



Monitoring Report 2015





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Background

The EU Pledge is a voluntary initiative by leading food and beverage companies to change food and beverage advertising to children under the age of twelve in the EU, in line with Article 9.2 of the Audiovisual Media Services Directive, which calls for codes of conduct on the marketing of certain food and beverage products to children.

Signatories have committed to changing the way they advertise to children under 12 years old by respecting the two following minimum common requirements:

- ★ No advertising of products to children under 12 years, except for products which fulfil common nutrition criteria¹.
- ★ No product marketing communications to children in primary schools.

This is the seventh annual monitoring report of the EU Pledge. The monitoring was carried out in the first half of 2015 by the following independent third parties:

- ★ **Accenture Media Management**², to review EU Pledge member companies' compliance with the commitment relating to TV advertising;
- ★ **EASA – The European Advertising Standards Alliance**, to review EU Pledge companies' branded websites, for compliance with the EU Pledge commitment.

In addition to the monitoring of "traditional" TV advertising, which has been the object of monitoring since the first report of the EU Pledge in 2009, the compliance monitoring also focuses on company-owned websites since 2012.

Due to resource constraints, members decided to suspend the monitoring of the EU Pledge commitment in primary schools in 2013, in order to be able allocate sufficient resources for this exercise. In previous years, the monitoring of the EU Pledge commitment in primary schools always highlighted compliance rates nearing 100%.

The methodology and process of the monitoring of company-owned websites was reviewed by Dr Verónica Donoso, INHOPE Executive Director and affiliated researcher at the Centre for IT & IP Law at the Faculty of Law of the University of Leuven (KU Leuven). Dr Donoso is highly experienced in research on children and young people's uses of new media and e-safety. She has worked on a number of European and Belgian projects, including the EU Kids Online I, II and III. She also coordinated the 2nd Assessment of the Safer Social Networking Principles for the EU.

¹ Common EU Pledge nutrition criteria – for those member companies that do use nutrition criteria – entered into force across the EU on 1 January 2015. Those are available on www.eu-pledge.eu. Some EU Pledge member companies have taken the decision not to advertise any of their products to children under 12.

² Accenture is a global management consulting, technology services and outsourcing company. Accenture Media Management helps companies measure and optimise investments in marketing, media, retail and digital. It also provides independent media auditing services, which is the function it performs with regard to the EU Pledge.

Key 2015 results

The record of compliance is positive and consistent with previous years:

- ★ **TV: The overall compliance rate is 98.6%**
- ★ **Company websites: The overall compliance rate is 97%**

In addition to monitoring the implementation of commitments, EU Pledge member companies have sought to measure the change in the overall balance of their food and beverage TV advertising to children as a result of the EU Pledge and of companies' individual commitments.

The monitoring carried out since 2009 shows a downward trend in children's exposure to TV food advertising by EU Pledge member companies:

- ★ A very substantial reduction in children's exposure to advertising *for products that do not meet nutrition criteria through children's programmes (>35% <12 audiences)*: **-83% in average over all markets monitored in the past 6 years.**
- ★ A reduction in children's exposure to advertising *for products that do not meet nutrition criteria in all programmes*: **-48% in average over all markets monitored in the past 6 years.**
- ★ An overall reduction in children's exposure to advertising *for all EU Pledge member companies' products (regardless of nutrition criteria)*: **-32% in average over all markets monitored in the past 6 years.**

For the fourth time since the extension of the EU Pledge commitment to company-owned websites at the end of 2011, EASA - The European Advertising Standards Alliance, monitored member companies' brand websites. 219 national brand websites were monitored in eight EU countries. The results show that:

- ★ **97% of websites reviewed were deemed compliant with the EU Pledge. 7 websites out of 219 were found non-compliant with the EU Pledge commitment.**

Implementation of common EU Pledge nutrition criteria

The EU Pledge was further strengthened through the adoption of harmonised nutrition criteria for those companies that so far have used company-specific criteria to determine what foods they may advertise to children under 12.

These criteria – which are overall more stringent – are in force since 1 January 2015 and replace individual company criteria applied until then. The common criteria set energy caps, maximum thresholds for nutrients to limit (salt, saturated fat and sugar) and minimum requirements for positive nutrients, category by category.

EU Pledge member companies that do not advertise any of their products to children under 12 at all have decided to maintain their policies. Therefore, the common nutrition criteria are not relevant for them.

Growth in membership

The EU Pledge was launched in December 2007 by eleven leading food and beverage companies, representing approximately two-thirds of food and non-alcoholic beverage advertising spend in the European Union.

In 2010, the European Snacks Association (ESA) and its leading corporate members joined the EU Pledge. Today, those are: Intersnack (including Estrella Maarud acquired in May 2014), KiMs (owned by Orkla Confectionery and Snacks), Lorenz Snack-World, Unichips San Carlo, Zweifel Pomy-Chips, Amica Chips and ICA Foods (which both joined in July 2014).

McDonald's joined the EU Pledge in November 2011, Royal FrieslandCampina in 2012, and the Quick Group in 2013. The Bel Group joined the initiative and implemented the commitment on 1 January 2016 and was therefore not included in this year's monitoring exercise.

With this latest addition, the EU Pledge membership counts twenty-two leading food and beverage companies. Together, EU Pledge member companies account for over 80% of food and beverage advertising spend in the EU.

Further enhanced commitments

On 24 November 2014, EU Pledge member companies announced plans to extend the scope of the EU Pledge commitment to cover a number of additional media and to address the content of their marketing communications by the end of 2016:

- ★ **Extension of scope:** the EU Pledge currently covers commercial communications on TV, print, third-party internet and company-owned websites. From 31 December 2016, EU Pledge member companies will also apply this commitment to radio, cinema, DVD/CD-ROM, direct marketing, product placement, interactive games, mobile and SMS marketing.
- ★ **Addressing creative execution:** The new policy will ensure that where no reliable audience measurement data is available, advertiser consider not only the placement, but also the overall impression of the marketing communication, to ensure that if the product in question does not meet the common nutrition criteria, the communication is not designed to appeal primarily to children³.

The adoption of new commitments represents a new challenge for EU Pledge members to meet by the end of the year. Public monitoring of compliance with the enhanced commitments will begin in 2017, once they have entered into force.

³ Further information about the enhanced commitments can be found here: <http://www.eu-pledge.eu/content/enhanced-2014-commitments>

About the EU Pledge

The EU Pledge was launched in December 2007 as part of signatories' commitment to the European Union Platform for Action on Diet, Physical Activity and Health, the multi-stakeholder forum set up by the European Commission in 2005 to encourage stakeholders to take initiatives aimed at promoting healthy lifestyles in Europe. In the context of the EU Platform, the EU Pledge commitment is owned by the World Federation of Advertisers (WFA), which also supports the programme.

EU Pledge Members

The founding members of the EU Pledge are the following companies: Burger King, Coca-Cola, Danone, Ferrero, General Mills, Kellogg, Mars, Mondelez, Nestlé, PepsiCo and Unilever. The membership has since been expanded, representing today 22 leading food and beverage companies, accounting for over 80% of EU food and non-alcoholic beverage advertising spend.



The initiative is open to any food and beverage company active in Europe and willing to subscribe to the EU Pledge commitments.

The EU Pledge commitments

The EU Pledge is a framework initiative whereby signatories are committed to changing the way they advertise to children under 12 years old by respecting the two following requirements:

1 No advertising of products to children under 12 years, except for products which fulfil common nutrition criteria⁴.

For the purpose of this initiative, “advertising to children under 12 years” means advertising to media audiences with a minimum of 35%⁵ of children under 12 years⁶.

2 No communication related to products in primary schools, except where specifically requested by, or agreed with, the school administration for educational purposes.

Participating companies must all meet these criteria, but can go further. The framework EU Pledge commitments provide a common benchmark against which companies can jointly monitor and verify implementation.

Since the initiative was launched, all participating companies have made their individual corporate commitments within the framework of the EU Pledge programme. All founding member company commitments, published on the EU Pledge website (www.eu-pledge.eu), were implemented across the EU by 31 December 2008⁷. Members that joined the EU Pledge in 2010 implemented the commitment by the end of that year. McDonald’s and FrieslandCampina implemented the commitment upon joining, in January and September 2012 respectively. The Quick Group, Amica Chips and ICA Foods both implemented the commitment in 2014. The Bel Group joined the initiative and applied the commitment on 1 January 2016 and was therefore not included in this year’s monitoring exercise.

To facilitate compliance with the EU Pledge commitments, member companies developed detailed implementation guidance, for all relevant staff in marketing, media planning and corporate affairs departments in all EU markets.

4 Common EU Pledge nutrition criteria – for those member companies that do use nutrition criteria – entered into force across the EU on 1 January 2015. Some EU Pledge member companies have taken the decision not to advertise any of their products to children under 12. All applicable guidelines are published as part of the individual company commitments under the EU Pledge on www.eu-pledge.eu.

5 This is a commonly agreed benchmark to identify media with an audience composed of a majority of children under 12 years old. This method of audience indexing has been agreed as a pragmatic system to determine the applicability of advertising rules. Nevertheless, this is a minimum common benchmark for all EU Pledge member companies. For further detail see: www.eu-pledge.eu

6 The rationale for this threshold is the strong degree of academic consensus that by the age of 12 children develop their behaviour as consumers, effectively recognise advertising and are able to adopt critical attitudes towards it. Although children between the ages of 6 and 12 are believed to generally understand the persuasive intent of advertising, care should be taken because they may not have a fully developed critical understanding. For further information see: http://www.wfanet.org/pdf/adv_papers/when_is_a_child_a_child.pdf.

7 In case of mergers or acquisitions, an agreed transition period is allowed for the implementation of measures taken under the EU Pledge.

Third-Party Monitoring

In line with the Terms of Reference of the EU Platform for Action on Diet, Physical Activity and Health, EU Pledge signatories are required to monitor and report on the implementation of their commitments. EU Pledge member companies have committed to carry out independent third-party compliance monitoring of the EU Pledge commitments.

This is the seventh such monitoring exercise. All previous Monitoring Reports are available on <http://www.eu-pledge.eu/content/annual-reports>. In 2015, EU Pledge member companies commissioned the following independent third parties to monitor implementation of the EU Pledge commitments:

- ★ **Accenture Media Management**⁸, to review EU Pledge member companies' compliance with the commitment relating to food and beverage advertising on TV.
- ★ **EASA – The European Advertising Standards Alliance**⁹, to review EU Pledge companies' brand websites for compliance with the EU Pledge commitment.

The EASA monitoring programme was independently reviewed by Verónica Donoso (PhD), INHOPE Executive Director and affiliated researcher at the Centre for IT & IP Law at the Faculty of Law of the University of Leuven (KU Leuven). Dr Donoso is highly experienced in the areas of children and young people's uses of new media and e-safety.

⁸ Accenture is a global management consulting, technology services and outsourcing company. Accenture Media Management helps companies measure and optimise investments in marketing, media, retail and digital. It also provides independent media auditing services, which is the function it performs with regard to the EU Pledge.

⁹ The [European Advertising Standards Alliance](#) brings together national advertising self-regulatory organisations in Europe. Based in Brussels, EASA is the European voice for advertising self-regulation.



Compliance Monitoring: TV advertising

Objective and Scope

Accenture Media Management was commissioned to carry out the independent monitoring of member companies' compliance with the following EU Pledge commitment:

"No advertising of products to children under 12 years, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international guidelines. For the purpose of this initiative, "advertising to children under 12 years" means advertising to media audiences with a minimum of 35% of children under 12 years."

This is the fourth monitoring exercise assessing the compliance of EU Pledge member companies with the enhanced commitment. Until the end of 2011, the audience threshold used was 50% children under 12. By lowering the audience threshold to 35% of children under 12 years, the EU Pledge commitment covers more media channels that have a significant child audience. This commitment entered into force on 1 January 2012.

For this exercise, seven sample EU markets were chosen: **France, Germany, Hungary, Italy, Poland, Portugal and Spain**. The intent has been to cover a number of new markets each year, within the limits of data availability and affordability, so as to assess performance in as broad a sample of Member States as possible. Some markets have been covered repeatedly in order to provide a benchmark.

Methodology

Accenture Media Management was commissioned to analyse national audience data in the sample markets over a full three-month period. This data is provided by official national TV audience measurement agencies. Viewing estimates are obtained from panels of television-owning private homes representing the viewing behaviour of households.

The data provides detailed statistics about advertising spots: advertiser, product, channel, programme, date and time of broadcast, estimated audience and demographic breakdown – typically including the segment 4-12 years of age. In Portugal the only available demographic segment is children aged 4-14. The implication is a likely overstatement of non-compliance in these markets with respect to the EU Pledge commitment.

On this basis, Accenture gathered and reviewed all advertising spots for products marketed by EU Pledge member companies, aired in the seven markets during the period 1 January to 31 March 2015 – 1,017,144 spots were reviewed.

Spots for products that do not meet EU Pledge companies' nutrition criteria, where applicable, were identified, on the basis of full product lists submitted by each member company for each market. For those member companies that do not apply nutrition criteria and do not advertise any products to children under twelve, all spots were included.

For all these spots, audience composition at the time of broadcast was analysed on the basis of national ratings data. This allowed Accenture to isolate ads aired at a time when more than 35% of the audience was composed of children under twelve years of age.

All spots for products that EU Pledge member companies have committed not to advertise to children under twelve, aired at times when the audience was composed of over 35% children under twelve, were deemed non-compliant with the EU Pledge.

Monitoring results

The overall compliance rate was as follows:

98.6% of signatories' TV advertising spots were compliant with the EU Pledge commitment

This figure is comparable to those reported in previous years in different markets (2013 compliance rate: 98.1%, 2014 compliance rate: 98.5%). The detailed compliance rates reported by Accenture per market can be found in the Accenture presentation included in this report.

Statistical anomalies and overstatement of non-compliance

It is worth noting that of the vast majority of spots found technically non-compliant (i.e. achieving an under-twelve audience share above 35%, regardless of the time of broadcast and of the adjacent programme), only a few can be considered to be certainly in breach of the spirit of the EU Pledge commitment, i.e. broadcast in or around children's programmes as such.

Most spots included as non-compliant in this report are spots broadcast in or around general/adult programmes that were reported in national ratings data as displaying a share of children under 12 above 35%.

The reason for this discrepancy is that audience statistics for programmes and advertising spots with a small audience – included in these monitoring results – are not reliable: a small audience means a small sample of households, rendering the demographic analysis of the audience unreliable. For statistical reliability, marketers typically exclude advertising spots below 1 Gross Rating Point (GRP). GRPs are the measure of television ratings. They are calculated in relation to the target audience – children under 12 for the purposes of this analysis. In this case a spot with less than 1 GRP is a spot that reaches less than 1% of the under-12 audience in the country in question. These spots often display an implausible share of under-12 viewers: e.g. a spot during a sports programme broadcast at 2AM shows a child audience of 100%. This is the result of statistical anomalies.

Accenture's analysis shows that if spots below 1 GRP (unreliable audience data) and night-time spots (clearly not targeted at children) are excluded, 100% spots by EU Pledge member companies are compliant, as opposed to 98.6% if all spots are counted. All 1.4% non-compliant spots were nonetheless included in the reported non-compliance rates for the sake of transparency and simplicity, even though they are, at worst, examples of "technical" non-compliance.

Follow-up

All instances of non-compliance were reported to the EU Pledge member companies concerned. Companies were thus able to identify each non-compliant spot by market, product, channel and time. This has allowed companies to take corrective action where necessary, to adapt media planning where appropriate, and to update guidance to marketing departments where needed.

Beyond compliance: Measuring Change in the Balance of Advertising

Objective and scope

In an effort to go beyond the assessment of compliance with their commitments, EU Pledge member companies have sought to measure the change in the balance of food and beverage products advertised to children under twelve, in order to assess the impact of the initiative and corporate policies implemented in the framework and spirit of the initiative.

The year 2005 was chosen as a benchmark, coinciding with the launch of the EU Platform for Action on Diet, Physical Activity and Health.

Methodology

Every year, the outcome indicator used to measure the change in the balance of food advertising to children is the number of times that children under 12 years old saw ads by EU Pledge member companies, for products that do not meet companies' nutrition criteria and for all EU Pledge company products, in the period 1 January – 31 March 2005 vs. the same period in 2009, 2010, 2011, 2012, 2013 and 2014. This is measured in "impacts", which is the statistical number of times each spot is viewed by one person and hence the most accurate measure of "exposure".

Accenture was asked to report the findings in terms of:

- ★ Change in programmes with an audience composed of over 35% of children, the minimum common benchmark applied under the EU Pledge initiative.
- ★ Change in general programming, i.e. all programmes aired during the monitoring periods in the six or seven markets during Q1 2005 and Q1 2009, 2010, 2011, 2012 and 2014.

This analysis was carried out by contrasting two comparable sets of data:

- ★ The advertising and ratings data already analysed to measure compliance in Q1 2009, 2010, 2011, 2012, 2013 or 2014.
- ★ The equivalent data for Q1 2005, i.e. all advertising spots for products marketed by EU Pledge member companies in that period on the same channels.

However, with the entry into force of the EU Pledge common nutrition criteria as of 1 January 2015, this exercise could not be conducted this year.

The reason is that exposure data available since 2005 was based on companies' individual nutrition criteria. With the entry into force of the common nutrition criteria, the 2005 data can no longer be compared with the 2015 exposure figures which are based on a different set of criteria.

Following Accenture's advice the EU Pledge will endeavour to resume change measurement in future years, with 2015 as a new benchmark.

Outcome

The results reported by Accenture between 2009 and 2014 show a marked decline in children's exposure to ads for products that do not meet companies' nutrition criteria since 2005. This trend is visible on the basis of both change measurement parameters chosen, namely:

These figures appear to confirm the overall trend observed over six years of monitoring, of a significant decrease in children's exposure. The six year average observed (2009-2014) is as follows:

- ★ **An 83% reduction** in exposure to ads for products that do not meet nutrition criteria in programmes with an audience composed of over 35% of children.
- ★ **A 48% reduction** in exposure to ads for products that do not meet nutrition criteria overall, i.e. in all programmes on all channels at all times.
- ★ **A 32% reduction** in exposure to ads for all products, regardless of nutrition criteria, overall, i.e. in all programmes on all channels at all times.

Compliance Monitoring: Company-owned websites

In 2011, EU Pledge members decided to enhance their framework voluntary commitments by **improving the coverage of the commitment in the online sphere. Since its inception**, the EU Pledge commitment has applied to advertising on TV, print media and third-party internet advertising. In January 2012, **EU Pledge member companies extended their commitment to company-owned websites**. By extending the coverage of the commitment to cover both third-party online advertising and brand websites, the EU Pledge covers online marketing comprehensively.

Methodology

EASA – the European Advertising Standards Alliance was commissioned to undertake the review of the compliance of EU Pledge branded websites with their commitment.

Compliance with the EU Pledge criteria is determined on the basis of whether:

- ★ The website features marketing communications
- ★ Such marketing communications promote food or beverage products, as opposed to a brand/ corporate brand in general
- ★ Such food and beverage products meet or do not meet EU Pledge companies' nutrition criteria
- ★ Such marketing communications are designed to be targeted primarily at children under 12.

A methodology with a 'consumer-oriented approach' was drawn up by the EASA secretariat in collaboration with the EU Pledge Secretariat and the independent reviewer of this exercise, Dr Verónica Donoso.

National self-regulatory organisations for advertising (SROs) from eight countries (France, Germany, the Netherlands, Portugal, Poland, Romania, Spain and the UK) were asked to review a selection of EU Pledge member companies' national brand websites which promoted products not meeting the applicable nutrition criteria.

Each SRO was asked to review a total of 23 or 30 national brand websites, depending on the size of the market, including at least one or two websites per company, where available, in October and November 2015. SROs could review national brand websites as well as promotional websites set up by the companies, but not the main corporate websites as these are per definition more intended to inform the public rather than to provide services and entertainment, especially to children. 30 national brand websites were reviewed in France, Germany, Poland, the UK and Italy, including where available at least two websites per company. Experts from SROs in Romania, Spain and the Netherlands each reviewed 23 national brand websites of EU Pledge company members, including where available at least one website per company.

When making their selection of websites to review, the SROs were requested to take into account products that are popular amongst children in their country. The reviewers were requested to check if the marketer-owned websites complied with the EU Pledge criteria, using a dedicated questionnaire

and methodology developed by EASA, the EU Pledge secretariat and the independent reviewer Dr Verónica Donoso.

The reviewers noted whether a website contained features to screen the age of the website visitor. This element was, however, not considered as sufficient to ensure compliance if the marketing communications on the website were clearly designed to appeal primarily to children under 12.

The reviewers were asked to check whether the websites contained elements, such as games, animation, licensed characters and toys and to decide if these were in their view primarily designed for children under 12. Lastly, they had to judge if these elements, in conjunction with the overall creative execution of the website (i.e. simplicity of language, use of font size and typeface, use of colours etc.), were clearly intended to make the marketing communication(s) on the website primarily appealing to under-12s.

On the basis of the level of appeal of the creative execution to under-12s and the overall findings reported by the SROs, EASA determined the final compliance of the websites with the EU Pledge criteria.

Beyond EU Pledge compliance, self-regulation experts also flagged any item on a website that potentially breached either one or several of the following advertising codes or laws:

- ★ ICC Framework for Responsible Food and Beverage Marketing Communications;
- ★ Relevant advertising standards and national sectoral codes;
- ★ Relevant advertising laws.

All reviews were performed by self-regulation experts from national SROs; whereas EASA ensured that the results were reported in a consistent manner.

Monitoring results

A total of 219 national brand websites were reviewed, all of which contained product promotion. Out of these 219 websites, 7 websites were found not to comply with EU Pledge criteria, as they were deemed to be designed to be of particular appeal to children under 12 and promoting products that did not meet the nutrition criteria of the EU Pledge member companies.

17 out of the 219 websites reviewed contained items that were in breach of advertising codes or relevant advertising laws. In total 30 problematic items were flagged by the SROs.

Overall, 97% of the websites reviewed were in compliance with the EU Pledge commitment.

Implementation of the EU Pledge common nutrition criteria

The EU Pledge is a voluntary initiative and as such, it is able to respond promptly to new challenges and evolving consumer expectations. Since its adoption in 2007, the EU Pledge has significantly enhanced its commitment by increasing the types of media covered and by increasing its membership. These changes are the result of a constant review of the commitments and an on-going dialogue with key stakeholder and decision-makers, first and foremost in the context of the Platform on Diet, Physical Activity and Health.

EU Pledge member companies embarked in 2012 on an ambitious project to respond to concerns regarding the nutrition criteria applied by those companies that chose to continue advertising certain of their products to children under 12. Until their entry into force on 1 January 2015, members used company-specific nutrition criteria which, although science-based, raised potential problems of transparency and consistency. The EU Pledge therefore committed to developing common criteria, applicable only to those companies that use nutrition criteria. The criteria are not applicable to companies that do not advertise any of their products to children under 12.

The EU Pledge nutrition criteria are designed for the exclusive purpose of food and beverage advertising to children under twelve and specifically for the product categories covered. This reflects international guidelines underlining the necessity to develop nutrient criteria that are tailored for a specific purpose. The use of the EU Pledge nutrition criteria for other purposes, such as for instance nutrition and health claims or taxation, would not be appropriate or scientifically credible.

The common EU Pledge nutrition criteria were developed on the basis of available international guidance and underpinned by some key principles agreed at the outset, including: a firm scientific basis; comprehensiveness; ability to make a difference; appropriateness in an EU-wide context; suitability for validation; and a clear and communicable rationale.

Different approaches to developing and applying nutrition criteria have been adopted across the globe. One approach is not necessarily better than another, but each system has specific advantages and disadvantages and all have inherent limitations. On the basis of a comprehensive discussion informed by the available evidence and guidance and underpinned by the above principles, the EU Pledge opted for a category-based approach, based on thresholds for key nutrients.

A category-based approach was selected because it is better able than a universal, across-the-board approach to reflect the role that different types of foods and beverages play in the average diet. It is also better at discriminating between food products within categories and therefore appropriate to further the core aim of the EU Pledge, i.e. to limit the types of food and beverage products that are advertised to children, while incentivizing competition based on innovation and reformulation.

A threshold-based system was preferred to a scoring system since a key driver of common criteria was to enhance the consistency of existing company-specific criteria, most of which were based on threshold systems. Another factor in favour of a threshold-based system was increased transparency,

a threshold system being more transparent and easier to communicate than a scoring system, whereby nutrition scores are worked out on the basis of an algorithm.

The common nutrition criteria are not intended as a universally applicable system. They cover nine defined categories produced or marketed by EU Pledge member companies. The choice of categories was motivated by the need to balance the need for simplicity and consistent treatment of similar products on the one hand and, on the other, the need to avoid categories so broad that only lax nutrition criteria would accommodate all types of products represented in a category. In order to ensure both robustness and fairness, it was necessary to create sub-categories within most of the nine categories.

No nutrition criteria were developed for certain categories, such as chocolate, confectionery and soft drinks. This reflects existing commitments by several member companies active in these categories and it confirms that those EU Pledge member companies will not advertise these products to children under 12, as defined in the EU Pledge commitments.

The common nutrition criteria are based on a set of “nutrients to limit” and “components to encourage” (nutrients and food groups). A system taking into account both is more in line with the core objective of the EU Pledge – to foster innovation, reformulation and competition for a shift towards advertising of products meeting nutrition criteria – than a system based solely on “nutrients to limit”.

The “nutrients to limit” - sodium, saturated fat and total sugars – were chosen on the basis of widely available evidence that they are of public health concern because population average intakes are in excess of those recommended or desirable for health. Importantly, and in contrast to a scoring system, in the EU Pledge nutrition criteria “components to encourage” do not counterbalance “nutrients to limit”: to be eligible for advertising to children under twelve, a product needs to contain the required quantity of “components to encourage”, *in addition to* being below the thresholds for “nutrients to limit” and under the calorie cap set for each category. A specific rationale is outlined for the choice of energy caps and nutrient values in each category.

The common nutrition criteria entered into force on 1 January 2015. In line with the framework approach of the EU Pledge, whereby companies must meet a common benchmark but can go beyond if they wish, member companies may use different nutrition criteria than the common criteria, but on condition that they are demonstrably more stringent than the common ones.

The EU Pledge nutrition criteria should be seen against the backdrop of the great challenge of developing EU-wide criteria. It is clear that any nutrition criteria will have their advantages and drawbacks and all systems will have inherent limitations. However, EU Pledge member companies believe that these common criteria are an important step forward in terms of improved transparency and consistency. These criteria also make a tangible difference in practice: for many of the companies that use nutrition criteria, the new criteria mean that significantly fewer products are eligible for advertising to children under twelve than was the case.

The full EU Pledge Nutrition Criteria White Paper is available at www.eu-pledge.eu



Conclusions and next steps

After seven years of independent third-party monitoring, the EU Pledge has been able to demonstrate a high level of member companies' compliance with their commitments, as well as a significant change in the balance of food advertising to children in the EU towards options that meet common nutrition criteria. The membership of the initiative has also grown from 11 to 22 member companies, to cover over 80% of food and beverage advertising spend in the EU.

The EU Pledge is a dynamic initiative. While it provides a common framework, member companies can make commitments that go beyond it, and several do. Since its launch, over half of the founding member companies have stepped up their corporate commitments, tightening the way they define advertising to children and broadening the scope of their actions.

In the same spirit and following constructive dialogue with stakeholders, the EU Pledge enhanced its framework voluntary commitments in 2012, applicable to all existing and any new members of the initiative throughout the EU.

The 2015 monitoring programme has shown that member companies were able to achieve high compliance levels with the new commitments. However, the compliance monitoring programme for company-owned websites has shown that there is still room for improvement. While reported instances of non-compliance have already or are being addressed by member companies, the EU Pledge prepared detailed guidance to ensure improved compliance rates. The fourth monitoring programme for company-owned websites has further enabled the EU Pledge to draw lessons on how to further refine the monitoring methodology for the future – the development of a robust methodology for measuring compliance with the company-owned commitments was a challenge in itself.

The development of common nutrition criteria for those companies that apply nutrition criteria was an even more complex undertaking. Having adopted the new criteria, affected member companies have been working on their implementation swiftly, as significant adjustments to marketing, reformulation and R&D plans will be needed.

On 24 November 2014, EU Pledge member companies announced plans to extend the scope of the EU Pledge commitment to cover a number of additional media and to address the content of their marketing communications by the end of 2016:

- ★ **Extension of scope:** the EU Pledge currently covers commercial communications on TV, print, third-party internet and company-owned websites. From 31 December 2016, EU Pledge member companies will also apply this commitment to radio, cinema, DVD/CD-ROM, direct marketing, product placement, interactive games, mobile and SMS marketing.
- ★ **Addressing creative execution:** The new policy will ensure that where no reliable audience measurement data is available, advertiser consider not only the placement, but also the overall impression of the marketing communication, to ensure that if the product in question does not meet the common nutrition criteria, the communication is not designed to appeal primarily to children.¹⁰

The adoption of new commitments represents a new challenge for EU Pledge members to meet by the end of the year. Public monitoring of compliance with the enhanced commitments will begin in 2017, once they have entered into force.

¹⁰ Further information about the enhanced commitments can be found here: <http://www.eu-pledge.eu/content/enhanced-2014-commitments>

Annex I – Accenture Compliance Report

EU Pledge

Advertising to Children Commitment

Compliance and Change Measurement
Report 2015



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 **operations**

Strategy | Consulting | Digital | Technology | **Operations**

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TV compliance monitoring 2015 v 2014

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Appendix

TV Methodology

The purpose of this report is to assess EU Pledge member companies' compliance with the following commitment:

"No advertising of products to children under 12 years, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines. For the purpose of this initiative, "advertising to children under 12 years" means advertising to media audiences with a minimum of 35% of children under 12 years."

Seven sample EU markets were chosen for monitoring: **France, Germany, Hungary, Italy, Poland, Portugal, and Spain***. All spots aired in these markets in Q1 2015 and Q1 2014 (benchmark) were reviewed for audience composition at the time of broadcast. Spots for products not meeting nutritional criteria and reporting an audience >35% children under 12 were deemed non-compliant.

EU Pledge member companies covered: Burger King, The Coca-Cola Company, Danone, Ferrero, Friesland Campina, General Mills, Intersnack, Kellogg's, Lorenz Snack World, Mars, McDonald's, Mondelēz, Nestlé, PepsiCo, Quick Group, Unichips, and Unilever.

* Please refer to appendix for age range definitions

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TV Methodology

- All spots by all EU Pledge member companies, aired in the seven markets from 1 January to 31 March 2015 were analysed. This amounted to a total of 1.017.144 spots.
- Spots for products that do not meet EU Pledge companies' nutritional criteria, where applicable (some member companies do not advertise any products to children <12*), were identified on the basis of product lists supplied by companies.
- Audience composition at the time each spot was aired was analysed, on the basis of national ratings data, to identify ads aired in and between programmes with an audience in which the majority were children <12*.
- Those ad spots were deemed non-compliant with the EU Pledge, i.e. all those ads for products that EU Pledge member companies have committed not to advertise to children <12* ("products that do not meet companies' nutritional criteria"), aired at times when the audience was composed of a majority of children <12*.
- In the analysis we have included all platforms and channels that are monitored by market by year. Please note that for some markets the list of channels has increased compared to previous years as more channels and platforms are now monitored.

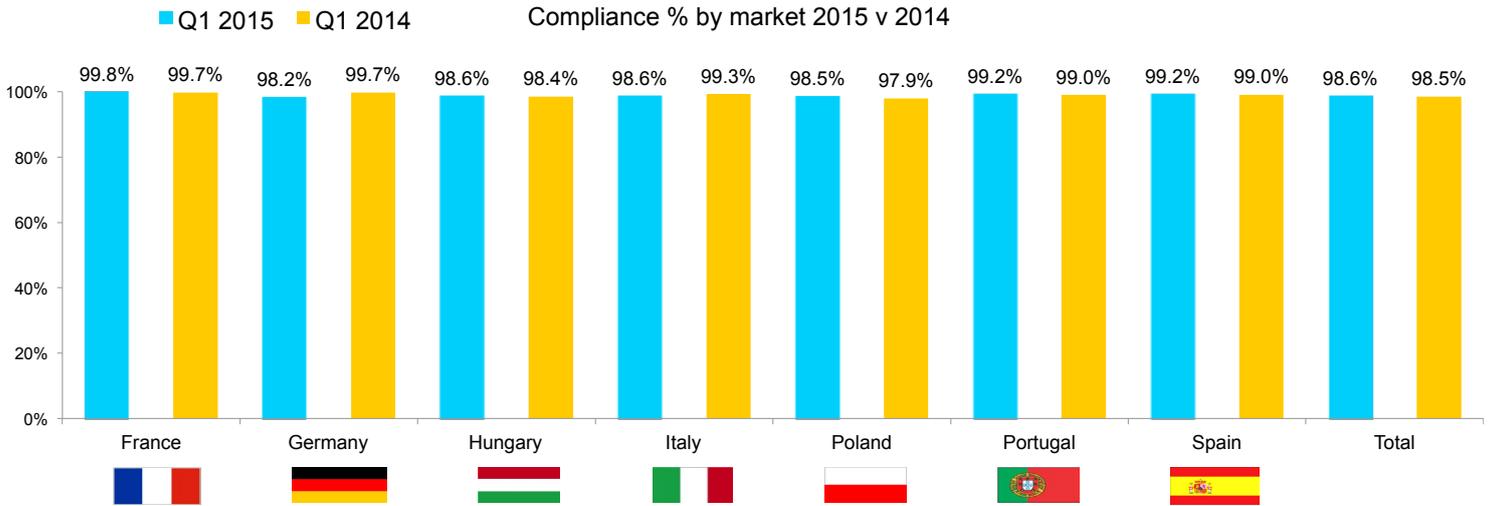
* Please refer to appendix for age range definitions

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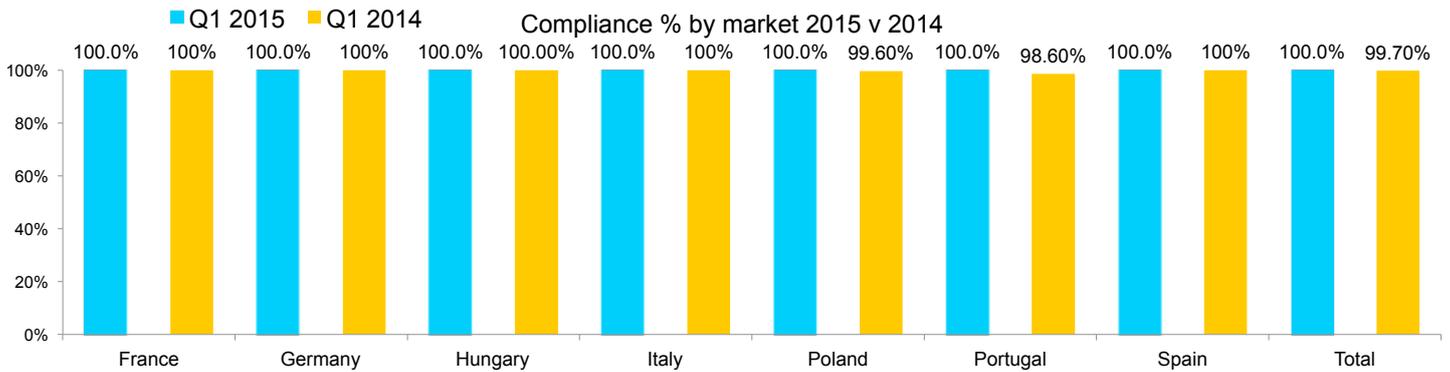
Overall Compliance Results – All Spots



Non compliant spots are Spots for restricted products with children profile >35%



Overall Compliance Results – Spots > 1 GRP



Market	2015 Compliance	2014 Compliance
France	100%	100%
Germany	100%	100%
Hungary	100%	100%
Italy	100%	100%
Poland	100%	99.60%
Portugal	100%	98.60%
Spain	100%	100%
Total	100%	99.70%

Non compliant spots are spots for restricted products with children profile >35%

TV Definitions

Spot

Each individual advertising activity - the airtime used by the advertiser

Restricted products

Products that do not meet the advertiser's nutritional criteria for marketing to children

Profile

Demographic breakdown of the audience at spot level, with regard to children under 12 (under 15 in Portugal)

Impacts (Impressions)

Number of times a message is seen by the audience

GRP (Gross Rating Point)

Percentage of the target audience reached by an advertisement, multiplied by the frequency that the audience sees it. For example, a TV advertisement that is aired 5 times reaching 50% of the target audience, would have 250 GRPs (GRP = 5 x 50%)

Age Group Definitions

France	4 - 10
Germany	1 - 12
Hungary	4 - 12
Italy	4 - 11
Poland	4 - 12
Portugal	4 - 14
Spain	4 - 11

TV Channels Monitored

France

Canal +
D17
D8
France 2
France 3
France 4
France 5
Gulli
M6
NRJ12
NT1
TF1
TMC
W9/6TER PUISSANCE TNT

Germany

DisneyChan
DMAX
KABEL 1
N 24
Nick
Nitro
N-TV
PRO7
RTL
RTL II
SAT.1
sixx
SPORT1
SUP RTL
Tele 5
VIVA
VOX
ZDF
COMEDY C

Hungary

ATV
AXN
NATIONAL GEOGRAPHIC CHANNEL
CARTOON NETWORK
NICKELODEON
CBS REALITY
OzoneNetwork
COMEDY CENTRAL
PRO4
COOL
RTL II
DISCOVERY CHANNEL
RTL KLUB
DISNEY CHANNEL
RTL+
F+
SOROZAT+
FEM3
SPEKTRUM
FILM CAFÉ
SPEKTRUM HOME
FILM MANIA

SPORT1
FILM+2
SPORT2
LifeNetwork
STORY4
M2
STORY5
MAGYAR SLAGER TV
Super TV2
MINIMAX
TV PAPIKA
MTV (MUSIC TELEVISION)
TV2
MUSIC CHANNEL
UNIVERSAL CHANNEL
MUSICMIX
VIASAT3
MUZSIKA TV
VIASAT6
NAT GEO WILD

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TV Channels Monitored

Italy

Animal Planet
AXN +1
AXN Sci-Fi
AXN/HD
BBC Knowledge
Boing
Canale 5
Cartoonito
Cielo
Cinema Emotion
Cinema Energy
Discovery Channel
Discovery Channel +1
Discovery Science
Discovery Travel e Living
Discovery World
Dmax
Dove Tv
Focus
Fox +1
Fox +2
Fox Crime +1
Fox Crime +2
Fox Crime/HD
Fox Life
Fox Life +1
Fox Life +2
Fox Retro
Fox Sports Plus Sat

Fox Sports Sat
Fox/HD
Frisbee
Gambero Rosso Channel
Giallo
History Channel
History Channel +1
Iris
Italia 1
Italia 2 Mediaset
Joi
K2
La5
La7
La7d
Lei
Lei +1
Mediaset Extra
Mya
NatGeo People
NatGeo Wild
National Geographic Channel +1
National Geographic Channel/HD
Premium Action
Premium Calcio 1
Premium Calcio 2
Premium Calcio 3
Premium Calcio 4
Premium Calcio/HD

Premium Cinema
Premium Cinema Comedy
Premium Crime
Radio Italia Tv
Rai 1
Rai 2
Rai 3
Rai 4
Rai 5
Rai Gulp
Rai Movie
Rai News
Rai Premium
Rai Sport 1
Rai Storia
Rai Yoyo
Real Time
Real Time +1
Rete 4
Sky Calcio 1
Sky Calcio 10
Sky Calcio 11
Sky Calcio 12
Sky Calcio 2
Sky Calcio 3
Sky Calcio 4
Sky Calcio 5
Sky Calcio 6
Sky Calcio 7

Sky Calcio 9
Sky Cinema +1
Sky Cinema +24
Sky Cinema 1
Sky Cinema Classics
Sky Cinema Comedy
Sky Cinema Cult
Sky Cinema Family
Sky Cinema Family +1
Sky Cinema Hits
Sky Cinema Max
Sky Cinema Max +1
Sky Cinema Passion
Sky Meteo24
Sky Sport 1
Sky Sport 2
Sky Sport 24
Sky Sport 3
Sky Sport Moto GP
Sky Super Calcio
Sky TG24
Sky TG24 Eventi
Sky TG24 Primo Piano
Sky TG24 Rassegne
Sky Uno
Sky Uno +1
Studio Universal
Top Crime

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TV Channels Monitored

Poland

13 Ulica [13th Street Universal]	Disney Junior [Playhouse Disney]	Polsat JimJam [JimJam]	TV6
4fun.tv	Disney XD	Polsat News	TVN
Ale Kino+ [Ale Kino]	Domo+ [Domo]	Polsat News 2 [Polsat Biznes]	TVN Meteo
Animal Planet	Eska TV	Polsat Play	TVN Style
ATM Rozrywka	Eurosport	Polsat Romans	TVN Turbo
AXN	Extreme Sports	Polsat Sport	TVN24
AXN Black [AXN Sci-Fi]	FilmBox	Polsat Sport Extra	TVN24 Biznes i Swiat
AXN Spin	FOX	Polsat Sport News	TVN7 [RTL7]
AXN White [AXN Crime]	FOXLife	Polsat Viasat Explorer [Viasat Explorer]	TVP ABC
BBC CBeebies	HISTORY	Polsat Viasat History [Viasat History]	TVP HD
BBC Entertainment	Investigation Discovery	Polsat Viasat Nature [Viasat Nature]	TVP Historia
BBC Knowledge	ITV	Polsat2	TVP INFO [TVP3]
BBC Lifestyle	Kino Polska	Puls 2	TVP Kultura
Boomerang	Kino Polska Muzyka	Rebel.tv	TVP Polonia
Canal+ Sport [Canal+ Niebieski]	kuchnia+ [kuchnia.tv]	Religia.tv	TVP Regionalna
Cartoon Network	MiniMini+ [MiniMini]	Scifi Universal	TVP Rozrywka
CBS Action [Zone Romantica]	MTV Polska	Sportklub	TVP Seriale
CBS Drama [Club TV]	Nat Geo Wild	Stars.tv	TVP Sport
CBS Europa [Zone Europa]	National Geographic	Superstacja	TVP1
CBS Reality [Zone Reality]	Nickelodeon	TCM	TVP2
CI Polsat [Polsat Crime & Investigation Network]	nSport	Tele5	TVR
Comedy Central	Orange Sport [Orange Sport Info]	teleTOON+ [ZigZap/Hyper]	TVS
Comedy Central Family [VH1 Polska]	Planet+ [Planete]	TLC	Universal Channel
Discovery	Polo TV	Travel Channel	VH 1 [VH1 Europe]
Discovery Historia	Polsat	TTV - Twoja Telewizja	Viacom Blink
Discovery Science [Discovery Sci-Trek]	Polsat Cafe	TV PULS [PULS]	VIVA Polska
Discovery Turbo Xtra	Polsat Film	TV.DISCO	
Disney Channel	Polsat Food	TV4	

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TV Channels Monitored

Portugal

AXN
Disney Channel
Fox
Fox Life
Hollywood
MTV Portugal
Panda
RTP1
SIC
SIC Mulher
SIC Noticias
SIC Radical
TV Record
TVI
TVI24

Spain

CANAL+ SERIES

13 TV
24H
3/24
40 TV
8MADRID
8TV
A3
A3 PREMIUM
ANDALUCÍA TV
ARAGON TV
AXN
AXN WHITE
BIO
BOING
BUZZ ROJO
C.SUR
CALLE 13
CANAL COCINA
CANAL HOLLYWOOD
CANAL HOLLYWOOD +1
CANAL+ 1
CANAL+ 1 ...30
CANAL+ 2
CANAL+ ACCION
CANAL+ COMEDIA
CANAL+ DCINE
CANAL+ LIGA

CANAL+ XTRA
CINEMATK
COMEDY CENTRAL
COSMOPOLITAN
CRIMEN + INVESTIGACION
CUATRO
CYLTV
DECASA
DISCOVERY
DISCOVERY MAX
DISNEY CH +1
DISNEY CHANNEL
DISNEY XD
DIVINITY
ENERGY
ESPORT3
ETB2
FDF-T5
FOX
FOX CRIME
HISTORIA
INTERECONOMIA
LA SEXTA
LA SEXTA 3

La1
La2
LAOTRA
LASIETE
MGM
MTV
MTV ESP
NATIONAL GEOGRAPHIC
NATURA
NEOX
NGC WILD
NICK
NITRO
NOVA
NUEVE
ODISEA
PANDA
PARAMOUNT CHANNEL
SOL MÚSICA
SOMOS
SUPER3/33
SYFY
T5
TELEDEPORTE
TELEMADRID
TNT
TPA
TPA2
TV3
TVG

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Annex II – EASA Compliance Report

2015



EU PLEDGE SURVEY

EASA

The European Advertising Standards Alliance (EASA) is the single authoritative voice of advertising self-regulation. EASA promotes high ethical standards in commercial communications by means of effective self-regulation for the benefit of consumers and business. For further information, please visit: www.easa-alliance.org.

As a non-profit organisation based in Brussels, EASA brings together national advertising self-regulatory organisations and associations representing the advertising industry in Europe.

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Introduction

EASA was commissioned by the EU Pledge Secretariat to review a number of food and beverage brand websites belonging to the EU Pledge¹ member companies. The goal of the project was to determine whether the company-owned websites reviewed were compliant with the relevant EU Pledge Commitment.

Compliance with the EU Pledge Commitment is determined on the basis of whether:

- The website features marketing communications;
- If these marketing communications promote food or beverage products, as opposed to a brand in general;
- Such food and beverage products meet or do not meet the EU Pledge common nutrition criteria;
- Such marketing communications are designed to be targeted primarily at children under 12.

In order to offer unbiased, independent and accountable results, a 'consumer-oriented approach' was drawn up by the EASA Secretariat in collaboration with the EU Pledge Secretariat and the independent reviewer of this exercise, Dr. Verónica Donoso². Advertising self-regulation experts were requested to try and think from the perspective of a child younger than 12 while reviewing brand websites and keep in mind what a child of this age would find interesting and attractive. Special attention had to be paid to specific aspects of the websites that would make them appealing to under-12s.

¹ The EU pledge is a voluntary commitment of leading food and non-alcoholic beverage companies to limit their advertising to children under 12 to products that meet common nutrition criteria. Some EU Pledge member companies have taken the decision not to advertise any of their products to children under 12. The EU Pledge is a response from industry leaders to calls made by the EU institutions for the food industry to use commercial communications to support parents in making the right diet and lifestyle choices for their children. The EU Pledge programme is endorsed and supported by the World Federation of Advertisers.

² Verónica Donoso (PhD) is INHOPE Executive Director and is affiliated researcher at the Centre for IT & IP Law at the Faculty of Law of the University of Leuven (KU Leuven). Her main areas of expertise are children and young people's uses of new media and e-safety, user experience research, human computer interaction (HCI), and users' empowerment through the use of new technologies. Verónica has worked on a number of European and Belgian projects, including the EU Kids Online I, II and III. She also coordinated the 2nd Assessment of the Safer Social Networking Principles for the EU.

Project Overview

Experts from eight European self-regulatory organisations (SROs) were invited by EASA and the EU Pledge Secretariat to conduct the monitoring exercise in September and October 2015 in order to assess the appeal of marketer-owned websites to children under 12. The eight chosen SROs represent different systems in terms of size (big vs. small SROs), location (geographical coverage) and maturity (new vs. old systems).

Table 1: List of the participating countries/SROs

Country	SRO	Date of Establishment
France	ARPP	1935
Germany	DWR	1972
Italy	IAP	1966
Netherlands	SRC	1964
Poland	RR	2006
Romania	RAC	1999
Spain	AUTOCONTROL	1977
United Kingdom	CAP	1962

Experts from SROs in Romania, Spain and the Netherlands each reviewed 23 national brand websites of EU Pledge company members, including where available at least one website per company. 30 national brand websites were reviewed in France, Germany, Poland, the UK and Italy, including where available at least two websites per company. Corporate websites³ were excluded from the exercise.

Table 2: List of the EU Pledge member companies

EU Pledge member companies	
Amica Chips	Burger King
Coca-Cola	Danone
Ferrero	Intersnack
Royal FrieslandCampina	ICA Foods
Mondelēz International	Lorenz Snack-World
Kellogg's	Quick Group
McDonald's Europe	KiMs
Mars	General Mills
Nestlé	Zweifel Pomy-Chips
PepsiCo	Unichips-San Carlo
Unilever	

³ A corporate website is a general informational website operated by a company

Methodology

For the markets selected for monitoring, the EU Pledge Secretariat provided EASA with a list of all products promoted by the EU Pledge member companies. The list indicated whether or not these products met the EU Pledge common nutrition criteria set out in the EU Pledge. From this, EASA compiled a list of websites that promoted products that do not meet the nutrition criteria; from EASA's list, the experts selected the websites to review. When making their selection, reviewers were requested to take into account products popular amongst children in their country.

EASA, the EU Pledge Secretariat and independent reviewer Dr. Verónica Donoso, developed a methodology including a questionnaire for experts to answer when reviewing each website selected. The methodology and questionnaire were developed to ensure objectivity and consistency across the project.

The questionnaire asked the experts if the website being reviewed contained elements, such as games/entertainment activities⁴, animations/sound effects/videos, licensed characters and toys and to decide if these were in their view primarily designed for children under 12. Reviewers then had to judge if these elements, in conjunction with the creative execution of the website (i.e. simplicity of language, use of font size and typeface, use of colours, etc.), were clearly intended to make the marketing communication(s) on the website primarily appealing to under-12s.

A number of websites contained features to screen the age of visitors to the website; the reviewers were asked to note if a website contained such features. However, this element was not considered to be sufficient to ensure compliance if the marketing communications on the website were clearly designed to appeal primarily to children under 12.

On the basis of the level of appeal of the creative execution to under-12s as well as the overall findings reported by the experts, EASA determined the final compliance of the websites with the EU Pledge criteria.

Beyond compliance of websites with the EU Pledge, the experts also flagged any items on the websites reviewed that potentially breached any applicable advertising codes or relevant legislation.

The following were taken into account:

- ICC Framework for Responsible Food and Beverage Marketing Communications;
- Relevant advertising standards and national sectoral codes;
- Relevant advertising laws.

⁴A game/entertainment activity is an activity engaged for diversion or amusement. A non-exhaustive list of games/entertainment activities are: online games which are played over the Internet, games such as Casual/Social Games, Puzzles, Board Games, Role-Playing Games Show, Trivia, Card Games, Racing, Arcade, colouring sheets, activity sheets, Do it yourself activities, etc.

All reviews were performed by experts from national SROs; EASA's role in the project was to ensure that the results were reported in a consistent manner.

Note on the Methodology

EASA, in collaboration with the EU Pledge Secretariat and independent reviewer Dr. Verónica Donoso, has taken great care to ensure that the results of this project are objective and consistent.

To do this, a detailed methodology was developed; it was then applied by all experts when assessing the websites. However, although it may be relatively easy to determine if a website appeals to children in general, it is much harder to determine if a website is designed to appeal primarily to children younger than twelve. As a result, the decisions of the experts retain an unavoidable degree of subjectivity, although it is informed by their extensive day-to-day professional experience. Readers are requested to bear this in mind.

Note from the Independent Reviewer

As in previous years, the 2015 monitoring exercise attempted to determine whether the company-owned websites reviewed were compliant with the EU Pledge Commitment.

When analysing the results of the assessment of brand-owned websites, this year's results are quite similar to the ones from last year. On one hand, this is positive because in general the percentage of websites not being compliant with the commitment remains low. Of the 219 national brand websites reviewed, seven websites (roughly 3%) were considered in breach of the EU Pledge as they contained elements such as games or entertainment activities, toys used as premiums or animations, videos, sound effects designed primarily for under-12s, as well as language, text or navigation clearly intended to make the marketing communications on the website appealing primarily to children under 12. It is also interesting to note that several of the emerging trends observed last year have remained. For instance, more websites are employing age-screening mechanisms (13% in 2015 and 14% in 2014 as compared to only 8% in 2013), more websites feature licensed characters (18% in 2015; 15% in 2014 and only 9% in 2013), but less target children under 12 (only 5% this year). There is also a considerable presence of games or entertainment activities on websites (28% as opposed to 23% last year), however, similarly as last year, only 10% were considered as primarily appealing to young children. A high increase in the amount of websites displaying animations is observed once again (58% in 2015, 60% in 2014 and only 22% in 2013), although only 5% have been assessed as designed to appeal primarily to children under 12, which is a considerable improvement as compared to last year's 15%. The number of websites using toys as premiums, which were considered as primarily appealing to under-12s, remains as low as last year and only amounts to 5%.

On the basis of these results, we can conclude that, in general, the industry players committed to the EU Pledge are taking measures to ensure their compliance with the initiative. This is particularly evident in the low percentage of company-owned websites (roughly 3%) considered in breach with the EU Pledge as well as in the high increase of the age-screening mechanisms present. Nevertheless, even though current age-screening mechanisms can be useful especially with very young children, there is no evidence available demonstrating their effectiveness as gate-keepers. This is why we consider age-screening as a "nice-to-have" feature, but it cannot be considered as enough to prevent children accessing inappropriate and /or potentially harmful online content.

Another important aspect to take into consideration is the fact that even though specific websites may not be designed to appeal "primarily" to children under 12, this does not necessarily mean that the website may not be attractive for younger children as well. Furthermore, the high presence of animations, licensed characters and games make the results of this year's monitoring somehow worrying.

As repeatedly pointed out in previous assessment exercises, the rapid evolution of digital technologies, their ubiquitous and interconnected nature as well as the fact that more and

more under-12s are using digital technologies on a daily basis demands the continuous review of the objectives set by the EU Pledge so that they can remain relevant and up-to-date.

As a final recommendation, I cannot but stress once again, that more reliable results would be achieved if other methods for data collection were employed to complement the current methodology. In particular, experiments testing the appeal of specific websites (or elements thereof) with children should be carried out in order to offer a more reliable account. The fact that the findings presented in this report are based exclusively on the expert evaluations carried out by adults, presents important limitations to this assessment exercise.

Lastly, I would like to thank the participating SROs for carrying out an exhaustive and objective evaluation of the websites selected for this assessment. I would also like to thank the EU Pledge Secretariat and EASA for doing their best to ensure the objective, critical and transparent assessment of this self-regulatory initiative. Last, I would like to thank the signatories of the Pledge for trying to make a difference in the way food and beverage products are advertised to children. The results are still far from perfect, but it is only through continuous motoring exercises such as the EU Pledge that we will be able to identify new trends, to inform policy makers and to foster the effective implementation of advertising self-regulation which can enhance marketing communication practices directed at children so that they can be empowered while their needs and their rights are seriously taken into consideration.

Dr. Verónica Donoso

Independent reviewer

Executive Summary

- A total of 219 national brand websites were reviewed;
- All of the websites reviewed contained product promotion and featured at least one product that was not compliant with the common nutrition criteria;
- 11 websites exhibited licensed characters, tie-ins or celebrities that were considered to be appealing primarily to under-12s;
- 22 websites featured entertainment activities or games that were considered to be designed to appeal primarily to under-12s;
- 11 websites contained animations, videos or sound effects that were considered to be designed to appeal primarily to under-12s;
- 12 websites featured toys used as premiums that were considered to be appealing primarily to under-12s;
- Out of the 219 websites, seven were considered in breach of the EU Pledge criteria as they contained elements, such as entertainment activities or games, toys used as premiums or animations, videos, sound effects designed primarily for under-12s as well as language, text or navigation clearly intended to make the marketing communications on the website appealing primarily to under-12s;
- Out of the 219 websites reviewed 17 contained items that were in breach of advertising codes or relevant advertising laws. In total, 30 problematic items were flagged.

1. Brand-Owned Websites

1.1 Sample of Brand-Owned Websites

A total of 219 websites were reviewed by the experts. The table below provides an overview of the number of websites that were reviewed per country.

Table 3: Number of websites reviewed per country

Country	Number of Websites Reviewed
France	30
Germany	30
Italy	30
Netherlands	23
Poland	30
Romania	23
Spain	23
United Kingdom	30
TOTAL	219

1.2 Product Promotion

The reviewers identified product promotion on all of the 219 websites reviewed. All websites reviewed featured at least one product that did not meet the common nutrition criteria.

1.3 Age screening/Parental Consent

28 out of 219 websites reviewed contained mechanisms to screen the age of the website visitor. Methods ranged from a field where the visitor had to enter his/her date of birth to a pop-up asking whether the visitor was older than a certain age.

Figure 1: Number of websites featuring age screening (N=219)

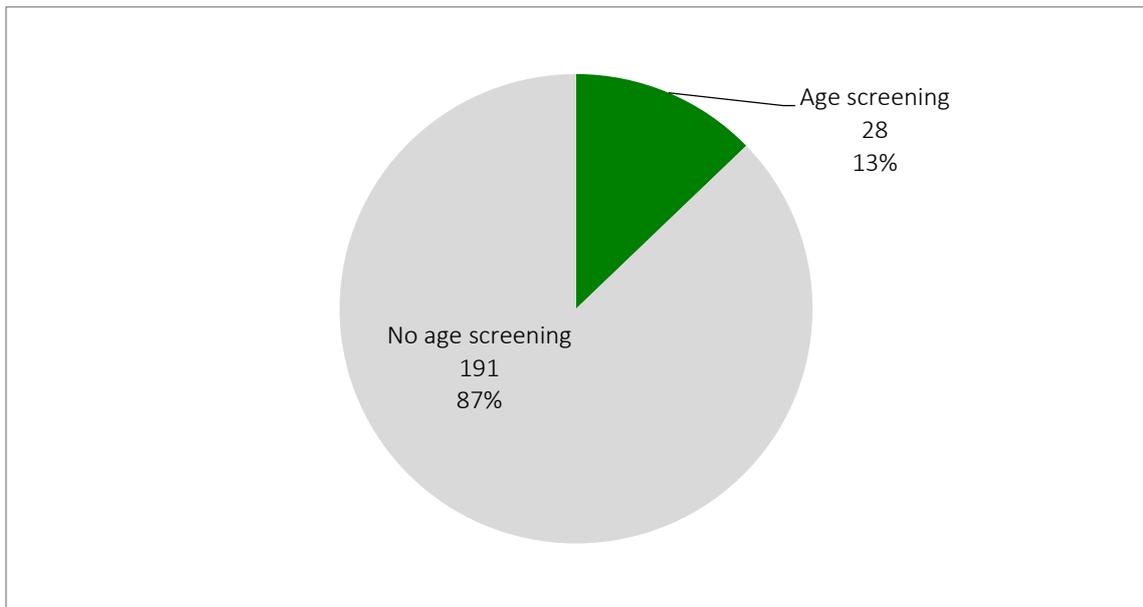
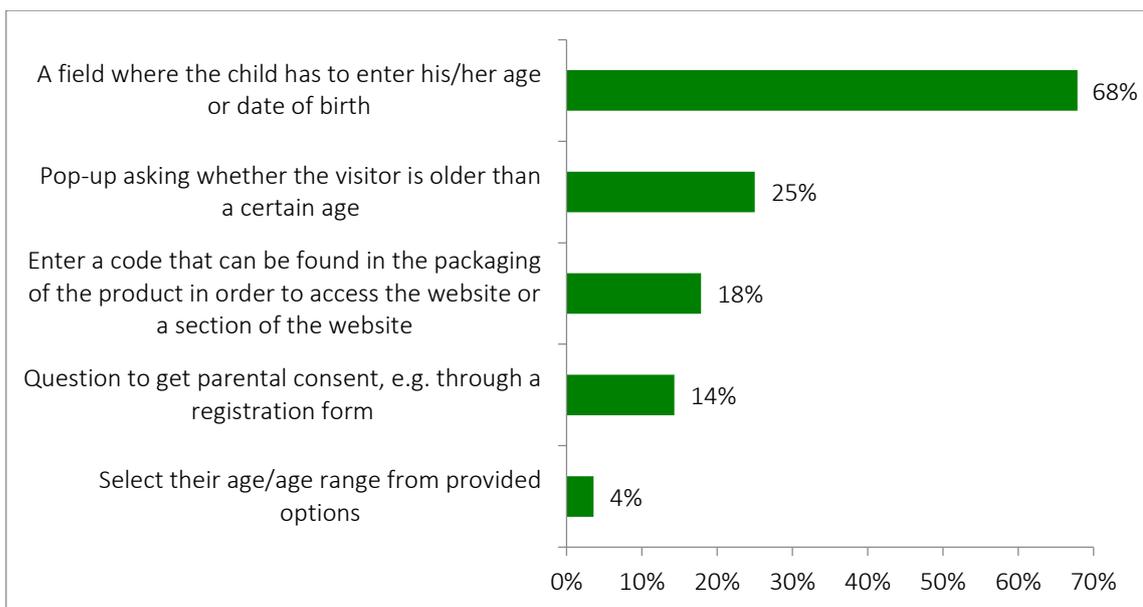


Figure 2: Types of age screening (N= 28)

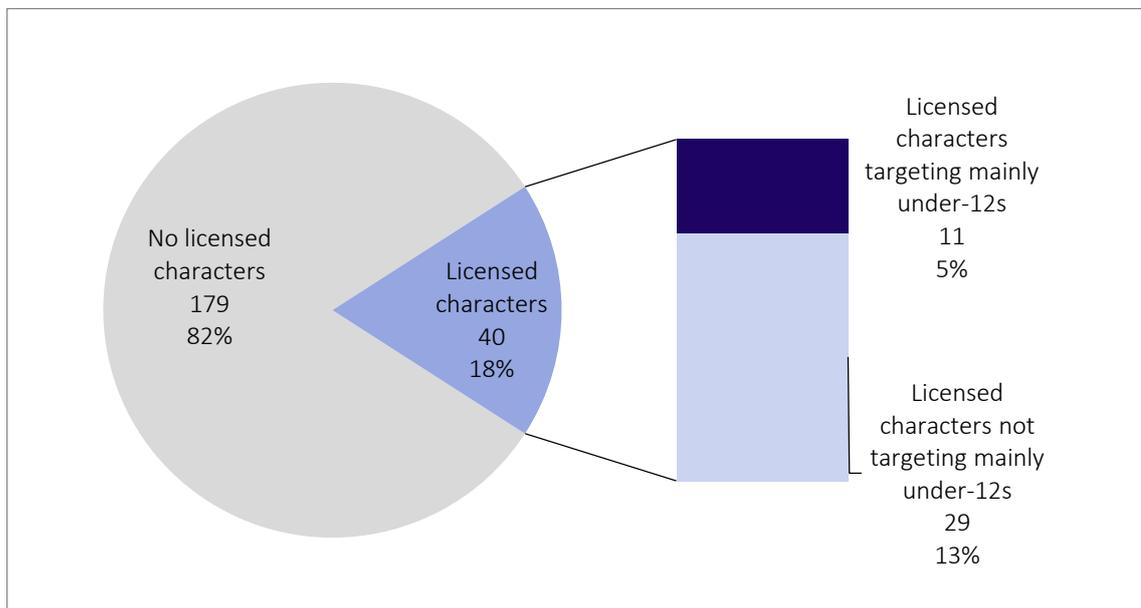


1.4 Licensed Characters/Tie-ins/Celebrities

The reviewers checked if the websites or the children’s section(s) of the website featured “licensed characters”, i.e. characters acquired externally and linked for example to movies, cartoons or sports, or if they featured movie tie-ins as a means to promote food or beverage products.

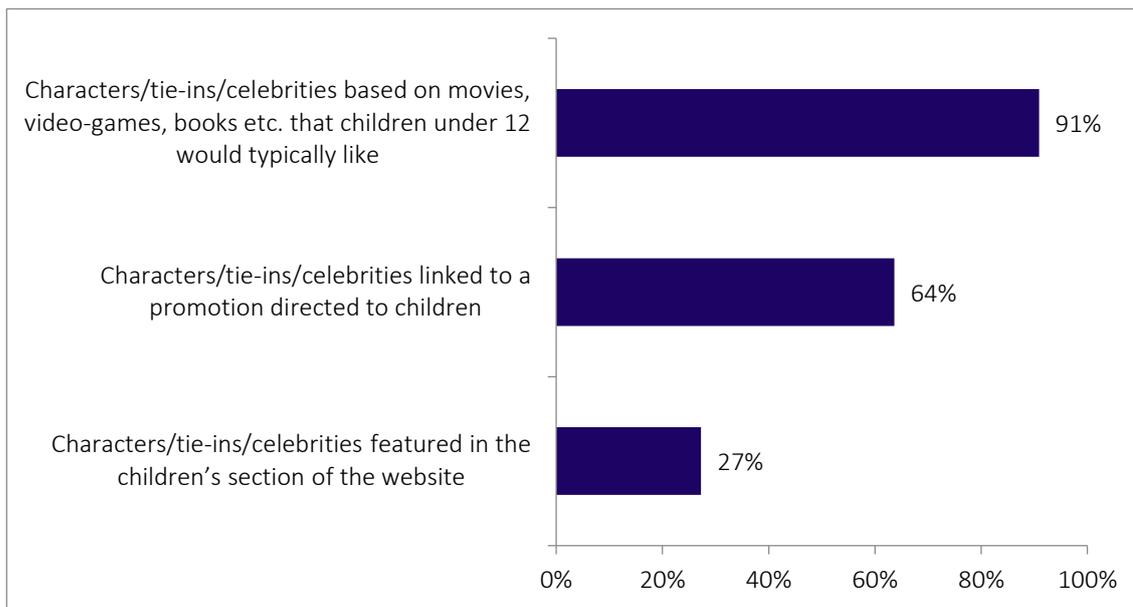
40 out of the 219 websites reviewed featured licensed characters/tie-ins. In 11 instances the reviewers considered that these characters/tie-ins were designed to target primarily children under 12. In addition, six of these websites used the licensed characters/tie-ins to promote food or beverage products.

Figure 3: Number of websites featuring licensed characters/tie-ins (N=219)



Reasons as to why the reviewers considered the licensed characters/tie-ins to be appealing primarily to under-12s are featured in the following chart. The combination of several of these criteria is a strong indicator that the licensed character is primarily appealing to young children.

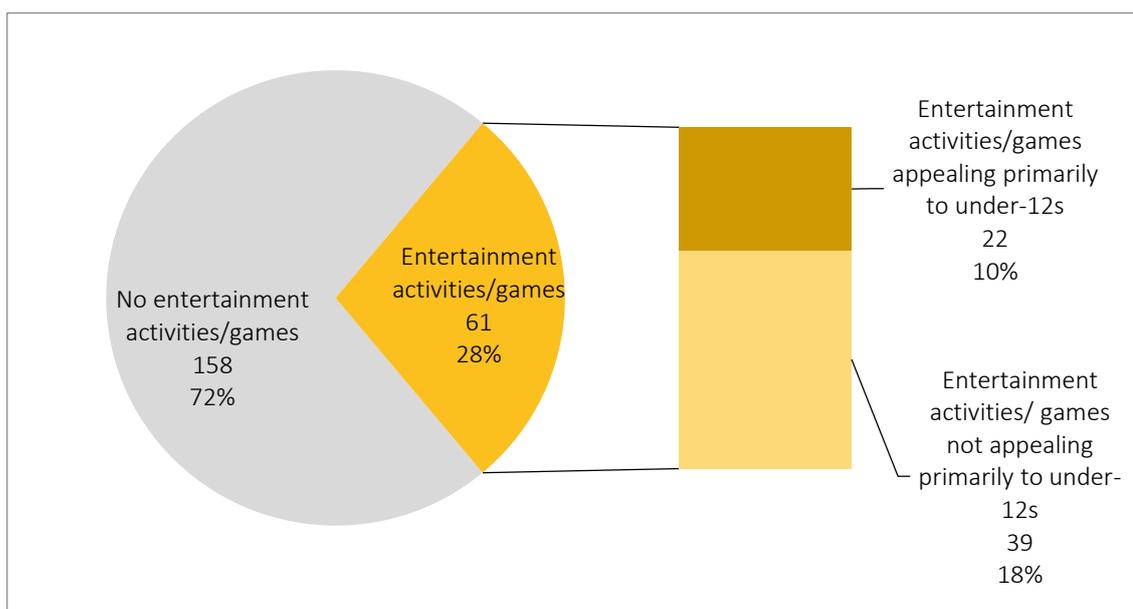
Figure 4: Main indicators for licensed characters/tie-ins considered primarily appealing to under-12s (N=11)



1.5 Entertainment Activities/Games

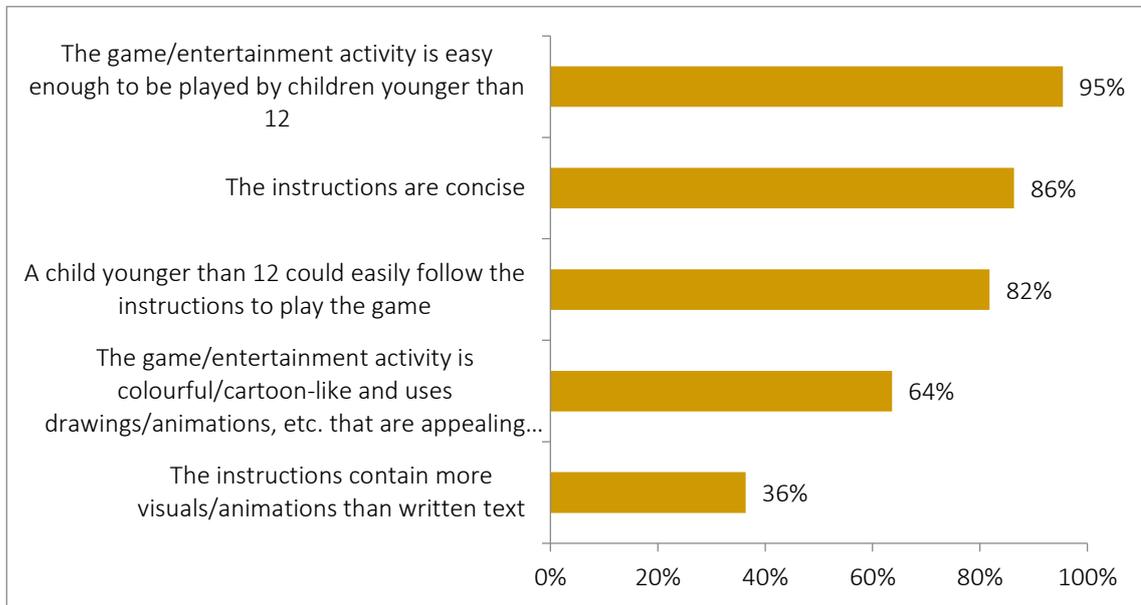
The reviewers identified entertainment activities/games on 61 of the 219 websites reviewed. In 22 instances the reviewers considered that the entertainment activities/games were designed to appeal primarily to under-12s. In addition, 11 of these websites used the entertainment activities/games to promote food or beverage products to children.

Figure 5: Number of websites featuring entertainment activities/games (N=219)



Reasons as to why the reviewers considered the entertainment activities/games to be appealing primarily to under-12s are featured in the following chart. The combination of several of these criteria is a strong indicator that the entertainment activity/game is primarily appealing to young children.

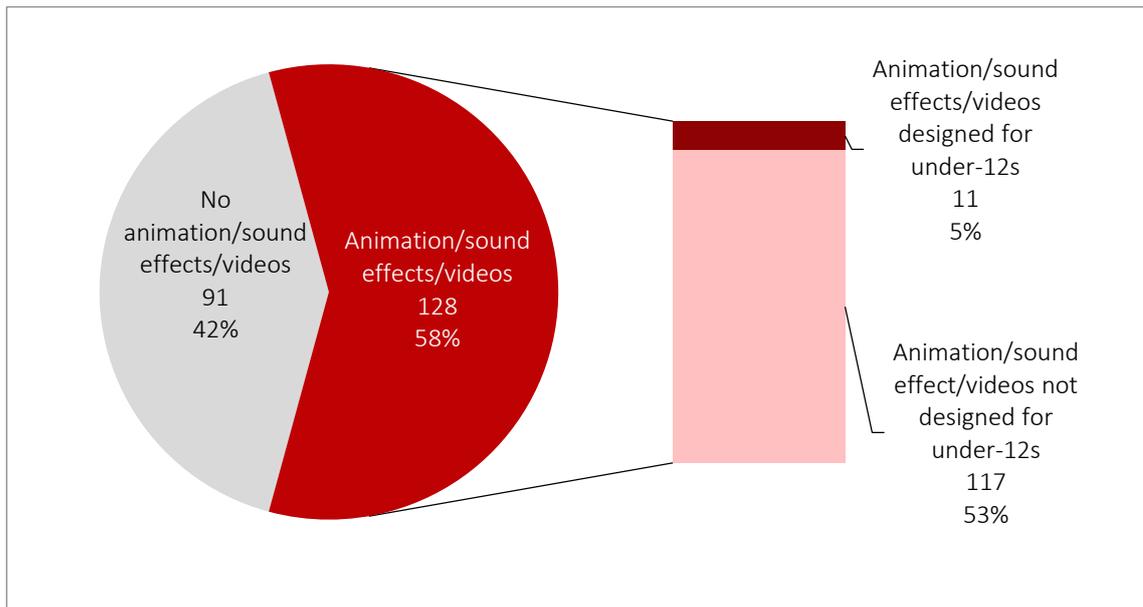
Figure 6: Main indicators for entertainment activities/games considered primarily appealing to under-12s (N=22)



1.6 Animation/Sound Effects/Videos

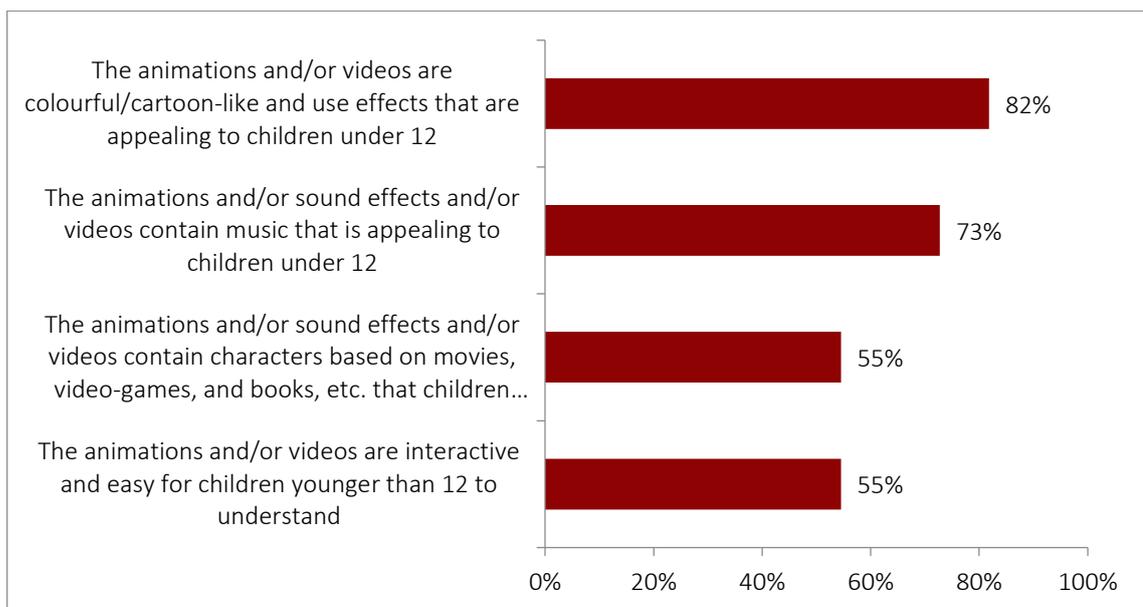
128 of the 219 websites reviewed featured animations such as cartoons, animations depicting fantasy situations, sound effects or videos. According to the reviewers, 11 of these websites used animations, sound effects or videos which were designed to appeal primarily to under-12s. In addition, ten of these websites used these to promote food or beverage products to children.

Figure 7: Number of websites featuring animation, sound effects or videos (N=219)



Reasons as to why the reviewers considered the animations, sound effects or videos to be appealing primarily to under-12s are featured in the following chart. The combination of several of these criteria is a strong indicator that the animations are primarily appealing to young children.

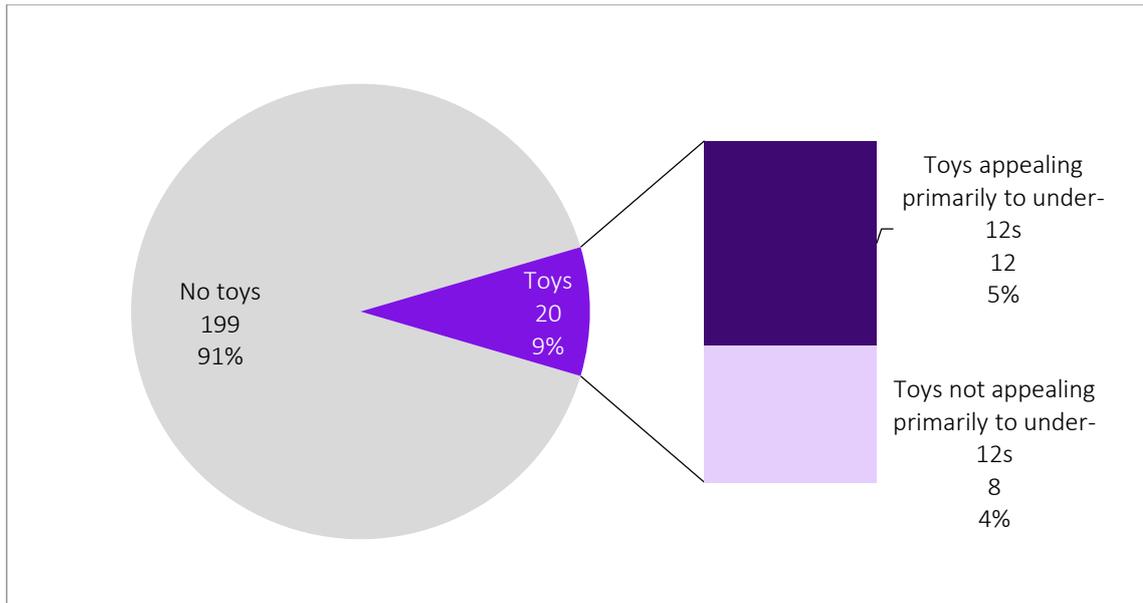
Figure 8: Main indicators for animation, sound effects or videos considered primarily appealing to under-12s (N=11)



1.7 Toys Used as Premiums

The reviewers identified 20 websites that used toys or other premiums to promote a food or non-alcoholic beverage products. Examples of toys included figures of cartoon characters, stickers, board games, soccer balls and school supplies such as pencil cases. In 12 of the 20 cases the toys were considered to be designed to appeal primarily to children under 12 and therefore promoting food or beverage products to children.

Figure 9: Number of websites featuring toys used as premiums (N=219)



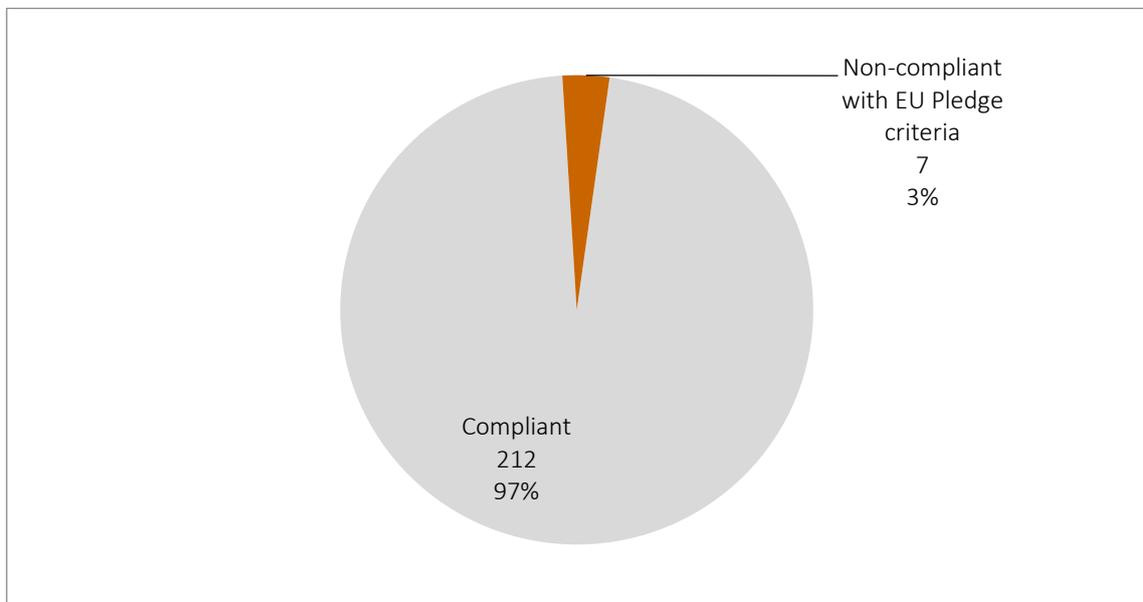
1.8 Compliance with the EU Pledge Criteria

Seven of the 219 websites reviewed were found not to be compliant with the EU Pledge.

In order to determine whether the website was designed to target primarily under-12s, and subsequently to assess if the marketing communications were intended to appeal primarily to under-12s all of the previously identified elements had to be considered. This included the use of animations/sound effects/videos, entertainment activities/games, toys or licensed characters/tie-ins/celebrities as well as the creative execution of the website, i.e. the overall impression of the website design (use of colours, typeface, font size, language, etc.).

Decisive factors in judging the appeal of a website to young children were the usability of the websites (i.e. ease of navigation), simplicity of language, font size, colour schemes and the level of entertainment offered on the websites.

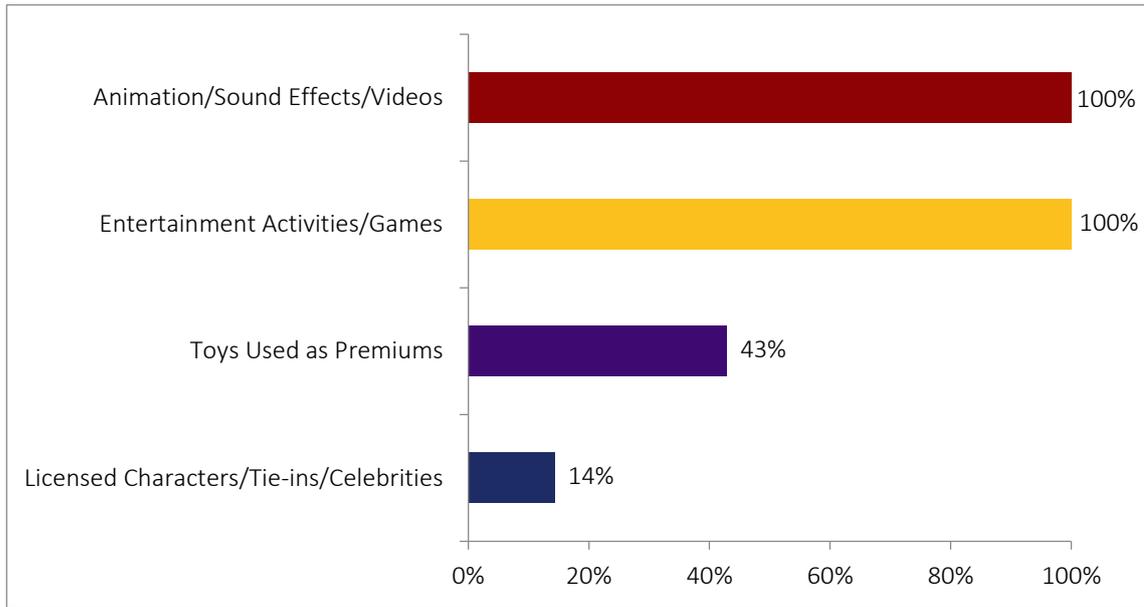
Figure 10: Compliance with the EU Pledge criteria (N=219)



All of the websites that were considered as appealing primarily to children under 12 and therefore in breach of the EU Pledge, featured animation/sound effects/videos as well as entertainment activities/games designed for under-12s. Three websites included toys designed for children under 12 and one website featured licensed characters/tie-ins/celebrities.

It is important to highlight that although the use of an age gating mechanism does indicate the intent of the marketer to be compliant, it does not per se render a website compliant with the commitment. A case in point is one of the websites monitored this year that was considered to be primarily appealing to children under 12 despite the use of an age screening tool.

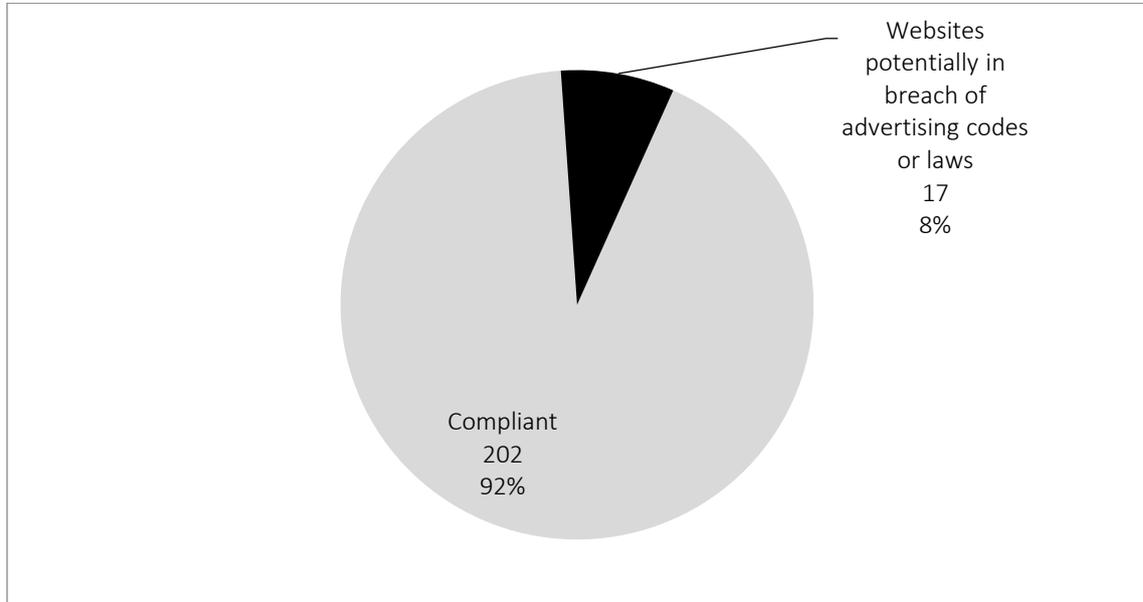
Figure 11: Elements of websites primarily appealing to under-12s (N=7)



1.9 Compliance with Advertising Codes/Laws

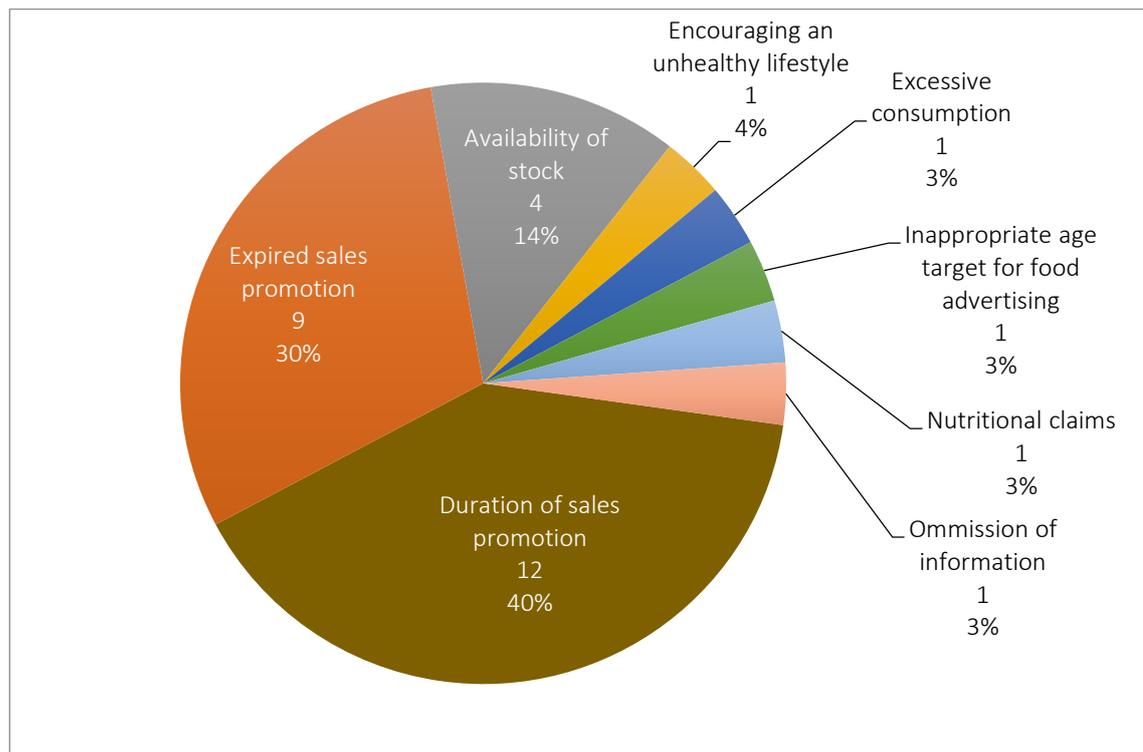
On 17 out of the 219 websites, the reviewers identified items that were considered as potentially in breach of advertising codes and/or relevant advertising laws.

Figure 12: Compliance with advertising codes/laws (N=219)



On these 17 websites, a total of 30 problematic items were found.

Figure 13: Potential breaches of advertising codes/laws (N=30)



In 12 instances the websites were found to be potentially in breach of advertising codes or laws because of the lack of clear mention of the duration of sales promotions or raffles.

In other nine cases, the reviewers found on the websites sales promotions that had already expired at the time of the review.

Furthermore, the reviewers flagged four cases for not specifying the number of units available for a promotion or for not mentioning the stores where the sale promotion was available.

In one website the reviewers identified claims that were considered as condoning or encouraging poor nutritional habits or an unhealthy lifestyle while another website featured statements that encouraged excessive consumption.

One website was flagged for promoting food products to an inappropriate age target for food advertising.

Finally, one website contained problematic nutrition claims and another one was flagged for not including information regarding the size reference of promoted toys.



ANNEX III – Nutrition Criteria Overview



Nutrition Criteria White Paper

Table 1: EU Pledge Nutrition Criteria Overview

Category 1: Vegetable and animal based oils, fats and fat containing spreads & emulsion-based sauces					
Sub-category A: Vegetable & animal based oils, fats & fat containing spreads: all animal and vegetable based fats & oils used as spreads on bread and/or food preparation. ²					
Examples	Energy (kcal/portion*)	Sodium (mg/100g or 100ml*)	Saturated fats (g/100g or 100ml*)	Total sugars (g/100g or 100ml*)	Components to encourage
<i>*Energy values are per portion and nutrient values per 100g, except when specified otherwise</i>					
Oils and fats (all types), full & low-fat margarine, butter mélanges, solid or liquid oil/fat products for roasting and frying	≤ 85	≤ 500	≤ 33% total fat is SAFA (incl. TFA)	(5)	≥ 25% of total fat is PUFA
Sub-category B: Emulsion-based sauces: sauces that constitute only a minor component of the meal to which an emulsifying agent is added OR have a fat content ≥ 10% w/w.					
Mayonnaise, salad dressings, marinades, vinaigrettes...	≤ 85	≤ 750	≤ 33% total fat is SAFA (incl. TFA)	≤ 5	≥ 25% of total fat is PUFA
Category 2: Fruits, vegetables and seeds, ³ except oil Vegetables include legumes and potatoes. Seeds include seeds, kernels, nuts. Nuts include peanuts and tree nuts.					
Sub-category A: Products of fruits and vegetables except oils & potatoes (≥ 50g fruit and/or veg per 100g of finished product) that constitute a substantial component of the meal.					
Vegetable gratin, canned vegetables, baked beans, fruit compote, fruit in syrup, fruit salad	≤ 170	≤ 300	≤ 1.5	≤ 15	Min. ¼ portion fruit and/or veg. Nutrients delivered through ingredients (fruit and/or veg).
Subcategory B: Potato & potato products, except dehydrated potato products: all potato based dishes (≥ 50g potato per 100g of finished products) that constitute a substantial component of the meal.					
Mashed potato, gnocchi, gratin, dumplings, fried or roasted potato...	≤ 170	≤ 300	≤ 1.5	≤ 5	Nutrients delivered through main ingredient (potato)
Subcategory C: Potato chips & potato based snacks, incl. dough-based products					
Potato chips/crisps	≤ 170	≤ 670	≤ 10% kcal from SAFA	≤ 10	Fibre : ≥ 3g/100g/ml; and/or ≥ 70% UFA/total fat
Extruded & pelleted snacks, stackable chips	≤ 170	≤ 900	≤ 10% kcal from SAFA	≤ 10	Fibre : ≥ 3g/100g/ml; and/or ≥ 70% UFA/total fat
Sub-category D: Seeds and nuts					

² Butters as defined in Council regulation (EC) 1234/2007 Annex XV, are excluded from this category because they will not be advertised towards children.

³ Exemptions: 100% fruit and vegetables and their products, including 100% fruit and vegetable juices, as well as 100% nuts and seeds and mixes thereof (with no added salt, sugar or fat). These products, presented fresh, frozen, dried, or under any other form may be advertised to children without restrictions.

Examples	Energy (kcal/portion*)	Sodium (mg/100g or 100ml*)	Saturated fats (g/100g or 100ml*)	Total sugars (g/100g or 100ml*)	Components to encourage
<i>*Energy values are per portion and nutrient values per 100g, except when specified otherwise</i>					
Salted or flavoured nuts, mixed nuts, nut-fruit mixes, peanut butter	≤200	≤670	≤10	≤ 15	Nutrients delivered through ingredients (nuts and seeds)
Sub-category E: Fruit/Vegetable based meal sauces: all fruit/vegetable based sauces (≥ 50g fruit and/or vegetable per 100g of finished products) that constitute a substantial component of the meal					
Tomato sauce, pasta sauce...	≤ 100	≤ 500	≤ 1.5	≤ 10	Nutrients delivered through ingredients (fruits and/or vegetables)
Sub-category F: Fruit/Vegetable based condiments: all fruit/vegetable based condiments (≥ 50g fruit and/or vegetable per 100g of finished products) that constitute only a minor component of the meal					
Tomato ketchup, chutney...	≤ 85	≤ 750	≤ 1.5	≤ 25	Nutrients delivered through ingredients (fruit and/or vegetables)
Category 3: Meat based products: all kinds of processed meat/poultry, and meat products, consisting of minimally 50g of meat per 100g finished product					
Meatballs, salami, grilled ham, chicken fillet, sausages...	≤ 170	≤ 800	≤ 6	(≤ 5)	≥ 12% of energy as protein
Category 4: Fishery products: all kinds of processed fish, crustaceans and shellfish, consisting of min. 50g of fish, crustaceans, and/or molluscs per 100g of finished product					
Cod parings, fried fillet of haddock, fish fingers, pickled mussels, tinned tuna	≤ 170 OR > 170 IF ≥ 25% total fat is PUFA	≤ 450	≤ 33% total fat is SAFA (including TFA)	(≤5)	≥ 12% of energy as protein
Category 5: Dairy products					
Sub-category A: Dairy Products other than cheeses: Must contain minimum 50% dairy (Codex Alimentarius standard)					
Milks & milk substitutes; yoghurts; sweet fresh/soft cheese; curd & quark; fermented milks; dairy desserts	≤170	≤ 300	≤ 2.6	≤ 13.5	Protein: ≥12 E% or ≥ 2g /100g or 100ml AND/OR At least 1 source of: Ca or Vit D or any Vit B
Sub-category B: Cheese and savoury dairy based products: Must contain minimum 50% dairy (Codex Alimentarius standard)					
Hard, semi-hard cheeses	≤85	≤ 900 if SAFA ≤ 15 or ≤ 800 if SAFA ≤ 16	≤ 15 if sodium ≤ 900 or ≤ 16 if sodium ≤ 800	(< 5)	At least one source of: Ca, Vit B12, Vit B2

Other cheeses, curd & quark and savory dairy-based products	≤170	≤ 800	≤ 10	≤ 8	
Category 6: Cereal based products					
Sub-category A: <u>Sweet</u> biscuits, fine bakery wares and other cereal based products: cereal must be listed as the main ingredient on the ingredient declaration.					
Examples	Energy (kcal/portion*)	Sodium (mg/100g or 100ml*)	Saturated fats (g/100g or 100ml*)	Total sugars (g/100g or 100ml*)	Components to encourage
<i>*Energy values are per portion and nutrient values per 100g, except when specified otherwise</i>					
All kinds of biscuits and cakes, cereal bars, flapjacks...	≤200	≤ 450	≤10	≤35	Fibre (≥3 g/100g) and/or whole grain (15% total ingredients) and/or 20%E from UFA and ≥70% UFA/total fat
Sub-category B: <u>Savory</u> biscuits, fine bakery wares and other cereal based products, including dough-based products: cereal must be listed as the main ingredient on the ingredient declaration.					
Savory crackers, extruded, pelleted & popcorn-based snacks, popcorn, pretzel products	≤170	≤900	≤10% kcal from SAFA	≤10	Fibre : ≥3 g/100g; and/or ≥70% UFA/total fat
Sub-category C: Breakfast Cereals including porridge					
Ready to eat breakfast cereals such as cornflakes, puffed rice, porridge	≤210	≤450	≤5	≤30	Fibre (≥3g/100g) and/or wholegrain (15% whole grain per total ingredients)
Sub-category D: Cereal and cereal products except breakfast cereals, biscuits and fine bakery wares: cereal must be listed as the main ingredient.					
Bread, rusks, rice, noodles, pasta, polenta	≤340	≤500	≤5	≤5	Fibre (≥3 g/100 g) and/or wholegrain (15% of total ingredients)
Category 7: Soups, composite dishes, main course and filled sandwiches					
Sub-category A: Soups: all kinds of soups and broths containing min 1 of the following: 30g fruit, vegetables, cereals, meat, fish, milk or any combination of those (calculated as fresh equivalent) per portion. (Thresholds apply to food as reconstituted, ready for consumption, following manufacturer's instructions).					
Tinned tomato soup, instant vegetable soup, soup in stand-up pouches	≤ 170	≤ 350	≤ 1.5	≤ 7.5	Nutrients delivered through ingredients (fruits and/or vegetables, cereals, meat, fish, milk)
Sub-category B: Composite dishes, main dishes, and filled sandwiches: all kinds of dishes & sandwiches containing min 2 of the following: 30g fruit, veg, cereals, meat, fish, milk or any combination of those (calculated as fresh equivalent) per portion. (Thresholds apply to food as reconstituted, ready for consumption, following manufacturer's instructions).					
Pasta salad with veg, noodles with sauce, pizza, croque-monsieur, moussaka, filled pancakes	≤ 425	≤ 400mg	≤ 5	≤ 7.5	Nutrients delivered through ingredients (fruits and/or vegetables, cereals, meat, fish, milk)

Category 8: Meals: The combination of items served as a meal (main dish, side item (s) and a beverage) for breakfast, lunch or dinner.					
Examples	Energy (kcal/portion*)	Sodium (mg/100g or 100ml*)	Saturated fats (g/100g or 100ml*)	Total sugars (g/100g or 100ml*)	Components to encourage
<i>*Energy values are per portion and nutrient values per 100g/100ml, except when specified otherwise</i>					
Children's meals	≤510/meal ^{a)} ≤340/meal ^{b)}	≤660/meal	≤10% kcal from saturated fat	≤20/meal (minus natural occurring sugar ^{c)} from 1 portion ^{d)} J/F/V/M/D)	Each meal must contain min. of: 1 portion ^{d)} fruit/ vegetables or/and 1 portion ^{d)} 100% juice or/and 1 portion qualified ^{d,e)} dairy product or milk or/and 1 portion ^{d)} of whole grain ^{f)}
Category 9: Edible ices: all kinds of edible ices (water ices and ice cream)					
Ice cream, water ice, ice lollies, sherbet ice	≤ 110	≤ 120	≤ 5	≤ 20	-
Exclusions (no nutrition criteria; are not advertised to children <12 by EU Pledge member companies)					
<ul style="list-style-type: none"> Sugar and sugar-based products, which include: Chocolate or chocolate products; Jam or marmalade; Sugar, honey or syrup; Non-chocolate confectionary or other sugar products⁴ Soft drinks⁵ 					

Notes:

^{a)} For lunch/dinner (30% energy)

^{b)} For breakfast (20% energy)

^{c)} If sugar content is higher than 20g for a meal and contains more than 1 J/F/V/M/D.

^{d)} Portions are:

- Fruits (F)/Vegetables (V): 60-80g
- 100% juice (J): 150-250ml
- Dairy (D): e.g. 30g cheese/100-150g yoghurt
- Milk (M): 150-250ml

^{e)} Meet individual category requirements

^{f)} Product qualified for a reasonable source of fiber which contains ≥ 8g whole grain

⁴ Sugar-free gum and sugar-free mints are exempted, i.e. outside the scope of EU Pledge restrictions.

⁵ The rationale for this exclusion is that some EU Pledge companies committed in 2006 not to market any soft drinks directly to children younger than 12 years old (see UNESDA commitments: <http://www.unesda.org/our-unesda-commitments-act-responsibly#year2006>). Discussions are ongoing regarding low-energy beverages. In the meantime companies that are not signatories to the UNESDA commitment will continue using their own nutrition criteria for these beverages, including fruit-based drinks. Bottled water is exempted from the EU Pledge restrictions.