



Samantha Graff
Director of Legal Research



**NATIONAL POLICY & LEGAL ANALYSIS NETWORK
TO PREVENT CHILDHOOD OBESITY**

DRIVE THRU



GREAT DEALS

STARBUCKS COFFEE
DRIVE THRU

MEDICAL CLINIC URGENT CARE

DELICIOUS

Arby's

STARBUCKS COFFEE DRIVE THRU

READY-TO-GO TO GO PASTRY









Margo Wootan

Director, Nutrition Policy

Center for Science in the Public Interest



Lori Dorfman

Director

Berkeley Media Studies Group





2009 Omnibus Appropriations Act



Interagency Working Group

- Provide industry with recommended standards for food marketing to children 17 and under
- Comprised of
 - CDC
 - FTC
 - FDA
 - USDA



Working Group Proposed Principles

- Nutrition standards
- Marketing definitions
- Questions for public comment

Swirl the World GAME
PLAY!

facebook

Search

Skittles Like

Wall Info Mob the Rai... Taste the R...

Skittles + Others Skittles Just Others

Skittles What's your biggest pet peeve? Mine
4 hours ago

785 people like this

Hey kids, this is advertising



Dr. Bill Dietz

Director of the Division of
Nutrition, Physical Activity,
and Obesity, CDC



Michelle Rusk

Senior Staff Attorney
FTC





Margo Wootan

Center for Science in the Public Interest



Food Marketing to Children



CENTER FOR
Science IN THE
Public Interest

*The nonprofit publisher of
Nutrition Action Healthletter*



Margo G. Wootan, D. Sc.
Director, Nutrition Policy

www.cspinet.org/nutritionpolicy



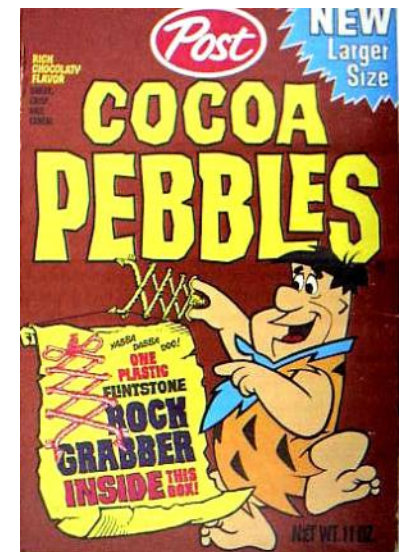
TV food ads viewed per year:

4,400	2-7 yr
7,600	8-12 yr
6,000	13-17 yr



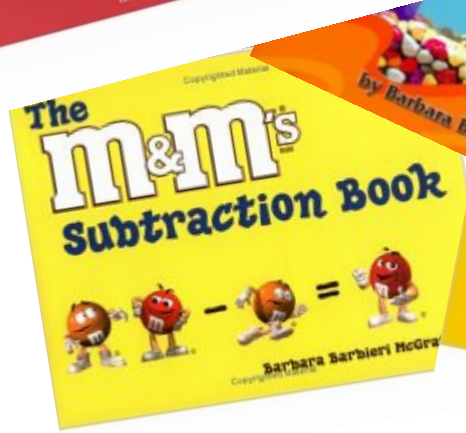
On-Package Marketing

- premiums, toy give-aways
- company characters
- licensed characters
- contests
- games
- website promos





Snack Brand Books



Marketing via Cell Phones

- Mobile games, ring-tone and wallpaper give-aways, text-in trivia contests and sweepstakes



Reese's Puffs Website

Reese's Puffs - Windows Internet Explorer

http://www.reesespuffs.com/

File Edit View Favorites Tools Help

Search Web

reese's puffs cereal

Reese's Puffs

Reese's Puffs

UNLOCK a dance with a CODE

Just Dance

MIX HITS

Start Over

PRACTICE your Moves

Use your keyboard keys to choose your moves

Reese's Puffs

DANCES: X close

- 1 = FREAKY SHUFFLE
- 2 = HARLEM SHAKE
- 3 = KRUMP
- 4 = LEAN BACK
- 5 = MARCO POLO
- 6 = PLAYER
- 7 = STOMPER
- 8 = POP N LOCK
- 9 = ROBOT
- 0 = CALI WALK

LOCKED DANCE MOVE

LOCKED DANCE MOVE

FLAIR:

- Q = AIR KICK
- W = GIMME
- E = POINT
- R = JUMP SPLIT
- T = MIC SPIKE
- Y = MOON WALK
- U = TURN BACK
- I = HEAD SPIN

Toys as Marketing





 TOPPENISH HIGH SCHOOL *Home of the* WILDCATS 

HAVE
A NICE
SUMMER

Vending Machines

- Marketing:
 - Snacks
 - Soda
 - Juice drinks
 - Water
 - Sports drinks
 - Flavored milk

40% depicted
soda, sports
drinks, candy





Fundraisers in Schools

- Covered if on campus during school day
- Common items: candy, baked goods, and soda
- Undermine healthy eating, education, parents



Marketing on in-school displays





=

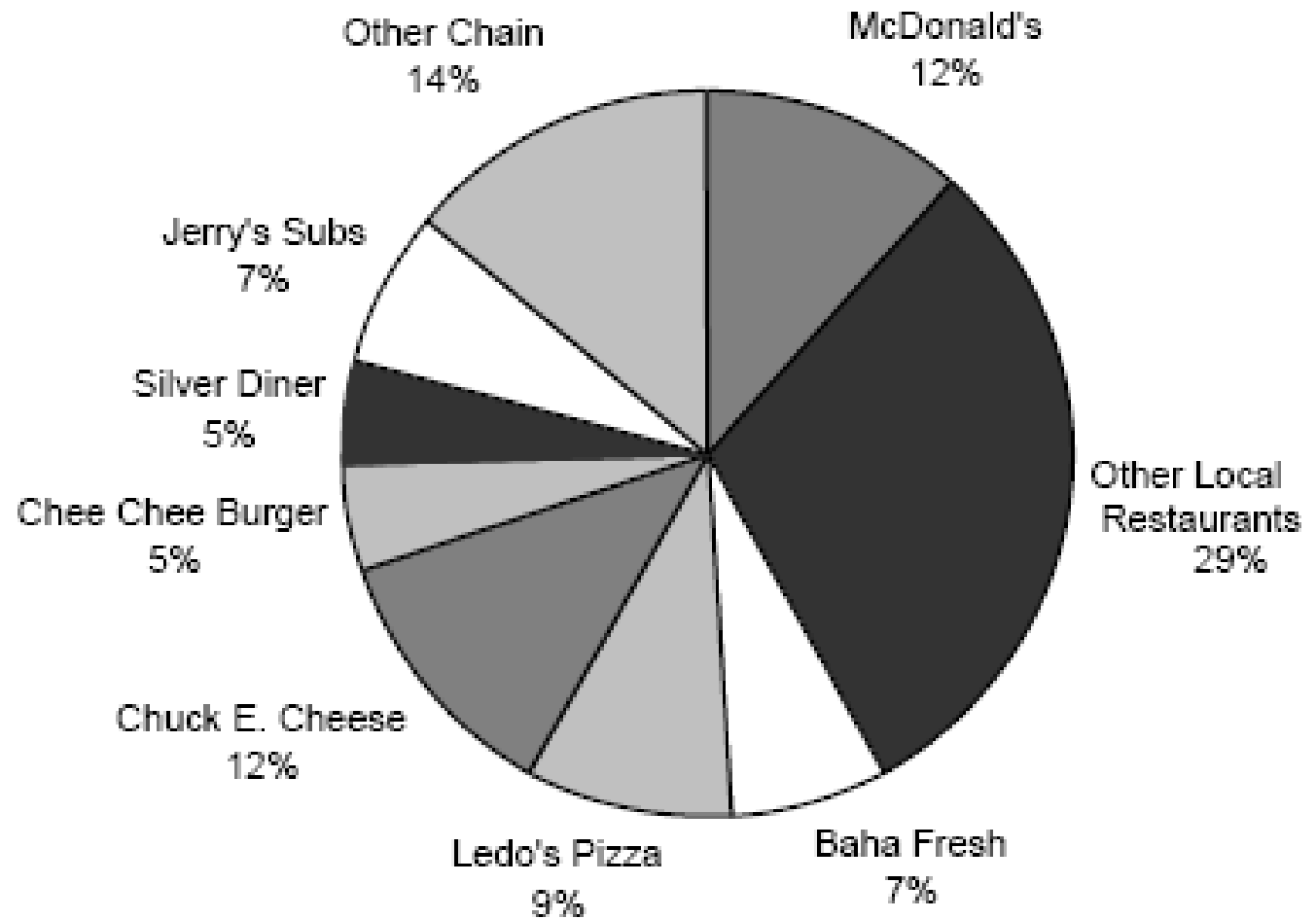
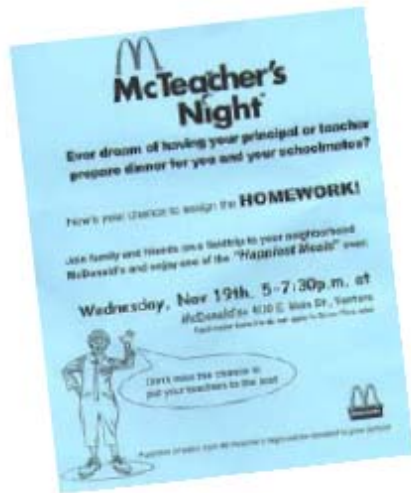


- 80% products = poor nutritional quality
- \$1,400 worth of soup to get a box of colored pencils

Pizza Hut Book It! Program



Restaurant Fundraisers



Food Marketing Is Effective

- Studies show marketing gets children's attention & affects food choices, food preferences, purchase requests, diets & health
 - Watching TV linked to obesity
- Kids misled by and don't understand advertising
- Companies know marketing works: \$2 billion/year
- Parents know marketing works



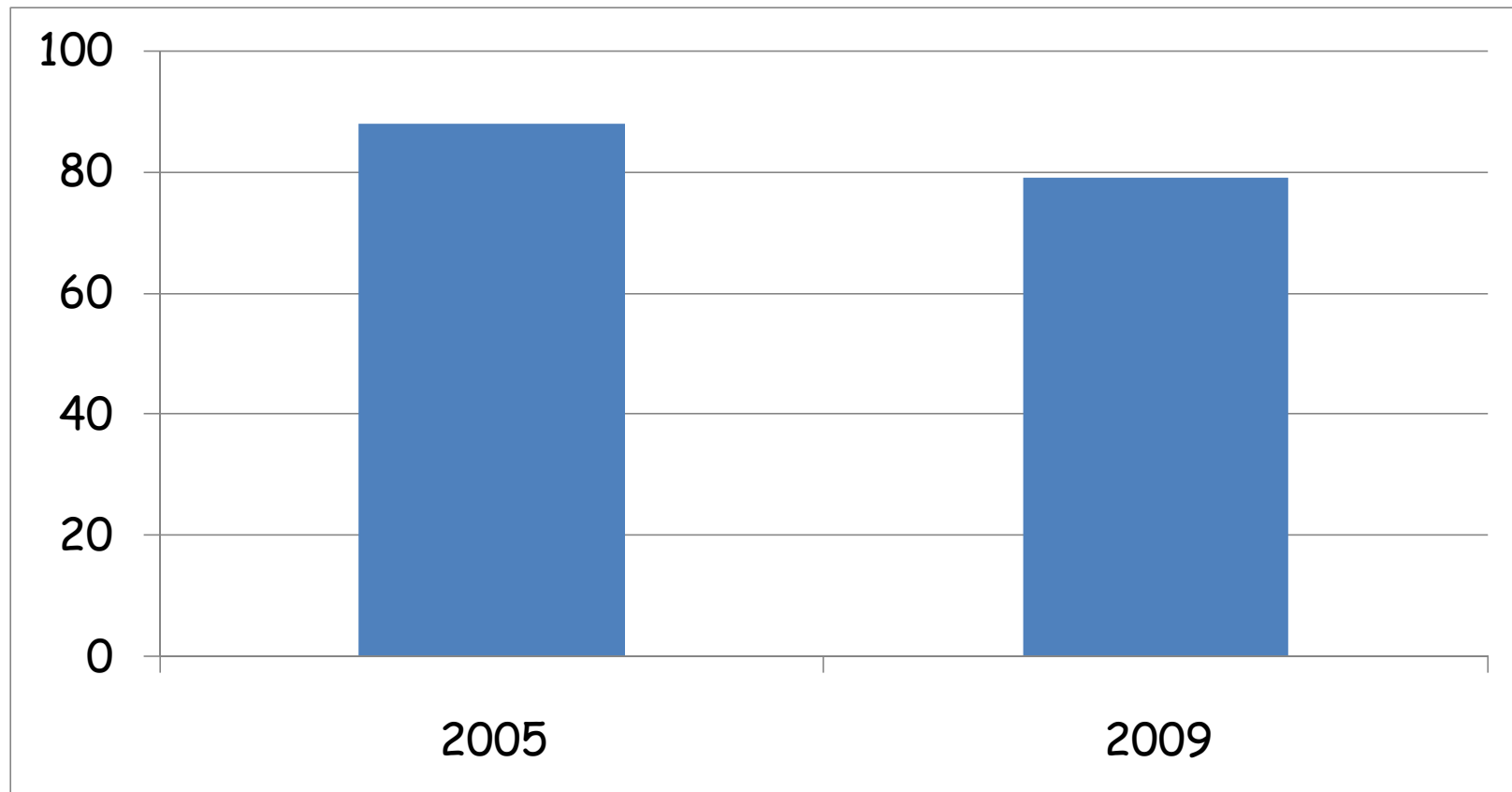
Children's Food and Beverage Advertising Initiative

Current participants include:

Burger King
Cadbury Adams
Campbell Soup Company
Coca-Cola Company
ConAgra Foods
Dannon
General Mills
Hershey
Kellogg
Kraft Foods
Mars
McDonald's USA
Nestlé USA
PepsiCo
Post Foods
Sara Lee Corporation
Unilever United States



TV Ads on Nickelodeon for foods of poor nutritional quality

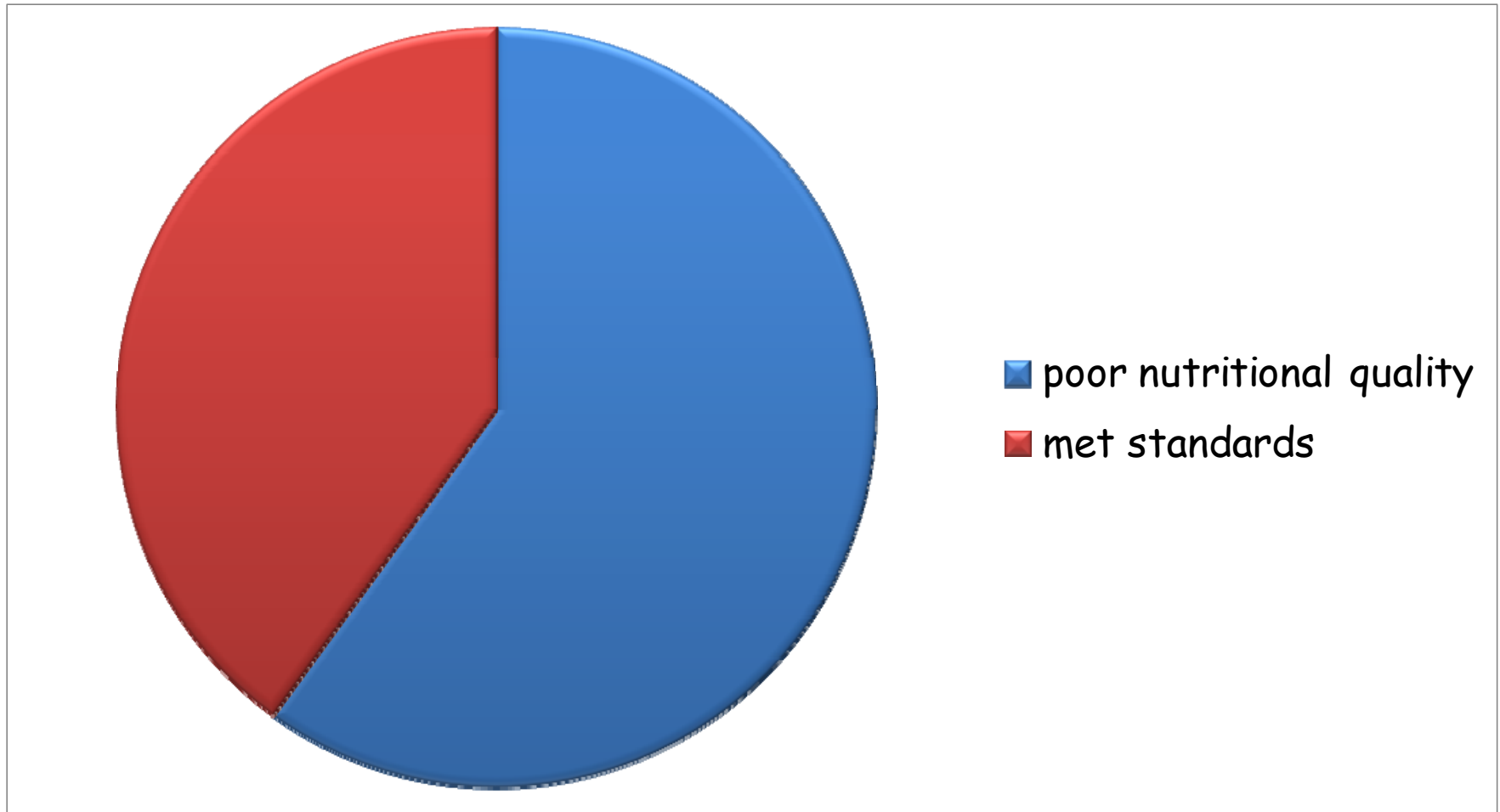


Nutrition Standards for Marketing to Children

- Some companies don't market any products
- Most have standards
 - Address calories, saturated fat, trans well
 - Weaker on sodium, sugars, & positive nutritional value
 - Inconsistent stds
 - Loopholes



The majority of pledge-approved products do not meet 3rd party standards



Interagency Working Group on Food Marketed to Children

- Develop nutrition stds
- Identify marketing approaches
- Define kid-targeted marketing

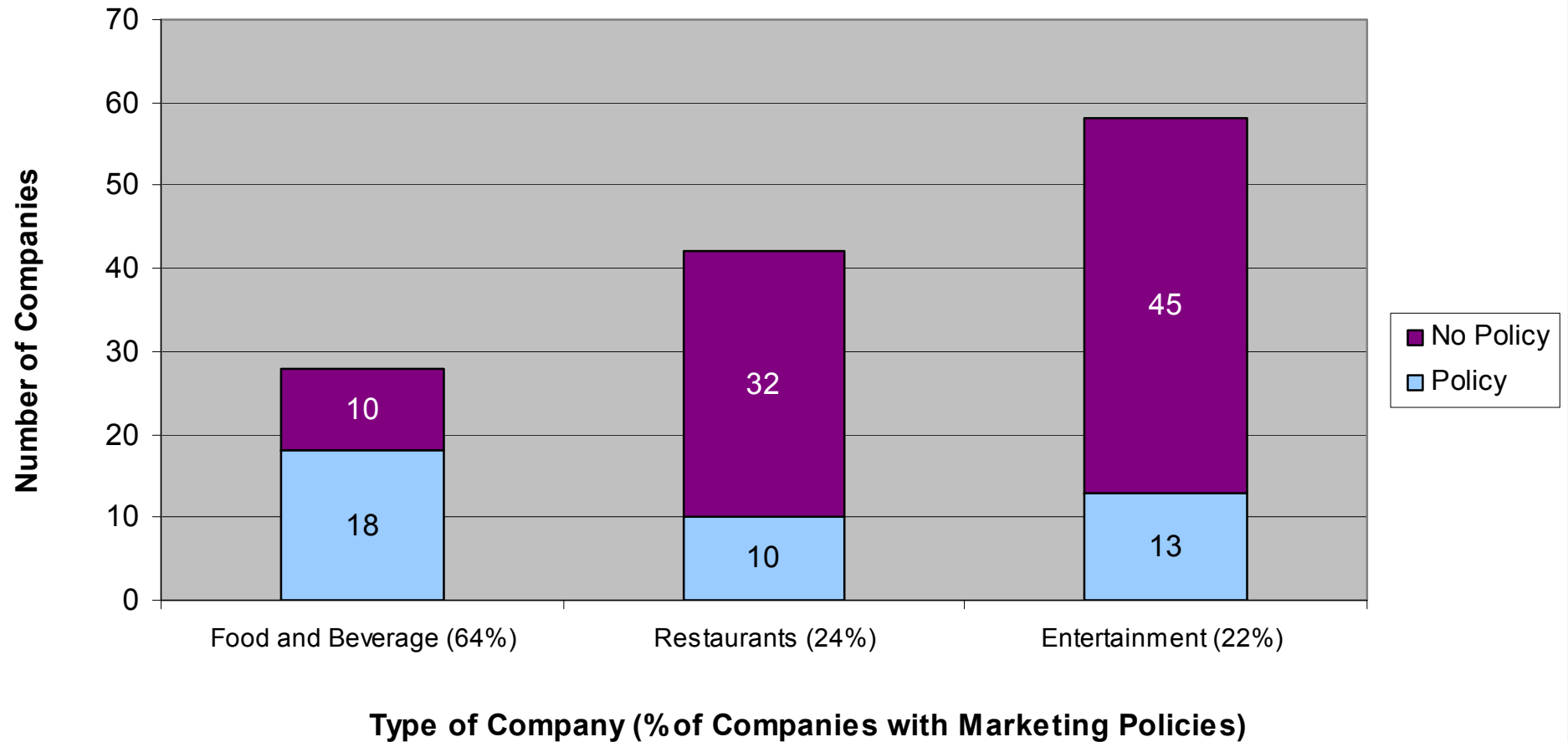


Entertainment Companies

- 80% no policy
- 50% limit use of licensed characters
 - Nickelodeon, Disney, Cartoon Network, Discovery Kids have policies
- No nutrition standards for TV, radio, magazines, Internet, & other marketing



Companies with Marketing Policies



Problems w/self-regulation:

- All companies need to have marketing policy
- Cover all marketing
 - Food co: on package, schools, merchandise, food as toys
 - Restaurants - toys, kids' menus, in-store
 - Entertainment companies
- Strong definition of kid-targeted marketing
- Adopt common set of strong nutrition standards





Why Policy:

Why nutrition policy is important

Policy Options:

Policies and programs to promote nutrition and physical activity

Get Involved:

What you can do

Find Out More:

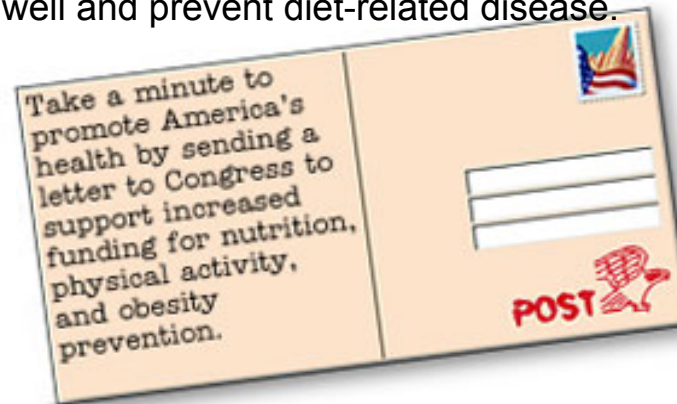
Why its hard to eat well and be active in America today

The National Alliance for Nutrition and Activity

Learn more about how to eat well

Public policy can make it easier for Americans to eat well and be active

- Eating well and being physically active takes more than just willpower. We need programs and policies that make healthy food more available, that disclose the calorie content of restaurant foods, and that teach people how to make healthy eating easier. There are existing nutrition policies and programs, like Nutrition Facts labels on packaged foods, nutrition standards for school lunches, and regulation of food additives. But more needs to be done to help people who want to eat well and prevent diet-related disease.



www.cspinet.org/nutritionpolicy



Dr. Bill Dietz
Director of the Division of
Nutrition, Physical Activity,
and Obesity, CDC



Report of the Interagency Working Group (FTC/CDC/FDA/USDA) on Food Marketed to Children

William H. Dietz, M.D., Ph.D.
Director

Division of Nutrition, Physical Activity, and Obesity
Centers for Disease Control and Prevention



Charge to the Working Group

The Working Group is directed to conduct a study and develop recommendations for standards for the marketing of food when such marketing targets children who are 17 years or younger or when such food represents a significant component of the diets of children.

In developing such standards, the Working Group is directed to consider:

- (1) positive and negative contributions of nutrients, ingredients and food (including calories, portion size, saturated fat, trans fat, sodium, added sugars, and the presence of nutrients, fruits, vegetables and whole grains) to the diets of children; and
- (2) evidence concerning the role of consumption of nutrients, ingredients, and foods in preventing or promoting the development of obesity among such children.

The Working Group will determine the scope of the media to which such standards should apply.

Media Use, Food Marketing, and Energy Intake Conclusions from the IOM Food Marketing to Children and Youth Report

Effects on 2-11 year olds

- **Strong evidence**
 - Food and beverage preferences
 - Food and beverage purchase requests
 - Short-term consumption
- **Moderate evidence**
 - Food and beverage beliefs
 - Usual dietary intake (2-5 years)
- **Insufficient evidence on causal relationship from TV advertising to adiposity**

Source: Institute of Medicine. Food Marketing to Children and Youth (2005)

Categories of Foods Most Heavily Advertised (\geq \$50m/y) to Children and Adolescents

**Cereals; Snacks; Candy; Dairy; Baked goods;
Carbonated and non-carbonated beverages and
Fruit juice; Prepared foods and meals; Frozen and
chilled deserts; Restaurant foods**

Resources

- **Current regulations for health claims and nutrient content claims (21CFR Part 101 Food Labeling)**
- **The 2010 *Dietary Guidelines for Americans***
- **Relevant reports from the National Academies of Science-Institute of Medicine (e.g. *Dietary Reference Intakes, Nutrition Standards for Foods in Schools, Strategies to Reduce Sodium Intake in the United States*)**

Principle A

Foods marketed to children must provide a meaningful contribution to a healthful diet.

Option A:

Food must contain at least 50% by weight of one or more of the following: fruit; vegetable; whole grain; fat-free or low-fat milk or yogurt; fish; extra lean meat or poultry; eggs; nuts and seeds; or beans.

Main dish – 2 different food groups,

Meal – 3 different food groups

Principle A

Option B:

Food must contain one or more of the following per RACC:

0.5 cups fruit or fruit juice

0.6 cups vegetables or vegetable juice

0.75 oz. equivalent of 100% whole grain

0.75 cups milk or yogurt; 1 oz. natural cheese; 1.5 oz. processed cheese

1.4 oz. meat equivalent of fish or extra lean meat or poultry

0.3 cups cooked dry beans

0.7 oz. nuts or seeds

1 egg or egg equivalent

Principle B

Foods marketed to children must not contain more than the following amounts of saturated fat, trans fat, sugar, and sodium.

Saturated Fat: ≤ 1 g per RACC* and $\leq 15\%$ of calories;

Trans Fat: 0 g per RACC* (<0.5 g)

Sugar: ≤ 13 g of added sugars per RACC*

Sodium:

- **Foods: goal 140 mg/RACC, 210 mg interim level**
- **Main dish: goal 300 mg, interim 450 mg****

***For foods with a small RACC (30 g or less or 2 tablespoons or less), the criteria refer to the amount per 50 g of food.**

Rationale for Nutrient Limits

Saturated fat

Based on federal definition of “low saturated fat” for food labeling

Trans fat

DGAs recommend as low as possible

Added sugars

Based on $\frac{1}{4}$ of 267 discretionary calories in 2000 Kcal diet

Sodium

AI for children 4-8 yo = 1200 mg; UL = 1900 mg

AI for 9-13 yo = 1500 mg; UL = 2200 mg

Sodium taste preference established early

Next Steps

Principles posted for comment on FTC website

www.ftc.gov/OS/2011/04/110428foodmarketproposedguide

Public comment May 24 at HHS – 11 am-3pm

Comment period closes July 14



Michelle Rusk
Senior Staff Attorney
FTC



Food Marketed to Children

Interagency Working Group Proposal
Draft Marketing Definitions



***Not speaking for Commission or Individual Commissioners**

Proposed Marketing Definitions

- Based on 2008 FTC Report “Marketing Food to Children and Adolescents”
- Children (2-11) and teens (12-17)
- 20 categories of marketing techniques
- Criteria for “targeted” to children/teens include mix of objective measures, company intent, and subjective indicators

Proposed Marketing Definitions Covered Activities

- Television
 - Print
 - Radio
 - Company Web Sites
 - Other Internet Ads
 - Movies/Video Games
 - Product Placement
 - Other Digital Advertising
 - Packaging/Labeling
 - In-Store Promotion
 - Specialty Items/Premiums
 - Promotion/Sponsorship of Entertainment events
- (continued)

Proposed Marketing Definitions

Covered Activities (continued)

- Character Licensing/Toy Co-Branding/ Cross-Promotions
- Sports Team/Athlete Sponsorship
- Word-of-Mouth Marketing
- Viral marketing
- Celebrity Endorsements
- Sponsorship of Philanthropic Programs
- In-School Marketing
- Other

Proposed Marketing Definitions “Targeted” to Children/Teens

TV/Radio/Print:

- Child-targeted – at least 30% age 2-11
- Teen-targeted – at least 20% age 12-17

(audience share measured on annual basis;
double the % of general U.S. population)

Proposed Marketing Definitions “Targeted” to Children/Teens

Movies/Videos/Video Games

- Child-targeted – at least 30% age 2-11 *or* EC/E-rated video game and G-rated movie
- Teen-targeted – at least 20% age 12-17 *or* E/E-10-rated video game and PG-rated movie

Proposed Marketing Definitions “Targeted” to Children/Teens

Entertainment Event/Sports Team/ Philanthropic Event Sponsorship

- Similar thresholds of 30% age 2-11 and 20% 12-17 thresholds
- Actively sought participation of children/teens

Proposed Marketing Definitions “Targeted” to Children/Teens

Company Web Sites/Other Internet Ads:

- Child-targeted – at least 20% age 2-11
- Teen-targeted – at least 20% age 12-17

(audience share measured on monthly visits;
double the % of active Internet users)

Proposed Marketing Definitions “Targeted” to Children/Teens

Other Digital Advertising/Word-of-Mouth/Viral Marketing:

- Child-targeted – at least 20% age 2-11
- Teen-targeted – at least 20% age 12-17
- *Or* knowingly sought participation of children or teens

Proposed Marketing Definitions “Targeted” to Children/Teens

For all marketing techniques:

- Also look at company intent (marketing plans)

For all techniques other than TV/radio/print:

- Also look at subjective appeal to children and teens (use of animated characters; celebrities popular with children; language referring to “child,” “kid,” or “teen;” age of models or characters; other child-oriented themes)

Proposed Marketing Definitions

Key Issues for Comment

- Should scope of covered marketing activities be narrower for teens (e.g. in-school and social media)?
- Does mix of objective/subjective criteria adequately capture children/teen-targeted marketing?
- Are % thresholds over- or under-inclusive?
- Is there a better measure than audience share?

Next Steps

- Held Forum on May 24, 2011 (transcript and slides online)
- Written Comments Due July 14, 2011
<https://ftcpublic.commentworks.com/ftc/foodmarketedtochildreniwg>
- Final Recommendations and Report to Congress

Q & A



Lori Dorfman
Berkeley Media Studies Group



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