

COMPLAINT NUMBER	20/544
ADVERTISER	Meridian Energy Limited
ADVERTISEMENT	Meridian Energy Limited Television
DATE OF MEETING	2 November 2020
OUTCOME	No Grounds to Proceed

Advertisement: The voiceover for the television advertisement for Meridian Energy includes the following: "...At Meridian we only generate power from wind, water and sun..."

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

Complaint:

A Meridian Energy TV ad featuring the trials of a Kiwi 'eco-hero' has been ordered off-air after it was found to make misleading environmental claims. Rival power company Electric Kiwi complained to the Advertising Standards Authority about the ad, titled 'For Power That Doesn't Cost the Earth', saying its claims were unsubstantiated, and the power Meridian sells is no greener than anyone else's. Tonights prequal to Newshub Weather says Meridian is the largest producer of Wind Hydro and Solar. While they may be, there's no way for customers to purchase this type of electricity from them. It gives the impression that the power Meridian sells is greener than their competition. This is factually incorrect. The power Meridian sells is no greener than anyone else's.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b), Rule 2(h);

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.

Rule 2(h) Environmental Claims: Environmental claims must be accurate and able to be substantiated by evidence that reflects scientific and technological developments.

The Chair noted the Complainant's concerns the advertisement was misleading.

The Chair said the advertisement was a brand advertisement for Meridian Energy and the environmental claim that Meridian only generates power from wind, water and sun is correct.

The Chair said while some consumers may not know a lot about the difference between electricity generation and electricity retailing, this statement is not misleading. There is also

context for the claim because the advertisement is placed before the weather segment on the news.

The Chair said taking into account context, medium, audience and product the advertisement was not in breach of Principle 2, Rule 2(b) or Rule 2(h) 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.