

# An analysis of the content of food industry pledges on marketing to children

Corinna Hawkes<sup>1,\*</sup> and Jennifer L Harris<sup>2</sup>

<sup>1</sup>Consulting Services, Food and Nutrition Policy and Fellow, Centre for Food Policy, City University, London, UK:

<sup>2</sup>Rudd Center for Food Policy and Obesity, Department of Psychology, Yale University, New Haven, CT, USA

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## Abstract

*Objective:* To identify pledges made by the food industry to change food marketing to children worldwide, examine their content and discuss their potential to reduce the harmful effects of food marketing to children.

*Design:* A search for pledges and specific commitments made by participating companies and a content analysis of their scope and criteria used to define the marketing covered or excluded.

*Setting:* Global.

*Subjects:* Food industry pledges.

*Results:* Between 2005 and 2009, the food industry developed thirteen pledges on food marketing to children, involving fifty-two food companies. Two of the pledges were global, two were regional and nine applied to specific countries. Three were specific to the soft drinks industry and to the fast-food industry, with the rest being food industry wide. Ten of the pledges required companies to publish individual commitments; a total of eighty-two such commitments were published, many of which extended beyond the minimum standards set in the pledges. All pledges included definitions of children and child-targeted media, as well as the communication channels and marketing techniques covered, and permitted companies to set criteria for foods that are exempted from any restrictions. There were many similarities between the pledges and individual commitments; however, there were also many differences.

*Conclusions:* The development of pledges on food marketing to children in such a short span of time is impressive. However, limitations and inconsistencies in the pledges and commitments suggest that the food industry has a long way to go if its pledges are to comprehensively reduce the exposure and power of marketing to children.

**Keywords**  
Food marketing  
Food industry  
Self-regulation  
Children  
Nutrition

In 2004, WHO called on the private sector to take action to address the problems associated with food marketing to children<sup>(1)</sup>. This followed from the publication of a systematic review in the UK that established an association between advertising of food through television (TV) and children's knowledge about food, their preferences and behaviour<sup>(2)</sup>. These findings were used as evidence for the development of a regulation in the UK restricting food advertising to children under the age of 16 years<sup>(3)</sup>.

The UK findings were confirmed by a second systematic review conducted in the USA for the Institute of Medicine (IOM) of the National Academies of Sciences<sup>(4)</sup>. As a result, the IOM recommended that the food and beverage industry shift its marketing practices to children away from products high in added sugar, salt and fat, and stated that if the industry proved unable to achieve such a reform voluntarily then Congress should intervene with

legislation. In the European Union (EU) as well, the then Health and Consumer Commissioner stated in 2005 that the food industry needed to take voluntary action to stop 'advertising directly to children' or face legislation<sup>(5)</sup>.

It was into this environment that food industry 'pledges' to 'change' food marketing to children began to emerge in 2005–2006. Although voluntary in nature, the pledges are quite different from the self-regulatory 'guidelines' and 'codes' developed by the food and advertising industries in earlier years<sup>(6)</sup>. These guidelines and codes were concerned only with guiding the content of advertising; in contrast, the pledges impose restrictions on the foods that can be advertised. Guidelines and codes were also generally issued by an individual company or trade group (e.g. food industry trade associations, self-regulatory organisations for advertising); pledges, in contrast, involve a series of participating companies with a secretariat hosted by some form of trade group.

### **Box 1 What is a pledge and what is a commitment?\***

A pledge is a voluntary statement made jointly by a group of food companies that sets out basic principles to change food marketing to children, including restrictions on the foods that can be advertised. A 'pledge' includes a series of key criteria that define the restrictions on marketing communications to children. These comprise a definition of what is meant by 'children', child-targeted media, and the communication channels and marketing techniques covered set as a minimum standard. The pledges may also set minimum standards for the foods that can be exempted from the restrictions; however, this is usually defined in the 'commitments'.

A commitment is a statement or letter written by a company participating in the pledge that states that the company supports the pledge, and sets out the criteria that the company will follow. The criteria cannot be less restrictive than the pledge but can be more stringent. Commitments are not required by all the pledges. Where required, they, rather than the pledge, usually define the foods to which the restrictions apply.

\*Some pledges use different terminologies to distinguish between these two concepts. For example, in the USA, the overall pledge is referred to as the Children's Food and Beverage Advertising Initiative, whereas the individual company commitments are referred to as pledges.

The present paper identifies the pledges on food marketing to children around the world, examines their content and discusses their potential to reduce the harmful effects of food marketing to children.

### **Methods**

The study was conducted between April 2009 and December 2009. Pledges were identified initially through a country-wide questionnaire administered for a related project (for details, see Hawkes and Lobstein<sup>(7)</sup>). During the process, the International Food and Beverage Alliance (IFBA) made available an online resource listing the pledges, which was used thereafter<sup>(8)</sup>. Individual companies and two of the drivers behind the expansion of the pledges globally, IFBA and the World Federation of Advertisers (WFA), were contacted when information was not available or unclear. Codes of practice or guidelines issued by single companies were excluded. Pledges on soft drink availability in schools were excluded when they contained no reference to promotional marketing<sup>(9)</sup>.

In the analysis, 'pledges' were distinguished from 'commitments' (Box 1). Each pledge and individual commitment was read in detail and its content compiled into a series of tables. Information collected about each pledge included the secretariat, country(ies) covered, participating companies and the criteria used to define the marketing restricted by the pledges and commitments. These criteria comprised 'children' and 'child-targeted media', 'communication channels' and 'marketing techniques', as well as the food exempted by the restrictions, including the minimum acceptable 'nutrient criteria' established by some companies (typically by 'product category'; Appendix 1). Multi-national companies were counted as one company, even though they may have different management units in each country. In some cases, the named 'company' was owned or otherwise linked with another company, introducing complexity into classifying the companies. This information was recorded (Table 1) and a judgement made when counting the number of companies, depending on the

company and the pledge. The sales and geographical reach of the participating companies were also examined and notably absent companies were identified.

The pledges and commitments are 'living documents' that are updated over time. Changes made subsequent to the end of the research period may be viewed at [www.yaleruddcenter.org/marketingpledges](http://www.yaleruddcenter.org/marketingpledges); this database, which includes all the information about pledges and commitments, is updated regularly. Notable changes since December 2009 are reported in Table footnotes and in the text.

### **Results**

In December 2009, there were thirteen pledges on food marketing to children worldwide (as of April 2011, additional pledges had been made in India, the Gulf States, Mexico, the Philippines, Switzerland and Turkey; the European Soft Drinks Association had published a new pledge on the 'digisphere' and the WFA was still planning to develop more pledges in developing countries and in non-EU countries in Europe<sup>(8)</sup>). Of the thirteen published by December 2009, three were specific to the soft drinks industry, one to the fast-food industry and the rest were food industry wide\*. The first two pledges were initiated in 2005–2006 by soft drinks industry trade associations; one pledge was made in 2007, four in 2008 and six in 2009.

Nine of the pledges were national, two were regional and two were global (Table 1). The national pledges existed in seven countries: in three Western countries, in one 'transitional' country and in three developing countries. The two regional pledges were both in Europe. One of these pledges – the EU Pledge – was the model on which pledges in developing or transitional countries were based. The two global pledges were made by the International Council of Beverage Associations (ICBA) and IFBA.

\* Only one pledge included a retailer among its members – the South African pledge – but they have not actually published a company-specific commitment.

**Table 1** Food industry pledges on food marketing to children as of December 2009

Pledge name	Host entity (acronym)	Date*	Participants	
			<i>n</i>	Commitments†
Pledges requiring published commitments from the participating companies				
National				
Australian Responsible Children's Marketing Initiative	Australian Food and Grocery Council (AFGC)	1 January 2009	16	16
Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children‡	Australian Association of National Advertisers (AANA)	1 August 2009	4	4
Brazil Public Commitment on Food and Beverage Advertising to Children§	Food and Drink Association of Brazil, Association of Brazilian Advertisers (ABIA/ABA)	31 December 2009	24	8, but 3 are part of the same company
Canadian Children's Food and Beverage Advertising Initiative	Advertising Standards Canada (ASC)	Early 2008	19	19
Russia Pledge	Russian Advertisers Association	Announced October 2009	7	0
South African Pledge on Marketing to Children	Consumer Goods Council of South Africa	Signed 11 June 2009	24	0
Thailand Children's Food and Beverage Advertising Initiative	Not clear	31 December 2008	6	0
US Children's Food and Beverage Advertising Initiative Guidance	Council for Better Business Bureaus (CBBB)	18 July 2007	16	16
Regional				
EU Pledge	Landmark Europe	31 December 2008	11	11
Global				
IFBA Global Policy on Marketing and Advertising to Children	International Food and Beverage Alliance (IFBA)	April 2009; implementation required for each company within 1 year of joining	9	8 (listed in Table 2)*¶
Pledges that require no published commitments from participating companies				
National				
Australian Beverage Council Ltd Commitment Addressing Obesity and Other Health and Wellness Issues	Australian Beverages Council Ltd (ABCL)	October 2006	No specific signatories, but membership of ABCL	
Regional				
Union of European Beverages Associations Commitment to the EU Platform on Diet, Physical Activity and Health	Union of European Beverages Associations (UNESDA)	December 2005	9	0
Global				
ICBA Guidelines on Marketing to Children	International Council of Beverages Associations (ICBA)	Announced May 2008	2	0
Total number of pledges = 13			Total number of published commitments to the pledges = 82**	

\*Date of 'implementation' unless otherwise stated.

†The number of company participants changed in 2010 for some of the pledges. For example, six members of the European Snack Association joined the EU Pledge and Cadbury and Wrigley joined since they were bought out by other companies; one further company joined IFBA (Ferrero) and the Australian Responsible Children's Marketing Initiative (National Foods Ltd).

‡This pledge varies from the other nine pledges in that it sets minimum nutrient criteria in the core pledge.

§In 2009, published commitments were identified for eight of the company members of the Brazil Pledge. A further two statements of general support for the core pledge were identified, as were two translated versions of global pledge/guidelines on the Brazil company websites. In 2010, a further eight company commitments were identified, some of which were dated 2009, but these were not available in 2009 and hence were not included here.

||No commitments were identified for the pledges in Russia, South Africa and Thailand.

¶Grupo Bimbo is a member of the IFBA Pledge. It had not drafted its commitment to the pledge in 2009, but did so in 2010. The food company Ferrero also joined IFBA in 2010.

\*\*This number would be eighty if the three Brazilian companies are counted as one in the Brazil Pledge, and ninety if the further specific commitments made to the Brazil Pledge are included (see footnote §).

**Table 2** Global commitments made to the IFBA Pledge as of December 2009\*

Pledge name	Date*
Coca-Cola Company Advertising and Marketing to Children Policy	Mid-year 2008
General Mills Responsible Advertising Standards	2007
Kellogg Company Worldwide Marketing and Communications Guidelines	Published June 2008
Kraft Foods Communications Policy	Information not available
Mars Marketing Commitments	March 2008
Nestlé Consumer Communication Principles	July 2007
PepsiCo Policy on Responsible Advertising and Marketing to Children	2009 – rolled out until end 2010
Unilever Global Principles for Food and Beverage Marketing	December 2008

IFBA, International Food and Beverage Alliance.

\*Grupo Bimbo was a member of IFBA in 2009 but had not published its commitment; its commitment was published in 2010. The company Ferrero also joined IFBA in 2010 and published its specific commitment the same year.

Ten of the thirteen pledges required participants' commitments. In these pledges, each company is required to publish its own 'commitment' to the pledge, which may contain more stringent definitions than specified in the pledges. In three of these pledges, no published commitments were identified, and in a fourth, not all companies had published commitments (all in developing or transitional countries).

The remaining three of the thirteen pledges required no commitments from participants. All three pledges were specific to the soft drinks industry and also covered related issues relevant to obesity and health, such as availability in schools. For these pledges, the criteria set out in the pledge cover all participants.

### ***Pledge participants and coverage***

In total, fifty-two companies participated in the thirteen pledges, of which nineteen were members of more than one pledge (Appendix 2). Thirty-three companies had published individual commitments to the pledges. Just over half of these thirty-three companies ( $n = 17$ ) had published separate commitments to more than one pledge (Appendix 2). Eight of the companies had made global commitments to the IFBA Pledge (Table 2). In total, the thirty-three companies had published eighty-two different commitments (Table 1).

The number of companies that participated in the pledges ranged from two to twenty-four per pledge (Table 1). PepsiCo and Coca-Cola participated in the largest number of pledges (eleven each), followed by Kellogg's, Mars, Nestlé and Unilever (nine each), and Kraft (eight) and General Mills (seven). Six of these eight companies were ranked among the top ten packaged food companies in worldwide sales in 2009, with the remaining two being the two largest breakfast cereal manufacturers worldwide<sup>(10)</sup>. All eight had made global commitments to the IFBA Pledge.

There were also notable cases of companies with relatively little or no participation. Tyson Foods and Heinz are both among the world's fifteen largest food companies but neither participated in any pledges. Danone (France) was the twelfth largest food company worldwide in 2009, but had signed just four pledges and was not a member of IFBA.

The world's largest fast-food restaurant chain, YUM! Brands, participated in just two pledges and was not a member of IFBA. The second largest, McDonalds, belonged to five pledges and had developed its own global guidelines for marketing to children; however, these were less restrictive than the commitments they had made to national pledges and did not meet the IFBA criteria.

Like McDonald's, some of the companies that were not members of IFBA had published global guidelines that attained neither the IFBA standard nor, indeed, the standards in the regional or national pledges they had signed. These included the Cadbury Marketing Code of Practice (a company that was bought by Kraft in 2010 so making it a participant of the EU Pledge), the Campbell's Soup Company Global Commitment to Responsible Advertising, Heinz Children and Youth Guidelines, Hershey's Global Marketing Principles and McDonald's Children's Marketing Global Guidelines. The less restrictive nature of these guidelines is illustrated by the lower age limits adopted by Cadbury (under the age of 8 years) and Campbell (under the age of 6 years).

### ***Pledge content***

All pledges included definitions of children and child-targeted media, the communication channels and marketing techniques covered and criteria for foods exempted from the restrictions (Appendix 1).

#### ***Child definition***

All pledges (and commitments) except one defined children as individuals under the age of 12 years: the Australia Quick Service Restaurant (AQSR) pledge applies to children under the age of 14 years. Seven companies also differentiate between children under 6 years of age or 'pre-school' and those between 6 and 11 years of age.

#### ***Child-targeted media definition***

Ten of the pledges defined 'marketing directed at children' as media in which children (as defined above) comprise  $\geq 50\%$  (or  $>50\%$ ) of the audience. Three had adopted a more general definition (such as 'majority' of audience, as shown in Table 3). However, many company commitments set more stringent definitions of child-targeted

**Table 3** Key criteria defined in the pledges\* as of 2009

Definition	Category	Number of pledges
Children	Under 12 years only	12
	Under 14 years only	1
	Different criteria for children under 6 years and between 6 and 12 years	0
Child-targeted media	>25–35% audience	0
	>50% audience	10
	'Majority' of audience	1†
	Predominantly children	2§
	Seen primarily/targeted/directed/aimed at children	0
Communication channels†	Television	13
	Third-party Internet	12
	Company-owned Internet	1
	Radio	10
	Print	12
	Cinema	4
	Video/computer games/DVD	1
	Cell phones	3
	Schools	11
	Outdoor billboards	1
	Viral marketing	1 ('word of mouth')
	Point-of-sale	0
	Marketing techniques‡	Advertising
Use of licensed characters/popular personalities and/or celebrities		8
Product placement		5 (1 just for cinema)
Interactive games		4
Messaging on cell phones		3
Others		0
Foods	Defined in pledges	4
	Defined in commitments	9

\*The table includes definitions in the pledges, not in the commitments, which may vary from the criteria set as the minimum requirement in the core pledge.  
 †Changes in 2010 indicate that more pledges are now covering more communication channels and marketing techniques. For example, the Canadian Children's Food and Beverage Advertising Initiative updated its pledge in 2010 to include more communication channels and marketing techniques, and the Union of European Beverages Associations published a new 'digisphere' pledge that included company-owned Internet.

‡The IFBA (International Food and Beverage Alliance) Pledge.

§The Australian Responsible Children's Marketing Initiative and the Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children.

||Includes the two pledges that state 'all marketing communications'.

**Table 4** Company-specific commitments that go beyond the minimum requirement in the core pledge, as of December 2009

Definition	Number of participants' commitments that go beyond the minimum criteria set in pledges
Age	0
Child-targeted media*	22 (1 for IFBA, 2 for AFGC, 1 for Brazil, 7 for Canada, 8 for US, 3 for EU)
Communication channels and marketing techniques	11 (6 for IFBA, 2 for Australian Grocery, 1 for Canada, 1 for US, 1 for Brazil)

\*In 2010, Coca-Cola changed its definition of child-targeted media to '≥35%' from '≥50%' meaning that its commitments went beyond the pledges that adopt the '>50%' definition.

media (Table 4). For example, Mars included media with a child audience of '>25%' in all commitments. Fewer than half of the companies with more than one commitment (seven of seventeen) applied consistent definitions of child-targeted media across all pledges to which they belonged. In the case of Unilever, its Canadian and US commitments included a more detailed definition compared with its other pledges.

#### *Communication channels and marketing techniques*

Altogether, the pledges referred to eleven communication channels. TV was included in all thirteen, and third-party Internet (i.e. Internet advertising, excluding company-owned websites), print, radio and schools appeared in most. However, beyond this, there was distinct variation

between pledges (Table 3). For example, the Brazil Pledge covered TV, radio, print, third-party Internet and schools, whereas the South African Pledge included only TV and schools (in and in the proximity of). Cell phones, cinema, video or computer games, DVD, company-owned websites and viral marketing were covered in some pledges but usually not included. Point-of sale (in stores or restaurants) was never covered by the pledges (although included in a small number of specific company commitments).

None of the pledges restricted the use of entire communication channels. Rather, they restricted specific marketing techniques on those channels. Advertising dominated the marketing techniques covered. It was included in all thirteen multicompany pledges and was

**Table 5** Exceptions and exclusions to communication channels and marketing techniques covered in the pledges and commitments, as of December 2009\*†

Communication channel/technique	Extent of exclusion/exception	Notes
Packaging	Excluded from all pledges	All three pledges that take the 'all communications channels but' approach specifically state that packaging (and labelling) is excluded. The South African pledges also specifically state that the prohibition on the use of licensed characters does not apply to the use of these characters on packaging Packaging may be included in the general guidelines on the nature of marketing
Brand characters	Excluded from all pledges	Third-party licensed characters are often included, as are, in some, 'popular personalities' and/or 'celebrities'
Point-of-sale promotions	Excluded from all pledges except very partially in Mars and General Mills global commitments	The Australia Quick Service Pledge specifically identifies point-of-sale promotions as an exception to the communication channels covered
Primary schools‡	All include the exception 'unless specifically requested by the school authorities' and exclude 'indirect' advertising and marketing	For example, the US Pledge does not apply to: displays of food and beverage products offered for sale; charitable fund-raising activities; public service messaging; or items provided to school administrators, including company-provided curriculum materials <sup>(22)</sup> . In their global commitments, Mars, Coca-Cola and Kellogg's specifically state that philanthropic and educational activities in schools are not covered US Pledge uses the term 'word-of-mouth' marketing
Viral marketing	Excluded from all pledges except two (US Pledge and Kellogg's global commitment)	
Sponsorship	Excluded from all pledges, except from two in a limited form	Kellogg's global and EU commitment includes sponsorship of events, but only if parents are not expected to accompany their children to the event, and of 'kids' clubs and other children's commitments'. The commitment of Mars includes sponsorship of children's sporting events
Company-owned websites	Excluded from all pledges except the US Pledge and some company commitments	Kellogg's includes an exception to its restriction on products integrated into online interactive activity stating that 'this limitation does not apply to existing Kellogg's equity characters that are themselves food forms (e.g., EggoMan and or Pop-Tarts Crazy Good characters)'
Outdoor advertising	Excluded from all pledges except one	The Australia Quick Service Pledge is the only pledge to include 'outdoor billboards'
Cell phones	Excluded from all pledges except from the US Pledge, but is included in four of the global company commitments	

\*Changes in 2010 mean that more pledges are now covering more communication channels and marketing techniques (see footnote to Table 4).

†There is also an example of an exclusion that applies only to franchisees. The interactive games and product placement restriction for Burger King in the US Pledge 'does not apply to local activity engaged in by independent franchisees of Burger King Corporation'.

‡Secondary schools are not covered because of the age limit.

the only technique referred to in six of the pledges, including the IFBA and EU Pledges. Other techniques referred to in some pledges include the use of licensed characters, popular personalities and/or celebrities, as well as premium offers (typically in advertising but not packaging), product placement, interactive games and messaging on cell phones (Table 3).

Company commitments rarely exceeded the minimum criteria for communication channels and marketing techniques covered – with the exception of six IFBA members, notably General Mills, Kellogg's, Mars and Unilever. For example, two of these global commitments included a limited amount of point-of-sale.

Importantly, frequent exceptions and exclusions were included in the definitions of communication channels and marketing techniques (Table 5). Packaging and brand characters were always excluded and point-of-sale promotions were only occasionally included. In schools, anything that was not 'direct' advertising was excluded.

#### *Foods exempted and nutrient criteria*

Nine pledges allowed companies to exempt some foods from the marketing restrictions, provided they were defined on the basis of scientific principles. This exemption was often based on the minimum acceptable nutrient criteria: fifty-four of the eighty-two commitments made by nineteen companies adopted this option (the AQSR Pledge also adopted a set of nutrient criteria that defined which foods could be advertised to its participants). The criteria always varied between companies, and in some cases also varied between commitments made by the same company to different pledges. As a result, a total of twenty-nine different nutrient criteria were used across all pledges (Table 6). Some criteria were quite typical. For example, 480 mg Na and 12 g added sugar per serving reoccurred frequently. In most cases, companies did use the same nutrient criteria in some of their commitments, but not in all, leading to a very complex picture. For example, Burger King participated in four pledges. In the USA and Canada,

**Table 6** Characteristics of food criteria set in the pledges and commitments, as of December 2009

	Number of pledges	Number of pledges/commitments			Alternative <sup>  </sup>
		All foods covered	Nutrient criteria	Number of different criteria	
Foods defined in the pledge	4	2 <sup>†</sup>	1 <sup>§</sup>		1 <sup>¶</sup>
Foods defined in the participants' commitments	9 <sup>*</sup>	21 <sup>‡</sup>	54	29	7 <sup>**</sup>

\*Commitments have not been published in three of these nine pledges, and only partially in a fourth. As a result, there are very few definitions of the food criteria in the developing/transitional countries, and nineteen of the fifty-one companies have not published any definitions.

<sup>†</sup>The Australian and European soft drinks pledges.

<sup>‡</sup>Seven companies also state in all of their published commitments that they will not advertise any food to children under the age of 6 years. In addition, all commitments on schools cover all foods (i.e. for marketing in schools only).

<sup>§</sup>The Australia Quick Service Pledge (nutrient criteria for children's meals). This pledge does require commitments; hence, companies have the option of setting more stringent criteria, which is the case for one of the participating companies.

<sup>||</sup>That is, the definition is vague, available only internal to the company, or list the foods to be covered.

<sup>¶</sup>The ICBA (International Council of Beverages Associations) Pledge covers practically all drinks, but has some exceptions.

\*\*In two commitments, companies state that they have defined nutrient criteria, but these are published internally and not available to the public; in three, specific products are named but no nutrient criteria are provided; and in two, a very general criterion is provided: 'following healthy diet guidelines'.

the nutrient criteria were the same; however, in the EU Pledge, Burger King had a higher upper limit for Na and restricted artificial additives. In addition, the criteria for Burger King's Australian franchisee, Hungry Jack's, were different. Campbell's Soup was another example, with variations between the three national pledges of which it was a member (Australia, Canada and the USA).

The criteria differ in other ways too. Most of the units used for the criteria were 'per serving', but serving size varied. For example, in the EU, a serving of Cereal Partners Worldwide (CPW) breakfast cereals was 30 g, whereas servings for General Mills in the USA ranged between 26 and 50 g. Thus, even though the criteria for energy and sugar appeared to be the same globally, in practice they differed according to serving size. It was also difficult to compare criteria between companies because some used '% calories per × nutrient per serve' rather than 'g/serving'. Most of the nutrient criteria – with a few exceptions – included maximum acceptable energy, but there was variation with regard to the inclusion of fat (saturated fat, *trans* fats, cholesterol, etc.), added sugars, Na and 'positive' nutrients or foods. Moreover, most had different criteria for different food categories, rather than an 'across-the-board' approach, with the number of categories ranging from very few to many. Nearly all nutrient criteria took a 'threshold' approach in which the amount of a nutrient cannot exceed a certain level; however, Danone utilized a scoring model.

Some companies did have consistent criteria across commitments, notably Kellogg's (in 2010, Pepsi issued a new global set of nutrient criteria to replace the many different criteria used in their different specific commitments in 2009<sup>(11)</sup>). Kraft Foods also used consistent criteria for all markets except the USA, where it shifted its criteria to conform to a now defunct point-of-purchase labelling scheme. However, there were exceptions here as well: in four of its commitments, Kellogg's permitted a higher Na limit for a certain brand of waffle. Kraft Foods permitted 'reduced in' products to be marketed even if they did not meet the nutrient criteria in other ways. The ICBA Pledge,

too, covered all beverages, with the exception of water, fruit juice, dairy-based beverages and 'products specifically formulated to address critical nutritional deficiencies'.

Although using nutrient criteria to exempt foods from marketing restrictions is the dominant approach, a significant minority – two pledges and twenty-one commitments – did not apply any exemptions based on nutrient criteria. The marketing restrictions thus applied to all their foods and beverages (or with a small number of named exceptions). Mars was notable for including restrictions on marketing 'all foods' in all of its commitments (although this changed in 2010 with the publication of a new commitment to its EU Pledge, in which different foods are treated differently). In addition, a small number – one pledge and seven commitments – took an alternative approach, such as specifically naming the foods that can or cannot be advertised. In some cases, nutrient criteria had not been published. Ferrero, for example, stated that nutrient criteria would be set at a 'later stage', whereas Sanitarium and Sadia stated that they used internal criteria not available to the public.

#### *Options to opt out*

The Canada and US Pledges originally included the option that restrictions on advertising need apply to only 50% of a company's advertising, provided that the remaining 50% depict 'healthy lifestyle' messages. In December 2009, the US Pledge announced that the 50% option would be eliminated as most companies either did not select this option or increased the proportion from 50% to 100% in the first years of the pledge. Canada also eliminated this option in 2010; all participants had already implemented commitments to 100% of their advertising.

#### **Analysis**

##### *A changing environment*

The development of food industry pledges on food marketing to children is impressive: thirteen pledges,

fifty-two companies and eighty-two commitments in just 4 years (and several more published in 2010–2011 and continuing); two global pledges applicable to wherever participating companies conduct business; a significantly expanded pledge in the world's largest advertising market (the USA) just 2 years after the first edition; several cases of pledges and commitments becoming more restrictive and/or comprehensive over time (which also continued throughout 2010); and many commitments that extend beyond the minimum standards set in the pledges. There is also a relatively high degree of transparency: all pledges, along with their revisions, are posted online, often with detailed background information.

However, conducting the analysis proved to be a highly complex task and revealed some puzzling aspects of these pledges, including limitations in their coverage and inconsistencies between different pledges, as well as between commitments made by the same companies to different pledges.

### ***Pledge coverage***

A major limitation for all pledges is that companies can choose whether or not to participate. Although participating companies tended to be among the largest in their markets and/or for their products, there are many more companies that manufacture foods of interest for children who did not participate in the pledges; a recent analysis in Australia found that only fourteen of the forty-one companies that engaged in advertising food to children through TV participated in the national pledge programme<sup>(12)</sup>.

This limitation is particularly notable at the global level. Forty-four of the fifty-two companies that participated in pledges were transnational companies or engaged in transnational activity; however, only 16% of these companies had made global commitments to the IFBA Pledge. As discussed, many other highly transnationalised companies had not made global commitments, but produced global guidelines that did not attain the IFBA criteria and/or the pledges to which they were signatories in countries and regions.

As a result, geographical coverage is limited. Burger King, for example, participated in five pledges covering sixteen of the approximately seventy-one countries where it does business (including all the EU countries covered by the EU Pledge); therefore, just 22% of its national markets are covered by pledges. Cadbury conducted business in at least fifty countries, but participated in five pledges that represent just 10% of its territory (this changed in 2010 when the company was taken over by Kraft). These are just two examples among many.

A closer look at the definitions in the pledges also suggests that they were not concerned with the full range of marketing to which children are exposed. The pledges covered only marketing that is targeted 'directly' at children (i.e. made exclusively for them), meaning that marketing strategies directed at teenagers and/or adults

but also viewed by children, and 'family-oriented' marketing strategies targeting parents and their children, were excluded. According to analyses conducted in the USA and Australia, a significant amount of food advertising to which children are exposed, on TV at least, occurs within general audience programming in which <50% of the audience comprises children<sup>(13,14)</sup>. These child-targeted media definitions were also notably less stringent compared with two jurisdictions with government regulations on marketing to children. In Québec, where advertising of all products to children under the age of 13 years is banned, the restriction includes all advertising in programmes in which children make up >15% of the audience, even if the product is targeted at all age groups (provided the advertisement has some appeal to children). Where children make up ≤15% of the audience, the advertisement must not be designed to be appealing to children<sup>(15)</sup>. In the UK, advertising of high-fat, high-sugar and high-salt foods on programmes that attract ≥20% more viewers younger than 16 years of age relative to the general viewing population is restricted<sup>(3)</sup>. Although this definition has itself been criticised for being insufficiently restrictive, it is more restrictive than the most stringent food company definition of ≥25% of the audience being under 12 years of age (JC Landon, personal communication).

With regard to communication channels and marketing techniques, the exclusions and exceptions described in Table 5 further limit the extent to which children are covered. The commitments made by fast-food companies are a case in point: the AQSR Pledge in Australia and the McDonald's and Burger King commitments in the USA specifically state that forms of marketing commonly used for fast-food products – point-of-sale and packaging – are exempted from the techniques covered by the commitments. In the USA, a recent study showed that the use of youth-oriented cross-promotions on packaging – a communication channel that is always exempted – increased during the period when the pledge was implemented<sup>(16)</sup>.

Another coverage limitation concerns the nutrient criteria. Taking the case of breakfast cereals, the criteria do not distinguish between non-sugared cereals (e.g. Cornflakes, Cheerios, etc.) and sugared versions (e.g. Frosties, Coco Pops); further, the vast majority of sugared cereals – even those containing over 40% sugar (at the time of writing) – are not restricted according to the nutrient criteria of General Mills, Kellogg's and CPW<sup>(17)</sup>. This contrasts with the UK regulation, where the only breakfast cereals permitted to be advertised to children are muesli and 'wheat biscuits' with no added sugar.

### ***Differences between pledges and commitments***

The analysis conducted in the present study shows that there is a certain degree of uniformity between the pledges and company commitments to different pledges, but that there is also a great deal of difference. For example,



McDonald's and Burger King participate in the AQR Pledge, as well as in others; therefore, their definition of 'children' applied to individuals under 14 years of age in Australia but under 12 years elsewhere. The result is that a supposedly uniform, industry-wide effort to 'change' food marketing to children is actually a highly complex picture with numerous exceptions and inconsistencies. (These details can now be identified through the searchable database set up at: <http://www.yaleruddcenter.org/marketingpledges/>.) Several potential explanations for these variations can be offered: differences in political, public and market pressures, target markets, products and internal company practices.

Food marketing to children is on the agenda of some governments around the world: over twenty-five countries have made a statement regarding their intent to act on the issue, and approximately twenty countries have developed, or are developing, actual policies<sup>(7)</sup>. In some markets, the issue has become the subject of media scrutiny and/or activism by non-governmental organisations (NGO). In these countries – such as the USA, Canada, Australia and various European countries – the pledges represent a response to these political, public and market pressures. At the EU level, the food industry acted after being placed under pressure (and threatened with regulation) by the European Commission. At the global level, WHO has called on large transnationals to take action on food marketing. Another pressure has been the actual implementation of a statutory restriction on broadcast advertising in the UK to children under the age of 16 years with a stringent set of nutrient criteria, leading to concerns by the advertising industry that similar restrictions would be applied in other countries. These pressures have also translated to differences among pledges. In 2008, the US Federal Trade Commission (FTC) called on the Children's Food and Beverage Advertising Initiative to broaden their definition of 'marketing', specifying company-owned Internet, video, computer games, DVD, cell phones and word-of-mouth (i.e. viral), and in 2009 this became the first pledge to cover these techniques (in contrast, the EU Pledge covers only TV, print and third-party Internet)<sup>(18)</sup>.

These pressures do not exist in all countries and for all companies to the same extent. This may explain in part why pledges have not been developed in more countries and why relatively few companies have made commitments to the IFBA Pledge. It is notable that the developing countries where pledges have been initiated – Brazil, Thailand and South Africa – are also countries where there have been proposals for regulation. Even in these countries there exist less political and public pressures, indicating perhaps why most of the participating companies have not published specific commitments to the pledges.

Along with general pressures, there may be official prevailing standards that influence the definitions in the pledges. In Canada, for example, all nutrient criteria must

be consistent with certain government-set standards for claims, and some follow the Heart and Stroke Foundation (an NGO) criteria for their Health Check<sup>TM</sup> point-of-purchase symbol. So whereas Campbell uses the same energy and Na criteria in the USA and Canada, their fat limits in Canada are slightly less restrictive because they follow Health Check<sup>TM</sup>. In Australia, Campbell's nutrient criteria are different since they follow the provincial government standards set for schools. Australia is the only country where the government has some limitations on the advertising of premium offers, and the Australian pledges are also the only pledges that include that restriction.

Differences in the target market may also influence the definitions. For example, the soft drink industry pledges and Coca-Cola (the only exclusively soft drinks company) cover 'all beverages' (although with some exceptions) and are thus apparently more comprehensive than pledges and commitments with nutrient criteria. However, an analysis by the FTC in the USA shows that teenagers are the main target of soft drinks marketing (96% of youth-oriented marketing expenditure by soft drinks companies in 2007 relative to 4% for young children), suggesting that this more restrictive approach has few implications for existing soft drink marketing practices<sup>(18)</sup>. In contrast, the vast majority of breakfast cereal marketing is targeted at children under the age of 12 years (in the USA, at least), and these companies have all adopted nutrient criteria (which, as already noted, permit all but a small number of their sugared cereals to be marketed to children). Breakfast cereal formulations – as for other products – also vary between different national markets<sup>(19)</sup>, and this could explain the variation in nutrient criteria between different markets. CPW, for example, has a lower Na limit than General Mills global, US or Canadian commitments, even though CPW is a partnership between Nestlé and General Mills.

Differences in product portfolios may also explain some of the differences in nutrient criteria. For example, the approximately 200 mg/serving standard for Na adopted by CPW and Kellogg's is lower than the commonly used 480 mg/serving. However, these companies market breakfast products that are lower in Na compared with, say, pre-prepared meal products, salty snacks or cheese. Indeed, the only Kellogg's product advertised to children with a higher Na content – waffles – is excluded from the Na limit. Danone also has a Na limit of approximately 200 mg, but its product portfolio consists almost exclusively of fresh dairy products. Fonterra in Australia has a notably higher than typical per serving criteria for Na for their leading product, cheese, which is a high-Na product.

Different companies have different internal practices, structures and cultures. There may also be differences between operating units of the same company (e.g. different brands and countries). It could be speculated that this is a reason for differences in definitions between companies. For example, different companies may have

different ways of classifying or measuring their target audience (perhaps explaining some of the differences in definitions of child-targeted media). Indeed the way the pledges are structured suggests that companies favour having the freedom to mould the criteria to their own practices. Of note, though, this includes extending beyond what other companies are willing to do. For example, along with their commitments, Kellogg's, General Mills and Mars include messaging on cell phones, company-owned websites, a limited amount of point-of-sale and sponsorship of kids clubs, sports events and product-branded toys – none of which appear in the pledges.

### **WHO recommendations on food marketing to children**

In May 2010, WHO released a set of recommendations to guide member states on how to reduce the harmful effects of food marketing to children<sup>(20)</sup>. One of the key recommendations is that 'governments should be the key stakeholders in the development of policy... to set direction and overall strategy to achieve population-wide public health goals'. Development of the pledges represents a direct challenge to this recommendation – the type of 'self-regulation' advanced through the pledges is led by the industry, although sometimes in response to government pressure or encouraged by government entities.

WHO also recommends that the aims and objectives of policies on marketing to children be 'to reduce the impact on children of the marketing of foods high in saturated fats, trans-fatty acids, free sugars and salt' by reducing 'both the exposure of children to, and the power of, marketing'. This is not the policy aim of the children's marketing initiatives reviewed in the present paper, which (at least initially) say that they pledge to 'change' food marketing to children.

Another WHO recommendation is that in the light of 'national circumstances and available resources' it may be necessary to implement measures to reduce marketing to children step by step. However a comprehensive approach has the highest potential to achieve the desired impact. The pledges certainly represent a stepwise rather than a comprehensive approach, given the limitations in the coverage that have already been discussed.

'Governments should set clear definitions for the key components of the policy...' is another key recommendation. The pledges do include clear definitions; however, these criteria have not been set by the government, thus preventing, as also recommended by WHO, 'a standard implementation process'. It is notable that an attempt by the US government to set a universal standard for nutrient criteria – intended for use by all company participants – reportedly met with significant opposition from the food industry<sup>(21)</sup>. In the UK as well, government-set definitions of age, audience and nutrient criteria were all opposed by the food industry.

Nevertheless, governments have also tended not to develop comprehensive approaches. Governments are, through statutory regulations and engagement in self-regulatory processes, encouraging more restrictions on specific marketing techniques<sup>(7)</sup>. However, the two countries that have in the past proposed relatively comprehensive approaches – Brazil and France – ended up with a regulation requiring warnings or messages instead. Even the most restrictive approach in the world to date, in the UK, covers only broadcast advertising.

### **Conclusion**

The food industry has a long way to go if its pledges are to comprehensively reduce the exposure and power of marketing to children. That the differences between pledges and commitments appear to be a response to external and possibly internal circumstances suggests that they are not primarily driven by public health concerns, making it difficult to judge whether one pledge or company is 'better' than another in terms of public health. Although this is speculative, it behoves the companies to be more transparent about why these differences exist and why coverage is not universal. Moreover, limitations in pledge coverage give the impression that, in both letter and spirit, the intention of the companies involved is not to reduce food marketing to children as much as they possibly can, but just to limit some direct marketing of very high-fat, high-salt, high-sugar products to children.

However, government action has also not been comprehensive thus far, and, unlike leading food companies, governments have not as a whole tended to develop a structure on which to build incremental change. The question is thus whether the pledges are making a meaningful contribution to the gap left by governments, or whether the pledges are in fact being used to deflect governments from taking the more comprehensive action that WHO acknowledges would have a far greater impact. That the differences between pledges around the world reflect political (and other) pressures suggests that the government leadership recommended by WHO will be necessary if the industry is to take a more comprehensive approach towards ensuring that children are exposed to as little marketing – especially particularly powerful marketing – as possible.

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## Appendix 1

### *Definitions used in the content analysis*

Term	Definition
Children	The age definition used by companies to indicate the audience covered by the pledge (e.g. under 12 years of age). In some cases, a second age definition is used to differentiate very young or 'pre-school' children
Child-targeted media	The criteria used by companies to define whether their marketing is directly targeted at the age group. This is usually done either by defining what percentage of the audience is composed of children (which is typically set at 25–50 % of the audience of the media in which the marketing appears) or by defining the nature of the marketing itself (such as it contains visual effects of interest to children). This term is also referred to as 'marketing directed at children'
Communication channels	Refers to the media (e.g. television, Internet, print, radio or video games) or other venue (e.g. schools, stores/restaurants) through which marketing is conducted
Marketing techniques	Refers to the different marketing techniques used to promote the product in different media. Marketing techniques include advertising, licensed characters, popular personalities or celebrities, premium, product placements, interactive games and text messaging
Food category	Differentiates the types of food covered by the pledges or commitments (e.g. cereals, cheese and dairy, crackers and cookies, beverages)
Nutrient criteria	Specific nutrient content requirements used by companies to identify foods that are exempt from the restrictions on marketing to children, as defined by the commitments or pledges. Nutrient criteria typically include maximum acceptable levels of nutrients of public health concern. Many also include requirements for inclusion of food groups to encourage (e.g. fruits, vegetables, whole grains and low-fat dairy). Many companies have established different nutrient criteria for different food categories

## Appendix 2

### *Company participation in the pledges*

Total number of participating companies	52*†
Companies that are members of more than one pledge	19
Companies that are members of one pledge	33
Companies that have published commitments to the pledges	33
Companies that have published commitments to more than one pledge	17
Companies that have published commitments to one pledge	16
Companies that have not published commitments to the pledges	19
Companies that have not published commitments because they participate in only those pledges that do not require commitments	4
Companies that have not published commitments because they participate in only those pledges for which no commitments have been published (or only partially)	15
Companies with transnational activities	44
Companies with only national activities	8

\*Multinational companies were counted as one company even though they may have different management units in each country. The companies that were owned by or otherwise linked with another company were either counted as a single company or as part of the parent company, depending on the circumstances and the pledge.

†This number increased during 2010 as a result of new signatories to existing pledges and new pledges (see <http://www.yaleruddcenter.org/marketingpledges/>).