

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

UNSTARRED QUESTION NO:3470

ANSWERED ON:11.08.2015

Endorsement of Products

Ashok Kumar Shri K.;Tharoor Dr. Shashi

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

(a) whether the Government has taken note of the recent controversy surrounding the accountability of brand ambassadors while endorsing a product on account of their strong influence on consumer choice;

(b) if so, whether the Government proposes to frame specific guidelines for brand ambassadors for endorsing any product and also determine the extent of their liability, to avoid misleading advertisements and endorsements;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

Answer

THE MINISTER OF
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI RAM VILAS PASWAN)

(a)to(d) : Yes Madam. Endorsement of products and brands is widely prevalent in the modern market place.

The Consumer Protection Act, 1986, provides the legislative framework to protect the rights of consumers which include the right to be protected against marketing of goods hazardous to life and property, right to be informed about the quality, quantity, potency, purity, standard and price of goods to protect the consumer against unfair trade practices, the right to be assured access to variety of goods at competitive prices, the right to be heard and to be assured that consumers interests will receive due consideration at appropriate forums and the right to seek redressal against unfair trade practices or exploitation of consumers. Misleading advertisements of products and services fall within the ambit of unfair trade practices as set out in the Consumer Protection Act.

Besides the Consumer Protection Act, 1986, there are a number of legislations that have provisions to deal with misleading claims and advertisements made by companies regarding their products which include:

- (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) Advertisement aired on private satellite TV channels are regulated under the Advertising Code prescribed in rules framed under Cable Television Network (Regulation) Acts, 1955.
- (vi) 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.

Various Miniseries are administering the above Acts and taking necessary action to protect consumer interests.

As per section 24 of the Food Safety and Standards Act, 2006, no person shall engage himself in any unfair trade practice for purpose of promoting the sale, supply, use and consumption of articles of food or adopt any unfair or deceptive practice of making any statement, whether orally or in writing or by visible representation which falsely represents that the foods are of a particular standard, quality, quantity or grade or composition or makes a false or misleading representation concerning the need for, or the usefulness.
