



The Advertising Standards Council of India

COMPLAINTS THAT WERE UPHELD BY THE CONSUMER COMPLAINTS COUNCIL (CCC) From April 2007 to March 2008

Sr. No	Advertiser / Agency / Media	Claim / Description of Ad/ TVC	Complaint	ASCI Code/ CCC Decision
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Intra-Industry Complaints * ASCI Member \$ Complaint received from Consumer Representational Organisation

Advertisements Modified Appropriately / Withdrawn / Concluded

1.	Nestle India Ltd(*) (Maggie Healthy Soups – Soup powder) Publicis India(*) Femina(*) (31/1/07) Zee Studio(*) (8/1/07) HBO (12/1/07) Promotion messages on the pack	Claims – “Happy Heart”, “Healthy Soups” “REAL (Centre for Right Eating & Active Lifestyle, A Unit of DFI) recognizes that soups which are low in Fat & Cholesterol help heart stay healthy”	This creates an impression that consumption of Maggi soups lead to better heart health. On an independent testing, the product has been found to contain high levels of salt which releases sodium into the body. Sodium is well known for direct link to hypertension / high blood pressure which is not desirable for a healthy heart. The pack/communication does not give any details of DFI or REAL to substantiate its credibility. It is neither an International Body nor any Centre recognized by the Government of India as a competent authority to take a stand on heart health.	<u>April 2007</u> Chapter I.4. Claim, “Happy Heart”, was misleading by implication. Claim, “REAL recognizes that soups which are low in Fat & Cholesterol help heart stay healthy”, was misleading by ambiguity. Advertiser assured appropriate modification of the press Ad, TVC, and promotion messages on the pack.
2.	Suzuki Motorcycle India Pvt Ltd (Suzuki Zeus Motorcycle) Grey Worldwide (I) Pvt Ltd(*) Aaj Tak(*) (14/3/2007)	Visuals - “a biker driving the motorcycle on the lane dividing the white line, then overtaking dangerously between 2 trucks and rashly cutting the lane”.	Advertisement does not communicate good traffic sense. Advertisement shows dangerous acts which if emulated by inexperienced riders, may cause injury. (Two similar complaints received against the same TVC).	<u>April 2007</u> Chapter III.3. Action sequences as depicted in the TVC, shows dangerous practices and manifest a disregard for safety without justifiable reason. TVC modified.

3. #	<p>Gujarat Co-operative Milk Marketing Federation Ltd(*) (Amul Sugar Free Probiotic Frozen Dessert)</p> <p>FCB-Ulka Advertising(*)</p> <p>Times Life(*) supplement (28/1/07), Economic Times(*) – Brand Equity (14/2/07)</p>	<p>Words – “Sugar Free”</p> <p>Ad Headline – “Sugar Free. Guilt Free. Worry Free”</p>	<p>The branding unit has been designed in such a way that `Sugar Free` appears to be a brand of `Amul` rather than a qualifier/descriptor to the product being advertised. There appears to be a clear effort in anchoring the branding exercise on `Sugar Free` and leveraging its goodwill.</p> <p>These phrases are similar to the line, “Indulge Guilt Free”, that the Complainant uses in all the collaterals of `Sugar Free` in case of exhibitions and promotions.</p>	<p>CCC considered the prevailing situation of a Suit filed in the Delhi High Court between the two parties (Advertiser and the Complainant), on a similar complaint of the “advertiser’s advertisement with the branding `Amul Sugar Free` taking unfair advantage of the goodwill of the complainant’s product Sugar Free”. It was concluded that this issue may be considered sub-judice, by the concerned High Court. CCC decided that the complaint on this claim, would not be adjudicated on, under the prevailing circumstances.</p>
		<p>Claim - “Now, eat all you want, and don’t worry about the fluctuations in sugar level”</p>	<p>Claim is misleading. Sugar level in the body is not only associated with “sugar” but also with the consumption of milk/milk derivatives, and other ingredients like Figs which is a rich source of calories, dried figs being 50% sugar could enhance the blood glucose levels.</p> <p>Neither the product – Amul Sugar Free nor any of the communication about the product, mentions the basic requirements – “Contains artificial sweetener and for calorie conscious. Contains Sucralose. Not recommended for children”, as laid out by PFA Act 1954.</p>	<p><u>April 2007</u> Upheld. Chapter I.4. Claim was misleading.</p> <p>As for the declarations on the pack, their conformity with the F&D labeling requirements is an issue which is left to the concerned authorities to address. Advertiser assured that Ad discontinued, and the claim is being modified.</p>
4. Suo motu	<p>United Breweries Ltd (Kingfisher Premium)</p> <p>The Week(*) (31/12/2006)</p>	<p>Ad Headline – “Where the Night Rocks”, “Packaged Drinking Water” (in fine print).</p> <p>Visual depicts “a dancing couple”</p> <p>Visual depiction of brand name of a liquor product – Kingfisher Premium.</p>	<p>In the absence of specific information, the advertisement appears to be a surrogate advertisement for a liquor brand – Kingfisher Premium.</p>	<p><u>April 2007</u> Chapter III.6. Visual and the headline, did not bear any relevance to the product advertised – Kingfisher Premium – packaged drinking water. Advertisement appeared to be a surrogate advertisement for a liquor brand – Kingfisher Premium. Ad withdrawn.</p>

5. Suo motu	Diageo India P. Ltd(*) (Johnnie Walker) Leo Burnett(*)	Ad shows the brand name of a liquor product – Johnnie Walker. Ad mentions, “CDs and Cassettes”	This bears no relation to the product/service - Super Scorer Contest, being promoted.	<u>April 2007</u> Chapter III.6(b). Advertisement was a surrogate advertisement for a liquor product – Johnnie Walker.
	The Times of India(*) (March 07)	Ad mentions, “Red Label”	Appears to be associated with `Red Label' liquor brand. Advertisement appears to be a surrogate advertisement for a liquor brand – Johnnie Walker.	Ad withdrawn.
6. Suo motu	United Spirits Ltd(*) (Antiquity) Bombay Times(*) (3/3/2007)	Ad states - “Indulge in Blue Antiquity” Ad mentions, “Cassettes and CDS”, but shows no visual depiction of the same.	This is suggestive of over consumption of aged product and Blue Antiquity being a brand name of a liquor product. Advertisement appears to be a surrogate advertisement for a liquor brand – Antiquity.	<u>April 2007</u> Chapter III.6(b). Advertisement was a surrogate advertisement for a liquor product – Antiquity. Advertiser informed that the campaign is being suspended temporarily as regards new Ads. The existing Ads are being withdrawn.
7. Suo motu	GlaxoSmithKline Consumer Healthcare Ltd(*) (Horlicks Exam ka Bhoot Bhagao) Free Press Journal (28/3/2007)	Claims - “Essential for your health during exams”, “Horlicks is clinically proven to improve attention and concentration”, “Horlicks helps kids prepare better for their exams”.	Claims need to be substantiated.	<u>May 2007</u> Chapters I.1 and I.4. Claims mentioned in the advertisement, and cited in the complaint, were false and not substantiated. Also, the claims were misleading by gross exaggeration. Advertiser advised that said Ad has been presently discontinued.
8.	Besure Medicine Mfg Ltd (Dr. K.K.'s Besure Health Drink – Aloe Vera Gel) The Times of India(*) (25/10/06, 29/10/06)	Claims - “Dr. K.K.'s Besure 100% Natural Health Drink for Diabetic Patients”, “Visible results in 7 days”, “Complete course 60 days”.	(Complaint received from individual consumer, but referred by a GOI department) Advertisement appears to claim treatment for `Diabetes', a disease which is mentioned in Schedule of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.	<u>May 2007</u> Chapters I.1, I.4 and III.3. Claims mentioned in the advertisement, were false, and misleading by gross exaggeration. Advertisement was

Advertisement claiming treatment for such a disease is banned, as per the public notice issued by the Ministry of Health And Family Welfare.

The advertisement is misleading and is in contravention of the provisions of the said Act.

likely to encourage negligence without justifiable reason.

As for the advertisement being in contravention of the provisions of The Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954, this is an issue which is left to the concerned authorities to address.

Ad withdrawn.

9. Dr. Batra's Positive Health Clinic P. Ltd (60% improvement in white patches)
Dattaram Advertising(*)
The Times of India(*)
(19/10/2006)
- Ad shows a testimonial of a patient – "My white patches showed 60% improvement in just 6 months..."
- (Complaint received from individual consumer, but referred by a GOI department)
Advertisement appears to claim treatment for 'white patches', a disease which is mentioned in Schedule of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.
Advertisement claiming treatment for such a disease is banned, as per the public notice issued by the Ministry of Health And Family Welfare.
Advertisement is misleading and is in contravention of the provisions of the said Act.
- May 2007
Chapters I.1, I.4 and III.3.
Claim was false, and misleading by gross exaggeration.
Advertisement was likely to encourage negligence without justifiable reason.
As for the advertisement being in contravention of the provisions of The Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954, this is an issue which is left to the concerned authorities to address.
- Ad withdrawn.***
10. Dr. Batra's Positive Health Clinic P. Ltd (Cure for breathing disorders)
Dattaram Advertising(*)
The Times of India(*)
(15/10/2006)
- Advertisement shows a testimonial of a patient – "I am completely cured of my breathing disorders..."
- (Complaint received from individual consumer, but referred by a GOI department)
Advertisement appears to claim treatment for 'breathing disorders', a disease which is mentioned in Schedule of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.
Advertisement claiming treatment for such a disease is banned, as per
- May 2007
Chapters I.1, I.4 and III.3.
Claim was false, and misleading by gross exaggeration.
Advertisement was likely to encourage negligence without justifiable reason.

the public notice issued by the Ministry of Health And Family Welfare.

Advertisement is misleading and is in contravention of the provisions of the said Act.

As for the advertisement being in contravention of the provisions of The Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954, this is an issue which is left to the concerned authorities to address.

Ad withdrawn.

11. Diageo India P. Ltd(*)
(The Haig Vintage Rally)

Grey Worldwide(*)

Hindustan Times(*), New Delhi
(31/3/2007)
- Advertisement has a question – “When did Henry Ford perfect the assembly line?”, to which there are three choices given as answers. The advertisement states, “SMS your answer, e.g. (HAIG_a) to 3636. And win a fantastic Haig Vintage/Classic Car Model”.
- Complainant from his mobile SMS’d choice ‘b’ to 3636. He was shocked to get a reply back saying, “Thank you for participating in the Haig Vintage Rally contest. If you are a lucky winner, we will inform you shortly”. This reply is absolutely cheating the customers, as the advertisement clearly says ‘SMS your answer and win a car model’.
- The advertisement is misleading.
- June 2007
Exparte (absence of comments from the Advertiser).
Chapters 1.5(f) and 1.4.
No proof or evidence of the claim/offer being complied with, was provided by the Advertiser/Ad. Agency. Also, the advertisement was misleading by ambiguity.
Advertiser assured that no such Ad will be released in future, to avoid any contravention of the ASCI Code.
12. Bakson’s Homoeopathic Centre For Allergy (Bakson’s Homoeopathy)

The Times of India(*), Delhi
(18/11/2006)
- Ad shows Bakson’s as having appeared on the front page of ‘TIME’ magazine.
- Claims - “World’s 1st chain of Allergy Treatment Clinics”, “Over 1.5 million smiling patients”
- Claim - “International Standard Quality Certification”
- Advertiser needs to substantiate this claim and provide the month and year when it appeared in TIME magazine.
- Claims need to be substantiated with proof, data from the research conducted by an independent agency.
- Claim needs to be substantiated. Advertiser has not mentioned the ISO year and standard, and also the institute which has given the certificate to Bakson that it complies with international standards quality.
- June 2007
Chapter I.1.
Claims, “World’s 1st Chain of Allergy Treatment Clinics”, and “Over 1.5 million smiling patients”, were not substantiated.
Advertiser assured that these claims will not be repeated in their future advertisements. Also, a replica of Time magazine cover will not be used again in their advertisements.

13.	<p>Reliance Communications Ltd(*) (Reliance PCO)</p> <p>Mudra Comm(*)</p> <p>Sun TV (May 07)</p>	<p>Visuals - "children making paper toys with Indian inland letters and postal covers, and that the postal letters are not required since Reliance have opened millions of PCOs".</p>	<p>Advertisement appears to unfairly denigrate other products.</p>	<p><u>June 2007</u> Chapters IV.1(d) & (e). Advertisement was misleading as a result of comparison and unfairly denigrated another product.</p>
<i>TVC modified.</i>				
14. #	<p>Marico Ltd(*) (Sparsh Baby Bathing Bar)</p> <p>McCann-Erickson India(*)</p> <p>Zee Marathi(*) (12/2/2007)</p>	<p>Claim – “No more Tears”</p> <p>Super – “Under normal bathing practice”</p>	<p>Advertiser continues to make this claim by adding a small `super` in the TVC.</p> <p>The TVC continues to create an impression that Sparsh Soap is a “No tears bath”. The `super` has no meaning and is further meant to mislead the consumers.</p> <p>Technical evaluation of Sparsh soap shows that it has a pH level of 9.8, which is the first clear sign that it cannot be “No tears bar” and will definitely irritate the eyes. Only products with pH close to 7 will not irritate the eyes.</p> <p>In house trials using Sparsh soap have confirmed that it causes irritation to adult eyes. This would definitely irritate the babies eyes, which are even more delicate.</p>	<p><u>June 2007</u> Chapters I.1 and I.4. Claim was not substantiated. `Super` was misleading.</p> <p>Advertiser has referred for further consideration.</p>
15.	<p>Bajaj Auto Ltd (Bajaj Pulsar 200cc)</p> <p>Ogilvy & Mather(*)</p> <p>Set Max(*) (April 07)</p>	<p>Visuals - “Two riders riding their bikes in a very unsafe manner to avoid a traffic jam. The two bikes go onto to do a lot of stunts in a crowded market place, and they even show the bike climbing staircases and then the bike is shown falling from the third floor of a building”.</p>	<p>Advertisement provokes youngsters who are already driving rashly, to try unsafe stunts in a traffic scenario. This might lead to accidents to themselves and to others as well.</p> <p>(Two similar complaints received against the same TVC).</p>	<p><u>June 2007</u> Chapters III.3 and III.4. Actions portrayed in the visuals depicted in the TVC, show dangerous practices and manifest a disregard for safety without justifiable reason. Also, the visual depiction of the “two bikes doing a lot of stunts in a crowded market place, and the bike climbing staircases and falling from the third floor of a building”, was considered to be in breach of the law.</p>

16. Suo motu	Hindustan Unilever Ltd(*) (Vim dishwash liquid) Lowe(*)	Claim - "Just one drop is enough, New Vim drop has 10 times more lime power than the bar, even the grease you cannot see, it gets out".	Advertiser needs to provide proof and substantiate that "one drop" of Vim could produce the cleaning effect as visually depicted and claimed in the voice over of the TVC.	<u>July 2007</u> Chapter I.4. Claim mentioned in the advertisement, was misleading, as the "cleansing protocol" as provided in the report submitted by the Advertiser, did not appear in the TVC.
<i>TVC modified.</i>				
17. Suo motu	Henkel India Ltd(*) (Pril dishwash liquid)	Claim - "Each drop of Pril has active ingredients which removes grease better than the bar".	Advertiser needs to provide proof and substantiate that "one drop" of Pril could produce the cleaning effect as visually depicted and claimed in the voice over of the TVC.	<u>July 2007</u> Chapter I.1. Claim mentioned in the advertisement, was not substantiated adequately.
<i>Subsequently, the Advertiser has conducted the cleaning efficiency test with an independent lab, for which they have provided a copy of the report.</i>				
18. #	Procter & Gamble Hygiene & Healthcare Ltd(*) (Tide Detergent Powder) Eenadu TV(*) (5/5/07) Sony TV(*) (5/4/07) Zee TV(*) (5/4/07)	TVC while referring to a boy's cricket team, in the voice over states - "Do nahin, sirf ek chamach kaaphi hai balti bhar kapde dhone ke liye", with a depiction of a typical household spoon with a Super - "1 spoon = 33 gms". Pack mentions - "one scoop of powder is required for 12-15 clothes".	The typical household tablespoon in the market can hold only 16 gms Tide powder and that too when fully heaped. Also no typical household spoon can hold 33 gms of Tide. Advertiser contradicts their own statement in the TVC of '1 spoon' being required when actually '1 scoop' is required as mentioned on the pack. This is a clear misrepresentation to the consumers. The TV communication that one spoon of Tide is having same or better efficacy than two spoon of (other) powder, is totally unfounded / unsubstantiated and merely misleads the consumer at the cost of the competition.	<u>July 2007</u> Chapters I.1 and I.4. Claim mentioned in the advertisement, was not substantiated, and the super was misleading. <i>Advertiser assured appropriate modification of the claim and super in the TVC.</i>

19. Suo motu	United Spirits Ltd(*) (Royal Mist) Rediffusion DY&R(*) T.O.I.(*) (1/6/2007)	Ad headline states – “100% premium grain means 100% smoothness”. Copy mentions - “World over, premium, wholesome grains stand for quality of the highest order. In the same tradition Royal Mist has been uniquely crafted and made from 100% pure, premium grains. Perfected for you to derive maximum satisfaction out of every moment”. Visual shows - “grains in a tumbler”.	Visual depiction of brand name is suggestive of a well-known brand of liquor product – Royal Mist. Advertisement appears to be a surrogate advertisement for a liquor brand – Royal Mist.	<u>July 2007</u> Chapter III.6(b). Advertisement was a surrogate advertisement for a liquor product – Royal Mist. Advertiser verbally assured appropriate modification of the Ad before future release. Awaiting written assurance of compliance from the Advertiser.
20. Suo motu	United Spirits Ltd(*) (McDowell Signature) Mudra Comm(*) T.O.I.(*) (17/6/2007)	Advertisement states - “Success is very demanding”, “Success is Good Fun”. In fine print, the advertisement states, “successories” delinked from any of the pertinent claims or visuals shown in the advertisement.	Advertisement is misleading by its ambiguity, and is suggestive of a liquor brand (appears to be a replica of the label of a branded liquor product - McDowell Signature).	<u>July 2007</u> Chapter III.6(b). Advertisement was a surrogate advertisement for a liquor product – McDowell Signature. Ad campaign withdrawn.
21.	Coca Cola India Pvt Ltd(*) (Thums Up) TLG India Pvt Ltd(*) NDTV(*), Star TV(*), Sony TV(*) (17-18 th May 07)	TVC shows - “an actor flicking (or stealing) a Thums Up bottle from a speeding truck”.	Advertisement is designed to attract lot of youngsters who happen to be the target audience. The kids will try to imitate the popular actor and may try the stunts shown in the TVC, which is dangerous. Also, it will motivate the kids to flick or steal, which is offensive. (Two similar complaints received against the same TVC).	<u>August 2007</u> Chapters III.1(a), (c) and III.2(b) Advertisement tends to incite people to crime, and encourages people, particularly minors to emulate criminal acts. Advertisement shows dangerous acts which are likely to encourage minors to emulate them in a manner which could cause harm or injury. TVC modified.

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| 22. | <p>KBM Marketing
(Japani Oil)</p> <p>Jaipur Publicity
Centre</p> <p>Rajasthan Patrika(*)
(28/12/2006)</p> | <p>Claims (in Hindi), as translated in English - "Japani Oil for male impotence".</p> <p>"Use Japani oil for any weakness in nerves to get relief".</p> | <p>(Complaint received from individual consumer, but referred by a GOI department)</p> <p>Advertisement appears to claim treatment for `sexual impotence`, a disease which is mentioned in Schedule of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.</p> <p>Advertisement claiming treatment for such a disease is banned, as per the public notice issued by the Ministry of Health And Family Welfare.</p> <p>Advertisement is misleading and is in contravention of the provisions of the said Act.</p> | <p><u>August 2007</u></p> <p>Exparte (absence of comments from the Advertiser).
Chapter III.4.</p> <p>Advertisement was in breach of the law, since the advertisement was in apparent violation of the Schedule of The Drugs And Magic Remedies (Objectionable Advertisements) Act, 1954.</p> <p><i>Ad withdrawn.</i></p> |
| 23. | <p>KBM Marketing
(Power Plus
Capsules)</p> <p>Jaipur Publicity
Centre</p> <p>Rajasthan Patrika(*)
(28/10/2006 and
7/11/2006)</p> | <p>Claims (in Hindi), as translated in English - "Power Plus Capsules most effective and useful medicine on impotency in males of any age",</p> <p>"So effective that it generates strength and vigour in every nerve",</p> <p>"A unique experience with Power Plus capsules",</p> <p>"Sustains pleasure and vigour for longer time in those golden moments".</p> | <p>(Complaint received from individual consumer, but referred by a GOI department)</p> <p>Advertisement appears to claim treatment for `sexual impotence, nervous disorders`, diseases which are mentioned in Schedule of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.</p> <p>Advertisement claiming treatment for such diseases is banned, as per the public notice issued by the Ministry of Health And Family Welfare.</p> <p>Advertisement is misleading and is in contravention of the provisions of the said Act.</p> | <p><u>August 2007</u></p> <p>Exparte (absence of comments from the Advertiser).
Chapter III.4.</p> <p>Advertisement was in breach of the law, since the advertisement was in apparent violation of the `Schedule of The Drugs And Magic Remedies (Objectionable Advertisements) Act, 1954.</p> <p><i>Ad withdrawn.</i></p> |
| 24. | <p>Rajvansh Clinic Pvt
Ltd</p> <p>Bhargava Publicity</p> <p>Rajasthan Patrika(*)
(10/10/2006)</p> | <p>Advertisement (in Hindi), as translated in English, claims, "full investigation and treatment of childless women".</p> | <p>(Complaint received from individual consumer, but referred by a GOI department)</p> <p>These diseases are mentioned in Schedule of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.</p> <p>Advertisement claiming treatment for such diseases is banned, as per the public notice issued by the Ministry of Health And Family Welfare.</p> <p>Advertisement is misleading and is in contravention of the provisions of the said Act.</p> | <p><u>August 2007</u></p> <p>Chapter III.4.</p> <p>Advertisement was in breach of the law, since the advertisement was in apparent violation of the Schedule of The Drugs And Magic Remedies (Objectionable Advertisements) Act, 1954.</p> <p><i>Ad withdrawn.</i></p> |

25.	<p>Perfetti Van Melle India Pvt Ltd(*) (Alpenliebe)</p> <p>McCann-Erickson(*)</p> <p>Cartoon Network (August 2007)</p>	<p>TVC shows - “a well-known celebrity feeds an `Alpenliebe’ chocolate to a Crocodile in a protective enclosure, and then the animal starts following her wherever she goes and demands more Alpenliebe”.</p> <p>Advertisement (in Hindi) says, “Laalach aaha lap lap peeche pad gaya...”.</p>	<p>It is prohibited for any visitor to feed an animal in their protective enclosures (zoo etc). The act in the advertisement is sending a wrong message to viewers especially children.</p> <p>(Eight similar complaints received against the same TVC)</p>	<p><u>September 2007</u> Chapter III.4. Visual depiction of “a visitor feeding a crocodile in a zoo”, was in apparent violation of the Wildlife Protection Act 1972. Advertisement was in breach of the law.</p> <p><i>TVC modified.</i></p>
26.	<p>Mahindra Renault Pvt Ltd (Logan)</p> <p>Saatchi & Saatchi(*)</p> <p>T.O.I.(*) (24/8/07)</p>	<p>Claims - “No.1 in 3 months”.</p> <p>Source: CRISIL Sales data for July 2007.</p>	<p>The claim of being `No.1’ does not specify whether the car is the largest selling in the country or it is within a certain segment that the company has considered itself to be the highest selling.</p> <p>The `Logan’ competes in the A3 midsize segment and was launched on 4th April 07. Since the launch, around four months ago, the total sale has been 8056. In a similar period the sales of various other brands including the `Indigo’ have been far higher than the `Logan’.</p> <p>The advertisement is misleading.</p>	<p><u>September 2007</u> Chapter I.1. Claim mentioned in the advertisement and cited in the complaint, was false.</p> <p><i>Advertiser assured that the advertisement will not be released again and also appropriate modification will be considered in the future, in the event a similar communication is released.</i></p>
27.	<p>Videocon Industries Limited (Videocon Washing Machine)</p> <p>Ogilvy & Mather(*)</p> <p>Headlines Today (11/8/07)</p>	<p>TVC shows - “some boys putting a traffic policeman in a washing machine because he stops them to fine them”.</p>	<p>Any act against a Government official is a criminal offence.</p> <p><u>Suo motu complaint</u> Advertisement features a dangerous act which is likely to encourage minors to emulate it in a manner which could cause harm or injury.</p>	<p><u>October 2007</u> Not Upheld. TVC does not feature a `traffic policeman’.</p> <p>Upheld Chapter III.2 (b). <i>TVC modified.</i></p>
28.	<p>Cleartrip (Free offer of Motorola Mobile Phone on booking 2 SpiceJet roundtrip flights)</p>	<p>Ad headline - “Book two SpiceJet roundtrip flights on Cleartrip.com and get a Motorola L6 mobile Phone worth Rs.6020 absolutely Free”.</p> <p>Ad copy - “2 roundtrip</p>	<p>Advertisement is not clear on whether it is two roundtrip flights for one person, two roundtrip flights for two persons, or one roundtrip flight for two persons.</p> <p>When one of the consumer booked</p>	<p><u>October 2007</u> Chapter I.4. Advertisement was misleading by ambiguity.</p> <p><i>Ad withdrawn.</i></p>

	Publicis(*) T.O.I.(*), Ahmedabad (18/9/2007)	flights will have to be booked in one go".	two roundtrip flights for himself and called up the customer care to know about the gift, he was declared not eligible as he had not booked one roundtrip ticket for two persons. Advertisement is misleading the consumers.	
29.	Malaika Appliances Pvt Ltd (Bhaagam Bhaag Offer) Karma Communications Mumbai Mirror(*) (25/8/2007)	Advertisement portrays the sale of items at low rates. Advertisement mentions, "Conditions apply".	Complainant visited the showroom in Mira Road branch of the Advertiser, and he came to know that the price advertised was a down payment and the balance was to be paid in installments. On enquiring with the sales person present, the Complainant was informed that this is a routine followed by the company to entice customers to visit their showrooms. The advertisement is grossly misleading.	<u>October 2007</u> Chapter I.4. Advertisement was misleading. <i>Ad withdrawn.</i>
30.	WWS Skyshop Pvt Ltd (Roop Amrit Fairness Cream) Raj TV (28/8/2007)	Claims - "Dark skinned people will become fair skinned after using `Roop Amrit Fairness Cream'", "People with dark skin will not succeed in life and will suffer a lot".	These claims are not only racial but they are totally baseless. This commercial demeans people with black/dark skin and promotes low self-esteem among dark skinned people.	<u>October 2007</u> Exparte (absence of comments from the Advertiser). Chapters I.1 and I.5(d). Claims were not substantiated. Advertisement was discriminatory in its implication. <i>TVC withdrawn. Advertiser assured that the claims will not be repeated again in future advertisements.</i>
31.	Kimberly-Clark Lever Ltd(*) # (Huggies Baby Soap) Ogilvy & Mather(*) Sunday T.O.I.(*) (14/1/07) Vijay Karnataka (13/1/07)	Claim - "Huggies Baby soap is milder than the leading baby soap".	This claim is directly targeted at the Complainant's brand, which is the market leader among baby soaps. Since the claim is false and untrue, this directly affects the Complainant's brand, and misleads the consumer on the efficacy of Huggies soap by comparing it with the Complainant's brand. Independent third party technical	<u>November 2007</u> Chapter I.1 Advertiser did not provide an independent third party report which is BIS accredited. Claim was not substantiated. <i>TVC discontinued. Advertiser confirmed</i>

	ETV Kannada(*) (8/6/07) Zee Kannada(*) (20/6/07) Ad observed on rediff.com in July/Aug 07		evaluation of Huggies baby soap on adult skin by a Dermatologist, in the Skin Testing Center, shows that Huggies baby soap is not milder than the Complainant's brand on the parameters of mildness.	<i>that the claim will not be used in print Ads, TVC, and promotional material.</i>
32.	Perfetti Van Melle India Pvt Ltd(*) (Centre Fruit chewing gum) Ogilvy & Mather(*) Neo Sports(*) (20/10/07) Pogo (21/10/07)	TVC shows - "a foreigner goes to withdraw money from a supposed ATM, guarded by an old man. As the customer presses the number to get the money, the old man lifts the flap of the wooden window. Inside is a man looking harassed, tired, his hands are tied, his head and face protruding out. The old man gives a glimpse of the Centre Fruit to the tied man from top. As this young man sees the Centre Fruit, his tongue hangs out and he starts moving his tongue faster. As a result he pushes the currency notes out of the flap and the foreigner starts collecting his money".	This commercial is extremely inhuman and it degrades humans. This is encouraging exploitation, abuse of other fellow beings, and ill-treatment compulsive labour. What values and teachings are the children of impressionable mind getting from this commercial.	<u>November 2007</u> Chapter II. Portrayal of "a human being" being exploited, was repulsive and likely to cause grave or widespread offence. <i>TVC modified.</i>
33.	Procter & Gamble Home Products Ltd(*) (Head & Shoulders Intensive Solutions) HT City, Hindustan Times(*) (15/10/07)	Claim - "7 out of 10 Indian dermatologists would recommend the New Head & Shoulders Intensive Solutions".	This claim needs to be substantiated with proof, supporting information, with details of survey conducted and the results of the same.	<u>November 2007</u> Chapter I.1. Advertiser's response did not include a third party independent laboratory report substantiating the technical claim of their product having "twice the amount of dandruff killers versus most anti dandruff shampoos with ZPT", thus leading to the opinion of "7 out of 10 dermatologists would recommend the new Head & Shoulders Intensive Solutions" for dandruff. <i>Ad withdrawn.</i>

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|---|--|--|---|---|
| 34. | SBI Cards & Payment Services Pvt Ltd (SBI Cash Back Gold Card) | TVC shows - “a chicken laying golden eggs”. Voiceover says, “Yeh sone ke ande denewali murgi nahi hai, yeh SBI ka lifetime cash back gold card hai”. | The depiction and the usage of the chicken in this advertisement is very cruel. It is obvious that the chicken would never have done any of the stunts willingly. As per the `Performing Animals (Registration) Rules, 2001`, any person desirous of training or exhibiting a performing animal, shall apply for registration to the prescribed authority and shall not exhibit or train any animal as a performing animal without being registered under these rules. By virtue of this rule, it is clear that any advertisement that uses any kind of animals must have a No Objection Certificate from the Prescribed Authority i.e. Animal Welfare Board of India, certifying that the said advertisement has been made in compliance with the Performing Animals (Registration) Rules, 2001 framed under the Prevention of Cruelty to Animals Act, 1960. | December 2007
Exparte (absence of comments from the Advertiser).
Chapter III.4.
Advertisement was in apparent violation of the Performing Animals (Registration) Rules, 2001.
Advertisement was in breach of the law. |
| | J. Walter Thompson(*) | | | TVC withdrawn. |
| | CNN IBN(*)
(25/10/07) | | | |
| (One similar complaint received against the same TVC). | | | | |
| 35. | Nutra Skyn Care (Toppik Hair Building Fibers) | Claims - “Instant hair”, “Toppik is an amazing new complex of tiny hair building micro-fibres that perfectly blend with your hair”, | These claims need to be substantiated with proof, supporting technical information with details of tests/trials reports from an independent recognised testing institution. | December 2007
Chapter I.1.
Claims, “Instant hair”, and “A safe, natural way to eliminate bald patches and thinning hair”, were not substantiated. |
| | Palasa Advertising | | | Ad withdrawn. |
| | The Sunday Indian
(23-29 July 2007) | “A safe, natural way to eliminate bald patches and thinning hair”, “Sprinkle and look younger in just 30 seconds”. | | |
| 36. | Hindustan Unilever Ltd(*)
(Moo Snacks) | Claims - “Give calcium = 1 glass of milk”. | This claim needs to be substantiated with independent data. Advertiser should specify the quantity of `Moo` that is equivalent to the calcium present in 1 glass of milk, the type of milk considered (whole, toned, etc), the presence of added sugar with calcium in `Moo` and its effects on children’s health, if given every day. | December 2007
Not Upheld.
Claim substantiated. |
| | McCann-Erickson(*) | | | |
| | Femina(*)
(6/6/2007) | | | |

		Claim - "Moo from Kwality Walls is a healthier snack that your kids will love to have every evening"	Claim needs to be substantiated. Advertiser should substantiate that 'Moo' is healthier than all other snacks.	Upheld. Chapters I.1 and IV.1 (b&d). Claim was not substantiated adequately. Advertisement depicts 'Moo snack' as an alternative to Milk, thereby undermining the benefits of natural and fresh milk.
				Ad discontinued.
37.	Axis Bank Ltd 1. (Quick and Easy Personal Loans) \$ Ad printed on their national bill mail service envelope	Ad shows - "a parakeet picking up a fortune card with the tagline, "Your wishes are now fulfilled within 48 hours!"	Parakeets are protected under the Wildlife (Protection) Act 1972. The trade and trafficking of these birds is banned, and this includes the caging, displaying, and performance. Any advertisement that uses any kind of animals must have a No Objection Certificate from the Prescribed Authority i.e. Animal Welfare Board of India, certifying that the said advertisement has been made in compliance with the Performing Animals (Registration) Rules, 2001 framed under the Prevention of Cruelty to Animals Act, 1960. Hence the performance of the bird in the advertisement is in contravention of both the Wildlife Protection Act as well as the Performing Animals (Registration) Rules, 2001.	<u>January 2008</u> Chapter III.4. Visual depiction appeared to be performing an act, which was in apparent violation of the Performing Animals (Registration) Rules, 2001. Advertiser assured that the said creative will not be used in any Ads.
38.	Haier Appliances (India) P. Ltd \$ (Haier ACs) The Times of India(*) (27/4/07)	Claims - "Enjoy 51% power savings", "Future Comfort Technology", "... enjoy superior air conditioning", "Refresh function", "Intelligent air flow", "4-stage air filter". "With the revolutionary digital DC inverter technology"	Claims need to be substantiated with proof, independent data, supporting technical information with details of tests/trials reports from an independent recognised testing institution. Advertiser should prove that other ACs in the market do not have this technology.	<u>January 2008</u> Chapter I.1. Claims made in the advertisement and cited in the complaint, were not substantiated. Ad modified.

		“Super Ioniser”, “Healthy UV ray generator”	Advertiser needs to provide proof in support of these claims. Also, to substantiate how these claims can benefit the consumers.	
39.	Alapatt Jewellers (16 Gold & Certified Diamonds) Malayala Manorama(*) (28/10/07 & 4/11/07)	Ad in Malayalam (as translated in English) states, “916 Purity should be there not only in the advertisement but also in the gold ornament”. “Without hall marking there is no purity and will not get good price when exchanged”. “Wholesale jewellery that you get at 1 or 2% making charge discount will not be pure enough and will have less value when exchanged”.	This claim is vague and confuses the customers. 916 hallmarked gold is sold by almost all jewellers. The exchange price is at the discretion of the jeweller and also depends on the market price and the relationship with the customer. Wholesale price is at the sole discretion of the jeweller and has nothing to do with purity but with the volumes he does.	<u>January 2008</u> Chapter I.4. Advertisement was misleading. Ad withdrawn.
40.	Hyundai Motor India Ltd (Hyundai Verna) Ad appeared on Company’s Website	Ad states - Hyundai Verna diesel variant “CRDI VGT” has a fuel economy of 32.8Kmpl.	On seeing this advertisement , the Complainant purchased the vehicle, under the impression that the vehicle will be economical and will be comparatively cheaper to run. It has been over one month since the purchase of this vehicle that the Complainant has never measured a fuel economy of over 11 kmpl. The Complainant is deceived by this advertisement. Advertiser needs to provide proof in substantiation of this claim.	<u>January 2008</u> Exparte (absence of comments from the Advertiser). Chapter I.1. Claim was not substantiated. Ad discontinued.
41.	Trent Ltd (Sisley Fall Winter Collection 07) Promotional e-mail	Headline - “You’ll melt once inside”. Visual - “a woman in a provocative and seductive pose”	This advertising should be classified as pornography. Headline, read in conjunction with the visual depiction, appears to be indecent.	<u>February 2008</u> Chapter II. Ad headline, read in conjunction with the visual depiction, is likely to cause grave or widespread offence. Advertiser assured that Ad withdrawn, and such Ads will not be released again.

42. Reckitt Benckiser (India) Limited(*) (Dettol Soap)
- Zee Marathi(*) (28/8/07 and 20/12/07)
- TVC implies that for elimination of organisms that cause cough and cold, Dettol should be used, as it “eliminates the organisms ten times faster than other soaps”.
TVC states - “IMA has approved Dettol”.
- “Elimination of organisms that cause gastrointestinal diseases”.
- Advertiser should provide - (a) clarification as to which specific organisms cause cough and cold and how Dettol works to eliminate them. (b) evidence that Dettol works 10 times better or faster than other soaps, and also which are the other soaps that is being compared with. (c) a copy of the certificate from IMA.
- Claim needs to be substantiated.
- Further, the advertiser needs to provide proof, additional technical information with details of tests/trials reports from an independent recognised testing institution, in substantiation of these claims.
- February 2008
Chapter I.1.
Claims were not substantiated.
- Advertiser assured appropriate modification of the TVC.***
43. Nai Dunia (“Nai Dunia is No.1 again in Indore City”)
- # Exchange4media, Impact (17-23 Dec 07), Brand Reporter (16-31 Dec 07)
- Claims - “Nai Dunia is No.1* again in Indore city”, source mentioned as “*As per Private Survey”
- “Nai Dunia is the most preferred newspaper of Indore”.
- As evident from IRS and NRS, the two reputed readership surveys, Dainik Bhasker is way ahead of NaiDunia.
The claims are misleading.
- February 2008
Chapters I.1 and I.4.
“Nai Dunia is No.1 again in Indore city”, source – “As per private survey”, is false and misleading, as the name of the firm conducting the survey is not mentioned. Also, the claim “No.1” appears to have been made on the basis of ‘opinion poll’ and not on sales figures.
Claim, “Nai Dunia is the most preferred newspaper of Indore”, was not substantiated, in the absence of details regarding sample size and methodology in selecting the sample to assess the scientific basis of the survey.
- Advertiser assured appropriate modification of the Ad.***

44. \$	Kinetic Engineering Ltd (Kinetic SYM Flyte) Publicis Ambience Advertising(*) Auto India (January 2008 issue)	Claims - "it's made by the only two companies that know scooters best – Kinetic and SYM", "Europe's fastest growing 2-wheeler company", "Largest 2 Level Storage" "Our confidence 3 year warranty*, * only for first 10,000 customers". "4-in-1 magnetic key #, # For initial customers only".	Claims needs to be substantiated with an independent data. Why is the warranty given only to first ten thousand customers. If the company is confident of its product, it should extend warranty to all customers. Why is the magnetic key given only to initial customers and not to all? The term "initial customers" appears to be ambiguous.	<u>February 2008</u> Chapters I.1 and I.4. Claims, "It's made by the only two companies that knows scooters best – Kinetic and SYM", "Largest 2 Level storage", were not substantiated. Claim of "for initial customers only", was misleading by ambiguity. <i>Advertiser assured that Ad has been modified.</i>
45.	Dabur India Limited(*) (SaniFresh Thick Toilet Cleaner) Ogilvy & Mather (*) Good Housekeeping (Jan 2008 issue)	Headline states - "SaniFresh Thick. The secret of my shiny, silky hair".	Advertisement pertains to 'SaniFresh Thick toilet cleaner' projecting itself as a 'hair shampoo'. The advertisement is in bad taste and needs to be withdrawn before any vulnerable teenager actually tries out the product.	<u>February 2008</u> Chapter I.4. Visual of "a lady with lustrous hair", along with the Ad headline, is likely to be misconstrued as a advertisement for a 'hair shampoo' and not for a 'toilet cleaner'. Advertisement was misleading. <i>Ad withdrawn.</i>
46. \$	Garware Polyester Limited (Garware Suncontrol Window Film) Auto India (January 2008 issue)	Claims – "A Non-Fading dyed Film, unlike imported coated film which fades in 3 months", "Clear, distortion free view", "No peeling or bubbling of film", "Best film for Indian conditions", "Exported to more than 50 countries including USA, UK, Australia and Japan", "No.1 Brand in India",	Claims need to be substantiated with comparative data from an independent research.	<u>February 2008</u> Chapters I.1 and I.4. Claims, "Exported to more than 50 countries", "Best film for Indian conditions", were not substantiated. Claim of, "Upto 5 years warranty", was misleading by ambiguity. <i>Advertiser assured appropriate modification of the Ad.</i>

Advertisement states – “The effort put in to maintain your skin’s complexion is of no use if your car windows don’t have Garware Suncontrol Film – which stops harsh sunlight from piercing through your car window, protecting your skin from becoming dark, and keeping your car cool and comfortable”.

Advertiser needs to explain how all efforts to maintain one’s complexion can become useless without Garware Suncontrol film. Also, the advertiser needs to substantiate the claim that ‘its suncontrol film protects the skin from becoming dark’.

“Upto 5 years warranty”.

Advertiser has maintained ambiguity on its warranty period. Upto five years may mean even 3 months, 6 months, etc.

47. Kent RO Systems Pvt Ltd
 (Kent Water Softener)
 Hindustan Times(*)
 (10/1/2008)

suo
 motu

Claims, “Not only it smoothens skin & prevents hair loss, but it also enhances the lather formation”

These claims need to be substantiated with supporting technical information and with details of tests/trials reports from an independent recognised testing institution.

February 2008
 Chapter I.1.
 Claim, Kent Water Softener “smoothens skin & prevents hair loss”, was not substantiated with supporting technical information and tests/trials reports.

Ad discontinued.

48. ING Vysya Life Insurance Company Ltd
 Rediffusion DYR(*)
 Star Plus(*)
 (January 08)

TVC shows - “first scene - a teenage girl happily showing her father her admission letter to MBA. Her father is initially happy, until he sees the financial cost involved. At that time the ground breaks beneath him and he falls a few feet through the ground.
 Second scene - a nurse handing over a new born baby to the father. The father is initially happy, until he thinks of the financial cost in bringing up the child. At that time, the ground breaks under his feet and he also falls.
 Advertisement says, “Dikhne mein to pyaari hai, yeh khushiyan thodi bhaari hai”.

Advertisement is anti girl child and deeply offensive to all females, giving the message that they are nothing more than burdens.

February 2008
 Chapter II.
 Advertisement when viewed as a whole portrays avoidable ‘gender insensitivity’. Advertisement is likely to cause offence.

Advertiser informed that Ad campaign ended in February 2008.

49.	Parle Agro Pvt Ltd (Mintrox Mint) Star Cricket (25/1/08)	TVC shows - "a convict landing up in a mental hospital and the jailor teasing the convict. A mental hospital is shown in the background and some inmates are shown in poor light".	Advertisement shows totally insensitive portrayal of the mentally challenged with absolutely pathetic sense of humour.	<u>February 2008</u> Chapter II. The insensitive portrayal in the advertisement of the "mentally challenged", was likely to cause grave or widespread offence. TVC withdrawn.
50.	Godrej Sara Lee Ltd(*) (Good Knight Maha Jumbo Mosquito Coil) Zee Marathi(*) Mi Marathi (14/1/2008)	TVC claims (in Marathi) - "Good Knight - jitki sugandhi, titkich prabhavi", as translated (in English) - "as effective as fragrant". Visual shows - "a model fervently inhaling the so-called fragrant vapours".	The advertisement encourages dangerous practice of inhaling the toxic fumes of coil (containing insecticide).	<u>February 2008</u> Chapter III.3. Visual depiction shows a dangerous practice without justifiable reason. Advertiser verbally informed that the TVC is off air. Written confirmation awaited from the Advertiser.
51.	Trinity Health Clinic suo motu Mumbai Mirror(*) (6/2/2008)	Claim - "Natural & Permanent Hair Growth within 30-40 days".	Advertiser should provide proof, supporting technical information, and details of tests/trials conducted, to substantiate this claim.	<u>March 2008</u> Chapter I.1. Claim was not substantiated. Ad modified.
52.	Belle Aarogya Biotech (P) Ltd (Elevation - Remedy for Breast Care) suo motu HT City(*) (15/1/2008)	Claims - "Extensive research by qualified and eminent medical experts made Elevation a path-breaking Remedy for Breast Care", "Extensive trials Result 92% satisfaction for age 20 to 50 years", "Elevation is widely accepted by doctors for Breast Care".	Advertiser should provide proof, supporting information, and details of tests/trials conducted, to substantiate these claims. Advertisement appears to claim remedy for 'Breast', a disease which is mentioned in Schedule of The Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954. Advertisement appears to be misleading and is in contravention of the provisions of the said Act which prohibits Ads for treatment of certain diseases and disorders.	<u>March 2008</u> Experte (absence of comments from the Advertiser) Chapters I.1 and III.4. Claims were not substantiated. Advertisement claims, "..... Elevation a path-breaking <u>Remedy</u> for Breast Care", which is in apparent violation of the Schedule of The Drugs And Magic Remedies (Objectionable Advertisements) Act, 1954. Advertisement was in breach of the law. Ad modified.



The Advertising Standards Council of India

COMPLAINTS THAT WERE NOT UPHELD BY THE CCC From April 2007 to March 2008

Sr. No.	Advertiser / Agency / Media	Claim / Description of Ad/TVC	Complaint	Comment/ CCC Decision
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Intra-Industry Complaints * ASCI Member \$ Complaint received from Consumer Representational Organisation

1.	Rediff.com India Ltd (Unlimited storage space for e-mails) CNN-IBN, NDTV (14/3/07)	Visuals - "a girl saying "I have seen Raju's, it is really big". Then a man claiming he has also seen, "it is that big". Then a toilet is shown where he urinates and another man comes and says "Oh it is big". Then a person who listens to all this, goes to Raju, looks down at his legs and asks him "is it really that big", to which Raju replies "yes it is not only big, it is unlimited, rediffmail".	The catch word of the advertisement happens to be "is it that big" with seductive overtones. The advertisement is not decent since it offends the people's sensibilities, and this is not the so-called creativity that the children should watch. (Seven similar complaints received against the same TVC)	<u>April 2007</u> Advertisement was not so indecent as to give rise to widespread offence.
2.	Suo motu Cadila Health-Care Ltd(*) (Nutralite Premium Table Margarine) Mudra Comm(*) Buzz magazine of Mumbai Mirror(*) (22/12/2006)	Visual shows the product – Nutralite, spread in large quantities. Claim - "It's better than butter. And a lot healthier"	Claim needs to be substantiated in the absence of supporting information in the advertisement itself.	<u>April 2007</u> Visual depicted and the claim mentioned in the advertisement, was not misleading or likely to lead to harm to minors by promoting over-indulgence.
3.	# Hero Honda Motors Ltd(*) (Hero Honda Karizma Bike) J. Walter Thompson(*)	Baseline – "Always Game"	M/s. Hero Honda for their brand 'Karizma' is using this baseline with effect from February 2007. M/s. General Motors India have been using the same baseline for their brand 'Tavera' since January 2006.	<u>April 2007</u> Baseline was not considered to be an advertising property of the Complainant or of the Advertiser.

	Deccan Herald(*), Bangalore (9/3/2007) Aaj Tak(*) (Feb 07)		Advertisement is a clear violation of GMI's Intellectual Property Rights.	
4.	Gujarat Co-operative Milk Marketing Federation Ltd(*) (Amul Butter)	Claims - "Keep my family healthy", "high source of energy", and "healthy milk fats"	Claims need to be substantiated in the absence of supporting information in the advertisement itself.	<u>April 2007</u> Claims were substantiated. Baseline was not denigratory of other products.
Suo motu	daCunha Comm(*) Times of India(*) (3/3/2007)	Baseline - "The Real Butter"	Appears to be denigratory of other products, by implication.	
5.	Lux Hosiery Industries Ltd (Lux Cozy Underwear)	Visuals - "a man in his towel near a swimming pool. A dog comes and snatches his towel, and he is left in his underwear only. A young woman comes looking for her dog. She looks down at the man's underwear and gives him a naughty look and then bites her lips and kisses the man on his cheek".	The naughty look and the biting of the lips by the woman, is suggestive. The TVC is objectionable.	<u>April 2007</u> Advertisement was not objectionable. Advertiser assured that the said advertisement has been modified, on receiving ASCI's request for comments on this complaint.
	Ogilvy & Mather(*) NDTV, IBN7 (12/3/07)		(Two similar complaints received against the same TVC).	
6.	TTK LIG Ltd (Kohinoor Triple Extra Condoms)		(Complaint received from individual consumer, but referred by GOI department)	<u>May 2007</u> Visual depicted in the advertisement was not obscene, having regard to the product promoted in the advertisement
	McCann-Erickson India(*) Dainik Jagran (28/1/07)		Visual is obscene. It is really shameful specially in view of Indian culture that such obscene picture is used.	
7.	J. G. Hosiery Pvt Ltd (Amul Macho Underwear)	Visuals - "a newly married woman with head covered going to a pond in a village area to wash an undergarment, and while washing the same, the expressions and the actions are utterly disgusting as if she is getting an orgasm while washing so".	Advertisement is too obscene and also not suitable for viewing by the children.	<u>May 2007</u> Advertisement was not obscene so as to give rise to grave or widespread offence.
	Saints & Warriors Comm Star Plus(*), Set Max(*), NDTV, Aaj Tak(*), India TV (April/May 07)	The tag line says, "yeh to bada toing hai". In the end, the advertisement says, "Amul Macho - Crafted for Fantasies".	(Nineteen similar complaints received against the same TVC)	

8.	Radisson GRT Hotel	Ad shows - "a visual image of a sauce bottle depicting feminine innerwear or swimwear".	Advertisement is offensive and violates the dignity and integrity of women.	<u>May 2007</u> Visual depicted in the advertisement was not offensive.
\$	J. Walter Thompson(*)	Hoarding in Chennai (observed in February 07)		Advertiser assured that this creative will not be used in their advertisements, in future.
9.	Hindustan Unilever Ltd(*) (Lifebuoy Soap)	Visuals - "Cricket ground is flooded with rain water. A boy is watching this on TV and immediately calls all his friends over phone. First they all take bath using a Lifebuoy soap, and then they enter the cricket ground and start mopping the muddy water".	Advertiser needs to substantiate the claim.	<u>May 2007</u> Chapters. I.1, I.4, and III.2(b) Claim was not substantiated adequately. The sustained protection against renewed exposure to contamination, as claimed, was misleading by gross exaggeration. The advertisement showed dangerous acts which are likely to encourage minors to emulate it in a manner which could cause harm or injury.
	Lowe(*)	Claim - "Continuous protection from germs even hours after bathing with New Lifebuoy"		<u>August 2007</u> <u>Decision on Review Not Upheld.</u> Advertiser submitted an independent third party endorsement with regard to their claim made in the TVC. Claim was substantiated.
10.	Tata Teleservices (Maharashtra) Ltd (Tata Indicom Prepaid Mobile Services)	Ad headline - "Add Power to your Pocket".	Tata Indicom's Ad headline states, "Add Power to your Pocket", which is same as used in the Ad headline of Deutsche Bank Credit Card. Also, Sms `Power' is the nomenclature used as a response mechanism, which is same as used in the Deutsche Bank's Ad.	<u>June 2007</u> No advertising property was established in respect of the Ad headline and the copy claimed in the Advertiser's advertisement as
#	Mid Day(*), Mumbai (2/5/2007)	Ad copy - Sms `Power'		

			Deutsche Bank launched its Credit Cards in September 2006 and the main brand proposition, which taken across the entire campaign was expressed in the line 'Add power to your pocket'. This has now become synonymous with Deutsche Bank Credit Cards and is part of its brand equity. The Ad of Tata Indicom does cannibalise the brand equity of Deutsche Bank Credit Cards.	compared with the Complainant's advertisement.
11.	Noble Broadcasting Corporation (P) Ltd (Aahaa FM 91.9) Hoardings put up in Chennai, observed in the first week of April 07.	Visuals - "various individuals, both old and young, of all ages, are in a state of ecstasy and heavy perspiration". Ad states in Tamil, "Height of Recreation".	The image itself is very vulgar. The message along with the visual seems to send across a vulgar signal as to the nature of the recreation.	<u>July 2007</u> Experte (absence of comments from the Advertiser). Since the complaint was neither supported with a photograph of the hoarding, nor a complete message with verbatim description of the visuals displayed on the Hoarding, the complaint was not valid and not clear enough to identify any specific provisions of the Code which the advertisement contravened.
12.	Dabur India Ltd(*) (Meswak Toothpaste) McCann-Erickson India(*) Star News(*) (March 07)	Claims - "Complete protection to teeth", "complete protection from germs, cavities and tartar" TVC shows a demo to convey that Meswak treats gingivitis by tightening / strengthening gums.	Meswak toothpaste does not have - (a) ingredient like Sodium Monofluoro Phosphate or Sodium Fluoride which is clinically proven to fight cavities and tartar, (b) ingredient like Triclosan which is clinically proven to provide long lasting protection by fighting germs for hours, (c) ingredient which is clinically proven to treat gingivitis. Meswak admittedly does not contain any clinically proven anti-gingivitis active ingredient. Advertiser should submit clinical studies done for Meswak toothpaste which substantiate these claims. Claims are false and misleading.	<u>July 2007</u> Claims mentioned in the advertisement, and cited in the complaint, were substantiated.

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|--------------------|---|---|--|---|
| 13. | Pepsi Foods P. Ltd(*)
(7 Up)

J. Walter
Thompson(*)

Sony Max(*),
NDTV(*)
(April 07) | TVC shows “a slice of lime” | This is blatantly misleading and making common consumer believe that the product – 7 Up contains fruits, when it is merely a flavoured soft drink with no fruit in it.

The advertisement clearly misleads the consumers by means of implication and visual presentation and falsely exaggerates the fruit contents in the product. | July 2007
Advertisement was not misleading, since it clearly mentions, “Contains no fruit. Contains added flavour”. |
| 14. | Pepsi Foods P. Ltd(*)
(Mirinda Orange)

J. Walter
Thompson(*)

Sony Max(*),
NDTV(*)
(April 07) | TVC says, ‘natural orange flavour’, whereas the product pack says ‘added flavour’. | Advertisement tries to mislead the consumers to believe that it is a natural product. There is so much of loudness in the advertisement to project that it has a natural flavour but does not mention so in the ingredient list.

Advertisement is trying to project incorrect image that Mirinda is a natural orange drink. | July 2007
Advertisement was not misleading, since it clearly communicated that, “Mirinda Orange now comes with Natural Flavour”. |
| 15. | Zapak Digital
Entertainment
Limited
(Zapakmail.com)

Marching Ants P. Ltd

Sony TV(*)
(29/6/07) | TVC shows - “a Christian funeral ceremony where a Priest bids farewell to a dead man named Thomas and the coffin bearers throw the coffin into the burial pit”. | Advertisement shows utter disrespect for the Christian funeral ceremony and makes fun of the religious rites that the Christians follow. Further, the advertisement also shows disregard towards the dead. The advertisement equates sending a mail with burying a person, without showing any regard towards the emotional trauma associated with burying the dead.

(Five similar complaints received against the same TVC) | July 2007
Visuals under complaint, were depicted in a humorous manner, and the TVC was not considered to be offensive.
Advertisement did not deride or show disrespect to any creed or community. |
| 16.
Suo
motu | Hindustan Unilever
Ltd(*)
(Lakme Sun Expert)

Ambience Publicis
Advertising(*)

T.O.I.(*)
(26/5/2007) | Ad headline - “Stay Sunsafe Forever” | Claim needs to be substantiated with proof, supporting technical information with details of tests/trials reports from an independent recognised testing institution. | July 2007
Claim mentioned in the advertisement, was not false. |

<p>17. ITC Limited(*) (Bingo Chips)</p> <p>O & M(*)</p> <p>NDTV(*) and IBN (May 07)</p>	<p>TVC shows - the background reads – “Learn Tamil”. A person explains that in Tamil language “Vaango” is come and “Poongo” is go.”</p>	<p>Advertisement makes fun of tamil words which has absolutely no relevance to the product being promoted.</p>	<p><u>July 2007</u> TVC was humorous and did not deride or show disrespect to any creed or community.</p>
<p>18. Jain Fertility & Mother Care Hospital (The Road to Parenthood)</p> <p>Prayas Creation</p> <p>Rajasthan Patrika(*) (21/10/2006)</p>	<p>Advertisement (in Hindi) states - “Facility available for Infertile Couples”, “Those couples who need ICSI in In-vitro Fertilization and couples who need ICSI because of very low sperm count must get themselves registered before 30th November 2006, so that ICSI can be done by Dr. Woodward himself as only 40 patients will be registered”.</p>	<p>(Complaint received from individual consumer, but referred by a GOI department)</p> <p>Advertisement appears to claim ‘complete cure of sterility in women, test tube baby’, diseases which are mentioned in Schedule of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.</p> <p>Advertisement claiming treatment for such diseases is banned, as per the public notice issued by the Ministry of Health And Family Welfare.</p> <p>Advertisement is misleading and is in contravention of the provisions of the said Act.</p>	<p><u>August 2007</u> Performance of a clinical procedure as mentioned in the advertisement, does not appear to be in contravention of The Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.</p>
<p>19. McNroe Chemicals Pvt Ltd(*) (Wild Stone Perfume Spray)</p> <p>Alchemist Brand Consulting Pvt Ltd</p> <p>Star Movies(*) (July 2007)</p>	<p>TVC shows - “in the backdrop of Bengali Durga Puja, a male and female model are making love”.</p>	<p>Advertisement shows the Bengali community in poor light, and hurts the sentiments and defiles an extremely sacred religious ritual among the Bengalis.</p> <p>(Six similar complaints received against the same TVC).</p>	<p><u>August 2007</u> Advertisement was not derogatory of a religious ritual, nor likely to cause grave or widespread offence.</p>
<p>20. Hindustan Unilever Ltd(*) (Kissan Mixed Fruit Jam)</p> <p>Lowe(*)</p> <p>T.O.I.(*) (29/7/2007)</p>	<p>Visual - “a boy finishing up the last dregs of milkshake from a glass”. Headline states - “Milk disappears with Kissan Jam”.</p> <p>Ad copy mentions a recipe for ‘Mixed Fruit Cooler’ – “Melt 2 spoons of Kissan Mixed Fruit Jam with a spoon of sugar in a pan. Once it cools, blend this with a glass of milk and a scoop of</p>	<p>The message seems geared to get children to drink a glass of milk.</p> <p>The sugar quantities of the recipe alone cancel out any goodness or nutrition that the glass of milk may have provided. The advertisement sends out the message that excessively sugary drinks are okay. Kids have enough to say no to without having calorific junk</p>	<p><u>August 2007</u> Advertisement was not an apparent promotion of a harmful practice.</p>

		vanilla ice cream. Pour over crushed ice and serve”.	shoved into their milk.	
		Advertisement mentions, “Get a Recipe Booklet Free with every 500g bottle of Kissan Jam”	But the advertisement does not mention if the recipes have been formulated in collaboration with a nutritionist.	
21.	Johnson & Johnson Limited(*) (Savlon soap) SSC&B Lintas Star Plus(*) (28/7/07) Zee News(*) (31/7/07)	“Birds and a dog are being made to perform in this commercial”.	The Government of India by virtue of its power vested in the Prevention to Cruelty to Animals Act, 1960, has framed the Performing Animals Registration Rules 2001. This Rule mandates that any person desirous of performing any animal needs to seek prior permission from the prescribed authority. The Hon’ble High Court of Bombay has held that it is mandatory for all cinematographers including Ad film makers to seek No Objection Certificate from the Animal Welfare Board of India (AWBI), prior to performing the animals. The AWBI has denied the issuing of a performance certificate for the Savlon TVC.	<u>September 2007</u> As the advertisement was not produced in India, it was not in violation of the Performing Animals Registration Rules 2001; nor was it portrayal of an action which would violate the Prevention to Cruelty to Animals Act, 1960.
22.	Cox And Kings (India) Limited (Mega Malaysian Monsoon Dhamaka) Saatchi & Saatchi(*) T.O.I.(*) (31/7/07)	Ad headline states - “Mega Malaysian Monsoon Dhamaka at only Rs.16,999”. Ad copy states, “Already booked somewhere else? No problem. Just bring your receipt and we’ll waive off the booking amount you paid to the other travel company from our package cost”. Ad (in fine print) states – “Visas, taxes, Mediclaim Insurance, Tips extra”.	On enquiry with the Advertiser, the Complainant was informed that – He would have to pay Rs.10,000/- for Taxes, Visa, and Insurance. If a person was flying from Kolkata he would have to pay Rs.5000/- extra. The amount of waiver was limited to Rs.1500/-, even if the consumer had paid more than that amount. Advertisement is highly objectionable and misleading as it does not mention the extra charges of Rs.10,000/-, and also the additional charges of Rs.5000/- extra. Regarding the waiver amount, the advertisement does not mention that `conditions apply’. Neither does it mention that this amount is restricted to Rs.1500/-.	<u>September 2007</u> Complaint appeared to be a case of non-implementation of the offer as claimed by the Complainant, based on verbal interaction with the Advertiser, and the advertisement was not misleading.

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| 23. | <p>Paras Pharmaceuticals Ltd(*)
(Zatak Gold Deo Spray)</p> <p>Triton Comm(*)</p> <p>CNBC TV18(*)
(9/8/2007)</p> | <p>TVC shows - "a man goes to visit the Pyramids of Egypt and the statues (mummies) of Queens and Goddesses come alive with passion because of the 'Zatak Gold Deo Spray' used by the man".</p> <p>Advertisement says, "very very gold, very very sexy".</p> | <p>The religious and cultural insensitivity that is shown in the advertisement by depicting the statues of the then Goddesses and Queens as sexual objects, is objectionable.</p> | <p><u>September 2007</u></p> <p>Advertisement was not objectionable as it did not portray cultural or religious insensitivities.</p> |
| 24.
| <p>Hyundai Motor India Ltd
(Hyundai Verna)</p> <p>Shopping & Lifestyle
(July 07 issue)</p> | <p>Advertisement states, "Alvida Fida!".</p> | <p>The advertiser has used the Ford Fiesta baseline - "Go Fida" in a negative manner. The advertisement for "Hyundai Verna" has used the term "Fida" with reference to the brand Ford Fiesta. The references are very specific to Fiesta and this does not constitute free and fair advertising.</p> | <p><u>September 2007</u></p> <p>Experte (absence of comments from the Advertiser). Slogan "Alvida Fida!", stated in the Advertiser's advertisement, was an advertising cliché used in a light humorous tone, and was not denigratory of the strapline "Go Fida", stated in the Complainant's advertisement.</p> |
| 25.
| <p>Marico Ltd(*)
(Saffola Cholesterol Management Atta Mix)</p> <p>McCann-Erickson India(*)</p> <p>Bangalore Times,
T.O.I.(*)
(18/3/2007)</p> | <p>Claim - "Adding of Saffola Cholesterol Management Atta Mix to the regular atta, while making rotis may reduce bad cholesterol by upto 29% in 3 months".</p> | <p>Claim is misleading in as much as reportedly in the small single study allegedly conducted, a 29% decrease from baseline was observed in the Saffola atta administered group, but only 18.3% in the placebo group, therefore, the reduction in LDL-cholesterol that can be ascribed to the Saffola atta mix is at best 29% - 18.3% = 10.7%. Therefore, the true effect of the Saffola atta mix on LDL cholesterol would admittedly not be, in any case, more than 11-12%. As such, the tall and false claim of 29% cholesterol reduction is unjustified even on the data put in the public domain.</p> <p>The claim of 29% reduction is further unsustainable as the data reported worldwide on consumption of 25 g/d soy protein have been shown to lower LDL-cholesterol by 3-5% only. As such, the dramatic claim of 29% reduction is completely unsustainable and wholly misleading the consumers.</p> <p>The Website www.saffolalife.com gives further details of the product and quotes a study conducted by KEM Hospital (a Govt. hospital), Mumbai, which is most ill-equipped to deal with or to certify such health related claims.</p> | <p><u>October 2007</u></p> <p>Claim was substantiated.</p> |

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| 26. | <p>Motorola India Private Limited (Motorazr2 Mobile Phone)</p> <p>Ogilvy & Mather(*)</p> <p>Star Cricket (8/9/07)</p> | <p>TVC shows – a man and a woman fighting on the platform with their `Motorola Razr2`.</p> | <p>The actions and stunts shown in the TVC, can be imitated by small kids and children, and similar actions can hurt any part of the body which in turn can lead to injury.</p> | <p><u>October 2007</u></p> <p>TVC includes a precautionary warning which reads as, “For simulation purpose only. Please do not attempt”.</p> |
| 27. | <p>Godrej Consumer Products Ltd(*) (Godrej No.1 Shampoo)</p> <p>Mudra Comm(*)</p> <p>ETV Marathi(*) (13/7/07)</p> | <p>TVC shows - “a girl walking on a street with a basket of vegetables. The wind blows, her umbrella flies away and her hair gets very messy and she happens to drop the basket she was carrying. Once the wind stops, she sets her hair back in place with a sweep of her hand through the hair”.</p> <p>Godrej No.1 Shampoo promises soft, tangle free and manageable hair as its benefit.</p> | <p>‘Godrej No. 1 Shampoo’ advertising bears similarity in execution to the advertising of `Chik Shampoo`.</p> <p>Since 2002, Chik shampoo’s communication has always focused on soft and manageable hair. The TVCs always have an instance where the “protagonist’s hair is disturbed and tangled due to external factor like wind. Thereafter, the protagonist uses Chik shampoo which makes her hair so soft and manageable that all it needs is a stroke of her hand to put her messy hair back in place. Over the last five years, Chik shampoo has turned this action of the hand into a property for the brand.</p> | <p><u>October 2007</u></p> <p>Advertiser’s advertisement was not so similar to that of the Complainant’s advertisement, as to suggest plagiarism. Advertisement used a generic and intrinsic way of depicting soft and manageable hair.</p> |
| 28. | <p>Hindustan Unilever Ltd(*) (Axe Deodorant)</p> <p>Sony TV(*), Sab TV, Maa TV (September 07)</p> | <p>TVC shows - “many scantily dressed bikini clad women are running towards a semi-nude man”.</p> | <p>Advertisement is very indecent, obscene, and vulgar, and is not suitable for viewing with a family, kids in particular.</p> <p>(Six similar complaints received against the same TVC)</p> | <p><u>October 2007</u></p> <p>Advertisement not likely to give rise to grave or widespread offence.</p> <p>Advertiser has been advised that as the said TVC is not suitable for family viewing, it should be shown on TV outside Family Viewing Hours, i.e. after 11.00 p.m.</p> |
| 29. | <p>Havell’s India Ltd (Totally Shockproof Life)</p> <p>Star Cricket (September 07)</p> | <p>Anchor has been using the “Shockproof Electricals Accessories” proposition since the year 2000, while Havell’s have made a similar proposition now,</p> | <p>The proposition and visual treatments in the “Anchor” TVC have been copied by the “Havell’s” TVC.</p> | <p><u>November 2007</u></p> <p>Advertiser’s advertisement was not so similar to that of the Complainant’s advertisement, as to</p> |

		<p>for “Totally Shockproof Life”.</p> <p>Anchor has shown a situation of a boy reaching out to a door-bell and getting a shock. Havell’s have shown a similar scene with a woman.</p> <p>Anchor shows the boy having a “hair raising” experience, literally. Havell’s have shown the same.</p>		<p>suggest plagiarism. Advertisement used a generic way of depicting “spiked hair resulting due to electric shock”.</p>
30.	<p>Havell’s India Ltd (Totally Shockproof Life)</p> <p>ESPN (September 07)</p>	<p>TVC shows - “a family with spiked hair styles which is shown to occur due to electric shock”.</p>	<p>Showing that electric shock will lead to change in hair style, may encourage children to imitate this by trying to shock themselves.</p>	<p><u>November 2007</u> Experte (absence of comments from the Advertiser). Advertisement is humorous in nature, and the visual depiction of “change in hair style due to electric shock”, is not likely to encourage children to imitate the same.</p>
31.	<p>Pepsico India Holdings Private Ltd(*) (Kurkure)</p> <p>J. Walter Thompson(*)</p> <p>Sab TV (28/10/07)</p>	<p>TVC shows - “people are getting sick of eating Mithais and preferring Kurkure over the Indian sweets”.</p>	<p>This is a disgraceful advertisement as it shows the other product (Sweets) in bad light. (One similar complaint received against the same TVC)</p>	<p><u>November 2007</u> Advertisement did not disparage any brand or a product. <i>Ad campaign was scheduled only for the festive season and is not on air .</i></p>
32.	<p>Asian Paints Limited(*) (Asian Paints Tractor Emulsion)</p> <p>India TV (24/10/2007)</p>	<p>TVC shows - a housewife saying to the Postman – “Kal se nahi aana. Kal se hum e-mail karenge”.</p>	<p>This is a total insult of the Postman and the postal services. There is no connection of the postal services with the product advertised – Asian paints.</p>	<p><u>November 2007</u> The remark of the pseudo-novean-riche housewife to the postman “kal se nahi aana. Kal se hum e-mail karenge”, was meant to project her status and was not intended to insult the Postman or the postal services.</p>

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| 33. | Metro Shoes Ltd
(Metro Shoes)

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iB&W Comm(*)

Times Life, T.O.I.(*)
(14/10/07) | Ad shows - "a man in a suit, without any shoes and a call outline directly linking the exposed feet to the distorted statement 'The Incomplete Man' to the statement 'Since 1947'. | M/s. Raymond Limited strongly objects to the distortion of their slogan, 'The Complete Man' as 'The Incomplete Man' in the said advertisement. Raymond has been using this slogan for several decades, and this slogan is almost inseparable from the brand Raymond. The Raymond logo unit in all brand communication also features the words 'Since 1925'. The advertisement of Metro shoes is a clear evidence of mal-intent and deliberate denigration of the Raymond brand, and associated values that the company has painstakingly built over eight decades. | <u>November 2007</u>
Advertisement does not denigrate the Complainant's brand. |
| 34. | Zapak Digital
Entertainment Ltd
(Online Multiplayer
Games)

Ideas At Work

Hungama channel
(21/10/2007) | TVC shows - "several children using abusive language like chapadganju, machron ke don, makiyon ke lion king, etc". | The language used in the commercial is bad and abusive, and usage of such language is not expected from the children. The use of such rustic and abusive language by small children in the commercial encourages our children to catch up with the same kind of speech. | <u>November 2007</u>
Language used in the advertisement was not abusive. |
| 35. | Maruti Udyog
Limited
(Maruti Zen Estilo)

Ogilvy & Mather(*)

IBN7
(13/10/2007) | TVC shows - "a girl is eloping from her home with her boyfriend. As they are driving away, they see a checkpoint where the cars are being checked. Then a cop who happens to be the girl's father comes forward to check the car. He is impressed with the car and says "ghar basaaney ja rahey ho". | The police officer shown in the advertisement is not alert enough to see his own daughter is in the car. The advertisement shows the police force in very poor light.
(One similar complaint received against the same TVC). | <u>November 2007</u>
Advertisement is a humorous depiction of the mesmeric effect of the car on the person (as represented by the girl's father who is wearing jogging clothes in the advertisement). |
| 36. | Media Content &
Communication
Services Pvt Ltd
(Star Maaza channel)

Mudra Comm(*)

Star Maaza channel
(30/10/07) | TVC shows - "the Marathi Folk Art of Maharashtra is being performed on the stage. Suddenly, the audience watching the show become violent and the stage is brought down by damaging the set". | The advertisement gives a wrong impression that the new Marathi people do not like the old folk of Maharashtra. | <u>November 2007</u>
Advertisement does not show the folk art of Maharashtra in poor light. |

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| <p>37. Asian Paints Ltd(*)
(Utsav Paints)</p> <p>Ogilvy & Mather(*)</p> <p>Star Utsav
(24/10/07)</p> | <p>TVC shows - “the housewife finds out early in the morning that the door of her house has been stolen”.</p> | <p>The complainant questions – Is it possible that the door painted by Utsav Paint can be stolen away? And if it is yes, then why will the people use this paint which gives mental stress by loss of property?</p> | <p><u>November 2007</u>
Visual depiction in the TVC of a “door painted by Utsav Paint being stolen”, was considered to be an apparent exaggeration.</p> |
| <p>38. Levi Strauss (India) Pvt Ltd
(Levis Jeans)</p> <p>J. Walter Thompson(*)</p> <p>Roof Top Hoarding
(Lucknow)</p> | <p>Advertisement shows - “a woman (semi-nude) is lying over a man (wearing only Jeans)”.</p> | <p>This is a vulgar advertisement.</p> | <p><u>December 2007</u>
Visual depicted in the advertisement was not indecent and not likely to give rise to grave or widespread offence, as no sensitive parts of the human anatomy either of the man or of the woman, was shown.</p> |
| <p>39. Cadbury India Limited(*)
(Cadbury Ulta Perk)</p> <p>Ogilvy & Mather(*)</p> <p>ETV Marathi(*)
(29/10/07)</p> | <p>TVC shows - “a postman comes to a house to deliver the letter. On seeing him, the dog starts barking. So the postman eats a `Cadbury Ulta Perk` chocolate and starts barking on that dog. The dog runs away in fright”.</p> | <p>This is an insult of the postman and the postal department.</p> | <p><u>December 2007</u>
Advertisement portrayed a humorous situation and did not make any reference to the postal department.</p> |
| <p>40. Pidilite Industries Ltd
(Fevicol DDL Pidotint)</p> <p>Ogilvy & Mather(*)</p> <p>Doordarshan
National channel
(14/10/07)</p> | <p>TVC shows - “a classroom in which primary school students are seen reading books, and the teacher is napping on the chair. Suddenly, he wakes up owing to a sound and goes to the spot from where the sound came. He finds the student’s hair has turned grey. The teacher asks the student about his grey hair, the other fellow student gesticulate and poke fun at the conduct of the teacher”.</p> | <p>Advertisement gives a bad message to the students specially the minors to make fun of the teacher and show disrespect to them.</p> | <p><u>December 2007</u>
Advertisement portrayed a humorous situation and was not intended to make fun of the school teacher.</p> |

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| 41. | <p>Tata Tea Ltd(*)
(Tata Tea Gold)</p> <p>Lowe(*)</p> <p>Zee TV(*)
(17/11/2007)</p> | <p>TVC shows - “a police constable asks the shopkeeper for his packet (hafta). He collects the packet and drinks a cup of Tea without paying the cashier. There are sad expressions on the face of the police constable after receiving a ‘Biscuit packet’, because that was not his expectation”.</p> | <p>Advertiser has shown about ‘corruption’ to sell their product, and does not show any purchase of ‘Tata Tea Gold’.</p> | <p><u>December 2007</u>
Advertisement is depicted in a humorous and light hearted manner.</p> <p><i>Ad campaign discontinued.</i></p> |
| 42. | <p>Philips Electronics India Ltd(*)
(Philips Rocket Jalao Gadi Chalao)</p> <p>Mudra Communications(*)</p> <p>The Times of India(*) – Times Nation
(27/10/07)</p> | <p>Advertisement mentions, “Get an assured Gift on all Audio Video purchase”.</p> | <p>The Complainant purchased a ‘Philips 26” LCD’ on 30th October from the retailer -Croma, Malad. On enquiring about this ‘Philips offer’ with the retailer, the Complainant was told that “nothing of this sort was informed to them from Philips”.</p> <p>He followed up with the retailer several times, but each time he was assured that they would check with Philips about this offer. Also, there was no response to his regular follow ups with Philips. Then, the Complainant called up the customer service numbers mentioned in the advertisement, and the reply was that “the offer details and scratch cards has been sent to the retailer”.</p> <p>According to the Complainant, this is an unfair trade practice from the Advertiser.</p> | <p><u>January 2008</u>
Complaint was an isolated instance of non-fulfillment of the offer as presented in the advertisement.</p> <p><i>Advertiser has offered to make good the offer to the Complainant.</i></p> |
| 43. | <p>L’Oreal India P. Ltd(*)
(Garnier Fructis Hair Conditioner)</p> <p>Star Plus(*)
(November 07)</p> | <p>TVC shows - “a girl pulling out a steel rod off a concrete slab with her long hair”</p> <p>Claim - “Garnier Fructis conditioner for long hair with active fruit concentrates”.</p> | <p>Advertisement misleads the viewers as it overclaims than the product can actually perform. The advertisement claims that by using this conditioner hair becomes very strong but in reality the product falls short and leaves the hair dry and dull after use of some days.</p> | <p><u>January 2008</u>
Visual depicted was an apparent exaggeration to dramatize the features of the product. With respect to the effectiveness of the product, the advertisement carries a super, “84% * less breakage. * Percentage of Indian women claiming effectiveness in a consumer test. Tested on 179 women. shampoo + conditioner”.</p> |

44.	<p>Paras Pharmaceuticals Ltd(*) (Set Wet Get Fair Cream)</p> <p>Triton Communications(*)</p> <p>Zee TV(*), Star Plus(*) (19/11/07)</p>	<p>TVC shows - “a boy proposes to a girl but she rejects him because he is dark complexioned. Then the boy uses ‘Set Wet cream’ and becomes fairer and soon every girl gets attracted towards him and wants to propose him”.</p> <p>Advertisement says, “get fairer by using this cream”. The slogan says, “very very sexy”.</p>	<p>Any cream cannot make one fairer and look sexy because looking fair and looking sexy are two different things.</p>	<p><u>January 2008</u></p> <p>Advertisement was not objectionable as it was not discriminatory nor was it likely to give rise to grave or widespread offence.</p>
45.	<p>Zapak Digital Entertainment Limited (Zapak – Multiplayer gaming/online gaming)</p> <p>Ideas At Work</p> <p>Star World(*) (7/11/07)</p>	<p>TVC shows - “a lady clothed in nun attire and having a mocking tone to her voice, which sure is synonymous to gamers”.</p>	<p>Using a nun for promoting a multiplayer game is defiling the deeply held values and beliefs of the Christian community. Other than being demeaning to the community, the advertisement is demeaning to the Christian nuns.</p>	<p><u>January 2008</u></p> <p>Visual depiction of a “lady clothed in nun attire”, was not objectionable, as there was no demeaning of any religion in the advertisement.</p>
46.	<p>Eureka Forbes Ltd(*) (Aquaguard Total Water Purification Systems)</p> <p>suo motu</p> <p>Triton Comm(*)</p> <p>Business & Economy (28 Dec 2007 – 10 Jan 2008)</p>	<p>Claims - “Over 40 lakh mothers trust only Aquaguard. It is, after all, the only purifier that’s tested and certified by over 105 labs worldwide”.</p>	<p>These claims need to be substantiated with proof, validated global industry/market data from an independent recognised audit/research institution.</p>	<p><u>February 2008</u></p> <p>Chapter I.1.</p> <p>Claim, “Over 40 lakh mothers trust only Aquaguard”, was not substantiated.</p> <p><u>April 2008</u></p> <p><u>Decision on Review</u></p> <p>Advertiser provided Market Research Data, in support of the claim.</p> <p>Claim, “Over 40 lakh mothers trust only Aquaguard”, was substantiated.</p> <p>Complaint was Not Upheld.</p>

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| 47. | Aero Club
(Woodland Apparels
& Footwear)

Karishma
Advertising(*)

Hindustan Times(*)
(1/12/07) | Ad shows - "a girl sitting cross-legged on the thighs of a man". | The advertisement is cheap, suggestive, and is not in good taste. | February 2008
Visual depiction was not obscene so as to cause widespread offence. |
| 48. | Life Insurance Corporation of India (LIC Jeevan Tarang Policy)

J. Walter Thompson(*)

Various channels (in November 07) | TVC shows - "a little boy buys chocolates from a coin operated vending machine. He manages to insert the coin in an amusing way, presses the key, and gets the chocolate. But when he turns back, he sees lot of chocolates coming out from the machine. Then he stuffs his school bag with the chocolates". | The advertisement message could be "you invest little and get more premium". But for a child viewer it is highly unethical to collect bagful of chocolates from a malfunctioning vending machine. | February 2008
Advertisement was not unethical. |
| 49. | \$ Procter & Gamble Hygiene & Healthcare Ltd(*) (Pantene Pro-V Shampoo and Conditioner)

Grey Worldwide (I) P. Ltd(*)

Femina(*)
(25/4/2007) | Claims - "Make it 100% stronger against hair damage", "..... to ensure even stronger hair, apply Pantene Conditioner", "This unique system with ½ milky lotion and Provitamin goodness strengthens your hair further". | These claims need to be substantiated with proof, supporting technical information, with details of tests/trials reports from an independent recognised testing institution. | March 2008
Claim, "Make it 100% stronger against hair damage", was substantiated since the advertisement mentioned that it was against non-conditioning shampoo. |
| 50. | Reliance Communications Ltd (Cricket Dhanadhan Pack)

Leo Burnett(*)

Doordarshan
(10/12/07) | TVC says - "Yeh India ka Cricket hai bhidu. Baller pite to gali bhidu "Puck Puck Puck". | When children shout with this word "Puck Puck", it resembles as unparliamentary word "F**K". The advertisement encourages the children to use such words. | March 2008
Advertisement uses the words 'funky funky', and not 'paak paak paak' as mentioned in the complaint. Advertisement was not objectionable. |

51. #	Godrej SCA Hygiene Limited (Libero Comfort Diapers) TBWA India P. Ltd Zee TV(*), Star TV(*) (January 08)	Visual - `babies continuously laughing`	“Libero Comfort Diapers” TVC blatantly plagiarizes the unique visual presentation and executional elements of `Pampers` TVC which was first aired on November 4, 2007 in the Philippines. The execution elements i.e. sound effect and visual presentation are very unique elements of the `Pampers` TVC. And all these elements have been blatantly plagiarized in the `Libero Comfort` TVC.	<u>March 2008</u> Audio visual of “babies continuously laughing”, is a generic way of depicting content and cannot be considered to be an advertising property. Advertiser’s Ad was not similar to the Complainant’s Ad in sound effects and visual presentation, so as to suggest plagiarism.
52.	Reliance Communications Ltd (Reliance Mobile – India’s No.1 Network) Cartwheel Creative Consultancy Zee Cinema(*) (26/1/08)	TVC claims - “Jahaan pani nahi, roshni nahi, zameen nahi, Reliance Network is present”.	Reliance Network is not available just 60 Kms from Mumbai on National Highway No.8 near Manor. How can the advertiser claim to have excellent network with such pathetic network signal. The claim appears to be false.	<u>March 2008</u> Advertisement clearly mentions that “Reliance Network is available in 15000 towns 4 lakh villages”. Claim, “No oxygen, No water, No land, No food, No fuel, No sunlight – total network”, was not false.
53. #	Marketing Express Incorporation (HAIRSOREAL Micro Fibers) The Times of India(*) (13/1/08)	Claim - “Instant Hair in 20 seconds”.	Claim needs to be substantiated with proof, supporting technical information with details of tests/trials reports from an independent recognised testing institution.	<u>March 2008</u> Claim was not false.