[IE] Advertising Standards Authority upholds complaints over Toyota commercial

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The Advertising Standards Authority for Ireland (ASAI) has upheld complaints in relation to television and radio advertising for Toyota Ireland (Toyota). The complaints centred on the question of "compatibility" of the "common claim" in the adverts to the effect that Toyota were "The Best Built Cars in the World" with the "widely publicised recalls" of Toyota cars.

The complaints were considered under various sections of the ASAI Code 2016 (see IRIS 2016-5/21), including sections dealing with "Honesty" and "Truthfulness". Section 2.22 of the Code states that "Advertisers should not exploit the credulity, inexperience or lack of knowledge of consumers." Section 2.24 provides that "A marketing communication should not mislead, or be likely to mislead, by inaccuracy, ambiguity, exaggeration, omission or otherwise." In considering the complaints, the ASAI also took into account the fact that "Compliance with the Code is assessed in the light of a marketing communication's probable effect when taken as a whole and in context" under Section 1.6 (c).

In response to the complaints, Javelin Advertising, the agency for Toyota, submitted inter alia a range of international "publications and reports", which they stated provided "substantiation for the claims that were made in the advertising."

The ASAI Secretariat sought independent expert advice on the "substantiation" provided by Javelin. It further "sought comprehensive information on recalls for Toyota, and a range of other large manufacturers, in order to address the relative position of Toyota and the effect of its claim to produce 'The best built cars in the world.'" The independent expert stated that while he was "not satisfied that a claim that a particular Toyota car was better built" than "super" cars such as Ferrari, Rolls Royce etc., he was of the opinion that Toyota had substantiated a claim to be "the best built mass produced cars in the world."

In reaching its decision, the ASAI Complaints Committee had regard to the detail of the complaints, the advertiser's responses and the information submitted by them, and the opinion from the independent motor industry expert. The Committee "acknowledged" both the "information demonstrating the quality of

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the manufacturing process used by Toyota" and the independent expert's view that the claim had been substantiated in relation to the "best built mass produced cars in the world." The Committee were of the opinion however, that a "very high level of substantiation would be required to prove a "superlative" claim such as "best built" particularly in the context of it being 'in the world.'" In this context, the Committee were of the view that it was "difficult to envisage the circumstances in which a claim of this magnitude could ever be fully proven." The Committee noted that "no independent tests evaluating all the car brands available in the world" had been presented.

In finding that the claim 'Best built cars in the world' had not been substantiated and was not in compliance with the Code, the Committee upheld the complaints and requested that Toyota should not use the claim again.

Advertising Standards Authority for Ireland, Broadcast Bulletin 16/2, Complaint Reference 22314, 20 April 2016

http://www.asai.ie/complaint/motoring-12/

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