

<b>COMPLAINT NUMBER</b>	17/444
<b>COMPLAINANT</b>	H Young
<b>ADVERTISER</b>	Cyclo-ssage NZ
<b>ADVERTISEMENT</b>	Cyclo-ssage NZ, Print
<b>DATE OF MEETING</b>	8 March 2018
<b>OUTCOME</b>	Settled – advertisement removed

**Advertisement:** The brochure advertisement for the Cyclo-ssage Personal Therapy System explains how the system uses cycloidal massage with infrared heat for pain management. The brochure lists the conditions which can benefit from the therapy.

**The Chair ruled the complaint was Settled.**

**Complainant, H Young, said:** Self-contained leaflet issued at a fair  
The product lists specific diseases: \* raised blood pressure, \* headaches and migraine, circulation and respiratory problems, \* sciatica, \* arthritis, \* diabetes, \* multiple sclerosis, \* fibromyalgia and ME, \* Parkinsons, \* muscular dystrophy, \* sports injuries, - and claims to help alleviate symptoms associated with those conditions

It claims (with emphasis) to provide "a viable alternative to prescribed medication"  
- to increase the white blood cell count, - to accelerate the healing time of sports injuries  
- to be "an approved medical device" Under Section 3 (A) of the Medicines Act 1981, since it claims to alleviate and treat a disease, ailment, defect or injury, it is a medical device. It gives no indication of having consent to distribute in New Zealand.

It breaches Basic Principle 3 of the Advertising Code of Ethics, since it is misleading. It has no specific therapeutic effect on the diseases mentioned.

It breaches Basic Principle 4 of the Advertising Code of Ethics and Principle 1 of the Therapeutic and Health Advertising Code, since it is socially irresponsible. It also breaches the following parts of the Therapeutic and Health Advertising Code: It misuses the term "therapy" - Rule 1(d) It is likely to mislead or deceive - Principle 2 It abuses trust and exploits lack of knowledge - Principle 2 Its claims are all unsubstantiated - Rule 2(a)

**The relevant provisions were Code of Ethics - Basic Principle 3, Basic Principle 4; Therapeutic and Health Advertising Code - Principle 1, Principle 2, Rule 1(d), Rule 2(a);**

**The Chair** noted the Complainant's concern that the Advertiser's website contained unsubstantiated therapeutic claims about the benefits of the Cyclo-ssage personal therapy system, which were misleading.

The Chair acknowledged the Advertiser had agreed to remove the brochure from circulation and seek advice before publishing further marketing material.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the brochure from circulation, 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 – advertisement removed**

**APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.