

COMPLAINT NUMBER	17/002
COMPLAINANT	R Tomes
ADVERTISER	Brooker Colour Therapy
ADVERTISEMENT	Brooker Colour Therapy Digital Marketing
DATE OF MEETING	10 March 2017
OUTCOME	Settled

Advertisement: The website advertisement for Brooker Colour Therapy described what colour therapy is and how it works. The website also had information about the illnesses they can treat, their history, their clinics and contact details.

The Chair ruled the complaint was Settled.

Complainant, R Tomes, said: We note that colour-therapy.co.nz has already had a complaint upheld against the website on 24 November 2015: <http://www.nzlii.org/cgi-bin/sinodisp/nz/cases/NZASA/2015/409.html>

Having reviewed the website on 29 December 2016, we can clearly see that the site has obviously not complied with either the spirit or the letter of the judgement.

Specifically:

1. THERAPEUTIC SERVICES ADVERTISING CODE: Principle 2 - Advertisements should observe a high standard of social responsibility particularly as consumers rely on therapeutic services for their health and well-being.

The website strongly implies that it can cure vast and improbable numbers and types of diseases, with no evidence to substantiate any of the claims.

2. Principle 3 - Advertisements should not by implication, omission, ambiguity or exaggerated claim mislead or deceive or be likely to mislead or deceive consumers, abuse the trust of or exploit the lack of knowledge of consumers, exploit the superstitious or without justifiable reason play on fear.

As one example of many, the website makes nonsensical claims about "harmful radiation from the iridium frequency". It goes on to make more unsubstantiated claims that due to its apparent "simple coil technology, they are completely free of all harmful effects of iridium radiation".

3. Guideline 3(a) - Therapeutic claims should be factual and able to be proved.

The website still makes claims such as:

"Colour Therapy applies this principle by matching the frequency wavelength of a colour to that of a disease, be it a viral, bacterial, fungal or protozoan infection. Colour Therapy clients spend a period of time (from just a couple of hours to what may be many days), connected to a bracelet and wire which leads to a coloured tabulation placed in a metal cup. The effect of the colour tab on the pathogen basically works like a radio, like matching a radio signal frequency with the radio's tuner in order for it to receive the radio waves being broadcast. It's fundamentally the same with Colour Therapy, the colour frequency must be matched with that of the pathogen in order for it to 'work'".

"Colour Therapy removes bacterial and viral infections"

"chromotherapy removes the disease from the body without putting anything in to it".

4. Guideline 3(b) Advertisements should not have depictions which unduly glamorise the service or portray unrealistic outcomes.

The website seems to strongly imply that their colour-therapy system is a panacea for literally hundreds of vastly different pathologies, illnesses and health complaints. See under the "Illnesses" link tab for an A-to-Z (example attached of C and D).

The relevant provisions were Therapeutic and Health Advertising Code - Guideline 1(c), Guideline 2(a), Principle 1, Principle 2.

The Chair noted the response from the Advertiser advising they have removed their website while they seek legal advice and check whether the website complies with the Advertising Codes of Practice.

The Chair noted that the Advertiser's website now says "Due to the way certain organisations/people work in New Zealand along with advertising protocols, we here at Brooker Colour Therapy are unable to list entities of the illnesses, ailments etc etc that we can treat! However please feel free to contact as at any of the contact points listed below to discuss if we can help you?"

Noting the explanation provided and the self-regulatory action taken by the Advertiser in amending the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair's Ruling: Complaint **Settled**