

ASCI UPHOLDS COMPLAINTS AGAINST 143 ADVERTISEMENTS OUT OF 260

Mumbai, August 24, 2018: In May 2018, ASCI's Consumer Complaints Council (CCC) upheld complaints against 143 advertisements out of the total of 260 advertisements that were evaluated by the CCC. Of these 143 advertisements against which complaints were upheld, 42 belonged to the [healthcare sector](#), 61 to the [education sector](#), 15 to the [food & beverages category](#), 10 to the [personal care](#) and 15 were from the ['others'](#) category.

A total of 140 advertisements were picked up by ASCI's suo moto surveillance, wherein 33 cases were informally resolved as advertisements were voluntarily withdrawn and objections against 106 advertisements were upheld. Of the 120 advertisements complained against by the general public or by industry members, 17 cases were informally resolved wherein the advertisements were voluntarily withdrawn and complaints against 37 advertisements were upheld by the CCC.

The most common reason for upholding complaints was exaggeration of product efficacy. This was followed by violations of the Drugs and Magic Remedies Act (DMR Act) and the Drugs and Cosmetics (D&C) Rules and advertisements which contravened various ASCI guidelines. The other reasons included providing facts and figures which were inadequate to substantiate claims, improper use of the FSSAI logo, exploiting consumers' lack of knowledge, claims which were misleading by ambiguity or by implication.

Among the various complaints against advertisements, the CCC observed that celebrities endorsed unsafe practices as seen in case of prominent beverage companies and for a mosquito repellent product. Such depiction may influence minors to emulate such acts. Celebrities also endorsed misleading claims in the product category of hair oil, shampoo, innerwear and audio speakers. These advertisements contravened ASCI Guidelines for Celebrities in Advertising. Advertisements by a well-known homeopathy practitioner were misleading exploiting consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers.

"ASCI is working closely with various Government bodies to establish an effective and transparent self-regulation code for the advertising industry, which upholds the highest professional and ethical standards. ASCI prides itself on its impressive track record of effectively and expeditiously



Press Release

disposing of consumer complaints against misleading advertisements, thereby giving form to the rights conferred upon consumers to protect them from deceptive advertisements.” said Abanti Sankaranarayanan, Chairman, ASCI

HEALTHCARE: - Total of 42 advertisements complained against

- [Direct Complaints](#) (Six advertisements complained against)
- [Suo Moto Surveillance by ASCI](#) (36 advertisements complained against)

PERSONAL CARE: - Total of 10 advertisements complained against

- [Direct Complaints](#) (Eight advertisements complained against)
- [Suo Moto Surveillance by ASCI](#) (Two advertisements complained against)

FOOD AND BEVERAGES: - Total of 15 advertisements complained against

- [Direct Complaints](#) (Seven advertisements complained against)
- [Suo Moto Surveillance by ASCI](#) (Eight advertisements complained against)

EDUCATION: - Total of 61 advertisements complained against

- [Direct Complaints](#) (Eight advertisements complained against)
- [Suo Moto Surveillance by ASCI](#) (53 advertisements complained against)

OTHERS: - Total of 15 advertisements complained against

- [Direct Complaints](#) (Eight advertisements complained against)
- [Suo Moto Surveillance by ASCI](#) (Seven advertisements complained against)

DIRECT COMPLAINTS

The advertisements given below were complained against by the general public or by industry members. Complaints against the following two advertisements were upheld as the advertisements violated Chapter III (Against harmful situations) of the ASCI Code.

The below advertisements violated Chapter III (Unsafe Practices) of ASCI Code:

- 1. PepsiCo India – Pepsi:** In the television advertisement, the visual showing the protagonist running on the platform in particular, shows a dangerous practice that may influence minors to emulate such acts. This manifests a disregard for safety and encourages negligence.
- 2. The Coca-Cola India Pvt Ltd- Limca:** In the television advertisement, the visual of the protagonist along with his friends falling from a human pyramid from the height of second floor of the building and falling onto the ground which turns into a pool cannot be considered as hyperbole. The actions shown manifest disregard for safety and encourage negligence and may influence minors to emulate such acts.
- 3. Sree Muralikrishna Soap Works (JIL Washing Powder and Soap):** In the advertisement, the specific visual showing the wife putting her husband in the washing machine was dangerous and had the potential of encouraging the children to imitate such acts, which could be life-threatening. Regardless of the disclaimer, this act shown in the TVC encourages dangerous practices, manifests disregard for safety and encourages negligence.

Out of 120 advertisements, 37 advertisements were considered to be misleading. Of the total of 37 advertisements, eight advertisements belonged to the Personal Care category, eight to Education category, seven belonged to the Food & Beverages category, six advertisements belonged to healthcare category, and eight belonged to the 'Others' category.

PERSONAL CARE: -

- 1. Hindustan Unilever Limited (Pure Derm Anti Dandruff Shampoo):** The advertisement's claim, "Wash your hair every day with PURE DERM, dandruff goes and won't come back" endorsed by Anushka Sharma is an absolute claim and was not adequately substantiated. The claim was misleading by exaggeration. The advertisement also contravened the ASCI Guidelines for Celebrities in advertising put forth by ASCI. The advertiser did not furnish any evidence of the consent of the celebrity for the above mentioned claim, hence it was concluded that the print advertisement was in contravention of the Guidelines for Celebrities in advertising.



2. **Colgate-Palmolive (India) Limited- Colgate Herbal Natural Toothpaste:** The advertisement's claim, "Natural toothpaste" was not substantiated and is misleading by implication. The claim exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.
3. **Marico Ltd. (Nihar Shanti Badam Amla Hair Oil):** In the advertisement, celebrity Vidya Balan claims that Nihar Shanti Amla has the goodness of badam (almonds) which gives black, silky hair. The advertisement is misleading by ambiguity and implication because there appears to be a contextual comparison with amla oil but there is no substantiation superiority over amla, nor does the consumer study indicate superiority of the product to other oils. The claim also attributes the benefit of black silky hair to "goodness of badam" which was not substantiated. The claim is misleading by ambiguity and implication that almond content in the oil is responsible for black hair and not just presence of Amla. The advertisement contravened ASCI Guidelines for Celebrities in Advertising.
4. **Cosmos Online Pvt Ltd (Gizmobaba Laser power grow comb):** The claims made in the advertisement, "The Gizmobaba laser comb provides low-level laser light energy that stimulates and enlivens hair follicles promoting new hair growth", "With consistent use, most users start seeing benefits in 16 weeks (Based on clinical studies)" and "Stops hair loss and makes hair grow thicker stronger and healthier" were not substantiated. The claims are misleading and likely to lead to grave or widespread disappointment in the minds of consumers.
5. **Renovision Exports Pvt Ltd. (Orthovit Oil and Capsules):** The advertisement's claims, "Stiffness in muscles, joint pain, arthritis, gout, hand-leg pain, whatever the pain, the most effective medicine of every pain" and "Now say bye to every pain", were not substantiated. The claims were misleading by exaggeration and implication that Orthovit Oil and Capsules are better than all other pain relief medicines.
6. **Prince Pharma (2 Much Breast Cream):** The advertisement's claims, "Ayurvedic medicated Cream" and "For two-fold effect use it along with 2 much beauty capsule," were considered to be, prima facie, in contravention of Drugs and Magic Remedies (DMR) Act.
7. **IncNut Digital Pvt Ltd (Amaira Ayurvedic Hair Growth Oil):** The advertisement's claim, "India's first 100% Ayurvedic hair growth oil with 12 organic herbs", was not substantiated and is misleading by exaggeration. The claim "It is made with a unique Ayurvedic formulation" was not substantiated.
8. **Sarina Herbal Pvt Ltd (Zulfraj Hair Oil and Shampoo):** The advertisement's claims, "Adopt ZulfRaj with double action made up of 17 pure herbs", "Only ZulfRaj has that quality which not only ends hair problems but also ensures you to not have the same hair problem ever by making hair strong, thick and soft", were not substantiated with technical rationale or product efficacy data; the claims are misleading by exaggeration.

EDUCATION: -

- 1. LegalEdge Tutorials:** The advertisement's claim, "Undisputed King of CLAT Coaching in India" was not substantiated with supporting data to prove its leadership position in India as compared to other CLAT coaching classes; the claim is misleading by exaggeration.
- 2. Think & Learn Pvt Ltd (Byju's –The Learning App):** The advertisement's claims, "One Crore (1,00,00,000) students are learning from BYJU's- The Learning App", "600 Member strong Research & Development team is involved in creating the best learning program for students", "93% parents reported an overall increase in their children's grades after using BYJU's", "90% student renew their BYJU's course year on year" and "51 minutes spent on the app on an average by a student everyday" were not adequately substantiated and are misleading by exaggeration
- 3. Bennett Coleman & Co Ltd (Bennett University):** The advertisement's claim "Leading Change for 175+ years 1838-2017" appearing without a clear link and reference to the Times of India Group is misleading by ambiguity and implication.
- 4. BITT Polytechnic:** The advertisement's claims, "Best College of the Year – 2018" and "Best Polytechnic College in India – 2018", were inadequately substantiated to prove that it is better than the rest of the colleges in India. The claims do not mention the source and date of research and are misleading by omission.
- 5. Jet Overseas Private Limited:** The advertisement's claims, "Canada Permit+ Personal Residency expense-25,000/- "100% Job and Permit" and "Student Visa without IELTS." were not substantiated with any verifiable evidence. The claims are misleading by exaggeration.
- 6. Made Easy Group (NEXT IAS):** The advertisement's claim, "268 selections in the UPSC civil services exam" in the advertisement was not substantiated and is misleading by exaggeration.
- 7. School of Indian Hotel Management:** The advertisement's claims, "100% Placement till date" (in English), and "Assured Job with written guarantee", (in Bengali as translated in English), were not substantiated with authentic supporting data such as detailed list of students, who have been placed through their Institute in Hotel Industry, 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.
- 8. Capable Workforce –Bharat Sevak Samaj:** 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.

FOOD AND BEVERAGES: -

- 1. Shree Baidyanath Ayurved Bhawan Pvt Ltd. (Baidyanath Kesari Kalp):** The advertisement's claims, "Grow Younger, Stay Young" and "Now double power with dry fruits", were not substantiated. The claims are misleading by exaggeration.
- 2. PEPSICO INDIA HOLDINGS P. LTD - Quaker Oats:** The advertisement's claim, "Quaker Oats me hai "2X MORE PROTEIN AND FIBRE" seeks to mislead consumers into believing that 2x protein and fibre is true as against other oats, the disclaimer states that the comparison is clearly against cornflakes. The corresponding disclaimer "*Per serve comparison with cornflakes. Reference: Atlas of Indian Foods" was not legible and not as per ASCI Guidelines on disclaimers (font size, contrast, hold duration). The claim was misleading by ambiguity and implication.
- 3. Crown Beers India Private Limited:** In the advertisement, the claim "Budweiser Experiences" was surrogate for an alcohol brand. The Chartered Accountant's Certificate shows that data is only for promotional activity by giving turnover of two independent event agencies, and could not satisfy whether this turnover is also marketed as a Budweiser Experience. The advertisement was a surrogate advertisement for Budweiser beer and in India Budweiser is always identified with beer.
- 4. Dabur India Ltd (Dabur Honey):** The advertisement's claim by the protagonist (newly married lady) about honey and water in preventing/reducing weight gain could mislead both obese and non-obese consumers by ambiguity and implication.
- 5. Tata Chemicals Limited (Tata Rock Salt):** The advertisement's claim, "Add a few crystals of rock salt to your lassi to cure stomach ailments and help in deworming", was not substantiated with any clinical evidence. When seen in conjunction with the claim "Also keeps you in the best of health", the claim implying cure for stomach ailments besides being not permissible for any food product, it is misleading by exaggeration and exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.

HEALTHCARE:

The CCC found claims of six advertisements in healthcare products or services to be either misleading or false or not adequately / scientifically substantiated; hence in violation of the ASCI Code. Complaints against the following advertisements were upheld.

- 1. Dr. Detox Weight Loss Clinic:** The advertisement's claims, "Advanced Weight loss (Upto six to eight kilograms /month)", and "A Destination of natural & easy way for lose weight & body detox", were not substantiated with supporting clinical evidence, and with treatment efficacy data, and are



Press Release

misleading by exaggeration.

- 2. Prince Pharma / 2 Much Gold:** The advertisement's claims, "An ultimate ayurvedic solution for all sexual problems" and "Being specially blended with choicest herbs, rejuvenators & stimulants, it produces best results in nervous strain, neurasthenia, impaired vitality, chronic mental and physical exhaustion and conditions of weakness due to organic troubles after thoughtless excess indulgence in sexual activity, general lassitude, worriedness, mental somatic debility, nervous dyspepsia, insomnia, loss of energy, premature old age & pre-mature ejaculation" were considered to be, prima facie, in contravention of Drugs And Magic Remedies (DMR) Act.
- 3. Luna Pharma / Stonecure:** The advertisement's claims, "Kidney Stone? Cure without operation, get instant relief with medicine", "Recognised formula", and "100% benefit" considered to be, prima facie, in violation of The Drugs & Magic Remedies (DMR) Act
- 4. Natural Care:** The advertisement's claim, "Herbs can help cure most of the diseases ranging from common cold to cancer, asthma, arthritis, baldness, diabetes, skin disease, auto immune disease, etc. be it chronic or acute, herbs can help cure them and that too without using the knife, was considered to be prima facie, in contravention of Drugs And Magic Remedies (DMR) Act
- 5. Beaut N Hea:** The advertisement's claims, "Remove your body's excess fat through the world's best technology" and "Without surgery, without side effects, only three to four sessions a month" were not substantiated with evidence of product efficacy and the claims are misleading.
- 6. Shathayu Ayurveda:** The advertisement's claim implying cure for migraine was not substantiated with any scientific rationale or clinical evidence. The testimonial in the advertisement is misleading by exaggeration and exploits consumers' lack of knowledge.

OTHERS: -

- 1. Sonalika International Tractors Limited:** The advertisement's claims, "India's No. 1 Tractor", "World's No.1 plant capacity", "No. 1 in four countries" and "No. 1 farmer's choice" were not substantiated with supporting data. The claims are misleading by exaggeration.
- 2. Orris Infrastructure Private Limited (Orris Aster Court Premier):** The advertisement's claim, '200% money-back in case of no possession' and 'Get Rs.20,000 till possession', were not substantiated and are misleading by exaggeration.
- 3. Lux Industries Limited (Lux Venus Innerwear):** The advertisement features celebrity Amitabh Bachchan using the terminology "First choice of super hero" connotes a celebrity endorsement. The claims "First choice of superstars" and "Does not get loose and does not tear soon" were not

Press Release

substantiated and are misleading by exaggeration which can lead to widespread disappointment in the minds of consumers. The print advertisement contravened ASCI Guidelines for Celebrities in Advertising.

4. **Elica PB India Private Limited (Elica Chimney):** The advertisement's claim, "The World's No.1 Chimney Company" was inadequately substantiated and is misleading by ambiguity, omission and implication.
5. **Whirlpool of India Ltd. (Whirlpool 3D Inverter AC):** The advertisement's claim, "40% faster cooling" was substantiated. However, the claim is misleading by omission of mention of the basis of comparison. The font size and the positioning of the disclaimer qualifying the claim were not in compliance with the ASCI Guidelines for Disclaimers.
5. **KAFF Appliances (India) Private Limited (KAFF Kitchen Appliances):** The advertisement's claim, "World's best quality kitchen appliances", was not substantiated with comparative data of the advertiser's products with other kitchen appliances of leading market players worldwide, for claiming their products to be of best quality, and is misleading by exaggeration.
7. **Reckitt Benckiser (India) Private Limited (Mortein Insta Tulsi):** The visuals in the TVC very clearly depict tulsi leaves floating with the green vapours emanating from the vaporizer and front of pack visuals in the TVC shows a mosquito getting squished on a bed of five tulsi leaves. The front of pack panel has no reference to absence of tulsi in the product and only mentions InstaTulsi. Such depiction is misleading by ambiguity and implication. In the context of an insect repellent product, which would generally have instructions to avoid direct inhalation or direct exposure to the product, showing such a visual of a celebrity inhaling the product shows a dangerous practice that may influence minors to imitate such acts, manifests a disregard for safety and encourages negligence. The advertisement contravened Guidelines for Celebrities in advertising.

SUO MOTO Surveillance by ASCI

The advertisements given below were picked up through ASCI's Suo Moto surveillance of Print and TV media via the National Advertisement Monitoring Services (NAMS) project. Out of 140 advertisements that were picked up, 106 advertisements were considered to be misleading. Of the total of 106 advertisements, 53 belonged to the Education category, 36 advertisements belonged to the Healthcare category, eight belonged to the Food & Beverages category, two to Personal Care category, and seven belonged to the 'Others' category.

EDUCATION: -

The CCC found following claims in the advertisements by 14 advertisers that were not substantiated and thus, in violation of ASCI Guidelines for Advertising for Educational Institutions.



Press Release

- 1. Banasthali Vidyapith:** The advertisement's claim, "Banasthali Vidyapith is the world's largest fully residential university for women", was inadequately substantiated and is misleading by exaggeration.
- 2. Bragnam Pre School:** The advertisement's claim, "Best Preschool for Kids in India", was not substantiated with any verifiable comparative data of the advertiser's institute and similar preschools for kids in India to prove that it is better than the rest, or through an independent third party validation. The claim is misleading by exaggeration and exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.
- 3. MGM Public School:** The advertisement's claim, "Central India's Most Trusted Name in Education" is misleading by exaggeration and exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.
- 4. Mindseed Pre School:** The advertisement's claim, "Awarded India's Best Pre-School", was inadequately substantiated and is misleading by exaggeration and omission of the source for the claim.
- 6. Yaduvanshi Shiksha Niketan:** The advertisement's claim, "India's first school to give the maximum/highest number of selection in IIT, Medical, NDA, NTSE, VVM." was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes in the same category, nor any independent audit or verification certificate to prove highest selections and the claim is misleading by exaggeration.
- 6. Rao IIT Academy:** The advertisement's claim, "Scholarship worth 10 crores." was not substantiated with any evidence of such scholarships being provided or the financial provision made by the advertiser for the same. The claim is misleading by exaggeration.
- 7. Zee Interactive Learning System - Kidzee Pre School:** The advertisement's claim, "India's favourite pre-school" 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.
- 8. Taxila Business School:** The advertisement's claim, "Minimum placement 12 lakh", was not substantiated with authentic supporting data such as detailed list of students, who have been placed through their Institute with the minimum stated salary of 12.0 lakhs. The advertiser did not provide any data such as 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.
- 9. Scottish International School:** The advertisement's claim, "Parent's most favourite school" was not substantiated with verifiable comparative data / market survey data of the advertiser's school and other similar schools, or through a third party validation. The claim is misleading by exaggeration.

- 10. Shemrock and Shemford Group of Schools (Shemford Futuristic School):** The advertisement's claim, "India's fastest growing school chain" was not substantiated with verifiable comparative data / market survey data of the advertiser's school chain and other similar school chains, or through a third party validation. The claim is misleading by exaggeration.
- 11. Aakash Educational Services Ltd (Aakash Medical IIT - JEE Foundation):** The advertisement's claim, "Upto 100% scholarship", was not substantiated and the claim was misleading by ambiguity and omission. The advertisement contravened the Guidelines for Advertising of Educational Institutions and Programs
- 12. Knowledge Station India Private Limited- (The Santa Kidz):** The advertisement's claim, "India's 1st Brain school was not substantiated with any verifiable credible evidence, or through a third party validation. The claim is misleading by ambiguity and exaggeration
- 13. Deeksha Classes Private Limited:** The advertisement's claim, "770 Deekshains became doctor" was not substantiated and is misleading by ambiguity and implication as the advertiser only provides coaching for the entrance exam. The claim "Get up to 100% scholarship" was not substantiated and is misleading by ambiguity and omission regarding the scholarship details such as the amount and the criteria.
- 14. SP Smart Digital:** The advertisement's claim, "1st School in India to offer fully digital schooling", was not substantiated with verifiable comparative data of the advertiser's institute and similar institutes to prove that they are India's 1st school than the rest to provide digital schooling services, or through an independent third party validation. The claim is misleading by exaggeration and exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.

Complaints against advertisements of 39 educational institutes listed below are UPHELD mainly because of unsubstantiated claims AND/OR misleading claims that they provide 100% placement/ placement assistance AND/OR they claim to be the No.1 in their respective fields.

Travedo Institute of Hotel Management, Golden Dreams, Institute of Science and Management, Mumbai International School, Aashvi Academy, Academics Future Solution Group, Amrita Vishwa Vidyapeetham, Bansal Classes Pvt Ltd, Clat Prep Education, Crux Academy, Focus Academy for Competitive Exams, Arcot Sri Mahalakshmi Womens College, Bansal Classes, Dhokai Classes, IBT Institute Pvt. Ltd, IFBI - Institute of Finance, Banking and Insurance, Kautilya Classes, Pahal Design, Rao IIT Academy, Safal Academy, Scope Computer Education, Global Institute of hotel and hospitality management, Big Learnings, Media 3 International Pvt. Ltd - Media , Ahire Classes, Akbar Academy of Airline Studies ,Bodhi School International, Daiya Classes, Dashmesh Academy, Dev Classes, IBT Institute Pvt. Ltd, Ishwar Kripa Career Institute, Law Prep Tutorial, Narendra Tiwari IAS Academy, All India Education Research Academy Ltd - ERA Kids A Play School, Prayas Academy, Bismi Educational



Trust- VICT Group of Educational Institutions, Vinayaka Missions Research Foundation, AICP- Ashutosh Institute for Computer Professionals

HEALTHCARE:

- 1. Jyothy Laboratories Ltd:** The claim “organic” in the TVC is likely to be perceived by consumers as something which is “Natural” or “Not chemical” and not as “an organic chemical compound” as has been supported via certification. Based on the advertiser’s response with the supporting technical data, the advertisement’s claim, “100% organic” is misleading by omission of the word “chemical”. The claim exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.
- 2. (YLG) R and R Salons Pvt Ltd:** The advertisement’s claims, “World's first skin care solution that slows regrowth of body hair to keep that just-waxed look for longer” and “World's first range of products with Deplif active system that retards hair regrowth and gives freedom from body hair for longer”, were not adequately substantiated with any verifiable comparative data to support the claim of the advertiser’s products being the “World’s first”. The claims are misleading by gross exaggeration.
- 3. Sri Sai Healthcare:** The advertisement’s claim, “For prolonged joint pain, neck pain, back pain, paralysis, road accidents and prolonged rheumatism, we are giving permanent solution through Kerala Varma treatment in short span”, was not substantiated and was misleading by exaggeration.
- 4. Dr. Samrat Clinic Pvt Ltd – Dr. Samrat Clinic:** The advertisement’s claims, “World famous and Number one Ayurved treatment centre” and “Permanent treatment to quit Bidi, cigarette, gutkha, tobacco, proxyvon capusle, afeem, charas, dode post, injection and other intoxication.”, were not substantiated with any evidence of product efficacy. The claims were misleading by exaggeration and exploit consumers’ lack of knowledge. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.
- 5. Homeocare:** The advertisement’s claim, “World's one and only Homeopathic clinic for children”, was not substantiated and the claim is misleading by exaggeration.
- 6. D.S Research Centre:** The testimonial claim in the advertisement of Ms. Kamalkali Mukherjee and Mr. Radhakanta Pal (in Bengali) as translated in English, “Successful treatment of many patients has been possible” and the claim implying cure for cancer was not substantiated. The claims are misleading by exaggeration and exploit consumers’ lack of knowledge. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.
- 7. Dr. Batra’s Positive Health Clinic – Dr. Batra’s Homeopathic Clinic:** The advertisement’s claim, “Proven and preferred” was not substantiated. The claim, “100% Cure”, in the context of conditions shown in the advertisement of baldness, white spots, psoriasis was not proven with any clinical



evidence. The claims are misleading by exaggeration and specific to the visual and claim implying cure for vitiligo /white spots, the advertisement is in breach of the law as it violated The Drugs & Magic Remedies Act. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.

- 8. Dr. Batra's Positive Health Clinic - Dr. Batra's Homeopathic Clinic:** The advertisement's claims, "India's most trusted homeopathy brand" was not substantiated with any verifiable comparative data of the advertiser's brand and other similar Homeopathy brands in India, or through a third party validation. The superlative claim is misleading by exaggeration. The claim "Stem cell treatment, after six weeks new hair gets developed" was not substantiated with any scientific evidence or proof of product efficacy. The claims are misleading, exploit consumers' lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers.
- 9. Gen Siddha Hospital:** The advertisement's claim, "Autism, cerebral palsy, mentally retarded - 100% cure with evidences." was not substantiated with authentic, credible scientific / clinical evidence and is misleading by exaggeration and exploits consumers' lack of knowledge. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.
- 10. Trivancore Ayurvedic Hospital:** The advertisement's claims, "Rheumatic diseases are cured immediately", "Patients who are affected with infertility are treated specially and cured permanently" and "Patients suffering from mental stress are treated through reformation treatment and cure completely" were not substantiated with authentic, credible scientific / clinical evidence and are misleading by exaggeration and exploit consumers' lack of knowledge. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.
- 11. Gen Siddha Hospital:** The advertisement's claim implying cure of mental diseases/retardation was not substantiated with any scientific rationale or clinical evidence and is misleading by exaggeration and exploits consumers' lack of knowledge. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.
- 12. Hashmi Dawakhana:** The advertisement's claim, "For successful treatment of small/ thin organs, premature ejaculation, increasing organ size and improving your sexual ability" was not substantiated with authentic, credible scientific / clinical evidence. Specific to the claims implying cure for all kinds of sexual problems, the advertisement is in breach of the law as it violated The Drugs & Magic Remedies Act and exploits consumers' lack of knowledge. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.
- 13. HB Care 24 (Dr Regain Products):** The advertisement's claim, "Stops hair fall in just five days", was not substantiated and is misleading by exaggeration. The claim, "Removes baldness in two hours" accompanied by a before and after visual, is misleading by ambiguity, implication and exploits consumers' lack of knowledge.

- 14. Abhijay Hospital Private Limited (ARC International Fertility & Research Centre):** The advertisement's claim, "Most Trusted Fertility Hospital", was not adequately substantiated and is misleading by ambiguity and implication. The claim, "World Guinness Achievement & Asian Book Achievement" was misleading by ambiguity, implication and omission of the details of the achievement.
- 15. Mitera Hospital:** The advertisement's claim (in Malayalam) as translated in English, "Kerala's Best IVF Lab", was not substantiated with any verifiable comparative data of the advertiser's treatment centre and similar treatment centres in Kerala to prove that it is better than the rest, or through an independent, third party validation. The claim is misleading by exaggeration and implication.
- 16. Starkey Laboratories India Pvt Ltd – Starkey:** The advertisement's claim, "India's Biggest Hearing Aid Company", was not substantiated with any verifiable comparative market share data of the advertiser's product and products of other leading hearing aid companies in India, or through an independent, third party audit or verification certificate, and is misleading by gross exaggeration.
- 17. Vital Clinic:** The advertisement's claim, "Get proper permanent body shape by Liposuction", was false, misleading by exaggeration and exploits consumers' lack of knowledge that is likely to lead to grave or widespread disappointment in the minds of consumers.
- 18. Orthomax Hospital and Trauma Centre:** The advertisement's claims, "Cures polio legs", "Cures old wrongly fixed fracture" and "Treats crooked legs of child from the birth without operation." were not substantiated with evidence of product efficacy and are misleading by gross exaggeration.
- 19. Woodlands Hospital:** The advertisement's claim, "The most trusted brand for women care in Eastern India.", was not substantiated with any verifiable comparative data of the advertiser's hospital with other similar hospitals in Eastern India or through an independent, third party validation. The claim is misleading by exaggeration.
- 20. Hair Doc Trichology Hair Clinic:** The advertisement's claim, "India's first hair growth treatment", was not substantiated with any verifiable data to prove that there were no other hair growth treatments available in India prior to the advertised product. It was observed that such a situation is unlikely as well. The claim was misleading by exaggeration.
- 21. Hair Doc Trichology Hair Clinic:** The advertisement's claim, "Stop hair loss", was not substantiated. The "before and after" visuals in the advertisement implying efficacy of the product were misleading.
- 22. Max Hair Studio International Pvt Ltd – Max Hair:** The advertisement's claims, claims "Oxygen laser therapy - Promotes hair regrowth" and "Stem cell treatments - Promote thicker hair growth", were

Press Release

not substantiated. The “before and after” visuals in the advertisement implying efficacy of the product were misleading.

- 23. Allen Healthcare Co. Ltd – Livosin DS:** The advertisement’s claim, “Double strength, double action and double protection to liver” was not substantiated with any scientific evidence or proof of product efficacy. When viewed with the other claim in the advertisement stating that the product helps in maintaining liver damaged due to alcohol consumption in healthy state, the advertisement is misleading by implication that it is safe to indulge in alcohol consumption.
- 24. Chetanta Clinic:** The advertisement’s claims, “Perform successful treatment for diabetes and thyroid through Karn Acupressure without medicines” and “Perform treatment with Karn Acupressure which treat naturally and give freedom from diabetes and thyroid” were not substantiated with authentic, credible scientific / clinical evidence. The claims implying complete treatment for diabetes and thyroid are misleading by gross exaggeration, exploit consumers’ lack of knowledge and are likely to lead to grave or widespread disappointment in the minds of consumers.
- 25. Gudghedukhi Upchar Kendra – Kayakalp Kesh Ayurved:** The advertisement’s claim, “Stop hair fall in just 7 days” were not substantiated with authentic, credible scientific / clinical evidence. The claims implying complete stoppage of hair fall is misleading by gross exaggeration and exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.
- 26. Star Ayurveda – Star Homeopathy:** The advertisement’s claim, “Get rid of Asthma” were not substantiated with authentic, credible scientific / clinical evidence. The claims implying cure for Asthma is misleading by gross exaggeration and exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.
- 27. Sanjeevani Netralaya Retina Care Centre – Sanjeevani Netralaya:** The advertisement’s claim, “Treats every (any kind of) retina problem successfully when all other advanced techniques, laser, injections have failed with only Ayurvedic medicine”, was not substantiated with any authentic, credible scientific / clinical evidence and is misleading by gross exaggeration. Specific to the claims implying cure of retina problems, the advertisement is in breach of the law as it violated The Drugs & Magic Remedies Act and exploits consumers’ lack of knowledge which is likely to lead to grave or widespread disappointment in the minds of consumers.
- 28. Swamiji Multi speciality Ayurvedic Hospital – Swamiji Ayurvedic Consulting and Chikitsa Kendra:** The advertisement’s claim, “Two to five kilograms in seven days.”, “Lose weight in seven days” and “Lose 20 to 30 kilograms weight without fasting, exercise, surgery, strict diet or food supplement”, were not substantiated with any clinical evidence, and with treatment efficacy data. The assurance of quantitative results in a finite period regardless of individual conditions is misleading by exaggeration.

- 29. Rana Ayurveda:** The advertisement's claim, "Orissa's No. 1 Ayurvedic hospital." was not substantiated with any verifiable comparative data of the advertiser's hospital and other similar Ayurvedic hospitals in Orissa or through a third party validation. The leadership claim is misleading by exaggeration. The claim, "A medical treatment/ treatment procedure that gives 100 percent guaranteed solution for diabetes, piles, fistula, obesity and all kinds of sexual problems." was not substantiated with authentic, credible scientific / clinical evidence. Also the claims implying cure for diabetes, obesity, all kind of sexual problems is in breach of the law as it violates The Drugs & Magic Remedies Act and exploits consumers' lack of knowledge. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.
- 30. R & R Diabetic & Thyroid Clinic:** The advertisement's claim, "Have experience for successful treatment of thyroid, diabetes and hormonal diseases of almost 2000 patients", was not substantiated with authentic, credible scientific / clinical evidence and is misleading.
- 31. Star Ayurveda – Star Homeopathy:** The advertisement's claim, "Put an end to Asthma" were not substantiated with authentic, credible scientific / clinical evidence. The claim implying complete cure for Asthma is misleading by gross exaggeration. The claim exploits consumers' lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers as well as it is in breach of law as it violates The Drugs & Magic Remedies Regulation.
- 32. Zilaxo Advanced Pain Solution (Zilaxo):** The advertisement's claim, "Zilaxo Advanced Pain Solution provides successful treatment of root cause, which gives complete relief to patients." was not substantiated and implied that Zilaxo Advanced Pain Solution successfully treats lumbar spondylosis. The claim was misleading by exaggeration.
- 33. Sigma Health Care – Aerofit Fitness Equipment:** The advertisement's claim, "India's No.1 Fitness Brand", was not substantiated with any verifiable comparative data of the advertiser's brand and other similar competitor brands, or through a third party validation. The claim is misleading by exaggeration.
- 34. H and B – Hair and Beyond:** The advertisement's claim, "Head full of hair in just one session", was not substantiated and was misleading by exaggeration.
- 35. Healing Hasta Herbal Concepts – My Dr Pain Relief Oil:** The advertisement's claims, "Recommended by doctor.", and "Unique herb 'Yavni Satva' which is helpful to give relief from pain for longer time", were not substantiated.
- 36. Jolly Health Care – Jolly Tulsi 51 Drops:** The advertisement's claims, "The only belief tried by crores of Indians", and testimonial of Mr. Rathi indicating relief from depression were not substantiated and are misleading by exaggeration. The claims are likely to lead to grave or widespread disappointment in the minds of consumers.

FOOD & BEVERAGE: -

- 1. Maans Products (India) – Nirdosh Cigarette:** The advertisement’s claim of ‘The World’s first smoke that is beneficial for your health’, in absence of any disclaimers regarding its use strictly for medicinal purpose, is misleading by ambiguity and implication. The claim exploits consumers’ lack of knowledge.
- 2. Emprove - Emprove Green Coffee:** The advertisement’s claims, “The weight loss brew” and “Keeps diabetes in check” were not adequately substantiated and are misleading by implication.
- 3. Sunraja Oil Industries - Mr. Gold Refined Groundnut:** The advertisement’s claim, “To have phytosterol advantage so one can eat whatever they want absorption” was not substantiated and is misleading by exaggeration. The advertisement stating “Now one can eat what they love” showing banana and egg in a plate getting replaced with fried purees undermines the importance of healthy food options such as fruits and proteins and is likely to encourage excessive consumption of fried food. Claims that groundnut oil with more phytosterol makes 15 percent lesser cholesterol absorption is misleading by ambiguity and implication that it would result in better cholesterol profile in the body.
- 4. KBRL Limited - India Gate Brown Basmati Rice:** The advertisement’s claims, “Brain metabolism booster”, “Enhancing focus” and “Reducing anxiety” were not substantiated for the advertised product and are misleading.
- 5. Gopal Bhog Atta:** The advertisement’s claim, “100% Fibre Atta”, was not substantiated with verifiable supporting data. The claim is misleading by ambiguity and implication regarding the fibre content in the product.
- 6. Orange Nutraceuticals (Sweet n Zero):** The advertisement shows the FSSAI logo in a non- standard format implying that it is an endorsement from the FSSAI which is in violation of the FSSAI advisory. The print advertisement is misleading by implication.
- 7. Super Salt Pvt Ltd – (Top Line Activ Natural Salt):** The advertisement’s claim, “Better salt”, was not substantiated with any technical evidence or any verifiable comparative data of the advertiser’s product and competitor products to prove that it is better than the rest. The claim is misleading by ambiguity and implication.
- 8. Bhopal Sahakari Sangh Dugdha (Sanchi Milk):** The advertisement’s claim, in Hindi (Sampoorn Aahar) read in English as, “complete meal”, was not substantiated. The claim implying complete meal replacement is misleading by exaggeration and exploits consumers’ lack of knowledge and is likely to lead to grave or widespread disappointment in the minds of consumers.

PERSONAL CARE: -

1. **Lotus Herbals Ltd – Lotus Colorkick Lip Sugar:** The advertisement’s claim, “Colorkick Lip Sugar with SPF-20” was not substantiated with evidence of product efficacy or technical rationale and the claim misleading.
2. **Besure Healthcare Pvt Ltd/ Besure Black & Beauty Charcoal Soap:** The advertisement’s claims, “Protects skin from within” and “Reduces pore size and lightens underarms”, were not substantiated with any technical rationale or evidence of product efficacy. The claims, in the context of a bathing soap, are misleading by exaggeration.

OTHERS: -

1. **Gupta Builders & Promoters Pvt Ltd (GBP Centrum):** The advertisement’s claim, “Asia's Greatest Brand 2017”, was inadequately substantiated.
2. **Top Notch Infotronix Pvt Ltd (Zebronic):** The advertisement’s claim, “No.1 Speaker Brand”, was inadequately substantiated. The claim is misleading by exaggeration and omission of the source for the claim and exploits consumers’ lack of knowledge. It is likely to lead to grave or widespread disappointment in the minds of consumers. The visual of the celebrity (Hrithik Roshan) when seen in conjunction with the claim is likely to mislead consumers regarding the product. The advertisement also contravened the ASCI Guidelines for Celebrities in Advertising.
3. **Cambridge Clothing Company LLP – Cambridge Range:** The advertisement’s claim, “Largest Men's wear showroom”, was not substantiated with any verifiable comparative data of the advertiser’s showroom and other similar showrooms of competitor brands / in the same category, or through a third party validation. The claim was misleading by exaggeration.
4. **Madura Fashion & Lifestyle (Van Heusen Anti-Bacterial Innerwear):** The advertisement’s claim, “The Antibacterial Innerwear” does not state for how many washes the ‘Pure Silver Antibacterial Technology’ lasts in an innerwear. The ‘Anti-Bacterial’ claim was not substantiated and is misleading by ambiguity and omission.
5. **3M India Limited (Scotch Brite Antibacterial Scrub Pad):** The advertisement’s claim, “Anti-bacterial scrub pad - Does not let bacteria stay.” was inadequately substantiated. The claim is misleading by omission with reference to efficacy period of the product and by implication that its efficacy would remain unchanged.
6. **Pommys Garments (India) Ltd – Pommys Nighties & Inner Wears:** The advertisement’s claim, “India's No.1 nighty brand”, was not substantiated with any verifiable comparative data of the

Press Release

advertiser's brand with other similar competitor brands, or through a third party validation. The claim is misleading by exaggeration.

- 7. Vaani Water Solution – Vaani Water Purifier:** The advertisement's claim, "India's No.1 Alkaline RO Water Purifier", was not substantiated with any verifiable comparative data of the advertiser's brand with other similar competitor brands or through a third party validation. The claim is misleading by exaggeration.

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)

For further information, please contact:

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