[FR] Administrative Court confirms ‘12’ rating for “Sausage Party”

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On 14 December 2016, the Administrative Court of Paris issued a particularly amusing decision concerning the age classification of the American animated film “Sausage Party”, which was released in France in the autumn. In the film, products on sale in a supermarket realise the senselessness of their subservience to humans. This entertaining spoof traces the story of foodstuffs with human personalities from the moment they discover the reality of their condition until they finally win their freedom, particularly in the domain of sex and religious beliefs. A number of organisations called for the immediate suspension of the decision taken by the Ministry of Culture on 29 September to award the film a ‘12’ rating. They thought the film should have been rated ‘16’ or at least carried a public warning on account of its sexual content, bad language and portrayal of violence and hard drug use.

The court held, firstly, that if an appeal was lodged against the awarding of a ‘12’ rating, it should, as part of the summary proceedings, explore whether the film promoted violence, seriously infringed human dignity or was likely to corrupt minors. If the court did not find this to be the case, given the state of the proceedings, it would need to weigh up whether the age classification was sufficient to protect children and young people,

The complainants argued, first of all, that the film promoted violence and was likely to corrupt minors because it depicted rape and incited sexual activities prohibited under the Criminal Code. However, the court ruled that “if a furtive sequence mimics sexual relations between a box of oatmeal and a box of crackers, it does not appear, given the state of the proceedings, to represent a racism-inspired rape”. Similarly, the court held that the final scene of the film, which lasts three minutes and shows foodstuffs and other consumer products clearly simulating various sexual practices, was set in an imaginary world and could not be interpreted as inciting children to imitate what they had seen. Therefore, given the state of the proceedings, the film “Sausage Party” could not be regarded as promoting violence, infringing human dignity or likely to corrupt minors in violation of Article 227-22 of the Criminal Code.

Secondly, the complainants claimed that the film ignored the best interests of children and the protection of young people in so far as it contained scenes of a sexual nature, showed acts of violence, presented drug use in a positive light and

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used crude and obscene language. The court held that the disputed scenes were not at all realistic, violent or degrading, and that they fitted coherently into the overall tone of the film, which was designed to depict the rebellion of consumer goods against human domination and oppression in a humorous and deliberately outrageous way. Similarly, it did not consider that the use of drugs hinted at in two scenes was presented in a positive light, but rather as a degrading and mind-numbing activity. Finally, the use of crude dialogue, often based on double-entendres, and foul or obscene language was not thought likely to shock minors aged over 12. All in all, the court did not think the certificate awarded could be regarded as having offered inadequate protection to children and young people. The request for a separate warning in addition to the '12' rating was also rejected on the grounds that the '12' rating itself, which was unusual for an animated film, provided sufficient warning. It was also pointed out that the film's title and promotional poster, which featured phallic symbols, clearly demonstrated its "subversive" nature, which was expressly mentioned, and the omnipresence of sexual connotations. The applications were dismissed.

Tribunal administratif, Paris, (ord. réf.), 14 décembre 2016, Association Promouvoir et autres

Administrative Court of Paris (under the urgent procedure), 14 December 2016, Association Promouvoir and others

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