

**GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA**

UNSTARRED QUESTION NO:1222

ANSWERED ON:05.03.2013

MISLEADING ADVERTISEMENTS OF COSMETICS AND FOOD SUPPLEMENTS

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

- (a) whether consumers are being deceived by the companies including producers of cosmetics and food supplements through misleading advertisements making exaggerated claims about their products and other legal nuances;
- (b) if so, the details thereof indicating the number of such cases reported along with the steps taken by the Government to protect the interests of the consumers, State-wise;
- (c) whether the Government proposes to set up a regulatory body to monitor and regulate such advertisements; and
- (d) if so, the details thereof?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K. V. THOMAS)

(a) & (b): Yes Madam, a large number of misleading advertisements come through various media. Details of such advertisements are not centrally available. There are a number of legislations that have provisions to deal with misleading claims and advertisements made by companies regarding their products which include, inter alia:

(i) The Drugs and Cosmetics Act, 1940 (Ministry of Health)

(ii) The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1955 (Ministry of Health)

(iii) Food Safety and Standards Act, 2006 (Ministry of Health)

(iv) The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (Ministry of Health)

(v) Consumer Protection Act, 1986 (Administered by Department of Consumer Affairs)

(vi) Over and above, the Advertisement aired on private satellite TV channels are regulated under the Advertising Code prescribed in rules framed under Cable Television Network (Regulation) Acts 1995. The misleading advertisement in print media, which are violative of ' Norms of Journalistic Conducts' are being adjudicated by the Press Council of India under Section 14 of the Press Council Act 1978. The Food Safety and Standards Authority also provides for penal action against misleading advertisement pertaining to food products.

(c) & (d): The ministry has held several rounds of discussions with all stakeholders to deliberate on the problem of misleading advertisements and to find ways and means to restrain it through some regulatory mechanism, including self-regulation.