

**CENTRAL CONSUMER PROTECTION AUTHORITY**  
**Room No 567-A, Krishi Bhawan, New Delhi - 110001**

**Ref: F.No. J-25/47/2022-CCPA**

In the matter: Suo-moto case against Preethi Kitchen Appliances Pvt. Ltd. with regard to misleading advertisement and unfair trade practice.

**CORAM:**

Ms. Nidhi Khare, Chief Commissioner  
Mr. Anupam Mishra, Commissioner

**Appearance on behalf of Preethi Kitchen Appliances Pvt. Ltd.**  
Shri Kavin Malan R (Head of Marketing),

Date: 3/2/2023

**ORDER**

The present issue has been brought to the Notice of the Central Consumer Protection Authority (CCPA) by the Advertising Standards Council of India (ASCI) highlighting the issue of a misleading advertisement particularly aimed to safeguard consumers from a claim made by company in absence of verifiable comparative data and validation by independent third party.

2. It was mentioned that the claim "First and the Fastest Mixer Grinder to Dice" made by Preethi Kitchen Appliances Pvt. Ltd. for their product (Preethi Zodiac Cosmo), through the newspaper (Mazahavil Manorama, in English language on 08<sup>th</sup> August, 2021) was not substantiated by an independent third party validation and with verifiable comparative data to prove the claim in comparison to all the other mixer grinder.

3. CCPA took cognizance of the issue and conducted a preliminary inquiry to examine whether the claim 'First and the Fastest Mixer Grinder to Dice' are being made by the Preethi Kitchen Appliances for their product (Preethi Zodiac Cosmo) without any substantiation. As per preliminary inquiry report, it was found that the said advertisement is also available on the website (<https://www.preethi.in/preethi-cosmo/index.html>) of Preethi Kitchen Appliances without any substantiation for the claim which entices and affects class of consumers. Thus, making it a prima facie case of misleading advertisement and unfair trade practice under the Consumer Protection Act, 2019.

4. The preliminary inquiry report also pointed out that as per Section 2 (28) (i) and (iii) of the Consumer Protection Act, 2019, misleading advertisement in relation to any product means false description of such product or conveying an express or implied representation by the manufacturer or seller or service provider would constitute an unfair trade practice. As per Section 2 (47) (i) (a) unfair trade practice means for the purpose of promotion of sale or supply of any goods adopts any unfair or deceptive practice representing the goods are of particular quality or grade,

composition. Further, Section 2(47) (i) (g) stipulates giving to public any warranty or guarantee of the performance of any goods that are not based on proper test thereof.

5. Considering the observations of preliminary inquiry report, CCPA issued a Notice dated 23.06.2022 to Preethi Kitchen Appliances Pvt. Ltd. for violating aforementioned provisions of the Consumer Protection Act, 2019.

6. Vide email dated 07.07.2022, Shri Kavin Malan R (Head of Marketing), Preethi Kitchen Appliances Pvt. Ltd. replied that:-

6.1. The claim "The First and Fastest Mixer Grinder to Dice" of their product Preethi Zodiac Cosmo is factual and valid.

6.2. To claim "First", the food processing technology used for dicing of vegetables is an innovation of their company, for which they have a patent granted by the Government of India. Further, the technology used to dice vegetables through Mixer Grinder was not available when their company launched it in the market, hence the claim first mixer grinder to dice is valid and factual.

6.3. To claim "Fastest Mixer Grinder to Dice", it has been submitted that the company has done a comparative study and tested the dicing of hard vegetables like Yam, Beetroot, Carrot with manual dicing process through an authorized laboratory named Bureau Veritas Consumer Products Services Pvt. Ltd. The result of the test have approved the dicing time is less than the manual hand dicing with kitchen knife.

7. In this regard, it is evident that the company should not be oblivious to the meaning of "Fastest Mixer Grinder to Dice" because, such comparisons can be made only among similar products.

8. In the meanwhile, the Central Authority as per Section 19 (1) of the Consumer Protection Act, 2019 referred the matter to Director General (Investigation), CCPA vide letter dated 21<sup>st</sup> September, 2022.

9. The DG (Investigation) made following observations in its report:-

The claim fastest mixer grinder to dice, firm has expressed that they had done comparative study with manual dicing since there were no other Mixer-Grinder in the market. Firm has also requested for an opportunity to express their views and assured that they will submit detailed explanations, in consultation with their legal team. DG Investigation recommended that:-

*"Since the firm is issued a patent for Dicing Technology by Govt. of India, the firm's request for expressing their views may be considered. Further, actions may be taken considering the responses to be submitted by the Firm".*

10. Accordingly, the Central Authority vide email dated 12.12.2022 decided to provide an opportunity of hearing on 13.12.2022 to the opposite party through video conferencing to make their submissions.

11. In the hearing held on 13.12.2022, Shri Kavin Malan R (Head of Marketing), Preethi Kitchen Appliances Pvt. Ltd. made following submissions:-

- a) The company holds global patent and not a patent from India for slicing and dicing technology which has been innovated by them.
- b) The company have patent since last 10 years for dicing of food products.
- c) The claim has been verified by the government approved laboratory named Bureau Veritas Consumer Products Services Pvt. Ltd.
- d) The company have shared the details of the claim with the officials of the Investigation team of CCPA.
- e) Preethi kitchen Appliances Pvt. Ltd. is the only company in the market which have registered technology to provide dicing as process for mixer grinder.

12. In view of the written submissions made through email on 07.07.2022 as well as the submissions made during the hearing on 13.12.2022, the opposite party is hereby directed to:-

- a) Modify their advertisement by mentioning patent number as granted by Government of India in the advertisement, in such manner that it is clearly visible to consumers.
- b) Apprise CCPA about the modification in their advertisement.

13. In view of the above, Preethi Kitchen Appliances Pvt. Ltd. is directed to submit compliance report on the above directions within 15 days from the date of issue of this Order. In case of failure to comply with any directions, appropriate action under the Consumer Protection Act, 2019 may be initiated.

  
Nidhi Khare 3/2/2023  
Chief Commissioner

  
Anupam Mishra 2.2.23  
Commissioner