

COMPLAINT NUMBER	20/166
COMPLAINT ON BEHALF OF	The Society for Science Based Healthcare
ADVERTISER	Integrative Acupuncture
ADVERTISEMENT	Integrative Acupuncture, Website
DATE OF MEETING	12 May 2020
OUTCOME	Settled – advertisement amended

Advertisement: The Integrative Acupuncture website advertisement, <https://www.integrativeacupuncture.co.nz/blog/coronavirus-covid-19>, contains a lifestyle blog headed Coronavirus (Covid 19). The article promotes ways to increase your immunity including acupuncture, chiropractic treatments and supplements.

The Chair ruled the complaint was Settled.

Complaint: This Silverdale (North Auckland) company offers acupuncture at mostly \$120 per hour despite acupuncture being funded by ACC.

In her blog on the site, Megan Neilson has a story about CORONAVIRUS.

In this, she claims the following are "ways to increase your immunity"

"Alternative health modalities work in the model of preventative health... Prioritise being healthy. Book your acupuncture treatments, see your chiropractor, ...take your supplements. These practices are awesome ways to keep yourself healthy and to give your immune system a boost."

This claim that acupuncture will "increase your immunity" is a therapeutic claim for which there is no evidence.

So, 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.

Further, in the Covid-19 context, it is also liable to give those who have had acupuncture a false sense of security.

Therefore it is likely to also be a breach of principle 1 as that is socially irresponsible and could even lead to a preventable death..

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

Principle 1: Social Responsibility: 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: Truthful Presentation: 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.

Rule 2 (a) Truthful presentation: 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).

The Chair noted the Complainant's concerns the advertisement made unsubstantiated therapeutic claims which could be misleading.

The Chair acknowledged the Advertiser had made changes to the website, removing references which were of concern.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken by amending the advertisement, 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 amended**

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 calendar days of receipt of this decision.