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Brussels, 29 May 2017

**Re: Marketing to children and childhood obesity**

Dear Attaché,

In view of the forthcoming meeting of EU Health Ministers on 16 June, BEUC, the European Consumer Organisation, would like to share its view on childhood obesity and marketing to children.

We believe that to better protect children from the undue influence of unhealthy food marketing governments should:

- Extend advertising restrictions on television;
- Use the World Health Organisation Nutrient Profiles;
- Enact regulation or co-regulation instead of self-regulation in determining rules for advertising to children of unhealthy foods;
- Tackle online advertising of unhealthy foods to children.

For more information please see the Annex below and [here](#) our position paper on childhood obesity.

We thank you in advance for your consideration and remain at your disposal to further discuss this important matter.

Kind regards,

Monique Goyens  
Director General

## ANNEX

Given that one in three children are now overweight or obese in Europe, BEUC welcomes the prioritisation Member States are giving the issue of childhood obesity by conducting a Mid-Term Evaluation of the EU Action Plan on Childhood Obesity 2014-2020.

Whilst the causes of childhood obesity are varied and solutions to this problem must therefore be holistic, marketing to children of unhealthy foods is an important risk factor for influencing children's taste preferences and diet behaviour. The World Health Organisation has stated that there is now "unequivocal evidence" that the marketing to children of foods which are high in fat, salt or sugar (HFSS) is strongly linked to childhood obesity<sup>1</sup>.

In the context of the evaluation of the EU Action Plan on Childhood Obesity as well as the ongoing revision of the Audiovisual Media Services Directive, BEUC believes that measures should be taken to improve the rules on marketing to children.

In particular, we would encourage governments to:

- **Extend advertising restrictions on television**

Restricting advertising during 'children's programmes' alone fails to stop children from being exposed to marketing of unhealthy foods on television. The highest number of children watching TV is actually later in the evening when popular 'family programmes' are being screened. So, whilst the proportion of children to adult viewers might be lower, the absolute number of children watching is still very high<sup>2</sup>. **BEUC believes that foods which are high in fat, salt and sugar (HFSS) should be restricted during children's peak viewing times and not just during programmes primarily targeting children.**

- **Use the World Health Organisation Nutrient Profiles**

The definition of nutritional criteria to determine which foods and beverages can be advertised to children should not be left to industry alone. **Self-regulatory initiatives such as the EU Pledge have demonstrated that nutritional criteria set by industry themselves are very lenient and still allow foods high in fat, salt or sugar to be advertised to children.** The publishing of the widely-recognised World Health Organisation nutrient profiles in 2015<sup>3</sup> has further underlined the weakness of industry criteria. For example, the EU Pledge allows breakfast cereals with a maximum of 30g of sugar per 100g of product to be advertised to children. By contrast, the WHO model only permits cereals with a maximum of half that amount (15g of sugar per 100g). The EU Pledge also allows marketing of many categories of foods and beverages which the WHO would not permit. They include biscuits and cereal bars, juices, cakes and ice creams. **BEUC is therefore calling on governments to adopt the WHO nutrient profiles for discerning which products should not be advertised to children.**

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<sup>1</sup> World Health Organisation European Regional Office, *Tackling Food Marketing to Children in a Digital World: Trans-Disciplinary Perspectives*, October 2016

<sup>2</sup> Study on the exposure of minors to alcohol advertising on TV and in online services p60-68, ECORYS, 2015

<sup>3</sup> [http://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0005/270716/Europe-nutrient-profile-model-2015-en.pdf?ua=1](http://www.euro.who.int/__data/assets/pdf_file/0005/270716/Europe-nutrient-profile-model-2015-en.pdf?ua=1)

- **Enact regulation or co-regulation instead of self-regulation**

BEUC's recent campaign '[Food Marketing to Children: Game Over](#)' exposed the deficiencies of self-regulatory codes of conduct such as the EU Pledge which have brought patchy developments and are too lenient to ensure that children are adequately protected from unhealthy food advertising. Proponents of self-regulation claim that one of its advantages is that it can be adapted much faster than regulation. However, it took 8 years since its inception for the EU Pledge to even introduce common nutritional criteria which, as mentioned above, is in any case not stringent enough to properly protect children from advertising of unhealthy food. The EU Pledge not only uses weak nutritional criteria, but as a solely voluntary measure it means that a significant number of food companies remain outside these weak measures as there is no obligation to join. Crucially, food companies which are members of the EU Pledge and breach the self-regulatory rules, are not subject to any dissuasive or timely sanctions. **BEUC believes that governments should take the opportunity to play a much stronger role in determining rules for advertising to children of unhealthy foods by adopting regulation or co-regulation.**

- **Tackle online advertising of unhealthy foods to children**

Whilst television is still a prominent media platform, children are spending an increasing amount of time online and in some Member States children already spend more time online than watching TV<sup>4</sup>. Whilst the rise in HFSS foods being marketed digitally has been described as a 'paradigm shift' for the way children are targeted by advertising<sup>5</sup>, regulation has failed to keep pace with technological developments. This developing media landscape poses serious issues regarding the new methods used by food advertisers to target children as online techniques tend to be subtler whilst simultaneously more engaging and immersive. At the same time, children find it much more difficult to identify commercial content online<sup>6</sup>. **BEUC are therefore calling for governments to confront the new challenges posed by online marketing to children of unhealthy foods and to ensure that strict rules are put in place to close the loopholes which currently exist for online advertising of unhealthy foods.**

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<sup>4</sup> [http://www.childwise.co.uk/uploads/3/1/6/5/31656353/childwise\\_press\\_release\\_-\\_monitor\\_2016.pdf](http://www.childwise.co.uk/uploads/3/1/6/5/31656353/childwise_press_release_-_monitor_2016.pdf)

<sup>5</sup> Sandberg H, Gidlöf K, Holmberg N. Children's exposure to and perceptions of online advertising. *Int J Commun* 2011;5:21-50.

<sup>6</sup> Ali M, Blades M, Oates C, Blumberg F. Young children's ability to recognize advertisements in web page designs. *Br J Dev Psychol* 2009;27:71-83.