

COMPLAINT NUMBER	22/264
ADVERTISER	Life Energy Designs Ltd
ADVERTISEMENT	Life Energy Solutions website
DATE OF MEETING	13 September 2022
OUTCOME	Upheld Advertisement to be removed

Summary of the Complaints Board Decision

The Complaints Board upheld a complaint about an advertisement on the Life Energy Solutions website which claimed the New POWER P.E.BAL device had advanced EMF (Electromagnetic field) shielding technology. The Board said the claims made in the advertisement were unsubstantiated.

Advertisement

The Life Energy Designs Ltd website, Life Energy Solutions, had the following advertisements: "EMF Protection Pyramid Power P.e.Bal.

\$169.00 ... New POWER P.E.BAL with advanced EMF shielding technology in stunning stainless steel cse. The most powerful EMF shielding device we now produce.... As the strongest EMF device on the market today, it offers a huge protective field of 36 meters, making it more than capable of dealing with Wi-Fi, 5G, electromagnetic field radiation, geopathic stress – or indeed, any unbalanced energy..."

Summary of the Complaint

The Complainant was concerned the website advertisement made misleading claims by saying that the device provided "a huge protective field of 36 meters, making it more than capable of dealing with Wi-Fi, 5G, electromagnetic field radiation, geopathic stress".

The Complainant said the Advertiser was claiming that the device was able to "block electromagnetic field radiation".

A copy of the complaint is in Appendix 1.

Issues Raised:

- Social responsibility
- Truthful presentation

Summary of the Advertiser's Response

The Advertiser defended the advertisement and said it does not claim to block EMF with this product. The Advertiser said they use the words "dealing with", which refers to the action of a technology, and is based on the work of scientist Wilhelm Reich. A link to further information about this is available on the Life Energy Solutions website.

A copy of the Advertiser's response is in Appendix 2.

Relevant ASA Codes of Practice

The Chair directed the Complaints Board to consider the complaint with reference to the following codes:

THERAPEUTIC AND HEALTH ADVERTISING CODE

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).

Relevant precedent decisions

In considering this complaint the Complaints Board referred to two precedent decisions, Decision 15/520 and 19/025, both of which were Upheld.

The full versions of these decisions can be found on the ASA website:

<https://www.asa.co.nz/decisions/>

Decision 15/520 concerned an advertorial which appeared in the Kapiti Observer on 26 November 2015 which was headed “Is Your Health in Danger From Electro-magnetic Pollution?” and contained several therapeutic claims relating to Extremely Low Electromagnetic Fields (ELM) as the cause of many illnesses and Pulsed Electromagnetic Fields (PEMF) as a treatment for many conditions.

The Complainant said the various claims made in the advertisement about commercial Extremely Low Electromagnetic Fields (ELF) and Pulsed Electromagnetic Fields (PEMF) were unsupported.

The Complaints Board said the substantiation provided by the Advertiser was not of an adequate level to support the claims being made in relation to ELF and PEMF in the advertisement. It said the advertisement was therefore misleading, unjustifiably played on fear and exploited the consumer’s lack of knowledge.

Decision 19/025 concerned a pamphlet for EarthWaves “Electromagnetic field detection and remediation”, sourced at the Go Green expo, says: “EarthWaves conduct detection services to identify harmful EMFs providing you with a comprehensive report and work with you to reduce, eliminate or shield your family from electro pollution.” A number of Health Effects or “symptoms of exposure to EMF” (Electromagnetic Fields) are listed. These range from headaches to psychosis to ringing in the ears.

The Complainant was concerned the advertisement was socially irresponsible and misleading because it uses fear mongering and pseudoscience about “supposed harmful frequencies” and “electro pollution” in order to sell products and services designed to protect people from

this “harmful” radiation. The Complainant also said the advertisement makes therapeutic claims which cannot be substantiated. For example, EMFs can cause various medical conditions and EarthWaves can help protect people from this radiation.

The Complaints Board agreed the advertisement was likely to lead people to believe that harmful consequences may result if the EarthWaves service or product was not used. This is because the pamphlet lists a significant range of possible “Health Effects” that could result from exposure to EMFs.

The Complaints Board acknowledged that while the advertisement raised serious concerns about the potential impact of possibly “harmful EMF’s”, the Advertiser had not provided enough substantiation to support all the claims about the possible health effects that could result from exposure to EMFs.

Complaints Board Discussion

The Chair noted that the Complaints Board’s role was to consider whether there had been a breach of the Therapeutic and Health Advertising Code. In deciding whether the Code has been breached the Complaints Board has regard to all relevant matters including:

- Generally prevailing community standards
- Previous decisions
- The consumer takeout of the advertisement, and
- The context, medium, audience and the product or service being advertised, which in this case is:
 - Context: Widespread use of electronic technology, introduction of 5G
 - Medium: Advertiser website
 - Audience: Visitors to the website
 - Product: EMF shielding technology

Consumer Takeout

The Complaints Board agreed the likely consumer takeout of the advertisement was this device will shield you from the harmful effects of various electromagnetic fields.

Was the advertisement misleading?

The Complaints Board said the advertisement was misleading. This is because the substantiation provided by the Advertiser was not of an adequate level to support the claims being made, both in relation to the illnesses said to be caused by exposure to EMF’s and the ability of the device to shield against these potential harmful effects.

The Complaints Board said while there are those who have strongly held beliefs about the potential harmful effects of EMFs, the substantiation provided to the Board appeared to be opinion-based and was not sufficiently robust to support the claims made in the advertisement.

Did the advertisement observe a high standard of social responsibility observe a high standard of social responsibility?

The Complaints Board said the advertisement did not observe a high standard of social responsibility, taking into account context, medium, audience and product and was in breach of Principle 1, Principle 2 and Rule 2(a) of the Therapeutic and Health Advertising Code.

Outcome

The Complaints Board ruled the complaint was **Upheld**.

Advertisement to be removed.

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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.

APPENDICES

1. Complaint
 2. Response from Advertiser
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Appendix 1

COMPLAINT

DM URL <https://lifeenergysolutions.com/product/emf-protection-pyramidpower-p-e-bal/>

DM Type Advertiser Website

Device claims to create "a huge protective field of 36 meters, making it more than capable of dealing with Wi-Fi, 5G, electromagnetic field radiation, geopathic stress".

I have around 35 years of commercial experience working with radio systems, telecommunications and Wifi including large installations of over 13,000 wifi access points and 30,000 mobile devices.

In my professional opinion, the claims made for this device being able to block electromagnetic field radiation are patent nonsense and at odds with the basic laws of physics.

Appendix 2

RESPONSE FROM ADVERTISER, LIFE ENERGY DESIGNS LTD

RE: Complaint 22/264

We are in receipt of this complaint and respond as follows:

"In my professional opinion, the claims made for this device being able to **block electromagnetic field radiation** are patent nonsense and at odds with the basic **laws of physics**."

No claim of blocking.

Careful reading of the text will inform the reader that we do not claim to block EMF with this product. We use the words "dealing with" which refers to the action of a technology based on scientist Wilhelm Reich's work and is clearly explained on our website [here](#). Anybody interested in purchasing this product would likely visit this page and decide whether the explanation fits with their world view/belief system beforehand.

If our devices blocked EMF (such as in a Faraday cage) then any informed reader would know that they would stop the function of wi-fi, cell phones, and any radio equipment in their vicinity. This is clearly not the case nor is claimed to be.

Efficacy.

All our testing is available on our website. See testing [here](#).

The best way for our products to be tested, however, is by their use in the field. Our target market is made up of people who are suffering from the effects of EMF radiation and are fully aware of the

problem. They are ideally placed to know when they have a solution. We give a 30 day money-back guarantee for people to ensure that our products are doing what we claim and the fact that we get almost zero returns and have a 4.8 star rating on [Trustpilot](#) and 5 stars on Google reflects this fact.

Laws of physics.

When the claimant refers to the laws of physics is he referring to Newtonian or quantum physics? It is our experience that most people are not familiar with the main principles of quantum physics and are not, therefore, qualified to make such a claim.

By way of an example, quantum physics refers to a principle of quantum entanglement where particles can be so connected that, separated by infinite distance, they react simultaneously with each other in the response to stimulus of one or the other.

Some people would still say this goes against the laws of physics when this principle is actually in use with telecommunication satellites today.

In conclusion.

The complainant mistakenly thought we were claiming to block radiation when we are not.

The complainant's professional opinion, although valid and respected, is just that – an opinion. It is an opinion clearly not founded with a knowledge of quantum physics, metaphysics (same thing by most accounts), or the technology we use in our products.

We consider this claim defended against and the text on this page valid as stands.