



GREEN MACHINES

Adverts for cars often focus on the environmental credentials of the vehicle in question. The pressure is on to demonstrate that cars can be environmentally friendly, which can cause problems.

The Advertising Standards Agency, or ASA, keeps a watchful eye on advertising to ensure that it complies with the various advertising codes. There have been a number of recent ASA decisions relating to environmental claims made by the automotive industry.

Lexus was unfortunate enough to have two complaints upheld against it. The first advert included the claims "PERFECT FOR TODAY'S CLIMATE (AND TOMORROW'S)" and "Driving the world's first luxury hybrid SUV makes environmental, and economic, sense." Four people complained about the advert. Lexus pointed out that the RX 400h was a hybrid vehicle and that it was more environmentally friendly than standard SUVs. However, the ASA agreed with the complainants, finding that the advert implied that the emissions produced by the Lexus RX 400h were low in comparison to all cars and that the car caused little or no harm to the environment, neither of which was the case.

The next advert for the Lexus RX 400h fell into similar difficulties. This campaign used the headline "PUT YOUR CARBON FOOT

DOWN". It claimed that the car was "better for the environment" and offered customers the chance to "make a stand for the planet, but arrive in style". Despite being shown evidence that the RX 400h produced lower CO2 emissions than other cars in its class, the ASA thought that the advert did not make it clear that Lexus was comparing its car with other cars in the same class. The comparison did not stand up when compared to all other cars. The advert was found to be misleading because this qualification was not made clear. In both cases, Lexus was told not to run the adverts again in the current form.

Toyota ran into similar problems with the ASA when it described its RAV4 XT-R as having low emissions. Again, the ASA thought that the advert was misleading because the basis of the comparison, namely other SUVs, was not clear.

Green imagery is often used to get the message across. Renault ran an advert which included an image of leaves coming out of the exhaust of a car to promote its Twingo Dynamique, part of its eco2 range of cars. Renault was told not to repeat the advert on the basis that it made the car appear to be more environmentally friendly than it is the case.

It can be difficult to predict whether an advert crosses the line but there are a few points to note. You should take account of the advertising codes and the Green Claims Code (issued by DEFRA). Claims such as "low emissions" need to be carefully qualified. If you mean that the emissions are low compared to other cars in that class, you need to make that clear. Care needs to be taken that the claims made are reasonable and can be substantiated. Finally, avoid overstating the environmental credentials of the advertised product.

The article contains a summary of complicated issues and should not be relied upon for specific matters. You are advised to take legal advice on particular problems.

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