



Case Report

1	Case Number	0109/11
2	Advertiser	Sir Walter Premium Lawn Turf
3	Product	House goods/services
4	Type of Advertisement / media	TV
5	Date of Determination	13/04/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

1 - Truthful and Factual 1)ii vague- ambiguous or unbalanced

DESCRIPTION OF THE ADVERTISEMENT

Nigel Ruck is shown first cutting then removing a small tree from a section of lawn as he talks about the benefits of lawn rather than trees in the yard. Voiceover states 'Want to lower your home's carbon footprint, get rid of these - lawn spikes . Your average Sir Walter lawn absorbs more carbon and generates more oxygen than the world's largest tree.'

THE COMPLAINT

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

It is a blatant grab at trying to claim that owning this brand of grass is better for the environment. What he fails to explain is what is an average size lawn, that the maintenance of ie mowing and the breakdown of the lawn mower would counter an environmental advantage of the grass... I believe the claims are also based on very questionable statistics which further cloud and confuse the consumer on a very serious issue.

THE ADVERTISER'S RESPONSE

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

As this campaign has now run its natural course we agree to remove this particular advertisement from the series effective immediately. However we would like it noted that the 'Lawn Spikes' advertisement is one of six successful and well-researched adverts that have been screening for over 2 years. Sir Walter makes every effort to ensure that all information in the advertisements is correct and stand by the content.

All our advertisements are prepared with a due sense for responsibility to our customers. Further to our phone conversation today I submit the following websites that support our claims

<http://www.softleafbuffalograss.com.au/turf-is-good.php>

<http://thelawnguide.com.au/lawn-advice/351-love-your-lawn.html>

<http://www.thelawninstitute.org/environment/?c=184513>

http://www.turfgrasssod.org/search?cx=009837322892395567160%3Akq_a1r-uhzi&cof=FORID%3A10%3BNB%3A1&ie=UTF-8&q=pollution&sa.x=18&sa.y=17#1087

http://www.alma-lawn.com/turf_facts.html

<http://www.turfaustralia.com.au/images/stories/press-releases/feel%20good%20about%20your%20lawn%20again%2010112010.pdf>

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches the AANA Environmental Claims in Advertising and Marketing Code (the Environment Code).

The Board noted the complainant's concern that the Sir Walter Premium m Lawn Turf advertisement's makes an environmental claim that is based on questionable statistics.

The Board noted that the Environment Code applies to 'environmental claims' which are 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 Board noted that the advertisement is comprised of the images of the product, grass, and the statement that: 'Your average Sir Walter lawn absorbs more carbon and generates more oxygen than the world's largest tree.'

The Board considered that the reference to 'lowering your home's carbon footprint' is a suggestion that there is environmental benefit from installing the advertised product.

The Board considered that the use of the terms 'absorbs carbon and generates oxygen' are terms that suggests that the grass has capacity to influence the Environment.

The Board determined therefore that this advertisement contains suggestions that this product positively influences the environment.

The Board considered whether the advertisement is misleading or deceptive in its description of its features or in a suggestion that such features have an environmentally positive effect (Part 1, clause i).

The Board noted significant information provided from the advertiser to support the claims made about the environmental benefit of the advertised product and determined that the advertisement meets the requirements of Part 1, clause iv of the Environmental Code.

The Board also noted Part 2 section iii of the Code which requires that “Environmental claims must...in comparative advertisements, be relevant and balanced either about the product/service advertised or class of products, with which it is compared.”

The Board noted that the advertisement compares the carbon absorption and oxygen generation of trees and the advertised product. The Board considered that the particular claim met the requirement of the Code as it was a clearly understood comparison.

Section I of Part 3 of the Code requires that ‘environmental claims must be able to be substantiated and verifiable. Supporting information must include sufficient detail to allow evaluation of a claim.’

The Board noted the Practice Note to the Code which, in relation to section i of Part 3 provides:

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

The Board noted that the advertiser has provided a range of material to support the claims made in the advertisement, and presumably would provide the same material to members of the public were it requested. The Board determined that the advertisement met the requirements of this clause.

Overall the Board determined that the advertisement did not breach the Environment Code and dismissed the complaint.