GUIDELINES FOR CELEBRITIES IN ADVERTISING

Preamble

Celebrities have a strong following and hence high credibility among consumers. Therefore, advertisements featuring celebrities need to doubly ensure that claims made in it are not misleading, false or unsubstantiated; so as not to harm the interests of the consumers, especially for products or services which can cause serious financial loss and physical harm. These guidelines are developed so that the advertiser is guided to produce and release appropriate advertisements featuring celebrities in it. Advertisements featuring celebrities or involving celebrity endorsements would be subject to the following guidelines:

Guidelines:

a) Celebrities, for the purpose of these guidelines are famous and well-known people, who are from the field of entertainment and sports, and would also include other famous and well-known personalities like doctors, authors, activists, educationists, etc. who

- Get compensated Rs. 40 lakhs or equivalent value annually for appearing in advertisements or campaigns on any medium and any format OR
- Has a social media followership of 500,000 or more on any single social media handle

b) 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.

c) Testimonials, endorsements or representations of opinions or preference of celebrities must re ect 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.

d) 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.

The celebrity or his/her agent/manager must give a duly signed written confirmation to ASCI that the celebrity has undertaken due diligence for the claims and representations made claims/endorsements made in a given advertisement in which the celebrity appears.

e) 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 https://cghealth.nic.in/CFDA/Doc/Acts&Rules/Drugs%20and%20Magic%20Remedies%20(Objectionable%20Advertisement)%20Act,%201954.pdf or

ii) The Drugs & Cosmetic Act 1940 and Rules 1945: (Schedule J) as updated from time to time (Link for preliminary guidance https://cdsco.gov.in/opencms/export/sites/CDSCO_WEB/Pdf-documents/acts_rules/2016DrugsandCosmeticsAct1940Rules1945.Pdf

f) Celebrities should not participate in any advertisements for products which, by law, require a health warning such as "..... is injurious to health" in their advertising or packaging.

g) The celebrity can either directly, or through their concerned agency, choose to seek Endorser Due Diligence (EDD) from ASCI on whether the advertisement potentially violates any provisions of the ASCI code and any other legal statutes pertaining to advertising. If the advertisement is developed fully following the EDD provided by the ASCI, then the celebrity would be considered as having completed due diligence.

You may contact ASCI at advisory@ascionline.in for seeking details regarding EDD procedure or refer www.ascionline.in.

Chairman
Board of Governors, ASCI
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