

COMPLAINT NUMBER	21/078
ADVERTISER	Brand Developers Ltd
ADVERTISEMENT	TEBO Massage Chair, Television
DATE OF MEETING	1 March 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Brand Developers television advertisement for the TEBO Massage chair states that "Stress, tension, anxiety or fatigue can lead to chronic health conditions and a dependency on prescription drugs".

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

Complaint: During the course of this advert it was stated that lack of exercise can lead to "a life time of prescription pills" due to anxiety and depression. This is a horrific stretch to assume that A, not walking can lead to a dependency on pills and B that being on prescription pills is somehow a weakness or can be avoided by exercise.

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 was concerned the advertisement was misleading about the benefits of the massage chair.

The Chair carefully reviewed the advertisement and said there was no mention of exercise in the script. The Chair said the advertisement for the TEBO massage chair referred to "stress, tension, anxiety and fatigue" being conditions which can have an adverse effect on health.

The Chair said the advertisement made general claims about the positive effects of massage, which were not misleading. The Chair said the advertisement did not reach the threshold to breach 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**

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.