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Complaint about rodent repeller upheld

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A television advertisement for an ultrasound mice and rat repeller is one of 280 complaints to the Advertising Standards Authority last year about misleading products.

The advertisement for Pestrol Rodent Free pest control device, which showed rats and mice gnawing at wood and chewing on electrical cords, promised to rid customers "dirty unwanted intruders" using electromagnetic pulses.

However, the advertiser Lifestyle Logic Ltd could not substantiate the claims and was therefore misleading, the ASA ruled.

Of the 280 complaints, 73 were upheld or settled - after the advertiser admitted fault, said ASA chief executive Hilary Souter.

Complaints about truthfulness or overstatement in advertising were "quite common", she said.

"Under our system if you make a claim and it is challenged through a complaint to us the advertiser needs to substantiate the claim. If they can't they will be in breach of the Act."

Other complaints upheld against products included Quantum Solutions for weight loss patches and male arousal patches that were not supported by research and a Goldair heater that took the chill of the air but failed to heat rooms as claimed.

The pest control advertisement said the product used "ultrasonic sound waves pressure them (pests) to leave".

However, B. Clark objected to the advertisement "on the grounds that it is not a truthful presentation of the products capability".

The complainant found the company's claims about how the product worked using electromagnetic pulses and ultrasonic sound waves misleading.

"I suggest the above statement has no basis in science or reality when applied to this product."

The advertiser Lifestyle Logic Ltd argued that the rodent repeller combined electromagnetic and ultrasound technology and was used to rid areas of rats and mice in the walls, ceilings and open spaces.

"Based on the information and feedback received from a wide range of customers the Pestrol 4 in S Rat and Mice Repeller is performing extremely well and taking care of the tasks it was advertised to do," said the company.

The return rate on the product was also "close to zero", it said.

However the Complaints Board said the the advertisement was was in breach of Rule 2 of the Code of Ethics because it was misleading as the claims made could not be substantiated.

Onscreen statements for the advertisement said it was 'proven technology to drive mice and rats away' and was 'guaranteed to work'.

The Complaints Board said the advertiser provided no evidence of testing or research to prove the claims, and was therefore "likely to mislead or deceive the consumer".

It was also in breach of Basic Principle 4 of the Code of Ethics as the advertisement had not been prepared with the due sense of responsibility to consumers, said the Board.

Commission Commission spokesman Greg Allan advised customers to research a product first to make sure they were getting what they paid for.

He suggested researching the product online to see if others have complained about it, if possible, check the claims it's making and ask the retailer questions before handing over your money.

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