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Deceptive television commercial

CCP imposes Rs1.25m fine on Reckitt Benckiser

ISLAMABAD: The Competition Commission of Pakistan (CCP) has issued an order imposing a fine of Rs 1.25 million on Reckitt Benckiser Pakistan Limited for running a deceptive television commercial for its household cleaning product Dettol Surface Cleaner that was misleading the consumers and harming the business interests of Reckitt's competitors in violation of Section 10 of the Competition Act, 2010.

The order has been passed by a bench comprising Vadiyya Khalil Chairperson, Mueen Batlay Member Mergers & Acquisitions, Dr Shahzad Ansar Member OFT & Advocacy, and Ikram Ul Haque Qureshi, Member Cartels & Trade Abuses and Legal.

The order disposes off the proceedings arising out of the show cause notice issued to Reckitt after a CCP inquiry found it to be in prima facie violation of Section 10 of the Act. CCP had initiated the enquiry into the matter after taking notice of a televised marketing campaign for Dettol Surface Cleaner. The marketing campaign made four distinct claims with regards to the efficacy of the product, which are as follows:

- * 'Phenyl is highly ineffective against germs';
- * 'Only Dettol Surface Cleaner can kill more germs than Phenyl';
- * 'Dettol Surface Cleaner can kill 99.9% of germs'; and
- * 'Dettol Surface Cleaner can

kill germs 10 times more than Phenyl'.

With regards to the first claim, Reckitt submitted that the claims were based on a comparative disinfectant efficacy study carried out by its own laboratories between Dettol Surface Cleaner and unbranded ordinary phenyl. The order found that the study did not substantiate the claim against all types and brands of phenyl, and is thus misleading and capable of harming the business interests of phenyl manufacturers. In relation to the second claim, CCP's order reasons that in the absence of a comparison with other surface cleaners available in the market, it would not be appropriate to say that only Dettol Surface Cleaner can kill germs more than Phenyl.

Regarding the third claim, the order holds that while the term germs includes all disease carrying microorganisms such as bacteria, virus, fungi, and protozoa etc, the product has only been tested against three species of bacteria.

Furthermore, the conditions required for Dettol Surface Cleaner to achieve 99.9% efficacy in a laboratory are appreciably different from those present in common households. This makes the claim misleading for the consumers. Concerning the fourth claim, the order states that the study only substantiated the claim with respect to unbranded ordinary phenyl, hence the claim is capable of misleading consumers

and harming the business interest of Reckitt's competitors.

The order specifies that these claims constitute five distinct violations of Section 10 (1) read with Section 10(2) (a), (b) and (c) of the Act. Since M/s Reckitt Benckiser Pakistan Limited has made commitments to rectify three of the claims made, CCP has taken an extremely lenient view and imposed a token penalty of PKR 250,000 only for each violation. Through the order, CCP has directed Reckitt to pick a suitable alternative to the fourth claim of 'Kills 99.9% of Germs' within thirty days and file a compliance report with the Commission. If the undertaking fails to amend the outstanding claim within the time period stipulated, it will be liable to pay PKR 5 million for the violation relating to this claim, in addition to facing possible non-compliance proceedings. Reckitt has been reminded that deceptive marketing practices in the future may entail stricter penal consequences.

It is pertinent to mention here that it is important to enforce the prohibition against deceptive marketing not just to protect the end-consumers from anti-competitive behaviour, but to also safeguard competitors from false and misleading marketing that can severely harm business interests. CCP believes in creating a level-playing field where all play fairly and by the rules envisioned by competition law.—PR

Household goods

CCP slaps Rs1.25m fine on manufacturing company

Finds entity responsible for 'deceptive marketing practices'

OUR CORRESPONDENT

ISLAMABAD

The anti-trust watchdog has slapped a fine of Rs1.25 million on Reckitt Benckiser Pakistan - a household manufacturing goods company - for "deceptive marketing practices".

The Competition Commission of Pakistan (CCP) issued the order against the company for running a deceptive television commercial for its household cleaning product named 'Dettol Surface Cleaner', according to a hand-out issued by the CCP on Wednesday.

The CCP found that the company misled the consumers and harmed the business interests of Reckitt's competitors in violation of Section 10 of the Competition Act, 2010.

The CCP had issued a show-cause notice to Reckitt after a CCP inquiry found that the company was abusing the law that prohibits deceptive marketing practices.

False claims

The marketing campaign made four distinct claims; saying phenyl was highly ineffective against germs, only Dettol Surface Cleaner can kill more germs than phenyl, Dettol Surface Cleaner can kill 99.9% of germs and Dettol Surface Cleaner can kill germs 10 times more than phenyl.

With regards to the first claim, the CCP said, Reckitt submitted that the claims were based on a comparative disinfectant efficacy study carried out by its own laboratories between Dettol Surface Cleaner and unbranded ordinary phenyl. The order found that the study did not substantiate the claim against all types and brands of phenyl, and is thus misleading and capable of harming the business interests of phenyl manufacturers.

In relation to the second claim, CCP's order reasons that in the absence of a comparison with other surface cleaners available in the market, it

The CCP has directed Reckitt to pick a suitable alternative to the fourth claim of 'Kills 99.9% of germs' within thirty days

would not be appropriate to say that only Dettol Surface Cleaner can kill germs more than Phenyl.

Regarding the third claim, the order holds that while the term germs includes all disease carrying microorganisms such as bacteria, virus, fungi, and protozoa, the product has only been tested against three species of bacteria.

Furthermore, the conditions required for Dettol Surface Cleaner to achieve 99.9% efficacy in a laboratory are appreciably different from those present in common households. This makes the claim misleading for the consumers.

Concerning the fourth claim, the order states that the study

only substantiated the claim with respect to unbranded ordinary phenyl; hence the claim is capable of misleading consumers and harming the business interest of Reckitt's competitors.

Penalty

The CCP has imposed a token penalty of Rs250,000 for each violation. Through the order, the CCP has directed Reckitt to pick a suitable alternative to the fourth claim of 'Kills 99.9% of germs' within thirty days and file a compliance report with the Commission.

If the undertaking fails to amend the outstanding claim within the time period stipulated, it will be liable to pay Rs5 million for the violation relating to this claim, in addition to facing possible non-compliance proceedings. Reckitt has been reminded that deceptive marketing practices in the future may entail stricter penal consequences.

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CCP imposes Rs1.25m fine on Reckitt Benckiser

By A Reporter

ISLAMABAD: The Competition Commission of Pakistan (CCP) has imposed Rs1.25 million fine on Reckitt Benckiser Pakistan for running a deceptive TV commercial for its surface cleaner which was misleading consumers and hurting the business interests of its competitors.

The order has been passed by a bench, comprising CCP Chairperson Vadiyya Khalil and members Mueen Batlay, Dr Shahzad Ansar and Ikram Ul Haque Qureshi.

A spokesman for the CCP said that with regards to the first claim that "Phenyl is highly ineffective against germs", Reckitt submitted that the claims were based on a comparative disinfectant efficacy study carried out by its own laboratories between Dettol Surface Cleaner and unbranded ordinary phenyl. However, the CCP noted that the study did not substantiate the claim against all types and brands of phenyl and is thus misleading.

The second claim of the company too could not be proved that "only Dettol Surface Cleaner can kill germs more than Phenyl."

Regarding the third claim that "Dettol Surface Cleaner can kill 99.9 per cent germs", the order holds that while the term germs includes all

the order holds that while the term germs includes all disease carrying micro-organisms, such as bacteria, virus, fungi and protozoa etc, the product has only been tested against three species of bacteria.

"The conditions required for achieving 99.9pc efficacy in a laboratory are appreciably different from those present in common households," the CCP order said, adding that this makes the claim misleading for consumers.

Whereas the fourth claim that the "Dettol Surface Cleaner can kill germs 10 times more than Phenyl" could only be substantiated with respect to some unbranded ordinary phenyl.

The CCP has said that these claims tantamount to five distinct violations of Section 10 (1) read with Section 10(2) (a), (b) and (c) of the Competition Act.

However, Reckitt Benckiser Pakistan has made a commitment to rectify three of the claims. The CCP, taking a lenient view, imposed a token penalty of Rs250,000 only for each violation.

While CCP directed the company to pick a suitable alternative to the fourth claim of "Kills 99.9 per cent of germs" within 30 days and file a compliance report with the commission.

"If the company failed to amend the outstanding claim within the given time period, it will be liable to pay Rs5m for the violation relating to this claim, in addition to facing possible non-compliance proceedings," CCP spokesman said, adding that the company has been reminded that deceptive marketing practices in future may entail stricter penal consequences.

Rs1.25 m fine on company for deceptive TV campaign

Our correspondent

ISLAMABAD: The Competition Commission of Pakistan (CCP) has issued an order imposing a fine of Rs1.25 million on Reckitt Benckiser Pakistan Limited for running a deceptive television commercial for its household cleaning product Dettol Surface Cleaner that was misleading the consumers and harming the business interests of Reckitt's competitors in violation of Section 10 of the Competition Act, 2010.

The order has been passed by a bench comprising Vadiyya Khalil Chairperson, Mueen Batlay Member Mergers & Acquisitions, and Dr Shahzad Ansar Member OFT & Advocacy, and Ikramul Haque Qureshi, Member Cartels & Trade Abuses and Legal. The order disposes off the proceedings arising out of the show cause notice issued to Reckitt after a CCP inquiry found it to be in prima facie violation of Section 10 of the Act. The CCP had initiated the enquiry into the matter after taking notice of a televised marketing campaign for Dettol Surface Cleaner. The marketing campaign made four distinct claims with regards to the efficacy of the product, which are as follow:

* 'Phenyl is highly ineffective against germs'

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* 'Dettol Surface Cleaner can kill germs 10 times more than Phenyl'.

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CCP fines company Rs1.25m for rules violation

ISLAMABAD (Staff Reporter): Reckitt Benckiser Pakistan Limited has been slapped with a Rs1.25 million fine for running a misleading television commercial for its household cleaning product Dettol Surface Cleaner. The Reckitt Benckiser Pakistan Limited's marketing campaign made four distinct claims with regards to the efficacy of the product, which are as follows: Phenyl is highly ineffective against germs; only Dettol Surface Cleaner can kill more germs than Phenyl, Dettol Surface Cleaner can kill 99.9pc of germs and Dettol Surface Cleaner can kill germs 10 times more than Phenyl. The Competition Commission of Pakistan (CCP) has issued show cause notice issued to Reckitt after an inquiry found it to be in prima facie violation of Section 10 of the Act.



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**مسابقتی کمیشن نے ریکٹ بینکیسر
لمیٹڈ کو بارہ لاکھ روپے جرمانہ عائد کر دیا**

اسلام آباد (خبرنگار خصوصی) مسابقتی کمیشن نے ریکٹ بینکیسر پاکستان لمیٹڈ کو دھوکہ دہی پر مبنی اشتہار میڈیا میں جاری کرنے پر بارہ لاکھ روپے جرمانہ عائد کر دیا ہے۔ مسابقتی کمیشن کے چیف جسٹس کی سربراہی و دیا غلیل نے کی نے اس نوٹس کے اجراء کی منظوری دی اس اشتہار میں کمپنی نے جراثیم کش اپنی براؤکٹ کے فروخت کیلئے دعویٰ کیا تھا کہ ان کی پراڈکٹ مارکیٹ میں دستیاب دوسری کمپنی کی پراڈکٹ کے مقابلے میں سو فیصد جراثیم زیادہ مارنے کی صلاحیت رکھتی ہے جب کمیشن نے اس دعویٰ کا تجزیہ کروایا تو ثابت ہوا کہ یہ دعویٰ غلط ہے۔ کمیشن نے اس کمپنی کے اس دعوے کے بدلے میں تحریری جواب داخل کروانے کی ہدایت کی ہے اور واضح کیا ہے کہ اگر اس نے یہ معلومات جمع نہ کروائیں تو اس کو پچاس لاکھ روپے تک جرمانہ کیا جاسکتا ہے۔

دھوکا دہی ۲۰۱۵ بقتی کمیشن نے کھینکا زر پر سڑھے 12 لاکھ روپے جرمانہ عائد کر دیا پر مئی تشہیر مسابقتی ریکٹ پر سڑھے ۱۲ لاکھ روپے جرمانہ عائد کر دیا

کمپنی الیکٹرانک میڈیا پر تشہیری مہم میں اپنی پراڈکٹ کے بارے میں کیے گئے دعوے ثابت کرنے میں ناکام رہی، سی سی پی

30 روز میں آرڈر پر عملدرآمد کی رپورٹ جمع کرانے کی ہدایت، ورنہ 50 لاکھ روپے جرمانے کے علاوہ کمپنی کے خلاف سخت کارروائی کی جائے گی

ورزی ڈھائی لاکھ روپے کا نوکن جرمانہ عائد کیا ہے، اس آرڈر کے ذریعے مسابقتی کمیشن نے ریکٹ بینکار کو یہ ہدایت کی ہے کہ وہ 30 روز کے اندر اپنے چوتھے دعوے یعنی "ڈیٹل سرفیس کلیئر فینائل سے 10 گنا زیادہ جرمانہ کا خاتمہ کر سکتا ہے" کو کسی مناسب متبادل سے تبدیل کرتے ہوئے دیے گئے وقت کے اندر مسابقتی کمیشن کے پاس اس آرڈر کی تعمیل کی رپورٹ جمع کرائے ورنہ ریکٹ بینکار پر 50 لاکھ روپے کا جرمانہ عائد کیا جائے گا اور کمپنی کے خلاف سخت کارروائی کی جائے گی۔

صرف ڈیٹل سرفیس کلیئر 99.9 فی صد جرمانہ کا خاتمہ کر سکتا ہے اور (د) ڈیٹل سرفیس کلیئر فینائل سے 10 گنا زیادہ جرمانہ کا خاتمہ کر سکتا ہے، شامل ہیں، انکواری کے دوران ریکٹ بینکار اپنے یہ دعوے ثابت کرنے میں ناکام رہی اور مسابقتی کمیشن آف پاکستان نے ریکٹ بینکار کو مسابقتی ایکٹ 2010 کے سیکشن 10 کی پانچ مختلف خلاف ورزیوں کا مرتکب پایا، چونکہ ریکٹ بینکار نے اپنے تین دعوے درست کرنے کا یقین دلا یا، چنانچہ مسابقتی کمیشن آف پاکستان نے نئی کا مظاہرہ کرتے ہوئے فی خلاف

شامل تھے، مسابقتی کمیشن نے ریکٹ بینکار کے خلاف یہ انکواری اس کی پراڈکٹ "ڈیٹل سرفیس کلیئر" کی الیکٹرانک میڈیا پر کی گئی تشہیری مہم کا نوٹس لینے کے بعد شروع کی جس میں اس پراڈکٹ کی اثر انگیزی کے متعلق چار مختلف دعوے کیے گئے تھے، ریکٹ بینکار کی جانب سے اس تشہیری مہم میں اپنی پراڈکٹ کے لیے جو دعوے کیے گئے ان میں (الف) فینائل جرمانہ کے خاتمے میں بالکل غیر موثر ہے، (ب) صرف ڈیٹل سرفیس کلیئر فینائل سے زیادہ جرمانہ کا خاتمہ کر سکتا ہے، (ج)

کراچی (کامرس رپورٹر) مسابقتی کمیشن آف پاکستان (سی سی پی) نے ایک آرڈر جاری کرتے ہوئے میسرز ریکٹ بینکار پاکستان لمیٹڈ کو مسابقتی ایکٹ 2010 کی سق 10 کے تحت دھوکا دہی پر مئی تشہیر کا مرتکب دے دیا ہے، مسابقتی کمیشن نے آرڈر جاری کرتے ہوئے ریکٹ بینکار پر 12 لاکھ 50 ہزار روپے جرمانہ عائد کر دیا ہے، یہ آرڈر مسابقتی کمیشن کے جس بیج نے جاری کیا اس میں چیئر پرسن ودیجیٹل خلیل کے علاوہ معین باٹلے، ڈاکٹر شہزاد انصرا اور اکرام الحق قریشی بطور ممبران

مسابقتی کمیشن نے مبینی کو

12 لاکھ 50 ہزار جرمانہ کر دیا

اسلام آباد (کامرس رپورٹر) مسابقتی کمیشن پاکستان نے ریگیٹ بٹلیسر پاکستان لمیٹڈ کو مسابقتی ایکٹ 2010 کی سق 10 کے تحت دھوکہ دہی پر مبنی تشہیر کا مرتکب پاتے ہوئے بارہ لاکھ پچاس ہزار روپے جرمانہ کر دیا ہے۔ یہ حکم مسابقتی کمیشن کے وڈیو تحلیل، معین باٹلے، ڈاکٹر شہزاد انصر اور اکرام الحق قریشی پر مشتمل بیج نے دیا، مسابقتی کمیشن نے مبینی کے خلاف یہ انکوائری اس کی پروڈکٹ "ڈینول سر فیس کلینر" کی تشہیری مہم کا نوٹس لینے کے بعد شروع کی جس میں اس پروڈکٹ کی اثر انگیزی کے متعلق چار مختلف دعوے کیے گئے تھے۔ انکوائری کے دوران مبینی اپنے ان دعووں کو ثابت کرنے میں ناکام رہی۔