

## **Bilge Saltan**

### **Deceptive Cosmetic Advertising**

Recent technological developments in the cosmetics industry have led to the introduction of new methods to serve the needs of people wishing to look younger and more attractive. Both men and women are keen to buy such 'wonder' products and as a result, the sector has become increasingly competitive as companies spend more money on their advertising campaigns to reach more consumers.

Naturally, this sector expansion has led to regulatory intervention. The people employed in this sector, the workplace environment for these services and the products themselves are all subject to regulation and the strict control of the administrative authorities. Recently reported media stories about supposed 'miracle solution' cosmetic products have also contributed to the increased level of monitoring.

Regulators have adapted relevant legislation to bring the regime into line with recent technological developments. In this respect, Regulation 25106 of May 12 2003 on health institutions for beauty and aesthetics was replaced by Regulation 26788 of February 15 2008 on health institutions for outpatient treatment. However, Regulation 25106 is still applicable to institutions which were established between May 12 2003 and February 15 2008 until January 1 2010. Thus, the Advertisement Board still relies on this regulation when imposing penalties for its breach.

The Advertisement Board mainly applies one of these regulations when assessing deceptive advertising practices of health and beauty institutions which make clinical claims. The board recently banned the advertisement of an institution which claimed that "it is possible to lose one size in four days" through use of its Hypoxi method. The advertisement stated: "200km jogging, 150 hours of fitness ... or one size in four days!" According to the board, diet programmes must be planned by a dietitian under the supervision of a doctor. It is inappropriate for unqualified institutions to make such claims and such advertising practices are thus deceptive.

Health and beauty institutions usually advertise through flyers and the Internet, rather than popular magazines. As a result, it is almost impossible to clean up the entire sector. The most effective tool is to make consumers aware that many of the operations advertised are clinical and not cosmetic.