

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

UNSTARRED QUESTION NO:3590
ANSWERED ON:10.09.2007
MISLEADING ADVERTISEMENT
Chakraborty Shri Ajay

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

- (a) whether advertisements showing slices of fruits with 7UP beverage are running on televisions for past few months;
- (b) if so, the details thereof and reasons for running such misleading advertisements for aerated water having no fruit juices; and
- (c) the steps taken to check such misleading advertisements?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (SHRI TASLIMUDDIN)

(a) : Yes, Sir, The matter has been brought to the attention of Government.

(b) : The advertisements are played on TV channels on the basis of agreements between advertisers and the respective TV channels. Monitoring of content on TV channels is normally done by Ministry of Information & Broadcasting. Department of Consumer Affairs initiates action only if a specific complaint is made by a consumer.

(c) : As per the existing policy on misleading advertisements, complaints are referred to the Advertising Standards Council of India (ASCI), Mumbai which takes a view whether such advertisement is misleading or whether it conforms to the ASCI code for self regulation in advertising.

The matter has already been taken up with Advertising Standards Council of India (ASCI).

Meanwhile ASCI has informed this Department that they have received another complaint from an individual consumer regarding the TV commercial of "7 Up". This commercial was examined by the Consumer Complaint Council of the ASCI at their meeting held on 24th July, 2007. As per their decision the complaint was not upheld as the advertisement was not found to be misleading since the advertisement clearly mentions "Contains no fruit. Contains added flavour."

The basic responsibility for checking misleading advertisement lies with the Ministry of Information & Broadcasting, who can take action under the relevant clauses of Cable Television Networks (Regulation) Act, 1995. The role of Department of Consumer Affairs is limited to making policies that safeguards the interests and welfare of the consumers, this is done through Consumer Protection Act, 1986. The Department also carries out consumer awareness programmes through multi media publicity campaigns to make consumers aware about the misleading advertisements and other issues concerning consumer protection. Department of Consumer Affairs also takes proactive steps in informing customers about their rights. Apart from the publicity through the Print and Electronic media, a series of Publication on Consumer issues have also been brought out. Monograph Series-2 is specifically on the topic 'Misleading Advertisements and Consumer' that aims at informing the customers about 'Misleading Advertisement' and redressal mechanism available to the customers.