

COMPLAINT NUMBER	18/393
COMPLAINANT	B Glennie
ADVERTISER	Brand Developers Ltd
ADVERTISEMENT	Pain Erazor, Television
DATE OF MEETING	19 November 2018
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Brand Developer's Pain Erazor says "Try Pain Erazor for a full 30 days risk free for just \$9.99. But wait! Order now and you'll get the Power of Drug Free Pain Relief – an exclusive in-depth guide to natural pain relief. A nearly \$50 value, yours today absolutely free." The graphics in the advertisement shows the book being offered with the text "\$49.95 value. Absolutely free."

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, B Glennie, said: Advertisement purported to offer a Pain Erazer for \$49.95 along with a free book on how to use the Pain Erazer, and wait, if we called back within one hour we would receive a second Pain Erazer free.

When I phoned the number listed the price was \$169.95 plus postage and packaging, In my simple view this form of advertising is completely misleading and improper, and should be stopped.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2;

The Chair noted the Complainant's concern the product price mentioned on the advertisement differed from the price given over the phone which was misleading.

The Chair carefully reviewed the advertisement and said the prices shown were \$9.99 for a 30-day trial of the Pain Erazor product and \$49.95 which is the value of the book titled 'Power of Drug Free Pain Relief.' The book is offered as a free gift to any customers placing an order for a Pain Erazor trial.

The Chair said there was no mention of the price to purchase the Pain Erazor product during the advertisement which promoted the trial option. The Chair noted the Complainant was provided with pricing information when they called the 0800 number in the advertisement.

The Chair ruled the advertisement for the Pain Erazor trial offer was unlikely to misled or deceive the consumer and had been prepared with a due sense of social responsibility. It was therefore not in breach in of Basic Principle 4 or Rule 2 of the Code of Ethics.

Chair's Ruling: Complaint **No Grounds to Proceed**

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. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.