



A service of the advertising industry and Council of Better Business Bureaus

For Immediate Release

Contact: Linda Bean

212.705.0129

ERSP Finds Reliefband Can Support Certain Claims for Anti-Nausea Product; Recommends Marketer Modify, Discontinue Other Claims

New York, NY – July 20, 2018 – The Electronic Retailing Self-Regulation Program (ERSP) has found that Reliefband Technologies, LLC can support certain claims for Reliefband, wearable technology designed to alleviate symptoms primarily associated with motion sickness, but recommended the marketer modify or discontinue other claims.

ERSP is an investigative unit of the advertising industry's system of self-regulation and is administered by the Council of Better Business Bureaus. The marketer's advertising came to the attention of ERSP pursuant to its ongoing monitoring program.

ERSP reviewed broadcast and online advertising claims for Reliefband and identified several claims for review, including:

- *"Fast, drug free relief from nausea, retching and vomiting due to: Motion Sickness, Morning Sickness, Car Sickness, Sea Sickness, Air Sickness, Virtual Reality, Simulation Sickness, Chemotherapy, Postoperative"*
- *"Start Feeling Better Right Away"*
- *"I have taken all sorts of medicines from pills to patches ... This thing works!!! ...I put the band on before an activity I would normally get sick and I felt NOTHING!"*

As support for the claims at issue, the marketer provided ERSP with clinical studies conducted on the technology used in Reliefband. The marketer also submitted its Food and Drug Administration (FDA) 510(k) clearance which specifically indicates Reliefband for use in the relief of nausea, retching and vomiting due to motion sickness, morning sickness, chemotherapy and as an adjunct to antiemetics for postoperative nausea. After reviewing the evidence, ERSP was not troubled by the statement describing the technology used by Reliefband (e.g., "... drug free relief from nausea, retching and vomiting due to: Motion Sickness, Morning Sickness, Car Sickness, Sea Sickness, Air Sickness, Virtual Reality, Simulation Sickness, Chemotherapy, Postoperative").

Although ERSP did not object to general claims that the product provides "fast relief," it also concluded that the marketer did not provide support for time-oriented claims that the Reliefband works "right away," "without delay" or "within minutes."

ERSP recommended that the marketer eliminate any references regarding the specific time in which consumer can expect the product to provide relief. Although the marketer demonstrated the efficacy of acustimulation (Reliefband) versus one competitive prescription drug for post-operative nausea ERSP further recommended the advertiser discontinue broad comparative superiority messages – expressed, implied or made through testimonials – until it has additional evidence necessary to support such claims.

The company, in its marketer's statement, said, "Reliefband Technologies LLC appreciates the diligence ERSP conducted in reviewing the marketer's advertising, the response submissions, attachments and available published data."

###

ERSP's inquiry was conducted under ERSP Policies and Procedures for the Electronic Retailing Self-Regulation Program. Details of the initial inquiry, ERSP's decision, and the advertiser's response are available at the ASRC website, www.asrcreviews.org.

About Advertising Industry Self-Regulation: The Advertising Self-Regulatory Council establishes the policies and procedures for advertising industry self-regulation, including the National Advertising Division (NAD), Children's Advertising Review Unit (CARU), National Advertising Review Board (NARB), Electronic Retailing Self-Regulation Program (ERSP) and Online Interest-Based Advertising Accountability Program (Accountability Program.) The self-regulatory system is administered by the Council of Better Business Bureaus.

Self-regulation is good for consumers. The self-regulatory system monitors the marketplace, holds advertisers responsible for their claims and practices and tracks emerging issues and trends. Self-regulation is good for advertisers. Rigorous review serves to encourage consumer trust; the self-regulatory system offers an expert, cost-efficient, meaningful alternative to litigation and provides a framework for the development of a self-regulatory solution to emerging issues.

To learn more about supporting advertising industry self-regulation, please visit us at: www.asrcreviews.org.