

<b>COMPLAINT NUMBER</b>	20/424
<b>ADVERTISER</b>	Brand Developers Ltd
<b>ADVERTISEMENT</b>	iTread, Television
<b>DATE OF MEETING</b>	28 September 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The two-minute television advertisement for the iTread treadmill shows the treadmill being used and makes claims about the health benefits from regular exercise and how the iTread provides an easy and convenient option for walking or running. Amongst the claimed benefits the advertisement states “Designed to keep you feeling slim, sexy and energetic” and “Promote a better sex life!”

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

**Complaint:** The advert made a claim I wish to contest. The advert said the product would improve my sex life. What evidence do they have to made this claim. Is that claim applicable to over 70 year olds.

**The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b).**

**Principle 2: Truthful Presentation:** Advertisements must be truthful, balanced and not misleading.

**Rule 2(b) Truthful Presentation:** Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission, false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

**The Chair** noted the Complainant’s concern the claim “promote a better sex life” in the advertisement is misleading.

The Chair carefully reviewed the advertisement and said the claim relates to how exercise can improve general health and wellbeing. She said it was accepted by most that exercise releases endorphins, lowers cortisol levels and reduces stress, all of which is likely to result in an increase in confidence and general wellbeing and possibly “a better sex life”.

The Chair said the general claims made in the advertisement were not likely to mislead or deceive consumers and were not in breach of Principle 2 or Rule 2(b) of the Advertising Standards Code.

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

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

<b>APPEAL INFORMATION</b> 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 <a href="http://www.asa.co.nz">www.asa.co.nz</a> . Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.
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