

<b>COMPLAINT NUMBER</b>	18/167
<b>COMPLAINANT</b>	M Honeychurch
<b>ADVERTISER</b>	NZ Nutraceuticals
<b>ADVERTISEMENT</b>	NZ Nutraceuticals, Digital Marketing
<b>DATE OF MEETING</b>	4 July 2018
<b>OUTCOME</b>	Settled – advertisement changed

**Advertisement:** The NZ Nutraceuticals website, [www.lyprinol-arthritis.com](http://www.lyprinol-arthritis.com), states that Lyprinol Mussel Extract is a product for healthy joints, mobility and airways. As an effective anti-inflammatory agent it states it is used to treat arthritis, osteoarthritis, joint pain, asthma and inflammation muscle pain.

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

**Complainant, M Honeychurch, said:** NZ Nutraceuticals make the following claims on their Lyprinol website (<http://www.lyprinol-arthritis.com/>) about their Lyprinol Mussel Extract:

"for healthy joints, mobility and airways"

"For more than twenty years freeze-dried concentrated mussel powder has been used as a natural food supplement for the prevention of pain normally associated with older individuals experiencing joint discomfort."

"As an effective anti inflammatory agent, Lyprinol is used to treat:

- arthritis, - osteoarthritis, - rheumatoid arthritis, - joint pain, - asthma, - inflammation, - muscle pain (particularly for sports people)"

This advert is in breach of Rule 2(a) of the ASA's Therapeutic and Health Advertising Code, as the claims being made about the product's ability to treat arthritis, osteoarthritis, rheumatoid arthritis, joint pain, asthma, inflammation, muscle pain and joint discomfort have not been proven, and were likely not substantiated at the time the claims were made.

Principle 2 was breached, as this advert is likely to deceive people into thinking that this product is an effective treatment for the listed medical conditions.

Principle 1 has been breached, as it is socially irresponsible to make false claims about the efficacy of this product to consumers, some of whom will likely rely on this product to help them with their medical issues.

Rule 1(b) has likely been breached by the claims that: "When taken at the recommended dose rates Lyprinol appears to be remarkably free of side effects."

Rule 2(f) has been breached by the use of this testimonial, which has not been shown to be typical:

"My family and I have been taking Lyprinol for over three years, initially as a support for my body and my wife pregnancies. Now, Lyprinol is an essential part of my family's daily diet, our toddler Katie also loves the capsules, they are small and easy to take and she sees them as a treat, we see them as support for her growing brain and body. I believe Lyprinol is the best Omega 3 for my young family as it supports heart and brain health and mood balance. For me it also helps with flexibility, joints, mobility and healthy breathing. Lyprinol helps me with my busy physical work and helps my body achieve my high expectations when it comes to the wide range of sports I like to enjoy. Surfing, windsurfing, kite boarding, mountain biking,

yoga, etc all require joint suppleness, good coordination, fitness and strength and I feel Lyprinol® helps me to maintain the demands I make on my body. I want to enjoy these sports with my family for the next 30 plus years and know that Lyprinol® will help us all. Bruce Kendall Windsurfing Olympic Gold Medalist, World Champion & Olympic Medal Coach."

**The relevant provisions were Therapeutic and Health Advertising Code - Principle 1, Principle 2, Rule 1(b), Rule 2(a), Rule 2(f);**

**The Chair** noted the Complainant's concern that the Advertiser's website contained unsubstantiated therapeutic claims about the benefits of Lyprinol Mussel Extract, 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 – advertisement changed**

#### **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.