sunfeast [Farmlite Digestive All Good](#) biscuits.

A Britannia spokesperson said it was exploring all legal options following the injunction passed by the court on Tuesday and that the product would soon be available in compliance with the order. The court said

the yellow and blue colour scheme of the wrappers and other features appeared the same.

"The court is, therefore, satisfied that the impugned packaging for the Nutri Choice Digestive Zero Biscuits launched by Britannia is deceptively similar to the packaging of ITC's Sunfeast Farmlite Digestive All Good biscuits and such deception is likely to confuse the consumers of such biscuits, even the discerning health conscious ones, into thinking that Britannia's biscuits are that of ITC's," the order said.

### Biscuit Battles

- ▶ **Court says Britannia's Nutri Choice Digestive Zero packaging 'deceptively similar' to ITC's Sunfeast Farmlite Digestive All Good**
- ▶ **Britannia told to adopt packaging distinctively different from ITC packaging**

▶ Britannia says the

Since Britannia has a 66% market share it would be able to win over ITC customers, it said. Since it "is just about two months since Britannia has introduced its variant with the impugned packaging, it is likely to suffer a far less damage if the injunction were to be granted when compared to the damage that ITC is likely to suffer if it is not granted," the court said.

Britannia "can adopt any packaging which is distinctively different from the packaging that is currently used by ITC for its Sunfeast Farmlite Digestive All Good biscuits."

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**Britannia says the product would soon be available in compliance with the order**

- ▶ **Britannia NutriChoice** has a market share of around 66%
- ▶ **ITC's biscuits had posted sales of Rs five crore in five months of launch**



**Digestives segment account for ₹500 crore in ₹26,000 cr biscuit market**

The court order said ITC's biscuits had posted sales of Rs five crore in five months of launch, an indicator of its growing reputation.

ITC has spent around Rs 14 crore as marketing expenditure on the product, it said.

The Britannia spokesperson said: "The packaging architecture for NutriChoice has been built on the brand's own strategy and has not been influenced by any other brand."

Britannia NutriChoice has a dominant market share of around 70% in the premium health category.

Justice S Muralidhar's interim injunction restrained Britannia from using packaging similar to that of ITC,



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said the company's counsel Sudeep Chatterjee, partner at Singh & Singh Lall & Sethi.

"The court held that ITC's packaging had acquired goodwill in the market and that the colour combination and overall getup of Britannia's packaging was likely to result in passing off," he said.

The Britannia spokesperson added that the NutriChoice Digestive Hi-fibre biscuit was unaffected by the court order and will continue to be available in the market.

The product in question, which is the Zero variant of NutriChoice Digestive, will also continue to be available while staying in line with the court order, he said.

In the Rs 26,000 crore biscuit market, the digestives segment is estimated at around Rs 500 crore. British firm United Biscuits' McVities dominates the category.

Parle Products, Britannia and ITC are vying to gain a greater share of the segment.

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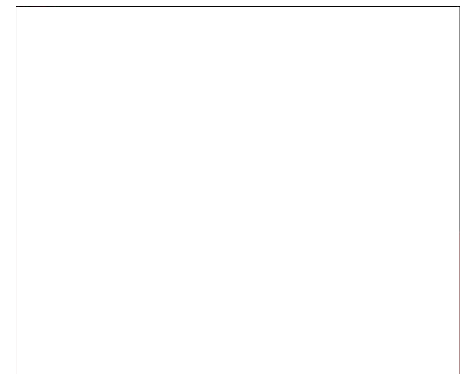
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# FSSAI asks nutraceuticals industry to adopt self-regulation

PTI | Jul 25, 2018, 12:47 PM IST

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Health Foods and Dietary Supplements Association (HADSA) President Ajit Singh said the domestic industry has many problems with regard to packaging and hygiene.

NEW DELHI: Food safety regulator FSSAI today said there is still confusion among consumers about nutraceuticals because of misinformation, and called for adoption of self-regulation by industry players.

Food Safety and Standards Authority of India (FSSAI) Chairman Ashish Bahuguna said the industry has bigger responsibility to ensure quality and safe products to consumers.

viewed as non-specific biological therapies that promote general health, control symptoms and prevent malignant processes.

Addressing an Assocham event here, Bahuguna said, "Everyone expects the acceptability of nutraceuticals to grow. I feel the first challenge is that consumers have 'bramh' (confusion). There is so much misinformation."

There are also false claims about the products. The consumers want claims on labels to be clear. The industry should clarify the difference between nutraceuticals and

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be clear. The industry should clarify the difference between nutraceuticals and pharmaceuticals, he said asking the industry to work in this direction.

Consumer interest and safety should be the priority for the industry, for which it should adopt self-regulation, he added.

Bahuguna further said, "FSSAI makes stringent rules that no one violates. Manufacturers have bigger responsibility to make quality and safe products."

Nutraceuticals sector is growing fast and will grow faster in the coming years. FSSAI is open to accepting suggestions to improve the sector, he added.

Minister of State for Health Ashwini Kumar Choubey, National Institute of Food Technology Entrepreneurship & Management (NIFTEM) Vice Chancellor Chindi Vasudevappa were among other industry players present at the event.

Highlighting the challenges faced in the sector, Sami-Sabinsa Group founder and chairman Muhammed Majeed said the industry should be worried about herbal security as the country cannot depend on other nations like Indonesia for regular supply.

"In [Ayurveda](#), if you don't get one herb, it is adulterated with other. Even in nutraceuticals, it happens. Therefore, herbal security is important," he said.

Majeed also said India should patent new products else other countries will do so, affecting the domestic industry.

Health Foods and Dietary Supplements Association (HADSA) President Ajit Singh said the domestic industry has many problems with regard to packaging and hygiene.

The nutraceuticals industry is forced to make products from equipments and processes designed by pharma industry. "We need to redesign equipments for nutraceuticals," he said.

Another problem is that nutraceuticals are packed scientifically. They are packed in plastics that reduce the quality of dosages each time the bottle is opened, he said and suggested blister packaging.

According to an ASSOCHAM Knowledge report, the Indian nutraceuticals market is expected to grow from USD 4 billion in 2017 to USD 18 billion in 2025.

Key global players in this sector include GSK Consumer Healthcare, HUL, [Nestle](#), Danone, Kellogg's and Amway.

Indian companies like [ITC](#), Dabur, Himalaya, [Patanjali](#) and Baidyanath are trying to reach out to customers by introducing new products in the market.

With emergence of new companies like Sami Labs, Tirupati Group, Deccan Healthcare and Vantage Nutrition, the market for nutraceuticals looks promising, the report said.

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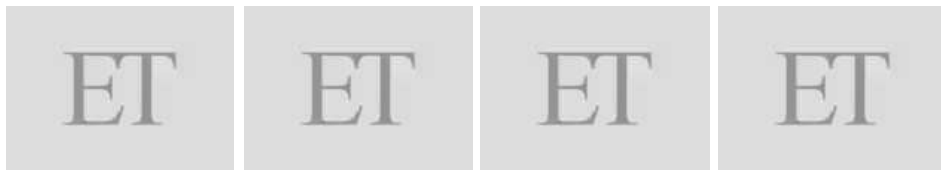
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# Spice producer Synthite to set up units in US and Indonesia

By P K Krishnakumar, ET Bureau | Jul 24, 2018, 04.04 PM IST

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Synthite has units overseas at China, Vietnam and Sri Lanka at present besides in Kerala, Tamil Nadu, Karnataka and Andhra Pradesh in India.

The Rs 1600-crore Synthite group, the largest value-added spice producer globally, is planning to focus more on its core activity of export of spice oleoresins by starting two more units in the US and Indonesia and discontinue the personal care products it launched a year ago in the domestic market.

Viju Jacob, managing director of Synthite, said its spice processing unit will come up at Chicago at an investment of Rs 100 crore in next fiscal year. "Majority of our exports are

going to the US. We can strengthen our presence and have an easier access to our customers there," he said.

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The group, with a turnover of Rs 1200 crore from spice oleoresin exports, will also start a unit in Indonesia. Synthite has units overseas at China, Vietnam and Sri Lanka at present besides in Kerala, Tamil Nadu, Karnataka and Andhra Pradesh in India.

"The tax rates are low in the US and the local authorities are quite helpful in setting up the unit," Jacob said. Its unit in the US may deal with most of the [spices](#) that the company is engaged in processing.

The Indonesia unit with a lesser investment of Rs 50 crore will look at cinnamon and nutmeg oleoresins. Its unit in China caters to the extraction of paprika, a low heat high colour chilli grown in the country, and garlic. Its Vietnam unit can process pepper, turmeric and ginger while the Sri Lankan plant deals mostly with pepper.

The group had ventured into personal care segment by launching soaps under Vieda brand and hair oils under Nuvo and Kachiya Enna brands a year ago. This was marketed by a 100% subsidiary of the company. Jacob said the company may stop manufacture of the products. "There is cutthroat competition in the field and marketing requires huge expenses," he told ET on the sidelines of a function of Kerala chapter of the Indo-American Chamber of Commerce.


The company's other consumer products currently comprise premium range of spices and seasonings sprig, curry masala and spice blends Kitchen Treasures and nutraceutical products NatXtra.

There have been strikes and disruption of work for many days in the past few months over an issue of transfer of some workers at its unit in Kochi for the first time in the history of 46-year-old unit. The matter, which rattled the company management, was settled after the intervention of the state chief minister.

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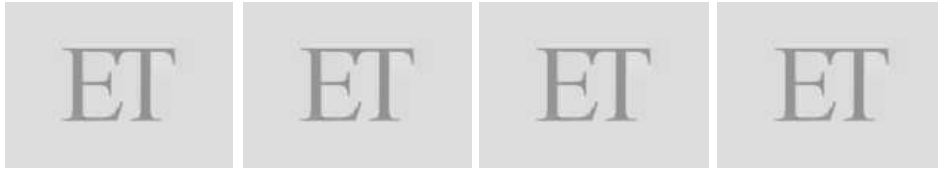
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# Plastic ban impact: Coke, Pepsi, Bisleri start printing buyback value on PET bottles

By [Ratna Bhushan](#), ET Bureau | Jul 20, 2018, 08:53 AM IST

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While the government has allowed the companies to keep the buyback value flexible, most companies have settled on Rs 15 per kg for PET bottles, and Rs 5 per kg for shrink wraps.

for [PET bottles](#), and Rs 5 per kg for shrink wraps.

However, some industry officials said the buyback system is not fool proof, and could further complicate the issue.

“There is already a system in place to recycle plastic. What we need to do is make it more efficient and profitable for the stakeholders (such as rag pickers), instead of introducing more processes in the ecosystem of recycling further,” said Ramesh Chauhan chairman at Bisleri, market leader in the packaged water category.

A PepsiCo spokesperson said the company has started mentioning a recycle value of Rs 15 per kg of PET waste on its products sold in Maharashtra. “We are working with Gem Enviro to set up reverse vending machines, collection points and collection centres for PET waste bottles at several locations across the state to enable the buyback programme,” the person said.

NEW DELHI: Top beverage makers including [Coca-Cola](#), [PepsiCo](#) and [Bisleri](#) have begun printing a buyback value on all PET (plastic) bottles sold in Maharashtra to comply with new regulations and help check plastic littering.

Consumers can return empty plastic bottles and will get paid as per the value of the buyback printed on bottles.

While the government has allowed the companies to keep the buyback value flexible, most companies have settled on Rs 15 per kg

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Maharashtra enforced a ban on PET bottles smaller than 200 ml and other single use disposable plastic items in late June and gave users three months to come up with alternatives following mounting concerns over plastic waste.

Dr Vijay Habbu, faculty and expert in sustainability and technical advisor to plastic associations said: "The issue of plastic pollution cannot be resolved in singular steps and requires holistic solutions. Unless the the role of plastics in medical, food, pharmaceutical and related industries is understood, the messaging about pollution will always lead to unreasonable action. In taking easy steps of imposing wholesale bans, India loses opportunities to set global examples of managing plastic waste."

The buyback value printing drive, which Maharashtra introduced as part of its efforts to check plastic pollution, is expected to spill over to other states, with many such as Gujarat, Tamil Nadu and Uttarakhand also hinting at implementing similar plastic use restrictions.

Industry insiders said there is a lack of clarity on where the bottles can be returned — at retailers or at collection centres. If they are redeemed for a charge at retailers, the latter can return the empty bottles to recyclers.

"While the cost of printing is nominal, it is restrictive because we can't supply bottles made in Maharashtra to any other state, and neither can we bring and sell bottles from outside the state," a beverage industry official said, requesting not to be named.

Over the past four months, there have been three changes in the plastic ban covering PET bottles in Maharashtra, among the country's five largest consumer states. The state has amended norms for the ban on plastic packaging three times since March.


Industry players, however, insist the solution to deal with plastic waste lies in adopting technology in collaboration with all stakeholders, be it more efficient recycling techniques and solutions or coming up with viable and affordable biodegradable alternatives to plastic.

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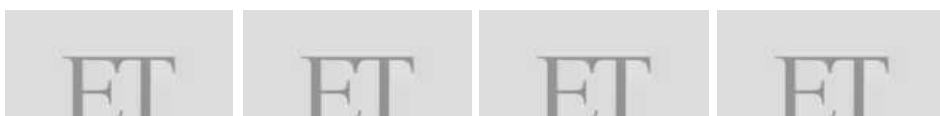
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