



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0078-21
2. Advertiser :	Reckitt Benckiser
3. Product :	House Goods Services
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	14-Apr-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Environmental Code\1 Truthful and Factual
AANA Environmental Code\3 Substantiation

DESCRIPTION OF ADVERTISEMENT

This television advertisement features a surfer in the ocean, with a voice-over stating 'Water it's everywhere' then transitions to an Australian backdrop of rural landscape and a farmer with the voice-over stating 'Yet Australia has less than 1% of the world's usable water. So why are we using more than most people on earth?'

Two adults are then shown washing up by hand and the voice over says 'It's time we stop taking it for granted and stop handwashing our dishes'. A family stacks their dishwasher and the voice-over says, 'it's time we use our dishwashers more often and save up to 200 Litres of water a week'.

A farmer walks past a truck with hose over his shoulder, climbs up a water tank and the hose then spouts water into the tank with the voice-over stating, 'And when you commit to this Finish will donate water to farmers in need.' With supers 'Share #FinishWaterWaste = 40 L donation' and 'Official water Partner Rural Aid' on screen and the disclaimer 'T&Cs apply. See finishwasterwaste.com.au'.

The ad then reverts to the second family with the girl opening the dishwasher and pulling out the dishes to the put them away with her brother and dad, the voice-over states 'Finish Quantum Ultimate Pro. Let's promise to make handwashing dishes history'.



THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

Complaint 1: They say how hand washing dishes wastes water, using unrealistic figures of water used. They are campaigning to make hand washing a thing of the past. This is false advertising to sell their product. The litres used are false, the energy used is not considered, the embedded energy in the manufacture of the dishwasher not considered, the damage their chemicals used to the user and environment is not mentioned. This ad is misleading and untrue and needs to be removed with an apology and explanation of the true facts.

Complaint 2: Because they are lying about the amount of water you use hand washing each day and they insist you use a dish washer when so many kitchens can not fit one in and a lot of people can not afford one. All this to sell a product that is wrapped in plastic and packed in a box double the waste for landfill as not much is being recycled these days.

Complaint 3: What a load of rubbish. There is no truth or facts to this claim. And it should be withdrawn. dishwashers use more water than hand washing it is a proven fact. It is complete nonsense and stupid people believe stupid statements.

Complaint 4: The add infers that by not using a dishwasher you are wasting water and harming the environment and disadvantaging farmers being narrated by a voice that sounds like a very young girl. All claims are misleading and would seem untrue. Because it is a bunch of lies putting itself forward as truth.

Complaint 5: No research is offered to back up the claims, no detail on how you could check if Finish is really donating water or how you contact them. No mention of how you clean large pans and wipe down bench tops etc etc without a hot sink of water. In fact for the majority of households these days using a dishwasher regularly would use much more water than a couple of sinks full a day, but using a child's voice is manipulative at making people feel guilty.

Complaint 6: The add is saying that the child is educating the mother to use the dishwasher. How use a product called a plug and finish bring out a dishwashing liquid to teach people how wash up in the sink which this means spending time together. And to stop hand wash and start using our dishwashers. I find that the ad is misleading on the assumption that we all own a dishwasher when we don't. Not to mention the cost of using the dishwasher with electricity.

Complaint 7: Claims that hand washing dishes uses more water than using a dishwasher. Absolutely False and misleading! Ridiculous claims! Advice to stop hand washing dishes! Obviously false claims to try and sell their dishwashing liquid.



THE ADVERTISER'S RESPONSE

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

We refer to your letters dated 31 March 2021 and 7 April 2021 regarding complaints received from members of the public concerning Reckitt's Finish Water Waste advertisement (Advertisement). Thank you for providing us with the opportunity to comment on the issues raised in the complaints.

Background

The Advertisement is designed to educate consumers on water waste that can occur around the home. Finish is committed to highlighting the importance of water scarcity around the world and what consumers can do to conserve water. Raising awareness around water scarcity is a global purpose for Finish; the issue is recognised by the world's leading NGOs like:

- 1. Water.org: <https://water.org/our-impact/water-crisis/>*
- 2. World vision: <https://www.worldvision.org/clean-water-news-stories/global-water-crisis-facts>*
- 3. NatGeo: <https://www.nationalgeographic.com/science/article/world-water-day-water-crisis-explained>*

Water scarcity is listed as a key risk by the UN: <https://sdgs.un.org/goals/goal6>.

The Advertisement is part of a broader, purpose-led initiative to Finish Water Waste and promise to make handwashing dishes history, encouraging people to turn off the tap where possible. The Advertisement makes the following claims in relation to water usage:

- 1. Water, it's everywhere. Yet Australia has less than 1% of the world's usable water (Claim 1);*
- 2. It's time we stop taking it for granted and stop handwashing our dishes, it's time we used our dishwashers more often and save up to 200L of water a week (Claim 2);*
- 3. And when you commit to this, Finish will donate water to farmers in need (Claim 3), together, the Claims.*

Complaints

Based on your letter, the complaints take issue with the above claims on the basis that they are:

- a) misleading and deceptive (in accordance with AANA Environmental Code\1 Truthful and Factual);*
- b) claims not able to be substantiated and verifiable (in accordance with AANA Environmental Code\3 Substantiation).*



Submission

Your letter states that the complaints raise issues under section 2 of the AANA Advertiser Code of Ethics dated February 2021 (Code of Ethics) and the AANA Environmental Claims in Advertising and Marketing Code dated 1 May 2018 (Environmental Code). We have considered the entirety of section 2 of the Code of Ethics and the Environmental Code in our response.

As with all our advertising, accuracy is very important to us. Reckitt takes complaints about the accuracy of claims made in our advertising very seriously. All information, including the Claims, in the Advertisement is true, accurate and backed up by research and testing. For this reason, the Advertisement is not in breach of either the Code of Ethics or the Environmental Code. Reckitt submits that the Advertisement complies with these Codes.

As mentioned above, the Claims are true, accurate and supported by research and testing. We set out some background information to each of the Claims below. Please note that the below contains commercially confidential information for Reckitts, and we ask that the below information not to be shared publicly and if sharing is required, that it be done so only on a needs basis in relation to this matter.

Claim 1: Water, it's everywhere. Yet Australia has less than 1% of the world's usable water

Claim 1 has been validated by using fresh water usage data published by the Food and Agriculture Organisation of the United Nations in 2016 on the world's water usage (FAO Database). The FAO Database shows that Australia's share of global usable water is 0.90%. Note that Claim 1 in the Advertisement is accompanied by disclaimer on screen "FAO 2016, Aquastat Main Database. Website accessed 15/12/20." to provide the public with the basis for which Claim 1 is supported.

Claim 2: It's time we stop taking it for granted and stop handwashing our dishes, it's time we used our dishwashers more often and save up to 200L of water a week

Claim 2 has been validated through:

- a) independent research conducted by Colmar Brunton 2009 which is based on a study previously conducted in 2004 at Bonn University in Germany (Colmar Brunton Study);*
- b) WELS database by the Australian Government which sets out water efficiency information, including water usage, for registered dishwashers (WELS Database);*
- c) Other various sources including Nielsen Dishwasher Tracking Report 2016, Finish Territory Questionnaire 2020 and Finish Poseidon study conducted by Finish 2019 (Additional Sources).*

The above testing and research validated Claim 2 as follows:



- *Number of items washed in dishwasher/water usage of handwashing: The Colmar Brunton Study involved evaluating the handwashing habits of 106 respondents using 132 items in total (note that 132 items represents a 12 place setting, being a full load for a typical freestanding dishwasher. These respondents washed the setting in accordance with their normal habits. According to the WELS Database, only 3% of registered dishwashers have less than 12 settings. Field staff then measured the hot and cold water meters before and after all water usage to determine how much water was used by handwashing. [REDACTED]*
- *Water usage of dishwasher: We generated a report from the WELS Database dated 18 June 2020 to determine that the largest amount of water usage for dishwashers on Eco cycle (live registrations only) was 16.1L of water;*
- *Number of times dishwasher is run per week: Findings from the Additional Sources showed that the average number of times a dishwasher is run per week is 4 times; and*
- *[REDACTED]*

Note that Claim 2 in the Advertisement is accompanied by disclaimer on screen “Based on 132 items, 4 times a week, for machine on Eco cycle vs hand washing” to provide the public with the basis for which Claim 2 is supported. If we did not provide an anchor for the amount of items washed then there would be too much variability. This also correlates to the Colmar Brunton Study.

Claim 3: And when you commit to this, Finish will donate water to farmers in need

The Advertisement is asking the public to make a commitment to promise to stop handwashing dishes where possible and use dishwasher more often to save up to 200L of water per week (as per Claim 1). For every hashtag shared on social media or on finishwaterwaste.com.au, Finish donates 40L to farmers via Rural Aid (up to 2 million litres). This stems from Finish’s partnership with Rural Aid, which has seen over 14 million litres of potable water delivered to Australian farmers in need since 2019.

Response to the complaints

Please see the below which sets out comprehensive comments to each of the complaints received, taking into account all aspects of the Code of Ethics and Environmental Code.

Item - Reckitt’s Response

Complaint 1:

The Advertisement does not make any claim, express or implied, that Finish and dishwashers are an environmental solution. Instead, the Advertisement aims to educate about water usage when handwashing and suggests that you can save up to 200L of water per week (see Claim 2 above). The litres used (200L) are not false and are based on robust testing and research as shown in explanation of Claim 2 above.

Complaint 2:

As shown by the explanation above, Claim 2 is backed up using robust testing and research. Claim 2 is true and accurate.



Complaint 3:

See Reckitt's Response for Item 2.

Complaint 4:

See Reckitt's Response for Item 2 in relation to Claim 2.

The Advertisement does not make any claims, express or implied, that handwashing is harming the environment. Instead, the Advertisement aims to educate about not wasting water needlessly.

Reckitt chose to use a child's voice in order to bring to light the issue of water scarcity for future generations.

Complaint 5:

As shown in this Letter above, the Claims are not false and are based on robust testing and research. The Advertisement also includes disclaimers to support the Claims.

The intention of the Advertisement is not to stop people from handwashing, but to promise to stop handwashing dishes where possible.

In relation to the consumer's comment about Finish donating water, see information under Claim 3 above. Information can also be found on our website finishwaterwaste.com.au (which is shown in the Advertisement).

See Reckitt's Response for Item 4 in relation to use of child's voice.

Complaint 6:

See Reckitt's Response for Item 1.

We make no assumption about everyone having a dishwasher. However, dishwasher ownership and usage are a major component of Australian lifestyles. The most recent data from the Australian Bureau of Statistics (2014) estimated that about 4,970,000 households in Australia had a dishwasher, or about 55.1% of households. Of these, 86.8% of dishwasher owners reported using their machines.

2014. 'Energy Use and Conservation Tables.' ABS. Accessed 1st April 2021.

<<https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/4602.0.55.001Mar%202014?OpenDocument>>

Complaint 7:

See Reckitt's Response for Item 2.

In light of the above, we strongly urge the Panel to dismiss the complaints in their entirety. The Advertisement does not mislead or deceive and the Claims are true, accurate and supported by robust research and testing in accordance with the Environmental Code. Further, the Advertisement complies with section 2 of the Code of Ethics in all respects.

We look forward to receiving the Panel's determination in due course.



THE DETERMINATION

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

The Panel noted the complainants' concerns that the advertisement made environmental claims which were misleading. Complainant's concerns include:

- The advertisement uses unrealistic and false figures of water used
- The energy used is not considered, the embedded energy in the manufacture of the dishwasher not considered, the damage their chemicals used to the user and environment is not mentioned
- The advertisement is misleading on the assumption that everyone owns a dishwasher
- No research is offered to back up the claims, no detail on how you could check if Finish is really donating water or how you contact them.

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

Is an environmental claim being made?

The Panel considered whether the advertisement made an Environmental Claim. The Environment Code applies to 'Environmental Claims' in advertising and marketing communications.

The Code defines environmental Claims as “any express or implied representation that an aspect of a product or service as a whole, or a component or packaging of, or a quality relating to, a product or service, interacts with or influences (or has the capacity to interact with or influence) the Environment”.

The Panel considered that two claims are made in the advertisement:

Claim 1: Using a dishwasher instead of handwashing saves up to 200 litres of water per week.

Claim 2: Finish will donate water to farmers in need.

The Panel noted that the advertiser had noted three claims made in the advertisement however the Panel noted that there was no complaint concerning the claim of how much usable water Australia has.

1 a) Environmental Claims in Advertising or Marketing Communication shall not be misleading or deceptive or be likely to mislead or deceive



The Panel noted that the Practice Note for this section of the Environmental Code includes:

“It is not intended that legal tests be applied to determine whether advertisements are misleading or deceptive, or likely to mislead or deceive, in the areas of concern to this Code.

Instead, consideration will be given as to whether the average consumer in the target market would be likely to be misled or deceived by the material.

Factors to consider include:

An advertisement may be misleading or deceptive directly or by implication or through emphasis, comparisons, contrasts or omissions. It does not matter whether the advertisement actually misled anyone, or whether the advertiser intended to mislead – if the advertisement is likely to mislead or deceive there will be a breach of the Code.

Environmental claims relating to future matters or commitments should be based on reasonable grounds as at the time the claim was made, even if the future matter does not come to pass. The fact that a person may believe in a particular state of affairs does not necessarily mean that there are reasonable grounds for the belief.

The target market or likely audience of the advertising or marketing communication should be carefully considered when making environmental claims. Therefore all advertising should be clear, unambiguous and balanced, and the use of technical or scientific jargon carefully considered.”

Claim 1

The Panel noted that a disclaimer on screen provides information as to how the claim was calculated, being “based on 132 items, 4 times per week, for machine on Eco cycle vs hand washing”.

The Panel noted the advertiser’s response that the claims made in the advertisement regarding water usage and energy have been validated by independent research. The Panel further noted that the study data which outlined the comparison of washing a 12 place dinner setting in the dishwasher as compared to washing the same 12 place setting by hand, was the basis for the claims made in the advertisement.

A minority of the Panel considered that the advertisement should have displayed the water litre figures used, being litres used for handwashing versus litres used in dishwasher. The minority considered that such a comparison would have made the claim of 200L of water saved per week by using a dishwasher clearer.



The minority considered that the advertisement should have been clearer as to what handwashing meant, as there is some confusion with the images shown on screen. One scene shows a man doing dishes with a full sink of water and the tap running, suggesting that the advertiser considers handwashing to be doing dishes with the tap running consistently versus simply filling the sink once. The minority considered that the advertisement is not clear as to what their claim of handwashing actually refers to and that the claim is therefore misleading.

The majority of the Panel considered that most members of the community would recognise that the use of the term “up to” in conjunction with water and energy usage suggest an average household and that the advertisement is presenting comparative information in a manner which is not misleading or deceptive.

The majority considered that the figures used to calculate the claim of saving 200L of water per week by using a dishwasher are based on research, and that while some members of the community may disagree with the research used, the claim itself is not misleading or deceptive.

Claim 2

The Panel noted a complainant’s concern that the advertisement does not provide detail on how a viewer could check if Finish is donating water or how you contact them.

The Panel considered that an advertiser cannot provide all substantive information in a 30 second advertisement. The Panel noted that a disclaimer on screen during this claim states “T&Cs apply. See finishwaterwaste.com.au”.

The Panel considered that most members of the community would not find such a claim to be misleading.

1 a) conclusion

The Panel determined that the claim was not misleading or deceptive and that the advertisement did not breach Section 1 a) of the Environmental Code.

3 a) Environmental Claims in Advertising or Marketing Communication shall be able to be substantiated and verifiable. Supporting information shall include sufficient detail to allow evaluation of a claim

The Panel noted that the Practice Note for this section of the Environmental Code includes:

“Advertisers and marketers should have a reasonable basis for making a claim and therefore should hold appropriate, balanced, comprehensive and credible evidence to substantiate all express and implied claims. Information to support



a claim may include, but is not limited to, documentary evidence or data evidencing conformity with an identified standard, research, studies, or an expert independent audit. There is no requirement to use third party verification or certification before an environmental claim is made. An advertiser's own internal procedures may be able to provide the necessary substantiation.

In testing the validity of any claim the Panel will only rely on information/material provided by the advertiser and the complainant. The Panel may seek expert advice to assist in the consideration of material provided in relation to the complaint. It is not the intent for the Panel to act as an arbiter of scientific fact, or of philosophical approaches to understanding or addressing environmental concerns.

Advertisers have a variety of avenues available for making such information available to consumers, for example, websites, brochures, labels, shelf-talkers; such information does not need to be included in the advertising or marketing communications itself."

Claim 1

The Panel noted that the advertiser had provided research data and the calculations to support its assertion. The Panel noted that the advertiser had chosen to provide some information which substantiated its claims to the Panel only, advising that the information was commercial in confidence and therefore not to be published in this report.

A minority of the Panel questioned the validity of such research if the advertiser was unwilling to make the substantiation public.

The majority of the Panel considered that such information could be considered by the Panel without being made public and noted that marking information commercial in confidence did not reduce the utility of the information.

The majority considered that the advertiser had provided appropriate substantiation.

Claim 2

Based on the information provided by the advertiser via their response submission and information available on their website, the Panel considered that the claim of providing 40L to farmers via Rural Aid for every hashtag shared on social media or their website is adequately substantiated.

3 a) conclusion



The Panel considered that the claim was sufficiently substantiated and verifiable and that the advertisement did not breach Section 3 a) of the Environmental Code.

Conclusion

Finding that the advertisement did not breach the Environmental Code on any other grounds the Panel dismissed the complaints.