

12 February 2021

## **News Briefing**

### **Press Release**

**“CCP IMPOSES PKR 150 MILLION PENALTY ON RECKITT BENCKISER FOR  
DECEPTIVE MARKETING PRACTICES”**

## Pharma firm fined Rs150m for 'deceptive' marketing

By Our Staff Reporter

ISLAMABAD: The Competition Commission of Pakistan (CCP) on Thursday imposed a Rs150 million penalty on a pharmaceutical company for deceptive marketing and misleading advertising of one of its products.

The order, passed by a CCP bench comprising chairperson Rahat Kaunain Hassan and member Bushra Naz Malik, said that marketing claims by the pharmaceutical firm can potentially deceive consumers with respect to the characteristics, formulation and intended use of tablet Strepsils.

The commission said that the company's marketing had deceived the general public into perceiving that Strepsils was still a medicated sore throat remedy.

The CCP's inquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Competition Act in general, which prohibits distribution of false and misleading information to consumers.

The issue was brought to the CCP's notice by M/s Square Distribution & Marketing System (Pvt) Limited through a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited had been disseminating misleading information to the consumers by creating an impression that its product Strepsils was a drug for sore throat and cough.

The complaint pointed out that Strepsils was de-registered as a drug when acquired by Reckitt from Boots in 2005, and then re-

launched with the disclaimer, "Non-medicated Lozenges".

"However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredient in it," the complaint added. "The misleading campaign was also capable of harming the business interests of other undertakings."

The CCP inquiry committee noted that efforts made by the company to inform the general public about change in the formula of Strepsils were inadequate.

"Barely printing 'Non-Medicated Lozenges' on the product box and that too in a very small font does not discharge the onus of making due and sufficient disclosures of such material change in the character of the product," the inquiry committee had stated.

The CCP bench gave 40 days to the respondent, starting from the date of the order, for compliance with its directives.



# CCP imposes penalty on Reckitt Benckiser Pakistan

**RECORDER REPORT ISLAMABAD:** The Competition Commission of Pakistan (CCP) has passed an order imposing a total penalty of Rs150 million on Reckitt Benckiser Pakistan Limited (respondent) for violation of Section 10 of the Competition Act, 2010 for making advertising/marketing claims about its product "Strepsils", which have been found capable of misleading and deceiving under the Act.

The CCP's bench has issued an order, here on Thursday.

M/s Square Distribution & Marketing System (Pvt) Limited sent a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited has been disseminating misleading information to the consumers by creating an impression of its product "Strepsils" as a drug for sore throat and cough.

It was further alleged that Strepsils was de-registered as drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges."

However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredient in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in

terms of Section 10 of the Act in general, read with sub-section 10(2)(b) of the Act which prohibits distribution of false and misleading information to consumers.

Moreover, marketing campaign of the Respondent demonstrates that the public was actually deceived into perceiving that "Strepsils" was still a medicated sore throat remedy.

The Respondent's misleading campaign was also capable of harming the business interests of other undertakings in, prima facie, violation of Section 10(1) in general, and in particular, Section 10(2)(a) of the Act.

The order stated that branding has a significant role in marketing the products, and therefore, the change in formula of the Product has changed the character from being a medicine to a non-medicated product.

Keeping in view, the history of the brand "Strepsils" and also the fact that, internationally, it is known and marketed in various jurisdictions as a medicinal product, the disclosure of such fact becomes material for its marketing in Pakistan.

The bench found itself in agreement with the finding of the Enquiry to the extent that the marketing campaign was capable of misleading consumers and capable of being harmful to the busi-

nesses.

It also observed that the disclaimer on the box of the Product was not adequate.

The bench in its order held that the Respondent has not been able to substantiate, neither before the Enquiry Committee, nor this Bench as to how and to what extent efforts have been made to inform the general public about change in the formula of its product "Strepsils". Barely printing "Non-Medicated Lozenges" on the product box and that too in a very small font does not discharge the onus of making due and sufficient disclosures of such material change in the character of the Product.

The order, passed by the bench comprising Rahat Kaunain Hassan, chairperson and Bushra Naz Malik, member, stated that the marketing claims by the Respondent can potentially deceive consumers with respect to the characteristics, formulation and intended use of "Strepsils", hence, deceptive in nature within the meanings of Section 10(2)(b) of the Act.

In view of the findings for each of the violations of Section 10 read with Section 10 (2)(a) and (2)(b) related to deceptive marketing practices, the bench imposed a total penalty of Rs150 million [Rs75 million for each of the violations].

The Bench has, inter alia, further directed the Respondent to stop misleading marketing practices of the Product, and required the Respondent to print the disclaimer/disclosure, "NON-MEDICATED", in English and also Urdu in bold words, on the Product box as well as on the strips in print and/or in electronic advertising/marketing and also has to place in Urdu the disclaimer "ye dawa nahi, dawa ke liye doctor se ruju Karen."

The bench has given 40 days to the Respondent, starting from the date of the order for compliance, and meanwhile, directed the Respondent to publish advertisements in at least three English and Urdu language newspapers having nationwide circulation regarding the change in character of the Product from medicated/drug to food category in Pakistan.

Such advertisements to be given once a week until compliance is ensured within the time specified. As per international media reports, Reckitt de-registered Strepsils as a non-medicine product in four countries including Pakistan, India, China, and Turkey, which makes almost 40 percent of the world's population, while in most of the other countries, the product is still being sold as medicine.



## DECEPTIVE MARKETING

# CCP slaps Rs150m penalty

LAHORE. The Competition Commission of Pakistan (CCP) has imposed a penalty of Rs150 million on Reckitt Benckiser Pakistan Limited (respondent) for violation of Section 10 of the Competition Act 2010 in advertising/marketing claims about its product 'Strepsils', which have been found capable of misleading and deceiving under the Act. Square Distribution and Marketing System (Pvt) Limited filed a formal complaint, alleging that the company had been disseminating misleading information to consumers by creating impression of its product 'Strepsils' as a drug for sore throat and cough. It was alleged that the tablet was de-registered as a drug when acquired by the firm from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges." However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredient in it. OUR CORRESPONDENT

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## **CCP imposes Rs 150 mn fine on Reckitt Benckiser**

**T**he Competition Commission of Pakistan (CCP) has passed an order imposing a total penalty of PKR 150 Million on Reckitt Benckiser Pakistan Limited for violation of Section 10 of the Competition Act, 2010 for making advertising/marketing claims about its product 'Strepsils', which have been found capable of misleading and deceiving under the Act.

M/s Square Distribution & Marketing System (Pvt) Limited sent a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited has been disseminating misleading information to the consumers by creating an impression of its product 'Strepsils' as a drug for sore throat and cough. It was further alleged that Strepsils was de-registered as drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges." However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredient in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2) (b) of the Act which prohibits distribution of false and misleading information to consumers. Moreover, marketing campaign of the Respondent demonstrates that the public was actually deceived into perceiving that 'Strepsils' was still a medicated sore throat remedy. The Respondent's misleading campaign was also capable of harming the business interests of other undertakings in, prima facie, violation of Section 10(1) in general, and in particular, Section 10(2)(a) of the Act. **NEWS DESK**



## CCP imposes Rs150m fine on Reckitt Benckiser Pak Ltd

ISLAMABAD

SHAHZAD PARACHA

The Competition Commission of Pakistan (CCP) has imposed fines worth Rs150 million on Reckitt Benckiser Pakistan Limited for violating the Competition Act 2010 by making misleading marketing claims about its product, Strepsils.

According to CCP, M/s Square Distribution & Marketing System (Pvt.) Limited sent a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited has been disseminating misleading information to consumers by creating an impression that its product can be used as a drug to cure sore throat and cough.

It was alleged that the product was de-registered as a drug when acquired by Reckitt from Boots in 2005, and then re-launched with a disclaimer stating 'Non-medicated Lozenges'; however, the company made no effort to educate and inform consumers regarding the discontinuation of the medicinal ingredient in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2) (b), which prohibits the distribution of false and misleading information to consumers.

Moreover, the marketing campaign demonstrates that the public was actually deceived into perceiving that Strepsils was a medicated sore throat remedy.

Keeping in view the history of the brand and also the fact that, internationally, it is known and marketed in various jurisdictions as a medicinal product, the disclosure of such fact becomes material for its marketing in Pakistan.

The bench ruled that the marketing campaign had misled consumers and harmed businesses, whereas the respondent was not able to substantiate as to how and to what extent efforts had been made to inform the general public about change in the formula of its product, observing that the disclaimer on the box was not adequate.

The company has been ordered to stop misleading marketing of Strepsils and print the disclaimer, 'non-medicated, in English and Urdu in bold letters on the product box as well as on the strips.

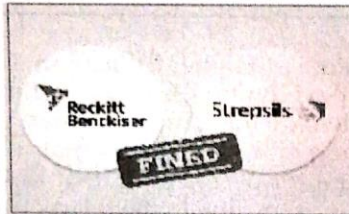
The bench has given Reckitt Pakistan 40 days, starting from the date of the order, for compliance whereas the company has also been ordered to publish weekly advertisements in at least three English and Urdu newspapers having nationwide circulation regarding the change in the character of the product from medicated to food category in Pakistan.

## Reckitt Benckiser fined Rs 150m for deceptive marketing

ZUBAIR QURESHI

ISLAMABAD

The Competition Commission of Pakistan (CCP) has imposed Rs 150 million on Reckitt Benckiser Pakistan Ltd (Respondent) for violation of Section 10 of the Competition Act, 2010 for making advertising/marketing claims about its product



'Strepsils', which have been found capable of misleading and deceiving under the Act.

The order, passed by the bench comprising Rahat Kaunain Hassan, Chairperson and Ms. Bushra Naz Malik, Member, stated that the marketing claims by the Respondent can potentially deceive consumers with respect to the characteristics, formulation and intended use of 'Strepsils', hence, deceptive in nature within the meanings of Section 10(2) (b) of the Act.

In view of the findings for each of the violations of Section 10 read with Section 10 (2) (a) and (2)

(b) related to deceptive marketing practices, the bench imposed a total penalty of PKR 150 million (Rs 75 million for each of the violations).

According to details, M/s Square Distribution & Marketing System (Pvt) Limited sent a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited has been disseminating misleading information to the consumers by creating an impression of its product 'Strepsils' as a drug for sore throat and cough.

It was further alleged that Strepsils was de-registered as drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges."

However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredient in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2) (b) of the Act which prohibits distribution of false and misleading information to consumers.



# CCP imposes penalty of Rs150m on Reckitt Benckiser Pakistan

**IMRAN ALI KUNDI**  
**ISLAMABAD**

The Competition Commission of Pakistan (CCP) has imposed penalty of Rs150 million on Reckitt Benckiser Pakistan Limited (Respondent) for violation of the Competition Act.

The CCP has passed an order imposing a total penalty of Rs150 million on Reckitt Benckiser Pakistan Limited for violation of Section 10 of the Competition Act, 2010 for making advertising/marketing claims about its product 'Strepsils', which have been found capable of misleading and deceiving under the Act.

M/s Square Distribution & Marketing System (Pvt) Limited sent a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited has been disseminating misleading information to the consumers by creating an impression of its product 'Strepsils' as a drug for sore throat and cough. It was further alleged that Strepsils was de-registered as drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges." However, the company made no effort to educate and inform the consumers regarding the discontinuation of me-

dical ingredient in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2) (b) of the Act which prohibits distribution of false and misleading information to consumers. Moreover, marketing campaign of the Respondent demonstrates that the public was actually deceived into perceiving that 'Strepsils' was still a medicated sore throat remedy. The Respondent's misleading campaign was also capable of harming the business interests of other undertakings in, prima facie, violation of Section 10(1) in general, and in particular, Section 10(2)(a) of the Act.

The order stated that branding has a significant role in marketing the products, and therefore, the change in formula of the Product has changed the character from being a medicine to a non-medicated product. Keeping in view, the history of the brand 'Strepsils' and also the fact that, internationally, it is known and marketed in various jurisdictions as a medicinal product, the disclosure of such fact becomes material for its marketing in Pakistan.

The bench found itself in agreement with the finding of the enquiry to the extent that the marketing campaign was capable of misleading consumers and capable of being harmful to the businesses. It also observed that the disclaimer on the box of the product was not adequate. The bench in its order held that the respondent has not been able to substantiate neither before the Enquiry Committee nor this Bench as to how and to what extent efforts have been made to inform the general public about change in the formula of its product 'Strepsils'. Barely printing 'Non-Medicated Lozenges' on the product box and that too in a very small font does not discharge the onus of making due and sufficient disclosures of such material change in the character of the product.

The order, passed by the bench comprising Ms. Rahat Kaunain Hassan, chairperson, and Ms Bushra Naz Malik, member, stated that the marketing claims by the respondent can potentially deceive consumers with respect to the characteristics, formulation and intended use of 'Strepsils', hence, deceptive in nature within the meanings of Section 10(2) (b) of the Act.

In view of the findings for each of the violations of Section 10 read with Section 10 (2) (a) and (2) (b) related to deceptive marketing practices, the bench imposed a total penalty of PKR 150 million [PKR 75 million for each of the violations].

The Bench has, inter alia, further directed the respondent to stop misleading marketing practices of the product, and required the respondent to print the disclaimer/disclosure, 'NON-MEDICATED', in English and also Urdu in bold words, on the product box as well as on the strips in print and/or in electronic advertising/marketing and also has to place in Urdu the disclaimer "ye dawa nahi, dawa ke liye doctor se ruju Karen".

The bench has given 40 days to the respondent, starting from the date of the order, for compliance and meanwhile directed the respondent to publish advertisements in at least three English and Urdu newspapers having nationwide circulation regarding the change in the character of the Product from medicated/drug to food category in Pakistan. Such advertisements to be given once a week until compliance is ensured within the time specified.



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## CCP imposes Rs. 150 mln penalty on Reckitt Benckiser for deceptive marketing practices

ISLAMABAD, February 11: The Competition Commission of Pakistan (CCP) has passed an order imposing a total penalty of PKR 150 Million on Reckitt Benckiser Pakistan Limited (Respondent) for violation of Section 10 of the Competition Act, 2010 for making advertising/marketing claims about its product 'Strepsils', which have been found capable of misleading and deceiving under the Act.

M/s Square Distribution & Marketing System (Pvt) Limited sent a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited has been disseminating misleading information to the consumers

by creating an impression of its product 'Strepsils' as a drug for sore throat and cough. It was further alleged that Strepsils was de-registered as drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges." However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredient in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2) (b) of the Act which prohibits distribution of

false and misleading information to consumers. Moreover, marketing campaign of the Respondent demonstrates that the public was actually deceived into perceiving that 'Strepsils' was still a medicated sore throat remedy. The Respondent's misleading campaign was also capable of harming the business interests of other undertakings in, prima facie, violation of Section 10(1) in general, and in particular, Section 10(2)(a) of the Act.

The order stated that branding has a significant role in marketing the products, and therefore, the change in formula of the Product has changed the character from

being a medicine to a non-medicated product. Keeping in view, the history of the brand 'Strepsils' and also the fact that, internationally, it is known and marketed in various jurisdictions as a medicinal product, the disclosure of such fact becomes material for its marketing in Pakistan.

The bench found itself in agreement with the finding of the Enquiry to the extent that the marketing campaign was capable of misleading consumers and capable of being harmful to the businesses. It also observed that the disclaimer on the box of the Product was not adequate. - PR

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## سی سی پی نے نجی کمپنی کو

### دھوکہ دہی پر مبنی مارکیٹنگ پر 15

### کروڑ روپے جرمانہ عائد کر دیا

اسلام آباد (الاکھبار نیوز) کمیٹیشن کمیشن آف پاکستان نے ریکٹ بینکارز کو اس کی پراڈکٹ سٹریپ سلز "Strepsils" کی اشتہاری مہم میں جھوٹے اور گمراہ کن دعوہ جات کرنے اور کمیٹیشن ایکٹ کے سیکشن 10 کی خلاف ورزی پر مجموعی طور پر پندرہ کروڑ روپے جرمانہ عائد کر دیا ہے۔ کمیٹیشن کمیشن آف پاکستان کو سکوائر ڈسٹریبیوشن اور مارکیٹنگ سسٹم کی جانب سے شکایت موصول ہوئی تھی کہ ریکٹ بینکارز کی پراڈکٹ سٹریپ سلز "Strepsils" کی تشہیری مہم میں جھوٹے اور گمراہ کن دعوہ جات کے ذریعے صارفین کو یہ تاثر دیا جا رہا ہے کہ گلے کی خرابی یا کھانسی کی صورت میں سٹریپ سلز کا بطور دوا استعمال کیا جاسکتا ہے۔ شکایت کے مطابق 2005 میں بونس کمپنی سے پراڈکٹ سٹریپ سلز کے حصول کے بعد ریکٹ بینکارز نے اس کو بطور دوا ڈی رجسٹرڈ کرالیا تھا لیکن سٹریپ سلز کے دوبارہ اجراء کے بعد وہ صرف ڈسٹریبیوٹرز "نان میڈیکل لوڈنگز" کا استعمال کرتی رہی اور صارفین کو اس بارے میں آگاہ کرنے کی کوئی کوشش نہیں کی گئی کہ سٹریپ سلز میں اب دوا والے اجزاء کا استعمال نہیں کیا جا رہا۔ سی سی پی کی جانب سے کی گئی انکوائری سے ظاہر ہوا کہ ریکٹ بینکارز اپنی پراڈکٹ سٹریپ سلز کی تشہیری مہم میں گمراہ کن دعوہ جات میں ملوث رہا جو کہ کمیٹیشن ایکٹ کے سیکشن 10 کی خلاف ورزی کی۔ ریکٹ بینکارز کی مارکیٹنگ مہم سے یہ بھی ظاہر ہوا کہ عام صارف حقیقت میں ہی دھوکے میں سٹریپ سلز کا استعمال کرتا رہا کہ یہ اس کے گلے کی خرابی کے علاج کے لئے مفید ہے جس سے دوسرے گاروباری اداروں کے گاروباری مفادات کو بھی نقصان پہنچا۔

# دوڑ نامہ نئی بات

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## سٹریپ سلز کی گمراہ کن مارکیٹنگ، 15 کروڑ جرمانہ عائد

ریکٹ بینکار نے آگاہ نہیں کیا کہ اب دوا والے اجزاء شامل نہیں، کمپنیشن کمیشن

اسلام آباد (نئی بات نیوز) سی سی پی نے ریکٹ بینکار کو دھوکہ دہی پر مبنی مارکیٹنگ پر پندرہ کروڑ روپے جرمانہ عائد کر دیا۔ کمپنیشن کمیشن آف پاکستان کو شکایت موصول ہوئی تھی کہ سٹریپ سلز کی تشہیری مہم میں جھوٹے اور گمراہ کن دعوہ جات کے ذریعے صارفین کو یہ تاثر دیا جا رہا ہے کہ گلے کی خرابی یا کھانسی کی صورت میں سٹریپ سلز کا بطور دوا استعمال کیا جاسکتا ہے۔

10 کی خلاف ورزی پر مجموعی طور پر پندرہ کروڑ روپے جرمانہ عائد کر دیا ہے۔ کمپنیشن کمیشن آف پاکستان کو شکایت موصول ہوئی تھی کہ سٹریپ سلز کی تشہیری مہم میں جھوٹے اور گمراہ کن دعوہ جات کے ذریعے صارفین کو یہ تاثر دیا جا رہا ہے کہ گلے کی خرابی یا کھانسی کی صورت میں سٹریپ سلز کا بطور دوا استعمال کیا جاسکتا ہے۔

ریکٹ بینکار نے آگاہ نہیں کیا کہ اب دوا والے اجزاء شامل نہیں، کمپنیشن کمیشن

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شہر کی آواز  
روزنامہ  
میر و ایچ  
ایڈیٹر  
زاہد غاؤق ملک

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ریکٹ بینکارز کو دھوکہ دہی پر  
15 کروڑ روپے جرمانہ عائد  
اسلام آباد (کامرس رپورٹر) سٹیٹ بینک آف  
پاکستان نے ریکٹ بینکارز کو اس کی پراڈکٹ سٹریپ سلز  
"Strepsils" کی اشتہاری مہم میں جھوٹے اور  
گمراہ کن دعوہ جات (باقی صفحہ 6 بقیہ نمبر 7)

جرمانہ عائد 7

کرنے اور سٹیٹ بینک آف پاکستان کے سیکشن 10 کی خلاف  
ورزی پر مجموعی طور پر پندرہ کروڑ روپے جرمانہ عائد کر دیا

جے

# سی سی پی نے ریکٹ بینکارز کو دھوکہ دہی پر مبنی مارکیٹنگ پینڈر کو روکنے کے لیے جرم عیاں کر دیا

**ظاہر ہوا کہ عام صارف حقیقت میں اسی دھوکے میں شریپ سلز کا استعمال کرتا رہا**

پراڈکٹ کی فروخت میں براڈنگ کا کردار بہت اہم اور اس خصوص میں پراڈکٹ کے فارمولہ میں اہم تبدیلی سے اس پراڈکٹ کو بطور دوا استعمال کرنے کی بجائے نان میڈیکل پراڈکٹ بنا دیا گیا تھا۔ یہاں یہ بات بھی اہم کہ شریپ سلز براڈنگ کی تاریخ کو دیکھتے ہوئے اور اس بات کو دیکھتے ہوئے کہ بین القوامی طور پر اس کی مارکیٹنگ انجی بھی میڈیکل پراڈکٹ کے طور پر کی جا رہی ہے، پاکستان میں اس کی مارکیٹنگ میں اس بات کا اعتبار ضروری تھا کہ اب اس میں دوا والے اجزاء کا استعمال نہیں کیا جا رہا۔ سی سی پی نیج کے مطابق ریکٹ بینکارز نیج کو مطمئن کرنے میں ناکام رہا ہے کہ اس نے عام صارف کو اس اہم حقیقت کو آگاہ کرنے کی کوئی سنجیدہ کوشش کی ہو کہ اب شریپ سلز کا فارمولہ تبدیل کیا جا چکا ہے۔ پراڈکٹ کے ڈبے پر نہایت باریک الفاظ میں صرف "نان میڈیکل پراڈکٹ" لکھ دینے سے یہ ذمہ داری پوری نہیں ہو جاتی کہ اس پراڈکٹ کی خاصیت میں کوئی بنیادی تبدیلی کی جا چکی ہے۔

جاسکتا ہے۔ شکایت کے مطابق 2005 میں بونس کمپنی سے پراڈکٹ شریپ سلز کے حصول کے بعد ریکٹ بینکارز نے اس کو بطور دوا ڈی رجسٹرڈ کرا لیا تھا لیکن شریپ سلز کے دوبارہ اجراء کے بعد وہ صرف ڈسٹریبیوٹر "نان میڈیکل پراڈکٹ" کا استعمال کرتی رہی اور صارفین کو اس بارے میں آگاہ کرنے کی کوئی کوشش نہیں کی گئی کہ شریپ سلز میں اب دوا والے اجزاء کا استعمال نہیں کیا جا رہا۔ سی سی پی نیج کی جانب سے کی گئی انکوائری سے ظاہر ہوا کہ ریکٹ بینکارز اپنی پراڈکٹ شریپ سلز کی تشہیر میں گمراہ کن دعوہ جات میں ملوث رہا جو کہ کمیونٹی ایکٹ کے سیکشن 10 کی خلاف ورزی کی۔ ریکٹ بینکارز کی مارکیٹنگ مہم سے یہ بھی ظاہر ہوا کہ عام صارف حقیقت میں اسی دھوکے میں شریپ سلز کا استعمال کرتا رہا کہ یہ اس کے گلے کی خرابی کے علاج کے لئے مفید ہے جس سے دوسرے کاروباری اداروں کے کاروباری مفادات کو بھی نقصان پہنچا۔ انکوائری کی سفارشات پر ریکٹ بینکارز کو شوکاز نوٹس جاری کیا گیا تھا۔ سی سی پی نیج آرڈر کے مطابق کسی

اسلام آباد (شاف رپورٹر) کمیونٹی ایکٹ آف پاکستان نے ریکٹ بینکارز کو اس کی پراڈکٹ شریپ سلز "Strepsils" کی اشتہاری مہم میں جھوٹے اور گمراہ کن دعوہ جات کرنے اور کمیونٹی ایکٹ کے سیکشن 10 کی خلاف ورزی پر مجموعی طور پر پندرہ کروڑ روپے جرمانہ عائد کر دیا ہے۔ کمیونٹی ایکٹ آف پاکستان کو سکوائر ڈسٹریبیوٹرز اور مارکیٹنگ سسٹم کی جانب سے شکایت موصول ہوئی تھی کہ ریکٹ بینکارز کی پراڈکٹ شریپ سلز "Strepsils" کی تشہیر میں جھوٹے اور گمراہ کن دعوہ جات کے ذریعے صارفین کو یہ تاثر دیا جا رہا ہے کہ گلے کی خرابی یا کھانسی کی صورت میں شریپ سلز کا بطور دوا استعمال کیا





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## سی سی پی نے ریگٹ بینکانزر کو دھوکہ دہی پر مبنی مارکیٹنگ پر پندرہ کروڑ روپے جرمانہ عائد کر دیا۔

Editor 2021, 12 فروری

سی سی پی نے ریگٹ بینکانزر کو دھوکہ دہی پر مبنی مارکیٹنگ پر پندرہ کروڑ روپے جرمانہ عائد کر دیا۔

اسلام آباد، (ویب نیوز)

کمپنیشن کمیشن آف پاکستان نے ریگٹ بینکانزر کو اس کی پرائٹکٹ سٹریپ سلز کی اشتہاری مہم میں جھوٹے اور گمراہ کن دعوہ جات کرنے اور کمپنیشن ایکٹ کے سیکشن 10 کی خلاف ورزی پر مجموعی طور پر پندرہ کروڑ روپے جرمانہ عائد کر دیا ہے۔

کمپنیشن کمیشن آف پاکستان کو سکوائر ڈسٹریبیوشن اور مارکیٹنگ سسٹم کی جانب سے شکایت موصول ہوئی تھی کہ ریگٹ بینکانزر کی پرائٹکٹ سٹریپ سلز کی تشہیری مہم میں جھوٹے اور گمراہ کن دعوہ جات کے ذریعے صارفین کو یہ تاثر دیا جا رہا ہے کہ گلے کی خرابی یا کھانسی کی صورت میں سٹریپ سلز کا بطور دوا استعمال کیا جاسکتا ہے۔ شکایت کے مطابق 2005 میں بوش کمپنی سے پرائٹکٹ سٹریپ سلز کے حصول کے بعد ریگٹ بینکانزر نے اس کو بطور دوا ڈی رجسٹرڈ کرا لیا تھا لیکن سٹریپ سلز کے دوبارہ اجراء کے بعد وہ صرف ڈسکلیمر ”نان میڈیکینٹ لوزنجز“ کا استعمال کرتی رہی اور صارفین کو اس بارے میں آگاہ کرنے کی کوئی کوشش نہیں کی گئی کہ سٹریپ سلز میں اب دوا والے اجزاء کا استعمال نہیں کیا جا رہا۔

سی سی پی کی جانب سے کی گئی انکوائری سے ظاہر ہوا کہ ریگٹ بینکانزر اپنی پرائٹکٹ سٹریپ سلز کی تشہیری مہم میں گمراہ کن دعوہ جات میں ملوث رہا جو کہ کمپنیشن ایکٹ کے سیکشن 10 کی خلاف ورزی کی۔ ریگٹ بینکانزر کی مارکیٹنگ مہم سے یہ بھی ظاہر ہوا کہ عام صارف حقیقت میں اسی دھوکے میں سٹریپ سلز کا استعمال کرتا رہا کہ یہ اس کے گلے کی خرابی کے علاج کے لئے مفید ہے جس سے دوسرے کاروباری اداروں کے کاروباری مفادات کو بھی نقصان پہنچا۔ انکوائری کی سفارشات پر ریگٹ بینکانزر کو شوکاز نوٹس جاری کیا گیا تھا۔

دیکھتے ہوئے کہ بین القوامی طور پر اس کی مارکیٹنگ ابھی بھی میڈیکینٹ پرائٹکٹ کے طور پر کی جا رہی ہے، پاکستان میں اس کی مارکیٹنگ میں اس بات کا اظہار ضروری تھا کہ اب اس میں دوا والے اجزاء کا استعمال نہیں کیا جا رہا۔

سی سی پی بچ کے مطابق ریگٹ بینکانزر بچ کو مطمئن کرنے میں ناکام رہا ہے کہ اس نے عام صارف کو اس اہم حقیقت کو آگاہ کرنے کی کوئی سنجیدہ کوشش کی ہو کہ اب سٹریپ سلز کا فارمولہ تبدیل کیا جا چکا ہے۔ پرائٹکٹ کے ڈبے پر نہایت باریک الفاظ میں صرف ”نان میڈیکینٹ لوزنجز“ لکھ دینے سے یہ ذمہ داری پوری نہیں ہو جاتی کہ اس پرائٹکٹ کی خاصیت میں کوئی بنیادی تبدیلی کی جا چکی ہے۔

چینر پرسن سی سی پی راحہ کونین حسن اور ممبر سی سی پی بشری ناز ملک پر مشتمل بچ نے آرڈر جاری کرتے ہوئے ریگٹ بینکانزر پر کمپنیشن ایکٹ کے سیکشن 10 کے سب سیکشن 2 اور 1 کی خلاف ورزی پر مجموعی طور پر پندرہ کروڑ روپے جرمانہ عائد کیا ہے۔ (ساڑھے سات کروڑ روپے جرمانہ اور 10 کروڑ روپے جرمانہ) اور ریگٹ بینکانزر کو حکم جاری کیا ہے کہ وہ اپنی پرائٹکٹ کے ڈبے اور سٹریپ سلز کے پتے پر انگریزی اور اردو زبان میں جلی حروف سے اس بات کا اظہار کرے کہ یہ ”نان میڈیکینٹ“ ہے اور پرنٹ اور الیکٹرانک میڈیا پر اپنی مارکیٹنگ مہم میں اس بات کا اظہار کرے کہ ”یہ دوا نہیں، دوا کہ لئے ڈاکٹر سے رجوع کریں“۔

سی سی پی کو کمپنیشن ایکٹ کے تحت یہ اختیار حاصل ہے کہ وہ صارفین اور کاروباری اداروں کو دھوکہ دہی پر مبنی مارکیٹنگ اور کمپنیشن مخالف سرگرمیوں سے بچانے کے لیے اقدامات کرے۔

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## **CCP IMPOSES PKR 150 MILLION PENALTY ON RECKITT BENCKISER FOR DECEPTIVE MARKETING PRACTICES**

By: News Desk February 12, 2021

ISLAMABAD, 11 FEBRUARY 2021: The Competition Commission of Pakistan (CCP) has passed an order imposing a total penalty of PKR 150 Million on Reckitt Benckiser Pakistan Limited (Respondent) for violation of Section 10 of the Competition Act, 2010 for making advertising/marketing claims about its product 'Strepsils', which have been found capable of misleading and deceiving under the Act.

M/s Square Distribution & Marketing System (Pvt) Limited sent a formal complaint alleging that M/s Reckitt Benckiser Pakistan Limited has been disseminating misleading information to the consumers by creating an impression of its product 'Strepsils' as a drug for sore throat and cough. It was further alleged that Strepsils was de-registered as drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges." However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredient in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2) (b) of the Act which prohibits distribution of false and misleading information to consumers. Moreover, marketing campaign of the Respondent demonstrates that the public was actually deceived into perceiving that 'Strepsils' was still a medicated sore throat remedy. The Respondent's misleading campaign was also capable of harming the business interests of other undertakings in, prima facie, violation of Section 10(1) in general, and in particular, Section 10(2)(a) of the Act.

The order stated that branding has a significant role in marketing the products, and therefore, the change in formula of the Product has changed the character from being a medicine to a non-medicated product. Keeping in view, the history of the brand 'Strepsils' and also the fact that, internationally, it is known and marketed in various jurisdictions as a medicinal product, the disclosure of such fact becomes material for its marketing in Pakistan.

The bench found itself in agreement with the finding of the Enquiry to the extent that the marketing campaign was capable of misleading consumers and capable of being harmful to the businesses. It also observed that the disclaimer on the box of the Product was not adequate. The bench in its order held that the Respondent has not been able to substantiate neither before the Enquiry Committee nor this Bench as to how and to what extent efforts have been made to inform the general public about change in the formula of its product 'Strepsils'. Barely printing 'Non-Medicated Lozenges' on the product box and that too in a very small font does not discharge the onus of making due and sufficient disclosures of such material change in the character of the Product.

The order, passed by the bench comprising Ms. Rahat Kaunain Hassan, Chairperson and Ms. Bushra Naz Malik, Member, stated that the marketing claims by the Respondent can potentially deceive consumers with respect to the characteristics, formulation and intended use of 'Strepsils', hence, deceptive in nature within the meanings of Section 10(2) (b) of the Act.

In view of the findings for each of the violations of Section 10 read with Section 10 (2) (a) and (2) (b) related to deceptive marketing practices, the bench imposed a total penalty of PKR 150 million [PKR 75 million for each of the violations].

The Bench has, inter alia, further directed the Respondent to stop misleading marketing practices of the Product, and required the Respondent to print the disclaimer/disclosure, 'NON-MEDICATED', in English and also Urdu in bold words, on the Product box as well as on the strips in print and/or in electronic advertising/marketing and also has to place in Urdu the disclaimer "*ye dawa nahi, dawa ke liye doctor se ruju Karen*".

The bench has given 40 days to the Respondent, starting from the date of the order, for compliance and meanwhile directed the Respondent to publish advertisements in at least three English and Urdu newspapers having nationwide circulation regarding the change in the character of the Product from medicated/drug to food category in Pakistan. Such advertisements to be given once a week until compliance is ensured within the time specified.



# CCP imposes Rs 150m penalty on Reckitt Benckiser for deceptively marketing Strepsils

*The order stated that branding has a significant role in marketing the products and, therefore, the change in the formula of the product has changed the character from being a medicine to a non-medicated product.*

By **Hamza Habib** - February 11, 2021

Islamabad: The Competition Commission of Pakistan (CCP) has passed an order imposing a total penalty of Rs 150 million on Reckitt Benckiser Pakistan Limited (Respondent) for violation of Section 10 of the Competition Act, 2010 for making advertising/marketing claims about its product 'Strepsils', which have been found capable of misleading and deceiving under the Act.

Square Distribution & Marketing System (Pvt) Limited sent a formal complaint alleging that Reckitt Benckiser Pakistan Limited has been disseminating misleading information to the consumers by creating an impression of its product 'Strepsils' as a drug for sore throat and cough. It was further alleged that Strepsils was de-registered as a drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, "Non-medicated Lozenges." However, the company made no effort to educate and inform the consumers regarding the discontinuation of medicinal ingredients in it.

The CCP's enquiry concluded that the marketing campaign of the respondent appears to be deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2)(b) of the Act which prohibits the distribution of false and misleading information to consumers. Moreover, the marketing campaign of the Respondent demonstrates that the public was actually deceived into perceiving that 'Strepsils' was still a medicated sore throat remedy. The Respondent's misleading campaign was also capable of harming the business interests of other undertakings in, prima facie, violation of Section 10(1) in general, and in particular, Section 10(2)(a) of the Act.

The order stated that branding has a significant role in marketing the products and, therefore, the change in the formula of the product has changed the character from being a medicine to a non-medicated product. Keeping in view the history of the brand 'Strepsils' and also the fact that, internationally, it is known and marketed in various jurisdictions as a medicinal product, the disclosure of such fact becomes material for its marketing in Pakistan.

The bench found itself in agreement with the finding of the enquiry to the extent that the marketing campaign was capable of misleading consumers and capable of being harmful to the businesses. It also observed that the disclaimer on the box of the product was not adequate. The bench in its order held that the Respondent "has not been able to substantiate neither before the Enquiry Committee nor this Bench as to how and to what extent efforts have been made to inform the general public about change in the formula of its product 'Strepsils'." Barely printing 'Non-Medicated Lozenges' on the product box and that too in a very small font does not discharge the onus of making due and sufficient disclosures of such material change in the character of the product, the order said.

The order, passed by the bench comprising Ms Rahat Kaunain Hassan, Chairperson, and Ms Bushra Naz Malik, Member, stated that the marketing claims by the Respondent can potentially deceive consumers with respect to the characteristics, formulation, and intended use of 'Strepsils', hence, deceptive in nature within the meanings of Section 10(2) (b) of the Act.

In view of the findings for each of the violations of Section 10 read with Section 10 (2) (a) and (2) (b) related to deceptive marketing practices, the bench imposed a total penalty of Rs 150 million, with Rs 75 million for each of the violations.

"The Bench has, inter alia, further directed the Respondent to stop misleading marketing practices of the Product, and required the Respondent to print the disclaimer/disclosure, 'Non-Medicated', in English and also Urdu in bold words, on the Product box as well as on the strips in print and/or in electronic advertising/marketing and also has to place in Urdu the disclaimer 'ye dawa nahi, dawa ke liye doctor se ruju Karen,'" the order added.

The bench has given 40 days to the Reckitt Benckiser Pakistan Limited, starting from the date of the order, for compliance, and meanwhile directed it to publish advertisements in at least three English and Urdu newspapers having nationwide circulation regarding the change in the character of the product from medicated/drug to food category in Pakistan. Such advertisements are to be given once a week until compliance is ensured within the time specified.



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## **Strepsils is only candy not a cure: competition commission**

Fines company Rs150m for deceptive marketing

**SAMAA** | [Samaa Money](#) - Posted: Feb 11, 2021

**The Competition Commission of Pakistan has penalised Reckitt Benckiser Pakistan Limited Rs150 million for what it said was deceptive and misleading marketing of one of its products, Strepsils.**

The commission said that the company is accused of disseminating misleading information to consumers by creating an impression its product ‘Strepsils’ is a drug for a sore throat and cough.

Square Distribution and Marketing System (Pvt) Limited sent a formal complaint to the commission making the allegation.

It alleged that Strepsils was de-registered as a drug when acquired by Reckitt from Boots in 2005, and then re-launched with the disclaimer, “non-medicated lozenges.”

However, the company made no effort to educate and inform consumers on the discontinuation of a medicinal ingredient in it.

This was followed by a CCP inquiry, which concluded that the marketing campaign appears to be deceptive and goes against competition laws which prohibits the distribution of false and misleading information to consumers.

“Moreover, the marketing campaign demonstrates that the public was actually deceived into perceiving that ‘Strepsils’ was still a medicated sore throat remedy,” the CCP said. “The respondent’s misleading campaign was also capable of harming the business interests of others.”

The CCP order added that branding has a significant role in marketing products, and therefore, the change in formula of the product has changed the character from being a medicine to a non-medicated product.

“Did you know that Strepsils is only a candy and it can’t cure anything,” said the CCP spokesperson.

The history of the brand ‘Strepsils’ and the fact that, internationally, it is known and marketed in various jurisdictions as a medicinal product, means that the disclosure of the fact that it is not medicated in Pakistan becomes compulsory.

The CCP bench observed that the disclaimer on the box was not enough. It said the company has not been able to explain properly how and to what extent it made an effort to inform the public about the change in formula.

“Barely printing ‘non-medicated lozenges’ on the product box and that too in a very small font does not discharge the onus of making due and sufficient disclosures of such material change in the character of the product,” said the CCP statement.

The bench has directed the company to print ‘NON-MEDICATED’ as a disclosure in English and Urdu in bold on the box as well as on the strips.



# NewzToday's

12 Feb 2021 | Online | Press Release

## CCP imposes Rs 150m fine on Reckitt

Islamabad: The Competition Commission of Pakistan (CCP) on Thursday imposed a penalty of Rs 150 million on Reckitt Benckiser Pakistan Limited for making misleading and deceiving advertising claims of its product 'Strepsils'.

It passed an order for violation of Section 10 of the Competition Act, 2010. In its order, CCP said it made advertising and marketing claims about its product 'Strepsils', which were misleading and deceiving under the Act.

M/s Square Distribution & Marketing System (Pvt) Limited had launched a formal complaint and alleged that M/s Reckitt Benckiser Pakistan Limited had been disseminating misleading information to the consumers.

The company spread information to create an impression of its product 'Strepsils' that it was a drug for sore throat and cough.

*The other allegation was the company did not make any effort to educate and inform the consumers about its discontinuation of medicinal ingredient in it. The CCP's enquiry found the marketing campaign of the respondent deceptive in terms of Section 10 of the Act in general, read with sub-section 10(2) (b) of the Act.*

It prohibits disseminate false and misleading information to consumers. The Respondent's misleading campaign also resulted in harming the business interests of other undertakings.

The order further stated the change in the formula of the Product had also resulted in changing medicine to a non-medicated product. The bench agreed with the finding of the Enquiry and observed the disclaimer on the box of the Product was not enough.

The bench in its order maintained the Respondent failed to substantiate neither before the Enquiry Committee nor this Bench what efforts it made to inform the general public about change in the formula of its product 'Strepsils'.

*It further said barely printing 'Non-Medicated Lozenges' on the product box with a very small font does not justify due and sufficient disclosures of such material change in the character of the Product.*

The bench comprised Ms. Rahat Kaunain Hassan, Chairperson and Ms. Bushra Naz Malik, Member. It observed the respondent's marketing claims can potentially deceive consumers. In line with findings, the bench imposed a total penalty of PKR 150 million [PKR 75 million for each of the violations].

The Bench further directed the Respondent to stop misleading marketing practices of the Product. The bench further directed to print the disclaimer/disclosure, 'NON-MEDICATED', in English and also Urdu in bold words, on the Product box and on the strips as well in print and/or in electronic advertising/marketing. It further said to place in Urdu the disclaimer "ye dawa nahi, dawa ke liye doctor se ruju Karen".

The bench has given 40 days to the Respondent for compliance. Meanwhile, it directed the Respondent to publish advertisements in at least three English and Urdu newspapers.