



Original research

Legal Approach to Functional Food Labeling in Iran.

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A B S T R A C T

The need to provide consumers with the necessary information about the quantitative and qualitative characteristics of food and beverage products in a transparent and understandable manner is important and effective. This issue has been identified in food industry regulation as "Labeling" and has various technical, legal, and commercial dimensions. The present article, with an analytical-descriptive approach, is designed to answer two questions: First, what are the legal foundations of food labeling? Second, what are the legal challenges to the rules governing functional foods labeling in Iranian law? In this regard, fundamental consumer rights and the right to prohibit unfair competition were identified as the legal foundations of labeling food products. Also, by analyzing Iranian law regarding specific regulations related to labeling in the food industry (such as the Labeling Executive Directive) and examining general rules related to this area (such as the Civil Liability Law), legal challenges were addressed. Finally, suggestions were made to address existing legal challenges, including the development of a coherent and unified law for food products, a clear and understandable explanation of labeling rules, and a comprehensive and unambiguous definition of functional foods.

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1. Introduction

One of the most important strategies of the food industry to promote food safety is the design and development of the production and consumption of functional foods (Alongi and Anese, 2021; Moreno, et. al., 2016; Bigliardi and Galati, 2013). In the meantime, it is important to pay attention to health and environmental concerns, as well as ethical and legal considerations, in formulating policies and legal regulations in this area. One of the most important parts of the "production to consumption" process of innovative food products called functional foods is "Labeling". Labeling is an important tool in providing important information and data that has numerous technical, legal, and commercial implications (Martini and Menozzi, 2021).

Increasing awareness of the strong relationship between diet and human health has significantly changed food preferences. As a result, many consumers tend to choose one special food product over another to achieve health benefits (Díaz et. al., 2020; Bogue, et. al., 2017; Pappalardo and Lusk, 2016). In this sense, functional foods are excellent options because they aim to improve quality of life by preventing nutrition-related diseases (Díaz et. al., 2019).

Therefore, this article, focusing on the legal approach governing the labeling of functional foods, based on Iranian law, seeks to answer two questions: 1. What are the legal foundations of food labeling? 2. What are the legal challenges in functional food labeling in Iran? Finally, suggestions for legal reforms in this area are presented.

2. Legal Basis for the Necessity of Food Labeling

What are the legal bases for the necessity of food labeling? These foundations are explained in two sections: 1. fundamental consumer rights, and 2. rights to prevent unfair competition.

1.2. Fundamental Consumer Rights

A healthy society is the foundation of the development of any country. One way to achieve this goal is to have proper nutrition. Therefore, it is essential to provide the consumer with the necessary information about food and beverage products in a transparent and understandable manner. On the other hand, with the growth of food industries and their increased competition, the development of

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international trade, the promotion of consumer culture, and their greater attention to factors affecting health, labeling has gained special importance as an important tool for informing consumers and monitoring organizations (Introduction to the EDLRFB¹, 2014).

Having access to health products that are free from risks is one of the most basic and fundamental rights of consumers (Salehi and Ebrahimi, 2012). The importance of consumer rights has led to considering them as examples of human rights to preserve human dignity (UNGCP² 2016; Ghafari Farsani, 2010; Bagherzade, 2004).

Fundamental consumer rights refer to rights that are specific to consumers or in which being a consumer is a prominent characteristic. Their main purpose is to create a balance between the bargaining power of consumers on the one hand and producers and suppliers on the other. Following a comparative study conducted between some existing national and international documents in the field of consumer rights protection, four fundamental and common rights for consumers can be pointed out (Taghizadeh, 2013).

1.1.2. The Right to Choose in Acquiring Products

From a legal perspective, the right to free choice is a fundamental right of consumers. This right is a consequence of the principle of "Freedom of Contract" and leads to the right of consumers to choose and purchase any product or service. Therefore, suppliers do not have the right to impose their products on the consumer and force her/him to buy them. The effective implementation of this right depends on the consumer being informed and aware so that she/he can make a free and conscious choice (Ibid).

In the Islamic jurisprudence approach, the meaning of the "Right to Consciousness" is that a person has the right to consciously choose her/him destiny in any field (the right to free and conscious choice). In other words, the "Right to Know" is the prelude and foundation of the right to self-determination. For this reason, the right to consciousness is a fundamental human right (Esmacili, 2022).

Given that the consumer's right to free choice, which requires the prerequisite of "consciousness", is essential, it is therefore necessary to legally require producers and suppliers to provide information and label products, including food products.

For example, the "claims" shown on the label of functional food products are very important because they help consumers identify the specific health benefits of consuming these products and encourage consumers to make appropriate food choices (Díaz et al., 2020).

2.1.2. The Right to Safety for the Consumer

At the macro level of society, a defective and unhealthy product can pose a threat to public safety (Ghafari Farsani, 2010). The United Nations Guidelines for Consumer Protection emphasize the attention of governments and their duty to provide appropriate measures (including safety regulations, national or international

standards, etc.) against risks that harm the health and safety of consumers. In this regard, consumers should be educated on the correct use of the product so that they are aware of the risks associated with its use. Also, vital safety information should be conveyed to consumers as much as possible using internationally understandable symbols (UNGCP, 2016).

3.1.2. The Right to Education and Complete Information

Necessary information is the type of information that the consumer is normally required to know to optimally consume and use the products offered correctly and safely. This is effective in consumer decision-making and conscious choice (Taghizadeh, 2013). The obligation to provide information is a legal concept that has a long history and receives much attention in consumer rights literature. This stems from the fact that industrialists are in a superior position over consumers due to information, technical knowledge, and often financial resources. As a result, the obligation to provide information to the consumer is a response to this inequality. (Salehi and Ebrahimi, 2012). Of course, the scope of this obligation is different and diverse depending on the nature and characteristics of the products (Krawiec and Zeiler, 2005). For example, the obligation to provide information related to technical specifications, usage, information related to product defects, possible risks, etc. (Salehi and Ebrahimi, 2012; Twigg-Flesner C. 2016; Joneidi L. 2002).

In addition, consumers' right to education should also be considered a continuation and complement of their right to access information, which is ensured by tools such as labeling and the preparation of consumer manuals (Taghizadeh, 2013).

4.1.2. The Right to Government Support

Government support is important in establishing consumer protection regulations regarding appropriate legal enforcement, especially with a focus on balancing the bargaining power of consumers and producers. In this regard, the establishment of protective laws, provision of appropriate compensation, and fast, fair, transparent, inexpensive, accessible, rapid, and effective dispute resolution without unnecessary costs should be provided to consumers (UNGCP, 2016). In addition, the provision of appropriate requirements regarding health or specific claims in food product labeling can be seen as facilitating potential claims for consumer compensation.

2.2. The Rights to Prevent Unfair Competition

The law prohibits unfair competition, prohibiting any act that is contrary to the usual practice in industry or commerce. This area works to promote fair competition among business competitors, protect consumers, and safeguard the general interest of society (Bagheri and Babaie, 2012). This field is distinct from the field of competition law in terms of subject matter, purpose, and principles (Jafarzadeh and Sheykhi, 2015).

According to Article 10bis (2) of the Paris Convention for the Protection of Industrial Property³, "Any act of competition contrary to honest practices in industrial or commercial matters constitutes an act of unfair competition". Article 10 (3) of the Convention⁴

¹ In this article, "EDLRFB" is used as an abbreviation for the "Executive Directive on Minimum Labeling Requirements for Food and Beverage Products" (2014).

² The United Nations Guidelines for Consumer Protection (2016). The Guidelines were first adopted by the General Assembly in resolution 39/248 of 16 April 1985, later expanded by the Economic and Social Council in resolution 1999/7 of 26 July 1999, and revised and adopted by the General Assembly in resolution 70/186 of 22 December 2015.

³ The Paris Convention for the Protection of Industrial Property, signed in Paris, France, on 20 March 1883, is one of the first intellectual property treaties. It established a Union for the protection of industrial property.

⁴ "(3) The following in particular shall be prohibited:

specifically identifies practices that constitute unfair competition and are to be prohibited. It should be noted that the concept of unfair practices is somewhat difficult to define precisely and must be defined in the national law of each country.

Unfair competition is considered a fault, the legal sanction for which is compensation for damages. Economic competition assumes that consumers have the ability to identify and distinguish between products offered to the market. Because when a product is not distinguishable, competition becomes difficult. An example of unfair competition is behavior that attempts to win the competition without relying on its own achievements in terms of quality and price of goods and services, and instead uses the achievements of others or influences customers with false or misleading statements. Misleading can have dangerous effects: a customer may suffer financial loss or even more serious harm based on false information. In addition, the honest competitor loses its customers. Ultimately, market transparency is reduced and has detrimental effects on economic welfare (Bagheri and Babaie, 2012).

For example, health claims are an important issue for the food industry because their use in food marketing is widespread and promotes innovation and competition among food companies, which must ensure that each food product is appropriately labeled before commercialization (Tollin, et. al., 2016). This shows the important impact of the information on the label on the fair competition approach.

3. Labeling Regulations for Functional Foods in Iranian Law

A study of the laws governing food labeling in Iran indicates the following regulations:

1.3. Specific Regulations in the Field of Food Labeling

The "label" acts as a silent salesperson, that most important task is to prevent consumers from being misled by food products in any way (Moeinfard et. al., 2014). In Iranian law, the following regulations are considered as specific legal rules in the field of food labeling, including functional foods

1.1.3. Food, Beverage, Cosmetics and Hygiene Law (1967)⁵

Article 11 of the Food, Beverage, Cosmetic and Hygiene Law (1967) has been enacted as a general rule governing the field of food, beverage, cosmetic and hygiene products. According to this article, the owners of food institutions are required to write the necessary specifications for each type of product in legible Persian script on the packaging or container containing the product, in accordance with the order of the Ministry of Health. In cases where

(i) all acts of such a nature as to create confusion by any means whatever with the establishment, the goods, or the industrial or commercial activities, of a competitor;

(ii) false allegations in the course of trade of such a nature as to discredit the establishment, the goods, or the industrial or commercial activities, of a competitor;

(iii) indications or allegations the use of which in the course of trade is liable to mislead the public as to the nature, the manufacturing process, the characteristics, the suitability for their purpose, or the quantity, of the goods".

⁵ In this article, "FBCH Law" is used as an abbreviation for this document (Food, Beverage, Cosmetics and Hygiene Law).

the product formula or compound ingredients must be protected at the request of the formula producer, the product formula must be submitted to the Ministry of Health in advance, and its license number must be mentioned on the packaging. Offender of the provisions of this article will be subject to compensation.

The obligation to write the necessary specifications of each type of product in legible Persian script is stated on the packaging of the food product. However, the text of the legal article does not discuss how to write the contents of labels and packaging in an understandable manner. While one of the legal requirements is to respect the consumer's right to receive transparent information, so that consumers can understand the contents of the label, especially in the health claims section (Bagchi, 2019). Therefore, it is recommended that this requirement be mentioned in the text of the Law as a general rule: The way the requirements on the label are expressed must be in a way that is easily understood by consumers.

2.1.3. Executive Directive on Minimum Labeling Requirements for Food and Beverage Products (2014)⁶

The purpose of this Executive Directive (EDLRFB) is to determine the regulations and requirements for the correct and accurate expression of food information on food and beverage product packaging labels to enhance information and help consumers choose foods. According to Article 9 (1), (2) and (3) of the EDLRFB, the term "label" means any "tag", "brand", "mark", image or other descriptive material written, printed, engraved or pasted on the primary and final packaging. Labeling is also defined as any written, printed, or pictorial information displayed on a label that accompanies or is displayed next to a food product.

1.2.1.3. The Scope of Labeling

The EDLRFB includes labeling of all raw materials (whether domestically produced or imported), packaged food products, ready-to-sell products, subject to obtaining a manufacturing health permit, an entry health permit, and a workshop and home business supervision ID in accordance with the FBCH Law. However, the scope of the EDLRFB does not include unpackaged foods offered in catering, airline flights, restaurants, self-service, etc., as well as unpackaged fruits and vegetables (Article 3 of the EDLRFB).

According to Article 3 (3) of the EDLRFB, for each product, in addition to this Executive Directive, the labeling section of the relevant national standard and the relevant regulations of the Ministry of Health must also be complied with. If there is a conflict between nutritional claims (e.g., in dairy products and the like) and mandatory food product standards, the relevant product standard should be followed.

The way this rule is written shows a lack of coherence in the multiple requirements, which confuses the reader in this regard. The presence of parallel institutions such as the "Ministry of Health" and the "Standards Organization", each of which is responsible for formulating scattered regulations, in practice reduces utility. Unity in lawmaking and the creation of a unique legal document for a specific area of expertise reduces legal

⁶ This document, code SP-Pr-1393-0015 (issue date: 2010 and last revision date: 2014), was developed by the Food and Drug Administration of Iran (a subsidiary of the Ministry of Health and Medical Education). In this article, "EDLRFB" is used as an abbreviation for this document (Executive Directive on Minimum Labeling Requirements for Food and Beverage Products).

ambiguities and conflicts. Finally, legislative integrity facilitates public awareness and understanding of the law (Ansari, 2024). Therefore, it is suggested that rulemaking in this area move towards integration in terms of status and content.

According to Note 4 of Article 3 of the EDLRFB, any product inconsistency with the EDLRFB, such as incorrect information on the labeling, misleading the consumer, highlighting or understating facts, unfounded and unauthorized definitions, is considered a "violation" or "fraud", and in accordance with the FBCH Law, legal authorities will deal with the offending manufacturing/packaging unit/or importer". As you can see, this text is expressed as a general sentence without going into details. As a result, for further interpretation, reference should be made to general legal rules, including Article 11 of the FBCH Law. The vague phrase as a "violation or fraud," without distinguishing between violation or fraud and without clearly stating the legal sanction, is considered a weak rule. In addition, the failure to distinguish between intentional and unintentional violations, as well as the failure to distinguish between legal sanction for each, are other criticisms of the writing of this Note. Thus, the interpretation and implementation of such a legal text will create problems in identifying violations and the judicial process.

This is despite the fact that providing clear and unambiguous laws is a prerequisite for good governance and a result of the rule of law. The need to enact such laws under the principle of legal transparency is one of the important elements of the "Quality of Law Principle" (Norouzpoor, et. al., 2022; Mousavi, et. al., 2020; Moazenzadegan and Rahdarpour, 2018).

2.2.1.3. Contents of the Label

The EDLRFB has categorized the contents of the label into 1. General requirements, 2. Statements, 3. Claims, 4. Nutrition label containing nutritional properties.

1.2.2.1.3. General requirements

According to Article 5 of the EDLRFB, the general requirements that are included on all labels of packaged food and beverage products subject to labeling are mandatory according to Article 11 of the FBCH Law. These items include: the name and trade name of the product, weight, manufacturing license number, production and expiration date, ingredients, name and address of the manufacturer or packager, manufacturing batch, storage conditions, preparation and consumption instructions, and health requirements and recommendations.

2.2.2.1.3. Statements

Statements on labels are divided into three categories: "descriptive", "warning", and "specific". It is mandatory to include statements after approval by experts from the General Directorate of Supervision and Evaluation of Food, Cosmetic and Health Products or the Deputy of Food and Drug Administration of Medical Sciences Universities across the country, preferably on the "information panel" (Article 6 of the EDLRFB).

Article 6 (1) defines descriptive statements. This type of statement refers to the condition or processing carried out on the product. The "common" descriptive statements for food are as follows: These include fresh, frozen, natural products, fortified foods, etc. Thus, the most common cases are mentioned in the examples, and the sentence is in a way allegorical.

But paragraph 2 of the same Article, in defining a warning statement, says that it is a statement that must be written on the label to warn the consumer and "includes the following". As a

result, the way the sentence is written indicates limited instances, as if only these cases are considered as warning statements. Among these 8 exclusive cases, sports and energy drinks, aspartame, allergenic foods, etc. are prominent. Considering scientific developments in the food industry and the possibility of up-to-date interpretation of legal rules, it is suggested that the approach to expressing this rule be allegorical.

Finally, in the section on statements for specific foods, only two categories of "genetically modified foods" and "probiotic products" are mentioned. In other words, without reference to other categories, specific foods are limited to these two categories (Article 6 (3) of the EDLRFB). Therefore, this section is also very narrowly regulated and requires a more transparent and detailed update in line with the broader scope of food industry developments.

3.2.2.1.3. Claims

Although the rules governing claims in different countries are somewhat similar in nature, studies have shown that the verification and use procedures, as well as the regulatory framework, vary from country to country (Díaz, 2020). Claims are any description that indicates and expresses that a food has a particular quality or advantage in relation to the origin of the food, the nature of the product, the process and its ingredients. According to the first part of Article 8 of the EDLRFB, "The inclusion of any nutritional claim or specific claim regarding the product or items such as safety management and quality management certificates and nutritional and health claims on the food product label is subject to prior approval by the Food and Drug Administration". In this legal article, claims are divided into three categories:

- 1-"General Claims" that are explained without introduction in the form of eight items (such as Food Safety Management System Certification, For Export, Licensed Products, Halal, etc.).
- 2-"Nutritional Claims" that are limited to seven items (such as claims related to salt, sugar, fat, cholesterol, claims without, etc.).
- 3-"Health Claims" are also limited to only two parts: "health claims for probiotic products" and "nutritional claims for semolina".

As can be seen, there is no title for functional foods in the claims section defined in the EDLRFB. Although separate guidelines have been set for functional foods, it is recommended that functional foods are also identified and defined in the EDLRFB (as [general labeling regulations](#)).

4.2.2.1.3. Nutrition Label

The nutritional characteristics related to nutrition labeling, as explained in Article 9 of the EDLRFB, include two parts: "nutrient declaration" and "supplemental nutrition information". Nutrient declaration means listing the nutrients contained in a food product using various scientific methods (such as energy, salt, sugar, etc.). Supplementary nutritional information is information that is intended to enhance the consumer's knowledge of the nutritional value of the food product being consumed and helps interpret the nutrient declaration.

According to Article 9 of the EDLRFB, this Executive Directive applies to the preparation of nutrition labels for all foods, except for foods for special dietary uses, which are produced in accordance with the relevant standard.

The final section of Article 9 of the EDLRFB emphasizes the periodic review of nutrition labeling. To determine the list of nutrients, complete the information, update it, and conform it to the realities of community health, at the discretion of the Ministry of Health, the nutritional labeling requirements are regularly reviewed

and revised by the "Labeling Requirements Update Committee". But the term "regularly" is ambiguous in how it is reviewed. Legislation with vague statements can lead to arbitrary interpretations and abuse in the implementation of time requirements (Feizi, 2021; Sadeghi Moghadam, 2013).

3.2.1.3. Responsibility for the Accuracy of Label Contents

According to Note 6, Article 3 of the EDLRFB, the responsibility for the accuracy of the label contents lies with the technical manager and the CEO of the production units, which is designed according to the notarized undertaking of the "Label Design". In this regard, to further emphasize the responsibility of the technical manager and the CEO, a notarized commitment letter (as a notarial deed) has been provided regarding compliance with the items included in the label design and the requirements included in the labeling regulations. In addition, it has been emphasized that the product specifications in each monitoring session must comply with those stated on the label, based on laboratory and/or research documentation.

However, the text of the Note does not mention many legal aspects of the issue, including the division of responsibilities, types of compensation for such violations, and the distinction between the liability of natural and legal persons. As a result, these issues have been referred to general legal rules, while this guideline is related to the public health of the community and should address this issue more precisely and professionally.

3.1.3. Executive Directive on Functional Foods and Voluntary Fortification of Foods and Beverages (2019)⁷

The purpose of this Executive Directive is to determine the technical and health requirements for the production and import of food products that are optionally formulated with micronutrients and functional ingredients or probiotic microorganisms (Article 1 of the EDFFVF).

1.3.1.3. The Scope of Products

Article 2 of the EDFFVF defines the scope of this Executive Directive as all manufactured and imported products with claims of being enriched with micronutrients and functional claims, except for foods formulated for children under two years of age. Also, raw agricultural and livestock products and products that are enriched to increase their nutritional value through livestock, soil, etc. (Biofortification) are excluded from the scope of this guideline.

According to Article 4 (3) of the EDFFVF, "Functional foods are foods that, in addition to basic nutritional value, have at least one specific and proven health-promoting and disease-preventative". In describing functional food, there is a general and vague definition that needs to be revised. Because, regarding the principles and techniques of legislation, in order to ensure respect for the law and its practical implementation, everyone must understand it. Therefore, it must be clear and unambiguous enough to leave no

excuse for not implementing it in normal circumstances (Ansari, 2007).

The lack of a single definition and uniform regulations around the definition of functional food is considered a global challenge. This ambiguity presents itself as a primary challenge in regulating the functional food sector. Research has been conducted to distinguish the boundaries between functional foods, nutrients, and dietary supplements, as well as the need to determine criteria and claims related to nutritional and medicinal aspects. But achieving a single, comprehensive global definition requires global effort. Because when a basic definition is not achieved in identifying a specialized field, its other dimensions, including legal dimensions, will face serious problems. Therefore, it is suggested that, in addition to the research conducted, an international consensus be formed on a comprehensive and transparent definition of functional food to address this challenge (Alongi and Anese, 2021; Díaz et. al., 2020; Díaz et. al., 2019).

2.3.1.3. Functional Food Labeling

Labeling containing claims, especially health claims for functional foods, can be used as a useful tool to help: 1. consumers make more informed decisions about purchasing functional products; 2. the food industry in marketing their products with a focus on international trade; and 3. scientists to value their daily research work (Díaz et. al., 2020).

Article 6 of the EDFFVF states that in addition to complying with the requirements mentioned in the latest revised version of the EDLRFB (reviewed in the previous section), other technical requirements must also be met for inclusion on the label. These requirements are stated in 10 paragraphs, some of which are marked "very important and mandatory". For example, paragraph 5 states: "In each product, the amount of added enriching or functional ingredient shall be stated on the product label as a percentage of NRV per serving".

2.3. General Regulations Governing Food Labeling

Due to its connection to the public health of the community, regulation of the food industry requires specific regulation for this specialized field. However, to obtain a legal rule, in cases where certain legal aspects are not stated in the specific regulations of this field, the legal rules contained in general laws are used.

1.2.3. Civil Liability Law (1960)

In the face of the lack of specific legislation in the area of liability for damages resulting from the labeling of functional foods, by using the general rules of civil liability, we can compensate the injured consumer. Of course, in this regard, proof of fault, damage, and causality is required. Article 1 of the Civil Liability Law (1339) states: "Anyone who, without legal authorization, intentionally or as a result of negligence, causes harm to life, health, property, freedom, dignity, commercial reputation, or any other right created for individuals by law, which causes material or moral harm to another, is responsible for compensating for the damage caused by her/his act".

However, due to the risk posed by innovative food products, especially functional foods, which have a significant impact on public health, compensation for potential losses resulting from the production and consumption of these types of innovative foods, with a fault-proofing approach under the general rule of civil liability, can make the legal process very difficult, lengthy, and costly for the consumers. Therefore, it is recommended to modify the legislator's approach towards the theory of "Strict Liability" for

⁷ This document, code F-W044-2 (issue date: 1/7/2008 and last revised date: 10/9/2019), was developed by the Food and Drug Administration of Iran (a subsidiary of the Ministry of Health and Medical Education). In this article, "EDFFVF" is used as an abbreviation for this document (Executive Directive on Functional Foods and Voluntary Fortification of Foods and Beverages).

producers in the food industry, especially innovative foods such as functional foods (Forouzan Boroojeni, 2025). In addition, it is recommended to provide an insurance fund to compensate for production losses, including losses resulting from the labeling of such products, given their specific and dangerous conditions. In this way, on the one hand, the burden of compensation imposed on the consumer will be reduced. On the other hand, there is an increase in seriousness and commitment to providing transparent information among functional food producers and insurance companies that accept responsibility for compensation.

2.2.3. Industrial Property Protection Law (2024)

According to Article 129 (3) of the Industrial Property Protection Law, unfair competition includes: "False or misleading advertising and any presentation of information or creation of a false impression that misleads the public about the nature of products and their quality, such as the ingredients of the goods, their validity period and origin, the method of manufacture, the amount or quantity, and the availability for use of the products". As a result, providing any information or creating a false impression in labeling that misleads the public about the nature of the products and the quality of functional foods, such as the ingredients of the product, their origin, etc., can be considered an example of this Paragraph. In addition, pursuant to Articles 73 and 130 of the aforementioned Law, the complainant, at any stage of the judicial proceedings, may request the judicial authority where the lawsuit was filed to issue an security order and warrant for attachment of the infringing products, as well as to issue a temporary order prohibiting the manufacture, sale, or importation of these products. Committing actions that are considered unfair competition under this law is considered a crime and the perpetrator is sentenced to pay a fine in addition to compensation for damages and attachment of property (Article 131).

Also, based on the Note to Article 132 of this Law, in cases where, in addition to a natural person, a crime is committed against a legal person, the claimant can claim damages from the legal person in accordance with the "Rule of Zamaan" or refer to any of them in proportion to their fault. A legal person can appeal to a natural person to claim compensation for the damage it has paid for her/his fault.

Conclusion

In summary, the following are the suggestions and conclusions drawn from this article:

1.4. In analyzing the legal basis for labeling functional foods, the "Fundamental Rights of Consumer" are mentioned. These rights include: The Right to Choose in Acquiring Products, The Right to Safety for the Consumer, The Right to Education and Complete Information and The Right to Government Support. Also, the right to prohibit unfair competition in the case of misleading labeling of functional foods is considered as another legal basis in this area.

2.4. A study of Iranian legal regulations in the field of food labeling has led to the identification of some challenges and the presentation of the following suggestions:

The challenge of the lack of a comprehensive and transparent definition of functional food has been raised, both at the national

and international levels. However, this issue requires national and international efforts to achieve a practical consensus in providing a single, transparent and comprehensive definition of functional food.

In reviewing the regulations in this area, the challenges of lack of coherence in regulations in the food industry, lack of precise definition of violation titles, lack of distinction between intentional and unintentional violations, and lack of transparency in determining legal sanction for each violation are identified. Therefore, it is recommended that a comprehensive and integrated law be enacted in the field of food industries that would have specialized and transparent legal literature.

Given the specific and ambiguous conditions of the functional food production sector, it is recommended to provide an insurance fund to compensate for damage resulting from the production and labeling of such products to protect consumers of these types of products.

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