

# Banned Ads

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## Midnight Facts for Insomniacs

### Podcast Transcript

**(Note: transcript  
consists of episode  
outline)**

First, a quick overview of  
the history of advertising.

Early advertisements were  
created in eras before  
widespread literacy, so  
they often took the form of  
wooden or stone signs  
featuring simple images...  
an anvil for a blacksmith, a  
shoe for a cobbler. A skull  
and crossbones for a  
doctor. But in order to

stand out and build customer loyalty the images gradually became customized. They turned into logos, and would often be affixed to the products in the form of trademarks. I had no idea that trademarks and logos date from antiquity. But people have been creating brands for as long as they've been creating products. I feel like the first trademarks were promptly followed by the first trademark lawsuits and the first patent trolling. It's a slippery slope.

"I have patented a brand new medical product, I call it the rectum stabber. We use it to stab rectums, that's where the evil spirits hide. It's cutting edge technology. We stab rectums, then we pour in some snake oil, it's a

miracle process, many of our patients live well into their mid 20s. We are the one and only rectal stabber, often imitated, never duplicated. Don't be fooled with those generic anal pokers

The three primary forms of early advertising were in fact trademarks, sign boards and town criers.

Very grateful I didn't live in the heyday of town criers.

Let's never bring that back. Marketing via scream. "We've just rolled out our brand new street-corner Shouting campaign. We now market exclusively via

harassment." This would not fly today. We also still live in an era of throwable stones and I have a pretty good arm. I think Pop up ads are the new town criers. Hey! Buy this thing! You won't last 20 seconds.

“

Obviously, with the rise of paper magazines and newspapers and trade publications, printed advertisements became the primary medium for self promotion, beginning with fliers and so-called trade cards that eventually evolved into modern business cards. Which may be a relic, post covid. No one's handing anyone a dirty piece of cardboard these days. But they still hand each other money, which is gross. A dollar is a crusty disease rag. All it does is pick up germs and swap them all day long. Please use phone payments, Apple Pay or other contactless payments. Don't make a cashier touch the butthole of humanity just because you want a pack of gum or

whatever.

The printing press also enabled the first widespread false advertising campaigns, as purveyors of snake oil and quackery realized that—at the time—there was no law against blatantly lying to consumers. As opposed to today, when lying to consumers is illegal but tolerated, so at least we pretend we care. As long as you call your product a supplement you can say whatever you want.

“Shane’s flying serum. It will give you the superhuman ability to fly... asterisk...metaphorically. In the sense of being high as a kite. It’s methamphetamine.”

As the 19th century dawned, skillful use of print advertising led to the first widespread and recognizable brand

names. The man considered the "father of modern advertising" was a British guy named Thomas J Barret, who spearheaded the first truly legendary ad campaign for Pears Soap, when he birthed the famous and universally beloved slogan, "Good morning. Have you used Pears Soap?" He astutely and very relevantly noted, "tastes change, fashions change, and the advertiser has to change with them. An idea that was effective a generation ago would fall flat, stale, and unprofitable if presented to the public today." Yeah. Case in point. But honestly I wish ads today were all as polite and reasonable as the Pears Soap era. "Good morning. Consider viagra. No? Fair enough. We respect your freedom of choice, and wish you and

your flaccid penis the best of fortunes. Huzzah."

Barret pioneered many advertising techniques that are commonplace today, such as carefully curating the brand image, imbuing it with a sense of luxury and refinement, and placing an image of the product in iconic paintings that would be recognizable to consumers and create positive associations.

The first modern American advertising agency was founded in Philadelphia in 1869. N.W. Ayer and Son would go on to create some of the most successful campaigns in history, including AT&T's not-at-all creepy "reach out and touch someone" campaign, aka the molester motto, the "Be All you Can Be" US army

slogan (I guess for many people "all they could be" was cannonfodder—I'm conflicted about army advertising), and Ayer and Son also were responsible for one of the most successful and I would argue one of the most damaging and insidious ad campaigns in history for the DeBeers diamond company. Even though the campaign was birthed in 1947, almost everyone still recognizes the slogan "A diamond is forever." Side note, we should do a whole episode on that campaign and how it convinced people that diamonds are rare and valuable—which they aren't—and worse, the campaign convinced young couples, who were often starting out in life with minimal income, that the amount of money a



man spent on a completely useless chunk of compressed carbon indicated the magnitude of his love. DeBeers turned spending money into a rite of passage and a competition...if a woman's fiancé didn't throw enough money down on a blood diamond—the ethical implications of diamond mining are a whole other issue and could be an entire separate episode—but if he didn't spend enough, her friends and family might judge her, and view him as a failure and a subpar provider. This is money that could have been put into a college fund for future children, or a down payment on a house. There is literally no point in buying an expensive ring when a \$50 engraved circle of metal would be

just as meaningful,  
arguably MORE  
meaningful, and I hate the  
entire concept of  
engagement rings and I  
also just bought a giant  
sparkling engagement ring  
for my fiancé. Because we  
live in a society, and it's  
what you do. BUT it's not a  
diamond. There are some  
tiny diamonds involved but  
it's an opal, it's my  
birthstone, it's what she  
wanted, and most  
importantly it makes her  
happy. Let's put aside the  
fact that what makes us  
happy is often dictated by  
marketing, either way,  
there *is* some benefit to  
paying for a thing that will  
make you happy even if  
that thing isn't logical. So  
enjoy your diamond rings  
but fuck DeBeers, and  
fuck N.W. Ayer and Son,  
and fuck advertising. End  
tangent. Now back to our

episode about advertising.

Amazingly it wasn't until the 1900s that marketers discovered the most powerful tool in the advertising arsenal. I don't know if you've ever heard this but in my extensive research I found an obscure saying that seemed appropriate: "sex sells." I know right? You're welcome. The campaign was created in 1911 by a woman named Helen Lansdown—very rare in the early twentieth century to find a woman working in corporate America, but marketing was one of the few industries in which female executives were acceptable, because sexism. Like: good outcome, bad rationale. But no ad executive male or female had ever proposed a campaign that

was so scandalous. The titillating ad was for the Woodbury Soap Company and featured a fully clothed man embracing a fully clothed woman above the slogan "A skin you love to touch." Scandalous! You get your filthy hugs out of my magazine, perverts. It does kind of bother me that the wording was "A skin you love to touch." If a woman offers to let me touch her skin, I'm on board. If she says, hey, do you want to touch "a skin?" Pass.

Also, people were really into soap back then. Or maybe they weren't, and that's why there was so much advertising to convince them to use soap.

I guess that tracks. It was a stinky time.

Also in the early 20th century, psychology began

to infiltrate and dominate the world of advertising. For more on that, check out our "weird psychology" episode. The next massive leap for marketing was radio, and then of course television. And now there are ads at movie theaters, which makes me blind with rage.

So as to the topic of this episode...there have been a number of regulations placed on the industry as well as outright bans through the years. By 1969, cigarette companies were the largest advertisers on television. President Richard Nixon signed the Public Health Cigarette Smoking Act on April 1, 1970, and on January 1, 1971, at 11:50 PM, the last ever televised cigarette ad aired during the Johnny

Carson show.

From the Federal trade commissions [ftc .gov](https://www.ftc.gov) website : Under the law, claims in advertisements must be truthful, cannot be deceptive or unfair, and must be evidence-based. The FTC also has specific regulations regarding marketing to children, health-based marketing including supplements, telemarketing, environmental marketing claims, and rules regarding disclosures of endorsements by influencers.

None of which has stopped marketers from finding ways to blatantly lie to the public, and more importantly, there are zero regulations when it comes to tastefulness. Other than like, porn. But for the most part, you can be ad

boneheaded and offensive as you want.

So let's talk about some marketing misfires.

## **Pepsi**

In 2017, with Black Lives Matter gaining traction and racial-justice protests ramping up across the country, the movement was crying out for a spokesperson, someone to symbolize the struggle of underprivileged people of color facing institutionalized discrimination. Who better to encapsulate this epic crusade against racial oppression than a wealthy young Instafamous surgery-enhanced Caucasian social media influencer. Kendall Jenner. Nothing screams "authenticity" like Botox-plumped lips and fake

titties.

At least, according to Pepsi.

The ad, first off, is 2 minutes and 48 seconds long. That's the real travesty here. Ads are typically like thirty seconds. A three minute ad, I'm measurably now closer to death. That's a full boxing round. that ad is a chapter of your life now. So the advertisement begins like all great ads do with a sweaty cello player on a rooftop. He's sawing away intensely over a soundtrack that appears to feature zero cello. This is interspersed with images of a generic protest or March of some kind on the street below, just a bunch of attractive young people carrying peace signs and motivated by some unspecified



grievance. And this is the most upbeat, optimistic, cheerful protest ever. This is a molly March. They're all smiles. Like angry enough to March and chant but added as I thrilled that it's a Wednesday. The marchers happen to pass a building in which Kendall Jenner is posing for a fashion shoot in an ill-advised blonde wig. It's not flattering. Just a side note. Fashion burn. You're not a fall complexion, Kendall. Stick to the summer shades. Kendall is intrigued by the ruckus. She rips off the blonde wig, she swipes off her lipstick with the back of her hand, and weaves among the Marchers toward a line of scowling police officers, on the way swiping a pepsi from an inexplicable barrel of sodas on the side of the

road. Because all marchers bring snacks. First rule of social justice protests: tailgate. Kendall marches straight up to the line of police and hands a Pepsi to a cop who is also clearly a male model. of course. She's not giving out sodas to uggos. Like, Kendall wants peace on earth or whatever but she also wants to smash. The backlash was brutal.

The daughter of Martin Luther king posted a picture of her father in a confrontation with police, along with the caption, *if only daddy would have known about the power of pepsi*. Solid burn.

The Kendall Jenner ad was compared to a famous image that had been captured only months before of a Black woman named Ieshia Evans

standing defiantly in front of a line of police officers who were clothed in full SWAT armor with face masks and shields and batons, and allowing herself to be arrested in protest. That image is incredible, just a breathtaking photo. So, yeah. The two images provided a stark contrast. Offering resistance to the authorities even when you know you'll be overpowered and imprisoned is a little different than offering your oppressors a refreshing, sugary beverage. So Pepsi quickly apologized...to Kendall Jenner. Sure they offered a half assed apology to the public for the ad itself but then they specifically made a point of apologizing to the grown ass woman who was dumb

enough to read that script and think, this is the perfect encapsulation of my brand. Tone-deafness is kind of my thing. It's so very 2017.

"Pepsi was trying to project a global message of unity, peace and understanding. Clearly, we missed the mark and apologize," the company said in a statement...We did not intend to make light of any serious issue. We are pulling the content and halting any further rollout"

Good choice.

## **Dove**

This one was initially confounding. I just...I was befuddled. I remember seeing this ad and gawking. Like, it just didn't compute. And now I think maybe I understand what

the company was shooting for so I at least feel a sense of satisfaction at a mystery solved. I sherlocked the fuck out of this advertisement and that makes me happy.

So for over a decade Dove has been running a campaign it refers to as "real beauty", which has been basically a very strategic attempt at positioning Dove as a woke brand. And I'm not using "woke" as a bad word—I consider *myself* pretty woke—but I'm just being real, this was a cynical attempt to hitch a ride on a social movement and it was bound to backfire. The "Real beauty" campaign was obviously positioned as an attempt to counter the narrative of mainstream attractiveness, which

interestingly enough, has been dictated and created by marketing campaigns. It's like rain on your wedding day. Unilever, Dove's parent company, is a founding member of the "Unstereotype Alliance"—unstereotype, not a word, but ok, I get the idea—it's an industry group committed to featuring "real women of different ages, sizes, ethnicities, hair color, type or style." One policy of theirs I do support, they don't touch up or photoshop images, and as mentioned they use models of all body types. Which, cool...But critics have pointed out some hypocritical, cynical inconsistencies. "Some point to the irony of a campaign celebrating women "just as they are" while using its models to promote a firming cream."

See what I'm saying?  
You're perfect the way you are but you'd be a little more perfect without those chunky thighs and cellulite. But overall, Dove has mostly received high marks and plenty of woke points for the campaign. So it was shocking in 2017 when Facebook clip of a dove campaign went viral for all the wrong reasons. The clip is extremely short—A black woman smiling at the camera as she yanks her shirt over her head...and poof, as the shirt is pulled off the woman is magically transformed into a grinning white girl—like the whitest of white women. And this is When my jaw dropped. Because This is an ad for soap. So what are we trying to imply here? How can you not interpret this as a before

and after? It seemed pretty damning.

"A white-supremacist group even posted on the company's Facebook page: "We enthusiastically support this new direction your company is taking. I'm glad we can all agree that #WhitelsPurity."

Dove did not even make a serious attempt to defend the ad. Their defense was feeble. "Dove told Business Insider the short video was intended to convey that Dove body wash was for every woman, as well as celebrate diversity." So basically "this terrible ad was supposed to be not terrible. Whoopsie." Like, there's no actual explanation of the rationale or thought process behind the ad. A more effective defense of



the advertisement came from an unlikely source: Lola Ogunyemi, the black model in the ad, an ethnically Nigerian woman raised in Atlanta who was mostly upset that Dove didn't "defend their creative vision."

She said,

"I think the full TV edit does a much better job of making the campaign's message loud and clear...I can see how the snapshots that are circulating the web have been misinterpreted, considering the fact that Dove has faced a backlash in the past for the exact same issue. There is a lack of trust here, and I feel the public was justified in their initial outrage. Having said that, I can also see that a lot has been left out. The narrative has been written without giving consumers

context on which to base an informed opinion."

She pointed out that the original ad was 30 seconds long and included another woman...in the full-length ad, the black woman pulled off her shirt to reveal a white woman, and the white woman pulled off her shirt to reveal a vaguely Asian (question mark?) woman. Not entirely clear. And the idea was that all women of different races are ultimately the same underneath...which is a positive message (question mark?) I mean it trivializes and erases important life differences and the very real divergences of experience based based on ethnicity and skin color, but clearly the full ad seems less overtly racist. Still

boneheaded and tough to defend, though, once again mostly because of the unforgivable stupidity of not anticipating how this was going to be interpreted.

"Another point of contention was a label on a Dove product that said it was for 'normal to dark skin'".

"normal...you know, aka not dark.

Dark skin is abnormal but hey, you can still use dove, you black weirdo.

## **Bloomingdales**

Holiday ads are always a gamble. In 2015, Bloomingdale rolled the dice. And as you might be able to guess from the theme of this episode... snake eyes. The pre-Christmas magazine ad

depicts a fashionably dressed man sneaking a sketchy side-eye glance at an attractive woman standing next to him. The woman is looking in the other direction, distracted, laughing at something out of frame. And the text of the ad, hovering in the air between them, reads, *Spike your best friend's eggnog when they're not looking.*

"In response to the uproar, Bloomingdale's issued a prompt apology: "In reflection of recent feedback, the copy we used in our recent catalog was inappropriate and in poor taste." A spokesman wouldn't say how the spiking directive was approved." The spokesman added, it wasn't me, though. The spokesman then discreetly

pointed at the employee next to him.

So I'm mystified by this ad. What were they going for? How would this in any way make me want to visit a department store? It doesn't even make sense, does Bloomingdales sell eggnog? They don't. I checked. There's no department store eggnog. Some advertising agency was like hear us out. So we wanted a concept that captures the essence of an upscale department store. Wait for it. Sexual predator." I honestly don't know which is more offensive: the offensiveness of the message itself or offensiveness of the sheer marketing ineptitude. And it turns out that there have been other instances of really bad decisions

around consent messaging. For instance, earlier the same year bud light was understandably eviscerated for printing on select bottles the inspiring slogan "The perfect beer for removing 'no' from your vocabulary for the night." And that objectively sucks. Not good. But this is a beer. This is a vice. As an alcohol or tobacco marketer, you're already sketchy. You're trying to convince people to give you money in exchange for poison. Because smoking and drinking is bad for you, even in moderation. Alcohol and cigarettes companies are actively trying to undermine my health, so I'm not clutching my pearls when I find out they're also trying to get me banged by strangers. Plus the ad was part of a campaign called "up for

whatever," so I could ALMOST buy the argument that it was a "yes man" situation, like the Jim Carey movie where he decides not to say no to anything in the interest of having unique experiences. Cause hey, venereal diseases are unique. For what it's worth, disclaimer, You should probably say no to things. Also, tangent but You can only do the yes thing as a guy, and I'm sorry I'm not being sexist but if you're a woman and you try this, you're just going to be getting boned by disgusting dudes all week long. Just smashing homeless dudes and creepers. Only the worst guys on earth are going to walk up and proposition women for sex but there are a lot of those guys. The "yes woman" movie

should just be called "nonstop sex with douchebags." Anyway I at least understand the stupid rationale behind the beer ad. It's stupid, but it's a rationale. But Bloomingdales? Another thing I hadn't considered... when an ad is in print, it can't be retracted. Bloomingdales was relentlessly trolled (someone wrote, "tis the season to be creepy," another "was bill cosby not available?") and they just had to grin and bear it, because there was no way to retract paper from people's houses. you can't travel across the country and snatch every magazine out of every grandma's hands nationwide. Bloomingdales basically had to wait until every copy of those magazines



ends up in landfill. It's like when subway employed a sexual molester as a spokesman and now that guy is a living, breathing symbol of their stupidity. You can't retract a magazine ad; you definitely can't retract a pedophile.

## Sprite

In 2016 the Coca Cola company launched a brand new campaign in Ireland for its 7-Up competitor, Sprite. The campaign was titled #brutally refreshing, and it promised to expose "cheeky truths." I don't know why this is the prerogative of a soda, but ok. That's what's so weird. It's like those memes where they say "nobody: a blank space, and then Sprite: we're gonna drop some trying." Like, nobody

asked syrup-water to drop a bunch of uncomfortable knowledge.

"we're constantly surrounded by annoying truths that deserve to be called out, but rarely are. With the Brutally Refreshing campaign, Sprite is celebrating those with the guts to tell it like it is."

The problem is that "telling it like it is" is just code for being an asshole. Most of the time, Calling out uncomfortable truths isn't brave, it's just Dickish. "Oh wow, bob, you're really getting fat." I'm just telling it like it is.

So the initial ads went up on billboards and online and managed to remain mostly under the radar and inoffensive for like 16 weeks, and then for some reason Sprite decided to crank up the dial. Apropos

of nothing. Maybe they weren't getting enough of a reaction. Lack of reaction is seen as a bad thing in marketing, but like, it could be worse. Like getting way too much of a reaction. Reactions are not all created equal. I generally don't want to be ignored unless the alternative is getting punched in the dick. On a website called Joe.ie, which is a clickbaity news website with a large following of mostly young people, Sprite inexplicably posted this "truth": She's seen more ceilings than Michaelangelo." #brutally refreshing. See what I mean about the complete messaging disconnect? "That chick is a whore! drink Sprite!" Slut shaming is thirsty work. Misogyny and soda, I don't get the connection.

Anyway, Sprite wasn't done. And there was definitely a theme here. "A 2 at 10 is a 10 at 2!" read another undeniable truth. do you get it? Because your standards go down when you're drunk and desperate and also Sprite wants you to know that they fully endorse judging people on a superficial number-based attractiveness scale. That's our brand.

Here's a third:

"You're not popular ... you're easy," Thanks, Sprite. I really want to give you my money now. I'm a sucker for unprovoked advertising insults. They're targeting the masochist market. I think the strategy is to destroy my self esteem so that I'll lower my standards to the point

that I'll start guzzling citrus-flavored corn syrup.

So Ireland has a regulatory agency that reviews advertising complaints.

The **Advertising Standards Authority for Ireland (ASAI)** reportedly received ten complaints about the ad. Seems low.

What the fuck, Ireland?

More of you should have been concerned. Anyway apparently ten is enough, because they upheld the complaints and banned the ad. But not before Sprite's overlord, the Coca Cola company had apologized and retracted the campaign.

I get that the ads were targeted at young men, and the company was aiming for a specific demographic, but on the Internet you can't

somehow exclude all other eyeballs. Like if you're targeting just white supremacists, you can advertise on nazi websites, but you're probably still going to reach a few tourists, or gawkers, or people who are on the fence. White supremacy dabblers. My point is that word of the ad is going to get out, and that's a bad look.

A few notable mentions.

H&M released a head-scratcher in 2018 with an ad that depicted a black child wearing a hoodie with the slogan "coolest monkey in the jungle."

Jesus fucking Christ I get that people make mistakes and I'm a forgiving person but I hope an entire division was fired.

I remember the uproar over this one: a 2019 peloton ad featured a man surprising his wife on Christmas morning with the gift of an exercise bike. The wife in the ad was overjoyed, because what kind of ungrateful bitch wouldn't appreciate a gift that also doubles as a passive aggressive insult. I think it's the *surprise* aspect that was particularly oof. Surprise! Enjoy this not-subtle hint, love of my life. You are perfect in every way... except one. But we can fix that. You're welcome. The concept itself was bad but the execution was especially cringey. The actress, who I'm sorry to say this but appears is already skinny to the point where losing weight might not be medically

advisable, is shown over the course of a fast-forward montage dragging herself out of bed and literally dreading every peloton session, yet forcing herself to stick to a schedule, and the advertisement ends with the wife recording a selfie video for her husband in which she gushes, "A year ago, I didn't know how much this would change me. Thank you." Damn. I remember reading about this ad, but I hadn't watched it until researching this episode, and it's way worse than I expected. The ad was mocked relentlessly, and my favorite snarky description of the content was: "a 116 lb woman's YEARLONG fitness journey to becoming a 112 lb woman."



Incidentally I listened to an interview with the guy who played the husband in the video, he's a liberal elementary school teacher who was basically just excited to land a role in a paying advertisement and was mystified by all of the negative press. It's really interesting to hear from the people involved in these ads, it gives you a little bit of a perspective as to how the people behind the campaign are just so focused on creating a final product that they really aren't looking at the big picture.

In 2013 Hyundai released an ad titled "pipe job," which is already a misfire. But the content was actually way worse than the title, and far less arousing than you might guess. The ad was

intended to tout the benefits of Hyundai's SUV called the ix-35. K. The ix- and numbers. It's a science car. This is the Hyundai I,4 butaneadiol. It was Also sold in America as the "Tucson," probably a good decision. As catchy as a random string of numbers and letters is, I think they made the right choice by also using, you know, a word.

The ad is exactly a minute long and shot in solemn, dark tones, it's very ominous. We open on a Hyundai ix-35 in a garage, and the camera resolves on a hose attached to the exhaust pipe. Inside the car is a middle aged man who appears distraught as he stares at the other end of the hose, which snakes through the window of the car, held in place by duct tape that also seals the

window shut. Water drips from the end of the hose. The man leans back, breathes deeply, and waits to die. Our view switches to an exterior shot of the garage, which opens to reveal the man, looking more dejected than ever, and text on the screen indicates that—surprise—the ix-35 is a 100% exhaust free vehicle with only water emissions. Having failed at even the basic task of taking his own life, the man trudges toward his own front door. Presumably there would be a method for accessing the garage from inside the house, but whatever. A failed suicide attempt doesn't leave you in the most rational state of mind. Fade to the Hyundai logo. This ad is...mind-boggling. Not just because it's in such poor taste, but

also it has been known for common knowledge for years in psychology circles that depictions of suicide can trigger more suicides. This is a phenomenon referred to as "contagion." From a Forbes article: "There are years of data showing that careless depictions of suicide can cause more suicides to happen...In 1998 the Hong Kong media reported heavily on a case of carbon monoxide poisoning by a very specific method, using a charcoal burner. In the 10 months preceding the reports, there had been no such suicides. In November there were 3; then in December there were 10; and over the next year there were 40." So this ad wasn't just dumb, it was potentially dangerous. And again it's

just so baffling to try to imagine the pitch for this ad. How did this get made? "All right, hear us out. You said you wanted a unique advertisement, you wanted outside the box, well my friend that box is a casket and the protagonist of this ad is staying out of it, because even though he wants to die, this sad boomer is too big of a loser to even manage to kill himself all thanks to the hero of the day, the ix-35. Tell me that's not a home run. Tell me how this could possibly backfire in a non car-tailpipe sense"

<https://www.google.com/amp/s/www.forbes.com/sites/matthewherper/2013/04/25/a-hyundai->

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