

COMPLAINT NUMBER	22/063
ADVERTISER	Toyota New Zealand
ADVERTISEMENT	Toyota NZ Television
DATE OF MEETING	11 April 2022
OUTCOME	No Grounds to Proceed

Advertisement: The Toyota advertisement promotes their hybrid vehicle range. The advertisement shows a series of different people asking questions about hybrids. Each question is answered by a voiceover and uses on-screen graphics. It begins with a woman jogging on the beach who says, "Hey Toyota, what actually is a hybrid?". The voiceover states that the vehicle is "self-charging", uses a regenerative braking system, is able to drive "way out here" and qualifies for the government's clean car discount.

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

Complaint: Toyota's hybrid vehicles are being advertised as 'self-charging'. These vehicles charge by using a petrol engine to charge the battery, and/or use regenerative braking which requires momentum gained by use of a petrol engine at some stage. They are charged by an internal combustion engine (ICE), not some magical 'self-charging'.

I think this ad could make people think this is a very simple way of providing the same emissions free experience as a plug in hybrid vehicle (PHEV). This is not true, as a PHEV can make all of its around town journeys using network electricity, day after day after day, without use of an ICE

It appears these ads have been already banned in Norway, as this article from January 2020 states:

<https://insideevs.com/news/395138/toyota-self-charging-ads-banned-norway/>

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 use the term 'self-charging' and was implying the same environmental impact as a plug-in hybrid vehicle.

The Chair carefully reviewed the advertisement and said it describes how the vehicle charges through graphic representations. She said the advertisement makes it clear that the term 'self-charging' in this context means the battery charges as the car drives along and the car used petrol and a battery.

The Chair noted that consumers looking at electric and hybrid vehicles would understand that hybrid vehicles required petrol to operate.

The Chair said cars are usually a significant purchase for most consumers who were likely to be well informed about the different options available in this vehicle category.

The Chair noted the Complainant had referred to a different advertisement which had been banned overseas. The Chair confirmed she could only consider the term 'self-charging' in the context of the advertisement before her along with the likely consumer takeout of its message.

The Chair said the advertisement did not make any environmental claims which would breach Rule 2(h) of the Advertising Standards Code.

The Chair said the advertisement was not likely to mislead or deceive consumers and 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 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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.