



ASCI releases Guidelines for Celebrities in Advertising

Mumbai, April 13th, 2017: Celebrities have been deployed by marketers to add credibility to their brand offering. These celebrities however have a huge responsibility to ensure that the products they endorse or feature in, are true to the claims made in those advertising messages. Advertising Standards Council of India (ASCI) has developed a set of guidelines to protect consumers' interest while encouraging celebrities and advertisers to refrain from endorsing misleading advertisements. At a time when the Consumer Affairs Ministry is intending to review the Consumer Protection Act and may have a provision to deal with misleading advertisements featuring celebrities, these guidelines by ASCI could serve as a good reference for advertisers.

The following guidelines would help while creating advertisements featuring celebrities or involving celebrity endorsements:

- Celebrities, for the purpose of this guideline, are those people who are from the field of Entertainment and Sports and would also include other well-known personalities like Doctors, Authors, Activists, Educationists, etc. who get compensated for appearing in advertising.
- All advertisements featuring Celebrities should ensure that it does not violate any of the ASCI code in letter and spirit. Celebrities are expected to have adequate knowledge of these Codes and it is the duty of the Advertiser and the Agency to make sure that the Celebrity they wish to engage with is made aware of them.
- Testimonials, endorsements or representations of opinions or preference of Celebrities must reflect genuine, reasonably current opinion of the individual(s) making such representations, and must be based upon adequate information about or experience with the product or service being advertised.
- Celebrity should do due diligence to ensure that all description, claims and comparisons made in the advertisements they appear in or endorse are capable of being objectively ascertained and capable of substantiation and should not mislead or appear deceptive.
- Celebrities should not participate in any advertisement of a product or treatment or remedy that is prohibited for advertising under:
 - I. The Drugs & Magic Remedies (Objectionable Advertisements) Act 1954 as updated from time to time (Link for preliminary guidance <http://lawmin.nic.in/ld/P-ACT/1954/A1954-21.pdf> and <http://drugs.kar.nic.in/node/136.html>) or





- II. The Drugs & Cosmetic Act 1940 and Rules 1945: (Schedule J) as updated from time to time (Link for preliminary guidance [http://www.cdsc0.nic.in/writereaddata/2016Drugs and Cosmetics Act 1940 & Rules 1945.pdf](http://www.cdsc0.nic.in/writereaddata/2016Drugs%20and%20Cosmetics%20Act%201940%20%26%20Rules%201945.pdf) and [http://www.indianhealthservices.in/schedules/Schedule J.pdf](http://www.indianhealthservices.in/schedules/Schedule_J.pdf)) or
 - III. A product which by law requires a health warning “.....is injurious to health” on its packaging or advertisement.
- If the Celebrity either directly or through the concerned Advertiser/Agency chooses to seek Advertising Advice from ASCI on whether the advertisement potentially violates any provisions of the ASCI code or not and if the Advertisement is developed fully following the Advertising Advice provided by the ASCI, then the Celebrity would be considered as having completed due diligence. However, ASCI’s Advertising Advice will not be construed as pre-clearance of the Advertisement.

Commenting on the new guidelines, **Mr. Srinivasan K. Swamy, Chairman, ASCI**, said, *“Celebrities have a strong influence on consumers and are guided by the choices they make or endorse. It’s important that both celebrities and advertisers are cognizant of the impact and power of advertising and therefore make responsible claims to promote products or services. It is in the interest of advertisers / ad agencies as well as celebrities to be aware of these guidelines and be sensitized to this issue to avoid violations.”*

The ASCI’s guidelines help in ensuring that claims made in advertising are not misleading, false or go unsubstantiated. Advertisers following these guidelines will protect the interests of the consumers, especially for products or services, which can cause serious financial loss or physical harm.





About Advertising Standards Council of India (ASCI)

The Advertising Standards Council of India is a self-regulatory organization for the advertising industry to promote, maintain, monitor and uphold fair, sound, ethical and healthy principles and practices of advertising for the protection of interest of consumers and the general public. Established in 1985, ASCI's role has been acclaimed by various Government agencies. The Govt. bodies including The Department of Consumer Affairs (DoCA), Food Safety and Standards Authority of India (FSSAI) and Ministry of AYUSH have partnered with ASCI to address all misleading advertisements in their respective sectors. The Supreme Court of India in its recent judgement has also affirmed and recognized the self-regulatory mechanism put in place for advertising content by ASCI.

ASCI & its Consumer Complaints Council (CCC) deal with Complaints received from Consumers and Industry against Advertisements which are considered as False, Misleading, Indecent, Illegal, leading to Unsafe practices, or Unfair to competition, and in contravention of the ASCI Code for Self-Regulation in Advertising. Under its National Advertisement Monitoring Service (NAMS), ASCI proactively monitors over 80% of new print and all new TV advertisements released in the country every month, for contravention of Chapter I of the ASCI code. (Source: www.ascionline.org)

The Advertising Standards Council of India



For further information, please contact:

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