

**GOVERNMENT OF INDIA
MINISTRY OF AYURVEDA, YOGA & NATUROPATHY,
UNANI, SIDDHA AND HOMOEOPATHY
(AYUSH)**

**LOK SABHA
UNSTARRED QUESTION NO.1982
TO BE ANSWERED ON 21ST DECEMBER, 2018**

MISLEADING CLAIMS ABOUT MEDICINES

**1982. KUNWAR BHARATENDRA:
SHRI HARI MANJHI:**

Will the Minister of **AYURVEDA, YOGA AND NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY (AYUSH)** be pleased to state:

- (a) the number of complaints received during the last three years regarding misleading claims made through advertisements in electronic/print media about medicines made from herbs;
- (b) whether complaints about the sale of such medicines/products without any authentic clinical test in the market and death of persons due to consumption of such medicines/products has also been reported, if so, the details thereof;
- (c) the extent to which the Government has been successful in checking these misleading advertisements; and
- (d) the other steps taken to impose strict punishment on misleading advertisements pertaining to natural or Ayurvedic treatments?

ANSWER

**THE MINISTER OF STATE (IC) OF THE MINISTRY OF AYURVEDA,
YOGA & NATUROPATHY, UNANI, SIDDHA AND HOMOEOPATHY
(SHRI SHRIPAD YESSO NAIK)**

(a): Ministry of AYUSH has come across instances of misleading advertisements/claims allegedly of herbal, Ayurvedic and other such products. 66 cases of improper advertising of AYUSH and allied products in 2015, 204 cases in 2016, 547 cases in 2017 and 358 in the current year 2018 have been reported from the Grievances Against Misleading Advertisements (GAMA) portal maintained by the Department of Consumer Affairs and complaints also received in this regard from different sources. The Advertising Standards Council of India (ASCI) has reported to have dealt with 732 complaints pertaining to misleading advertisements of AYUSH for the period from 20th January, 2017 to 19th January, 2018.

(b): Manufacturing for sale and quality control of Ayurvedic, Siddha and Unani medicines made from herbs and other ingredients is regulated in the country in accordance with the provisions of Drugs and Cosmetics Act, 1940 and Drugs and Cosmetics Rules, 1945 including the

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requirement of proof of safety and effectiveness for grant of license. In the recent past Ministry has not received any specific complaints about death of persons due to consumption of such licensed medicinal products .

(c) & (d): For checking the veracity of misleading advertisements of AYUSH products in print and TV media and to undertake monitoring of such advertisements, powers are vested with the State Governments to authorize Gazatted Officers to search, seize, examine any record, register, document or any other material object related to any objectionable advertisement under the provisions of Section 8(1) of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954. Ministry of AYUSH has repeatedly taken up the matter with the State Governments to appoint Gazatted officers for monitoring of advertisements of ASU&H drugs. States have depute 621 Gazatted officers to enforce the legal provisions for taking necessary action against the defaulters in making inappropriate advertisements AYUSH of medicine etc. Ministry of AYUSH also signed a MoU with Advertising Standards Council of India (ASCI) in January, 2017 for suo-moto monitoring of misleading advertisements appearing in the print media and TV channels and bring the defaulters to the notice of respective State regulators. Media regulators have also been approached to prevent the publication of inappropriate advertisements promoting sale of Ayurvedic and other such AYUSH medicines in public interest. On this account, Ministry of Information & Broadcasting issued instructions/guidelines to all media channels and to abstain from publishing and telecasting such misleading advertisements, which are in contravention of the provisions of Drugs and Magic remedies (Objectionable Advertisements) Act, 1954 and Rules thereunder. Consumers' complaints about misleading claims or advertisements of AYUSH and herbal medicines registered in the GAMA portal of the Department of Consumer Affairs are examined by a Nodal Officer appointed in the Ministry of AYUSH and are forwarded to the concerned State Regulatory Authorities for necessary action in accordance with the legal provisions. Ministry of AYUSH issued an Advisory dated 31.08.2018 to the drug manufacturers and the advertising agencies to refrain from using the name of Government Departments or Institutions in the advertisements of ASU&H Drugs. Also, Caution for General public has been issued in leading newspapers not to fall prey to fake calls and advertisements of ASU&H Drugs. With the enforcement of these steps the advertisers have corrected or withdrawn the improper advertisements on being pointes out by the ASCI and the show cause notices and court cases are reported to have been filled by the State Authorities against the defaulters.

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