

COMPLAINT NUMBER	18/331
COMPLAINANT	J Harper
ADVERTISER	Qigong Self Healing and Life Cultivation Centre
ADVERTISEMENT	Qigong Self Healing and Life Cultivation Centre Digital Marketing
DATE OF MEETING	12 February 2019
OUTCOME	Upheld

SUMMARY

The website advertisement for Qigong Self Healing & Life Cultivation Centre New Zealand said: “Qigong has been proven to work effectively on overall health as well as specific problems. Here are some examples: energy levels, muscular skeletal problems, headaches, sleeping disorders, digestive disorders, hormonal disorders, organ disorders, emotional and mental stress”. It also said: “Healing in person and from distance, lessons in Qigong and Self Healing...” and “The reason behind choosing Zhineng Qigong was its proven efficiency and safety”.

The Complainant said the advertisement was in breach of the Therapeutic and Health Advertising Code because there is no evidence regarding the efficacy of the claims made in it.

The Advertiser noted the comments made in the complaint and made a number of changes to the advertisement as a result. The Advertiser said Zhineng Qigong is a rigorously tested Qigong system and provided evidence in support of this view.

The Complaints Board acknowledged the changes made by the Advertiser, in response to the complaint. The Complaints Board noted the Advertiser provided six references to substantiate both the general and the specific therapeutic claims made in the advertisement. The Complaints Board said that while the references go some way to support Qigong as a complementary therapy, the substantiation provided was not sufficient to support therapeutic outcome claims.

The Complaints Board ruled the website advertisement was in breach of Principles 1 and 2, and Guideline 2(a) of the Therapeutic and Health Advertising Code.

The Complaints Board ruled the complaint was Upheld.

Please note this headnote does not form part of the Decision.

COMPLAINTS BOARD DECISION

The Chair directed the Complaints Board to consider the complaint with reference to Principles 1 and 2 and Rule 2 (a) of the Therapeutic and Health Advertising Code. This required the Complaints Board to consider whether the advertisement was truthful, balanced, misleading or likely to mislead, deceive or confuse consumers, abuse their trust, exploit their lack of knowledge or without justifiable reason, play on fear, whether by implication, omission, ambiguity, exaggerated or unrealistic claim or hyperbole. Statements and claims should be valid and able to

be substantiated. Substantiation should exist prior to a claim being made and any therapeutic claims must be consistent with the listed intended purpose for medical devices. The Complaints Board was also required to consider whether the advertisement had been prepared with a high standard of social responsibility, particularly as consumers often rely on such products, devices and services for their health and wellbeing.

The Complaints Board ruled the complaint was Upheld.

The Complaint

The Complainant said the advertisement was in breach of the Therapeutic and Health Advertising Code because there is no evidence regarding the efficacy of the claims made in the advertisement.

The Advertiser's response

The Advertiser noted the comments made in the complaint, and made a number of changes to the advertisement as a result. The Advertiser said Zhineng Qigong is a rigorously tested Qigong system and provided evidence in support of this view. The Advertiser also cited a range of sources to support the claims about how Qigong benefits health.

Complaints Board Discussion

The Complaints Board reviewed the advertisement, the complaint and the response from the Advertiser.

Consumer Takeout

The Complaints Board considered the likely consumer takeout of the advertisement and agreed the advertisement promotes self healing through the practice of Qigong. The Complaints Board noted the advertisement made some strong claims and referred to the treatment being "effective" and used the terms "medicine" and "major treatment" in the advertisement. In the Complaints Board's view, consumers would be likely to assume the treatment would be effective for a range of diseases.

The Complaints Board acknowledged the changes made by the Advertiser, in response to the complaint. For example "healing from distance" was changed to "Distance Qi-therapy". The Complaints Board also noted the Advertiser had added a disclaimer to the advertisement which included the following: "...it is important to understand Qigong can support and complement both traditional and alternative approaches to healing. However, Qigong is not intended to be a substitute for medical attention, diagnosis or treatment".

Have the claims made in the advertisement been substantiated?

The Complaints Board noted the Advertiser provided six references to substantiate both the general and the specific therapeutic claims made in the advertisement. The Complaints Board said that while the references provide some support Qigong as a complementary therapy, the substantiation provided was not sufficient to support the therapeutic outcome claims made in the advertisement regarding its efficacy.

Is the advertisement socially responsible?

The Complaints Board agreed the advertisement was in breach of the Therapeutic and Health Advertising Code, specifically Principles 1 and 2, and Guideline 2(a) and therefore had not been prepared with the requisite sense of social responsibility.

Accordingly, the Complaints Board ruled the complaint was Upheld.

DESCRIPTION OF ADVERTISEMENT

The website advertisement for Qigong Self Healing & Life Cultivation Centre New Zealand said: "Qigong has been proven to work effectively on overall health as well as specific problems. Here are some examples: energy levels, muscular skeletal problems, headaches, sleeping disorders, digestive disorders, hormonal disorders, organ disorders, emotional and mental stress". It also

said: "Healing in person and from distance, lessons in Qigong and Self Healing..." and "The reason behind choosing Zhineng Qigong was its proven efficiency and safety".

COMPLAINT FROM J HARPER

The Qigong, Self Healing and Life Cultivation centre is based in Tokoroa. It appears to have just one teacher/therapist, Vladimir (aka Vlado) Rashev. He charges for services, including \$30 for 15 minutes of "healing from distance." Vladimir says, "The reason behind choosing Zhineng Qigong was its proven efficiency and safety."

In the website's Healing Through Qigong section, he claims that the Qigong "therapy" has been "proven to work effectively ...on specific [health] problems" The given list includes: headaches, muscular skeletal problems, sleeping disorders and digestive disorders." Later there is the claim Qigong is "very effective in dealing with health problems of all sorts."

As there is no evidence offered regarding this claimed efficacy, this is I believe a breach of the ASA's Therapeutic Codes principle 2 and rule 2(a) that advertisements are truthful and "claims shall be able to be substantiated."

Mr Rashev has also breached the Social responsibility Principle because offering unproven and probably useless "therapies" such as Qigong will mean some patients with treatable conditions will be harmed by avoiding or delaying effective medical treatments.

CODES OF PRACTICE

THERAPEUTIC AND HEALTH ADVERTISING CODE

Principle 1: Therapeutic and Health advertisements shall observe a high standard of social responsibility particularly as consumers often rely on such products, devices and services for their health and wellbeing.

Principle 2: Advertisements shall be truthful, balanced and not misleading. Advertisements shall not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust, exploit their lack of knowledge or without justifiable reason, play on fear. This includes by implication, omission, ambiguity, exaggerated or unrealistic claim or hyperbole.

Guideline 2(a) Advertisements shall be accurate. Statements and claims shall be valid and shall be able to be substantiated. Substantiation should exist prior to a claim being made. For medicines and medical devices, therapeutic claims must be consistent with the approved indication(s) (for medicines) or the listed intended purpose (for medical devices).

RESPONSE FROM ADVERTISER, QIGONG

Re: Qigong, Self Healing & Life Cultivation Centre Digital Marketing – Complaint 18/331

cc: Norms & Ethics Council, REN XUE International

Please find below my comments with regard to the above-referenced complaint. For simplicity I have commented on each of the paragraphs separately:

Paragraph #1: *The Qigong, Self Healing and Life Cultivation centre is based in Tokoroa. It appears to have just one teacher/therapist, Vladimir (aka Vlado) Rashev. He charges for services, including \$30 for 15 minutes of "healing from distance."*

I appreciate the note and have changed the description of this service from 'healing from distance' to 'Distance Qi-therapy'.

Paragraph #2: *Vladimir says, "The reason behind choosing Zhineng Qigong was its proven efficiency and safety."*

Indeed, Zhineng Qigong is the most rigorously tested Qigong system so far. The testing performed in Huaxia Zhineng Qigong Recovery Centre (formerly known as Recovery Division of Huaxia Zhineng Qigong Training Centre) is the largest clinical study not only with regard to Qigong but possibly in the whole history of natural healing. Please see the attached analysis of treatment effectiveness, based on case studies from 47,864 patients that enrolled in Huaxia Zhineng Qigong Recovery Centre from March 1992 to December 1996. The report was published in the book 'Zhineng Qigong – The Science, Theory and Practice' (ISBN 978-983-41012-1-3, see p561 – Treatment Effectiveness Analysis).

I appreciate, however, that Rule 1(b) of Therapeutic and Health Advertising Code states '*Advertisements shall not contain any claim, statement or implication that the products, devices or services advertised are safe or that their use cannot cause harm or that they have no side effects or risks.*'

Therefore, I have changed the above mentioned text to:

'The reason behind choosing Zhineng Qigong was its proven effectiveness.'

Paragraph #3: *In the website's Healing Through Qigong section, he claims that the Qigong "therapy" has been "proven to work effectively ...on specific [health] problems" The given list includes: headaches, muscular skeletal problems, sleeping disorders and digestive disorders."*

I appreciate the fact that I am not able to substantiate the claim about the effectiveness of Qigong on '*headaches*' so I replaced it with '*High Blood Pressure, Asthma, Arthritis and Diabetes*' and will link to appropriate research to substantiate these claims on my website.

Paragraph #4: *Later there is the claim Qigong is "very effective in dealing with health problems of all sorts."*

Being a holistic system, Qigong indeed has a very wide range of effects and in general, it is safe to say that its practice will have a positive effect on almost any known condition. However, it is not a 'miracle cure' and to acknowledge that, I changed the above sentence to:

'Qigong works on the most fundamental level of human life (Qi and consciousness) and therefore can be of great help when dealing with health problems of all sorts.'

Paragraph #5: *As there is no evidence offered regarding this claimed efficacy, this is I believe a breach of the ASA's Therapeutic Codes principle 2 and rule 2(a) that advertisements are truthful and "claims shall be able to be substantiated."*

In addition to the attached analysis report from Huaxia Zhineng Qigong Recovery Centre, I would like to also provide the following references about the scientific and medical research undertaken because of the widespread practice of Qi-based medicine and its growing popularity in the West: The US National Library of Medicine at the **National Institutes of Health** has published a comprehensive review of 77 RCTs (randomized controlled trials) conducted through 2010 to determine the health benefits of Qigong and Tai Chi. The review concludes that Qigong and Tai Chi are effective in improving bone density, cardiopulmonary function, frequency and related risk factors of falls, psychological symptoms and immune function.

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3085832/>

The research cited above, together with more recent studies, has led to:

- **Stanford Center for Integrative Medicine** to offer weekly Qigong classes for cancer patients.
- Doctors at the **University Medical Center in Tucson, Ariz.** to prescribe Qigong to patients with severe heart disease.
- The Integrated Medicine Center at **Memorial Sloan Kettering** to offer Qigong classes for both caregivers and cancer survivors.
- The **Wall Street Journal** to report that Qigong has been found in recent studies to improve quality of life in cancer patients and to fight depression.
- The University of Texas **MD Anderson Cancer Center** to conclude that Qigong reduces depressive symptoms and improves quality of life in women undergoing radiotherapy for breast cancer.

More scientific articles on:

- Qigong in Cancer Care: Theory, Evidence-Base, and Practice:
<http://www.mdpi.com/2305-6320/4/1/2>
- Acute Physiological and Psychological Effects of Qigong Exercise in Older Practitioners:
<https://www.hindawi.com/journals/ecam/2018/4960978/abs/>
- [Qigong and Tai-Chi for Mood Regulation:](#)

<https://focus.psychiatryonline.org/doi/abs/10.1176/appi.focus.20170042>

- Qigong Sensory Training for Autism: Promising Effects on Sensory Processing, Self-Regulation, and Parenting Stress:
<https://ajot.aota.org/article.aspx?articleid=2636517>
- Qigong Exercise in Patients With Fibromyalgia
<http://chp.sagepub.com/content/18/1/80>

Other materials supporting the claim that Qigong benefits health:

101 Miracles of Natural Healing (ISBN 0-9637341—4-8) – documentary book about Huaxia Zhineng Qigong Recovery Centre written by an American journalist.

- Of all the energy-based medical practices, Qigong has the most developed theoretical basis and has been subjected to the most extensive research. In China, knowledge about the therapeutic benefits of Qigong was collected over thousands of years. Medical Qigong is now practiced in clinics and some hospitals that integrate traditional Chinese medicine (TCM) and conventional Western medicine. In Western hospitals, Qigong is among several complementary practices used including Therapeutic Touch, Mindfulness Meditation and Reiki. In the early 1980's Chinese scientists initiated research on the health and healing claims of Qigong. The clinical research demonstrated the multifaceted effects that Qigong can create. Of the hundreds of research studies that were performed, few were published because suitable journals were unavailable. However, about 1400 reports were published as abstracts in the proceedings of conferences. English abstracts of these reports as well as those from scientific journals are collected in the Qigong Database™ that presently contains more than 2000 records of Qigong studies and is available from the Qigong Institute:

<https://www.qigonginstitute.org/abstracts>

Paragraph #6: *Mr Rashev has also breached the Social responsibility Principle because offering unproven and probably useless “therapies” such as Qigong will mean some patients with treatable conditions will be harmed by avoiding or delaying effective medical treatments.*

My belief and understanding is that Qigong medicine, as part of the larger body of alternative medicine, neither contradicts nor excludes the use of the conventional Western medicine; rather they should complement each other and be used in conjunction with one other. To emphasize this point, I have revised the *‘Recommended approach’* section to read:

‘If you have a minor health condition, your own Qigong practice (self healing) should be sufficient to get it under control and gradually work on it until it has completely cleared.

If you have a more serious or a longstanding health issue, it is important to understand Qigong can support and complement both traditional and alternative approaches to healing. However, Qigong is not intended to be a substitute for medical attention, examination, diagnosis or treatment.’