

## Case Report

1. Case Number :	0009-25
2. Advertiser :	Hancock Prospecting Pty Ltd
3. Product :	Energy/Resources
4. Type of Advertisement/Media :	Internet
5. Date of Decision:	5-Feb-2025
6. Decision:	Upheld – Modified or Discontinued

### ISSUES RAISED

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

### DESCRIPTION OF ADVERTISEMENT

This internet advertisement features the text "Our clean gas keeps the lights, and factories, hospitals, and shops open from Tokyo to Toowoomba" and "Hancock Energy".



Agriculture, energy and mining provide Australia's high living standards but investment is dropping, businesses are failing, and our living standards are falling.



Agriculture feeds us and our important allies overseas.

Our clean gas keeps the lights on, and factories, hospitals and shops open from Tokyo to Toowoomba.

At the Hancock companies, we're working in the bush every day to keep Australians warm, clothed and well fed.

To join Australia's most successful private business, visit [futureaustralianjobs.com](http://futureaustralianjobs.com)

### THE COMPLAINT

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

*We believe the claim that Hancock Prospecting's gas is "clean", is false, misleading and not substantiated. We believe it may breach the Environmental Claims Code. One of several pages of the ad claims, "Our clean gas keeps the lights, and factories, hospitals, and shops open from Tokyo to Toowoomba."*

*The ad is aimed at prospective employees who may be misled into thinking that working in the gas industry is environmentally beneficial, and that gas poses no danger to the environment.*

### *Why Hancock Prospecting Claims may breach the Code*

#### *Meaning of Environmental Claim*

- 1. The Code defines 'Environmental Claim' 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.*
- 2. The Claims are Environmental Claims to which the Code applies because they represent that "clean" gas has a positive influence on the Environment (as defined in the Code).*

#### *Relevant provisions of the Code*

- a) s 1(a), which provides that Environmental Claims shall not be misleading or deceptive or be likely to mislead or deceive;*
- b) s 1(b), which provides that Environmental Claims shall display any disclaimers or important limitations and qualifications prominently, in clear, plain and specific language;*
- c) s 2(a), which provides that Environmental Claims must be relevant, specific and clearly explain the significance of the claim; and / or*
- d) s 2(b), which provides that Environmental Claims must not overstate the claim expressly or by implication.*

### *False Representation*

*"Our clean gas"*

*This is a blanket statement that falsely presents gas as having no negative environmental impacts.*

*The Marriam-Webster Dictionary defines the word "clean" as having multiple meanings, including:*

- Adjective: Free from dirt or pollution, or free of objectionable behaviour or language:
  - Free from dirt or pollution: "Clean clothes"*
  - Free of objectionable behaviour or language: "Led a clean life"**

- *Not harmful: "Clean drinking water"*
- *Not illegal: "A clean driver's license"*
- *Fair: "It was a tough but clean game"*
- *Accurate: "The plane made a clean takeoff"*
- *Taste or smell: "The wine has a clean taste and a lovely golden colour" [1]*

*We believe the use of word "clean" in the ad by Hancock Prospecting is falsely asserting that gas is a) free of dirt or environmental pollution, and b) not harmful.*

*Ad Standards ruling against APPEA in 2023 found a claim that 'gas is 50% cleaner' was "not sufficiently specific and did not clearly outline the significance of the Claim." [2]*

*In 2020, Ad Standards found in a ruling against Australian Gas Networks, that it is misleading to call gas 'cleaner and greener', stating "the Panel considered that this claim is misleading as there are other energy sources which would be considered cleaner and greener than gas." [3]*

*The ACCC's guideline 'Green marketing and the Australian Consumer Law' recommended: "When making claims about a particular characteristic or part of a product, you should also consider the whole product life cycle."*

*a) Gas is free of dirt or environmental pollution*

*Gas emits substantial amounts of environmental pollutants throughout its extraction, transport and when it is burned for energy.*

*The American Environment Protection Agency states, "The emissions from natural gas-fired boilers and furnaces include nitrogen oxides (NOx), carbon monoxide (CO), and carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), volatile organic compounds (VOCs), trace amounts of sulfur dioxide (SO2), and particulate matter (PM)." [4]*

*Oxides of nitrogen, sulfur dioxide, carbon monoxide and mercury are officially pollutants and are all listed on the Australian Government National Pollutant Inventory.*

*b) Gas is not harmful*

*The Australian Journal of General Practice reports that gas, when burned in the home, has "substantial negative health impacts, and the widespread use of gas in domestic settings is an avoidable health risk." [6]*

*A 2013 meta-analysis of 41 studies found that gas cooking increases the risk of asthma in children and that NO2 exposure is linked with currently having a wheeze. Most*

recently, a study found that 12.7 percent of childhood asthma cases in the U.S. can be attributed to gas stove use. [7]

Portable gas heaters release excessive quantities of NOx into the indoor environment; they also pose risks for carbon monoxide poisoning.[8]

Gas is flammable and is also a cause of injury and death through accidents and explosions. [9]

Communities that live near gas plants and gas workers are more prone to heart disease, cancer, respiratory problems, sleep disturbances, cognitive problems and reproductive harm.[10]

Gas is also a potent fossil fuel, and one of the largest contributors to global heating, causing death and destruction across the planet, as the United Nations says, "This poses many risks to human beings and all other forms of life on Earth." [11]

Substantiation

"Our clean gas"

The assertion that gas is "clean" is vague, not relevant or specific, has no disclaimers and is not backed up or clarified in any materials on the ad or on the website it points to; [futureaustralianjobs.com](http://futureaustralianjobs.com).

In addition, the website for Hancock Energy ([www.hancockenergy.com.au](http://www.hancockenergy.com.au)) makes no mention or offers no clarification about the pollution or environmental impacts of its gas operations or products.

Thank you for looking into this matter

[1] <https://www.merriam-webster.com/dictionary/clean#:~:text=%CB%88kl%C4%93n-1,3%20of%203%20verb>

[2] <https://adstandards.com.au/sites/default/files/reports/0119-23.pdf>

[3] <https://reneweconomy.com.au/regulator-rules-it-is-misleading-to-claim-gas-is-cleaner-and-greener-56914/>

[4] <https://www3.epa.gov/ttnchie1/ap42/ch01/final/c01s04.pdf>

[5] <https://www.dcceew.gov.au/environment/protection/npi/substances/fact-sheets>

[6] <https://www1.racgp.org.au/ajgp/2022/december/health-risks-from-indoor-gas-appliances>

[7] <https://www.scientificamerican.com/article/the-health-risks-of-gas-stovesexplained/#:~:text=A%202013%20meta%20analysis%20of,attributed%20to%20gas%20stove%20use>.

[8] <https://www.who.int/teams/environment-climate-change-and-health/healthy-urban-environments/housing/health-risks>

[9] <https://www.abc.net.au/news/2023-07-01/canberra-men-burned-gas-explosion-speak-pain-trauma/102545330>

[10] [https://envhealthcenters.usc.edu/wp-content/uploads/2020/05/natural\\_gas\\_USCEHC\\_eng.pdf](https://envhealthcenters.usc.edu/wp-content/uploads/2020/05/natural_gas_USCEHC_eng.pdf) [11]

[11] <https://www.un.org/en/climatechange/science/causes-effects-climatechange#:~:text=Fossil%20fuels%20%E2%80%93%20coal%2C%20oil%20and,of%20all%20carbon%20dioxide%20emissions.>

## THE ADVERTISER'S RESPONSE

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

*The complaint made is limited to Hancock Prospecting's use of the phrase "our clean gas" in an online advertisement that ran in The Weekend Australian pointing to employment opportunities within Hancock Group businesses.*

*Hancock Prospecting considers that there is a truthful and factual basis which supports the use of the words "our clean gas" in its advertising. This view is supported by the following facts:*

- *Lower carbon emissions – Natural gas emits about 50-60% less carbon dioxide than coal when burned for electricity generation, making it a cleaner fossil fuel option.*
- *Compatible with renewable energy – Natural gas power plants can quickly adjust their output, making them an ideal partner for intermittent renewable sources like wind and solar, ensuring grid stability (keeping the lights on) while lowering overall emissions. While not entirely carbon-free, natural gas serves as a practical bridge from coal and oil to a future dominated by renewable energy sources.*
- *Fewer pollutants – Unlike coal and oil, natural gas combustion produces minimal sulphur dioxide, nitrogen oxides and particulate matter that contribute to smog and respiratory issues. Unlike coal, natural gas combustion does not produce ash or solid waste, reducing environmental contamination and disposal challenges.*
- *Higher efficiency – Natural gas power plants, especially combined-cycle plants, operate at higher efficiencies than coal-fired power plants, leading to less fuel consumption and lower emissions per unit of energy produced.*
- *Reduced dependence on high-emission fuels – The increased use of natural gas has contributed to a decline in coal usage, which has historically been a major source of air pollution and greenhouse gas emissions.*

- *Cleaner transportation fuel – Compressed Natural Gas (CNG) and Liquefied Natural Gas (LNG) produce fewer emissions than gasoline or diesel, making them cleaner alternatives for vehicles, buses, and trucks.*
- *Water usage benefits – Natural gas power plants consume significantly less water than coal or nuclear plants, reducing water pollution and conserving freshwater resources.*

*As a result, Hancock Prospecting’s use of the words “our clean gas” is not misleading or deceptive or likely to mislead or deceive. The facts noted above are supported and substantiated through research and industry experience.*

*Further, we note that Hancock Prospecting received Clear Ads approval (no. GB1KIEDA) for the advert the subject of the complaint, confirming its compliance with advertising rules.*

*For these reasons, neither the advert the subject of the complaint nor the use of the words “our clean gas” within that advert are inconsistent with the requirements of the AANA Environmental Claims Code or any other advertising codes and the complaint should be dismissed.*

## **THE DECISION**

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 complainant’s concern that the advertisement is misleading and makes unsubstantiated environmental claims.

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

### **Does the advertisement make an Environmental Claim?**

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 a number of claims relating to economics and agriculture, however considered that the only statement that indicates an implied representation that the service interacts with the environment is the line, “our clean gas”. The Panel noted that the advertisement makes the Environmental Claim that the gas provided by the company is clean.

### Section 1a

#### **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.”*

The Panel noted the advertisement appeared in the online edition of the Weekend Australian and the average consumer in the target market would be adults with an interest in current events who access this news website.

The Panel considered that the phrase “clean gas” is broad and undefined.

A minority of the Panel considered that the advertiser had provided reasons for why gas could be considered clean in comparison to other energy sources and that this would align with the general community expectation for the meaning of the word “clean”. A minority of the Panel considered that the average consumer in the target audience would understand that gas still produced carbon emissions and would not be misled by the description of “clean gas”.

The majority of the Panel considered that most members of the community would understand “clean” in combination with an energy source to mean that the energy source does not produce emissions or have a negative impact on the environment. The Panel considered that the advertiser had provided information on why gas is cleaner than other energy sources, and not why it is completely clean.

The Panel considered that without further disclaimers explaining the limitations of the word “clean” in this context, the advertisement was misleading or deceptive or likely to mislead or deceive.

#### **1 a) Conclusion**

The Panel concluded that the advertisement did 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 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.*

*Factors to consider include:*

- *The use of broad or unqualified general claims of environmental benefit should be avoided unless supported by a high level of substantiation or associated with a legitimate connection to an authoritative source. Examples of claims that may be problematic unless properly qualified include: “green”, “environmentally friendly”, “environmentally safe”, “energy efficient”, “recyclable”, “carbon neutral”, “renewable or “green energy”*

The Panel noted that the term “clean” was a broad and unqualified general claim of environmental benefit which was not supported by a high level of substantiation.

Consistent with the discussion under Section 1a the Panel considered that the Environmental Claims in the advertisement were not substantiated.

**3 a) Conclusion**

The Panel determined that the advertisement did breach Section 3 a) of the Environmental Code.

**Conclusion**

Finding that the advertisement breached Section 1a and 3a of the Environmental Code the Panel upheld the complaint.

**THE ADVERTISER’S RESPONSE TO DECISION**



We confirm that the advertisement is discontinued.