

## **Advertisement Board Imposed Sanctions due to False Health Claims in Advertising of Food Supplements.**

In its decision dated 14<sup>th</sup> of July 2020 the Advertisement Board imposed sanction against the advertisement of a food supplement branded “No Attack”. According to Advertisement Board the advertising of this food supplement by celebrities in Turkey as well as the producer itself incorporated false health claim. Hence the Advertisement Board ordered to cease the broadcast of the said advertisements in any media and imposed administrative monetary fine corresponding to TRL 104.781 (approximately EUR 10.000) against each celebrity who advertised the product on his / her social media page as well as the advertiser.

This decision is important in terms of false health claims in advertisements for food supplements. The decision is the proof that the advertisements promoting the food supplements as if they treat a disease like pharmaceuticals due to false health claims are strictly surveilled and sanctioned by the Advertisement Board. It shows that the surveillance over these misleading advertisements is recently heavier considering the fears and worries created by Covid-19 situation over the consumers. This is also an important decision showing the effective scrutiny of Advertisement Board against advertisements broadcasted on social media pages of celebrities. Additionally, imposing sanction on both the advertiser and the celebrities the Advertisement Board made the best implementation of its competence as set forth by the legislation.

As mentioned before in our Article titled “Health Claims for Anti-Coronavirus Products in Advertising” health claims for food supplements in ads are not forbidden. However official permission must be obtained from the Ministry of Health for health claims in advertising, packaging, promotion of food supplements pursuant to Law no. 5996 on Veterinary Services, Plant Health, Food and Feed as well as Regulation on Products Sold with Health Claims. In any case it is forbidden to advertise food supplements with health claims that would lead the consumer to perceive these products as pharmaceutical products that have medicinal or therapeutic effect.

In its decision subject to this article the Advertisement Board examined the advertisement of the food supplement named “No Attack”. The Advertisement Board held that the celebrities advertised in their Instagram pages the said product in a way to reinforce the immune system, to prevent and cure coronavirus beside other infections. It was held by the Advertisement Board that these statements lead to health claims promoting the said food supplement like a pharmaceutical and this kind of promotion is forbidden. It was further conveyed that no permission was granted by the Ministry of Health in case the cited advertisements were assumed to be admissible. Finally the Advertisement Board concluded that the examined ads aim to take unfair advantage from fear, concern and inexperience of consumers due to Covid-19 situation.