



**ADVERTISING  
STANDARDS  
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612  
Ph (02) 6173 1500 | Fax (02) 6262 9833  
[www.adstandards.com.au](http://www.adstandards.com.au)

ACN 084 452 666

## Case Report

1	Case Number	0138/14
2	Advertiser	Isuzu
3	Product	Vehicle
4	Type of Advertisement / media	TV
5	Date of Determination	14/05/2014
6	DETERMINATION	Dismissed

### ISSUES RAISED

FCAI Motor Vehicles 2(e) Environmental damage

### DESCRIPTION OF THE ADVERTISEMENT

The Isuzu MU-X 30-second TVC depicts a family heading out on a 'family adventure'. The vehicle is shown driving along a sealed road before turning off to an unsealed gravel track and then traversing a creek crossing and down a rocky track before turning in a grassy field before stopping at a rocky outcrop. During this footage a voiceover explains the features and benefits of the vehicle and supposes that the vehicle's "MU-X Factor" is the MU-X's off-road ability.

### THE COMPLAINT

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

*I am a member of Landcare Australia voluntarily working to restore degraded landscapes. I find watching this advertisement quite disturbing. The message is, buy one of these vehicles so you can trash the natural environment. In a world where care of the environment is an accepted fact of life I think this ad is totally irresponsible and should be withdrawn.*

### THE ADVERTISER'S RESPONSE

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

#### *AASB QUESTIONS*

*1. What assurances can the advertiser provide that any driving depicted in the advertisement would conform to the relevant road safety regulations, were it to occur on road or a road-related area?*

*Filming of the advertisement took place in Australia. Isuzu UTE Australia confirms that at all times the driving depicted in the advertisement (both on-road and off-road) conformed to Australian road rules and applicable laws.*

*2. Can the advertiser confirm that any vehicles portrayed in the advertisement were driven within legal speed limits at all times?*

*Filming of the advertisement took place in Australia. Isuzu UTE Australia confirms that at all times the driving depicted in the advertisement (both on-road and off-road) conformed to Australian road rules and applicable laws, including speed limits.*

*3. Was it necessary for the advertiser to obtain any special permission/permits to undertake filming of any driving sequences depicted in the advertisement?*

*Certain sequences within the advertisement were filmed on both private and public property. Isuzu UTE Australia obtained appropriate permits and approvals from the private landowners and council to film parts of the advertisement.*

*4. Has the advertisement been published / broadcast in all of Australia? Are there any States / Territories where the advertisement has not been published / broadcast?*

*The advertisement has been broadcast across the whole of Australia.*

*5. Has the advertisement been made available on the internet?*

*The advertisement has been made available on the internet from [date] at:*

*<https://www.youtube.com/watch?v=iUrU23lHojk> and on the Isuzu website at*

*<http://www.isuzuute.com.au/mu-x/overview.aspx> .*

#### *ADVERTISER'S RESPONSE*

*The Advertisement depicts the four-wheel drive variant of the Isuzu MU-X being driven in various on and off-road settings. The primary purpose of the Advertisement is to establish the versatility and durability of the vehicle. This is illustrated several ways and all care was taken to preserve the environment during the filming of the Advertisement.*

*Isuzu UTE Australia acknowledges that the Advertisement must comply with the Federal Chamber of Automotive Industries Code of Practice Relating to Advertising for Motor Vehicles (FCAI Code). The Isuzu MU-X in the Advertisement is four-wheel drive (and otherwise meets section 4.3.3(b) of the relevant Australian Design Rule (MC category)), and is therefore an off-road vehicle for the purposes of the FCAI Code. As such, section 4 of the FCAI Code applies. Section 2(e) of the FCAI code states that "Advertisers should ensure that advertisements for motor vehicles do not portray any of the following...deliberate and significant environmental damage, particularly in advertising for off-road vehicles."*

*In order to demonstrate the capabilities of the vehicle, Isuzu UTE Australia showed the vehicle in on-road and off-road scenarios. Isuzu UTE Australia takes its environmental responsibilities seriously, and as such it has demonstrated the inherent capabilities of the vehicle in a responsible manner. The vehicle is depicted driving safely along a dry, and obviously previously-driven dirt and grassy path. At all times the vehicle was driven in a safe manner at safe speeds. The driver was in complete control at all times, as demonstrated by the fact that there is no hint of wheelspin, understeer or oversteer. The environment is not being degraded or altered by the vehicle in this sequence.*

*The vehicle is also shown crossing a rocky creek. The dynamics of a vehicle crossing such*

*terrain means that although 'wake' is created during the crossing, the rocky riverbase was barely disturbed (if at all) by driving the vehicle straight across it. It is Isuzu UTE Australia's view that the natural erosion cause by the flow of the water would cause far greater damage than the vehicle crossing the creek, as shown in the advertisement.*

*The creek crossing sequence was deliberately slowed down during post-production, to highlight the capabilities of the MU-X to safely transport loved ones through difficult terrain. The frog seen leaping out of the way of the vehicle was a computer generated image and also included post-production.*

*The advertisement concludes with the family reaching their spectacular destination, smiling while admiring the view, depicting a family that loves the natural environment, rather than a family that wants to "trash" the natural environment.*

*Section 4 of the FCAI Code provides that "an advertisement may legitimately depict the capabilities and performance of an off-road vehicle travelling over loose or unsealed surfaces, or uneven terrain, not forming part of a road or road related area. Such advertisements should not portray unsafe driving and vehicles must not travel at a speed which would contravene the laws of the State or Territory in which the advertisement is published or broadcast, were such driving to occur on a road or road related area."*

*In our view, the Advertisement does not portray unsafe driving, and does not show the vehicle travelling at an illegal or unsafe speed. The Advertisement's purpose is, in part, to emphasise the ability of the vehicle to handle both on- and off-road conditions with ease. The Advertisement therefore contains legitimate depictions of the vehicle's abilities in off-road conditions consistent with section 4 of the FCAI Code.*

*The advertisement, when viewed objectively by a reasonable member of the audience, would not be taken to depict unsafe driving, driving beyond the speed limit, or portray deliberate and significant environmental damage. As supported by the CAD rating, in our view the Advertisement is compliant with the FCAI Code, and AANA Codes in all respects. Isuzu UTE Australia believes the Advertisement portrays a family using their MU-X 4WD vehicle to discover, appreciate and enjoy the natural environment.*

*Isuzu UTE Australia submits that the Complaint should be dismissed.*

## **THE DETERMINATION**

The Advertising Standards Board (Board) was required to determine whether the material before it was in breach of the Federal Chamber of Automotive Industries Advertising for Motor Vehicles Voluntary Code of Practice (the FCAI Code).

The Board noted that complainants concern that the advertisement shows irresponsible driving and deliberate damage of the environment.

The Board determined that the material before it was an advertisement for a motor vehicle and therefore that the FCAI Code applied.

The Board considered clause 2(e) of the FCAI Code. Clause 2(e) requires that:

Advertisements for motor vehicles do not portray ...deliberate and significant environmental damage, particularly in advertising for off-road vehicles.

The Board noted that the advertisement features an Isuzu MU-X being loaded in the garage at home with the family and the family dog. The car is driven through the suburb and into a area where it heads off road and through a creek stopping at the top of a rocky hill where the family then admire the view.

A voiceover describes the features and benefits of the vehicle and the final scene shows the text "The All new Isuzu MU-X. Ready when you are."

The Board considered that the vehicle is an SUV and designed for the purpose of driving off road. The Board noted that the scenes that include the vehicle being driven on the streets are controlled and within any obvious road rules.

The Board noted that the car is taken off road and at the same time, the feel and voiceover of the advertisement change to make the whole experience appear fun and exciting. The Board noted the advertisement used slow motion shots to show fun and exhilaration. The voiceover describes the MU-X factor which draws the attention of the viewer to the additional off road capabilities of the car.

The Board noted that in the initial scenes of the car going off road, an image of a frog is seen leaping across the screen. The Board noted that it is obviously not a real frog and is not a strong suggestion that wildlife will be harmed.

The Board noted clause 4 of the FCAI Code in relation to the depiction of off-road vehicles which states that:

"An advertisement may legitimately depict the capabilities and performance of an off-road vehicle travelling over loose or unsealed surfaces, or uneven terrain, not forming part of a road or road related area. Such advertisements should not portray unsafe driving and vehicles must not travel at a speed which would contravene the laws of the State or Territory in which the advertisement is published or broadcast, were such driving to occur on a road or road related area." The Board noted that the paths taken through the creek and over some rough terrain are indicative of the types of terrain that would be expected of a vehicle of this nature. The Board noted that showing a SUV driving through off road terrain is not of itself a depiction that is considered environmentally damaging and the vehicle is not shown performing activities that would be considered illegal or deliberating irresponsible. Based on the above, the Board determined that overall the advertisement does not depict deliberate and significant environmental damage and does not breach clause 2(e) or clause 4 of the FCAI Code.

Finding that the advertisement did not breach any other sections of the FCAI Code, the Board dismissed the complaint.

