

COMPLAINT NUMBER	19/353
COMPLAINANT	S McMullan
ADVERTISER	SodaStream
ADVERTISEMENT	SodaStream, Television
DATE OF MEETING	15 October 2019
OUTCOME	Upheld Advertisement to be removed and not used again in its current form

Description of Advertisement

The television advertisement for SodaStream begins with a woman singing about “How to save the planet with a few steps.” She then says. “Step One: Buy a SodaStream. Step Two: save up to 2000 bottles per year by using one reusable bottle. Step Three, Planet Saved.”

Summary of the Complaint

The Complainant said the advertisement is misleading as the statistic quoted that you can save up to 2000 bottles per year by using SodaStream is questionable.

Issue Raised

- Truthful Presentation

Summary of the Advertiser’s Response

The Advertiser said the advertisement was no longer on air but provided substantiation for the number used by confirming its 1 litre carbonating bottle can be used for up to three years for carbonated drinks and longer for tap water.

It provided Statista data which said New Zealanders consume on average 183 litres of soft drink and water per year. Using the average household size of 2.7 people means one household will consume on average 495 litres of soft drink and water per year. By multiplying by the three-year lifespan of the reusable SodaStream bottle it could replace 1,485 one litre bottles. The Advertiser then draws the conclusion that as consumers also purchase drinks in smaller bottles it could result in a saving of up to 2000 single use plastic bottles per year.

Summary of the Complaints Board Decision

The Complaints Board upheld a complaint about a SodaStream television advertisement which claimed that using one reusable SodaStream bottle will save up to 2000 single use plastic bottles a year. The Complaints Board said the Advertiser had not provided adequate substantiation to support the claim and the advertisement was likely to mislead consumers.

Relevant ASA Codes of Practice

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

ADVERTISING STANDARDS CODE

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.

Complaints Board Discussion

Consumer Takeout

The Complaints Board agreed the likely consumer takeout of the advertisement was that you can help save the planet by using SodaStream instead of buying bottled soft drinks and bottled water and save up to 2000 single use plastic bottles per year.

Has the Advertiser provided substantiation for the claim made?

The Complaints Board said the Advertiser had not provided adequate substantiation for the claim made in the advertisement that using SodaStream will save up to 2000 bottles a year.

The Board reviewed the information provided by the Advertiser to support the claim. It provided data from Statista that said, on average, the per capita consumption of soft drinks was 121.8 litres and of bottled water was 60.9 litres. The combined total is 182.7, which it rounded to 183 litres.

It then multiplied this number by the average number of people in a household in New Zealand of 2.7 to reach a total of 493.29 which it rounded to 495 litres.

The Advertiser then used a further multiplier of three, based on the three-year lifespan of the reusable SodaStream bottle to reach a total of 1485 bottles. The Advertiser noted that consumers often purchase smaller bottles of soft drink or water (less than one litre) and this would mean more bottles were used and this supported their claim of “save up to 2000 bottles a year.”

The Complaints Board agreed the information provided by the Advertiser did not support the claim made. The data was based on a calculation of how many bottles might be saved over the three-year lifespan of the reusable SodaStream bottle, not the number of bottles saved per year which is the claim in the advertisement.

The Complaints Board said the Advertiser had not substantiated the claim made in the advertisement and unanimously ruled the advertisement was in breach of Principle 2 and Rule 2(b) of the Advertising Standards Code.

Outcome

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

Advertisement to be removed and not used again in its current form.

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 days of receipt of this decision.

APPENDICES

1. Complaint
2. Response from Advertiser
3. Response from Media

Appendix 1

COMPLAINT FROM S MCMULLAN

Soda stream ad that states you can save up to 2000 bottles per year by using a soda stream machine. I question their statistics as that would mean one person using 5.5 bottles of soda water a day. Highly questionable. Unless they are referring to more people at once using the machine i.e. flatting situation or a hotel perhaps?

Appendix 2

RESPONSE FROM ADVERTISER, SODASTREAM

This advert is in line with our Married at First Site sponsorship and is actually no longer on air – it changed out to a 'break up version' this week to be in line with the shows content.

However, in response to your email please find attached documentation.

SodaStream is an in-home drinks making system that allows consumers to make their own fizzy drinks, or sparkling water, using water straight from the tap, with a 60 litre gas cylinder and a BPA free, 1 Litre multi-use carbonating bottle that can be used for up to three years (for carbonated drinks) and even longer if used as a bottle for still tap water.

- According to Statista (<https://www.statista.com/outlook/20020000/161/soft-drinks/new-zealand>), and (<https://www.statista.com/outlook/20010000/161/bottled-water/new-zealand>) New Zealanders consumed on average, per person, close to 183 Litres of soft drink & water combined in 2019.

Soft Drinks

New Zealand 

(Core country: data based on in-depth analysis)

 HIGHLIGHTS
  MARKET DEFINITION
  IN-SCOPE / OUT-OF-SCOPE
  REPORTS
 SPECIAL

- Revenue in the Soft Drinks segment amounts to US\$1,718m in 2019. The market is expected to grow annually by 2.7% (CAGR 2019-2023).
- In global comparison, most revenue is generated in United States (US\$245,436m in 2019).
- In relation to total population figures, per person revenues of US\$359.28 are generated in 2019.
- The average per capita consumption stands at 121.8 L in 2019.

Bottled Water

New Zealand 

(Core country: data based on in-depth analysis)

[HIGHLIGHTS](#) [MARKET DEFINITION](#) [IN-SCOPE / OUT-OF-SCOPE](#) [REPORTS](#) [SPECIAL](#)

- Revenue in the Bottled Water segment amounts to US\$395m in 2019. The market is expected to grow annually by 3.0% (CAGR 2019-2023).
- In global comparison, most revenue is generated in United States (US\$67,570m in 2019).
- In relation to total population figures, per person revenues of US\$82.52 are generated in 2019.
- The average per capita consumption stands at 60.9 L in 2019.

- According to the New Zealand Census Statistics (<http://archive.stats.govt.nz/Census/2013-census/profile-and-summary-reports/qstats-families-households/households.aspx#targetText=Average%20household%20size%20still%202.7,%20Dhighest%2C%20at%202.9%20people>), the average New Zealand household consists of 2.7 people.

Average household size still 2.7 people

In 2013, the average household size in New Zealand was 2.7 people per household, the same as in 2006.

Auckland region and Porirua city had the highest average household size, at 3.0 people for both areas. Selwyn district was the next-highest, at 2.9 people.

If we multiply the per capital soft drink & water consumption with the avg household, we see that per year, one household will consume, on average, 495 Litres of soft drink & water.

- If we then multiply this by 3 (the product lifespan of a 1 Litre SodaStream reusable BPA free carbonating bottle), we can see that 1 SodaStream Bottle can replace around 1,485 x 1Litre Bottles of Soft Drink & Water.

- Given that many consumers purchase soft drink & water in not only 1 litre capacities, but also when out of home in 375ml, 500ml or 750ml bottles, we can then draw the conclusion that 1 SodaStream Bottle can replace (or save) up to 2000 single use plastic bottles.

- The 60litre cylinders in our system is returned to Sodastream, refilled and reused many times over.

Other beverage companies produce single use plastic bottled drinks that are for single use consumption only, and contribute to the estimated **350 tonnes** of soft plastics that end up in landfill each year in New Zealand.

Logically, using one reusable bottle rather than 2000 single use plastic bottles is a better and more sustainable alternative.

A basic, neutral description of the advertisement	re-think single use plastic consumption to help save the environment
Date advertisement began	8 September 2019
Where the advertisement appeared (all locations e.g. TV, Billboard, Newspaper Website)	TV
Is the advertisement still accessible – where and until when?	no
A copy of digital media file(s) of the advertisement – if the complaint relates to on-screen graphic, please send a broadcast quality version.	
Who is the product / brand target audience?	25 – 54 year olds
Clear substantiation on claims that are challenged by the complainant.	See below explanation
The response from the advertiser is included in the published decision. The ASA is not able to accept confidential or proprietary information. Please contact the Complaints Manager if this is an issue.	
For Broadcast advertisements:	
A copy of the script	Step 1, buy SodaStream Step 2; save up to 2000 bottles a year by using one reusable bottle Step 3; planet saved Watch Married at First Site NZ thanks so SodaStream
A copy of the media schedule and spot list (Please remove all financial information)	See attached
CAB key number and rating	81026030

Appendix 3

RESPONSE FROM MEDIA, COMMERCIAL APPROVALS BUREAU

SodaStream Television Advertisement

COMPLAINT: 19/353 KEY: CDBSS15ER RATING: G

CAB approved this SodaStream commercial on 26/10/18, almost a full calendar year ago.

The commercial contains a figure around plastic bottle use, based on 2,000 bottles per year. CAB will defer to the advertiser for full details, but rudimentary mathematics lets us calculate that a family of four could use <2 bottles each per day and this figure would hold true.