

15 February 2022

Mike Hunua

By email only: [fyi-request-18261-08fe8cce@requests.fyi.org.nz](mailto:fyi-request-18261-08fe8cce@requests.fyi.org.nz)

Dear Mike

### **Official Information Act #21.117**

1. We refer to your Official Information Act 1982 (**OIA**) request received 20 January 2022 for information about whether the Commerce Commission (**Commission**) has looked (or is presently looking) into claims made by fuel companies who sell petrol and diesel with cleaning additives that improve fuel economy, to prove or disprove the following:
  - 1.1 that the additives are being added to fuels at all; and/or
  - 1.2 whether the claims by some fuel companies around cleaning engines, fuel injectors and driving cars further with better mileage have any truth to them or are misleading.
2. If so, you would like a copy of any findings of investigations, even if the fuel company names need to be redacted due to commercial sensitivities.

### **Our response**

3. We have decided to grant your request.
4. The Commission's role in regulating the fuel industry, under the Fuel Industry Act 2020, does not include issues of the type you have described at paragraph [1] above. You can find further information about the Commission's regulatory role in the fuel industry on our website.<sup>1</sup>
5. The Commission can investigate conduct under the Fair Trading Act 1986 (FTA), however it is not currently investigating conduct under the FTA.

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<sup>1</sup> <https://comcom.govt.nz/regulated-industries/fuel>

6. We note that in 2010 the Commission filed proceedings against Shell New Zealand Limited under the FTA in relation to claims that its fuel economy formula would enable motorists to travel further. The proceedings were not upheld in the District Court. You can find further information about the matter including the Court judgment in the Case Register on our website.<sup>2</sup>
7. The Commission receives complaints from consumers around New Zealand about issues of concern, including complaints about claims made by fuel companies. If you have a concern about the conduct of a business or individual, you can make a complaint to us using the webform on our [website](#), by email at [contact@comcom.govt.nz](mailto:contact@comcom.govt.nz) or by phone on 0800 943 600.
8. We receive thousands of complaints every year, and investigate some complaints but not others. Our focus is to make sure New Zealand markets work well and consumers and businesses are confident when buying or selling goods and services. This means we tend to be most interested in the issues that could cause widespread harm to New Zealanders.
9. We value all complaint information and keep this information in our complaints database. We use this database to identify business practices of possible concern and may refer to this to help decide whether to investigate similar behaviour in the future. This database also helps us to decide how we can best assist businesses to understand and comply with the law.
10. Please note the Commission will be publishing this response to your request in the OIA register on our website.<sup>3</sup> Your personal details will be redacted from the published response.
11. Please do not hesitate to contact us at [uia@comcom.govt.nz](mailto:uia@comcom.govt.nz) if you have any questions about this request.

Yours sincerely



Alexandra Murray

OIA and Information Coordinator

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<sup>2</sup> <https://comcom.govt.nz/case-register/case-register-entries/shell-new-zealand-limited>

<sup>3</sup> <https://comcom.govt.nz/about-us/requesting-official-information/oia-register>