PRESS RELEASE

ASCI Releases Draft Guidelines for Responsible Labelling of AI-Generated Content in Advertising

- Open for stakeholder consultation till June 13
- As AI-powered campaigns become common, focus is on consumer outcomes rather than regulating the technology
- Risk-based approach advocated

Mumbai, May 12, 2026: The Advertising Standards Council of India (ASCI) today released draft guidelines for the responsible labelling of synthetically generated content in advertising. The guidelines are aligned with the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules (2026), amended on February 10, to ensure transparency while avoiding consumer label fatigue around synthetically-generated information.

As brands increasingly turn to Artificial Intelligence (AI) to power their campaigns, the draft guidelines advocate a risk-based approach, focusing on consumer outcomes rather than regulating the technology itself. AI use in advertising is considered misleading or harmful only when it creates unfulfillable expectations, exploits vulnerable populations, depicts unsafe situations, or replicates a real person's likeness without consent.

The requirement to label AI-generated content is based on the risk it poses to consumers. The guidelines classify AI-generated advertising content into three risk categories:

1. High Risk (Prohibited Content): High-risk advertisements are those that are illegal, infringe on rights, make misleading claims, or violate the ASCI Code. These will violate the code even if an AI label is used. Examples include:

- Fabricating endorsements or testimonials
- Exaggerating product results or features through claims or visual representations to create a misleading impression
- Creating fake locations that appear realistic to the consumer
- Using deepfakes, copyrighted work or a person’s likeness without consent
- Using AI to generate fictional authority figures with identifiable cues, such as an AI-generated fake doctor promoting a supplement, implying medical endorsement/expertise, etc

2. Medium Risk (Labelling Required): Medium-risk advertisements are those where AI use materially influences consumer decisions, and the lack of disclosure would mislead consumers. Labelling is mandatory in these cases to help consumers understand the nature of the representation. Examples include:

- Using virtual or synthetically generated influencers and ambassadors
- Replicating a real person’s likeness or voice even with their consent for personalised messaging
- Using synthetically generated visuals for product performance unless the visuals replicate how the product actually performs
- Creating realistic events, settings or situations entirely with AI
- Demonstrating a product that does not currently exist
- Creating AI-generated exaggerated sound effects that are highly relevant to the product’s core features

- Using AI for paid or sponsored product suggestions, which must specifically be labelled as 'sponsored by'

3. Low Risk (No Labelling Required): Low-risk advertisements feature minor modifications or use AI in ways that have no material impact on a consumer's ability to make an informed choice. No label is required for:

- **Minor Enhancements:** Routine editing, colour correction, noise reduction, standard blemish removal, and minor lighting tweaks that do not alter the substance or core claims of the ad
- **Background and Ambient Elements:** Purely decorative AI-generated backgrounds, abstract skylines, ambient music, jingles, or background sound effects (like crowd cheers) that are unrelated to the product's actual capabilities or promise
- **Fantastical Elements:** Obvious, unrealistic effects that audiences recognise as not depicting reality, such as dragons or fairies
- **Administrative and Text Uses:** Generating or enhancing advertising copy, creating audio descriptions for the visually impaired, or preparing documents in good faith without creating false records.

Where disclosures are required, brands may use standard labels such as "Audio/Video created using AI" or "Audio/Video enhanced using AI" or any other alternative labels that accurately inform the consumer. Disclaimers must follow the ASCI Code on disclaimer guidelines where applicable.

The draft guidelines are open for public consultation. They can be viewed here.

ASCI invites feedback from industry, consumer groups and other stakeholders by June 13, 2026, after which the guideline finalisation process will begin. Stakeholders can submit their feedback at contact@ascionline.in.

About the Advertising Standards Council of India (ASCI)

The ASCI, established in 1985, is committed to the cause of self-regulation in advertising, ensuring the protection of consumer interests. ASCI seeks to ensure that advertisements conform to its Code for Self-Regulation, which requires advertisements to be legal, decent, honest, and truthful and not hazardous or harmful while observing fairness in competition. ASCI looks into complaints across all media, such as print, TV, radio, hoardings, SMS, emailers, internet/website, product packaging, brochures, promotional material, point of sale material, etc. ASCI has collaboratively worked with various government bodies, including the Department of Consumer Affairs (DoCA), the Food Safety and Standards Authority of India (FSSAI), the Ministry of AYUSH, and the Ministry of Information and Broadcasting (MIB). In August 2023, the ASCI Academy, a flagship program of ASCI, was launched to build the capacity of all stakeholders to create responsible and progressive advertising. ASCI Academy aims to raise standards of advertising content through training, education, outreach, and research on the preventive aspects of advertising self-regulation.

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