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| <b>COMPLAINT NUMBER</b> | 21/184                               |
| <b>ADVERTISER</b>       | The Warehouse Limited                |
| <b>ADVERTISEMENT</b>    | The Warehouse Limited,<br>Television |
| <b>DATE OF MEETING</b>  | 3 May 2021                           |
| <b>OUTCOME</b>          | No Grounds to Proceed                |

**Advertisement:** The Warehouse television advertisement shows pictures of New Zealand scenery and images of the Emirates Team New Zealand America’s Cup boat. The voice over says, “At The Warehouse, we believe all Kiwi’s deserve to live well and enjoy a sustainable future. That’s why as New Zealand’s first major retailer to go carbon neutral, we’re partnering with Emirates Team New Zealand to make their campaign for the America’s Cup carbon neutral too.

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

**Complaint:** Ad tries to imply the warehouse is a carbon neutral company. No data or facts to support this are offered in a clear manner during the ad. There is no way a company such as the warehouse that imports a vast range of products from multiple overseas companies can be carbon neutral without ignoring the implications of its products and the supply chains behind those products. It is blatant false advertising to try and show the company in an more environmental light than it actually operates in.

**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 was concerned the advertisement was misleading to make a claim about being carbon neutral.

The Chair carefully reviewed the advertisement and referred to the Advertiser’s website, [www.thewarehousegroup.co.nz](http://www.thewarehousegroup.co.nz), where the carbon neutral statement was explained in the Frequently Asked Questions section, which said in part:

“Carbon neutrality means our carbon emissions are offset resulting in ‘net zero’ emissions. Our carbon neutrality status is independently certified carboNZero by Enviro-Mark Solutions, part of Manaaki Whenua - Landcare Research, and is based on ISO standards”.

The Chair noted the website also explained how offsetting of carbon emissions operates.

“Initially our carbon neutral status is achieved through the purchase of international Gold Standard credits in countries where we operate. The Gold Standard is the most widely respected certification standard globally for carbon offset projects. It ensures that energy efficiency and renewable energy projects reduce carbon dioxide (CO2) emissions and provide additional social benefits to the local populations.”

The Chair said this information supported the Advertiser’s carbon neutral claim and it was not misleading.

The Chair said the advertisement was not in breach of Principle 2 or Rules 2(b) and 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](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.