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Summary Record of Third meeting of Expert Group Meeting on Energy Drinks held on 25th August, 2010 at 11 A.M. at FDA Bhawan, New Delhi

Details of representatives of various institutions and experts who attended at meeting are at Annexure

1 The Expert Committee reviewed the feedback received from stakeholders on the consultation document which was uploaded on the portal of FSSAI and widely circulated

2. Consumer organisations have broadly not supported naming the product as 'energy drink' and are in favour of regulating such drinks. Industry is in favour of laying down standards for such products as they are already available in the market. The Members felt that it is imperative that safety standards are laid down for such drinks keeping in view the health hazards involved if it is left as a 'proprietary food' as they are categorised at present. 3. Based on the inputs received and discussions, the Expert Group reached the following conclusions -

4 The product should be named 'caffeinated beverage' because terming it as an 'energy drink' may create the impression that energy drinks are required to be taken to boost energy

5. Caffeinated soft drinks in which caffeine is used as a flavouring agent may have limits of caffeine up to 145 mg per litre, while for heavily caffeinated beverages, the limit of caffeine should be 320 mg per litre The Group noted that on the basis of current scientific data and literature as well as the risk assessment carried out by various agencies, this range of caffeine content can be determined as a safe range beyond which toxic effects can be expected

6. A market survey of available energy drinks has been carried out by the Central Food Laboratory and results indicate that caffeine is in the range of 100 to 200mg per litre

7 There should be a clear scientific rationale for fixing the range of caffeine from 145 to 320 ppm in the case of heavily caffeinated beverages. It was noted that in respect of

carbonated water, the caffeine content was recently brought down from 200ppm to 145ppm There is, therefore, need to generate data on safety levels of caffeine keeping in view the Indian conditions. NIN, Hyderabad was requested to consider developing a proposal to be funded by FSSAI in this regard so that the toxicology data regarding safety of such high levels of caffeine can be estimated

8. The draft standards for 'caffeinated beverages' may be in the format given in Annexure-I

9. Manufacturers should be required to carry out market surveillance of the effect of 'Caffeinated beverages' on the target population Based on the inputs received as well as separate surveys to be carried out by FSSAI, a review of the standards will be undertaken after a period of one year

10 The word "heavily caffeinated" should be added to the label

11. The Group also noted that 'energy drinks' as a category has been recognised by Codex.

Annexure

The list of expert group members who attended the meeting on 25.08.2010:

1 Dr Amarinder Singh Bawa, Director, Defence Food Research Laboratory, (DFRL), DRDO, Mysore,

2. Dr V Sudarshan Rao, National Institutes Nutrition, Hyderabad

3 Dr Lalitha R. Gowda, Director, CFL, Mysore

4. Dr Mukul Das, Scientist G and Head, Food Toxicology Division, Indian Institute of Toxicology Research,

5 Ms. Seema Vyas, Commissioner, Food and Drug Administration, Maharashtra

6. Dr J.I. Lewis, Marico Ltd. Mumbai.

The list of participants from FSSAI who attended the meeting on 25.08.2010:

1 CP, FSSAI

2. CEO, FSSAI

3 Director (M)

4. ADG (PFA)

5 TO (SG)

6. RA (V)

Annexure- I

REGULATION 5.10.6: CAFFEINATED BEVERAGES

1. **Description.** Water-based non alcoholic flavored drinks.

2. **Essential Composition** it shall contain not less than 145mg/L and not more than 320mg/ total caffeine from whatever sources it may be derived in the formulation of the product.

3. **Optional ingredients: It may contain the following**

Any of the substances listed in column 1 of the table given below provided that the amount of that substance is not more than the amount specified in relation to that substance in column 2 of the table subject to the following conditions.

i. Where any of the substances as mentioned in column 1 is used in the product, a declaration of the one day consumption shall be made namely· "Use not more than X cans"

ii. Number of cans that will cumulatively bring each substance mentioned in Column 1 to the level mentioned in column 2 will be calculated and the advised quantity will be the smallest of these number of cans that can be consumed per day. For example if taurine is used at 1000mg per serve (250ml), and D-glucurono-Y-lactone 300 mg, the respective ceilings will be reached by consuming 2 cans and 4 cans respectively However, the one day advised quantity shall be the lower of the two numbers i.e. not more than 2 cans where the package is 250ml.

Column 1	Column 2
Substance	Maximum Amount per day consumption
Taurine	2000mg
D-glucurono-Y-lactone	1200mg
Inisitol	100mg
Thiamin	40mg
Riboflavin	20mg
Niacin	40mg
Vitamin B6	10mg
Vitamin B12	10µg
Pantothenic Acid	10mg

4. In respect of sweeteners, food additives, contaminants and microbiological requirements the product shall conform to the standards for the carbonated water

5. **Labeling:** The product shall comply with all provisions of General Labeling rules for prepackaged foods, with the following additional provisions.

(a) High Caffeine: "X mg/serving size" (where X is the amount of caffeine in milligrams per stated serving size (per can or per volume e.g. 250ml).

(b) Prominent display of caution "Not recommended for children, pregnant or lactating women, persons sensitive to caffeine"

(c) The declaration "Use not more than X cans a day".

(d) Advice to the consumers that "The ingredients of this product consumed through other sources may also be kept in view"

6. **Packaging**: 250ml containers.