



CASE REPORT

1. Complaint reference number	403/09
2. Advertiser	General Pants Group
3. Product	Clothing
4. Type of advertisement	Internet
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 9 September 2009
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

Internet advertisement with a close-up of 12 human mouths photographed in color, each displaying various art-work. One of the mouths for Nudie Jeans is sewn together with thread.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

My objections are as follows:

Any child or sensitive teen / adult exposed to the image will find it violent, disturbing and distressing.

It depicts brutal sado-sexual oral mutilation of a young woman and sends a clear message to violent psychopaths that this is a good option for a copycat attack ~ 'life imitating art'.

It refers back to and trivialises the horrific act of self-mutilation to which some despairing asylum seeker detainees were driven during the Howard/Ruddock regime. Traumatized children in detention centres also witnessed those acts, and there is a high risk that those same people will be exposed to the image, with obvious consequences.

It sends confusing messages about food refusal and hence body image, and will impact on impressionable and vulnerable children, as well as teens and adults who may be developing or already suffer serious, life-threatening eating disorders such as anorexia.

It sends confusing messages about young women's 'silence', through being denied, or themselves denying, their own 'voice' ~ 'this girl's lips are desirable and they're sealed lips'

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The complaints allege the Advertisement causes alarm and distress and that it breaches section 2.2 of the AANA Advertiser Code of Ethics. General Pants Co. is careful to consider the seriousness of these complaints and would like the Board to consider the following information in its review of the complaints.

- *General Pants Co. is a retailer of popular fashion brands – our business is built on the brands we carefully select to stock.*
- *Store windows are a portal to our product offer, not a lifestyle suggestion. As is our website.*
- *In the case of the Advertisement, General Pants Co. devised a window campaign to highlight the*

selection of denim brands available in store. Built around the tag line 'General Pants Co. The Word On Denim,' the campaign incorporates the uniquely identifiable features of each denim brand within a person's mouth. For example, the iconic Levi's Red Tab, the Cheap Monday skeleton-character logo, and April77 - a jeans company with a rock and roll heritage - represented with a guitar pick held in the mouth.

- A total of 11 brands were represented. Of this set, the image that is for review is one dedicated to Nudie Jeans. The brand features an iconic orange stitch on its denim products. The idea to replicate this orange stitch across the area of the mouth was never intended to signify violence, self-mutilation or any act of a sado-sexual nature. The stitch was a repetition of the Nudie 'N' as is present in their logo and on the pack patch of their jeans.*
- At no time were any such references of violence in our vision.*
- The overall message of the campaign is about the collective of brands, not a focus on any one image.*

In May of this year General Pants Co. partnered up with Marie Claire magazine and White Ribbon to campaign to raise awareness about domestic violence. The company prides itself on its community-minded approach, with an ongoing relationship with youth outreach Point Zero and a long-standing affiliation with ReachOut!. When the complaints were received the measures were put in place to remove the offending image. General Pants Co., while reaffirming that no such referenced to violence were part of the vision for the Advertisement, apologises that one of the images used in the set conjured up such emotions in the complainants. General Pants Co. would never intentionally go to market with such dark references.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainants' concerns about the image of the mouth sewn shut in the advertisement.

The Board considered that the image of a woman's mouth sewn shut was a depiction of an act of violence against a woman or of self harm, again an act of violence. The Board noted the advertiser's response that the stitches are intended to evoke the stitching of the jeans. The Board noted that the image is on the advertiser's website and that the advertiser sells products for both men and women. The Board considered that the depiction of violence in the image was inappropriate, even for an audience that has voluntarily gone to the website, was not relevant to the product advertised and is in breach of section 2.2 of the Code.

The Board also noted that the image contained an image that appeared to be a mouth with tape over it covered by text 'nil by mouth'. The Board expressed some concern about this image and a possible suggestion that women should not eat but considered that this image did not breach section 2.6 of the Code.

Finding that the advertisement breached the Code, the Board upheld the complaints.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

We are sending out a directive to all our GP stores today to remove the denim campaign from all stores and we will also be taking the denim campaign down from our website.

The denim campaign will be removed as outlined above by the end of this week (18/09/09).