

GOVERNMENT OF INDIA
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
DEPARTMENT OF CONSUMER AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION No. 1835

TO BE ANSWERED ON 04.08.2023

MISLEADING ADVERTISEMENT IN FOOD INDUSTRY

1835. SHRI IRANNA KADADI

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether Government acknowledges that there is a rise in cases of misleading advertisements, especially in the food industry;
- (b) the details of the steps that Government is planning to take in this regard;
- (c) whether Government acknowledges that the practice of surrogate advertising is being employed by liquor and cigarette companies, the details of steps being taken by Government in this regard; and
- (d) whether Government is looking forward to launching any campaign to sensitize the people in this regard?

ANSWER

THE MINISTER OF STATE, CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (d) : The Food Safety and Standards Authority of India (FSSAI) has set up a dedicated Advertisement Monitoring Committee which periodically scrutinizes the advertisements and claims being made by the Food Business Operators (FBOs) on various channels including social media and e-commerce platforms. The said committee monitors the advertisements/claims regularly of different food products in Indian Market and in case of any default noticed, the same is referred to the concerned Licensing Authorities for further enforcement actions against the FBOs such as issuance of Improvement Notices under Section-32 of FSS Act, 2006, for withdrawing of misleading claims or seeking scientifically substantiate for the same etc.

Various range of food products were examined which includes Dairy & Dairy products, Fats & Oils, health supplements, Vegan products, organic products, etc. For further enforcement actions, the same are referred to the concerned Licensing Authorities.

Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) has been established w.e.f 24.07.2020 to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of public and consumers and to promote, protect and enforce the rights of consumers as a class.

In exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) has notified Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 on 9th June 2022, with the objective to curb misleading advertisements and protect the consumers, who may be exploited or affected by such advertisements.

Under these guidelines, no surrogate advertisement or indirect advertisement shall be made for goods or services whose advertising is otherwise prohibited or restricted by law, by circumventing such prohibition or restriction and portraying it to be an advertisement for other goods or services, the advertising of which is not prohibited or restricted by law.
