



The Advertising Standards Council Of India

## CCC Recommendations - April 2018

**COMPANY:** Xiaomi Logistics

**PRODUCT:** Redmi Note 5 pro Smart phone

**Complaint:**

Thank you for being part of the biggest sale in the history of Smartphones!

Biggest sale ever in the history of India. 3,00,000+ units\* in <3mins

RemdiIndia/Xiaomi/Mi India claims 3,00,000+ units of Redmi Note 5 Pro smartphones has been sold in <3mins/<180 seconds on their flash sale dated 22th Feb 2018. However this is unethical and fooling way to attract customer attention. IRCTC is the world's busiest website. To cater large crowd IRCTC developed Next Generation e-Ticketing System (NGet). How Flipkart and Mi fooling customers: Customer handling capacity IRCTC 250customers/Sec. RedmiIndia Claim: 1667 customers/Sec. Even all their online portal combined sales is calculated still it cannot cater customers more than IRCTC website. I appeal for an apology from Mi/Xiaomi/RedmiIndia and Flipkart and fine them for misleading advertisement. Ref - <http://bit.ly/2woFAEX>

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser (Xiaomi Logistics) and Flipkart Internet Private Limited (whose reference was made in the advertisement) for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser and Flipkart, with a request to respond to the same. The Advertiser and Flipkart were offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail. The advocate on behalf of the advertiser requested for 30 days time to submit their response which was declined as the complaints are required to be processed in a time bound manner as per ASCI CCC procedures. Subsequently, the advocate responded to the objections raised in the complaint. Flipkart also replied requesting for an extension to submit their response to the complaint. They were granted an extension of seven days to the standard lead time of seven days to submit their reply in response to their request for this extension.

The advocate argued that ASCI does not have any statutory powers that would render its decisions applicable on non-members. Since their Client not being a member of ASCI, is not bound to follow any rulings of ASCI. In response to the objection, the advocate stated that the sale of 3,00,000 units in less than 3 minutes was conducted through two websites, namely: mi.com; and flipkart.com. The total server capacity of these two websites in aggregate is more than capable of handling the sale of 3,00,000 units in 3 minutes or less.

In support of their response, the advocate provided an email confirmation of mi.com that their system handled on an average 400 orders per second of Redmi Note 5 and Redmi Note 5 pro on flash sale from 22<sup>nd</sup> February to 2<sup>nd</sup> April 2018, and an email confirmation from Flipkart that they can manage 300K orders in 3 mins.

Flipkart in their response stated that on internally inspecting their advertisement accounts with Twitter it was found that no such advertisement was placed by them. Hence only the advertiser could comment on the veracity of the complaint and justify on the sales figure on a given sale date.

While advertiser asserted about their server capacity, no data was submitted by the advertiser to prove actual sale of units as claimed. Therefore, ASCI requested the advertiser to provide data or CA's certificate to substantiate that '3,00,000+ units were sold in <3 mins' from the two mentioned websites. Advertiser did not provide this additional information in time for the meeting.

The CCC viewed the twitter advertisement, examined the complaint, and the response given by the Advocate and by Flipkart. Regarding the Advocate's comment on ASCI's jurisdiction, the CCC referred to the judgement by the Hon'ble Supreme Court titled "Common Cause (A Regd Society) v Union of India and Ors", which affirmed and recognised the self-regulatory mechanism put in place by self regulatory bodies as an effective preemptive step to





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statutory provisions in the sphere of media regulation for TV and Radio programmes / advertising content in India. The grievance redressal platform provided by self-regulatory bodies, therefore, function as the first step for aggrieved consumers against content in the media which might not be in line with the existing laws. The CCC also advised that the advertiser should take cognizance of the MoU the Department of Consumer Affairs has entered into with ASCI to deal with misleading advertisements. Further, in the absence of any supporting data of the sale made, the CCC concluded that the claim, “Biggest sale ever in the history of India. 3,00,000+ units\* gone in <3mins”, was not substantiated with any verifiable supporting data or with an independent third party audit or verification certificate, and is misleading by gross exaggeration. The Twitter advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** InterGlobe Aviation Limited (Indigo promise)

### **Complaint:**

“I have a complaint against Indigo. They have this IndiGo Promise ad on the IndiGo App. Which says that we will be compensated for the Flight Delay. There were no terms and conditions applied/mentioned on the app. Nor any link to the website. My flight got delayed by 2 hours. And on claiming my compensation they said the flight got delayed due to bad weather and the flight delayed due to bad weather is not allowed to get compensation. This conversation is done on official IndiGo twitter account as following:

Please clarify, if mentioning the terms and conditions on the IndiGo App is not important. I was misled by the offer as there were no terms and conditions mentioned. According to them if the flight is delayed due to bad weather then there will be no compensation. But no such terms were mentioned on the Application. I was misled by the offer as no Terms and Conditions were mentioned. It was only when the flight got delayed due to bad weather and I claimed my compensation they provided the website link with terms and conditions.”

### **CCC RECOMMENDATION: NOT UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser argued that the complaint pertains to an IndiGo Promise feature on mobile app which is an additional service and not an advertisement as it is not a paid communication. IndiGo Promise is an ancillary product which can be purchased by customers at the time of booking IndiGo flight on their website or mobile app, Therefore, the complaint is not related to a subject matter regulated by ASCI. Advertiser further stated that the screen shot on the mobile app displays an icon of IndiGo Promise, to enable the customer to purchase the ancillary product being sold by the buyer. As support data, the advertiser provided screen shot of IndiGo Promise ancillary product on their mobile app, and contents of terms and conditions which provides that Voucher would not be provided for any cancellations due to force majeure which includes weather conditions. The CCC viewed the mobile app and considered the advertiser’s response. The CCC did not agree with the advertiser’s contention that the said communication on the mobile app is not an advertisement, but just an information fixture. The CCC emphasized that ASCI Code’s definition of Advertising states that “Any communication which in the normal course would be recognised as an advertisement by the general public would be included in this definition even if it is carried free-of-charge for any reason”. Therefore promotion and content vide mobile app, paid or unpaid, has to be considered as Advertising. On reviewing the screen shots of the mobile app provided by the advertiser, the CCC observed that it shows an “i” symbol corresponding to “information”, on clicking which, the mobile app displays a section wherein the product features are mentioned with a link to detailed terms and conditions. In this context, the CCC concluded that IndiGo Promise claim of offering compensation on flight delay was not objectionable as this offer was subject to terms and conditions which were available for the customer by approaching the relevant section of the mobile app. The complaint was **NOT UPHELD**.





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**COMPANY:** Slim N Slender

**Claim Objected To:**

“Permanent fat loss.”

**Objection**

Claim appears to be misleading by ambiguity and omission.

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. Advertiser did not provide details of the treatment procedure for fat reduction nor any fat loss data based on rigorous trial on statistically significant number of patients. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Permanent fat loss”, was not substantiated with supporting clinical evidence, and with treatment efficacy data, and is misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**

**COMPANY:** Jolly Healthcare

**PRODUCT:** Jolly Vaseir

**Claims Objected To:**

1. Effective from first day.
2. Totally Ayurvedic
3. Recognition by Ministry of Ayurveda

**Complaint:**

Our objections:

1. Please substantiate claims 1 to 3 with claim support data. The claim support data should not be internal or based on studies commissioned by Jolly Healthcare.
2. Kindly provide details of Recognition by Ministry of Ayurveda.
4. Ref. to claim 2, Are there any chemical, stabilizers used? If yes, the Advt. is misleading.

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI code and the provisions of Drugs and Magic Remedies Act. Action to be taken: We propose that the advertisement should be immediately withdrawn.”

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date





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for this complaint. The CCC observed that the advertiser did not provide Copy of Product approval license / product label, Product composition details, and Ayush approval for all the claims being made in the advertisement. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Effective from first day”, was not substantiated with product efficacy data, and is misleading by exaggeration. Claim, “Totally Ayurvedic”, was not substantiated with any evidence of the ingredients present in the product, and is misleading. Claim, “Recognition by Ministry of Ayurveda”, was not substantiated with supporting data, and is misleading by implication that Ministry of AYUSH has approved the product efficacy / claims made in the advertisement. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**

**COMPANY:** A R Ayurveda Pvt. Ltd

**PRODUCT:** Ashwa Shakti powder

### **Complaints:**

“I am sending the link for su moto surveillance of the advt by the council. Please, check the content of following link [http://ayurvedichealthcare.in/treatments\\_post\\_type/body-weight-energy-gain/?gclid=EAIaIQobChMIo6z7mOTb2QIVSEwrCh2gnwYgEAEYASAAEgLFLfD\\_BwE](http://ayurvedichealthcare.in/treatments_post_type/body-weight-energy-gain/?gclid=EAIaIQobChMIo6z7mOTb2QIVSEwrCh2gnwYgEAEYASAAEgLFLfD_BwE)

This website sells ayurvedic products online for weight gain, memory boost, diabetes etc.

The Advertisement is for ASHWA SHAKTI POWDER manufactured by -A R AYURVEDA PVT. LTD.,FF 14, Ujala Avenue, Sarkhej Road, Vishala, Ahmedabad - 380055. Gujarat Email: info@ayurvedichealthcare.in Under Introduction the advt claims--

1. The one & only solution to develop body and give it a perfect growth.
2. to provide nutrition to the incomplete growth of body, to make a complete man, inner strength to grow and develop physically.
3. It further claims to reduces the weakness of nervous system, makes body strong and gives a great look.
4. This medicine is claimed to be a long lasting treatment or solution for under-developed body.

From above claims it refers to give power to rejuvenate and overcome nervous debility, which are misleading and exaggeration of facts.

Screen shots taken from [http://ayurvedichealthcare.in/treatments\\_post\\_type/body-weight-energy-gain/?](http://ayurvedichealthcare.in/treatments_post_type/body-weight-energy-gain/?) on Dated 17.3.2018 time 7:59 are also enclosed for your reference and perusal.

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC observed that the advertiser did not provide Copy of Product approval license / product label, Product composition details, and Ayush approval for all the claims being made in the advertisement. The CCC viewed the website advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, “The one and only solution to develop body and give it a perfect growth”, “Provide nutrition to the incomplete growth of body, makes you a complete man, gives you inner strength to grow and develop physically”, “It reduces the weakness of nervous system, makes body strong and gives a great look”, This medicine is a long lasting treatment or solution for under-developed body”, were not substantiated with technical rationale or clinical evidence of product efficacy, and are misleading by gross exaggeration, and exploits consumers’ lack of knowledge. The website advertisement contravened Chapter I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Shape in Slimming Center

**Claims Objected to:**

1. No medicine, No surgery, No crash diet, No Side-effect, 100% Result oriented.
2. 1 to 4 inches loss in just one session.

**Complaint:**

1. Please substantiate claims 1 and 2 with claim support data. The claim support data should not be internal or based on studies commissioned by Shape In Slimming.
2. Ref. to claim 2, is it applicable to all the consumers as the weight, life-style, metabolism, etc. differs from person to person. This claim is misleading.
3. According to chapter 1.5(d) of ASCI Code, “Special care and restraint has to be exercised in advertisements addressed to those suffering from weakness, any real or perceived inadequacy of any physical attributes such as height or bust development, obesity, illness, impotence, infertility, baldness and the like, to ensure that claims or representations directly or by implication, do not exceed what is considered prudent by generally accepted standards of medical practice and the actual efficacy of the product”.
4. Do they prescribe a special diet? If yes, then it contradicts the claim “No crash diet”.

According to us, the advertisement contravenes Chapter 1.1, 1.4 and 1.5(d) of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn.

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. Advertiser did not provide details of the treatment procedure for fat / weight reduction nor any fat / weight loss data based on rigorous trial on statistically significant number of patients. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, “No medicine, No surgery, No crash diet, No Side-effect, 100% Result oriented.”, and “1 to 4 inches loss in just one session”, were not substantiated with supporting clinical evidence, and with treatment efficacy data, and are misleading by exaggeration and exploits consumers’ lack of knowledge. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**

**COMPANY:** Perfetti Van Melle India Pvt. Ltd

**PRODUCT:** Chupa Chup Sour Strip and Sour Bite

**No. of Complaints: 2** Complaint 1:

“In the advertisement the children are encouraged to toss the sour bites in the air and catch it in their mouths. This is a potentially hazardous style of enjoying the candy as it can get stuck in the air pipe and choke the victims.”  
<https://youtu.be/OhkSpnWGP90>

Complaint 2:

“Provoke the children to mischief or misbehave. You can find the same in add also  
<https://youtu.be/OhkSpnWGP90>. This is the equivalent add for telugu add which was telecasted on yesterday on TV”





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### CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied requesting for an extension of two weeks to submit their response. The complaint being non-technical in nature, the advertiser was granted an extension of two days to the standard lead time of seven days to submit their reply in response to their request for this extension. Advertiser stated in their response that the scene in the TVC showing the teacher performing the antics in the classroom, in the middle of the exam, is humorous and is intended to amuse the viewers. The dimensions of Chupa Chups Sour Bites make it highly unlikely that consuming them in the manner depicted in the TVC would put the consumer at risk of choking. Advertiser further stated that their commercial has approval from Doordarshan that the TVC is suitable for audiences of all age groups across the country and they are confident that teenagers – who are their target audience – are mature enough to judge what behaviours are appropriate. The CCC viewed the TVC and considered the advertiser’s response. The CCC observed that the TVC actively encourages tossing of a candy prior to eating. While school teenagers are shown as target audience in the TVC, the advertisement would be viewed by public at large including minors. The CCC concluded that the specific visuals in the TVC showing the ‘principal/teacher taking the candy in his hand and tossing it in the air and catching the candy with his mouth’, and ‘teenagers tossing the candy in the air and catching it in their mouth’, features dangerous acts which are likely to encourage minors to emulate such acts in a manner which could cause harm or injury. These depictions also without justifiable reason refer to dangerous practices, manifests a disregard for safety and encourages negligence. The TVC contravened Chapters III.2, III.2 (b) and III.3 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Oshun Food Products Private Ltd

**PRODUCT:** Native Milk

#### **Complaint:**

Disparages all other brands of milk by claiming that they contain A1 Beta Casein as they are sourced from foreign cow breeds. Spreads unfounded fears about such milk causing lactose intolerance, diabetes, heart disease and infertility. Labels it as "Milk turned from elixir to poison". Science suggests that this is not yet an unequivocally settled issue. See

<https://www.healthline.com/nutrition/a1-vs-a2-milk#section8>

### CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the Ad – promotional material and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims related to disadvantages of A1 milk - “Harmful A1 Beta Casein Protein found in most HF cow milk”, “Milk turned from Elixir to poison”, “Difficult to digest (Lactose intolerance), Diabetes, heart disease, Female infertility” were not substantiated with any supporting data. The claims are misleading by gross exaggeration creating a fear in the consumer’s mind. The advertisement exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The CCC further observed that the subject matter of comparison confers an artificial advantage upon the advertiser or so as to suggest that better bargain is offered than is truly the case. The comparison shown are not factual, and is likely to mislead as a result of comparison, and unfairly denigrated other brands of milk directly. The CCC concluded that the Ad – promotional material contravened Chapters I.1, I.4, I.5 and IV.1 (b) (c) (d) and (e) of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Paras Mushroom

**Claims Objected To:**

1. Get riddance from thinness.
2. Energy booster.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the advertisement. Upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims (in Hindi) as translated in English, "Get riddance from thinness", and "Energy booster", were not substantiated with evidence of product efficacy, and are misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Almond Board of California

**PRODUCT:** California Almonds

**Claims Objected To:**

1. Low in Glycaemics index, delicious way to control sugar levels.
2. A handful of Almonds can help lower the blood sugar impact of carbohydrate-rich foods that they are eaten with.
3. Almonds have also been shown to help reduce waist size.

**CCC RECOMMENDATION:** **NOT UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed and subsequently submitted their written response. The advertiser had stated in their response that Almonds are high in protein and rich in dietary fiber as well as mono-unsaturated fatty acids and naturally low in total sugar (4.35g/100g almonds). Almonds have been demonstrated to provide both, acute (post-prandial) and long-term, blood glucose regulation benefits across different population types (including Indian) and even in subjects with Type 2 Diabetes. Their low GI characteristic has been demonstrated by their ability to lower the GI of accompanying high GI foods in post-prandial studies. Advertiser in their response, provided abstracts of these studies for reference. Advertiser further stated that high waist circumference is considered a clinical risk factor for cardiovascular disease. Results of clinical studies as provided in the Annexures support the role of almonds in reducing waist circumference. One of these studies specifically establishes that incorporation of almonds in a well-balanced healthy diet leads to multiple beneficial effects on glycemic and CVDs risk factors in Asian Indian patients with T2D including statistically significant improvement in mean values for various parameters such as waist circumference, waist-to-height ratio, etc. As claim support data, the advertiser provided references on studies conducted by accredited labs and published in journals. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the print advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. The CCC observed that studies confirm that Almonds when included in high carbohydrate diet will have a positive effect in lowering blood glucose levels. Based on the published scientific study reports and findings, the CCC concluded that the claims, "Low in Glycaemics index, delicious way to control sugar levels", and "A handful





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of Almonds can help lower the blood sugar impact of carbohydrate-rich foods that they are eaten with”, were substantiated. Advertiser submitted in Annexure 7, a clinical research report wherein the Almond diet was compared against a muffin diet both containing similar carbohydrates, fat and protein composition. These results have shown that consumption of Almond has helped in reduction of abdominal fat and reduced central adiposity, by controlling fat deposition in the waist. Based on this study report, the CCC concluded that the claim, “Almonds have also been shown to help reduce waist size”, was substantiated. The complaint was **NOT UPHELD**.

**COMPANY:** Nutravo Lifecare Pvt Ltd

**PRODUCT:** Nutralyfe Garcinia Cambogia Herbs

**Complaint:**

Advertorial at -<http://indiahealthnews.club/nutralyfe8bnew.html> advertises 'Delhi Doctor Discovers Shockingly Simple Way To Lose 1Kg Per Day Without Diet or Exercise 'At (<http://indiahealthnews.club/nutralyfe8bnew.html>) advt of product which is in the form of advertisement presented in the style of an editorial or journalistic report. The product is sold online by ebay ([https://www.ebay.in/itm/232647650933?aff\\_source=Sok-Goog](https://www.ebay.in/itm/232647650933?aff_source=Sok-Goog)). In this link of ebay advertises that the product is clinically proven for Effective Weight Loss, Promotes Cardiovascular and Digestive Health, Helps eliminate Bad Toxins, Increases Energy Levels, Improve Skin, Hair and Increases Metabolism. These claims are misleading.

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response through their Advocate's. The advocate on behalf of the advertiser stated that the product is made of Hydroxy Citric Acid (HCA), Green Tea Extracts, and Guggul which makes it an appetite suppresser and taking accurate dosage for set period of time does help to lose extra flab. Green Tea Extracts helps to detox and balance the hormonal imbalance in the body which eventually effects the reduction of weight in time. The contents of Guggul enrich the digestion system and gives relief from constipation which is an effective support system for losing body weight. HCA, which makes the most of the product is found to be effective as food supplement to lose weight or reduce extra flab in the body. In support of these assertions, the Advocate referred to one of the researches made under the link: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3010674/>. Advocate further stated that the product has been approved by the FSSAI and AYUSH Department of The Central Authority. As for the extract of the advertorial from the link- <http://indiahealthnews.club/nutralyfe8bnew.html>, provided by the complainant, the Advocate informed that the concerned website is not owned and/or maintained by his client. Upon carefully viewing the website advertorial, examining the complaint and the response given by the advertiser, the CCC observed that while the advertiser states that the product is approved by AYUSH and FSSAI, the advertiser did not submit any product specific details such as composition / licence / pack artwork or samples, and FSSAI and / or AYUSH approval for all the claims being made in the advertisement. Advertiser also did not provide any technical data, scientific rationale or clinical evidence of product efficacy, to prove the product's effectiveness for health benefits claimed in the advertisement. The CCC concluded that the weight loss claim in the website advertorial (<http://indiahealthnews.club/nutralyfe8bnew.html>) - “Delhi Doctor Discovers Shockingly Simple Way To Lose 1Kg Per Day Without Diet or Exercise”, was not substantiated and is misleading by gross exaggeration, and exploits consumers' lack of knowledge. Also, weight loss efficacy being depicted via images of before and after the treatment are misleading. The claims made on the ebay website - ([https://www.ebay.in/itm/232647650933?aff\\_source=Sok-Goog](https://www.ebay.in/itm/232647650933?aff_source=Sok-Goog)) – “product is clinically proven for Effective Weight Loss”, “Promotes Cardiovascular and Digestive Health”, “Helps eliminate Bad Toxins”, “Increases Energy Levels, Improve Skin, Hair and Increases Metabolism”, were not substantiated and are misleading by gross







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exaggeration. The “before and after” visuals in the advertisement implying efficacy of the product were misleading by exaggeration. The website advertorial and the ebay website advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Mobius Foundation /Ayurvet Limited (Antibiotics in Chicken)

### **Claims Objected to:**

“Eating Antibiotic Dosed Chicken is hazardous to health, specially for Children” “Ayurvet supports the poultry industry’s quest for antibiotic free chicken”

### **Complaint:**

“The use of antibiotics emerged as a contentious issue worldwide and there have been several opinions and claims made against their use in livestock farming. While concerns about human health and resistance are understandable, the issue deserves careful and in-depth investigation keeping in mind the following.

Globally, livestock industry plays a major role in meeting the world's food and nutritional security particularly, growing demand for protein. India's livestock industry is one of the major contributors to the nation's overall economic growth and most importantly in alleviating poverty and malnutrition. Serving as the foundation of rural India's prosperity, it supports the livelihoods and provides employment to a few hundred million farmers mainly smallholders. India's livestock industry is on a strong upward trajectory posting strong growth in the last few decades and is recognized as one of the most promising globally. Antibiotics are used in livestock farming for many decades and are essential for maintaining the health, hygiene and welfare of the animals both in the industrialized and backyard scenarios.

WHO describes antibiotics as precious tools for the veterinarians for prevention, control and treatment of diseases in animals and also for promoting growth. One must understand that antibiotic products per se are not, but their 'indiscriminate use' is the root cause of all problems including resistance. For example, AVMA (American Veterinary Medical Association) places greater emphasis on progressive regulations that encourage judicious use of antibiotics and discourage blanket bans on products. While industrialized countries responded to the issues differently according to their local circumstances, it is absolutely necessary to look at Indian industry where smallholders dominate and its ground realities before adopting or introducing any additional regulations. But it is unfortunate that majority of the media impressions on this issue are negative and any balanced or neutral perspectives could never find a place in such a skewed, heavily-biased and intensively promoted campaigns. Without giving due credits to the utility of these products and acknowledging the proactive efforts by the industry to educate the users, these stories unjustifiably accuse the industry with an aim to ultimately push for blanket bans on the products.

One must understand depriving the producers of any valuable and research-based tool will only harm the entire food value chain and particularly, consumers in the end. Through these kinds of scare-mongering and negative propaganda, organizations behind all these stunts are trying to sabotage the regulatory framework that was built based on extensive elicited and research evidence

### **Objection:**

"borrowed ideologies" that are simply adopted from a different part of the world and applied in another with no regard to ground realities can do more harm beyond imagination. Most of these media stories are scientifically unfounded driven by supporters with ostensible altruism and questionable credibility. The situation warrants for a careful exploration of suitable and affordable alternatives in case antibiotics are not to be used. Hence, without accurate research data and solid evidence from the ground, pre-emptive blanket ban on antibiotics will only result in restricting the ability of veterinarians to control animal diseases resulting further in reduced production and poor food safety and quality. Ultimately the consumers will bear the brunt through increase in meat prices. The ultimate economic and social consequences on people's health, nutrition and welfare when the country is experiencing "protein inflation" would be nothing short of a disaster. Hence, it is important to keep in mind food prices since at least two hundred million Indians still cannot afford three square meals a day and not to push animal protein beyond their reach. Due to these kinds of negative publicity, public perception gets awkwardly skewed and negatively influenced to a great extreme. This builds pressure on the policy makers and regulators to introduce more regulations that are, in most cases, unjustified and unnecessary. Hence, cost of compliance for the organized players increases and valuable resources,





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money and time is spent on trivial issues that can be avoided completely. While those who misuse and abuse any inputs in food production must be dealt with an iron hand through appropriate regulations, already compliant and quality-focused organized players who do genuine business must not be penalized unnecessarily.

The industry would like to reiterate that this is not just an issue of usage of antibiotic products but one that has much larger implications in terms of animal productivity and costs of production greatly affecting incomes, profits and ultimately livelihoods of the farming community. It is also important to keep the consumers in mind as any increase in meat prices will seriously affect their choices and indirectly their health and nutrition. The said advertisement is totally misleading, false and creating confusion without any substance. It has been given with malefic intention for wrongful gain on one hand and result in huge losses to the poultry industry and public at large on the other.

### **CCC RECOMMENDATION: UPHELD**

The ASCI approached the concerned advertisers (Mobius Foundation and Ayurved Limited) for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertisers with a request to respond to the same. The Advertisers were offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertisers had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertisers prior to the prescribed due date for this complaint. The CCC viewed the advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim "Ayurved supports the poultry industry's quest for antibiotic free chicken", were not substantiated with supporting data, and are misleading by ambiguity. The claim, "Eating Antibiotic Dosed Chicken is hazardous to health, specially for Children", is not supported with evidence to show that the problem exists for chicken being sold in the market and is creating a fear in the consumer's mind and exploits the consumers' lack of knowledge. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Flipbald Health And Wellness Products

**PRODUCT:** Flipbald De-addiction Powder

### **Claim Objected To:**

"Get rid of every type of intoxication."

Objection - Misuse of FSSAI Logo in the advertisement which is in violation of FSSAI order of February 2017

### **CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the advertisement and observed that it shows an FSSAI logo and claims, "Get rid of every type of intoxication", which is grossly misleading and exploits consumers' lack of knowledge. The claim was not substantiated with evidence of product efficacy, and is misleading by exaggeration and implication that FSSAI has approved the product efficacy / claims made in the advertisement. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** All India Poultry Development and Service

**Number of Complaints:** 2

**Complaint 1**

The advertisement claimed, "Eat chicken, It's healthy and benefits you" and states, "vested interests from Western countries through so called NGO foundations appear to be trying to spread false and misleading information alleging indiscriminate usage of antibiotics."

It also implied that because fast-food chains like McDonald's, KFC, Pizza Hut, Burger King, and the like are selling Indian chicken, it must be OK.

Furthermore, the advertisement refers to a Centre for Science and Environment (CSE) study in order to give the impression that Indian chicken meat is not unreasonably affected by antibiotic use. The CSE is a highly reputable public-interest research and advocacy organisation based in New Delhi. There is no truth whatsoever to the assertion that the foreign poultry industry is working through non-governmental organisations (NGOs) to try to damage the Indian poultry industry's reputation for the benefit of the foreign poultry sector. The purpose of this declaration seems to be to defame NGOs that have been raising legitimate concerns in India about chicken welfare and the poultry industry's impact on human health in an effort to try to damage the public's faith in what these organisations have to say.

One day after the misleading advertisement came out, the CSE issued a detailed news release, which can be read here <<https://www.cseindia.org/cse-slams-indian-poultry-industry-for-using-its-name-to-misrepresentfacts8497>>, slamming the Indian poultry industry for using its name to misrepresent facts. Among other things, it states the following about the Indian poultry industry: "All CSE studies have pointed out that there is rampant antibiotic misuse by the poultry industry. A 2017 study clearly shows how poultry farms have become breeding grounds of superbugs." It goes on to condemn the way its study was presented in the advertisement, stating, "CSE has strongly rejected the way the study results have been twisted to suggest that there is no misuse of antibiotics in the poultry sector and that the chicken produced is safe." Regarding the fast-food companies' sale of Indian poultry products, the CSE news release quotes Amit Khurana, senior programme manager of its Food Safety and Toxins team, as stating, "We have recently highlighted the double standards of fast food multinationals in eliminating antibiotic misuse in their chicken supply chains in India. It is clear from our analysis that antibiotics are misused in the absence of control and there is no voluntary commitment to discontinue such misuse." Numerous highly alarming investigative articles have come out in the media in recent years warning about the dangers of indiscriminate antibiotic use in chickens by the Indian poultry industry.

Among them are articles from The Hindu and Bloomberg. A January 2018 article in The Hindu <<http://www.thehindu.com/news/national/a-game-of-chicken-how-indias-poultry-farms-are-spawningglobalsuperbugs/article22597845.ece>> says this about antibiotic use in chickens by the Indian poultry sector: "The medicines, antibiotics, are given to the birds to protect them from diseases or to make them gain weight faster, so that more can be grown each year for greater profit. One drug typically given this way is colistin. Doctors call it the "last hope" antibiotic because it is used to treat patients critically ill with infections that have become resistant to nearly all other drugs.

The World Health Organisation (WHO) has called for the use of such antibiotics, which it calls "critically important to human medicines", to be restricted in animals and banned as growth promoters. Their continued use in farming increases the chance of bacteria developing resistance to them, leaving them useless when treating patients.

The July 2017 Bloomberg article <<https://www.bloomberg.com/news/articles/2017-07-20/poultry-farms-in-india-resemble-superbug-reservoirs-study-finds>> warns: Indian poultry farms aren't just rearing chickens – they're also breeding germs capable of thwarting all but the most potent antibiotics, researchers found. Random tests on 18 poultry farms raising about 50,000 birds each in India's northwestern state of Punjab found that two-thirds of fowl harbored bacteria that produce special enzymes, known as extended-spectrum betalactamase, or ESBL, that destroy most penicillin- and cephalosporin-based antibiotics. Of tested birds destined for meat consumption, 87 percent had





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the super germs, a study published Thursday in the journal Environmental Health Perspectives showed. That compared with 42 percent of egg-laying hens.

The March 2016 Bloomberg article<<https://www.bloomberg.com/news/features/2016-03-29/antibioticapocalypsefear-stoked-by-india-s-drugged-chickens>> describes visits to Indian poultry farms and the ways in which antibiotics that are banned for use in poultry in other countries are used on chickens in India:Records shown by the farmers indicated that at least nine antibiotics were in use, five of which are critical for treating everything from pneumonia to lethal bloodstream infections in humans. Among them were products made by Bayer AG, Zoetis Inc. and Cadila Healthcare Ltd.'s Zydus animal health unit, which are prohibited for use in poultry in Canada, the U.S., the European Union and Australia.Most of the farmers didn't know what an antibiotic was, describing it as just one of the vitamins, medicines and disinfectants they use to keep the birds healthy. On visits to three veterinary shops in the district, sales staff were willing to sell antibiotics without a prescription, which would violate a drug law. At least one of them violated another part of the law by not recording the purchaser's name and address. The rampant use of antibiotics in poultry in India is contributing to a national and global health crisis.

A January 2018 article in The Bureau of Investigative Journalism<<https://www.thebureauinvestigates.com/stories/2018-01-30/a-game-of-chicken-how-indianpoultryfarming-is-creating-global-superbugs>> warns: India has been called the epicentre of the global drug resistance crisis. A combination of factors described as a "perfect storm" have come together to hasten the spread of superbugs. Unregulated sale of the drugs for human or animal use – accessed without prescription or diagnosis – has led to unchecked consumption and misuse.It further states the following:Drug resistance has been called one of the biggest threats to global health, food security, and development by the World Health Organisation. If antimicrobials stop working, doctors won't have effective drugs to treat deadly infections. Currently the problem is thought to kill 700,000 people worldwide – one person a minute – though these figures have been disputed by some academics. The death toll is expected to rise to 10 million by 2050 if no action is taken, with 4.7m of those deaths in Asia. Common procedures like joint replacements, Caesarean sections, organ transplants and chemotherapy could also become too risky to carry out.

The misleading advertisement that appeared in The Times of India seems to show that the Indian poultry industry has no interest in actually rectifying the problem, but only in lying about it. In the CSE news release, Chandra Bhushan, deputy director general of the organisation, is quoted as stating:

This is [a] complete misrepresentation of the facts and the antibiotic misuse practices adopted by the Indian poultry industry. Antibiotic use in [the] poultry sector is rampant. They are even using life-saving drugs like colistin to fatten the chicken. There seem[s] to be no genuine attempt by the industry to reduce antibiotic misuse and this advertisement is eyewash. The July 2017 Report No 269, titled "Transportation and House-keeping of Egglaying hens (layers) and Broiler Chickens", by the Law Commission of India, Government of India, mentions a letter it received from Tata Memorial Centre, stating: As per the response received from the Tata Memorial Centre, Bombay, many Indians suffer from antibiotic resistance. The Centre claims that it is proven that nontherapeutic antibiotics given to poultry cause such resistance and that such antibiotics are given to poultry because their living conditions are cramped and unhygienic. It further says that with more open, cleaner and ventilated living space the animals are less likely to need these constant antibiotics making their eggs and meat safer for human consumption.

The report can be read in its entirety here<<http://lawcommissionofindia.nic.in/reports/Report269.pdf>>.Indeed, it is partially because of the pathetic, severely crowded, filthy conditions in which chickens used for meat and eggs in India are kept that they're pumped full of antibiotics. It's done to address illnesses and to keep them from getting sick. The other reason is to promote their unnatural growth. The March 2016 Bloomberg article referenced above states, "In India, antibiotics are often used as a substitute for sanitation and hygiene, said researcher Laxminarayan, who is director of the Center for Disease Dynamics, Economics & Policy. Consequently, the nation shoulders among the highest rates of antibiotic resistance in the world."What's more, it's false to claim that chicken meat is healthy. The Physicians Committee for Responsible Medicine, based in Washington, DC, warns on its website that chicken meat is high in cholesterol, whereas plants are cholesterolfree. Cholesterol from foods contributes to heart disease as plaques of this and other substances form on the artery walls and eventually restrict blood flow. India has the highest rate of heart-failure deaths in the world.





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In light of the above, I request that you please take necessary action by requiring All India Poultry Development & Services, Pvt Ltd, to discontinue its misleading advertisement and, if possible, issue a public apology in all editions of The Times of India in which the advertisement appeared for misrepresenting the facts. I kindly request that you keep me informed of your action in this regard.

### Complaint 2

Tennis icon Mirza had appeared in the advertorial on February 27 this year in Times of India saying chicken is safe. What has been published is a blatantly false and misleading advertorial. CSEs study of 2014, which had found that banned, critical and highly prescribed antibiotics are being misused by the poultry industry, is misrepresented and CSEs study of 2017, which drove home the point that antibiotic misuse is turning poultry farms into breeding grounds of superbugs has been conveniently ignored. The advertorial is aimed at benefiting the advertising association and the poultry industry by misguiding the people of this country. The advertorial is a clear indication that the poultry companies, represented by AIPDSPL, are not serious to tackle the problem of antibiotic misuse. Instead it is denying the problem and hindering serious action towards this public health crisis of antibiotic resistance. For relevant links on this issue, please visit: CSE's letter to Ms Sania Mirza:<https://cdn.cseindia.org/userfiles/Letter-to-MsSania-Mirza.pdf>

Opinion article by Chandra Bhushan: <http://www.financialexpress.com/opinion/the-postantibiotics-apocalypse-how-the-recent-unionbudget-actually-downgraded-the-focus-onamr/1082307/>

CSE studies:<https://www.cseindia.org/latest-study-by-cses-pollution-monitoring-lab-finds-antibioticresiduesin-chicken-8498>

<https://cdn.cseindia.org/userfiles/report-antibioticresistance-poultry-environment.pdf>

<http://cdn.cseindia.org/userfiles/double-standardsantibiotic-misuse-by-fast-food-companies-20171113.pdf>

### **CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response post the due date. The advertiser in their response stated that the advertisement was about Antibiotic Residues (ABRs) in poultry meat and the complainants are either unaware, or have deliberately chosen to conceal the fact that the 2017 study by CSE is about Antibiotic Residues (ABRs) in poultry litter and environment - not ABRs in poultry meat. The CSE study report has only given the levels of ABRs found in the samples analyzed by them, and no comparison was made with any Maximum Residue Levels (MRLs). Their chicken is safe for the export market (as certified by EIA, after analysis vis-a-vis EU standards). It is a fact that all the fast food chains are using the chicken produced in India for their restaurant chains and are satisfied about quality and food safety of the same. The complaints and the advertiser's response was reviewed by the technical expert of ASCI. The CCC viewed the print advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. The CCC observed that – Claim – “Eat chicken, It's healthy and benefits you” - This claim was considered to be factual as chicken is one of the best sources of protein. This complaint was **NOT UPHELD**.

Claims – “Vested interests from Western countries through so called NGO foundations appear to be trying to spread false and misleading information alleging indiscriminate usage of antibiotics” – These claims were not substantiated and amount to misinformation of facts, and are misleading by exaggeration. The CCC concluded that the advertisement contravened Chapter I.1 and I.4 of the ASCI Code. This complaint was **UPHELD**

Claims – “All QRS like vista foods producing for McDonalds, KFC, Pizza Hut, Burger King, and others buying from India for their outlets are happy with the hygiene and quality standards maintained” - Though multinational use cannot be considered as a certification, the fact that the advertiser has been meeting EU food standards means that the antibiotic residues would have been below the permissible limits. However they not being certifying bodies, this claim is misleading by ambiguity. The CCC concluded that the advertisement contravened Chapter I.4 of the ASCI Code. This complaint was **UPHELD**





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Claims – “A recent study by the center for Science and Environment (CSE) shows that the maximum residue Limits (MRL) in chicken meat in India are much lower than the permitted MRL as per European Union Standards” - The advertisement has quoted a 2014 study regarding antibiotic residue level in poultry meat. However, based on the reference provided by the complainant, CSE itself has objected to the selective use of this data ( <https://www.cseindia.org/cse-slams-indian-poultry-industry-for-using-its-name-to-misrepresentfacts8497> ) . The CCC concluded that the advertisement contravened Chapter I.3 of the ASCI Code. (“Advertisement shall not, without permission from the firm or institution under reference contain any reference to such firm or institution which confers an unjustified advantage on the product advertised or tends to bring the firm or institution into ridicule or disrepute.”) This complaint was **UPHELD**.

**COMPANY:** Swad Food Products

**PRODUCT:** Swad Adatt Matta Rice

### **Claims Objected To:**

1. Has bran oil which cures blood sugar, cholesterol, controls uric acid.
2. Has Omega 3 content of bran oil which prevents heart attack and cancer.

Objections Therapeutic claims- appear misleading by exaggeration.

### **CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that the TVC highlighted the bran content as the speciality of the product. The claims made were basis many research articles available on [google.com](https://www.google.com) which speaks of the health benefits of bran and bran oil.

As claim support data, the advertiser provided copy of FSSAI licence, copy of lab test report in support of bran oil content, and product label. The CCC noted that the advertiser did not submit any product specific authentic and credible scientific data.

Upon carefully viewing the TVC, examining the complaint and the response given by the advertiser, the CCC concluded that the claims in the TVC, “Because since bran contains oil it can control blood sugar, cholesterol and uric acid if consumed regularly” and “Also omega 3 content in bran oil will prevent heart attack and cancer”, were not substantiated with technical rationale and / or clinical evidence of product efficacy. TVC promoting a food product claiming benefits of therapeutic nature, was misleading and exploit’s consumers’ lack of knowledge and is likely to result in widespread disappointment in the minds of consumers. The TVC contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** LegalEdge Tutorials

**Claim Objected to:**

“India's #1 Institution for CLAT Preparation”

**Complaint:**

Full page ad published in Times of India today's edition, 21/03/2018.

LegalEdge, Jaipur has published a full time advertisement in Time of India wherein LegalEdge has claimed to be "India's #1 Institution for CLAT Preparation". Claiming to be a No 1 Institution, is baseless & exaggerated statement which is misleading readers like me. And if it is a no 1 institution then they should have mentioned supporting ground for the same "asterisk \* sign". It looks like a misleading advertisement published just to allure the readers. LegalEdge should be asked to justify their claim with the supporting details

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “India's #1 Institution for CLAT Preparation”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Shrestha Samajik Seva Sansthan Samiti – Shrestha Private Ltd

**Claim Objected To:**

“100% Job Placement Support.”

(100% numerical claim is misleading by implication)

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied stating that the said advertisement was not published by them, nor by their Ad Agency, in any publication. They are also not aware of the advertiser whose released the advertisement without their consent. In response to this argument, ASCI informed them that as their institute name with contact details appeared in the said advertisement, they have not taken any necessary action from their end against the publication or the alleged advertiser responsible for the advertisement, and further requested them to respond to the objections raised in the complaint, by the due date. Upon carefully viewing the print advertisement, examining the complaint and in the absence of specific comments from the advertiser, the CCC concluded that while the advertiser may be providing job placement assistance to their students, the use of 100% numerical is not relevant for “job assistance” claim. The use of “100%” as a descriptor in the claim is misleading by implication, and exploits the consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Image Infotainment Ltd (Image Computer Education)

**Claim Objected To:**

“100% Placement Assistance.”

(100% numerical claim is misleading by implication)

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing placement assistance to their students, the use of 100% numerical is not relevant for “placement assistance” claim. The use of “100%” as a descriptor in the claim is misleading by implication, and exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Jagat Narain Romesh Chander Educational Trust (J.R. Media Institute)

**Claim Objected To:**

“100% Placement Assistance.”

(100% numerical claim is misleading by implication)

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing placement assistance to their students, the use of 100% numerical is not relevant for “placement assistance” claim. The use of “100%” as a descriptor in the claim is misleading by implication, and exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.







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**COMPANY:** Hindustan Unilever Ltd

**PRODUCT:** Ponds White Beauty

**Claim Objected To:**

“Reduces dark circles and is certified”

**CCC RECOMMENDATION: NOT UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed and subsequently requested for an extension to submit their response. The advertiser was granted an extension of four days to the standard lead time of seven days to submit their reply in response to their request for extension. Advertiser in their response stated that the claim in the TVC suggests that the product is clinically proven to help reduce spots and dark circles. The results of an eight weeks in-vivo, double blinded clinical study conducted by a third-party for efficacy of the formulation showed significant dark circle reduction at Instant and weeks 4, and 8 at 95% significance. Another clinical study conducted to test the efficacy of the product, showed significant results in terms of skin lightening and depigmentation at weeks 1, 4 and 8. As claim support data, the advertiser provided copy of clinical study reports to evaluate the skin lightening benefits and spot lightening benefits of the product. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the TVC (in Bengali) and the Hindi version of the same TVC provided by the advertiser, and considered the Advertiser’s response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the advertiser has claimed that there has been a misinterpretation of the commercial in which they mean to state that the cream is proven to lighten dark circles and spots, and is not claiming any certification for the product. Advertiser submitted two clinical study reports done in Thailand and China where reduction of dark circles and spots was evaluated by both subjective and objective means. The photos were evaluated by blind evaluators and therefore the findings are acceptable. There is always a tanning component to any pigmentation, which may reduce by cream application which incorporates sunscreen or an opaque ingredient which may cause improvement in the tanning component. Use of cream may cause hydration of skin and also gives an improved appearance. Based on this assessment, the CCC concluded that the claim (in Bengali) - “*eti dark circles r spots ke halka kortey shahajyo korar promnnoto*”, in Hindi (“*yeh dark circles aur spots ko halka karne mein madad karne ke liye paramanit hai*”) was substantiated. The complaint was **NOT UPHELD**.

**COMPANY:** Sah Hospital

**Claim Objected To:**

“World’s most advanced and safe”

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that Femto Laser Cataract Surgery is most advanced and safe surgery option available in the world, and is FDA approved. Advertiser in their response referred to website links on Femtosecond laser assisted cataract surgery.

The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the TVC and considered the Advertiser’s response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the Femto Laser Surgery is an advanced technology but to claim that it the world most advanced or most safe was not substantiated. As per reference provided by the advertiser, this technique was referred as “Femtosecond laser–assisted cataract surgery seems to be a safe, efficient, and reproducible procedure but further prospective randomized studies will demonstrate the potential clinical benefits of this emerging technology . The CCC also referred to a reference by





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American Academy of Ophthalmology that stated that “However, it is important to be aware that studies have not shown that laser-assisted cataract surgery results in fewer complications or better visual outcomes than traditional cataract surgery. With any type of cataract surgery, your outcome depends in large part on the skill and experience of your eye surgeon....”

Based on this data, the CCC concluded that the claims in the advertisement were superlative, inadequately substantiated and advertiser claiming treatment of cataract surgery through “World’s most advanced and safe” laser rays, was misleading by exaggeration. The TVC contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Confident Group

**PRODUCT:** Confident Canopus

**Claim Objected To:**

“The best housing brand in Kerala.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that in Kerala, they have finished 15 Projects with utmost quality and perfection, catering to the different segments of the customers. In support of their response, the advertiser provided copy of awards received by them for being the best housing brand in Kerala. As this response was inadequate, ASCI requested the advertiser to provide details of the survey methodology for the awards received by them. Advertiser did not provide this information in time for the CCC meeting. The CCC viewed the TVC and considered the advertiser’s response. The CCC observed that the claim made was basis the JCI Excellence award received in 2017 and Rotary club – Kochi award received in October 2015. However, the Advertiser did not provide the details of the process as to how the selection was done i.e. survey methodology, details of survey data, criteria used for evaluation, questionnaires used, names of other similar housing brands that were part of the survey and the outcome of the survey. They also did not provide any verifiable comparative data of the advertiser’s housing brand and similar housing brands in Kerala to prove that it is better than the rest, or through an independent third party validation. The CCC concluded that the claim, “The best housing brand in Kerala”, was inadequately substantiated and is misleading by exaggeration and implication. The TVC contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** ILS Hospital

**Claim Objected To:**

“Cures diabetes and hypertension”

Objection-

The claim objected appears to be misleading by exaggeration.

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. As claim support data, the advertiser provided references to website links on studies/reports that Bariatric Surgery offers resolution/cure to Type-2 Diabetes, Hypertension and others. The CCC viewed the print advertisement and considered the advertiser’s response. Advertiser did not provide details of the treatment nor clinical data for claiming cure of diabetes and hypertension. The CCC concluded that the claim, “Cures diabetes and hypertension”, was inadequately substantiated with supporting clinical evidence, and with treatment efficacy data, and is misleading by exaggeration. Specific to the claim related to cure for Diabetes, the advertisement is in Breach of the law as it violated The Drugs & Magic Remedies Act (items 9 under DMR schedule). The advertisement contravened Chapters I.1, I.4 and III.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Ayurwin Pharma Pvt Ltd

**PRODUCT:** Nutrigain Plus Range of Products (Capsules & Powder)

**Claims Objected To:**

1. The only product to increase weight along with strengthen body based on Ayur Science.
2. Approved by Ayush Dept.

Objection-

The claim, “Approved by AYUSH Dept” continues to appear in the attached advertisement and was challenged under complaint reference no.1704-C.71/ 1708-C.990/ 1802-C.2150 which was Upheld by the CCC. Please refer to our email dated 29th May 2017/ 18<sup>th</sup> October 2017/ 07<sup>th</sup> February 2018 conveying the recommendation of CCC. In view of non- compliance this claim has been intimated to the regulatory authority.

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “The only product to increase weight along with strengthen body based on Ayur Science”, was not substantiated with evidence of product efficacy, and is misleading by exaggeration. Claim, “Approved by Ayush Dept.”, was considered to be inappropriate as all AYUSH products in the market are required to have approval from the State Licensing authorities, and calling it out separately as a claim is misleading by ambiguity and implication that Ministry of AYUSH has approved the product efficacy / claims made in the advertisement. The CCC further noted that this claim was taken up under complaints reference no.1704-C.71, 1708-C.990, 1708-C.994, 1702-





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C.1978, 1802-C.2150 which were Upheld by the CCC and it is a continued non-compliance by the advertiser. The print advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**

**COMPANY:** Ayurwin Pharma Pvt Ltd

**PRODUCT:** Nutrigain Plus Range of Products Capsule & Powder

**Claims Objected To:**

1. Healthy fit body.
2. Approved by Ayush Dept.
3. Gives right weight, fit body and increases energy level.

Objection –

The claim, “Approved by AYUSH Dept” continues to appear in the attached advertisement and was challenged under complaint reference no.1704-C.71/ 1708-C.990/ 1802-C.2150 which was Upheld by the CCC. Please refer to our email dated 29th May 2017/ 18th October 2017/ 07th February 2018 conveying the recommendation of CCC. In view of non- compliance this claim has been intimated to the regulatory authority.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, “Healthy fit body”, and “Gives right weight, fit body and increases energy level”, were not substantiated with evidence of product efficacy, and are misleading by exaggeration.

Claim, “Approved by Ayush Dept.”, was considered to be inappropriate as all AYUSH products in the market are required to have approval from the State Licensing authorities, and calling it out separately as a claim is misleading by ambiguity and implication that Ministry of AYUSH has approved the product efficacy / claims made in the advertisement. The CCC further noted that this claim was taken up under complaints reference no.1704-C.71, 1708-C.990, 1708-C.994, 1702-C.1978, 1802-C.2150 which were Upheld by the CCC and it is a continued non-compliance by the advertiser. The print advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Flipbald Health & Wellness

**PRODUCT:** Flipbald De-addiction powder

**Claims Objected To:**

1. Quit intoxication.
2. Balances the Dopamine level and give riddance from every type of addiction.

Objection –

Use of logo (Ministry of AYUSH) is misleading.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however,





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not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the advertisement and in the absence of comments from the Advertiser, the CCC concluded that the claims, "Quit intoxication" and "Balances the Dopamine level and give riddance from every type of addiction", accompanied by AYUSH logo were not substantiated with evidence of product efficacy, and are misleading by exaggeration and implication that AYUSH has approved the product efficacy / claims made in the advertisement, and exploits consumers' lack of knowledge. The advertisement contravened Chapters I.1, I.4, and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Flipbald Health & Wellness

**PRODUCT:** Flipbald De-addiction powder

**Claims Objected To:**

1. Patient got riddance from 15 years of addiction.
2. This ayurvedic formula is made by thousand years old method which gives freedom in short time from alcohol, drug, tobacco.

Objection –

Use of logo (Ministry of AYUSH) is misleading.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the Ad – Advertorial and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the headline claim (in Hindi) as translated in English, "Patient got riddance from 15 years of addiction", and testimonial claim of Vijay Chauhan, "This ayurvedic formula is made by thousand years old method which gives freedom in short time from alcohol, drug, tobacco", accompanied by AYUSH logo were not substantiated with evidence of product efficacy, and are misleading by exaggeration and implication that AYUSH has approved the product efficacy / claims made in the advertisement, and exploits consumers' lack of knowledge. The Ad – advertorial contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Flipbald Health & Wellness

**PRODUCT:** Flipbald De-addiction powder

**Claim Objected To:**

"Patients got riddance from chronic intoxication"

Objection –

Use of logo (Ministry of AYUSH) is misleading.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the





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prescribed due date for this complaint. The CCC viewed the Ad – Advertorial claiming testimonial of Meenakshi Kataria, and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim (in Hindi) as translated in English, “Patients got riddance from chronic intoxication”, accompanied by AYUSH logo was not substantiated with evidence of product efficacy, and is misleading by exaggeration and implication that AYUSH has approved the product efficacy / claims made in the advertisement, and exploits consumers’ lack of knowledge. The Ad – advertorial contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Ranjeet Goswami Memorial Homeopathic Hospital

**Claim Objected To:**

“Successful treatment of incurable diseases from afar such as joints pain, skin diseases, asthma, migraine, lump in uterus, thyroid etc”

Objection-

Testimonial in the advertisement appears to be misleading.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Successful treatment of incurable diseases from afar such as joints pain, skin diseases, asthma, migraine, lump in uterus, thyroid etc”, was not substantiated with supporting clinical evidence, and is misleading by gross exaggeration. The testimonial claimed in the advertisement is misleading by exaggeration and exploits consumers’ lack of knowledge. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**

**COMPANY:** The Himalaya Drug Company

**PRODUCT:** Himalaya Youth Eternity Under Eye Cream

**Claims Objected to:**

1. Reduces crow’s feet, wrinkles, fine lines in 4 weeks
2. Reduces dark circles and under eye pigmentation.
3. Antioxidants help manage puffy morning eyes.

**Complaint:**

References to claims 1 to 3; please substantiate the claims with claim support data. The claim support data should not be based on internal studies or studies commissioned by The Himalaya Drug Company. According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI Code. Action to be taken: We propose that the advertisement should be immediately withdrawn.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser





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was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed, and subsequently submitted their written response. The advertiser had stated in their response that the product is formulated with a blend of herbal extract rich in anti-oxidant properties. The claims made were basis the clinical study carried out on 60 healthy female subjects by reputed dermatologists to evaluate the efficacy of the product. The results showed that with rich antioxidants present in the Product formulation, the product was effective in reducing fine lines and crow feet wrinkles in 4 weeks, under eye pigmentation and dark circles, and morning puffiness. As claim support data, the advertiser provided clinical study to evaluate the efficacy and safety of the product in healthy human subjects, Evaluation of the antioxidant properties of test samples, detailed note on role of antioxidants in relieving eye puffiness, and copy of product packaging. Further on ASCI's request, the advertiser provided details of the statistical analysis of various parameters as per the evaluation given in their reply. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the print advertisement and considered the Advertiser's response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the data submitted by the advertiser revealed that the fine lines and wrinkles were not significantly reduced. Crow's feet did not improve at all till 4 weeks but improvement was seen at 42 days only. The dark circles and under eye pigmentation extent was not reduced at all. Intensity of melanosis did not reduce till 4 weeks but reduced at day 42. Under eye puffiness did not show significant improvement at all. The literature provided did not support any claim for antioxidants having any role in improvement of puffy eyes. Also, individual parameters evaluated by instruments did not show significant changes, but composite image analysis showed improvement, which probably means the image analysis cannot be relied to give accurate evaluation. Based on this assessment, the CCC concluded that the claims, "Reduces crow's feet, wrinkles, fine lines in 4 weeks", "Reduces dark circles and under eye pigmentation", and "Antioxidants help manage puffy morning eyes", were inadequately substantiated and are misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Greek Retail P. Limited

**PRODUCT:** Refolium Capsules

**Claims Objected to:**

1. Refolium nourishes Dying Hair Follicle Cells with essential nutrients, which naturally grows your hair overnight.
2. Regrow your hair within 30 days only. 3. Dermatologists recommended.

Our objections:

1. Please substantiate claims 1 to 3 with claim support data. The claim support data should not be internal or based on studies commissioned by GEEK RETAIL PRIVATE LIMITED.
2. Ref. to claim 2, how can any person re-grow his/her hair within 30 days? Please substantiate with claim support data. 3. Please provide details of dermatologists who have recommended this.

According to us, the advertisement contravenes Chapter 1.1, 1.2 and 1.4 of ASCI code, Action to be taken: We propose that the advertisement should be immediately withdrawn.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The advertiser did not provide copy of product approval license / product label, and Product composition details. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in





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the absence of any comments or response from the advertiser, the CCC concluded that the claims, “Refolium nourishes Dying Hair Follicle Cells with essential nutrients, which naturally grows your hair overnight”, and “Regrow your hair within 30 days only”, were not substantiated with product efficacy data and are misleading by gross exaggeration. Claim, “Dermatologists recommended”, was not substantiated with any details of survey data, criteria used for evaluation, questionnaires used, name of the independent agency who conducted the survey, and is misleading by exaggeration. The print advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** The Promen.in

**PRODUCT:** Promen Lip Lightener

**Claims Objected to:**

1. Lightens dark pigmented lips.
2. Its refreshing minty flavor accentuates the smoking experience while providing a protective shield before every smoke, preventing cell damage and darkening of lips.
3. Its power packed antioxidants help neutralize the free radicals and treat dark lips.

**Complaint:**

1. Reference to claims 1 - 3 please substantiate with claim support data. The data should have third party validation. The claim support data should not be internal or based on studies commissioned by Promen.
2. Reference to claim 2; the advertisement endorses smoking. This is objectionable.
3. What is unique in the product for it to be specific for men?

According to us, the advertisement contravenes Chapter 1.1 and 1.4 of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but sought for Informal Resolution (IR) of the complaint by removing the claim of “accentuates the smoking experience”, from their website. However, the advertiser did not submit the necessary undertaking required for IR, and provided their detailed response for CCC deliberations. Further on the advertiser’s request, they were provided with an opportunity to discuss their submission via telecon. The advertiser had stated in their response that the product is a skin lightening product and the formula contains the well-established skin lightening ingredients: Glutathione, Vitamin C, and Licorice extract. The efficacy of these actives makes this an effective skin lightening solution. Advertiser referred to website links for technical literature / journal references on the same. Advertiser also gave reference to an article which describes the protective ability of antioxidants i.e Vitamin C, Glutathione and vitamin E against cell damage and darkening. Advertiser provided a copy of their product formulation approved by the drug controller, and various website links of examples of the products (based on Vitamin C & Glutathione) for lightening available in India, and also available internationally. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the website advertisement and considered the Advertiser’s response as well as the opinion of Technical expert presented at the meeting. The CCC observed that there was no study to show that Promen lip lightener lightens lips. All studies quoted by advertiser were about the individual ingredients like vitamin C, glutathione etc. The product contains ascorbic acid form of vitamin C which is unstable, so unlikely to give advertised results. There was no study to justify the claim of preventing cell damage and darkening of lips. There was no substantiation that the product is specific to men. Based on this assessment, the CCC concluded that the claims, “Lightens dark pigmented lips”, “Its refreshing minty flavor accentuates the smoking experience while providing a protective shield before every smoke,







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preventing cell damage and darkening of lips”, and “Its power packed antioxidants help neutralize the free radicals and treat dark lips”, were inadequately substantiated and are misleading by gross exaggeration. The website advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Ganga Milk Foods

**PRODUCT:** Ganga Shahi Kheer

**Claim Objected To:**

“Certified by FSSAI”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Certified by FSSAI”, was not substantiated with supporting evidence to prove FSSAI’s certification for the product, and is misleading by implication that FSSAI has approved the product efficacy / claims made in the advertisement. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Anil Foods

**PRODUCT:** New Range Vermicellis

**Claims Objected To:**

(New range of Millett vermicelli from Anil Foods -)

Reverts skin ageing

Battles Anaemic with vitamins

Relaxes with Antioxidants

Objection: Claim is misleading by implication that the said product has therapeutic benefits

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that Millets are added as the key ingredients in their products. Advertiser in their response referred to website links for the benefits of millets used as ingredients in their products. As claim support data, the advertiser provided Licence copy, Journal reference on nutrients composition and health benefits of millets, Product label along with product composition details, a research paper titled “Nutritional and health benefits of millets”, and sample of the products. The claim support data was reviewed by the technical expert of ASCI. The CCC viewed the print advertisement and considered the Advertiser’s response as well as the opinion of Technical expert presented at the meeting. The CCC observed that the advertiser





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has launched six variants of Vermicelli using a blend of Millet and wheat flour. Out of six products, five of them are blends of millets and wheat flour and one with only Wheat flour. They have submitted website links and a recently published research paper on millets to support the therapeutic claims made in the advertisement. The data submitted on Millets and their health benefits are helpful in understanding the difference between commonly used cereals vs millets. It was noted that that these vermicellis contain Millets only partly remaining being Wheat flour. However the claims are made for the Millet present in the vermicelli. The ingredients list on the pack only states Sorghum and Wheat flour, without giving their percentage in the vermicelli. One of the variant containing only wheat flour as the ingredient has been attributed to the claimed health benefits. No data was provided to substantiate that all the variants show claimed health benefits. Based on this assessment, the CCC concluded that the claims, “Reverts skin ageing”, “Battles Anaemic with vitamins”, and “Relaxes with Antioxidants” were inadequately substantiated with clinical evidence for the advertised product or proof of product efficacy as claimed. The advertisement promoting a food product with therapeutic claims, was misleading by implication and exploit’s consumers’ lack of knowledge. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Flipbald Health And Wellness Products

**PRODUCT:** Flipbald De-addiction Powder

### **Claims Objected To:**

1. A father helped his son quit a 10 year old addiction without stepping out of his home.
2. Ramesh Tomar testimonial claiming that the patient got riddance from 10 years of addiction.
3. No side effects such as dizziness or vomiting.
4. The Ayurvedic formula is made by thousand years old method which gives freedom in short time from alcohol, drug and tobacco.
5. Flip Bald De addiction powder balances the Dopamine level and give riddance from every type of intoxication.

### **Objection**

1. Claims made in the advertisement are false and misleading.
2. Use of FSSAI logo implying that the claims are approved by FSSAI as well as in violation of the FSSAI order.

### **CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the Ad – Advertorial and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the headline claim (in Hindi) as translated in English, “A father helped his son quit a 10 year old addiction without stepping out of his home”, “Ramesh Tomar testimonial claiming that his son got riddance from 10 years of addiction”, “No side effects such as dizziness or vomiting”, “The Ayurvedic formula is made by thousand years old method which gives freedom in short time from alcohol, drug and tobacco”, “Flip Bald De addiction powder balances the Dopamine level and give riddance from every type of intoxication”, accompanied by FSSAI logo were not substantiated with evidence of product efficacy, and are misleading by exaggeration and implication that FSSAI has approved the product efficacy / claims made in the advertisement, and exploits consumers’ lack of knowledge. The Ad – advertorial contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Flipbald Health & Wellness

**PRODUCT:** Flipbald Green Coffee Beans and Forme Oil

### **Claims Objected To:**

1. Flipbald Green Coffee Beans and Forme Oil is the most effective method to reduce stomach fat.
2. Neha Jain testimonial
3. Results of Flipbald's green coffee beans is worldwide.
4. Effective, natural and safe method to reduce weight and reduce stomach fat.
5. No side effects

### **Objections**

1. Visuals in the advertisements appear to be misleading
2. Use of FSSAI logo implying that the claims are approved by FSSAI as well as in violation of the FSSAI order.
3. Testimonial claims made in the advertisement are false and misleading

### **CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the Ad – Advertorial and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the headline claim (in Hindi) as translated in English, "Flipbald Green Coffee Beans and Forme Oil is the most effective method to reduce stomach fat", "No side effects such as dizziness or vomiting", "The Ayurvedic formula is made by thousand years old method which gives freedom in short time from alcohol, drug and tobacco", and "Flip Bald De addiction powder balances the Dopamine level and give riddance from every type of intoxication", accompanied by FSSAI logo were not substantiated with evidence of product efficacy, and are misleading by exaggeration and implication that FSSAI has approved the product efficacy / claims made in the advertisement. The testimonial of Neha Jain claiming that the product reduces fat, with efficacy being depicted via visuals of before and after the treatment are misleading by gross exaggeration, and exploits consumers' lack of knowledge. The Ad – advertorial contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Flipbald Health & Wellness

**PRODUCT:** Flipbald De-addiction Powder

### **Claims Objected To:**

1. Say bye to every types of intoxication, sitting at home
2. No side effects like dizziness or vomiting.
3. Flipbald's doctors made this ayurvedic formula from thousands of years old ancient method which gives freedom from alcohol, drugs and tobacco in short time. 4. Completely natural and safe method.

### **Objection :**

1. Testimonial claims made in the advertisement by Ravindra Bhatia are false and misleading.
2. Use of FSSAI logo implying that the claims are approved by FSSAI as well as in violation of the FSSAI order of February 2017





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### CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the Ad – Advertorial and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the headline claim (in Hindi) as translated in English, “Say bye to every types of intoxication, sitting at home”, “No side effects like dizziness or vomiting”, “Flipbald's doctors made this ayurvedic formula from thousands of years old ancient method which gives freedom from alcohol, drugs and tobacco in short time”, and “Completely natural and safe method”, accompanied by FSSAI logo were not substantiated with evidence of product efficacy, and are misleading by exaggeration and implication that FSSAI has approved the product efficacy / claims made in the advertisement. The testimonial claims of Ravindra Bhatia are misleading by gross exaggeration, and exploits consumers' lack of knowledge. The Ad – advertorial contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Flipbald Health & Wellness

**PRODUCT:** Flipbald Green Coffee Beans and Forme Oil

#### **Claim Objected To:**

1. Dinesh agarwal reduced almost 15 kg weight in just 2 months.
2. Result of flipbald is worldwide and it is very effective, natural and safe method to reduce weight.
3. Use pharme oil along with this and reduce fat slowly.
4. Claims to work as a oil therapy and helps to reduce obesity. 5. No side effect.

#### **Objection:**

1. Testimonial claims made in the advertisement by Dinesh Agarwal are false and misleading.
2. Use of FSSAI logo implying that the claims are approved by FSSAI as well as in violation of the FSSAI order.
3. Visual in the advertisement are misleading

### CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the headline claim (in Hindi) as translated in English, “Dinesh Agarwal reduced almost 15 kg weight in just 2 months”, “Result of flipbald is worldwide and it is very effective, natural and safe method to reduce weight”, “Use pharme oil along with this and reduce fat slowly”, “works as a oil therapy and helps to reduce obesity”, and “No side effect”, accompanied by FSSAI logo were not substantiated with evidence of product efficacy, and are misleading by exaggeration and implication that FSSAI has approved the product efficacy / claims made in the advertisement. The testimonial of Dinesh Agarwal claiming that the product reduces weight / fat, with efficacy being depicted via visuals of before and after the treatment are misleading by gross exaggeration, and exploits consumers' lack of knowledge. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Flipbald Health And Wellness Products

**PRODUCT:** Flipbald De-addiction Powder

**Claim Objected To:**

1. Get rid of every types of intoxication.
- 2.
3. Testimonial of Sarita Misra

Objection:

Testimonial claims made in the advertisement by Sarita Misra are false and misleading.

2. Use of FSSAI logo implying that the claims are approved by FSSAI as well as in violation of the which is in violation of FSSAI order of February 2017.

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the Ad – Advertorial and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the headline claim (in Hindi) as translated in English, "Get rid of every types of intoxication", accompanied by FSSAI logo was not substantiated with evidence of product efficacy, and is misleading by exaggeration and implication that FSSAI has approved the product efficacy / claims made in the advertisement. The testimonial claims of Sarita Misra are misleading by gross exaggeration, and exploits consumers' lack of knowledge. The Ad – advertorial contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Tata Steel Ltd

**PRODUCT:** Tata Pipes

Complaint:

Complaint 1 (AIPMA)

This is against Plastic Industry and needs to be stopped with an apology. Today's The Telegraph, Kolkata. See online page 20. The objectionable points are "Say No to Plastic" "Lets Join Hands against the Plastic Menace" which is purely against the industry and without any technical data.

Complaint 2(OPPI)

We draw your attention to the advertisement of TATA Steel Pipes captioned as "SAY NO TO PLASTIC!". This advertisement which appeared in National Newspaper is attached herewith. This advertisement is misleading and harmful to the plastic industry. TATA Pipes is at liberty to promote its products but not at the cost of competitive products-Plastic Pipes. We submit that the statements made in the advertisement of TATA Pipes have no technical and scientific basis. If TATA Pipes have any technical, authentic data, reports on which they have relied for making such statements, they may furnish the same. The plastic pipe industry is greatly harmed by the advertisement of TATA Pipes. We request the Advertising Standards Council of India to take immediate action to restrain TATA Pipes from publishing malicious, dishonest and defamatory advertisements.





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### CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the grievances of the complainants and forwarded the details of the complaints, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied requesting for a week's time to submit their response. The advertiser was granted an extension of three days to the standard lead time of seven days to submit their reply in response to their request for this extension. Subsequently, the advertiser informed that they would be withdrawing the advertisement and hence they sought for Informal Resolution (IR) of the complaint. In response to the IR undertaking, they replied that they would replace the word 'advertisement' with 'Advertorial'. As the advertiser did not submit the necessary undertaking that the objected claims would be withdrawn, the complaint was taken forward for CCC deliberations. The CCC viewed the advertisement and considered the advertiser's reply. In the absence of specific comments from the advertiser, the CCC concluded that the claims, "Say No to Plastic" and "Lets Join Hands against the Plastic Menace", are likely to mislead consumers to believe, without any justifiable basis, that all type of plastic is bad and should be banned, thus thereby denigrating the entire category of plastics. The claims are misleading by exaggeration of the issue related to plastic. The advertisement exploits the consumers' lack of knowledge and confers an artificial advantage upon the advertiser (for advertiser's product – plumbing and irrigation pipes) or so as to suggest that better bargain is offered than is truly the case. The advertisement contravened Chapters I.4, I.5 and IV.1 (b) (e) of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Magicon Impex Pvt. Ltd

**PRODUCT:** Jivi Mobiles

#### Complaint:

Jivi mobiles during ad on DD sports during live telecast of IND VS BAN T20 match on sun 18 march, says that it's 4G mobiles start with EFFECTIVE price of 699 only.

IT NEEDS TO BE PROVED with substantial Documentation. They say their smartphones start at an effective price of rupees 699 onwards. This seems misleading. This needs to be proved

### CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the TVC and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim offer, "Effective price Rs.699/-", was not substantiated with evidence of genuine customers who have availed of this offer, and is misleading by exaggeration. The TVC contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Yamaha Motor Pvt. Ltd.

**PRODUCT:** Yamaha FZ

Complaint:

Yamaha- celebrating 10 years on Zee Cinema HD, stunt on a road with speeding. Advertisement- Yamaha, theme- celebrating 10 years, telecast on Zee Cinema HD. Time- didn't remember, Cause- high speeding and stunt on road. Stunt performed by John Abraham and other stunt man

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the TVC and noted that the rider is shown performing a wheelie. It was not clear if the visual was being presented as a stunt in the TVC since the font size of the disclaimers and the hold duration of the disclaimers are not in compliance with the ASCI Guidelines. The CCC concluded that though the overall TVC is not objectionable, the specific visual showing the protagonist performing a wheelie shows a dangerous practice, manifests a disregard for safety and encourages negligence.

The TVC contravened Chapter III.3 of the ASCI Code, and Clause (c) of ASCI Guidelines for Advertisements depicting Automotive Vehicles. The complaint was UPHELD.

**COMPANY:** Walter Bushnell

**PRODUCT:** Uriliser

Complaint:

It has been brought to our notice through a promotional material that, Walter Bushnell, (hereinafter "Walter") in the course of promoting one of their products "Uriliser", has advertised that their product possess superior qualities over herbal preparation. Walter has also promoted an overpromising percentage of success rates, which is evidentially contradicting to results of the tests, upon checking the reports cited in their promotional material therein.

Claims as per the promotional material

The promotional materials of Uriliser, stated the below

- Superiority over herbal preparations
- Decreases average renal stone burden as compared to herbal
- 90% prevention of recurrence of Urinary Stones
- Offers high stone remission rate of 94.4%

Superiority over herbal preparations & Decreases average renal stone burden as compared to herbal -

Walter claims superiority of its product "Uriliser" comparing its efficiency to be higher over any herbal preparations available at market. However it's a well known fact and an age old faith of the general public that the natural/herbal components are effective and safer than any proven new technologies.

We would like to know on what basis Walter has made the superiority claim on herbal products and have also affirmed that, there is a decrease in renal stone only by using Walters product, and thereby stating that, "no herbals/herbal products has this quality of curing the stone tract ailment". There are no references to any scientific studies, clinical reports and comparative studies that indicate and substantiate the claims made by Walter. Without proper substantiation, the claims are merely deceiving and misleading to the public.





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90% prevention of recurrence of Urinary Stones -

Walter has cited a reference material in its claim to substantiate their saying, "90% prevention of recurrence of Urinary Stones". We are unable to comprehend how Walter has come to the conclusion that it can prevent recurrence of Urinary Stones by 90010 and what is the basis of claiming such figure. To our surprise it was noted that the reports of the research under the reference Jimenez Verdeji A et al Arch Esp Urol. 2001 Nov;54(9) (hereinafter "Reference Material No. 1) concludes a diverse opinion stating 25 patients out of 100 has shown decrease in stone recurrence. The report is annexed as Annexure-1. This amounts to 25% reduction in recurrence of urinary stones as opposed to 90% claimed in the promotional material.

It is important to note that the study was conducted on the title "Effect of potassium citrate in the prophylaxis of urinary lithiasis". The main aim of the study was to evaluate the foregoing effects and the efficacy of long term treatment with potassium citrate to prevent stone recurrence in patients. Nonetheless, the result concluded that "8 patients out of 50 patients show decrease in stone recurrence who were treated with potassium citrate" and "17 patients out of 50 patients show decrease in stone recurrence who were not treated with potassium citrate".

In this context, it is appalling that the Reference Material No. 1 is clearly and directly contradicting to the claims made by Walter in its promotional material that says, "90% prevention of recurrence", notwithstanding, the actual referred study materials concludes only 20% of success rate.

Offers high stone remission rate of 94.4% -

Again, this figure is not substantiated with any proper documentary evidence or any study/scientific/clinical report. However, a report under reference Barcelo P et al J. Urol. 1993;150 and Pak CYC et al, kidney int. 1986; 30(8) (hereinafter "Reference Material No. 2) has been cited which concludes a diverse opinion to that of the contentions of the above mentioned claim. The report is annexed as Annexure-2 and 3 respectively.

In the reference material Barcelo P et al J. Urol. 1993;150, it was observed that, it was a study conducted with title "Randomized double-blind study of potassium citrate in idiopathic hypocitraturic calcium nephrolithiasis". This study was made in attempt to document the efficacy of potassium citrate, which is considered as a prodigy component contained in Uriliser, by Walter. This amounts to only a success rate of 72% which is falsely misrepresented herein as 94.4%.

In the reference material Pak CYC et al, kidney int. 1986; 30(8), we noted that there are several levels of discussions and findings as a guide for treatment of recurrent kidney stones. This research was made under the title "Investigation and treatment of recurrent kidney stones". This research study is an exhaustive recording about several cases and factors affecting the causes of kidney stone, preventive measures, study reports and findings in that regard.

More fully, it was noted that the final comment of the study reports only suggest the following

"Renal stone disease remains common. A logical medical and surgical approach will reduce both the acute and recurrent morbidity associated with this condition"

The above mentioned extract from the report of this reference material clearly is contradictory and more fully irrelevant to be cited by Walter.

### CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The advertiser did not provide copy of product approval license / product label, and Product composition details. The CCC viewed the Ad – promotional material and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "Superiority over herbal preparations" and "Decreases average renal stone burden as compared to herbal", were not substantiated







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with comparative data for product efficacy with other herbal preparations in the same category. Claims, “90% prevention of recurrence of Urinary Stones” and “Offers high stone remission rate of 94.4%”, were not substantiated with clinical evidence of product efficacy. The claims are misleading by exaggeration. The Ad – promotional material contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** National Institute of Fire & Safety Engineering (NIFSE)

Complaint:

NIFSE National institute of fire and safety engineering is a private institution. They are using NATIONAL word in their name its misleading general public that it is a Government institution. also they are using No 1 Fire and Safety education in their website which is violation of ASCI codes.

NIFSE National institute of fire and safety engineering is a private institution doesn't get any fund or administration from national government in any manner, institution name start with "NATIONAL" its clear and biggest violation of naming convention, also this institution using "No 1 institution" sentences in their web site and other places, which is also violation, who award them No 1 Fire safety institution, general public confusing that it is a government institution please take a serious action against them and give suitable penalty for that, remove National word from name of institution and remove No 1 institution words from all places.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the website advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, “NIFSE – India’s No.1 Fire & Safety Engineering College”, and “No.1 Fire College in India”, were not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claims are misleading by exaggeration. The website advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** National Academy Of Fire and Safety Engineering (NAFS)

Complaint:

NAFS National institute of fire and safety engineering is a private institution. They are using NATIONAL word in their name its misleading general public that it is a Government institution. also they are using No 1 Fire and Safety education in their website which is violation of ASCI codes

NAFS National Academy of fire and safety engineering is a private institution doesn't get any fund from national government in any manner, institution name start with "NATIONAL" its clear and biggest violation of naming convention, also this institution using "No 1 institution" sentences in their web site and other places, which is also violation, who award them No 1 Fire safety institution, general public confusing that it is a government institution please take a serious action against them and give suitable penalty for that, remove National word from name of institution and remove No 1 institution words from all places.”





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### CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the website advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "NAFS – No.1 college of India" and "India's No.1 Fire and Safety Education Network", were not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claims are misleading by exaggeration. The website advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Fortune Computer Academy

#### Complaint:

"Following institute is using 100% job assistance advertisement which is not correct please check."

### CCC RECOMMENDATION: **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the website advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing job assistance to their students, the use of 100% numerical is not relevant for "job assistance" claim. The use of "100%" as a descriptor in the claim is misleading by implication, and exploits the consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The website advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Jet Knitwear

**PRODUCT:** Jet Lycot Readymades

#### Claim Objected To:

"Limca Book Record holder for most number of National awards."

### CCC RECOMMENDATION: **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that the claim made was basis a certification from Limca Book of Records. The said award/record was listed in the "Limca Book of Records" book in the 2011 edition under Business Category. Advertiser provided a copy of the Limca award certificate and relevant pages of the Limca Book of Records 2011. The CCC viewed the advertisement and considered the advertiser's





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response. The CCC observed that the Limca award was given to the advertiser for having received six national awards in various fields between 1995 and 2009, However this was only in Small and Micro, Small and Medium Enterprise (MSME) sector. The CCC observed that the Advertiser did not provide the details of the process as to how the awarding body (Limca) arrived at this conclusion since the selection methodology, criteria used for evaluation, names of other similar organizations that were part of the assessment and the outcome was not explained. The CCC also considered this 2011 data to be outdated. Based on this response, the CCC concluded that the claim, “Limca Book Record holder for most number of National awards”, was not adequately substantiated. Claim is misleading by omission of the reference to MSME sector and year 2011. The print advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Lotus Slimming Centre Pvt Ltd

**PRODUCT:** Figure First

Claim Objected To:

“Reduce upto 6 kg in 1 month”

Objection-

The Before/ After Visuals & Testimonials is misleading about the general weight loss achievable.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied that their unit is being run by women entrepreneurs and they are in the business since last seven years. The CCC observed that the Advertiser did not provide any details of the treatment procedure for weight reduction claimed, nor any weight loss data based on rigorous trial on statistically significant number of patients. The CCC viewed the print advertisement and upon careful consideration of the complaint, and the response given by the advertiser, the CCC concluded that the claim, “Reduce upto 6 kg in 1 month”, was not substantiated with supporting clinical evidence, and with treatment efficacy data, and is misleading by exaggeration. Also, efficacy being depicted via visuals of before and after the treatment are misleading by gross exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Dr Paiwal Physiotherapy Clinic

Claim Objected To:

“Without operation, complete treatment from the roots of waist pain, neck pain, knee pain, sciatica, tingling in hand & leg through tekra & sek of laser rays.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that Tecar therapy is a noninvasive, scientific, deep heating modality which actually is a deep physiological bio-accelerator which repairs deeper damaged tissues and promotes faster recovery from injury. Laser has the property of promoting cell multiplication in deeper tissues. Thus, combination of both Tecar therapy and Leora laser class 4 actually gives deep heat and promotes deeper bio-acceleration of self-healing of damaged tissues in almost all orthopaedic conditions. These goes to the deeper





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levels of those damaged tissues and heal from inside out treating pain, stiffness, numbness and tingling associated with such pains. Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser's response has only assertions about the treatment offered by them. However, neither did they provide any clinical data for claimed treatment based on rigorous trial on statistically significant number of patients nor any published scientific papers. In the absence of claim support data from the advertiser, the CCC concluded that the claim, "Without operation, complete treatment from the roots of waist pain, neck pain, knee pain, sciatica, tingling in hand & leg through tekra & sek of laser rays", was not substantiated with authentic, credible scientific / clinical evidence. The claims implying cure (complete treatment from the roots for the diseases) in the advertisement are misleading by gross exaggeration and exploits the consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Aesthetica Dental Implant Clinics

Claims Objected To:

1. Winner of Best Multi-Speciality Dental Clinic Award.
2. Best Customer Service Award 5 Years in a Row.

Objection-

Claims is misleading by ambiguity and omission of the source and year of award

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that the claim of "Winner of Best Multi-Speciality Dental Clinic" is based on the National Dental Excellence award 2014 issued by Prime Time Research Media Pvt Ltd. The claim of "Best Customer Service Award 5 Years in a Row", is based on the awards received by the advertiser's institute in recognition of their excellence in the field of customer communication. These awards were issued by WhatClinic.com for the years 2012 to 2016. As claim support data, the advertiser provided a copy of these certificate/awards. As this response was inadequate, ASCI requested the advertiser to provide details of the survey methodology for the rankings claimed in the advertisement. In response to this ASCI request, the advertiser argued that they had received these awards from third parties and it is not in their purview to know the process adopted by these parties for giving the awards. The CCC viewed the print advertisement and considered the advertiser's response. The CCC noted that that Winner of Best Multi-Speciality Dental Clinic Award was issued by Prime Time Research Media Pvt Ltd in 2014 and was only for Eastern India. This reference was missing the advertisement. The CCC further observed that the Advertiser did not provide the details of the process as to how the selection was done i.e. survey methodology, details of survey data, criteria used for evaluation, questionnaires used, names of other dental clinics that were part of the survey and the outcome of the survey. The claim "Best Customer Service Award 5 Years in a Row" was for the period 2012 to 2016 and did not hold for year 2017 / 2018 The CCC members also expressed their concerns about the authenticity and credibility of the awarding organisations, particularly about WhatClinic.com since it appeared to rate clinics as per user reviews. Based on this assessment, the CCC concluded that the claims, "Winner of Best Multi-Speciality Dental Clinic Award" and "Best Customer Service Award 5 Years in a Row", were inadequately substantiated and are misleading by ambiguity, omission and exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Maa Kamakhavya Darbar Fragrances India Pvt. Ltd

**PRODUCT:** Tiranga Sacred Agarbatti

Claims Objected To:

1. First choice of crores of Indians.
2. India's No.1 Brand (2017).

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "First choice of crores of Indians", was not substantiated with any consumer survey data, or any verifiable comparative data of the advertiser's product and other agarbatti brands, or through a third party validation. The claim was misleading by exaggeration. Claim, "India's No.1 Brand (2017)", was not substantiated with any market leadership data. Claim is misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** Rediscover Clinic

Claims Objected To:

1. 8 week weight loss challenge.
2. Lose 20 inches + 5 kg weight or Lose 10 inches + 10 kg weight in just 56 days.

Objection-

The Visual in the advertisement when read in conjunction with the claims objected to implies that the treatment are meant for significant weight loss.

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. Advertiser did not provide details of the treatment procedure for weight reduction, nor any weight loss data based on rigorous trial on statistically significant number of patients. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "8 week weight loss challenge" and "Lose 20 inches + 5 kg weight or Lose 10 inches + 10 kg weight in just 56 days", were not substantiated with supporting clinical evidence, and with treatment efficacy data, and are misleading by exaggeration. The visuals in the advertisement imply a significant weight loss around tummy would be feasible, which is also grossly misleading. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.





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**COMPANY:** D.S Research Centre

Claim Objected To: “Largest Ancient Ayurveda Cancer Care Chain since 1965.”

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Largest Ancient Ayurveda Cancer Care Chain since 1965”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes in the same category, or through a third party validation. The claim was misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** Law Prep Tutorial

Claim Objected To:

“India's Best and result oriented classroom coaching program”.

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “India's Best classroom coaching program”, was not substantiated with any verifiable comparative data of the advertiser’s institute and similar institutes to prove that their classroom coaching program is better than the rest, or through an independent third party validation. The claim was misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. This complaint was UPHELD.

The claim, “result oriented” was not considered to be objectionable. This complaint was NOT UPHELD.





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**COMPANY:** A B Foundation

Claim Objected To:

“100% Success”.

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the concerned Media (Sakal Papers Ltd) for their assistance in providing the contact details of the advertiser, or to forward the complaint to the advertiser. The CCC noted that no response was received from the advertiser or from the concerned media prior to the due date for this complaint. The CCC viewed the print advertisement. In the absence of response from the concerned media and comments from the advertiser, the CCC concluded that the claim, “100% Success”, related to their banking program / courses offered by them, was not substantiated with verifiable supporting data, and is misleading by implication of an assured job. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** X-EEED Coaching

Claim Objected To:

“Allahabad's No.1 coaching.”

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisements and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Allahabad's No.1 coaching”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** Winner Institute

Claim Objected To:

“Best Banking Institute.”

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Best Banking Institute”, was not substantiated with any verifiable comparative data of the advertiser's institute and similar banking institutes to prove that it is better than the rest, or through an independent third party validation. The





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claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Maharashtra Academy of Engineering and Educational Research Vishwashanti Gurukul

Claim Objected To:

“India's Leading and Pune's most trusted school.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “India's Leading and Pune's most trusted school”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through an independent third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Vinayak Classes

Claim Objected To:

“No.1 competitive institute of Srimadhapur”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisements and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “No.1 competitive institute of Srimadhapur”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, in providing police and banking related courses, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Sham Kaushalya Taneja Educational Society - Taneja Public School

Claim Objected To:

“100% Assurance of Fluency in English.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the







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prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “100% Assurance of Fluency in English”, was not substantiated with any verifiable supporting data of the students who have been trained to be fluent in English. The claim was misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Saraswati Institute of Career Studies

Claim Objected To:

“India's No.1 coaching”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisements and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “India's No.1 coaching”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Safal Academy

Claim Objected To:

“100% Success Guaranty.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “100% Success Guaranty”, with respect to SBI Clerical job was not substantiated with verifiable supporting data and is misleading by exaggeration and implication of an assured job in SBI. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Rao Edusolutions Pvt Ltd Rao IIT Academy

Claim Objected To:  
“India's favourite”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC observed that the claim, “India's favourite” implies that this institute is preferred over other institutes. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the said claim was not substantiated with verifiable comparative data / market survey data of the advertiser's institute and other similar institutes, or through a third party validation, and is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Patliputra Coaching Classes

Claim Objected To:  
“No.1 institution”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “No.1 institution.”, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes in the same category, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Pai Defence Academy

Claim Objected To:  
“Rajasthan's No.1 residential Defence Academy”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments





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or response from the advertiser, the CCC concluded that the claim, “Rajasthan's No.1 residential Defence Academy”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes in the same category, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Nice Study Circle

Claim Objected To:

“100% success in coaching”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “100% success in coaching”, was not substantiated with verifiable supporting data, and is misleading by exaggeration and implication of an assured job in SBI as clerk. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Institute For Competitive Exam

Claim Objected To:

“100% success.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “100% success”, was not substantiated with verifiable supporting data, and is misleading by exaggeration and implication of an assured job in SBI. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Marwad Defence Academy

Claim Objected To:

“100% government job guarantee after 12th standard.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the





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prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “100% government job guarantee after 12th standard”, was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute in Army Navy, Air Force, etc, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate. The claim is misleading by exaggeration. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Bansal Classes Pvt Ltd

Claim Objected To:

“India's No.1 Coaching Institute.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “India's No.1 Coaching Institute”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Excellent Civil Academy

Claims Objected To:

1. North India's No.1 Institute.
2. Only reputed Institute for selected state by Indian Government and Haryana Government.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, “North India's No.1 Institute”, and “Only reputed Institute for selected state by Indian Government and Haryana Government”, were not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claims are misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Deeksha College of Commerce

Claim Objected To:

“No.1 commerce college”.

**CCC RECOMMENDATION:** UPHELD

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied post due date requesting for extension of three days to submit their response, which was granted. Advertiser stated in their response that their college is conducting commerce courses along with professional courses and faculties are commerce experts. They are also conducting guest lectures from Chartered Accountants for the commerce subjects, and seek the assistance of Chartered Accountants in practice to throw light on the developments in commerce and increase commerce graduates in India. Upon carefully viewing the print advertisement, examining the complaint, and the response given by the advertiser, the CCC observed that the advertiser has made only assertions regarding the courses offered by them and that they provide best quality with least cost than other colleges. In the absence of any relevant claim support data, the CCC concluded that the advertiser claiming to be “No.1 Commerce College”, for offering commerce courses to the students, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** DAV College Managing Committee

Claim Objected To:

“India's largest Non-Government Educational Organization”.

**CCC RECOMMENDATION:** UPHELD

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that their institute is in service from more than 130 years and is managing and co-ordinating more than 900 campus spread over 21 states with 4400000 students, 4000000 alumni, and 100000 employees. As this response was inadequate, ASCI requested the advertiser to provide exhaustive response with authentic supporting data to substantiate the claim made. Advertiser did not provide this additional information in time for the meeting and suggested that ASCI surfs through their web-site. Upon carefully viewing the print advertisement, examining the complaint and the response given by the advertiser, the CCC observed that the advertiser’s response has only assertions about their institute. There was no comparative data to prove that the advertiser’s institute is the largest Non-Government Educational Organization in India and any other comparative data with Non-Government Educational Organizations. The CCC concluded that the claim, “India's largest Non-Government Educational Organization”, was not substantiated with any verifiable comparative data of the advertiser’s institute and other similar institutes, or any third party validation to prove this claim. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.





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**COMPANY:** International Institute of Fashion Design

Claim Objected To:

“The world's largest design education network”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser argued that ASCI should intimate the provision of law conferring jurisdiction upon ASCI to entertain complaints pertaining to print advertisements, and calling for an explanation in this regard, and without providing copy of complaint is violative of the principles of natural justice. Advertiser further stated that the said advertisement was not issued by them, and they have initiated action against the institute/centre that has unauthorizedly published the advertisement containing brand name and logo of INIFD. Advertiser provided a screenshot of the of show cause notice issued by them to the concerned institute/centre. The CCC viewed the print advertisement and considered the advertiser's response. Regarding the Advocate's comment on ASCI's jurisdiction, the CCC referred to the judgement by the Hon'ble Supreme Court titled “Common Cause (A Regd Society) v Union of India and Ors”, which affirmed and recognised the self-regulatory mechanism put in place by self-regulatory bodies as an effective pre-emptive step to statutory provisions in the sphere of media regulation for TV and Radio programmes in India. The grievance redressal platform provided by self-regulatory bodies, therefore, function as the first step for aggrieved consumers against content in the media which might not be in line with the existing laws. The CCC noted that the advertiser made contradictory statements, firstly denying that they had issued the advertisement under reference and then also stating that the said communication should be treated as a “Republic Day greetings”. The advertiser further requested for data to prove the existence of any other institute larger than their institute. The CCC did not agree with the advertiser's contentions and opined that the onus to prove their claim is on the advertiser. In the absence of any relevant claim support data, the CCC concluded that the claim, “The world's largest design education network”, providing courses for fashion designing and interior designing, was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes in India / Asia or worldwide, or through a third party validation, and is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Karnel Academy

Claim Objected To:

“India's Best Institute”.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “India's Best Institute”, was not substantiated with any verifiable comparative data of the advertiser's institute and similar institutes to prove that it is better than the rest, or through an independent third party validation. The claim is misleading by exaggeration and implication. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Institute of Account & Management Studies - Institute of Accounts and Management Business School

Claims Objected To:

1. 100% Placement Assistance. (100% numerical claim is misleading by implication)
2. No. 1 Rank Centre for CA/ acca / cma Usa, Ind/cs.

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that while the advertiser may be providing placement assistance to their students, the use of 100% numerical is not relevant for "placement assistance" claim. The use of "100%" as a descriptor in the claim is misleading by implication, and exploits the consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. Claim, "No. 1 Rank Centre for CA/ acca / cma Usa, Ind/cs", was not substantiated with supporting data for the ranking claimed, and is misleading by exaggeration. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Ayyappa Constable Coaching Center

Claim Objected To:

"100% Job in 5 months duration".

**CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "100% Job in 5 months duration", was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute for constable jobs, contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate, and is misleading by exaggeration. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** The Sumana Foundation /School of Indian Hotel Management

Claims Objected To:

1. 100% Placement.
2. 100% Placement till date.
3. 100% Assured Job

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "100% Placement", "100% Placement till date", and "100% Assured Job", were not substantiated with authentic supporting data such as detailed list of students, who have been placed through their Institute contact details of students for verification, enrolment forms and appointment letters received by the students, nor any independent audit or verification certificate, and are misleading by exaggeration. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Kautilya Academy

Claim Objected To:

"India's No.1 Institute."

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, "India's No.1 Institute", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or through a third party validation. The claim is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.







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**COMPANY:** Brills Institute

Claim Objected To:

“No.1 studies in IELTS, English Speaking.”

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “No.1 studies in IELTS , English Speaking”, was not substantiated with any verifiable supporting data and is misleading by exaggeration. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** Olivia Skin & Hair Clinic

Claim Objected To:

“No.1 Clinic in Dermatology.”

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “No.1 Clinic in Dermatology”, was not substantiated with any verifiable comparative data of the advertiser’s clinic and other similar clinics in the same category, or through a third party validation. The claim was misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** ARG Outlier Media Asianet News Pvt Ltd(\*) Republicworld.co m

Claim Objected To:

“Fastest breaking down of budget 2018.”

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. The CCC viewed the TVC and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claim, “Fastest breaking down of budget 2018”, was not substantiated with any supporting data and is misleading by exaggeration. The TVC contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.





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**COMPANY:** Delhi Public School

Claim Objected To:

“Ranked No.1 Emerging School in Nagpur.”

**CCC RECOMMENDATION:** UPHELD

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. As claim support data, the advertiser provided a copy of the certificate given by “Education Today – Maharashtra School Merit award 2017-18” to the advertiser’s institute.

Upon carefully viewing the print advertisement, examining the complaint and the response with the supporting data given by the advertiser, the CCC observed that what the advertiser’s institute has received is a Certificate of achievement for “CBSE Upcoming Schools”. This certificate did not correlate with the claim made by the advertiser’s institute being Ranked No.1 Emerging School. The CCC concluded that the claim, “Ranked No.1 Emerging School in Nagpur”, was false, not substantiated for the ranking claimed, and was misleading by ambiguity. The claim was also not qualified to mention the source and date of research and is misleading by omission. The advertisement contravened Guidelines for Advertising of Educational Institutions and Programs as well as Chapters I.1, I.2 and I.4 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** Kaya Komal Avleh

Claims Objected To:

1. Reduced 16 kg weight in 4 months.
2. No need to stop Ghee, Oil, Sugar, Rice.
3. Without diet, exercise and herbalife.

Objection-

The Before/ After visuals & Testimonials is misleading representation of achievable weight loss.

**CCC RECOMMENDATION:** UPHELD

The ASCI approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI’s request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. Advertiser did not provide details of the treatment procedure for weight reduction, nor any weight loss data based on rigorous trial on statistically significant number of patients. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, “Reduced 16 kg weight in 4 months”, “No need to stop Ghee, Oil, Sugar, Rice”, and “Without diet, exercise and Herbalife”, were not substantiated with supporting clinical evidence, and with treatment efficacy data, and are misleading by exaggeration. Also, efficacy being depicted via visuals of before and after the treatment are misleading by gross exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was UPHELD.





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**COMPANY:** Naturoveda India Pvt Ltd (Naturoveda Health World)

Claims Objected To:

1. Hopeful will surely succeed
2. Achieved success by overcoming Psoriasis.

Objection-

Testimonial in the advertisement given by Mr. Joy Mitra states, “I am now completely healthy. You too can succeed, if you wish to”, is false and misleading.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser argued that the objection raised against the testimonial of the patient, Mr. Joy Mitra, was incorrect and invalid. A patient reserves all the rights to express and state whatever he desires to, and no one can question his freedom of expression in any way.

The CCC viewed the print advertisement and considered the advertiser’s response. The CCC noted that the advertiser did not provide any details of the treatment procedure nor any data for claimed treatment based on rigorous trial on statistically significant number of patients. No details regarding the medicines, their approval status by the regulatory authorities was provided by the advertiser. In the absence of such robust clinical data, the individual testimonial was not considered to be acceptable. The CCC concluded that the claims related to the treatment of the patient, Joy Mitra, whose photograph was shown in the advertisement - “Hopeful will surely succeed”, and “Achieved success by overcoming Psoriasis”, were not substantiated with authentic, credible scientific / clinical evidence. These claims implying cure for Psoriasis, and the testimonial in the advertisement given by Mr. Joy Mitra “I am now completely healthy. You too can succeed, if you wish to”, were misleading by gross exaggeration and exploits the consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Naturoveda India Pvt Ltd (Naturoveda Health World)

Claim Objected To:

“Naturoveda Health World’s safe, natural treatment can successfully cure you and help you lead a healthy life.”

Objection-

As the advertisement makes a reference to Asthma problems the claim objected to above imply that Naturoveda successfully treats asthma.

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser argued that the objection raised against the claim is false and incorrect, as they have not claimed any guaranteed cure for Asthma. The CCC viewed the print advertisement and considered the advertiser’s response. The CCC noted that the advertiser did not provide any details of the treatment procedure nor any data for claimed treatment based on rigorous trial on statistically significant number of patients. No details regarding the medicines, their approval status by the regulatory authorities was provided by the advertiser. The CCC concluded that the claim, “Naturoveda Health World’s safe, natural treatment can successfully cure you and help you lead a healthy life”, was not substantiated with authentic, credible scientific / clinical evidence, and is misleading by exaggeration. Specific to the claims implying cure for Asthma problems, the advertisement is in Breach of the





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law as it violated The Drugs & Magic Remedies Act, Rule 6, and are misleading by implication and gross exaggeration and exploits the consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4, I.5 and III.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Arogyam Ayurvedic Centre

**PRODUCT:** Allergy Rakshak Range of Products

Claim Objected To:

“No.1 Medicine for allergy since 20 years.”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objection raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but replied that they have withdrawn the said claim from their advertisement. Advertiser provided a copy of the product licence. The CCC viewed the print advertisement and in the absence of specific comments from the advertiser, the CCC concluded that the claim, “No.1 Medicine for allergy since 20 years”, was false and not substantiated to prove the product being No.1 medicine for allergy problems. The claim is misleading by exaggeration. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Aura Weight Loss Clinic

Claims objected to:

1. Up to 4Kgs in 1 Month
2. No medicine, No surgery, No Side-effects”

Complaint:

“Our objections:

1. Please substantiate claims 1 and 2 with claim support data. The claim support data should not be internal or based on studies commissioned by Aura Weight Loss.
2. Ref. to claim 1, is it applicable to all the consumers irrespective of their weight, life-style, metabolism? If no, then this claim is misleading.
3. According to chapter 1.5(d) of ASCI Code, “Special care and restraint has to be exercised in advertisements addressed to those suffering from weakness, any real or perceived inadequacy of any physical attributes such as height or bust development, obesity, illness, impotence, infertility, baldness and the like, to ensure that claims or representations directly or by implication, do not exceed what is considered prudent by generally accepted standards of medical practice and the actual efficacy of the product”.

According to us, the advertisement contravenes Chapter 1.1, 1.4 and 1.5(d) of ASCI code. Action to be taken: We propose that the advertisement should be immediately withdrawn”

**CCC RECOMMENDATION:** **UPHELD**

The ASCI approached the advertiser for their response in addressing the grievances of the complainant and forwarded the details of the complaint, verbatim, to the advertiser with a request to respond to the same. The Advertiser was





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offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. Advertiser did not provide details of the treatment procedure for weight reduction, nor any weight loss data based on rigorous trial on statistically significant number of patients. The CCC viewed the print advertisement and upon careful consideration of the complaint, and in the absence of any comments or response from the advertiser, the CCC concluded that the claims, "Up to 4Kgs in 1 Month", and "No medicine, No surgery, No Side-effects", were not substantiated with supporting clinical evidence, and with treatment efficacy data, and are misleading by exaggeration. The visual in the advertisement implies a significant weight loss around tummy would be feasible, which is also grossly misleading. The advertisement contravened Chapters I.1 and I.4 of the ASCI Code. The complaint was **UPHELD**.

**COMPANY:** Super Salt Pvt Ltd

**PRODUCT:** Top Line Activ Natural Salt

Claim Objected To:

"Claims to be solar evaporated and enriched with more important minerals like calcium, magnesium and iodine."

1. Claim is misleading by omission and implication that it has unique properties as compared to other salts.
2. Disclaimer not legible and not as per ASCI Disclaimer Guidelines

**CCC RECOMMENDATION:** **UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed through their advertising agency. The representatives of the Advertiser / Ad. Agency during their personal meeting informed that they would support their claims with clinical data. However, the Advertiser did not provide their written submission in time for the meeting.

Upon carefully viewing the TVC, examining the complaint and in the absence of claim support data, the CCC concluded that the claim, "solar evaporated and enriched with more important minerals like calcium, magnesium and iodine", was not substantiated with any technical data for the advertised. Claim is misleading by implication that the product has unique properties as compared to other salts. The TVC contravened Chapters I.1 and I.4 of the ASCI Code.

The CCC also noted that in the absence of any usage recommendation such as the serving size, the TVC is likely to mislead consumers into excessive consumption of the product due to implication of better mineral profile in the product. The TVC contravened ASCI Guidelines on Advertising of Foods & Beverages. The disclaimers in the TVC were not legible, and not in the same language as the audio of the TVC (Hindi). The TVC contravened Clauses 4 (I) and 4 (VII) of ASCI Guidelines for Disclaimers. The complaint was **UPHELD**.





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**COMPANY:** Super Salt Pvt Ltd

**PRODUCT:** Top Line Activ Natural Salt

Claim Objected To:

“Nutritionist endorsement stating that salt consumption for your health is correct or Good”

1. Claim is misleading by implication that salt intake with the advertised product would not be harmful.
2. Disclaimer not legible and not as per ASCI Guidelines

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed through their advertising agency. The representatives of the Advertiser / Ad. Agency during their personal meeting informed that they would seek Informal Resolution (IR) of the complaint as the said TVC had been discontinued. However, the Advertiser did not provide their written response in time for the meeting. Upon carefully viewing the TVC, examining the complaint and in the absence of response from the advertiser, the CCC concluded that the claim related to the Nutritionist endorsement stating that “salt consumption for your health is correct (implying it to be Good)”, was not substantiated with scientific rationale. Claim is misleading by ambiguity and implication that salt intake with the advertised product would not be harmful. The CCC also noted that in the absence of any usage recommendation such as the serving size, the TVC is likely to mislead consumers into excessive consumption of the product. The TVC contravened Chapters I.1 and I.4 of the ASCI Code as well as ASCI Guidelines on Advertising of Foods & Beverages. The disclaimers in the TVC were not legible, and not in the same language as the audio of the TVC (Hindi). The TVC contravened Clauses 4 (I) and 4 (VII) of ASCI Guidelines for Disclaimers. The complaint was **UPHELD**.

**COMPANY:** Super Salt Pvt Ltd

**PRODUCT:** Top Line Activ Natural Salt

Claims Objected To:

1. Active salt
2. Keeps you active all the day long

1. Claim is misleading by ambiguity and implication that its action is better than other salts
2. Disclaimer not legible and not as per ASCI Disclaimer Guidelines

**CCC RECOMMENDATION: UPHELD**

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they availed through their advertising agency. The representatives of the Advertiser / Ad. Agency during their personal meeting informed that they would support their claims with clinical data. However, the Advertiser did not provide their written submission in time for the meeting. Upon carefully viewing the TVC, examining the complaint and in the absence of claim support data, the CCC concluded that the claim, “Active salt” and “Keeps you active all the day long”, were not substantiated with any technical or scientific rationale or data regarding product efficacy in keeping lethargy or





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drowsiness (Shown via visuals / reference to Umasi) at bay. Claims are misleading by ambiguity and implication that the product's effect is unique or better than other salts. The TVC contravened Chapters I.1 and I.4 of the ASCI Code. The CCC also noted that in the absence of any usage recommendation such as the serving size, the TVC is likely to mislead consumers into excessive consumption of the product. The TVC contravened ASCI Guidelines on Advertising of Foods & Beverages. The disclaimers in the TVC were not legible, and not in the same language as the audio of the TVC (Hindi). The TVC contravened Clauses 4 (I) and 4 (VII) of ASCI Guidelines for Disclaimers. The complaint was **UPHELD**.

**COMPANY:** Bhopal Sahakari Dugdha Sangh

**PRODUCT:** Sanchi Milk

### Claims Objected To:

1. Vitamin A - helps in beautiful skin, growth of body tissue, Growth of physical resistance power, helps in complete physical development.
- 2 Vitamin D - increases physical resistance and nervous system power, Resistant for type-2 diabetes.

Objection –

Claims are not as per FSSAI order dated 22nd December 2017 on claims permitted for fortification foods.

### **CCC RECOMMENDATION: UPHELD**

The ASCI approached the advertiser for their response in addressing the objections raised in the complaint. The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat. The advertiser had, however, not responded to ASCI's request. The CCC noted that no response was received from the advertiser prior to the prescribed due date for this complaint. Advertiser did not provide any authentic and credible technical data, scientific rationale or clinical evidence of product efficacy. The CCC viewed the advertisement and in the absence of claim support data, the CCC concluded that the claims, "Vitamin A - helps in beautiful skin, growth of body tissue, Growth of physical resistance power, helps in complete physical development", and "Vitamin D - increases physical resistance and nervous system power, Resistant for type-2 diabetes", were not substantiated for the advertised product. The CCC also noted that these claims are not as per approved list of claims issued by FSSAI for fortification of Vitamin A and Vitamin D. Advertisement exploit's consumers' lack of knowledge and is likely to result in widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was **UPHELD**.





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**COMPANY:** Saboo Sodium Chloro Limited

**PRODUCT:** Surya Salt

Claim Objected To:

“Surya Salt contain alkaline pH which protects you from many diseases like cancer, diabetes, bones related diseases and allergy”

The claims are misleading by implication that the surya salt has therapeutic benefits.

“In context to the same, we wish to inform you that Surya Salt is having a Ph value of 8.2 and is indeed alkaline in nature and gives all the benefits which are attributable to alkaline salt, however, in case your advertising standard council finds the advertisement in question/objectionable then we shall not release the same again.”

**CCC RECOMMENDATION:** UPHELD

The ASCI had approached the advertiser for their response in addressing the objections raised in the complaint The Advertiser was offered an opportunity for Personal Hearing with the ASCI Secretariat which they did not avail, but submitted their written response. The advertiser had stated in their response that the product has a pH value of 8.2 and is alkaline in nature and gives all the benefits which are attributable to alkaline salt. Upon carefully viewing the print advertisement, examining the complaint and the response given by the advertiser, the CCC observed that the advertiser’s response has only assertions about their product. Advertiser did not provide any authentic and credible technical data, scientific rationale or clinical evidence of product efficacy. In the absence of claim support data, the CCC concluded that the claims, “Surya Salt contain alkaline pH which protects you from many diseases like cancer, diabetes, bones related diseases and allergy”, were therapeutic in nature and moreover, they were not substantiated for the advertised product. Advertisement promoting a food product claiming benefits of therapeutic nature, were misleading by implication and exploit’s consumers’ lack of knowledge and is likely to result in widespread disappointment in the minds of consumers. The advertisement contravened Chapters I.1, I.4 and I.5 of the ASCI Code. The complaint was UPHELD.

**COMPANY:** GLAXOSMITHKLINE CONSUMER HEALTHCARE LIMITED

**PRODUCT:** Horlicks Protein Plus

Fast Track Complaint received against the Website/Internet advertisement and Youtube Commercial (<https://www.youtube.com/watch?v=njINFP3r-ms>) of “GlaxoSmithKline Consumer Healthcare Ltd. – Horlicks Protein Plus”, from Danone India. “The advertisement claims that Horlicks Protein Plus has ‘Better Protein’ compared to a regular protein drink which is shown in a Tin and it is very clear that they are talking about Protinex.

Protinex is a 60 year old legacy brand. The Protinex original has peanut hydrolysed protein. It is a unique patented process which creates hydrolysed protein which is absorbed much better than intact protein. Protinex is also available in multiple flavors like – Tasty chocolate, Vanilla, Elaichi and Fruit Mix. All these flavours have Milk proteins (Whey + Casein) and Soy protein. Please find attached report from Kantar world panel which describes volume shares of protein-based brands within milk food drinks. Protinex (all Variants) with 0.37% market share followed by B Protin and D protin are the leading health drinks predominantly based on protein proposition. Within Protinex, Px Original has 0.17% market share but Px Tasty Chococolate and Vanilla together has 0.17% market share as well. The flavours dominate the market as equal to Px Original. All the Protinex brads look similar and are sold in same tin as shown in the TVC by GSK. Therefore it is evident that GSK’s intent is to compare Horlicks Protein Plus with Protinex as whole and prove it’s superiority over all the Protinex variants. Therefore the better protein claim needs to be evaluated against Px Original as well as Px Tasty Chocolate and Vanilla.







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There are no explanations provided to justify how they have better protein. There are 3 plausible explanations provided for better protein claim-

1. Horlicks Protein Plus contain 33% Protein. All the Protinex assortments, Original and flavours have 34 g of protein per 100 g. That is 34% Protein. It is higher than the Horlicks Protein Plus.
2. Horlicks Protein plus contain 3 proteins which has PDCAAS 1 and it contain all 9 essential amino acids They have mentioned that the Horlicks Protein Plus contain proteins that has all 9 Essential Amino Acids. Although there is no analysis done on actual Horlicks Protein Plus Product. Protinex Original also contains 9 essential amino acids. We have attached a detail analytical report of Px Original done by reputed CLF laboratory in Europe. This analysis was done in 2012 but there is no change in the formulation since then except that there is slight increase in overall protein content. We have also attached detail analytical report of Px Tasty Chocolate and Px Vanilla which was done very recently. They too contain all 9 essential amino acids. Please note that Px tasty Cholcoate and Px Vanilla contain Milk proteins (Whey + Casein) and Soy protein. PDCAAS of these proteins is also 1.
3. Horlicks Protein Plus contain triple blend of Protein – Whey, Casein and Soy. However, there is no evidence provided to show that the Horlicks Protein Plus with these 3 proteins is better than any other brands for ex. Peanut Hydrolysed Protein in Px Original OR is there any study done to show that the triple blend in Horlicks Protein Plus is better than Milk Proteins (Whey + Casein) and Soy protein combination in Px Tasty Chocolate and Vanilla flavours.

Have they done any clinical studies to prove that the Horlicks Protein Plus is creating better impact than Px Original OR Px Tasty Chocolate OR Px Vanilla? We would like to see those.

The following reference is provided on the Horlicks Protein Plus website- Reidy (2013) Protein blend ingestion following resistance exercise promotes human muscle protein synthesis. The Journal of Nutrition (112) 168021.

Here is the link to the full text- <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3738242/pdf/nut1430410.pdf>

This article compares benefits of having 3 blends over having just whey protein. There is no comparison to Hydrolysed protein. Also there is no comparison to Milk + Soy proteins.”

### **FTCP RECOMMENDATION: NOT UPHELD**

The Complainant as well as the Advertiser representatives were given the opportunity for personal hearing with the Technical expert and the ASCI Secretary General. Data submitted by the complainant and the advertiser was reviewed by the technical expert.

The FTCP reviewed the YouTube / digital advertisement and noted the Advertiser’s written response. The details of the complaint and the rationale for claim support was taken into consideration. The FTCP also referred to an earlier matter under reference 1803-FTCC.19, wherein some of the objections were looked into for an earlier communication The FTCP concluded as follows – The FTCP did not agree with the complainant that the regular protein drink shown in a tin implies Protinex since the “tin” format is not unique to Protinex. This complaint was **NOT UPHELD**.

For the claim “Choose the Better Protein” the advertiser states that the claim "Choose the Better Protein" is based on the quality of Protein available in their product Horlicks Protein Plus and not the quantity. The parameters considered are source of Protein, the blend of Proteins used (a blend of whey protein concentrate, Soy and Casein (from Milk Solids) which is not present in any of the Protinex formulations) and a higher Amino Acid profile in





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Horlicks Protein Plus as compared to Protinex, its Chocolate and Vanilla variants. They further state that the PDCAAS (Protein Digestibility Corrected Amino Acid score) for peanut protein is 0.52 versus a PDCAAS score of 1 for whey, soy and casein protein.

The amount of protein delivered per daily recommended serve of the product is 10g from Horlicks protein plus versus 10.2g from Protinex Original and 8.5g protein from Protinex vanilla and chocolate. Further even though Protinex Original delivers 10.2g protein per daily serve, the protein quality of peanut protein in Protinex Original is not at parity with protein sources in the Horlicks Protein Plus formulations The advertiser further justifies their claims based on the three main criteria -

- The total Essential Amino acid content of Horlicks Protein Plus chocolate and vanilla (per 100g and per daily serve) is higher versus Protinex formulations. This translates to a higher delivery of essential amino acids through the recommended daily serve of Horlicks Protein Plus versus Protinex formulations. The total essential amino acid content determines the overall protein quality and its ability to support growth, repair and maintenance of muscles and tissues.
- The amount of Leucine (an essential amino acid which helps trigger muscle protein synthesis) is also higher (per 100g and per daily serve) in Horlicks Protein versus Protinex formulations. Leucine, is reported to be of particular importance for stimulating Muscle Protein Synthesis.
- Total Branched chain Amino acid delivery (including valine, isoleucine and leucine) is also higher (per 100g and per daily serve) in Horlicks Protein versus Protinex formulations. Branched chain amino acids are important for supporting tissue growth, repair and their maintenance.
- Contribution to the recommended daily reference intake - (WHO/FAO/UNU, 2007) of essential amino acids is also higher through the per daily serve of Horlicks Protein Plus versus Protinex formulations

The FTCF also noted that the advertiser is not making any quantitative claim or superlative claim. Based on the evaluation of the above data, the FTCF did not consider the claim “Choose The Better protein” to be objectionable. This complaint was **NOT UPHELD.**

