



March 26, 2010

To: Task Force on Childhood Obesity

From: Elaine D. Kolish, Vice President and Director
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Council of Better Business Bureaus

Subject: Task Force Request for Information

Introduction. BBB's Children's Food and Beverage Advertising Initiative (CFBAI) is submitting this comment to inform the Task Force about the CFBAI and the role that advertising self regulation is playing in supporting parents in making good choices for their families and promoting physical activity among children. The participants in the CFBAI use advertising that is primarily directed to children under 12 ("child-directed") to promote healthier dietary choices and lifestyles. Under the CFBAI's leadership, self regulation has led to significant changes in the landscape of food advertising to children under 12.

The Request for Comments seeks information on 16 categories and asks that comments restate the question and provide additional information deemed pertinent to their comment. The CFBAI's information is relevant to Questions 4 and 16. Question 4 asks, for each of the four objectives, what are the most important actions that private, nonprofit, and other nongovernmental actors can take? Question 16 asks what other input should the Task Force consider in writing the Report.

As the Task Force prepares its strategic plan, we hope that it will consider the important contributions that private actors in the food and beverage industry are making through self regulation to address concerns about food marketing to children. These contributions are relevant to two of the Task Force's pillars because they: (1)

support and empower parents in making good choices for their families; and (2) encourage children to engage in physical activity.

About the CFBAI . The Initiative's goal is to be part of a multi-faceted solution to the complex problem of childhood obesity by using advertising to help promote healthier dietary choices and lifestyles among children under 12. To accomplish this goal the CFBAI aims to shift the mix of advertising primarily directed to children under 12, as the Institute of Medicine¹recommended, so that advertising includes healthier or better-for-you products, as determined by science-based nutrition standards.

The participants have made strong, voluntary and transparent commitments to the CFBAI regarding their child-directed advertising.² Four participants are not engaging in advertising primarily directed to children under 12 at all³ and the others now use science-based nutrition standards to govern their child-directed advertising.⁴ These nutrition standards are driving product reformulation and innovation.

Additionally, as a dynamic program committed to improving self regulation's contribution to the fight against childhood obesity, since its launch only a few years ago, the program has grown significantly and already has strengthened its requirements. First, CFBAI has grown to 16 from 10 participants since its inception in 2006, thereby increasing its marketplace penetration and covering a substantial majority of the food advertising that is primarily directed to children under 12. Second, as a result of a program review during 2009, the Initiative increased the commitment required from participants for advertising to 100% from 50%. Third, the 2009 review resulted in the scope of advertising covered by the Initiative being expanded beyond the traditional media (TV, radio, print, Internet-including company-owned and third party child-directed sites) already covered to include newer and emerging media venues and formats.

¹ Institute of Medicine, *Food Marketing to Children and Youth, Threat or Opportunity?* (2006) at 382.

² More information about the CFBAI's requirements is contained in Attachment A.

³ The participants that do not engage in child-directed advertising are Cadbury Adams USA LLC, The Coca Cola Co., Hershey Co., and Mars Snackfoods US, LLC. In addition, Nestlé USA no longer advertises its Wonka brand (or other confections) to children. It may advertise other products that meet its nutrition standards, such as 100% fruit juice.

⁴ These are Burger King Corp.; Campbell Soup Company; ConAgra Foods, Inc.; The Dannon Company; General Mills, Inc.; Kellogg Company; Kraft Foods Global, Inc.; McDonald's USA, LLC; Nestlé USA; PepsiCo, Inc.; Post Foods, LLC; and Unilever United States.

CFBAI Participants Are Promoting Healthier Foods. During the last several years, as the Initiative became operational, the participants have reformulated or newly created more than 100 products to meet nutrition standards. Because of these reformulations and innovations, participant advertised foods may have fewer calories, and be lower in fats, sodium or sugars and/or be more nutrient dense.⁵ For example,

- The sugar content of cereals advertised to kids has been reduced from as much as 16 grams of sugar per serving to the point where now almost two-thirds have 11 grams or less per serving. The vast majority also are a “good” (10% Daily Value) source of Vitamin D and a “good” to “excellent” (20% Daily Value) source of essential vitamins and minerals. More than half provide 8 grams or more of whole grains per serving.⁶ And, even more improvements to the nutrient profile and density of cereals are planned.
- The sodium content of many soups and canned pastas that are advertised to kids has been reduced by 20 and 30 percent.
- Fast food restaurants advertise healthier choices with their kids’ meals, including fresh apple slices or low-fat or skim milk, or 100% juice. As CFBAI participants, McDonald’s and Burger King Corp.’s child-directed advertising helps to popularize healthy foods, such as apples. No longer are soft drinks and french fries featured in their advertised kid’s meals. Now the kid’s meals that are advertised meet strict limits for calories, fat and sugars.

CFBAI Participants Are Promoting Physical Activity and Good Dietary Habits. In addition to advertising healthier products, our participants include content on their child-directed websites (and other media) to encourage children to have healthy lifestyles and habits. Below we provide several examples of positive messaging on company-owned, child-directed websites.

⁵ We note that there is considerable research devoted to the subject of food advertising to children. We believe that it is important when policy makers and regulators consider this research that they do not inadvertently draw erroneous conclusions from flawed analyses or data that is no longer relevant. Data relied on or cited by critics of food marketing to children and self regulation often is based on out-of-date data or analyses using a variety of standards, each different from or inconsistent with the others, that do not capture the changes, which are sometimes incremental but significant, in existing products or new products in CFBAI participants’ child-directed advertising.

⁶ See the CFBAI’s “Cereal Snapshot Fact Sheet,” available at <http://www.bbb.org/us/children-food-beverage-advertising-initiative/info>.

Figure 1a: Screen Shot of Kellogg's Activity Break That Appears When Children First Enter the Site

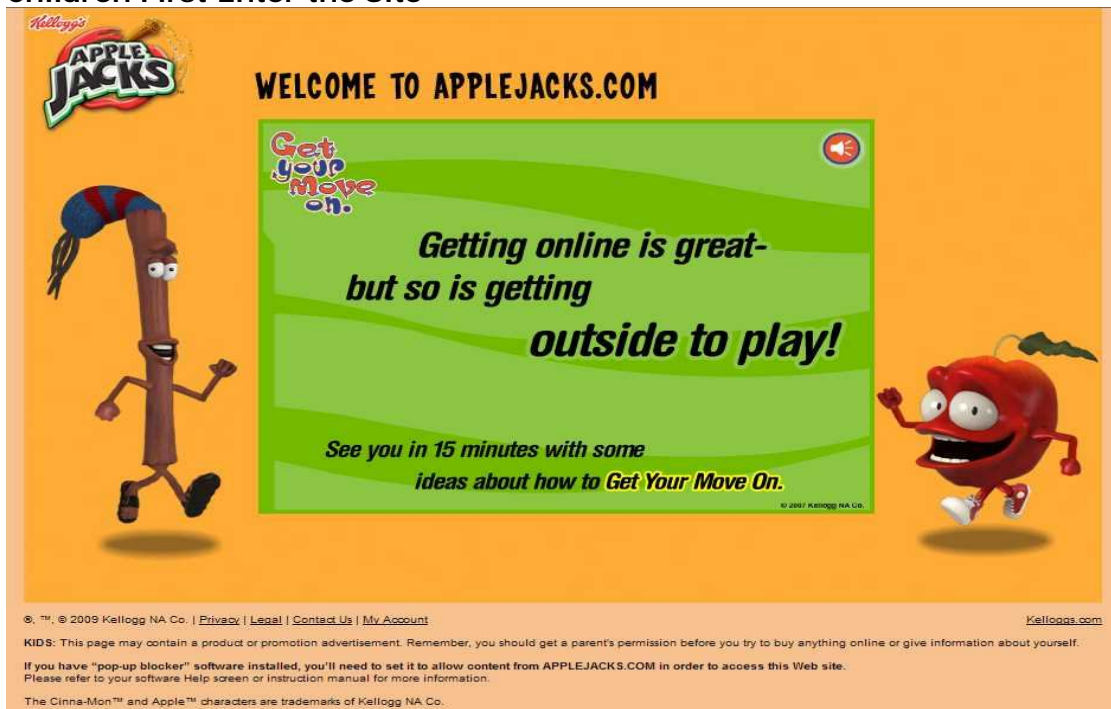


Figure 1b: Screen Shot of Activity Break that Pops Up After 15 Minutes of Online Activity



Figure 2: Downloadable Instructions for Outdoor Games on ConAgra Foods' Kidcuisine.com site



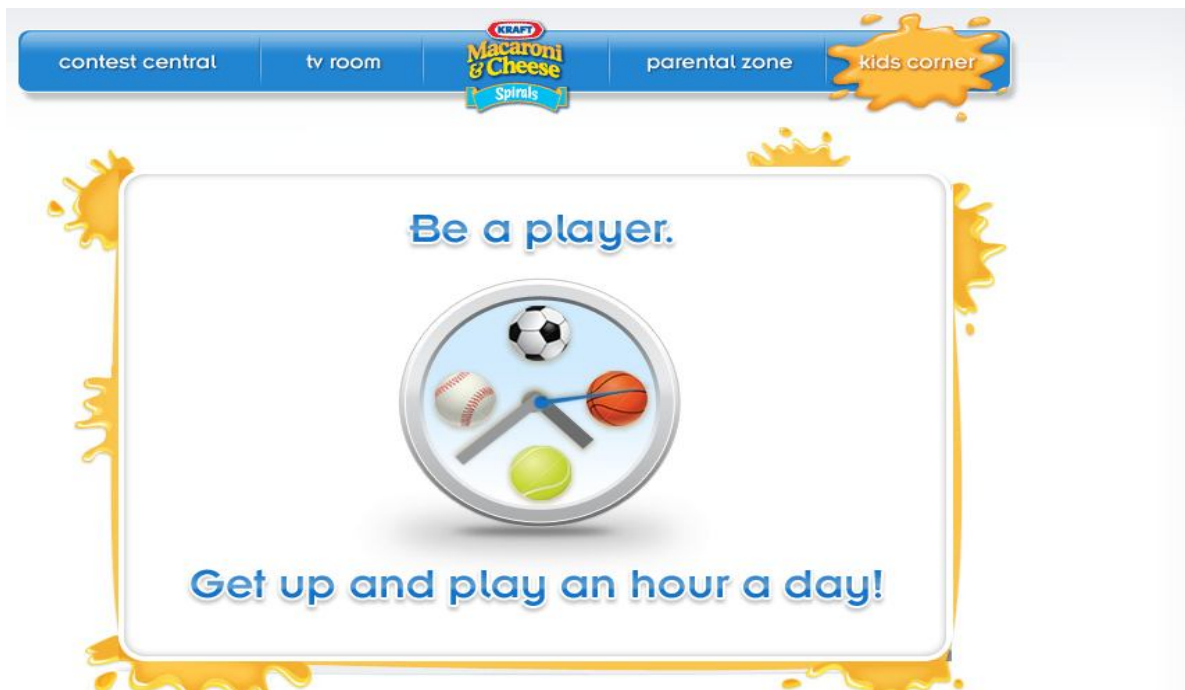
Figure 3: Screen Shot of Activity Tracker Provided by Campbell Soup Co.



Figure 4: Screen Shot of McDonald's "Ideas to Move It" Healthy Lifestyle Messaging



Figure 5: Screen Shot of Kraft Foods' Webpage Encouraging Physical Activity



One participant also has two child-directed websites focused on healthy lifestyles, neither of which refers to branded products.⁷ See Figure 6 for an example.

Figure 6: Screen Shot of General Mills' Healthy Lifestyle Messaging



Conclusion. As the Task Force knows, multiple strategies and interventions are needed to combat childhood obesity. We urge the Task Force to consider the positive role that advertising self regulation is currently playing in addressing childhood obesity.

We are proud of the progress that self regulation has made toward shifting the mix of food advertising to kids. We recognize, however, that our work is not yet done. Our intent always has been for the Initiative to be a dynamic program that would evolve over time. And indeed, as noted, we already have strengthened the program and expanded its coverage.

BBB will continue to work to strengthen the CFBAI's principles and to expand the Initiative to include more children's food advertisers. One of our next steps includes conducting a Nutrition Science Review, to be held later this year, to consider the

⁷ General Mills' site www.choosebreakfast.com teaches kids the importance of a nutritious breakfast. At www.mightygiants.com the company's equity characters Sprout and the Jolly Green Giant promote good nutrition and exercise.

Institute of Medicine's report on sodium, which is expected to be released soon,⁸ the Interagency Working Group report to Congress, expected in July 2010,⁹ and the revised Dietary Guidelines for Americans, expected in fall 2010. The Initiative also will continue to nourish and stimulate competition among participants to improve further the nutritional profile of foods and beverages in child-directed advertising.

We would be pleased to answer any questions about the CFBAI and to provide further information upon request. Our contact information is below.

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⁸ The IOM's Food and Nutrition Board convened an ad hoc consensus committee to review and make recommendations about how American can reduce sodium intake. More information is available at www.iom.edu/Activities/Nutrition/ReduceSodiumStrat.aspx.

⁹ Under HR 1105, Congress charged FTC, CDC, FDA and USDA with developing recommendations on nutrition standards on marketing to children under 18 and providing them in a report to Congress by July 2010.

Attachment A

BBB CHILDREN'S FOOD AND BEVERAGE ADVERTISING INITIATIVE PROGRAM REQUIREMENTS EFFECTIVE JANUARY 1, 2010

About the CFBAI. BBB and leading food and beverage companies started the CFBAI in November 2006 to help promote healthier dietary choices and lifestyles among children under 12. To accomplish this goal the CFBAI aims to shift the mix of advertising primarily directed to children under 12 so that advertising includes healthier products, as determined by science-based nutrition standards. Under the Initiative's Core Principles, participants commit that 100% of their child-directed advertising will be for healthier products or not to engage in child-directed advertising at all.

CFBAI Core Principles and Scope of Media Covered Expanded. The program is intended to be dynamic; the principles and requirements are reviewed periodically and subject to change. A review CFBAI and its participants conducted during 2009 resulted in significant expansions to the program.

Increased the advertising commitment requirements. The advertising principle requirement was increased to 100% from 50%. Now, *all* advertising primarily directed to children under 12 in covered media must be for healthier dietary choices or better-for-you products. Alternatively, a participant may choose not to engage in such advertising. In addition, now the advertising commitment can be met solely through healthy dietary choices or better-for-you products. Healthy lifestyle messaging is no longer an option for meeting the 100% commitment level.

Expanded the limitations on the use of licensed characters in media to include celebrities and movie tie-ins. All such use must be consistent with a participant's advertising commitment.

Expanded the venues the Initiative's advertising principles cover. Advertising that is primarily directed to children under 12 is now covered on both traditional and on new and emerging advertising venues and channels including:

- Television, print and radio
- Internet: Company owned & 3rd party Web sites that are child directed
- Interactive games that are child directed in all formats that are provided free or at nominal charge (includes advergames)
- Video and computer games rated as EC or labeled for children under 12
- DVDs of G-rated movies and other non-rated DVDs that are primarily child directed
- Mobile media (cell phones, PDAs)
- Word of mouth advertising

Other CFBAI Requirements. Participants also agree to the following:

- Not to engage in product placement of food/beverage products in child-directed editorial or program content
- Not to advertise foods/beverages in schools to children in Pre-K through 6th grade

More information. Visit <http://www.bbb.org/us/children-food-beverage-advertising-initiative/> or contact Elaine Kolish at ekolish@council.bbb.org.