

<b>COMPLAINT NUMBER</b>	20/593
<b>ADVERTISER</b>	Mobil Oil New Zealand Ltd
<b>ADVERTISEMENT</b>	Mobil Oil New Zealand Ltd Television
<b>DATE OF MEETING</b>	7 December 2020
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The Mobil television advertisement had the voiceover “One News Sport is brought to you by Mobil. Get your discounts, earn smiles points and redeem instantly. More rewards. More simple.” The video showed a man filling his vehicle at a petrol station and then driving into the New Zealand countryside.

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

**Complaint:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society

The advertisement breaches Rule 1 (h) of the Advertising Standards Code. The advertisement encourages the use of a product which seriously undermines the health and well-being of individuals. There is abundant evidence showing the use of fossil fuels undermines the health and well-being of individuals. As a starting point see the United Nations International Panel on Climate change: <https://www.ipcc.ch>

The advertisement breaches Rule 1 (i) of the Advertising Standards Code. The advertisement encourages the use of a product which will result in environmental damage and or degradation. There is abundant evidence showing the use of fossil fuels results in environmental damage and or degradation. As a starting point see the United Nations International Panel on Climate change: <https://www.ipcc.ch>  
Advertisements must be truthful, balanced and not misleading

The advertisement breaches Rule 2 (b) of the Advertising Standards Code. The advertisement abuses the trust or lack of knowledge of consumers about the consequences of using fossil fuels. The advertiser should, as a minimum, warn the consumer of the risks and consequences of using fossil fuels. There is abundant evidence showing the use of fossil fuels is and will result in harm to consumers. As a starting point see the United Nations International Panel on Climate change: <https://www.ipcc.ch>  
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**The relevant provisions were Advertising Standards Code - Principle 1, Principle 2, Rule 1(h), Rule 1(i), Rule 2(b);**

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

**Rule 1(h) Health and well-being:** Advertisements must not undermine the health and well-being of individuals.

**Rule 1(i) Protecting the environment:** Advertisements must not depict or encourage environmental damage or degradation.

**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.

**The Chair** noted the Complainant's concerns the advertisement was misleading, socially irresponsible and undermined the health and wellbeing of individuals.

The Chair said the likely consumer takeout of the advertisement was you can earn rewards if you buy fuel at Mobil Oil service stations.

The Chair noted the Complainant's concerns related to the product for sale rather than the way it had been advertised.

The Chair said the advertisement was not likely to mislead or confuse consumers or undermine the health and well-being of individuals and did not depict environmental damage or degradation.

The Chair said while the burning of fossil fuels such as oil and gas is recognised as contributing to climate change, it is legal to sell and advertise these products.

The Chair said the advertisement did not meet the threshold to breach Principle 1, Principle 2, Rule 1(h), Rule 1(i) or Rule 2(b) 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.