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ASCI upheld complaints against 145 advertisements out of 180 advertisements evaluated

Mumbai, April 16, 2019: During the month of February 2019, ASCI investigated complaints against 243 advertisements, of which the advertisers ensured corrective action for 63 advertisements once they received the complaints from ASCI. The Consumer Complaints Council (CCC) of ASCI upheld complaints against 145 advertisements out of 180 advertisements evaluated by them. Of these **145** advertisements, 83 belonged to the **healthcare sector**, 33 to the **education sector**, ten to the **food & beverages sector**, one to **personal care**, and 18 were from the **'others'** category.

Amongst various advertisements that were examined, a significant number of advertisements were upheld for exaggeration of product efficacy and exploiting consumers' lack of knowledge. This was followed by violations of the Drugs and Magic Remedies Act (DMR Act). A large number of these advertisements were digital i.e. advertisers' own web-sites carrying the objectionable claims and visuals.

For the Food and Beverages sector, the CCC found a couple of well-known brands referring to Ayurvedic or herbal ingredients known for their memory enhancing properties; however, the associated claims were not substantiated. A popular cooking oil was making claims regarding the oil being "Lite" and "Less absorbent" without any robust technical support data. An A-2 cow milk brand was projecting its products to have some unique immunity benefits or miraculous effects that were not substantiated by any scientific rationale or clinical evidence. Additionally, a couple of brands were making improper use of the FSSAI logo implying that the product has been tested/approved/endorsed by FSSAI. This was also in violation of the FSSAI advisory against such use which is not in the prescribed format.

Shweta Purandare, Secretary General, ASCI said,

"Over the last one year, in the Food and Beverage sector alone, ASCI's Consumer Complaints Council examined over 300 advertisements for misleading claims. This was a result of the co-regulation model under which FSSAI had given ASCI a mandate for comprehensive Suo Motu surveillance of potentially misleading advertisements in print media and television. Such arrangement provides a win-win for stakeholders wherein self-regulatory organizations ensure a better advertising ecosystem and the regulators can intervene only when necessary, thus bringing synergies in efficiency".

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HEALTHCARE: - Total of 83 advertisements complained against

- [Direct Complaints](#) (58 advertisements)
- [Suo Motu Surveillance by ASCI](#) (25 advertisements)

EDUCATION: - Total of 33 advertisements complained against

- [Direct Complaints](#) (One advertisements)
- [Suo Motu Surveillance by ASCI](#) (32 advertisements)

FOOD AND BEVERAGES: - Total of ten advertisements complained against

- [Direct Complaints](#) (Four advertisements)
- [Suo Motu Surveillance by ASCI](#) (Six advertisements)

PERSONAL CARE: - Total of One advertisement complained against

- [Direct Complaints](#) (One advertisement)

OTHERS: - Total of 18 advertisements complained against

- [Direct Complaints](#) (Eight advertisements)
- [Suo Motu Surveillance by ASCI](#) (10 advertisements)

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DIRECT COMPLAINTS

The advertisements given below were complained against by general public or by industry members. Of the 140 advertisements, **34** cases were informally resolved as the advertisers' ensured prompt corrective action immediately post receiving the complaints. Complaints against 72 advertisements were upheld by the CCC. Of these **72 advertisements, 58 belonged to Healthcare sector, four belonged to the Food & Beverages sector, one belonged to the Education sector and Personal Care sector each, and eight to the 'Others' category.**

Healthcare

1. **Sahajanand Life Sciences Pvt. Ltd. (JointAid Oil and JointAid Spray):** The advertisement's claim, "Trusted by Doctors, Physiotherapists and Lakhs of families" is misleading by implication that the medical community of doctors and physiotherapists are recommending the product. The second claim, "100% Natural" for JointAid Spray is false and misleading by ambiguity. Additionally, the claim, "Developed by DR" when seen in conjunction with the visual of a stethoscope, was inadequately substantiated and is misleading by ambiguity and implication, and is likely to lead to grave or widespread disappointment in the minds of consumers.
2. **Lord Dhanvantari Ayurvedic Hospital:** The advertisement (in Hindi), claiming cure of knee pain and joint pain by showing similar testimonials and same X-ray reports for two separate individual patients and claiming progress on first day of treatment, and treatment after three and six months. These claims were not substantiated with supporting clinical evidence and are misleading by gross exaggeration and exploit consumers' lack of knowledge and are likely to lead to grave widespread disappointment in the minds of consumers.

The following 56 advertisements were considered to be, prima facie, in violation of The Drugs & Magic Remedies (DMR) Act when the advertisements were viewed in totality with the texts and visuals: The majority of these were advertiser web-sites carrying the objectionable claims.

SR No	Brand/Product	Claim(s)
1	Janki Herbal / Janki Herbal Range of Products	<ul style="list-style-type: none"> • Get rid of problem such as small, thin and crooked penis, impotence, premature ejaculation, nightfall, childlessness and also get desirable sex time • Get Masti gel, Uttejana Capsules free with full course of medicines
2	Sex Samasya	<ul style="list-style-type: none"> • Instrument to increase size, thickness of your sexual organ, get rid of crooked, obliquity and make your organ hard and strong. • Increase your sex time

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3	Yaun Samasya	<ul style="list-style-type: none"> • Get rid of small, thin, crooked organ, childlessness, premature ejaculation, nightfall, lack of sexual desire, weak nerves and Impotence • Increase your sex time with 30 Days medicine together with “Joshila Tel”
4	S.G.Phyto Pharma Pvt.Ltd./ Boostex Forte Capsules https://www.sqphyto.com/product/boostex-fortecapsules/	<ul style="list-style-type: none"> • Promotes vigour for improved performance and fertility aspects • Increase the libido
5	Shaafi Herbal Care/Shaafi Power Plus http://www.shaafiherbalcare.com/products/23-shaafi-power-plus.html	<ul style="list-style-type: none"> • It increases the power of erection
6	Hashmi Dawakhana/ Hard Rock http://www.hashmidawakhana.org/hard-rock-best-erection-capsules.html	<ul style="list-style-type: none"> • Completely curbs erectile dysfunction • Increased ability to last longer in bed
7	Hashmi Dawakhana/ PXXL Capsules http://www.hashmidawakhana.org/male-enhancement.html	<ul style="list-style-type: none"> • Increased sex drive and sexual stamina • PXXL for men is a natural male enhancement • Stimulates the erection and enhances sexual potency and pleasure!
8	Hashmi Dawakhana/ Mughal-e-Azam Cream http://www.hashmidawakhana.org/penis-enlargement-and-enhancement-cream.html	<ul style="list-style-type: none"> • Gain up to two inches in length and one inch in girth • Maximize your length, girth and maintain stronger, firmer erections • Penis enlargement and enhancement cream read in conjunction with the claim objected to imply that the product is meant for the enhancement of sexual pleasure
9	Hashmi Dawakhana/ Sikander-e-Azam Plus http://www.hashmidawakhana.org/penis-enlargement-capsule.html	<ul style="list-style-type: none"> • Increased penis size (thickness and length) • Penis Enlargement Capsule read in conjunction with the claim objected to imply that the product is meant for the enhancement of sexual pleasure
10	Hashmi Dawakhana/ Mughal-e- Azam Plus http://www.hashmidawakhana.org/premature-ejaculation.html	<ul style="list-style-type: none"> • You can permanently end the personal hell of premature ejaculation • Increase sexual stamina and sex drive
11	Hashmi Dawakhana/ Extreme-X Plus Capsule http://www.hashmidawakhana.org/male-sex-stamina-booster.html	<ul style="list-style-type: none"> • Incredible erections, improved stamina and libido • Increase sexual desire and performance
12	Kalan Drugs & Remedies/ Prameha Samhari http://kalandrugsandremedies.com/product_detail/prameha-samhari/	<ul style="list-style-type: none"> • For recovery from diabetes and to increase immunity • Prameha Samhari Dhahasamani is a mixture of herbal drink for diabetic patients as a cure

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13	Khodiyar Ayurvedic/ Zoom Eye Drops https://61773-in.all.biz/eye-drops-q462123	<ul style="list-style-type: none"> • Cures cataract
14	Prince Pharma/ 2 Much Gold http://princepharmaonline.com/princepharma/index.php?page=2-much-gold	<ul style="list-style-type: none"> • Generates new vigour in the body and helps to increase duration of hard erection • It keeps men on the top by fulfilling his emotional desires when administered with milk one hour before intercourse • It helps in maintaining healthy circulation responsible for supporting healthy, strong erections. • It maintains healthy levels of sexual energy, stamina and sexual arousal
15	Prince Pharma/ Kamraz Course (Only For Men) http://princepharmaonline.com/princepharma/index.php?page=kamraz-course	<ul style="list-style-type: none"> • For masturbation induced weakness, semen problem, erectile dysfunction • Increases libido and boosts male sexual drive • Increases stamina, libido, duration of erection and the strength of orgasm
16	Prince Pharma/ Kasak Capsules http://princepharmaonline.com/princepharma/index.php?page=kasak-capsule	<ul style="list-style-type: none"> • These have been trusted and used since ages by people of all walks of life to enhance their sexual power and boosting energy
17	Prince Pharma/ Prince Tilla http://princepharmaonline.com/princepharma/index.php?page=prince-tilla	<ul style="list-style-type: none"> • Prince Tilla massage oil is completely safe and natural oil for youthful vigour and sustained effect. It builds and tones up muscles of penis. It is known to increase the blood flow to the penile tissues when applied locally and thus strengthens erectile power • Beneficial in: <ul style="list-style-type: none"> ➤ Enhancement and prolonged pleasure ➤ Improves strength of the organs ➤ Increases blood circulation to the applied part
18	Prince Pharma/ 2 Much Breast Cream http://princepharmaonline.com/princepharma/index.php?page=2much-breast-cream	<ul style="list-style-type: none"> • 2 Much Breast Cream of Prince Pharma has all natural ingredients that nourishes and feeds the cells below the breasts, enhancing firmness, plumpness, fullness, and a more youthful appearance. Breasts increase in both size and weight, resulting in a new and satisfied feeling. • 2 Much Breast Cream is amazing cream excellent for breast firming and enlargement
19	Prince Pharma/ 2 Much Herbal Capsule http://princepharmaonline.com/princepharma/index.php?page=2-much-herbal-capsule	<ul style="list-style-type: none"> • 2 Much Herbal Capsule is a blend of choicest ayurvedic herbs those are found to be very effective in increasing libido/stamina in female

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20	Mohanji Pansari Herbal Products/ Mahakamdev Force http://www.mohanjiherbals.com/sexual_care.asp	<ul style="list-style-type: none"> It boosts your sexual performance to optimum
21	Vijay Ayurvedic Pharmaceutical/Breasto capsules http://vijayayurvedic.com/product/breasto-capsule/	<ul style="list-style-type: none"> Breasto capsule is a blend of some unique herbs, helpful in the beautification of breasts. It improves the underdeveloped breasts and their shape
22	Vijay Ayurvedic Pharmaceutical / Breasto Oil http://vijayayurvedic.com/product/breasto-oil/	<ul style="list-style-type: none"> Breasto Oil is a blend of herbs with sesame and Olive Oil. It is helpful in the beautification of breasts. It improves the underdeveloped breasts and their shape. The herbs work well in toning the muscles of breasts and give you a new confidence
23	Vijay Ayurvedic Pharmaceutical / Diacure capsules http://vijayayurvedic.com/product/diacure-capsule/	<ul style="list-style-type: none"> Diacure capsule- A cure for Diabetes
24	Vijay Ayurvedic Pharmaceuticals/Musli Capsule http://vijayayurvedic.com/product/musli-capsule/	<ul style="list-style-type: none"> Boosts up the strength of the body with its rejuvenating properties. It helps in increasing sexual stamina, controlling ejaculation time, getting harder erections, enhancing libido, and increasing the count of sperms It improves overall sexual health and also boosts up the immunity of the body
25	Vijay Ayurvedic Pharmaceuticals/Shilajit Capsules http://vijayayurvedic.com/product/shilajit-capsule/	<ul style="list-style-type: none"> Eradicates sexual weakness, asthma, diabetes
26	Vijay Ayurvedic Pharmaceuticals/Kaunch Capsules http://vijayayurvedic.com/product/kaunch-capsule/	<ul style="list-style-type: none"> An Ayurvedic herb which has been used over the ages as an enhancer of libido both in men and women
27	Vijay Ayurvedic Pharmaceuticals/Viagra M Capsules http://vijayayurvedic.com/product/vijaagra-m-capsule/	<ul style="list-style-type: none"> A unique formula for improving the sexual health of men. The herbal ingredients of this capsule possess aphrodisiac properties and the formula is considered as an extremely beneficial one for the treatment of premature ejaculation, nocturnal emissions, and sperm-count It helps in increasing sexual stamina, controlling ejaculation time, getting harder erections, enhancing libido, boosting body strength, and increasing the count of sperms. It improves overall sexual health and also boosts up the immunity of the body The visual on the product pack read in conjunction with the claim imply that the product is meant for the enhancement of sexual pleasure
28	Vijay Ayurvedic Pharmaceuticals/Viagra F Capsules	<ul style="list-style-type: none"> Viagra-F Capsule improves the sexual health of women. It acts as an enhancer of libido in women. The herbal

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	http://vijayayurvedic.com/product/vijagra-f-capsule/	<p>ingredients of this capsule possess aphrodisiac properties and help in increasing sexual stamina, boosting body strength, and all sort of sexual problems</p> <ul style="list-style-type: none"> The visual on the product pack read in conjunction with the claim imply that the product is meant for enhancement of sexual pleasure
29	Arogya Divya Sansthan / DME-9	<ul style="list-style-type: none"> An Ayurvedic tablet which is the solution for the problem of Diabetes Now no need to spend thousands of rupees when the treatment of diabetes is cheap and easily available
30	Abhinav Healthcare Products Private Limited/Manzil Capsules https://www.abhinavayu.com/product/wel-end-tablet/	<ul style="list-style-type: none"> Excellent Aphrodisiac – Helps to treat male and female impotency, useful in Erectile dysfunction, Prevents premature ejaculation – improves performance Helps to provide strength, prevents post coital weakness
31	Abhinav Healthcare Products/wel-end tablets https://www.abhinavayu.com/product/wel-end-tablet/	<ul style="list-style-type: none"> Improves libido, prevents premature ejaculation Provides strength and helps treat post coital weakness
32	Herbal Ayurveda / Herbal Stamina Gain http://herbalayurvedashop.com/product-details.php?name=Sexual%20Problem	<ul style="list-style-type: none"> Improve and increase sexual strength
33	Hashmi Dawakhana / Leucol Plus Capsule http://www.hashmidawakhana.org/vitiligo-leucoderma-treatment.html	<ul style="list-style-type: none"> Anti-vitiligo herbal treatment for 100% vitiligo cure guaranteed
34	Hashmi Dawakhana / Leucol Plus Cream http://www.hashmidawakhana.org/leucoderma-vitiligo-cream.html	<ul style="list-style-type: none"> Cure vitiligo permanently, naturally and rapidly
35	Hashmi Dawakhana/ Seks Max Power Capsule http://www.hashmidawakhana.org/male-sex-enhancement.html	<ul style="list-style-type: none"> Herbal sexual enhancement capsules for men A natural way to increase libido and stamina Seks Max power capsule is the fast answer to your erection and sexual performance concerns
36	Rajasthan Aushdhalaya Pvt Ltd./ Breast Torrer Combo Pack http://www.raplgroup.in/shop/beauty-hair-care/breast-torrer-combo-pack/	<ul style="list-style-type: none"> Breast Torrer Combo pack contains Cream & Capsule. It naturally uplifts sagging breasts Redefines the shape and cleavage, nourishes the breasts, tightens breast muscles and enhances cup size
37	Rajasthan Aushdhalaya Pvt Ltd./ Mood On Forever Avaleh http://www.raplgroup.in/shop/men-health-care/mood-on-forever-avaleh/	<ul style="list-style-type: none"> Mood on Forever Avaleh is an exclusive medicine for Men It enhances vitality, stamina, energy and ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation
38	Rajasthan Aushdhalaya Pvt Ltd/ Mood On	<ul style="list-style-type: none"> Mood on Forever Capsule is an exclusive medicine for

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	Forever Capsule http://www.raplgroup.in/shop/men-health-care/mood-on-forever-capsule/	Men <ul style="list-style-type: none"> It enhances vitality, stamina, energy and ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation
39	Rajasthan Aushdhalaya Pvt Ltd/ Mood On Forever Oil http://www.raplgroup.in/shop/men-health-care/mood-on-forever-oil/	<ul style="list-style-type: none"> Mood on Forever Oil is an exclusive medicine for Men It enhances vitality, stamina, energy and ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation
40	Rajasthan Aushdhalaya Pvt Ltd/ Nirdosh Churna http://www.raplgroup.in/shop/men-health-care/nirdosha-churna/	<ul style="list-style-type: none"> Nirdosh Churna is an exclusive medicine for Men It enhances vitality, stamina, energy and ensures a happy sexual life. It rejuvenates the body system, helps to cure erectile dysfunction, improves sex drive, and curbs premature ejaculation
41	Shubham Homeopathic/Thunder M TM http://www.shubhamhomeopathy.com/sizeprod.php?nm=VGh1bmRlci1N&cat=MTE=	<ul style="list-style-type: none"> Remedy "Male Disorders" sexual debility and impotency
42	Shubham Homeopathic/ Vigoral-la http://www.shubhamhomeopathy.com/sizeprod.php?nm=Vmlnb3JhbCAtTEE=&cat=MTQ=	<ul style="list-style-type: none"> Libido enhancer Enhances firmness, fullness and duration of erection Increase vitality and virility
43	Shubham Homeopathic/B Shape 36 http://www.shubhamhomeopathy.com/sizeprod.php?nm=QiBTaGFwZSAzNg==&cat=MTk=	<ul style="list-style-type: none"> For breast enhancement
44	Shree Baidyanath Ayurved Bhavan/Sriparni Oil https://www.baidyanath.com/product/sriparni-oil/	<ul style="list-style-type: none"> It is used for enlargement of breast size
45	Gaharwar Pharma Products/P. V. Tone Leha http://gaharwarcompany.in/product/p-v-tone-leha	<ul style="list-style-type: none"> PV Tone Leha cures your impotency and erectile dysfunction Break through formula in the natural sexual enhancement solutions
46	Shaafi Herbal Care/Safarjal ka Murabba http://www.shaafiherbalcare.com/products/22-safarjal-ka-murabba-quince.html	<ul style="list-style-type: none"> Cures intestinal ulcer Gives strength of 40 men to a person
47	Charak Pharma Pvt Ltd/Pallrywyn Forte Tablet https://shop.charak.com/products/healthcare/general/pallrywyn-forte-tablet/	<ul style="list-style-type: none"> Improves sexual desire in males and females Enhances sexual satisfaction and boosts sexual performance
48	Jiva Ayurveda/ Arouse Oil https://store.jiva.com/products/arouse-oil/	<ul style="list-style-type: none"> An Ayurvedic stimulant that gives you strength, vigour and stamina. Each ingredient of this Oil has been selected after considerable research Ashwagandha and Shatavari help in improving the quality of seminal fluids, Jaiphal and Nagkeshar are known to help in

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		maintaining erection <ul style="list-style-type: none"> Name of the product "Arouse Oil" implies that the product is meant for the enhancement of sexual pleasure
49	Jolly Pharma/ Jolly Sunsex Gold Capsules http://www.jollyhealthcareonline.com/index.php/premature-ejaculation/jolly-sunsex-gold-capsules.html	<ul style="list-style-type: none"> Boost up the sexual power Improve the sexual vigour and vitality Premature ejaculation and less libido problems
50	Jolly Pharma/ Jolly Sunsex Gold Oil http://www.jollyhealthcareonline.com/index.php/premature-ejaculation/jolly-sunsex-gold-oil.html	<ul style="list-style-type: none"> Boost up the sexual power Improve the sexual vigor and vitality Premature ejaculation & less libido problems
51	Juvenor Pharmaceuticals/Muslinites Gold TRIPTI Oil http://muslinites.com/pages/muslinites-tripti-oil	<ul style="list-style-type: none"> MusliNites Gold TRIPTI Oil- Increase sexual desire in a person. Muslinites Tripti Oil is a 100% Safe and Ayurvedic oil for the use of ONLY MEN This oil helps in increasing sexual desire in a male. It is due to improved flow of blood to the sex organ which in turn arouses a person appropriately for the intercourse It also helps in treatment of premature ejaculation by increasing the time for the erections. Similarly, men suffering from impotency or erectile dysfunction are also benefitted with the use of this herbal oil It helps in achieving harder and stronger erections and at the same time helps in sustaining the same to have complete pleasure during this essential activity of life
52	Juvenor Pharmaceuticals/ MusliNites Capsule http://muslinites.com/pages/muslinites	<ul style="list-style-type: none"> Safed Musli has been used by the locals, for hundreds of years, to improve their vitality, sex drive and sexual performance. The root is the most potent part of this plant and our supplements, made from the root, are the best in the world This is one of its kind product to help increase libido and sexual desire
53	Jwala Ayurved Bhawan/ Madanshakti http://jwalaayurvedic.com/product_detail_display.aspx?x=67	<ul style="list-style-type: none"> Promote to stamina, semen, lustre, strength and energy. It is the best medicine to cure impotency and weakness due to old age and premature ejaculation
54	Jwala Ayurved Bhawan/Kilvari http://jwalaayurvedic.com/product_detail_display.aspx?x=57	<ul style="list-style-type: none"> Best for impotency, premature ejaculation, weak erection
55	Himalaya Drug Company/Gokshura tablets https://www.himalayawellness.in/our-products/pure-herbs/gokshura	<ul style="list-style-type: none"> Improves sexual desire and drive, which subsequently improves sexual performance Strengthens the penile tissue and enhances penile erection, making it very useful in erectile dysfunction

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56	Himalaya drug company /Kapikachhu tablets http://www.himalayawellness.com/products/wellness/kapikachhu.html	<ul style="list-style-type: none"> Increases mood and sexual performance
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Food and Beverage

- Parle Products Pvt. Ltd (Parle Magix Biscuit):** The advertisement (TVC) shows a kid dressed in the police uniform pulling the trigger and firing a bullet (through an audio cue) at the shopkeeper saying in angry tone “Koi bhi cream biscuit Magix ki jagah chipkaoge”. The humorous TVC, though not objectionable, manifests a dangerous practice, exploits the vulnerability of minors and more importantly encourages minors to emulate the modus operandi of any crime.
- Gujarat Co-Operative Milk Marketing Federation Ltd (Amul Memory Milk-Tropical Fruit):** The advertisement’s claims “Milk with goodness of Ayurveda” and “Contains various Ayurvedic herbs that are traditionally known to boost memory”, were not substantiated as the advertiser did not provide data of any scientific rationale or published literature references to support the claimed benefits. The claims are misleading by exaggeration.
- Gemini Edibles & Fats India Pvt. Ltd. (Freedom Refined Sunflower Oil):** The claims “Lite” and “Less Absorbent” were not substantiated as the advertiser did not provide any technical data, test reports, scientific rationale, or comparative study reports to show that their product is better than the rest. The claims are misleading by exaggeration and implication.
- Nanophyto Wellness Pvt Limited. (Jumpstart Nutrition):** The advertisement’s claim “Jumpstart is a milk drink which contains active plant compounds known to enhance concentration, immunity and overall growth”, was not substantiated with supporting data showing presence of these ingredients in the product, and is misleading. The claims, “Improves blood circulation in the brain, promotes better concentration and memory”, and “Unlike cheap milk drink which contains malted powder, synthetic vitamins, minerals, high sugar and acidity regulators, Jumpstart uses premium, clinically evaluated & imported USFDA GRAS approved ingredients” were not substantiated as no data was provided of any scientific rationale or published literature / journal references to support the claimed benefits. The latter claim further unfairly denigrated other products in the milk drinks category. For the testimonial claim, “Her grasping capacity has improved”, the advertiser did not provide any clinical evidence. There was no evidence provided that Karishma Gulati, mother of five year old Miraya Gulati (photographs of mother and daughter shown in the advertisement), agreed to any of the product claims.

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Education

1. **Catapult Classes:** The advertisement's claims, "CAT 2019 and 2018 Toppers", and "Maximum 99+ Percentilers in Lucknow are from CaTaPult" with photographs of students and their secured percentile were not substantiated with supporting evidence. The claim (in Hindi), "IIM jaana hai toh CATaPult aana hai" and "Sure shot entry into IIMs" (If you want to go to IIM then you must come to CATapult), were not substantiated with supporting evidence of their students who were successfully admitted in IIMs across the country. The claims are misleading by exaggeration and are likely to lead to grave or widespread disappointment in the minds of consumers.

Personal Care

1. **MARICO LTD - True Roots Botanical Hair Tonic:** In the advertisement, celebrity Radhika Apte was featured endorsing the product with claims like "Stop new grey hair", "Jo naye safed balon ka aana roke, jad se", "True roots ke 100 % natural extracts balonke jadona jakar melanin bhadaye. 90 days tak regularly lagayen taki safed balon ka aana band ho jaye", "Safed baalon ka jaldi aana jad se rokiye, with TRUERROOTS.", "No New Greys in 90 days, get rid of premature grey hairs from the root". These claims were not adequately substantiated. While the product may cause darkening of grey hair by virtue of Kesh Ranjak ingredients the claims were found to be misleading by ambiguity and implication. The graphic in the advertisement (TVC) and on the pack depicting grey hair turning black was considered to be a misrepresentation of actual product action. The advertisements were in violation of the ASCI Guidelines for Celebrities in advertising and ASCI Guidelines for disclaimers in advertising as the disclaimers in the TVC / YouTube advertisements were not in the same language as that of the voice over (Hindi).

Others

1. **One97 Communications Ltd. (PayTM):** The advertisement claimed, "Win upto Rs 100 crores of Gold. No KYC Needed. Assured Gold Back on First Transfer". The claim of "No KYC Needed" is misleading by omission and ambiguity. The second claim "UPI money transfers on PAYTM - Win up to rupees 100 crores of Gold" was not substantiated as the advertiser did not provide evidence of the customers who have benefitted by the said offer, nor any details regarding the modality of the offer. The claim is misleading by omission that the offer is subject to terms and conditions and is likely to lead to grave or widespread disappointment in the minds of consumers.
2. **One97 Communications Ltd. (PayTM):** The advertisement's claim on their website "Rupees 50,000 redeemable on purchase of diamond precious jewellery with diamond jewellery voucher worth rupees 50,000" was misleading by omission of additional terms and conditions of cashback offer. The CCC was of the opinion that the said terms and conditions should have been stated upfront in the advertisement. The website advertisement is likely to lead to grave or widespread disappointment in the minds of consumers.

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3. **Honda Motorcycle and Scooter India P. Ltd (Honda):** The advertisement's claim (in Tamil) , "0% interest", was misleading by omission and failed to mention that the offer was subject to 50% payment on purchase of the vehicle. The claim is likely to lead to grave or widespread disappointment in the minds of consumers.
4. **Vivo Mobile India Pvt. Ltd. (Vivo V11 Pro):** The advertisement's the claim, "Dual Rear Camera with Dual Pixel Technology", was not substantiated, and misleading by exaggeration. The advertiser did not provide any technical data or test reports for Vivo V11 Pro having feature of dual rear camera with good picture quality.
5. **Xiaomi Technology India Private Limited (Mi LED Smart TV 4A Pro 49):** The website advertisement's claims, "7, 00,000 hours of content on Patchwall" and "7,00,000+ hours of content" were misleading by omission and implication, that it is accessible free of charge. The product feature offering 7, 00, 00 hours of content should have been highlighted as chargeable.
6. **VMware Software India Pvt. Ltd. (VMware):** The print advertisement shows the visual of a driver and the front seat passenger without seat belts. The advertisement violates Central Motor Vehicle Rules 1989 and also promotes an unsafe and a dangerous practice, which manifests a disregard for safety and encourages negligence.
7. **CTC Impex (India) Pvt. Ltd:** The advertisement's claims "World's Largest Paper Mill Bearing Distributors" and "World's Largest Heavy Bearing Distributors" were not substantiated as they did not provide any verifiable comparative data worldwide to prove that they are larger than other bearings distributors, nor any independent audit or verification certificate. The claims were misleading by gross exaggeration, and are likely to lead to widespread disappointment in the minds of customers and consumers.
8. **Zyduz Wellness Ltd:** The advertisement's claim, "Twaacha ki gehraai ke tan ghatane mein help kare aur skin ko banaye bright", ("Helps remove tan from deep in the skin and makes skin bright"), was inadequately substantiated as there was no information about protocol, parameters measured, instrumentation or experts used. The claim is misleading by exaggeration and likely to lead to widespread disappointment in the minds of consumers.

SUO MOTU Surveillance by ASCI FOR MISLEADING ADVERTISEMENTS

The advertisements given below were picked up through ASCI's Suo Motu surveillance of Print and TV media via the National Advertisement Monitoring Services (NAMS) project. Out of **103** advertisements that were picked, **29** cases were informally resolved wherein the advertisers promptly confirmed that the advertisement are being withdrawn immediately post receiving the complaints. Of the **103** advertisements, complaints against **73** advertisements were upheld. Of these **73** advertisements **32** belonged to the Education sector, **25** advertisements belonged to the Healthcare sector, six belonged to the Food & Beverages sector and **10** belonged to the 'Others' category.

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Education

The CCC found that the claims made in following five advertisements were misleading claims that exploit consumers' lack of knowledge and lead to widespread disappointment in the minds of consumers. The advertisements were found to be in violation of ASCI Guidelines for Advertising for Educational Institutions.

1. **Bhodhayan Coaching:** The advertisement's claim, "Institute providing highest selections", was not substantiated with a comparative study of this coaching institute and others to prove that it provides highest selections, the claim is misleading by exaggeration.
2. **Vidyapeeth Defence & Sports Academy:** The advertisement's claim, "Only academy of Haryana which has given highest selection", was not substantiated. The claim, "Fees returned, if no job given", was not substantiated with supporting evidence of jobs provided to each and every student or the students who were not selected for jobs in defence forces and sports sector, were refunded with full paid fees. The claims are misleading by exaggeration.
3. **Reverberation Films Pvt Ltd (Removes acting studio):** The advertisement's claim, "Delhi mein pehli baar acting classes by Bollywood Production House", ("For the first time in Delhi") was misleading by exaggeration. The advertiser's institute was not the only institute run by a Bollywood production house that holds acting classes in Delhi.
4. **The Shri Ram Universal School:** The advertisement's claims, "Ranked 1st as Commerce College in India for more than 12 years in running" and "Ranked among the top three liberal arts colleges in India in the last 10 years" were inadequately substantiated with supporting data for the ranking claimed. The claims are misleading by ambiguity.
5. **Angel's Paradise:** The advertisement's claim, "Largest pre-school chain of the city", was not substantiated with any verifiable comparative data of the advertiser's pre-school chain and other pre-school chains in Amritsar, to prove that they are larger than the rest or through an audited report or through a third-party validation. The claim is misleading by exaggeration.

Complaints against advertisements of 27 educational institutes listed below are UPHELD mainly because of unsubstantiated claims AND/OR misleading claims that they provide 100% placement/100% placement assistance AND/OR they claim to be the No.1 in their respective fields.

Sharanya Narayani International School, Central Technology Training Foundation, Eager Education & Charitable Trust- Eager Training Institute, iRise Academy for Competitive Exams, Ratnam Coaching Centre, Sagar Institute of Research & Technology, Shankar IAS Academy, Gurukul Classes, Amar Paramedical College, Sri Bhavana Para Medical College, Mekapati Rajamohan Reddy Institute of Technology and Science, Management Development Institute, Drona Kids, Elite Academy, Mahatma Jyoti Rao Phoole University, Shivalik School, Agra Career Point, Flying Turtle Studio, Liberty Career Academy, Beacon Education,

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Krishnaben Mukeshbhai Jani College of Nursing, Matha College of Nursing/ Matha School of Nursing, Anurag Dixit's Musicology School of Music & Performing Arts, New King's Academy, R.K Group of Institutions (R. K School of Nursing & Paramedical), Sagar Public School, Spice Air Academy

Healthcare

Complaints against the following 11 advertisements are UPHOLD primarily due to unsubstantiated claims that exploit consumers' lack of knowledge and could lead to widespread disappointment in the minds of consumers.

- 1. Bharat Vikas Parishad Hospital & Research Centre:** The advertisement's claim, "Highest record of 50 successful heart surgeries in one month than any other hospital in Kota" was found to be misleading by exaggeration as the advertiser did not provide any supporting data in terms of a comparison study with other heart care centres in Kota to prove that they have achieved highest record of 50 successful heart surgeries.
- 2. Sadana Fracture Centre:** The advertisement's claim, "Sthayi Dard Nivaran Kendra", ("Permanent Pain Relief Centre") is a superlative claim that was not substantiated, and is misleading by implication that knee replacement would not be necessary. Furthermore, the advertiser did not provide any details of the treatment procedure for knee pain, nor any details of the medicines, and their approval status by the regulatory authorities.
- 3. Sri Siddhivinayak Hospital:** The advertisement's claim, "Most successful treatment on more than 25,000 heart patients in four years", was not substantiated, and is misleading by gross exaggeration. The advertiser did not provide any supporting data or evidence on year on year basis for the last four years to prove their success rate in cardiac treatment, nor a third party audited report as evidence of the 25,000 patients who were successfully treated by the advertiser's hospital for heart problems.
- 4. Shankar Pharmacy (Amrita Bindu):** In the advertisement's claim, "Tested and proved at Central Government approved NABL labs", the reference made of National Accreditation Board for Testing & Calibration Laboratories (NABL) labs in the print advertisement poses a potential risk of encouraging consumers to believe that the advertised ayurvedic proprietary medicine is approved by the Government for gastric and stomach related problems. The advertisement was also in violation of the AYUSH advisory which prohibits advertisers from using the name of Government department and institutions in the advertisements of Ayurveda, Siddha, Unani and Homeopathy Drugs.
- 5. Arogya Niketan Sansthan & Research Center:** The advertisement's claims (in Hindi) as translated in English, "Successful treatment for all types of joint pain through Ayurvedic Panchkarm", and "Successful treatment for piles, fistula and fissure through Ayurvedic Ksharshutra without surgery" were not substantiated with supporting credible scientific/clinical evidence, and are misleading by gross exaggeration.

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6. **Dr Dev Slimming Clinic:** The advertisement's claim(in Marathi), "*15 divsaath 4 te 5 kilogram vazan kami kara*" ("Reduce four to five kilograms in 15 days") was not substantiated with evidence of their customers who achieved the claimed results of four to five kilograms weight loss in 15 days regardless of their physiological status. The claim, "*Hazaaron lokani vazan kami kele aaye*" ("Thousands of people have reduced weight") was not substantiated with supporting clinical evidence, and with treatment efficacy data. The claims are misleading by gross exaggeration. The treatment efficacy being depicted via images of before and after is misleading as it implies that a significant weight loss around tummy would be feasible.
7. **La Botanique International (Hca Gold Capsules):** The advertisement's claims, "The most natural way of reducing fat" and "No side effect, no regain", were not substantiated with product efficacy data, and are misleading by exaggeration as the advertiser did not provide copy of product approval license / product label, and product composition details, nor any evidence of the ayurvedic ingredients present in the product and with specific benefits attributable to the ingredients responsible for fat reduction.
8. **Mother Tincture/ Anti-Addiction Liquid:** The advertisement's claim, "*Anti-Addiction liquid ki sirf kuch boonde dilate hain har nasshe se chutkara*" ("Few drops of anti-addiction liquid gives riddance from all intoxication"), was not substantiated with supporting clinical evidence of product efficacy, and is misleading by gross exaggeration. The testimonial claims of Neeta Sharma, whose photograph was shown in the advertisement, is also misleading by gross exaggeration.
9. **Herbal Creations – (Herbo Gold Tulsi Power):** The advertisement's claim, "Oldest and real trusted medicine", was not substantiated with any market survey data or verifiable comparative data of the advertiser's product and other similar products with Tulsi extracts, to prove that their product is the oldest and trusted medicine, or through a third-party validation. The claim, "No.1" was not substantiated with any verifiable comparative data of the advertiser's herbal product and other similar herbal products, to prove its leadership position or through a third-party validation; the source for the claim was not indicated in the advertisement. The claim, "Beneficial for more than 200 diseases." was not substantiated with authentic, credible scientific/clinical evidence of product efficacy and is misleading by exaggeration.
10. **Queen's NRI Hospital:** The advertisement's claim, "Largest Super Specialty Hospital in AP", was misleading by exaggeration as it was not substantiated with any verifiable comparative data, or through a third party validation, of the advertiser's hospital and other similar super specialty hospitals in Andhra Pradesh to prove they are larger than the rest, in providing comprehensive care for patients with cancer and heart problems.
11. **Rana Hospital:** The advertisement's claim, "In Unique & Limca book of records for doing most check-ups and operations in less time" was not adequately substantiated. The advertiser did not provide any details of logistics or the adjudicating process to show how the awarding bodies (Limca and Unique) arrived at their respective conclusions. The advertiser did not provide details of the professional qualification of the Doctor referred in the advertisement or evidence of him being a qualified medical professional.

The following 14 advertisements were considered to be, prima facie, in violation of The Drugs & Magic Remedies (DMR) Act when the advertisement was viewed in totality with the texts and visuals:

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SR No	Brand/Product	Claim(s)
1	Ganga Ayurvedic Clinic	<ul style="list-style-type: none"> Sugar ka achook upchaar (“Sure shot treatment of sugar”)
2	Borvankar Polyclinic	<ul style="list-style-type: none"> With the use of researched medicine, patients suffering from deafness, kidney stones, kidney failure, enlargement of prostate glands, cancer, paralysis, gall stones and HIV get completely cured
3	Dhanwantari Ayurveda	<ul style="list-style-type: none"> Freedom from diabetes Successful treatment of arthritis
4	Chetak Clinic	<ul style="list-style-type: none"> Sabhi prakar ki sex samasyaon ka safal Ayurvedic ilaaz
5	Hero Clinic	<ul style="list-style-type: none"> Successful Ayurvedic treatment of all types of sexual weakness Cure all types of venereal disease in seven days only
6	Dr Ayurveda/Dr Ayurveda Power Prash	<ul style="list-style-type: none"> Provide better sex life One and only Ayurvedic medicine to get rid of all kind of sexual problems
7	Paul Pharmacy /Paras Range of Products	<ul style="list-style-type: none"> ”Jeete pyaar mohabbat ki har jang jab Paras ho sang” Gives new strength, new vigour and increases stamina
8	Repl India/Super Sonic capsule	<ul style="list-style-type: none"> Pleasant feeling each time
9	Ganga Grow up Ayurvedic Powder	<ul style="list-style-type: none"> Helpful in increasing height
10	Elan Impex/Reliefeon	<ul style="list-style-type: none"> Reliefeon kit will help in fighting all types of arthritis Permanent treatment for arthritis
11	Vini Pharma/ Vini Diabtonixx Capsule	<ul style="list-style-type: none"> Sure shot medicine Successful Ayurvedic medicine for treatment of diabetes
12	Yuktamukhi Capsule & Gel	<ul style="list-style-type: none"> Increase sex time by 30 to 35 minutes by making the organ long, thick, straight, hard and shapely Removes impotence
13	Dr. Dixit’s Accupuncture	<ul style="list-style-type: none"> Forget diabetes without medicine and insulin Successful treatment of diabetes
14	Venkateshwar Homeopathic Clinic	<ul style="list-style-type: none"> Successful treatment of vitiligo (white spots)

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Food and Beverage

1. **Arputham Aqua (Arputham Aqua Mineral Water):** The print advertisement shows an FSSAI logo in a non-standard format, implying that the product has been tested/approved/endorsed by FSSAI. The symbol of FSSAI logo in the advertisement did not contain their License number on the principal display panel in the format as suggested in the FSSAI advisory. The improper use of FSSAI logo was misleading by implication that the product has been tested/approved/endorsed by FSSAI, and was also in violation of the FSSAI advisory.
2. **Amour Nutrition Ultra-Premium 100% Whey Protein-Chocolate (Nature Identical Flavors):** The advertisement shows an FSSAI logo in a non-standard format, implying that the product has been tested/approved/endorsed by FSSAI. The symbol of FSSAI logo in the advertisement did not contain their License number on the principal display panel in the format as suggested in the FSSAI Advisory. The improper use of FSSAI logo was misleading by implication.
3. **Mallekan Dairy and Agro Pvt Ltd (Dairylac-A2 Desi Cow Milk):** The advertisement's claim, "Protects your body by boosting the immunity cells", was not substantiated with scientific / clinical evidence of product efficacy, and is misleading by exaggeration. The advertiser did not provide copy of product label, copy of product approval license, product composition details, FSSAI approval for the claims made.
4. **Sri Selvamathi Idly Factory(Sri Ammu Idly Dosai Batter):** The advertisement's claim, "No.1 Idly Batter", did not indicate the source nor was it substantiated with verifiable comparative data of the advertiser's product and other idly batter brands, to prove that it is in leadership position, or through a third-party validation. The claim is misleading by exaggeration and implication.
5. **Krishndev Dairy Farm (A2 Gir Cow Milk):** The advertisement's claims "Low fat A2 milk provides more strength" and "100% pure ghee is made from A2 milk which creates many miracles in physical development" are unsubstantiated and misleading by exaggeration. The advertiser did not submit any product specific details such as composition/pack artwork or samples or evidence of the ingredients present in the product, and product efficacy data.
6. **Dr. Food & Banatone Industries:** The advertisement's claim "Dr. Food's Premium Quality oats imported from Australia can control diabetes, cholesterol and obesity", was not substantiated and is misleading by exaggeration". The advertiser did not provide copy of product label, copy of product approval license, or FSSAI approval for the claims made. The claims exploit the consumers' lack of knowledge, and are likely to lead to grave or widespread disappointment in the minds of consumers.

Others

The CCC found that the claims in following 10 advertisements were misleading and exploited consumers' lack of knowledge leading to widespread disappointment in the minds of consumers

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1. **Voltas Limited (Refrigerator):** The advertisement's claim, "Vegetables remain Fresh even after 30 days" was inadequately substantiated, and is misleading by exaggeration. Additionally, the hold duration of the disclaimers in the TVC contravened Clause 4 (X) of ASCI Guidelines for Disclaimers.
2. **Malayala Manorama Co. Ltd (Quickerela.com):** The advertisement's claims, Kerala's Largest Online Business Directory", "Kerala's Largest Business/Service Search Website", and "Kerala's Largest Business listing website", were not substantiated with any verifiable comparative data of the advertiser's online business directory with that of other online business directories in Kerala, to prove that they are larger than the rest, in providing online business directory services. The claims are misleading by exaggeration.
3. **TCL Communication (BlackBerry Key 2/BlackBerry Evolve):** The advertisement's claim, "Most secure android smart phone", was not substantiated with comparative data to prove that the advertiser's smart phone was more secure or reliable to use than any other android smart phone brands, or through any third-party validation. The claim is misleading by exaggeration.
4. **Anand Enterprises:** The advertisement's claim, "India's No.1 Manufacturer & Supplier of Cabinet chargers", was not substantiated with any verifiable comparative data of the advertiser and other manufacturers and suppliers of Cabinet chargers in India, to prove that it is in leadership position (No.1), or through a third party validation. Moreover, the source for the claim was not indicated in the advertisement; the claim is misleading by exaggeration and implication.
5. **L.R. Builders & Developers Rameshwaram Residency:** The advertisement's claim, "Rameshwaram Residency of L.R. Builders & Developers has become best project of Rajasthan." was not substantiated with any market survey data or verifiable comparative data of the advertiser's project and similar commercial/residential projects in Rajasthan to prove that it is better than the rest, or through an independent third party validation. The claim is misleading by exaggeration.
6. **Madhuram Mini Mall (MM3):** The advertisement's claim, "Kota's No.1 Food Court from all over India", was not substantiated with any verifiable comparative data of the advertiser's food court and other food courts in Kota to prove that it is in leadership position (No.1) than the rest in providing food items from all over India. The source for the claim was also not indicated in the advertisement and the claim it is misleading by exaggeration.
7. **Ramnivash & Company - (Ramnivash Range of Products):** The advertisement's claim, "Best product of Bangalore" was not substantiated with any market survey data, or any verifiable comparative data of the advertiser's agarbathi products and other agarbathi brands in Bangalore, to prove that their products are better than the rest, or through a third-party validation. The claim is misleading by exaggeration.
8. **Sauss Home Products Pvt. Ltd (Pooja white Detergent Cake and Powder):** The advertisement's claim, "First choice of Indian housewives", was not substantiated with any market research data, or verifiable comparative data of the advertiser's product and other detergent cake and powder products in India, to prove that they are the first choice. The claim, "Awarded with national and international awards", was not

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substantiated with a copy of the award certificates, criteria for granting the awards, references of the awards received such as the year, source, and name of the awarding body. The source for the claim was also not indicated in the advertisement and the claims are misleading by exaggeration.

9. **Singhania Buildcon Pvt. Ltd (Harshit Harmony):** The advertisement's claim, "Chhattisgarh's No.1 Real Estate Company", was not substantiated with any verifiable comparative data of the advertiser's firm and other real estate companies in Chhattisgarh, to prove that it is in leadership position (No.1) in providing real estate services. Moreover, the source for the claim was not indicated in the advertisement, thus the claim is misleading by exaggeration.
10. **Motia Developers Pvt. Ltd. (Motia's Royal Citi):** The advertisement's claim, "Awarded as Greenest Society" was considered to be vague as the context of the claim was not provided such as whether the claim was pertaining to greenery in the complex or energy efficiency or other environmental parameters or if it was made basis sustainable options. The credibility and authenticity of the certifying body was also not provided by the advertiser. Lastly, the claim did not mention the source and date of research and was found to be misleading by implication and omission.

About The Advertising Standards Council of India (ASCI)

The Advertising Standards Council of India (ASCI), established in 1985, is committed to the cause of self- regulation in advertising ensuring the protection of the interest of consumers. ASCI seeks to ensure that advertisements conform to its Code for Self-Regulation, which requires advertisements to be legal, decent, honest and truthful and not hazardous or harmful while observing fairness in competition. ASCI looks into complaints across ALL MEDIA such as Print, TV, Radio, hoardings, SMS, Emailers, Internet / web-site, product packaging, brochures, promotional material and point of sale material etc. ASCI's role has been acclaimed by various Government bodies including The Department of Consumer Affairs (DoCA), Food Safety and Standards Authority of India (FSSAI), Ministry of AYUSH as well as the Ministry of Information and Broadcasting. The association with these Government bodies is to co-regulate and curb misleading and objectionable advertisements in the respective sectors. In January 2017, the Supreme Court of India in its judgement has also affirmed and recognized the self-regulatory mechanism as an effective pre-emptive step to statutory provisions in the sphere of advertising content regulation for TV and Radio in India. ASCI is a part of the Executive Committee of International Council on Ad Self-Regulation (ICAS). Among several awards bestowed by the European Advertising Standards Alliance (EASA), ASCI bagged two Gold Global Best Practice Awards for the Mobile App "ASCIonline" (2016) and for reducing the time taken to process complaints (2013).

(Source: www.ascionline.org)

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