

COMPLAINT NUMBER	17/139
COMPLAINANT	S Taylor
ADVERTISER	Jarvis Health Limited
ADVERTISEMENT	Jarvis Health Limited, Digital Marketing
DATE OF MEETING	2 June 2017
OUTCOME	Settled

Advertisement: The Jarvis Health Limited website, www.drstimeonsweightlossdiet.co.nz, promotes a diet programme including supplement drops.

The Chair ruled the complaint was Settled.

Complainant, S Taylor, said: I wish to make a complaint regarding Dr Simeon's weight loss diet. This site is breaking various parts of the ASA Therapeutic and health advertising code: The advert describes the Dr Simeon's weight loss diet, which advises for the first 2 days of the plan to eat as much and as often throughout the day then for the next 21 days to eat a diet of only 500 calories a day, as well as taking homeopathic HCG drops. This is extremely irresponsible, and goes against the NZ health clinical guidelines for weight management for adults.

There is also no advice or indication within the advertisement that exercise is a key element of individual weight management. There is however a comment within the FAQ's regarding exercise; however, this isn't emphasised to be an important part of the plan. The first 21 days of the plan is also a very restricted diet, and not giving advice of a balanced, healthy diet:

The advert doesn't include any reference to check with a doctor before participating, the restriction of calories to this extent needs to be checked and supervised with a medical doctor before participating

This breaks Principle 1 (a). I am unable to find on the website anywhere where it says that for the homeopathic remedies people should always read the label and use as directed.

Under the Dr Simeon's weight loss diet, there is no social responsibility advising that weight loss takes time and effort and Individual results may vary, and there isn't a statement saying that food additional.

Rule 1 (d) is breached as the advertiser uses scientific wording within the page, with no explanation for the general reader on what the wording means.

As per the above the advertisement also breaks Rule 2 a giving unsubstantiated claims about both the product of homeopathic HCG and of the weight loss plan itself....

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

The Chair noted the Complainant's concern that the Advertiser's website contained irresponsible and unsubstantiated claims about weight loss, which were misleading.

The Chair acknowledged the Advertiser had made changes to the website, removing or amending references which were of concern.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the website, 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**