

COMPLAINT NUMBER	19/315
COMPLAINANT	J Coyle
ADVERTISER	Hanesbrand AUS PTY LTD
ADVERTISEMENT	Bonds, Television
DATE OF MEETING	2 September 2019
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Bonds X temp underwear shows a man measuring the temperature of various men's testicles and says in part: "As the planet heats up mankind is suffering, suffering in his jocks. This is glo-ball warming. A man-demic sweating up of the nether regions of 3.7 billion blokes. Fight glo-ball warming in a pair of Bonds X Temp - with ball-cooling technology. Science, join the fight today!"

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, J Coyle, said: The Bonds mens underpant advertisement unashamedly uses the issue of climate change to sell underpants, under the guise of "helping" and being part of "the fight". The ad claimed that wearing Bonds underwear cools testicles down and finished to claim that you can assist climate change by wearing Bonds underpants and cooling your testicles. This is false advertising, and I am deeply offended by the way that it trivialised such a serious issue facing the planet and its inhabitants to sell Underpants. Wearing Bonds will not help climate change in fact the carbon footprint of bonds underpants is undoubtedly quite high due to the shipping and manufacture.

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b);

Principle 2: Truthful Presentation: Advertisements must be truthful, balanced and not misleading.

Rule 2(b): Truthful Presentation: Advertisements must not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust or exploit their lack of knowledge. This includes by implication, inaccuracy, ambiguity, exaggeration, unrealistic claim, omission false representation or otherwise. Obvious hyperbole identifiable as such is not considered to be misleading.

The Chair noted the Complainant's concern the advertisement makes a climate change claim which is misleading.

The Chair said the likely consumer takeout of the advertisement was that the Advertiser was using humour and a play on the words "Glo-ball warming" and 'global warming' to promote its temperature regulating underwear for men.

The Chair said the advertisement did not make any claims about climate change and used the word 'glo-ball' rather than 'global' both verbally and visually throughout the advertisement.

The Chair said the hyperbolic nature of the advertisement was unlikely to mislead or confuse consumers and was not in breach of Principle 2 or Rule 2(b) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.