

Case Report

Case number: 0281-25
Advertiser: South Australia Department for Infrastructure and Transport
Medium: Transport
Decision date: 19-Nov-2025
Decision: Breach
Action: Ad removed

ISSUES CONSIDERED BY THE COMMUNITY PANEL

- AANA Environmental Code - 1. Truthful & Factual - breach
- AANA Environmental Code - 3. Clear & Not Vague - breach
- AANA Environmental Code - 4. Genuine Benefit - breach

AD DESCRIPTION

This transport ad featured the words 'NATURAL GAS - Clean And Green' written across a section at the top of an Adelaide Metro bus.



SUMMARY

Complaint

A complaint was received on the grounds that the claim was misleading and unsubstantiated. The complainant argued that the claim is intended to encourage people to use the advertiser's Compressed Natural Gas ('CNG') buses on the basis that it is a more environmentally friendly alternative. However, CNG buses have an emissions profile that is very similar to diesel buses. CNG buses rely on methane, which is a fossil fuel, and contributes to global heating.

The claim is vague, and there is no evidence to support it on the advertiser's website.

A full copy of the complaint is attached as Appendix A.

Advertiser response

The advertiser responded that this message constitutes a label, and is not 'advertising'. The message does not seek to convince any third party to decide whether to use the service. It was not supplied by its advertising agency, but was included with these buses when they were purchased from the manufacturer in the early 2000's. At the time, CNG buses represented a reduction of approximately 13% in carbon dioxide, and a considerable reduction in harmful emissions such as carbon monoxide, nitrous oxides and particulates. CNG is a cleanerburning alternative to diesel that, when burned, produces fewer pollutants.

The advertiser added that these buses are scheduled to be removed from operations as they are reaching the end of their statutory life.

A copy of the advertiser's full response is included in Appendix B.

Decisions

The Panel found that the claim constituted an ad, and that it was in breach of sections 1, 3 and 4 of the AANA Environmental Claims Code as it communicated a claim that was misleading and unsubstantiated, was vague, and did not communicate a genuine environmental benefit.

ASSESSMENT AND DECISIONS

The Panel first had to determine whether the claim constituted 'advertising' as defined in the AANA Environmental Claims Code.

The Code defines 'Advertising' as 'any advertising, marketing communication or material which is published or broadcast using any Medium or any activity which is undertaken by, or on behalf of an advertiser or marketer,

- over which the advertiser or marketer has a reasonable degree of control, and
- that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct'

The Code stipulates that this definition does not include labels or packaging for products, corporate reports including corporate public affairs messages in press releases and other media statements, annual reports, statements on matters of public policy and the like, or (in the case of broadcast media), any material which promotes a program or programs to be broadcast on that same channel, station or network.

Panel assessment

The Panel noted that the advertiser procured these vehicles decades ago, and that the claim had been placed on the vehicle at the time of purchase. However, the Panel considered that, since then, the advertiser has had full control over the vehicle and any signage on it.

The Panel considered that the claim draws attention to the buses in a manner that promotes it as an environmentally friendly mode of transport. The Panel considered that the message to commuters would be to use these CNG buses, as they are preferable to, for example, driving one's car every day. As such, the claim is intended to promote the advertiser's services.

Panel decision

The Panel found that the phrase 'NATURAL GAS - Clean And Green' met the definition of 'advertising' as outlined in the Code.

The next question was whether the claim communicated an 'environment claim' as defined in the AANA Environmental Claims Code.

The Code defines 'Environment Claim' as 'any message or representation (including text, images, graphic, audio or symbolic representation) that gives the impression that an industry, business, product or service:

- has a neutral or positive impact on the environment
- is less harmful for the environment than alternatives, or
- has specific environmental benefits.'

Panel assessment

The Panel considered that the claim communicates that this bus runs on 'NATURAL GAS', which the advertiser claims to be 'Clean And Green'. The Panel considered that commuters are likely to interpret this to suggest an environmental benefit, or positive impact on the environment.

Panel decision

The Panel found that the phrase 'NATURAL GAS - Clean And Green' constituted an 'Environment Claim' as defined in the Code. The Panel, therefore, had to determine whether the claim complied with the relevant provisions of the Code.

Section 1 (AANA Environmental Claims Code): Environmental Claims in Advertising must:

- a. Be truthful and factual. The overall impression created by the advertisement including the Environmental Claim should not be false or inaccurate.**
- b. Not be or likely to be misleading or deceptive to the Target Consumer.**

The relevant sections of the Practice Note state:

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 in this Code.

Instead, consideration will be given as to whether the Target consumer would likely be misled or deceived by the Advertising.

Any Environmental Claim should be accurate, true and factually correct.

Advertisers should present information to consumers in a way that enables them to make like-for-like comparisons.

Panel assessment

The Panel noted the advertiser's submissions that CNG is a green fuel that is sulphur-free, and that CNG combustion does not produce sulphur dioxide, a major contributor to acid rain and respiratory issues. The Panel considered that the advertiser did not provide any evidence or reference any source material to support these statements. However, the Panel accepts that online searches appear to point to similar arguments.

The Panel considered that CNG buses were originally introduced to provide more environmentally responsible transport than diesel buses. The Panel noted, however, that during the past two decades, modern transport solutions have evolved dramatically, and now include electric, hydrogen and hybrid alternatives. The Panel considered that there was nothing provided to show that, compared to all alternative options available in 2025, CNG buses would be considered clean or green.

The Panel considered that the phrase 'NATURAL GAS Clean And Green' communicated a misleading and untruthful claim about the environmental benefit of using CNG buses.

Panel decision

The Panel found that the ad breached Section 1 of the AANA Environmental Claims Code.

Section 3 (AANA Environmental Claims Code): Environmental claims in advertising must:

- **Use clear language, having regard to the target consumer**
- **Be specific – broad, vague or unqualified claims should be avoided**
- **Include important limitations, conditions or qualifications in a way that is clear to the target consumer**

The relevant sections of the Practice Note state:

Advertisers should be specific when making Environmental Claims and it should be clear if the Environmental Claim refers to an entire or part of a product, component, package, service or company's business operations.

Vague, broad or non-specific claims (sometimes called 'general' claims) include claims such as 'environmentally friendly', 'eco friendly', 'eco safe', 'green', 'go green', 'choose green', 'sustainable', or any other terms implying that a product or an activity has no impact - or only a positive impact - on the environment. Such claims may be misleading unless appropriately qualified, a high standard of proof is available, or the claim is linked to a specific properly substantiated environmental attribute that clearly limits the scope of the claim to such attribute.

Panel assessment

The Panel considered that the phrase 'NATURAL GAS - Clean And Green' communicated a vague reference, and did not allow consumers to make an informed decision about the nature and extent of the environmental benefit claimed.

The Panel considered that the claim was not qualified or contextualised in any way. The Panel considered that the claim appears to have originally been intended to be made in comparison to diesel buses, but that this limitation was not disclosed, and was arguably becoming less relevant as newer, more efficient and environmentally responsible technologies emerge. The Panel considered that the claim was broad, vague and unqualified, meaning that the average consumer would not have a clear understanding of what the claim meant to communicate, or what limitations may apply.

Panel decision

The Panel found that the ad breached Section 3 of the AANA Environmental Claims Code.

Section 4 (AANA Environmental Claims Code): Environmental claims in advertising must:

- **Be about a genuine benefit to the environment**
- **Not overstate the environmental benefit.**

The relevant sections of the Practice Note state:

Environmental Claims about a product, service or business should only be made when there is a genuine environmental benefit.

Some claims that are literally true may be misleading because they exaggerate the benefits of the product or they may give an overall impression that is misleading. For example, a claim that a product contains ‘twice as much recycled content as before’ when the amount was very low to begin with could be misleading or when one or more specific and accurate claims about relatively minor or related matters give a misleading impression about overall environmental effects.

Panel assessment

The Panel considered that the phrase ‘NATURAL GAS - Clean And Green’ communicated a vague reference and provided no context that allowed people to understand the extent of the environmental benefit being claimed.

The Panel noted that, when these buses were procured roughly 25 years ago, it was understood that CNG technology allowed for cleaner emissions and more efficient operations. However, the Panel considered that the advances in science and technology likely meant that the claim was no longer communicating a genuine benefit in relation to all available modes of transport.

The minority of the Panel considered that the reference to being ‘Clean And Green’ was not vague, and could be considered a genuine benefit over older, diesel-powered vehicles. However, the majority of the Panel considered that making the claim that these buses were ‘Clean And Green’ was likely an overstatement of facts, as there are other alternatives which might seem substantially more ‘Clean And Green’ than CNG buses. The Panel also considered that the absence of any supporting documentation or information meant that it was not possible to determine to what extent (if any) the claim was genuine and accurately reflected the environmental benefit of CNG technology.

Panel decision

The Panel found that the ad breached Section 4 of the AANA Environmental Claims Code.

OTHER CONSIDERATIONS

The Panel found that the ad did not breach any other section of the advertising codes.

ACTION

The Department for Infrastructure and Transport recognises the importance of the National Advertising Standards including the ANAA Code.

The Department has reviewed the decision and will take the appropriate action to remedy the issue in the near future.

APPENDIX A: COMPLAINT

The ad's target market is prospective passengers, to make them feel positive towards Adelaide Metro and its environmental credentials. This could make potential passengers choose to buy tickets on CNG buses rather than take a more environmentally friendly transport option such as bikes or walking. It could also give other Adelaide residents the false impression that gas is good for the environment.

We believe the claim that natural gas is "Clean and Green" is false, misleading and not substantiated.

Why Adelaide Metro Claims may breach the Code

The Environmental Claims Code defines an Environmental Claim as:

"any message or representation (including text, images, graphic, audio or symbolic representation) that gives the impression that an industry, business, product or service:

- a) has a neutral or positive impact on the environment
- b) is less harmful for the environment than alternatives, or
- c) has specific environmental benefits.

The Claims are Environmental Claims to which the Code applies because they represent that "clean" and "green" gas has a positive influence on the environment and is less harmful than other bus fuels.

Relevant provisions of the Code

1. Truthful and factual

- a) Be truthful and factual. The overall impression created by the advertisement including the Environmental Claim should not be false or inaccurate.
- b) Not be or likely to be misleading or deceptive to the Target Consumer.

2. Evidence

Environmental Claims in Advertising must be supported by evidence.

3. Clear and not vague

- a) Use clear language, having regard to the Target Consumer
- b) Be specific - broad, vague or unqualified claims should be avoided
- c) Include important limitations, conditions or qualifications in a way that is clear to the Target Consumer.

False Representation

“Natural Gas – Clean and Green”

This is an overall claim that falsely presents gas as having no negative environmental impacts.

We believe the use of words “clean” and “green” in the ad is falsely asserting that gas is a) free of dirt or environmental pollution, and b) not harmful.

Ad Standards ruled in February 2025 that Hancock Prospecting’s use of the term “clean” in relation to gas was “broad and undefined” and “was misleading or deceptive or likely to mislead or deceive.” [1]

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.”

Truthful and factual

The ad refers to the buses being powered by compressed natural gas (CNG) - a highly compressed form of natural gas – composed mostly of methane. In comparison to the technology CNG has been replacing (diesel buses), the emissions profile is very similar.

In various studies of city/transit buses around the world, CO2 emissions per km travelled has been found to be similar in CNG buses as compared to diesel [4]: only 4.8% less emissions with CNG in Victoria, Canada; 6.3% less with CNG in Oporto, Portugal; ~10% more with CNG in Finland and California; no consistent difference in a meta-analysis [5].

Gas production and combustion creates pollution including oxides of nitrogen, sulphur dioxide, carbon monoxide and mercury, which are all listed on the Australian Government National Pollutant Inventory. [6]

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.” [7]

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. [8]

Portable gas heaters release excessive quantities of NO_x into the indoor environment; they also pose risks for carbon monoxide poisoning. [9]

Gas is flammable and is also a cause of injury and death through accidents and explosions. [10]

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. [11]

Gas (methane) 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.” [12]

Evidence

The assertion that gas is “Clean and Green” is not backed up or clarified in any materials on the Adelaide Metro website [13]. In fact, Adelaide Metro is replacing its bus fleet with electric vehicles which it says are “better for the environment” [14].

Clear and not vague

“Green” is one of the vague and non-specific claims listed in the Code Practice Note as a term to be avoided unless appropriately qualified. In this case there is no qualification on the ad itself or on the Adelaide Metro website.

Thank you for looking into this matter.

[1] <https://adstandards.com.au/wp-content/uploads/2025/02/0009-25.pdf>

[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] Pourahmadiyan A, Ahmade P, Kjeang E (2021). Dynamic simulation and life cycle greenhouse gas impact assessment of CNG, LNG, and diesel-powered transit buses in British Columbia, Canada. Transportation Research Part D 92:102724.

[5] Hesterberg TW, Lapin CA, Bunn WB (2008). A Comparison of emissions from vehicles fuelled with diesel or compressed natural gas. Environmental Science and Technology 42:6437-6445.

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

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

[8] <https://www.scientificamerican.com/article/the-health-risks-of-gas-stoves-explained/#:~:text=A%202013%20meta%2Danalysis%20of,attributed%20to%20gas%20stove%20use.>

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

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

[11] https://envhealthcenters.usc.edu/wp-content/uploads/2020/05/natural_gas_USCEHC_eng.pdf

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

[13] <https://www.adelaidemetro.com.au/about-us/go-green>

[14] <https://www.dit.sa.gov.au/news/feed?a=1487144>

APPENDIX B: ADVERTISER RESPONSE IN FULL

The Department considers the message that is attached to the Bus relating to Natural Gas is a label for the product and not advertising. The message is not seeking to convince any third party to decide whether to use the service. Also, the message attached are not labels that are supplied/displayed by our bus advertising supplier JCDecaux.

The labels attached to the bus were included with the bus (installed by the manufacturer) when they were purchased by the Department in the early 2000's. The statutory operational life of a bus is 25 years.

The Department advises that it has been removing the CNG buses from service and there are currently only 84 CNG buses remaining in the operational fleet. The Department is targeting their removal (nearing end of statutory life) from service as soon as replacement buses can be delivered.

At the time the Compressed Natural Gas (CNG) buses were introduced into service, they represented a reduction of approximately 13% of carbon dioxide, however most significantly, they represented a considerable reduction in other harmful emissions including carbon monoxide, nitrous oxides and particulates (PM10).

In terms of the validity of the statement on the buses, CNG is a green fuel that is sulphur-free, making it a cleaner choice for our air quality and public health. Unlike other fossil fuels, CNG combustion does not produce sulphur dioxide, a major contributor to acid rain and respiratory issues. CNG is a cleaner burning alternative to diesel that, when burned, produces fewer pollutants.