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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010509282026**

\+ **W.P.(C) 15649/2026 & CM APPL. 73345/2026, CM APPL. 73346/2026**

BRITANNIA INDUSTRIES LIMITED .....Petitioner

Through: Mr. Sandeep Sethi, Sr. Adv. with Mr. Rajesh Batra, Ms. Sonia Kukreja, Mr. Rohit Chandra, Mr. Dhruba Dhar, Ms. Sadhika Kochhar, Mr. Krisna Gambhir & Ms. Shreya Sethi, Advs.

versus

FSSAI AND OTHERS .....Respondents

Through: None.

**CORAM:**
**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**O R D E R**

% **16.10.2026**

1. The petitioner is aggrieved by communication dated 09.10.2026, wherein the petitioner has been directed to remove/discontinue claim “No Added Sugar”, “No Maida” and “No Palm Oil” from the label of its product i.e. biscuit/cookies.

2. By letter dated 02.09.2026, the petitioner was asked to show cause as to why the claim “100% Millets” “No Added Sugar”, No Maida” and “No Palm Oil” not be declared as misleading and not permissible under Regulation 6(1) Food Safety and Standards (Advertising and Claims) Regulations, 2018.

3. It is alleged that the claims relating to the non-addition of specific ingredients will create an impression that such ingredients are

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unsafe, undesirable or inferior thereby raising unwarranted doubts regarding their safety and suitability for consumption and therefore, in violation of Regulation 4(1), 10(5) of the Regulations. It is alleged that such claims undermines the products of other manufacturers and influences consumer behaviour.

4. Learned Senior Counsel for the petitioner submits that pursuant to the SCN, the petitioner, without prejudice that the biscuit they are producing in fact contains 100% millets, had agreed to remove said claim.

5. He submits that the claim "No Added Sugar", No Maida" and "No Palm Oil" is a statement of fact, which in no manner can be claimed to be a statement that undermines the product of other manufacturers or influences the behaviour of the consumers in violation of the regulations.

6. None for the respondents.

7. Issue notice to the respondents through all permissible modes.

8. *Prima facie*, this Court is in agreement with the arguments raised by the petitioner that stating the fact that the product contains "No Added Sugar", No Maida" and "No Palm Oil" cannot be alleged to be an advertisement undermining the product of other manufacturers or can influence the consumers behaviour in violation of the regulations.

9. The petitioner has agreed to manufacture the product without the claim "100% Millets".

10. The impugned order dated 09.10.2026, is stayed. The petitioner, as noted above, can produce and market its product, however, without the claim "100% Millets".

11. A copy of the new packaging is annexed with the present

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petition, which clearly indicates that the petitioner now intends to manufacture and market its product without the claim “100% Millets”.

12. List on 15.01.2027.

**AMIT MAHAJAN, J**

**OCTOBER 16, 2026**
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