

# Building momentum: lessons on implementing robust restrictions of food and non-alcoholic beverage marketing to children

## Advertising affects children's eating and drinking preferences and food intake

- There is a wealth of evidence on the extent, nature and effects of marketing food and non-alcoholic products that are high in fat, salt and sugar (HFSS) to children and overwhelming international consensus calling for marketing restrictions to be implemented. However, many countries are yet to implement such recommended restrictions (1-4).
- Outlining lessons learned from countries across the world that have implemented robust marketing restrictions can increase the chance of successful implementation in new settings that are attempting to adopt similar policies.
- The Building Momentum report provides guidance on how to design a robust regulatory framework intended to restrict the marketing of HFSS food to children, including core elements to consider in its development and implementation and advice on how to defend it from opposition.



Left, **Figure 1:**  
How marketing of HFSS  
foods is linked to diet-  
related NCDs

Right, **Figure 2:**  
How HFSS products  
are marketed

## Methods

A literature review and expert interviews were undertaken for this report. The literature review included international reports, recently published research papers and policies from around the world related to food and beverage marketing to children. The literature review focused on papers published between January 2010 and July 2019 that address the main regulatory mechanisms, scope of regulatory measures and voluntary initiatives; and that provide evidence of the current marketing trends, ecosystems and impact on food selection, health status and behaviour of children. Key search terms were used on Web of Science and Academic Complete and in a Google search. Several reports and documents were provided or highlighted by interviewees.

In total 17 interviews were conducted with experts in the field who were selected due to their knowledge and expertise of the topic. The interviews explored the policy process undertaken in several countries that have implemented marketing restrictions, to better understand the main enablers and constraints.



***“Governments who implement marketing restrictions are not banning any food from the market; they are simply restricting the food and advertising industries from marketing unhealthy food to children who are vulnerable to its negative impact.”***

Prof Amandine Garde, Professor of Law, Director of Law & NCD Unit, University of Liverpool, UK.



***“Our intention is to restrict all the food marketing that children might be exposed to. We know that, in some family programmes, we have a lot of children seeing these types of programmes. We know that it’s not only enough if we restrict the food marketing only for the programmes that will be directed to children.”***

Maria João Gregório, Director-General of Health, National Programme for the Promotion of Healthy Eating, Portugal.

## Key Findings

Protecting children from harmful marketing practices is a human rights issue: governments that are a party to the UN Convention on the Rights of the Child have a duty to protect, respect and fulfil children’s right to health (5). HFSS marketing can be framed as a child rights matter, encompassing rights such as the right to health, privacy, and information.

### **Protecting children from harmful marketing practices is a human rights issue. Governments should:**

- Use a child rights-based framing for policies and a multi-sectoral approach across the health, children’s rights and privacy sectors.
- Work with a range of stakeholders beyond health, such as children’s health rights movements, and other government agencies to design and advocate for policies that use a child rights-based approach.

There is overwhelming international consensus calling for marketing restrictions to be implemented, including the WHO Set of Recommendations on the Marketing of Foods and Non-alcoholic Beverages to Children (1-4).

### **To design a robust regulatory framework to restrict marketing:**

- Implement government-led mandatory restrictions.
- Protect children up to and including the age of 18.
- All forms of marketing should be included in restrictions to ensure children’s full exposure is limited across all media and settings (Figure 2: How HFSS products are marketed).
- Define marketing as ‘marketing to which children are exposed’.
- Use a robust nutrient profile model to decide which products are in scope of the restriction.

## Protecting policy processes from undue interference

Governments can be challenged by third parties, most frequently the food and drink industry, on the introduction of marketing restrictions. It is important to include mechanisms to shield the policy development process from commercial interests that conflict with the purpose of the policy. Such conflicts of interest may cause delay or undermine the impact of the policy, especially by influencing its scope and potential effectiveness.



**Figure 3:**  
Common industry  
tactics used to  
challenge marketing  
restrictions

## Examples of successful implementation of marketing restrictions

**Chile** - Tony the Tiger, a significant Kellogg's brand identity, was removed by Chilean marketing restrictions that ban techniques and incentives that could attract the attention of children, such as cartoons, animations and toys.



**Figure 4:** Use of cartoon characters on cereal in Chile and Mexico

**Ireland** - The 2009 Children's Commercial Communications Code (as amended 2013) prohibits both the featuring of celebrities in food advertising to under-18s and the use of characters and personalities from children's programming in food advertising to under-15s.

**Peru** - Advertising aimed at under-16s through any medium is prohibited. This includes not using gifts, prizes or any other benefit to encourage purchase or consumption of food or drinks, and not using real or fictional characters known to children.

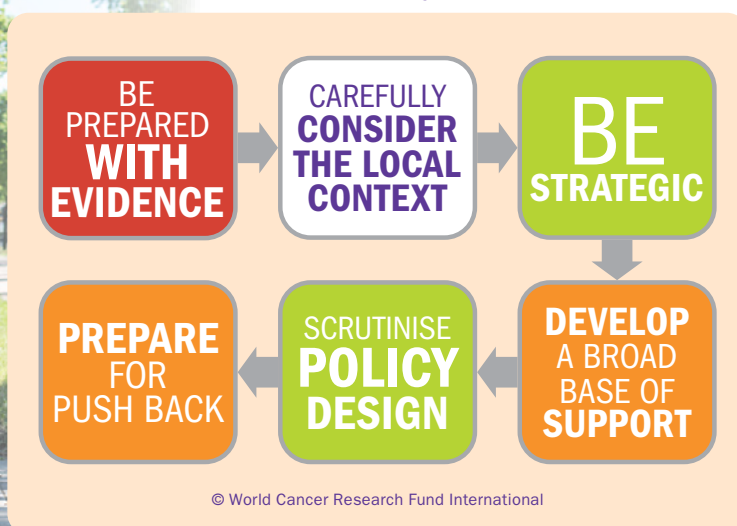
## Lessons learned

- The WCRF International *Building Momentum* series takes the lessons learned from governments who have successfully implemented evidence-informed nutrition policies and collates them with the published literature to succinctly outline how to design and implement a robust nutrition policy that will withstand and overcome multiple barriers and challenges.
- Governments need more support to overcome the numerous barriers and challenges they encounter in implementing nutrition policy, especially in the face of industry interference.
- Governments, civil society organisations and researchers all play important roles in the development, defence and implementation of marketing restrictions. Lessons can be learned from the experiences of countries that have attempted to implement, are in the process of implementing, or have successfully implemented marketing restrictions. (See Figure 5: Lessons learned in implementing a robust nutrition policy).





**Figure 5:** Lessons learned in implementing a robust nutrition policy



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1. Sugar-sweetened beverage taxes (2018)
2. Front-of-pack food labelling (2019)

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### References

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## Do you have any questions?

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