



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
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## Case Report

1	Case Number	0012/19
2	Advertiser	SodaStream Australia
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	06/02/2019
6	DETERMINATION	Dismissed

### ISSUES RAISED

Green Code 1 - Truthful and Factual 1)i not misleading or deceptive

Green Code 2 - Genuine Environmental Benefit 2)i - relevant, specific and clearly explained

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a woman playing the ukulele as a seal in the background barks at a chessboard. She then starts to sing that you can save the planet with a few "pffs and psss". A voiceover announces step one, to which the woman replies "Buy SodaStream". Step 2 is then announced, to which she says "save 2000 bottles by using one reusable bottle". Step three is announced to which she says "planet saved". A SodaStream Sparkling Water Maker then appears on screen with the words "Better for you, better for the planet".

### THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*The information contained in the advertisement is false and misleading. The statement made in the advertisement is that if you use the soda stream product, and therefore you use fewer plastic bottles, you will 'save the planet'.*



*The use of this product uses other natural resources that also impact on the environment and therefore do not 'save the planet'. In addition, using alternative products will not destroy the planet.*

*The inference in the advertisement is that we are destroying the planet and by simply using Soda Stream any environmental issues will go away.*

*The direct effect of human activity is very difficult to actually assess as the only way to do so would be to cease all human activity then measure any change to the planet's functions. But this can't really be done as humans would not be present.*

*They say that you are saving the planet by using this product. Essentially reusing one bottle rather than hundreds. The environmental benefit claim is broad and overstates any supposed benefit to the environment. What about the cost and resources required to make the machine, make the CO2 canisters, transport, make the flavours, etc. a consumer cannot "Save the planet" by consuming resources in a different way ie soft drink out of one bottle rather than many bottles. They make it sound like drinking soft drink is a way to save the planet which is ridiculous.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*Response to Complaint Reference Number: 0012/19*

*SodaStream is an in-home drinks making system that allows consumers to make their own fizzy drinks, 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/20020000/107/soft-drinks/australia>), Australians consumed on average, per person, close to 129 Litres of soft drink in 2018.*
- According to the Australian Bureau of Statistics (<http://www.abs.gov.au/ausstats/abs@.nsf/0/88BF225497426920CA257F5C000989A8?OpenDocument>), the average Australian household consists of 2.6 people.*
- If we multiply the per capital soft drink consumption with the avg household, we see that per year, one household will consume, on average, 374 Litres of soft drink.*
- 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 1,122 x 1 Litre Bottles of Soft Drink.*
- Given that many consumers purchase soft drink in not only 1 litre capacities, but also when out of home in 375ml or 500ml 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 its ten-year lifespan.*

*Other beverage companies produce single use plastic bottled drinks that are for single use consumption only, and contribute to the estimated 370 million plastic water bottles end up in landfill each year in Australia.*

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

## **THE DETERMINATION**

The Ad Standards Community Panel (the “Panel”) considered whether this advertisement breaches the AANA Environmental Claims in Advertising and Marketing Code (the “Environment Code”).

The Panel noted the complainant’s concerns that the environmental benefit claim in the advertisement is broad and overstates any supposed benefit to the environment.

The Panel viewed the advertisement and noted the advertiser’s response.

The Environment Code applies to 'Environmental Claims' in advertising and marketing communications. An 'Environmental Claim' is defined as 'any representation that indicates or suggests an Environmental Aspect of a product or service, a component or packaging of, or a quality relating to, a product or service.'

An 'Environmental Aspect' means 'the element of a product, a component or packaging or service that interacts with or influences (or has the capacity to interact with or influence) the Environment.'

The Environment is given a broad definition in the Code but, according to the dictionary definition means 'the broad natural surrounding conditions, such as the bush, the rivers, the air, the sea in which human beings live.'

The Panel considered Section 1 (a) of the Environmental Code which provides that: 'Environmental Claims in Advertising or Marketing Communications shall not be misleading or deceptive or be likely to mislead or deceive.'

The Panel noted that the practice note to the Environment Code does not require the Panel to apply legal tests in its determination of whether advertisements are, or are likely to, mislead or deceive, or otherwise contravene prevailing community standards in the areas of concern to the Code but rather to determine whether statements would be reasonably understood to be literally true and therefore not require substantiation.



The Panel noted that this television advertisement features a woman describing the benefits of the product, with statements including “save 2000 bottles by using one reusable bottle” and “save the planet”.

The Panel considered that the words “save up to 2000 bottles by using one reusable bottle” is a general claim about the product, and is not an Environmental Claim.

The Panel noted the advertiser’s response describing the equation of how a person could save 2000 bottles by using one SodaStream bottle, and agreed that the claim was substantiated.

The Panel then considered the words “Save the planet” and “Planet saved”. The Panel noted that the complainant considered this statement to be deceptive.

The Panel considered that this statement would be considered by most members of the community to be a form of puffery, and not a statement that an individual would actually save the planet by using the product.

The Panel noted that the claims in puffery are obviously exaggerated, and because exaggeration works to get people's attention, puffery is generally an accepted advertising technique provided that the advertisement does not deliberately mislead or make false claims.

Based on the above the Panel determined that the advertisement’s claim regarding 2000 bottles being saved by using one reusable bottle was not misleading. The Panel determine that the words “save the planet” was general puffery.

The Panel determined that the advertisement did not breach Section 1 of the Environment Code.

Finding that the advertisement did not breach the Environment Code on other grounds, the Panel dismissed the complaint.

