Is it Food or Medicine or Food and Medicine Now?

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**Abstract**

The distinction between food and medicine are increasingly becoming blurred. Food is often promoted, and purchased by consumers, for its medicinal values. Food is claimed to provide physiological benefits beyond that of meeting basic taste, aroma and nutritional need. While law somewhat makes a distinction between food and medicine, the marketers or advertisers of functional food often ignore this distinction.  On many occasions, consumers have been misled by exaggerated claims or false claims of miracle cures. The increasing deceptive health claims in advertisements has resulted in an environment of confusion and mistrust amongst consumers.  Countries adopt a variety of measures to address the problems posed by deceptive advertising. These include use of different types of rules and regulatory controls. In some instances varied advertising standards are used so as not to unduly restrict information. There are also differing levels of participation from industry in the regulation. The paper aims to analyse the rules, modes of regulation adopted and systems of regulatory controls applied in two countries, namely Australia and Malaysia.