

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA
UNSTARRED QUESTION NO. 4519
TO BE ANSWERED ON 30.03.2022

MISLEADING ADVERTISEMENTS

4519. SHRIMATI RITA BAHUGUNA JOSHI: SHRI PALLAB LOCHAN DAS:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) whether the Government has received complaints about various false advertisements, especially related to cosmetic products, junk foods and beverages;
- (b) if so, the details thereof;
- (c) the steps taken by the Government to curb such false promotion and advertisements done by reputed multinational brands in the last one year;
- (d) whether the Government is going to take serious action against the false promotion/advertisements of such products affecting perception of kids about the use of such products and if so, the details thereof;
- (e) whether the Government has also received complaints against companies making fake claims to attract consumers; and
- (f) if so, the initiatives taken by the Government to tackle such fake claims?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री अश्विनी कुमार चौबे)

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (f) : Under the provisions of Consumer Protection Act, 2019, a Central Consumer Protection Authority (CCPA) has been established w.e.f 24.07.2020 to regulate matters, inter alia, relating to false or misleading advertisements which are prejudicial to the interests of public and consumers as a class. The CCPA can issue directions to the concerned trader or manufacturer or endorser or advertiser or publisher, as the case may be, to discontinue such advertisement or to modify the same. The Consumer Protection Act, 2019 also provides for imposition of penalty by the CCPA on a manufacturer or endorser or publisher and imprisonment and penalty by a competent court on any manufacturer or service provider, who is found responsible for a false or misleading advertisement.

Based on the notices issued by CCPA against misleading advertisements by companies, 13 companies have withdrawn misleading advertisements and 3 companies agreed for corrective advertisement. CCPA has also imposed penalties on 3 companies for their misleading advertisements. CCPA has recently issued two Safety Notices to alert and make consumers cautious against buying household goods which do not conform to BIS standards. An advisory has also been issued to industry associations highlighting the provisions of the Consumer Protection Act and to impress upon their members to cease from making false claims about effectiveness against corona virus which are not supported by competent and duly authorized scientific advice.

All advertisements telecast on private satellite TV channels are required to adhere the Advertising Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and Cable Television Networks Rules, 1994 framed thereunder. Appropriate action is taken in cases where Advertising Code is found to be violated.

Section 23 of the Food Safety and Standards Act, 2006 describes responsibility of Food Business Operators in respect of packaging and labelling of food products while Section 24 places restrictions on misleading advertisements and unfair trade practices.

FSSAI has notified the Food Safety and Standards (Advertising and Claims) Regulations on 19.11.2018. These regulations are aimed at establishing fairness in claims and advertisements of food products and make food businesses accountable for such claims/advertisements so as to protect consumer interests.
