

Advertising, Marketing & Promotions Alert

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In Assessing Negative Stereotyping in Advertising to Kids, CARU Now Takes Product and Product Packaging Into Consideration

For the first time, the Children's Advertising Review Unit (CARU) issued decisions that advertisements had violated its newly amended guideline prohibiting negative stereotyping in children's advertising. The decisions argued not only that the advertising but also the products and their packages violated the CARU guidelines. The two new rulings cite violations of CARU's revised Self-Regulatory Guidelines for Children's Advertising (Ad Guidelines), which took effect on Jan. 1. The revised guidelines state advertisers must strive to create content that is welcoming to children of all races, religions, cultures, genders, sexual orientations, and physical and cognitive abilities. CARU investigated marketing campaigns for boys' and girls' clothing with gendered slogans and a line of makeover dolls. The unit, part of the BBB National Programs, routinely monitors websites and online services for compliance with its Ad Guidelines and Self-Regulatory Guidelines for Children's Online Privacy Protection and the Children's Online Privacy Protection Act (COPPA).

Gendered T-Shirts

As part of its routine monitoring, CARU looked at children's T-shirts with slogans designed for either girls or boys, made and sold by a fast fashion retailer. The company advertised separate lines of T-shirts for girls and



boys on its website and social media pages. The T-shirts for girls had slogans including:

- "Be Kind, Be Happy"
- "Kindness always wins"
- "Always Perfect"
- "Grateful, humble and optimistic"
- "Be good, do good"

T-shirts for boys, on the other hand, featured slogans such as:

- "Change the game"
- "Born to win"
- "Power"
- "Champion"
- "Total Icon"

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CARU determined in its June 30 decision that the retailer's products and the website advertising its products created negative gender stereotypes in violation of its Ad Guidelines. "[The company's separate lines of message T-shirts advertised to girls and boys create a dichotomous world of goals and attributes—those appropriate for girls and those appropriate for boys," it explained.

Based on its findings, CARU recommended that the retailer modify the clothing at issue and its related advertising messages to avoid encouraging negative social stereotyping, prejudice or discrimination.

The company agreed to make changes to its children's clothing, including removing gender-specific designations. The company also removed separate sections for baby boy and baby girl clothes; it now organizes baby clothes by age instead of gender.

The Retailer's Arguments

In its response, the company pointed out that it also advertised and sold a boys' shirt with the slogan "kindness makes the world go round" and sweatshirts designated as unisex with the messages "kindness, happiness, together" and "happy." It noted that it also advertised in-store girls' clothing that says "courage" and "be the change."

CARU rejected the company's arguments, noting that its review of advertising on the company's website and social media pages indicated that most of the brand's boys' and girls' clothes "contained slogans representing gendered, negative stereotypes." In addition, CARU said that even if the in-store signs cited by the company were presented in a gender-neutral manner, the signs did not counteract the numerous instances of negative stereotyping addressed in the review.

The retailer also objected to CARU's recommendation that it modify its actual products, not just the advertising. The company argued that CARU lacked jurisdiction in this case because its purview is the advertising for products, not the products themselves. CARU disagreed, saying that the messages on the children's clothing constitute commercial messages, the purpose of which is to promote the sale of the clothing.

Further, CARU pointed out that the advertising messages at issue are directed to children under age 13. While

parents or other adults may be the primary purchasers of products advertised to children, CARU said in its decision that "it is obvious from the clothing designs that these messages are designed to be attractive to kids who are enticed by their colorful and eye-catching advertising messages and will want the clothes and urge their parents to buy them."

Makeover Dolls

CARU also found several issues with the advertising and product packaging for a line of "makeover" dolls during CARU's routine monitoring.

The female dolls are described as characters who have "tried out the latest online beauty tutorials and things didn't go to plan ... now they need your help to fix that beauty fail!"

A 30-second commercial opens with a doll that has smudged makeup and tangled hair putting her hand over her mouth and saying, "Oh no!" The next frame shows a mirror with the doll looking into it as several hands with hair and makeup brushes adjust her appearance. A jingle plays in the background, and then a glamorous version of the doll appears with perfectly styled hair and makeup.

The packaging design for each of the five dolls is divided into two halves. One half displays the doll in a bathrobe with smeared makeup and messy hair, which is portrayed as a "fail." The other half shows a glamorous version of the doll with perfect hair and makeup, which is portrayed as "fixed."

The back of the product package features messages including:

- "I'm not Perfectly Preppy. I'm perfectly frightful, waaaaaah!"
- "I'm not flowy or glowy, I'm a mess!"
- "This faux hawk doesn't slay—I look CRAZY!"
- "My dance class starts soon. I can't move with this tangled mess."
- "Nope. No way. Nuh-uh. I can't be seen like this!"

Gender, Racial Stereotypes

CARU concluded that the advertising for the line of dolls, including TV commercials, social media

posts and product packaging, perpetrated negative stereotypes about a girl's appearance. "The depiction and characterization of a girl with imperfect makeup and messy hair as a failure and the subject of public embarrassment is likely to perpetuate negative and harmful stereotypes about girls, and specifically, that they must look perfect to feel good about themselves," CARU said in its Aug. 3 decision.

"These advertising messages place undue pressure on girls to conform to artificial standards of beauty and perfection to see themselves as valued—or even just be seen in public. CARU finds these disparaging messages to be harmful to a child's development and well-being, regardless of gender," said CARU.

In addition, CARU considered the diversity of the dolls. While CARU said it recognized that the company attempted to market a line of racially diverse dolls, it determined that the characteristics attributed to each doll are likely to promote racial and cultural stereotypes rather than inclusivity.

For example, one doll appears as an Asian girl who is obsessed with anime, another is a Black girl who is characterized as a hip-hop dancer, and a third doll has light skin and blond hair and is described as a "hardworking scholar."

Toy Company Response

The company responded, maintaining that the dolls present a "positive, empowering, and heroic moment for a girl to help out her doll friend and restyle her in a traditional doll play pattern of hair play and makeup play." The company explained that the overall message of the advertising is that "nobody is perfect and it's ok to make mistakes," and that it "directly contradicts traditional doll advertising that focuses only on physical perfection."

Further, the company said it instructed influencers promoting the dolls, "We do not want to position this brand as wanting/needing to 'fix' girls. It's the process and humor of the transformation from #Fail to #Fix. The ... dolls embrace being human, making mistakes and also being real."

CARU disagreed, concluding that advertising and product packaging for the dolls sent a clear message to children that "beauty fails" must be corrected so girls can achieve the advertised stereotypical beauty standards.

During the investigation, the company informed CARU that it ceased selling or actively marketing the dolls. Only minimal inventory to be sold remained at retailers, and all related content and advertising materials were removed from online platforms.

Widened Scope

Advertisers should be aware that CARU has widened the scope of what contributes to the promotional messages being sent to children under age 13. Both decisions targeted not just the brands' advertising campaigns, commercials, website messaging and in-store displays but also their products and product packaging.

But as key definitions in CARU's Ad Guidelines below indicate, much is left open for interpretation:

- "Advertisement," Advertising" and "Ad" are defined as "any commercial message or messaging primarily directed to children under age 13 (whether written, oral, or non-verbal) in Covered Media that promotes the sale of one or more products or services."
- "Covered Media" is defined as "all forms of media including, without limitation, all forms of print, television, radio, video, audio, internet, mobile, other digital media, influencer content, out-of-home, signage, sponsorships, event-based media, labeling, and the Advertiser's websites, social media channels, and apps."

CARU's decisions require that brands evaluate their advertising messaging in new ways. From a negative stereotyping point of view, advertisements must ensure that genders are treated equally and not according to traditional gender roles and expectations.

Brands also need to look at how the product and product packaging contribute to the messages being sent to children. As CARU's investigation of both the slogans on children's clothing and the fail/fix dolls show, a product's packaging as well as the product itself can promote problematic ideas.

The consequences of not thinking through a product's purpose and marketing campaign can be steep. While the clothing company removed gender categories from its displays, the toy company opted to discontinue its line of dolls entirely.

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