

|                               |   |
|-------------------------------|---|
| <b>COMPLAINT NUMBER</b>       | 21/201                                      |
| <b>COMPLAINT ON BEHALF OF</b> | New Zealand Association of Optometrists Inc |
| <b>ADVERTISER</b>             | Eyebody                                     |
| <b>ADVERTISEMENT</b>          | Eyebody Unaddressed Mail                    |
| <b>DATE OF MEETING</b>        | 5 May 2021                                  |
| <b>OUTCOME</b>                | Settled                                     |

**Advertisement:** The Eyebody leaflet advertised a workshop titled “Online Eye body Introductory Workshop” and a book titled “The Art of Integrating Eye, Brain and Body: Living life naturally without glasses” by Peter Grunwald. These products are for “anyone interested in improving their eyesight especially those with visual dysfunctions such as short sightedness, presbyopia, astigmatism, glaucoma, cataracts, squints, light sensitivity and floaters.”

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

**Complaint:** The New Zealand Association of Optometrists have been made aware by an association member of a course being advertised to consumers that is advertising a method of treatment/eye service for people with eye conditions, specifically glaucoma and cataracts. The attached leaflet was being passed out to members of the public at the GO GREEN EXPO at the ASB Showgrounds on the 31st October and 1st November 2020. It is advertising a workshop titled Online Eye body Introductory Workshop and book titled The Art of Integrating Eye, Brain and Body: Living life naturally without glasses by Peter Grunwald. It is also advertising pinhole glasses to pair with these products for therapeutic purpose. This fits the definition outlined in the Advertising Standards Authority's Therapeutic and Health Advertising Code as being a product that appears to be Medical Device by virtue of the way it works or the claims that are made on the label or in advertisements.

The Therapeutic Purpose it fits in The Medicines Act is: (a) preventing, diagnosing, monitoring, alleviating, treating, curing, or compensating for, a disease, ailment, defect, or injury.

The leaflet states these products are for anyone interested in improving their eyesight especially those with visual dysfunctions such as short sightedness, presbyopia, astigmatism, glaucoma, cataracts, squints, light sensitivity and floaters. This is a clear therapeutic purpose claim as outlined in the Therapeutic and Health Advertising Code.

The danger of this advertisement is that the treatment is not evidence based and may encourage members of the public to avoid or delay optometric or ophthalmic treatment for these conditions, thus placing themselves at risk of harm. Especially in the case of glaucoma, without proper treatment glaucoma will cause permanent loss of vision or blindness. This clearly violates Rule 1 (c) of the code by portraying unrealistic outcomes to a vulnerable audience, in this case, people that suffer from eye problems such as glaucoma.

The New Zealand Association of Optometrists is concerned that the eye health of the public may be at risk if viewing this advertisement sways people with serious eye problems from seeking professional help, thus resulting in the possibility of vision loss.

We look forward to your response.

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

The Chair noted the Complainant's concerns the advertisement made claims that were not substantiated and appeared to be misleading.

The Chair acknowledged the Advertiser had removed the advertisement after receiving the complaint.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the advertisement, the Chair said it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled the matter was Settled.

**Chair's Ruling:** Complaint **Settled**

**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 calendar days of receipt of this decision.