

FSSAI's ad norms to make brand ambassadors more accountable

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The Food Safety and Standards (Advertising and Claims) Regulations, which come into force from July 1, are expected to make celebrities, who endorse food products, more accountable. The rules will also establish fairness in claims made by packaged food companies.

Replying to a query on laws that make celebrities who endorse food products responsible for misleading claims, Information & Broadcasting Minister Rajyavardhan Rathore, in a written reply in the Lok Sabha, said the regulations are aimed at establishing fairness in claims and advertisement of food products and make food businesses accountable for such claims and advertisements so as to protect consumer interest.

"These regulations inter-alia, also provide a list of prohibited claims and clearly specify that any person, including a third party, who advertises or is a party to the publication of any misleading advertisement not complying with these regulations would be penalised, as per Section 53 of the Food Safety and Standards Act, 2006," he said adding that celebrity endorsements are covered under these provisions.

The Food Safety and Standards Act 2006, Section 53 specifies that any person who publishes or a party to the publication of an advertisement which falsely describes any food or is likely to mislead regarding the nature, substance, quality of any food or gives false guarantee, shall be liable to a penalty of upto ₹10 lakh.

On the query whether celebrities endorsing food products can be prosecuted under any laws, he said as per Department of Consumer Affairs there is no provision in the Consumer Protection Act 1986 to prosecute celebrities endorsing food products.

"A consumer can make a complaint against unfair trade practice in a consumer forum established under the Consumer Protection Act, 1986," Rathore added.

If, the complaint is upheld, a Consumer Forum can issue an order to the opposite party directing him to remove the defector to replace the good or to return the price of the good to complainant, he said.