



Monitoring Report

2016



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MARCH 2017

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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 eighth annual monitoring report of the EU Pledge. 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.

This year, a pilot test also looked at children’s exposure to advertising on third party websites.

The monitoring was carried out in 2016 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.
- ★ Marketing analytics provider **Ebiquity** to pilot test a new methodology to assess children’s exposure to EU Pledge members’ commercial communications on third-party websites.

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, WePROTECT Global alliance and EU-funded MANDOLA project board member and affiliated researcher at the Centre for IT & IP Law at the Faculty of Law of the University of Leuven

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.

(KU Leuven). Dr Donoso has more than 13 years of academic and professional experience in the field of children and child internet safety and is a strong advocate for the need to better protect and empower children online through effective and coordinated multi-stakeholder approaches. 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. Dr Donoso has worked in collaboration with Doctoral Researcher at KU Leuven and Ghent University Valerie Verdoodt³ on the past two EU Pledge monitoring exercises.

Key 2016 results

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

★ **TV: The overall compliance rate is 98.7%**

For the fifth 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. 250 national brand websites were monitored in ten EU countries. The results show that:

★ **95% of websites reviewed were deemed compliant with the EU Pledge. 13 websites out of 250 were found non-compliant with the EU Pledge commitment.**

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 over 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 over 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 over 6 years.**

For the sixth 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. 250 national brand websites were monitored in ten EU countries. The results show that:

★ **95% of websites reviewed were deemed compliant with the EU Pledge. 13 websites out of 250 were found non-compliant with the EU Pledge commitment.**

3 Valerie Verdoodt is a Doctoral Researcher at KU Leuven Centre for IT & IP Law (CiTiP) and Ghent University (Law and Technology). At CiTiP, Valerie's research focuses on the topics of social media (literacy), privacy, data protection, user empowerment and the protection of minors.



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 (before its acquisition by Group Bertrand in 2016). The Bel Group joined the initiative and implemented the commitment on 1 January 2016 and was included for the first time in this year's monitoring exercise.

With this latest addition, the EU Pledge membership counts twenty-one 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 covered commercial communications on TV, print, third-party internet and company-owned websites. Since 31 December 2016, EU Pledge member companies apply this commitment to radio, cinema, DVD/CD-ROM, direct marketing, product placement, interactive games, apps, mobile and SMS marketing.

- ★ **Addressing creative execution:** The new policy ensures 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.⁴

The adoption of new commitments represents a new challenge for EU Pledge members. Public monitoring of compliance with the enhanced commitments will begin this year and will be included in next year's monitoring report. Pilots were carried out in 2015 and 2016 to prepare for the entry into force of the new commitments.

Increased transparency

To facilitate the implementation of the new commitments, EU Pledge members adopted an implementation guidance document which outlines how the commitment applies in practice. The guidance note is publicly available and can be accessed on the EU Pledge website⁵.

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

5 The EU Pledge implementation guidance report is available here: http://eu-pledge.eu/sites/eu-pledge.eu/files/misc/Implementation_Guidance_Report.pdf

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 21 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:

- ★ **No advertising of products to children under 12 years, except for products which fulfil common nutrition criteria⁶. For the purpose of this initiative, “advertising to children under 12 years” means advertising to media audiences with a minimum of 35%⁷ of children under 12 years⁸.**
- ★ **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 2008⁹. Members that joined the EU Pledge in 2010 implemented the commitment by the end of that year. McDonald’s and Friesland Campina 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 on 1 January 2016 and was therefore included in this year’s monitoring exercise for the first time.

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.

6 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.

7 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

8 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

9 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 eighth such monitoring exercise. All previous Monitoring Reports are available on www.eu-pledge.eu.

In 2016, EU Pledge member companies commissioned the following independent third parties to monitor implementation of the EU Pledge commitments:

- ★ **Accenture Media Management**¹⁰, to review EU Pledge member companies' compliance with the commitment relating to food and beverage advertising on TV.
- ★ **EASA – The European Advertising Standards Alliance**¹¹, to review EU Pledge companies' brand websites for compliance with the EU Pledge commitment.
- ★ Marketing analytics provider **Ebiquity** to pilot test a new methodology to assess children's exposure to EU Pledge companies' commercial communications on third-party websites.

The EASA monitoring programme was independently reviewed by Verónica Donoso (PhD), board members of WePROTECT Global alliance and EU-funded MANDOLA project 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. She worked in collaboration with Valerie Verdoodt, Doctoral researcher at KU Leuven/Gent University.

¹⁰ 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.

¹¹ The [European Advertising Standards Alliance](http://www.easa.europa.eu) 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 fifth 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, eight sample EU markets were chosen: **Estonia, 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 eight markets during the period 1 January to 31 March 2016 – 859,395 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.

Results

The overall compliance rate was as follows:

98.7% 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%, 2015 compliance rate 98.6%). 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, 99.8% spots by EU Pledge member companies are compliant, as opposed to 98.7% 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 to eight 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 and 2016 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 ten countries (Czech Republic, France, Germany, Italy, Lithuania, Poland, Spain, Sweden, the Netherlands 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. The 10 chosen SROs represent different systems in terms of size (big vs. small SROs), location (geographical coverage) and maturity (new vs. old systems).

Each SRO was asked to review a total of 22 or 28 national brand websites, depending on the size of the market, including at least one or two websites per company, where available, in September and October 2016. 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. 28 national brand websites were reviewed in France, Germany, Italy, the Netherlands, Spain and the UK, including where available at least two websites per company. Experts from SROs in the Czech Republic, Poland and Sweden each reviewed 22 national brand websites of EU Pledge company members, including where available at least one website per company. Due to limited availability, Lithuania reviewed 16 marketer-owned websites.

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 reviewers Dr Verónica Donoso and Doctoral researcher Valerie Verdoodt.

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.

In addition, members mandated EASA to run a pilot project to monitor EU Pledge companies-owned mobile applications.

The goal of the pilot project was to determine which of the brand mobile applications were considered by the SROs as primarily appealing to children under 12 and could potentially be in breach of the enhanced EU Pledge commitment.

The questionnaire for the mobile applications, developed with both independent reviewers, asked the SROs experts if the apps reviewed allowed children under 12 to customise them, interact with other users, as well as including elements such as licensed characters, games/entertainment activities, contests and promotional events and to assess whether those were in their view primarily designed for children under 12.

Reviewers then had to judge if these elements, in conjunction with the overall look and feel of the mobile application, were clearly intended to make the marketing communication(s) in the mobile applications primarily appealing to under-12s.

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 250 national brand websites were reviewed, all of which contained product promotion. Out of these 250 websites, 13 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.

35 out of the 250 websites reviewed contained items that were in breach of advertising codes or relevant advertising laws. In total 41 problematic items were flagged by the SROs.

Overall, 95% of the websites reviewed were in compliance with the EU Pledge commitment

Out of the 20 apps reviewed for the pilot, only one was primarily targeted at children under 12 and featured non-compliant product promotions. The app was considered as potentially in breach of the EU Pledge commitment.

None of the 20 mobile applications reviewed contained items that were in breach of advertising codes or relevant advertising laws. No problematic items were flagged.

Pilot test: Third-party websites

In 2016, global media and marketing insight company Ebiquity was commissioned to monitor EU Pledge companies' commercial communications on third-party websites. The aim of this exercise was to assess which adverts children under the age of 12 are exposed to online compared to adults.

While such monitoring exercise was already carried out and reported in previous years, the methodology was reviewed in order to take into account the increasing use of behavioural targeting and the new monitoring technologies available.

In previous exercises, a list of websites deemed to be of particular appeal to children under 12 was drawn up by an independent third-party. Representatives of the third-party visited the selected websites twice a day over a two-week period in each monitored country. They carried out a manual analysis of all commercials (banners, pop-ups...) and reported all instances of non-compliance with the EU Pledge commitment.

The decision to move from a manual compliance check to a new and more robust technology was taken to improve the quality and accuracy of the exercise. The new methodology was tested in order to address two main issues with the previous tool:

- ★ The profile of the representative testing the compliance affected the adverts being served to him/her which somehow skewed the results.
- ★ The manual resources were limited which implied that the monitoring period was relatively short and that the list of websites being reviewed was not exhaustive.

Methodology

For this specific exercise, Ebiquity created two avatars: Olivia, a 10 year-old girl and Henry, a 45 year-old man. A 'control' profile (a blank profile with no browsing history) was also created to ensure the validity of the results.

The two avatars visited simultaneously a total of 500 websites (the 250 top ranking sites and the 250 websites with the highest proportion of viewers under 12) in the UK during the month of May 2016. The avatars' journeys alternated between mobile web and PC to track any changes between devices.

Ebiquity used a new online tracking method developed in partnership with MediaThirst, a digital media tracking company. The project captured all advertising served to the profiles during their browsing journey and delivered a report which:

- ★ Identified adverts served to each profile
- ★ Identified adverts served on websites targeted at children under the age of 12
- ★ Identified differences in the advertising served to a child and to an adult audience.

Monitoring results

The results show that a total of 12,938 adverts were served to the two avatars. Among all categories of advertisers identified, the 'Food & Dining' category represented only 1.09% of all adverts served. Within this category, most adverts were for bars, restaurants and supermarkets.

The two avatars were exposed to a total of 7,080 adverts on the 250 general websites and to 5,858 adverts on the 250 youth websites. Among those, 46 'Food & Dining' adverts were served to Henry and 39 to Olivia. The sectors with the highest number of adverts recorded were for 'Travels and Vacations', 'Financial Services' and the 'Automotive industry'.

By looking in details at the 'Food & Dining' category, Ebiquity identified only three adverts from EU Pledge members. Two of those adverts were served to Olivia and only one was served on a child-targeted website. None of those adverts featured product promotions.

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 none of the EU Pledge member companies will 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 eight 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 21 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, broadening the scope of their actions and strengthening the nutrition criteria.

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

The 2016 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 fifth 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 pilots carried out in 2016 helped members prepare for the entry into force of the enhanced commitments on 31 December 2016:

- ★ **Extension of scope:** The EU Pledge commitment was extended to cover not only TV, print, third-party internet and company-owned websites, but also radio, cinema, DVD/CD-ROM, direct marketing, product placement, interactive games, apps, mobile and SMS marketing.
- ★ **Addressing creative execution:** Where no reliable audience measurement data is available, the new commitments ensure that advertisers 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.¹²

The adoption of new commitments represents a new challenge for EU Pledge members. Public monitoring of compliance with the enhanced commitments will begin this year. To facilitate the implementation, EU Pledge members adopted an implementation guidance document which outlines how the commitment applies in practice. The guidance note is available on the EU Pledge website¹³.

¹¹ Further information about the enhanced commitments can be found here: <http://www.eu-pledge.eu/content/enhanced-2014-commitments>

¹² The EU Pledge implementation guidance report is available here: http://eu-pledge.eu/sites/eu-pledge.eu/files/misc/Implementation_Guidance_Report.pdf

Annex I – Accenture Compliance Report

 accenture

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Accenture / **MEDIA MANAGEMENT**

EU Pledge – Advertising to Children Commitment
Compliance and Change Measurement Report 2016

High performance. Delivered.



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Section 1 / **Methodology**

Section 2 / TV compliance monitoring 2016 v 2015

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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, Estonia and Spain**. All spots aired in these markets in Q1 2016 and Q1 2015 (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: Amica Chips, The Bel Group, 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.

TV Methodology

- All spots by all EU Pledge member companies, aired in the seven markets from 1 January to 31 March 2016 were analysed.
- 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 the EU Pledge common 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.

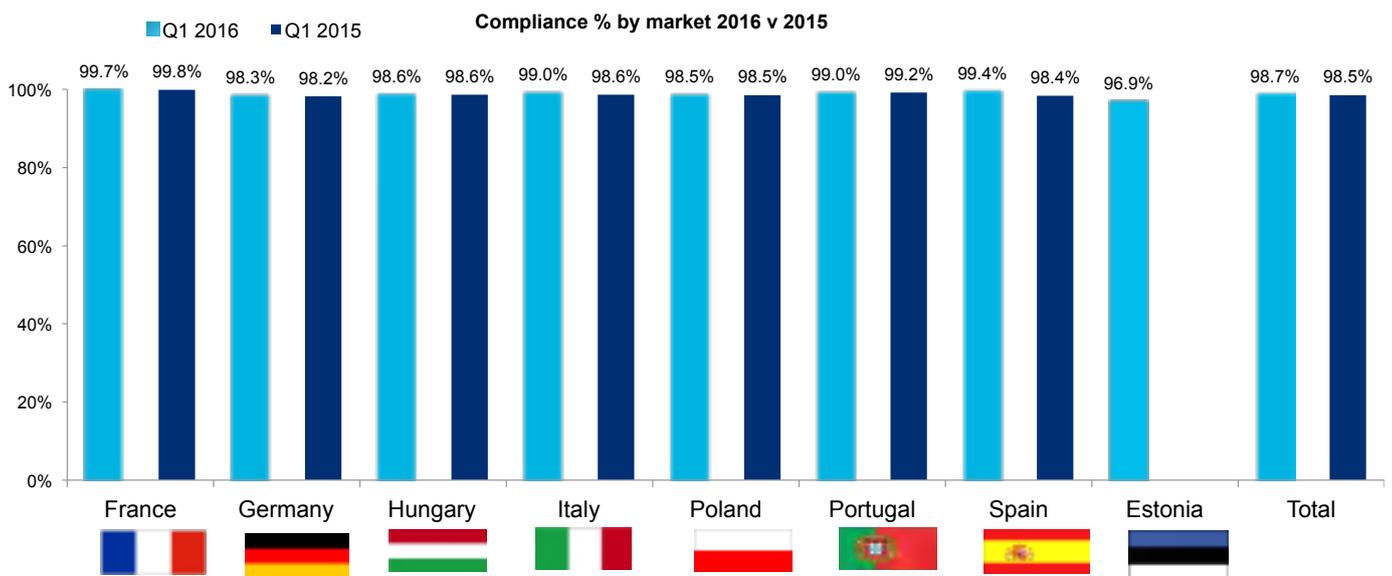
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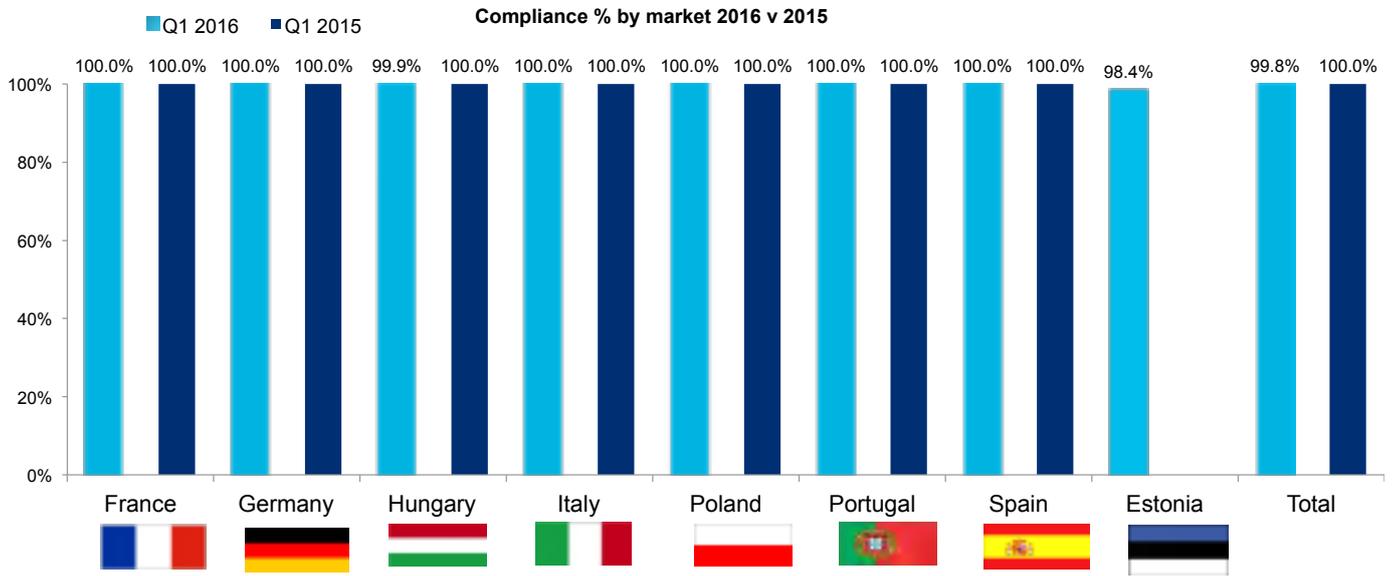
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Appendix

Overall Compliance Results – All Spots



Overall Compliance Results – Spots > 1 GRP



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Appendix

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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%)

TV Channels Monitored

FRANCE	Germany	Estonia
Canal + CHERIE25 D17 D8 France 2 France 3 France 4 France 5 FRANCE O Gulli HD1 M6 NRJ12 NT1 NUMERO 23 TF1 TMC W9/6TER PUISSANCE TNT	COMEDY C DisneyChan DMAX KABEL 1 N 24 Nick Nitro N-TV PRO7 Pro7 MAXX RTL RTL II SAT.1 SAT.1 Gold sixx SPORT1 SUP RTL Tele 5 TLC VIVA VOX ZDF	3+ CTC FOX Fox Life Kanal 11 Kanal 12 Kanal2 Kidzone National Geographic NTV Mir PBK Ren TV Estonia RTR Planeta Sony Channel TLC TV 3 TV 6

TV Channels Monitored

Hungary			Portugal
AMC	M4 Sport	TV2	24 Kitchen
ATV	MINIMAX	UNIVERSAL CHANNEL	AXN
AXN	MTV (MUSIC TELEVISION)	VIASAT3	CMTV
CARTOON NETWORK	MUSIC CHANNEL	VIASAT6	Disney Channel
COMEDY CENTRAL	MUZIKA TV	VIVA	Disney Junior
COOL	NAT GEO WILD		Fox
DISCOVERY CHANNEL	NATIONAL GEOGRAPHIC CHANNEL		Fox Life
DISNEY CHANNEL	NICKELODEON		Globo
DOQ	OzoneNetwork		Hollywood
DUNA TV	PARAMOUNT		MTV Portugal
DUNA WORLD	PRO4		National Geographic
F+	RTL II		Nickelodeon
FEM3	RTL KLUB		Panda
FILM CAFE	RTL+		RTP1
FILM MANIA	SLAGER TV		RTP2
FILM+2	SOROZAT+		RTP3
FOX	SPEKTRUM		SIC
Galaxy TV	SPEKTRUM HOME		SIC Mulher
ID Xtra	SPORT1		SIC Noticias
LifeNetwork	SPORT2		SIC Radical
M1	STORY4		TV Record
M2	STORY5		TVI
M3	Super TV2		TVI24
	TLC		
	TV PAPRIKA		

TV Channels Monitored

Spain			
#0	CANAL+ DCINE	ESPORT3	SOMOS
13 TV	CANAL+ ESTRENOS	ETB1	SUNDANCE CHANNEL
24H	CANAL+ LIGA	ETB2	SUPER3/33
8TV	CANAL+ LIGA 2	ETB4	SYFY
A&E	CANAL+ LIGA MULTI	FDF-T5	T5
A3	CANAL+ PARTIDAZO	FOX	TELEDEPORTE
ABONO FUTBOL	CANAL+ SERIES	FOX LIFE	TELEMADRID
ABONO FUTBOL 1	CANAL+ SERIES XTRA	HISTORIA	TNT
AMC	CANAL+ XTRA	IB3	TPA
AND-TV	CMT	LA 7TV	TPA2
ARAGON TV	COMEDY CENTRAL	LA SEXTA	TV MEDITERRANEO
ATRESERIES	COSMOPOLITAN	La1	TV3
AXN	CRIMEN +	La2	TVCAN
AXN WHITE	INVESTIGACION	LAOTRA	TVG
BOING	CUATRO	MEGA	VIAJAR
BUZZ ROJO	CYL7	MTV ESP	XTRM
C.SUR	DCINE ESPAÑOL	NATIONAL GEOGRAPHIC	
CALLE 13	DECASA	NATURA	
CANAL COCINA	DISCOVERY	NEOX	
CANAL HOLLYWOOD	DISCOVERY MAX	NGC WILD	
CANAL HOLLYWOOD +1	DISNEY CH +1	NICK	
CANAL+ ACCION	DISNEY CHANNEL	NOVA	
CANAL+ COMEDIA	DISNEY JUNIOR	ODISEA	
	DISNEY XD	PARAMOUNT CHANNEL	
	DIVINITY	SOL MÚSICA	
	ENERGY		

TV Channels Monitored

Italy

Animal Planet	Dove Tv	La 3	Premium Stories	Sky Cinema +1	Sky Uno +1
AXN +1	Eurosport 2	La5	Radio Italia Tv	Sky Cinema +24	Studio Universal
AXN Sci-Fi	Eurosport/HD	La7	Rai 1	Sky Cinema 1	Super!
AXN/HD	Focus	La7d	Rai 2	Sky Cinema Classics	Tgcom 24
BBC Knowledge	Fox +1	Lei	Rai 3	Sky Cinema Comedy	Top Crime
Boing	Fox Animation	Lei +1	Rai 4	Sky Cinema Cult	
Canale 5	Fox Comedy	Mediaset Extra	Rai 5	Sky Cinema Family	
Cartoonito	Fox Crime +1	Mtv Music	Rai Gulp	Sky Cinema Family +1	
Cielo	Fox Crime +2	NatGeo People	Rai Movie	Sky Cinema Hits	
Cinema Emotion	Fox Crime/HD	NatGeo Wild	Rai News 24	Sky Cinema Max	
Cinema Energy	Fox Life	NatGeo Wild +1	Rai Premium	Sky Cinema Max +1	
Comedy +1	Fox Life +1	National Geographic	Rai Sport 1	Sky Cinema Passion	
Comedy Central	Fox Sports Plus Sat	Channel +1	Rai Sport 2	Sky Meteo24	
Crime+Investigation HD	Fox Sports Sat	Channel/HD	Rai Storia	Sky Sport 1	
Deejay Tv Nove	Fox/HD	Nick Jr.	Rai Yoyo	Sky Sport 2	
Deejay Tv Nove +1	Frisbee	Nick Jr. +1	Real Time	Sky Sport 24	
Discovery Channel	Gambero Rosso Channel	Nickelodeon	Real Time +1	Sky Sport 3	
Discovery Channel +1	Giallo	Nickelodeon +1	Rete 4	Sky Sport F1	
Discovery Science	History +1	Premium Action	Sky Atlantic	Sky Sport Moto GP	
Discovery Travel e Living	History HD	Premium Calcio 1	Sky Atlantic +1	Sky Sport Plus	
Discovery World	Iris	Premium Calcio 2	Sky Calcio 1	Tv8	
Dmax	Italia 1	Premium Calcio 2	Sky Calcio 2	Sky Super Calcio	
Dmax +1	Italia 2 Mediaset	Premium Cinema Comedy	Sky Calcio 3	Sky TG24	
	Joi	Premium Crime	Sky Calcio 4	Sky TG24 Eventi	
	K2	Premium Sport 2/HD	Sky Calcio 5		
		Premium Sport/HD			

TV Channels Monitored

Poland

13 Ulica [13th Street Universal]	CBS Reality [Zone Reality]	Investigation Discovery	Polsat News 2 [Polsat Biznes]	TV6
4FUN FIT&DANCE [TV.DISCO]	CI Polsat [Polsat Crime & Investigation Network]	Kino Polska	Polsat Play	TVN
4FUN HITS [mjuzik.tv]	Comedy Central	Kino Polska Muzyka	Polsat Romans	TVN Fabula
4FUN.TV [4fun.tv]	Comedy Central Family [VH1 Polska]	kuchnia+ [kuchnia.tv]	Polsat Sport	TVN Meteo Active [TVN Meteo]
ADVENTURE	Disco Polo Music	Lifetime	Polsat Sport Extra	TVN Style
Ale Kino+ [Ale Kino]	Discovery	MiniMini+ [MiniMini]	Polsat Sport News	TVN Turbo
Animal Planet HD	Discovery Historia	Motowizja	Polsat Viasat Explore [Polsat Viasat Explorer]	TVN24
ATM Rozrywka	Discovery Life [Animal Planet]	MTV Polska	Polsat Viasat History [Viasat History]	TVN24 Biznes i Swiat
AXN	Discovery Science [Discovery Sci-Trek]	Muzo.tv	Polsat Viasat Nature [Viasat Nature]	TVN7 [RTL7]
AXN Black [AXN Sci-Fi]	Discovery Turbo Xtra	Nat Geo People	Polsat2	TVP ABC
AXN Spin	Discovery Xtra	Nat Geo Wild	Power TV	TVP HD
AXN White [AXN Crime]	Disney Channel	National Geographic	Puls 2	TVP Historia
BBC Brit [BBC Entertainment]	Disney Junior [Playhouse Disney]	Nick Jr.	Romance TV	TVP INFO [TVP3]
BBC CBeebies	Disney XD	Nickelodeon	SciFi Universal	TVP Kultura
BBC Earth [BBC Knowledge]	Domo+ [Domo]	nSport+ [nSport]	Stars.tv	TVP Polonia
BBC Lifestyle	E!Entertainment [E!]	Orange Sport	Stopklatka	TVP Rozrywka
Boomerang	Eska TV	Paramount Channel HD	Superstacja	TVP Seriale
Canal+ Sport [Canal+ Niebieski]	Eurosport 1 [Eurosport]	Planete+ [Planete]	Tele5	TVP Sport
Canal+ Sport2	Eurosport2	Polo TV	teleTOON+ [ZigZap/Hyper]	TVP1
Cartoon Network	Extreme Sports	Polsat	TLC	TVP2
CBS Action [Zone Romantica]	FilmBox	Polsat Cafe	TNT [TCM]	TVP3 [TVP Regionalna]
CBS Drama [Club TV]	Fokus TV	Polsat Film	TO!TV [ITV]	TVS
CBS Europa [Zone Europa]	FOX	Polsat Food	Travel Channel	Universal Channel
	FOX Comedy [FOX Life]	Polsat Jam [JimJam]	TTV - Twoja Telewizja	VH 1 [VH1 Europe]
	H2	Polsat News	TV PULS [PULS]	VIVA Polska
	HISTORY	TV4	TV Republika	Vox Music TV
				Wellbeing

2016



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 Pledge ¹ member companies. The goal of the project was to determine whether the company-owned websites reviewed were compliant with the relevant EU Pledge Commitment.

In the framework of the 2016 EU Pledge monitoring project of brand websites, the EU Pledge Secretariat commissioned EASA to run a pilot project to monitor marketer-owned mobile applications and independently check compliance with the EU Pledge criteria.

Being a pilot exercise and taking into account the limited sample size at disposal, SROs were asked to review mobile applications including non-compliant products and also those featuring brand logos, to ensure that the results of the pilot analysis are as comprehensive and meaningful as possible.

The goal of the pilot project is to determine which of the brand mobile applications are considered by the SROs as primarily appealing to children under 12.

Compliance with the EU Pledge Commitment, for both brand websites and mobile applications, is determined on the basis of whether:

- The websites or mobile application feature 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 nutritional criteria;
- Such marketing communications are designed to be targeted primarily at children under 12.

Advertising self-regulation experts were requested to try and think from the perspective of a child younger than 12 while reviewing brand websites and mobile applications 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 and mobile applications 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 specific nutritional standards. 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.

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, Dr. Verónica Donoso² and Doctoral Researcher Valerie Verdoodt³, independent reviewers of this exercise. The role of the independent reviewers was to verify that appropriate criteria have been set up in the methodology, perform quality check on SROs’ review, testify to the correctness of the monitoring procedure, and sign off on the EASA top line report.

² Verónica Donoso (PhD) has more than 13 years of academic and professional experience in the field of children and child internet safety and is a strong advocate for the need to better protect and empower children online through effective and coordinated multi-stakeholder approaches. Through her career, Verónica has advised a number of institutions and organisations including the European Commission, the European Advertising Standards Alliance (EASA) and the World Federation of Advertisers. She has developed methodologies to assess the compliance of industry-based self-regulatory initiatives such as the Safer Social Networking Principles for the EU and the EU Pledge. 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. She currently serves on the International Advisory Board of the WePROTECT Global Alliance and on the Advisory Board of the EU-funded MANDOLA project on monitoring and detecting hate speech.

³ Valerie Verdoodt is a Doctoral Researcher at KU Leuven Centre for IT & IP Law (CiTiP) and Ghent University (Law and Technology). At CiTiP, Valerie's research focuses on the topics of social media (literacy), privacy, data protection, user empowerment and the protection of minors. Since 2014, she has been involved in several European and Belgian research projects (i.e. EMSOC, SPION, ACDC, PREEMPTIVE). She was also involved in CiTiP's 'Facebook investigation' for which she co-authored a report analysing Facebook's revised policies and terms at the request of the Belgian Privacy Commission.

Project Overview

Experts from 10 European self-regulatory organisations (SROs) were invited by EASA and the EU Pledge Secretariat to conduct the monitoring exercise in September and October 2016 in order to assess the appeal of marketer-owned websites and mobile applications to children under 12. The 10 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
Czech Republic	CRPR
France	ARPP
Germany	DWR
Italy	IAP
Lithuania	LRB
Poland	RR
Spain	AUTOCONTROL
Sweden	Ro.
The Netherlands	SRC
United Kingdom	CAP

Self-regulation experts from SROs in the Czech Republic, Poland and Sweden, each reviewed 22 national brand websites of EU Pledge company members, including, where available, at least 1 website per company. 28 national brand websites were reviewed in France, Germany, Italy, the Netherlands, Spain and the UK, including, where available, at least 2 websites per company. Due to limited availability, Lithuania reviewed 16 marketer-owned websites. Corporate websites⁴ were excluded from the exercise.

Below is a list of the EU Pledge member companies.

Table 2: List of the EU Pledge member companies

EU Pledge member companies	
Amica Chips	Bel Group
Burger King	Coca-Cola
Danone	Ferrero
General Mills	ICA Foods
Intersnack	Kellogg's

⁴ A corporate website is a general informational website operated by a company.

EU Pledge member companies	
KiMs	Lorenz Snack-World
McDonald's Europe	Mars
Mondelēz International	Nestlé
PepsiCo	Quick Group
Royal FrieslandCampina	Unichips-San Carlo
Unilever	Zweifel Pomy-Chips

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 applicable nutritional criteria set out in the EU Pledge. From this, EASA compiled a list of websites that promoted products that do not meet the nutritional criteria; from EASA's list, the self-regulatory 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 the independent reviewer Dr. Verónica Donoso, developed the methodology including a questionnaire for self-regulatory experts to answer when reviewing each website selected. The methodology and questionnaire were developed to ensure objectivity and consistency across the project.

The questionnaire for the websites asked the self-regulatory experts if the website being reviewed contained elements, such as games/entertainment activities⁵, 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 the visitor and 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.

⁵A 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

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

The questionnaire for the mobile applications, developed with both independent reviewers, asked the experts if the apps being reviewed allowed children under 12 to customise them, interact with other users, as well as including elements, such as licensed characters, games/entertainment activities, contests and promotional events 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 overall look and feel of the mobile application, were clearly intended to make the marketing communication(s) in the mobile applications primarily appealing to under-12s.

Beyond compliance of websites with the EU Pledge and primary appeal of mobile applications to children under 12, the experts also flagged any items on the website and mobile applications 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.

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 reviewers Dr. Verónica Donoso and Doctoral Researcher Valerie Verdoodt, has taken great care to ensure that the results of this project are objective and consistent.

To do this, detailed methodologies were developed; they were then applied by all self-regulatory experts when assessing both websites and mobile applications. However, although it may be relatively easy to determine if a website or a mobile application appeals to children in general, it is much harder to determine if a website or a mobile application is designed to appeal primarily to children younger than 12. As a result, the decisions of the self-regulatory 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 Reviewers

The 2016 monitoring exercise attempted to determine whether the company-owned websites reviewed were compliant with the EU Pledge Commitment. In addition to previous assessments this year's monitoring exercise broadened its scope to the pilot-testing of brand-owned mobile applications. Even though this was a pilot exercise it was useful to get a deeper insight into the complexities of marketing communications in an era where smartphones and portable connected devices such as tablets and iPads have become an indispensable tool for communications, entertainment and information, not only for adults but also for children.

The results of the assessment of brand-owned websites are not really surprising. They follow a similar pattern as observed in previous assessments. However, it is worthwhile noting that there is a small increase in the percentage of non-compliant websites. Other interesting results are summarised below:

- ✓ Of the 250 national brand websites reviewed, 13 websites (5% compared to 3% last year) were considered in breach of the EU Pledge as they contained elements assessed to be primarily appealing to children under 12. These elements included the use of games or entertainment activities, toys used as premiums, animations/videos/ sound effects as well as language, text or navigation considered to be designed primarily for under-12s.
- ✓ Emerging trends observed in the last editions of this assessment have remained. For instance, more websites are employing age-screening mechanisms (13% in 2016 and 2015 as compared to 14% in 2014 and only 8% in 2013), more websites feature licensed characters (19% in 2016 and 18% in 2015 as compared to 15% in 2014 and only 9% in 2013). Similarly, there is a significant increase in the use of licensed characters that are primarily targeting children under 12 (11% in 2016 as compared to only 5% in 2015).
- ✓ There is also a considerable presence of games or entertainment activities on websites (30% as opposed to 28% last year), however, only 9% (compared to 10% last year) were considered as primarily appealing to young children.
- ✓ While the amount of websites displaying animations has decreased (52% in 2016 as compared to 58% in 2015 and 60% in 2014) more of these animations have been assessed as designed to appeal primarily to children under 12 as compared to last year (8% compared to 5% respectively, but it is still less than 2014's 9%).
- ✓ The number of websites using toys as premiums, which were considered as primarily appealing to under-12s, remains low and only amounts to 6%.

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 the compliance of their company-owned websites. This is particularly evident in the rather low percentage of company-owned websites (5%) considered in breach of the EU Pledge, as well as in the high increase of the age-screening

mechanisms present. It is also important to consider that even though specific websites may not be assessed as designed to appeal “primarily” to children under 12, they can still be attractive for younger audiences. Furthermore, the high presence of animations, licensed characters and games and the fact that, out of the 250 websites reviewed 35 (14%) contained items that were in breach of advertising codes or relevant advertising laws, make the results of this year’s monitoring somehow worrying. One must also be aware that company-owned websites may not be necessarily popular among children. Conversely, marketing communications targeting children may be present and even be more effective through other online and offline channels including traditional TV ads, the packaging of products themselves or even social media and mobile applications. It was timely, therefore, to have added a pilot study of mobile applications to this assessment.

Regarding the pilot testing of mobile applications, several new criteria for the methodology were developed in order to deal with the unique features of mobile applications. For instance, as opposed to assessing brand-owned websites, in order to define whether or not a mobile application is designed to primarily appeal to children under 12, the difficulty of installing the app and its accessibility (i.e. are there any age screening or parental consent mechanisms at the level of the apps platform or upon accessing the app?) need to be assessed. Furthermore, mobile applications offer certain features that are particularly appealing to children, such as customisation (i.e. creating avatars, adding virtual elements, choosing characters), interaction with other app users (i.e. sharing creations) or the encouragement of some degree of physical activity (i.e. making use of virtual reality). These elements were included in the questionnaire for the national assessors. Finally, this pilot exercise made us aware of a number of methodological challenges including important ethical considerations with regards to the assessment of mobile applications. For example, mainly because of lack of resources, in order to assess the apps, these had to be downloaded on the personal smartphone of the person conducting the assessment. Accordingly, the assessors and the independent reviewers had to agree to the terms of use and privacy policies of the apps and, hence, to the collection of their personal data even when it was not their intention to be users of the mobile apps being tested.

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 children including infants are using digital technologies on a daily basis, demands the continuous review of the objectives set by the EU Pledge and the methodologies employed to assess the signatories’ compliance.

As a final recommendation, we cannot but stress once again, that better and more reliable results would be achieved if the current methodology was expanded to include actual children testing the appeal of specific websites (or elements thereof). The fact that the findings presented in this and previous reports are based solely on expert evaluations carried out by adults, highlights the limitations of this assessment exercise.

Lastly, we would like to thank the EU Pledge Secretariat, EASA, as well as all the participating SROs for carrying out a rigorous assessment of the EU Pledge. As pointed out before, even though there are a number of limitations present in this assessment, there is still great added value in the continuous monitoring of self-regulatory initiatives such as the EU Pledge. Through

assessments of this type, it is possible to identify new trends, to inform policy makers and to foster the effective implementation of advertising self-regulation and, ultimately, enhance marketing communication practices directed at children. Finally, we would also like to encourage the signatories of the EU Pledge to continue investing their efforts to make a positive change in the way food and beverage products are advertised to children.

Dr. Verónica Donoso and Valerie Verdoodt

Independent reviewers

Executive Summary

Brand-Owned Websites:

- A total of 250 national brand websites were reviewed;
- All of the websites reviewed contained product promotion and featured at least 1 product that was not compliant with the common nutritional criteria;
- 28 websites exhibited licensed characters, tie-ins or celebrities that were considered to be targeting primarily under-12s;
- 23 websites featured entertainment activities or games that were considered to be designed to appeal primarily to under-12s;
- 21 websites contained animations, videos or sound effects that were considered to be designed to appeal primarily to under-12s;
- 15 websites featured toys used as premiums that were considered to be appealing primarily to under-12s;
- Out of the 250 websites, 13 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 250 websites reviewed 35 contained items that were in breach of advertising codes or relevant advertising laws. In total, 41 problematic items were flagged.

Brand-Owned Mobile Applications:

- A total of 20 mobile applications were reviewed;
- 8 of the mobile applications reviewed contained product promotion and featured at least 1 product that was not compliant with the common nutritional criteria; the other 12 mobile applications reviewed featured the company logo but not necessarily a non-compliant product;
- 8 mobile applications reviewed allowed children under 12 to interact, exchange information, their creations with other app users;
- 4 mobile applications reviewed contained features that allowed children to customise the app;

- 3 mobile applications reviewed encouraged kinetic movements, i.e. children were required to move around to complete certain tasks;
- 6 mobile applications reviewed used language clearly directed at children under 12;
- 14 mobile applications featured games and/or other entertainment activities such as puzzles, card games, racing games, recipes, coloring or activity sheets, “Do it yourself” type of activities, etc.;
- 15 mobile applications featured animations and/or music/sound effects and/or videos;
- 1 mobile application exhibited licensed characters/tie-ins/celebrities (e.g. celebrities or fictional characters which are not owned by the company, e.g. sports athletes, actors or fictional characters linked to movies/entertainment);
- 2 mobile applications featured games containing contextual ads⁶, while 8 featured games containing embedded ads⁷;
- 1 mobile application contained in-app purchases⁸;
- 3 mobile applications included contests or competitions, while 1 featured events or promotional events which were considered to be appealing to children under 12;
- 1 mobile application featured toys used as premiums to promote a food/beverage product;
- Out of 20 mobile applications reviewed 8 were considered to be appealing primarily to children under 12 as they contained elements, such as entertainment activities/games, animations/music/sound effects/videos, licensed characters as well as language addressed to children under 12 and encouraging their interaction, the exchange of their information and creations; however, only 1 out of 8 featured non-compliant product promotions, therefore it was considered as potentially in breach of the EU Pledge.
- None of the 20 mobile applications reviewed contained items that were in breach of advertising codes or relevant advertising laws. No problematic items were flagged.

⁶ Contextual advertisement is a form of targeted advertisement appearing on websites, mobile apps and other media.

⁷ Embedded advertisement is a type of “hidden” advertisement that often comes in the form of a picture of the product, a logo, a product symbol and so on.

⁸ In mobile applications marketed as “free”, players can typically only access portions of these games for free; to access new levels or to get more features, players can be required to pay a certain amount of money during the game.

1. Brand-Owned Websites

1.1 Sample of Brand-Owned Websites

A total of 250 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
Czech Republic	21
France	27
Germany	28
Italy	28
Lithuania	17
Poland	22
Spain	28
Sweden	22
The Netherlands	28
United Kingdom	29
TOTAL	250

1.2 Product Promotion

The reviewers identified product promotion on all of the 250 websites reviewed. All websites reviewed featured at least 1 product that did not meet the common nutritional criteria.

1.3 Age screening/Parental Consent

32 out of 250 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=250)

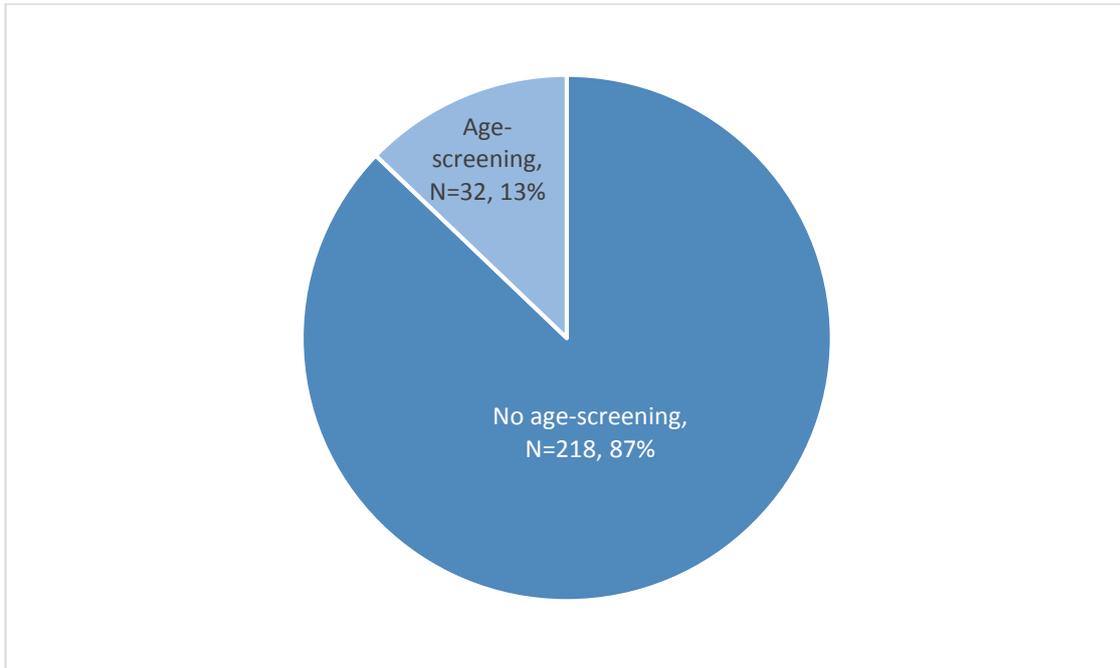
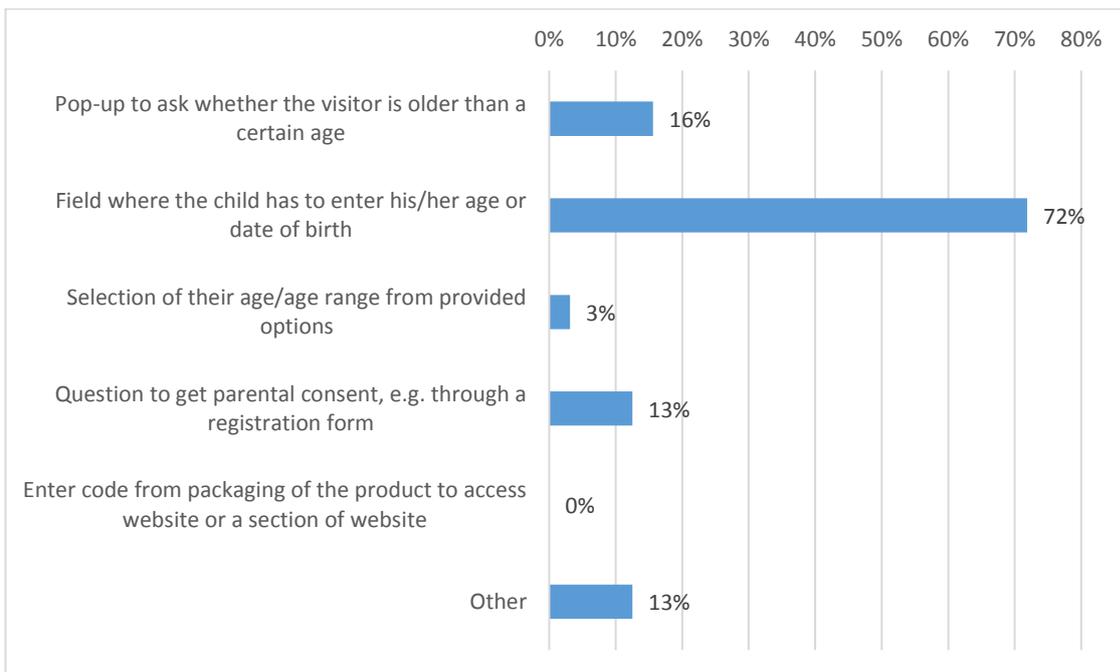


Figure 2: Types of age screening (N= 32)

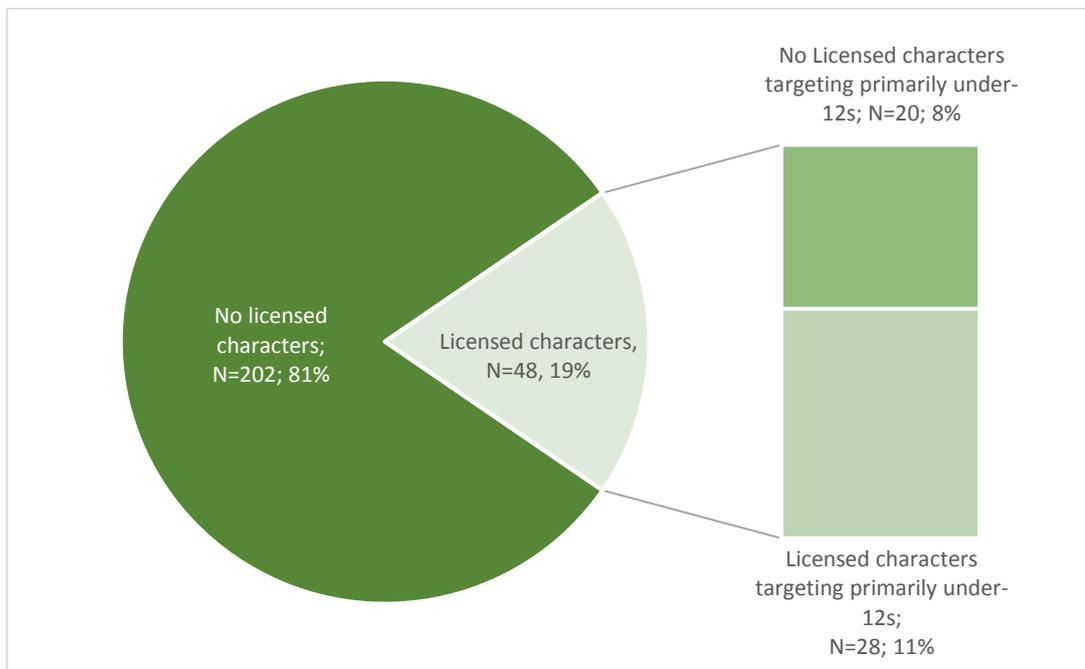


1.4 Licensed Characters/Tie-ins/Celebrities

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.

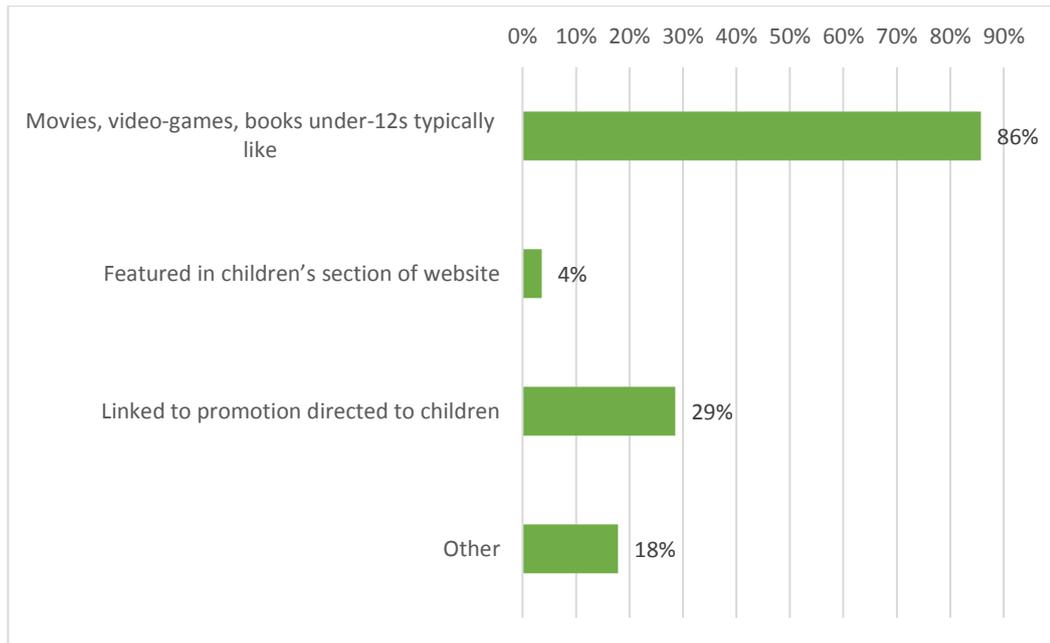
50 out of the 250 websites reviewed featured licensed characters/tie-ins. In 28 instances the reviewers considered that these characters/tie-ins were designed to target primarily children under 12. In addition, 12 of these websites used the licensed characters/tie-ins to promote food or beverage products.

Figure 3: Number of websites featuring licensed characters/tie-ins (N=250)



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.

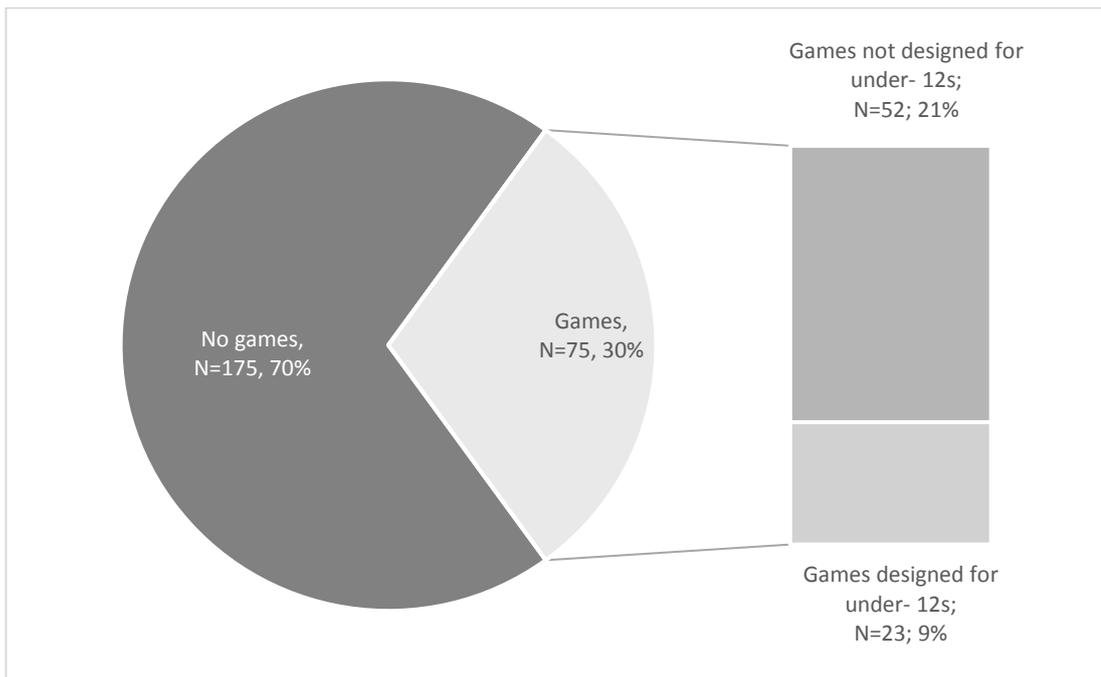
Figure 4: Main indicators for licensed characters/tie-ins considered primarily appealing to under-12s (N=28)



1.5 Entertainment Activities/Games

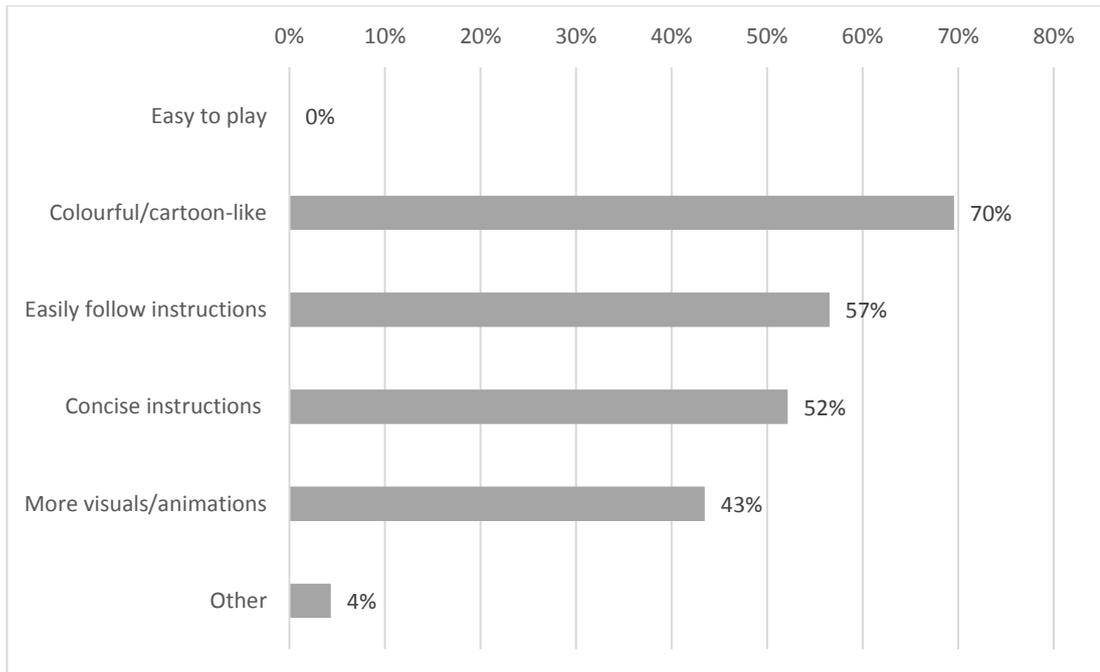
The reviewers identified entertainment activities/games on 75 of the 250 websites reviewed. In 23 instances the reviewers considered that the entertainment activities/games were designed to appeal primarily to under-12s. In addition, 9 of these websites used the entertainment activities/games to promote food or beverage products to children.

Figure 5: Number of websites featuring entertainment activities/games (N=250)



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=23)



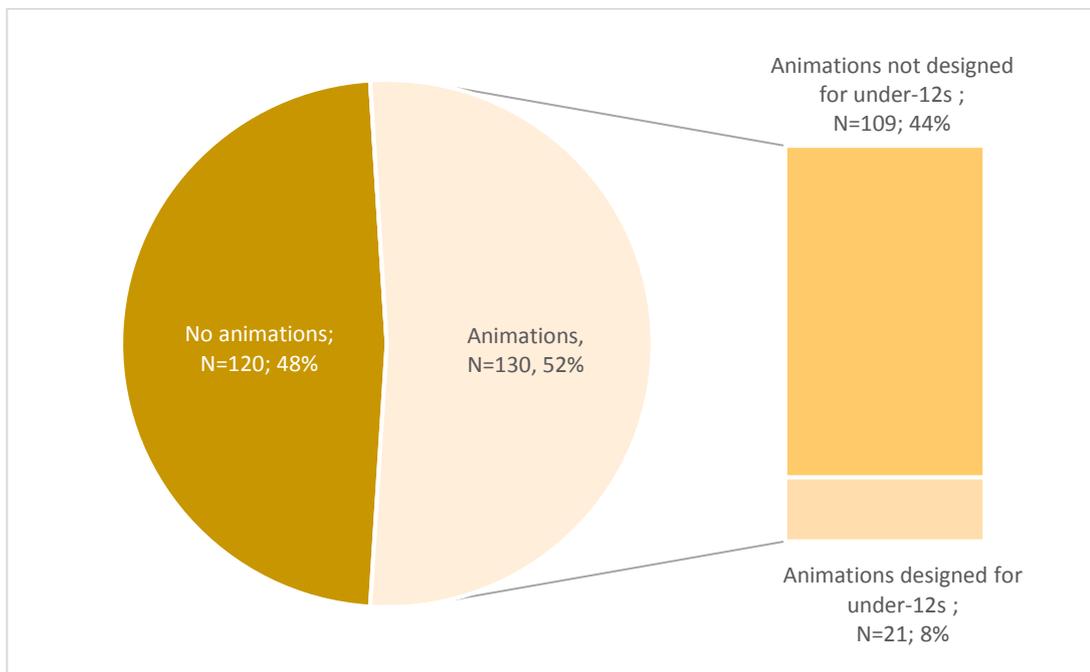
1.6 Animation/Sound Effects/Videos

130 of the 250 websites reviewed featured animations such as cartoons, animations depicting fantasy situations, sound effects or videos.

According to the reviewers, 21 of these websites used animations, sound effects or videos which were designed to appeal primarily to under-12s.

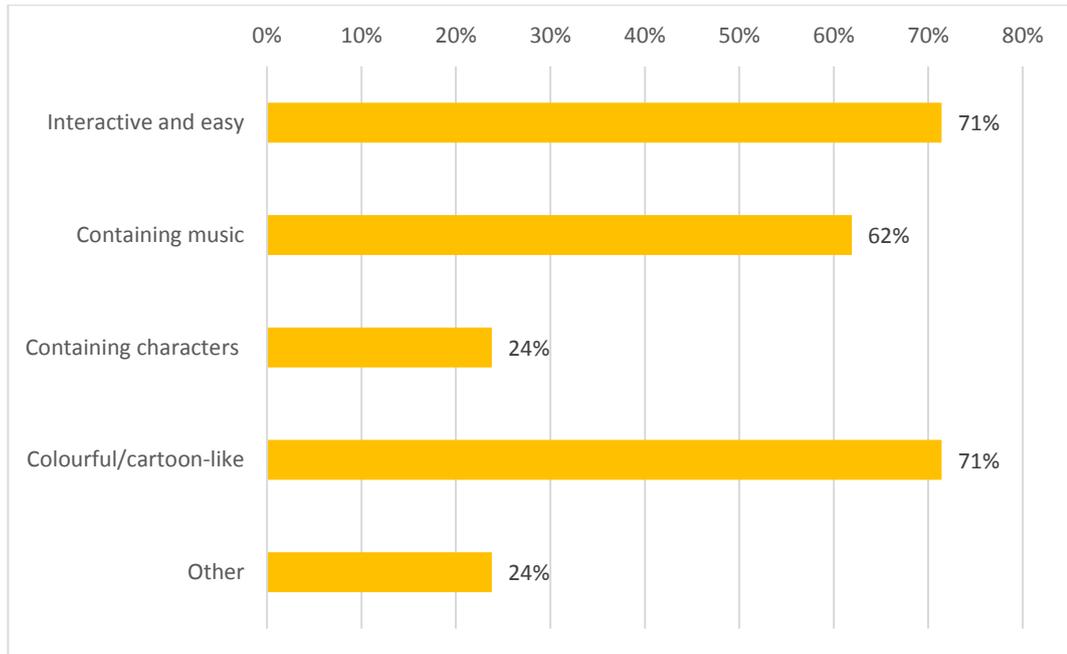
In addition, 15 of these websites used these to promote food or beverage products to children.

Figure 7: Number of websites featuring animation, sound effects or videos (N=250)



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=21)

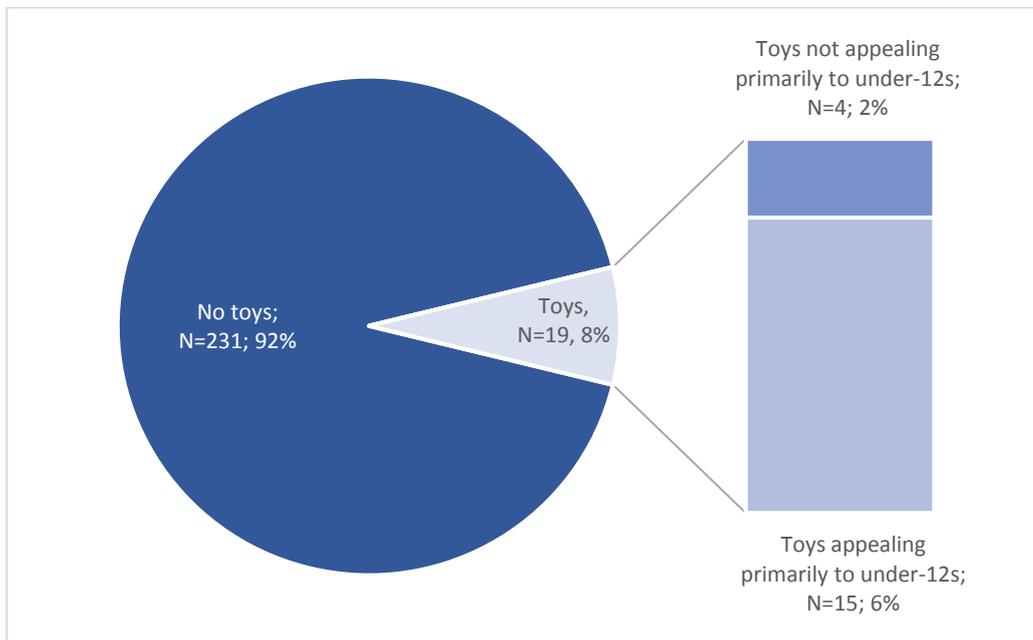


1.7 Toys Used as Premiums

The reviewers identified 19 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 15 of the 19 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=250)



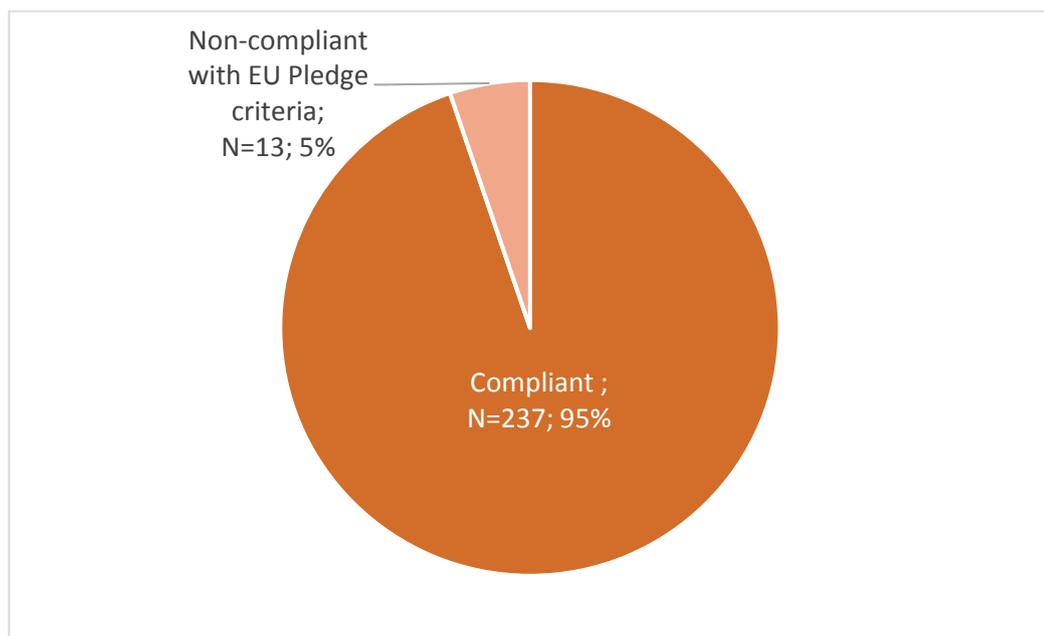
1.8 Compliance with the EU Pledge Criteria

13 of the 250 websites reviewed were found to be non-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.

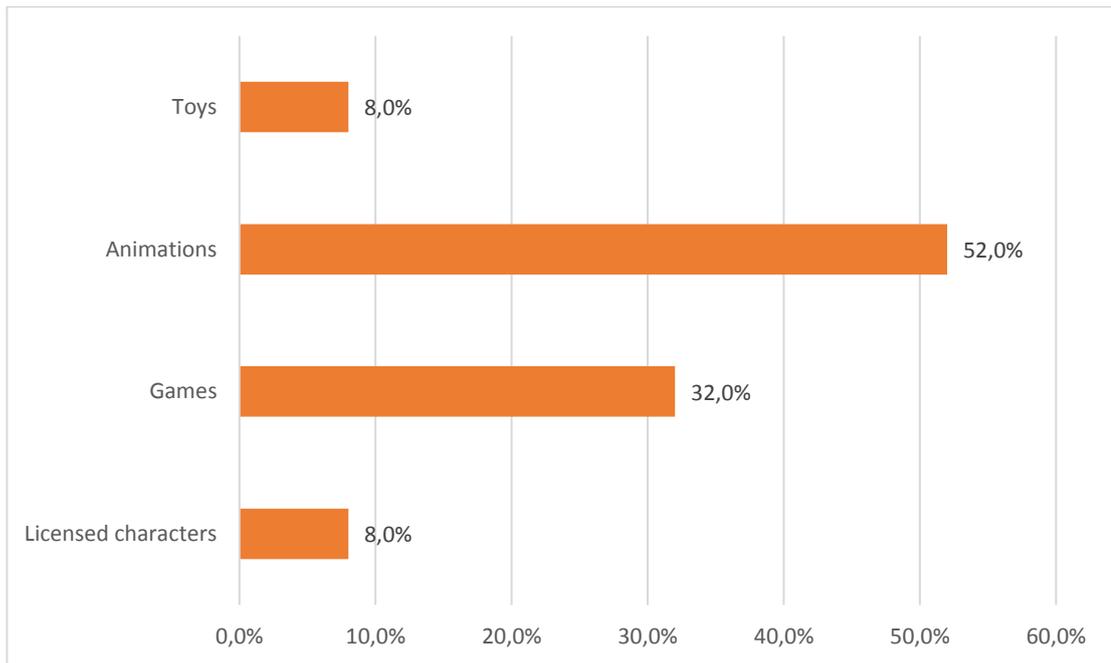
Figure 10: Compliance with the EU Pledge criteria (N=250)



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. 2 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 screening mechanisms may indicate the intent of the marketer to be compliant, it does not on its own render a website compliant with the commitment.

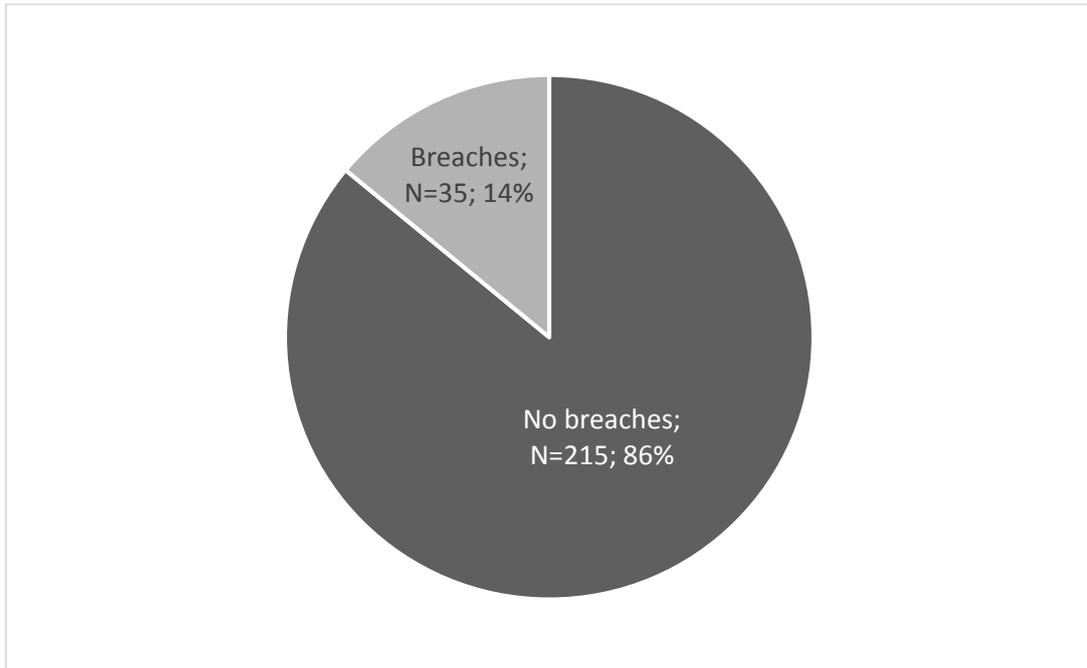
Figure 11: Elements of websites primarily appealing to under-12s (N=13)



1.9 Compliance with Advertising Codes/Laws

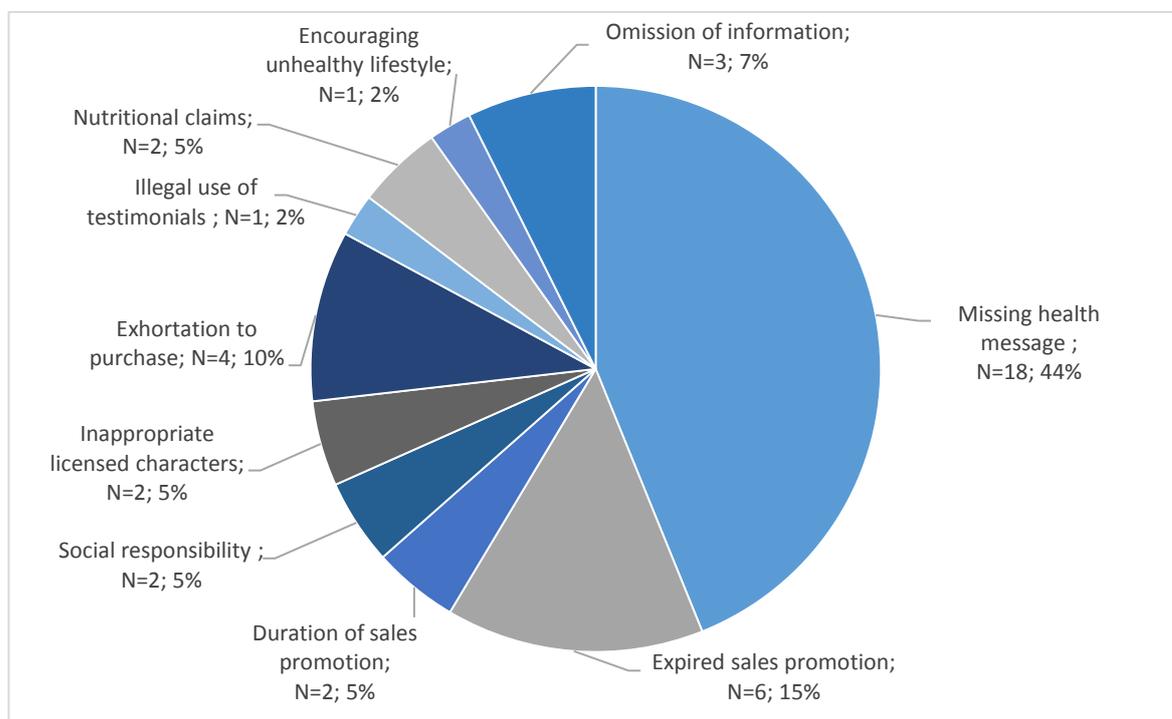
On 35 out of the 250 websites, the reviewers identified items that were considered as potentially in breach of advertising codes and/or relevant advertising laws.

Figure 12: Compliance with advertising codes/laws (N=250)



On these 35 websites, a total of 41 problematic items were found.

Figure 13: Potential breaches of advertising codes/laws (N=41)



In 2 instances the websites were found to be potentially in breach of advertising codes or laws because a clear mention of the duration of the sales promotions was lacking.

In the other 6 cases, the reviewers found on the websites sales promotions that had already expired at the time of the review.

Furthermore, the reviewers flagged 3 cases for not showing the promoted toys nor including information regarding their size reference (omission of information).

2 websites were flagged for featuring statements inciting or condoning forms of discrimination, including that based upon national origin, religion or gender (social responsibility).

In 1 website the reviewers identified claims that were considered as encouraging poor nutritional habits or an unhealthy lifestyle, while 2 websites contained problematic nutritional claims.

In 18 instances the websites were considered to be potentially in breach of advertising codes or laws for not stating the required health message.

2 websites were flagged for using inappropriate licensed characters which enjoy a high degree of popularity among child audiences, while 1 other website featured the real or presumed scientific testimony of a healthcare professional/nutritionist endorsing the product.

Finally, the reviewers identified 4 websites including a direct invitation to buy an advertised product or encourage children to persuade an adult to buy the product for them.

2. Brand-Owned Mobile Applications

2.1 Sample of Brand-Owned Mobile Applications

A total of 20 mobile applications were reviewed by experts. 8 out of the 20 apps reviewed contained product promotion and featured at least 1 product that was not compliant with the common nutritional criteria, while the other 12 featured the company logo, but not the non-compliant product⁹.

The table below provides an overview of the number of mobile applications that were reviewed per country.

Table 4: Number of mobile applications reviewed per country

Country	Number of Mobile Applications Reviewed
Czech Republic	2
France	2
Germany	2
Italy	2
Lithuania	2
Poland	2
Spain	2
Sweden	2
The Netherlands	2
United Kingdom	2
TOTAL	20

2.2 Product Promotion

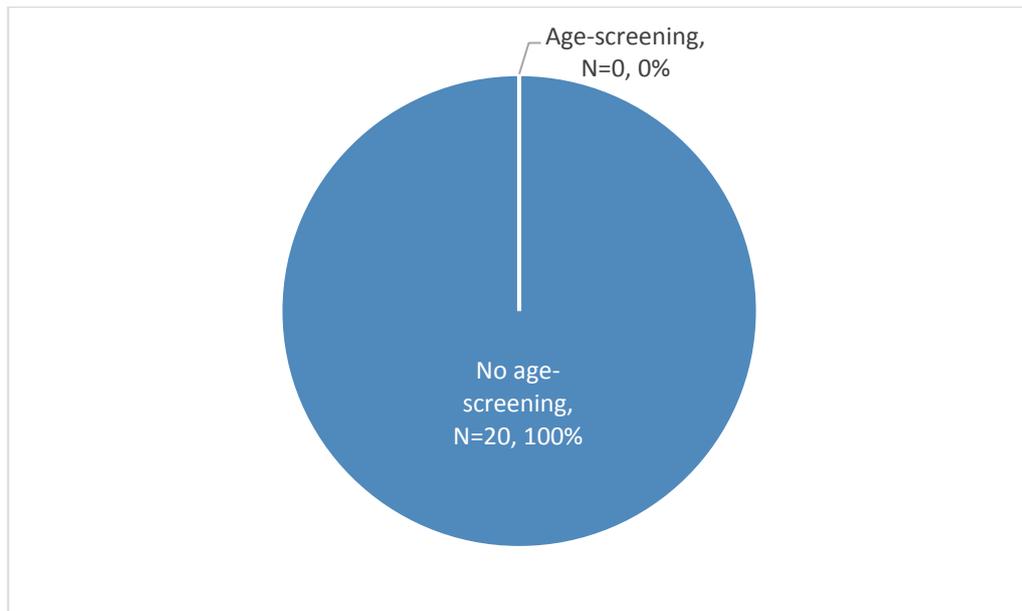
The reviewers identified product promotion on 8 of the mobile applications reviewed. These 8 apps reviewed featured at least one product that did not meet the common nutritional criteria.

⁹ This is due to the limited sample size at disposal.

2.3 Age-screening

None of the mobile applications contained age-screening/parental consent mechanisms aimed at verifying the age of visitors before downloading the app, i.e. select age range, request parental consent, etc.

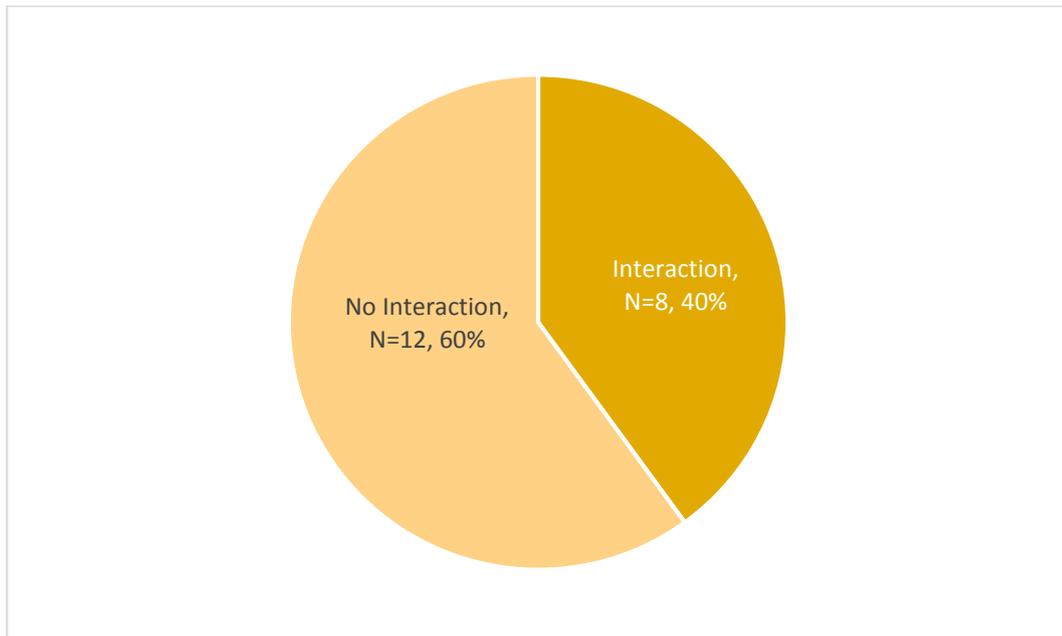
Figure 14: Number of mobile applications featuring age screening (N=20)



2.4 Interaction

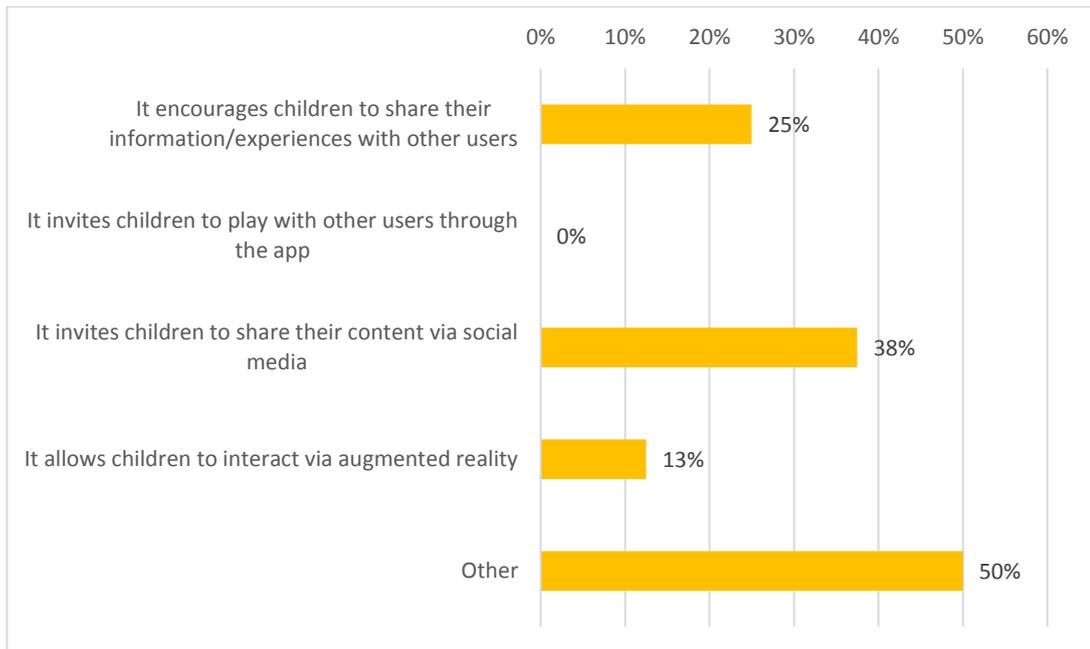
According to the reviewers, 8 out of 20 mobile applications reviewed included features allowing children under 12 to interact, exchange information and the creation of their own content with other app users, i.e. via social media channels, via augmented reality, etc.

Figure 15: Number of mobile applications allowing interaction/exchange of information/creations (N=20)



Reasons as to why the reviewers considered that the 8 mobile applications seemed to encourage interaction of children under 12 are featured in the following chart.

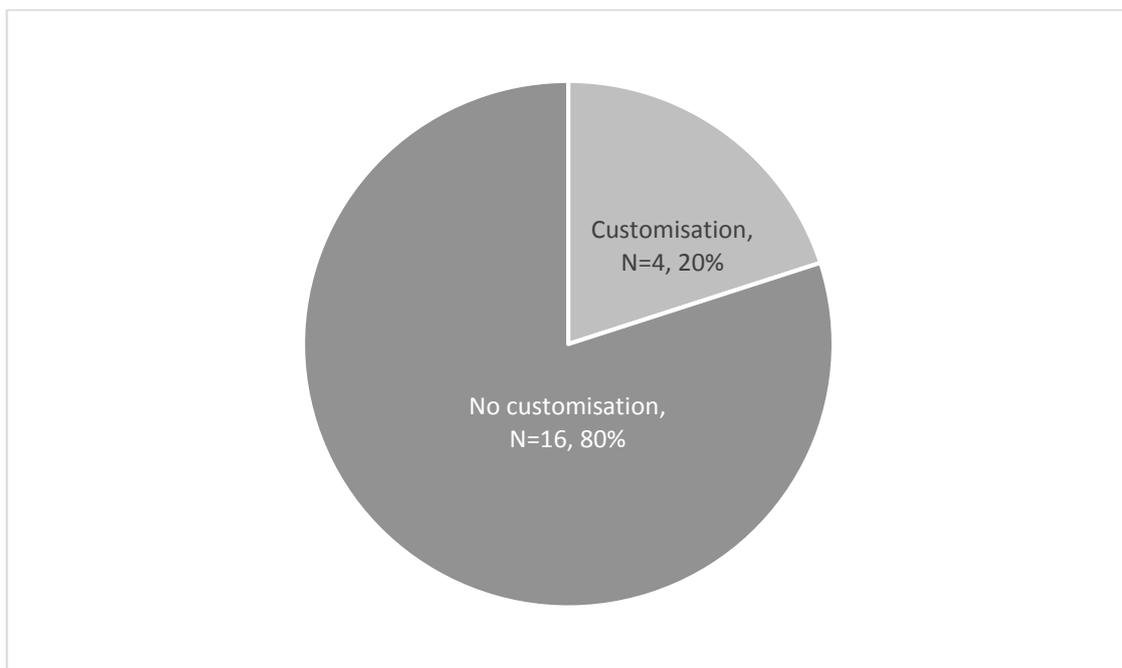
Figure 16: Main indicators for mobile applications allowing interaction/exchange of information/creations (N=8)



2.5 Customisation

4 of the mobile applications contained features that allowed children to customise the app, i.e. create their own avatar, adding virtual elements, choosing backgrounds, characters, etc.

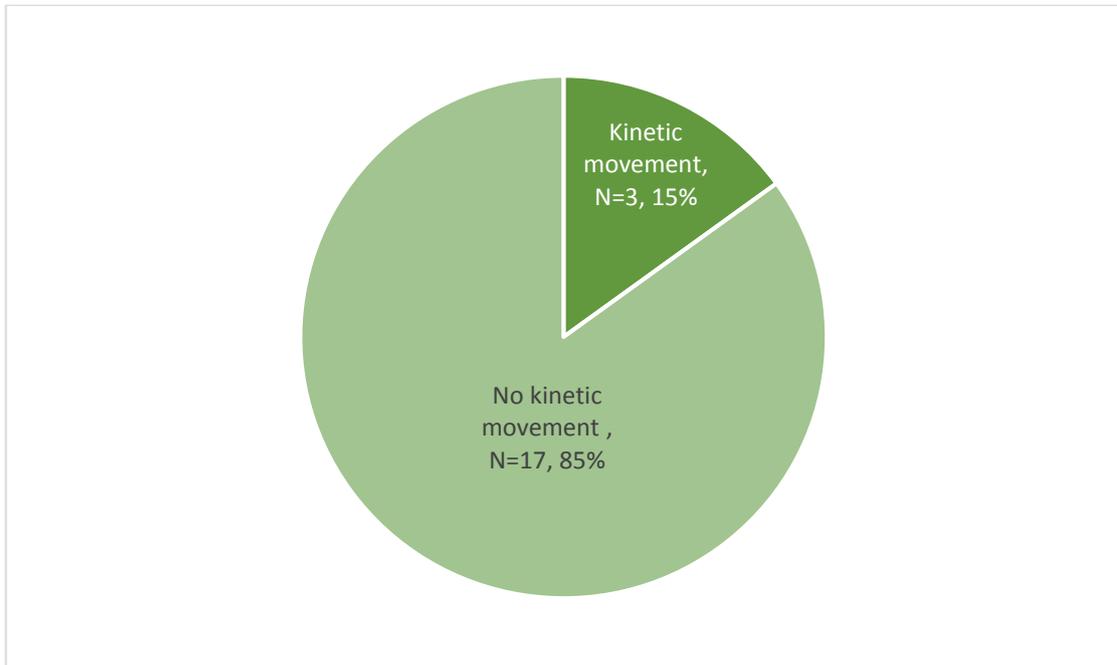
Figure 17: Number of mobile applications allowing customisation (N=20)



2.6 Kinetic movements

3 of the mobile applications encouraged kinetic movements, i.e. children are required to move around to complete certain tasks.

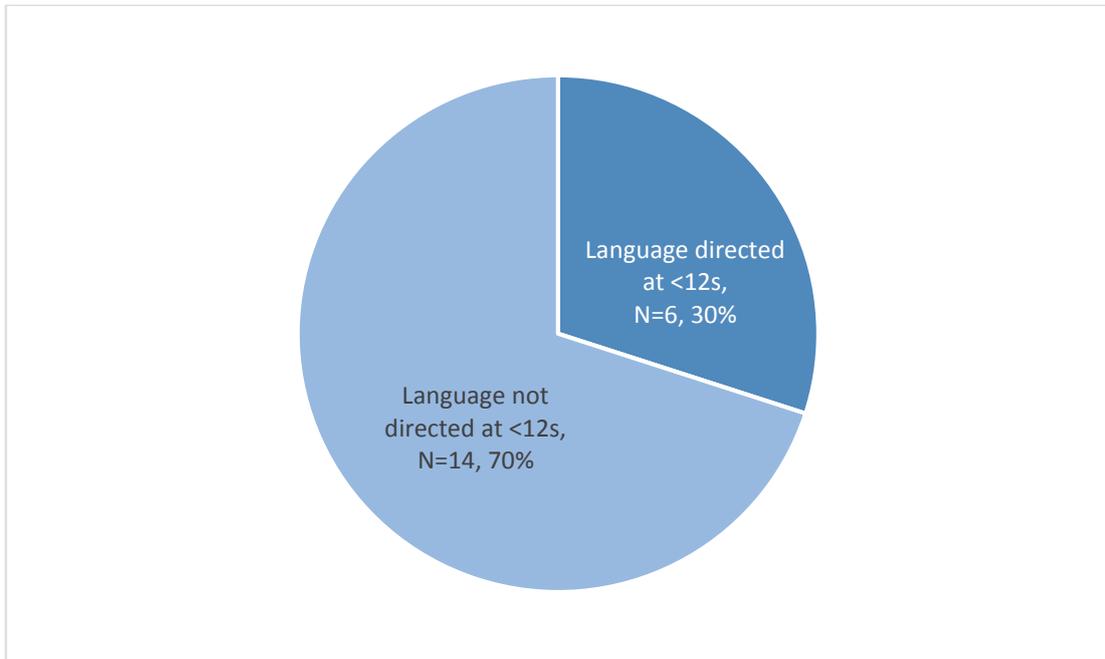
Figure 18: Number of mobile applications allowing kinetic movements (N=20)



2.7 Language

6 of the 20 mobile applications reviewed used language that deemed as directed at children under 12, as it was considered to be plain and easy to understand by children under 12.

Figure 19: Number of mobile applications using language directed at children under 12 (N=20)

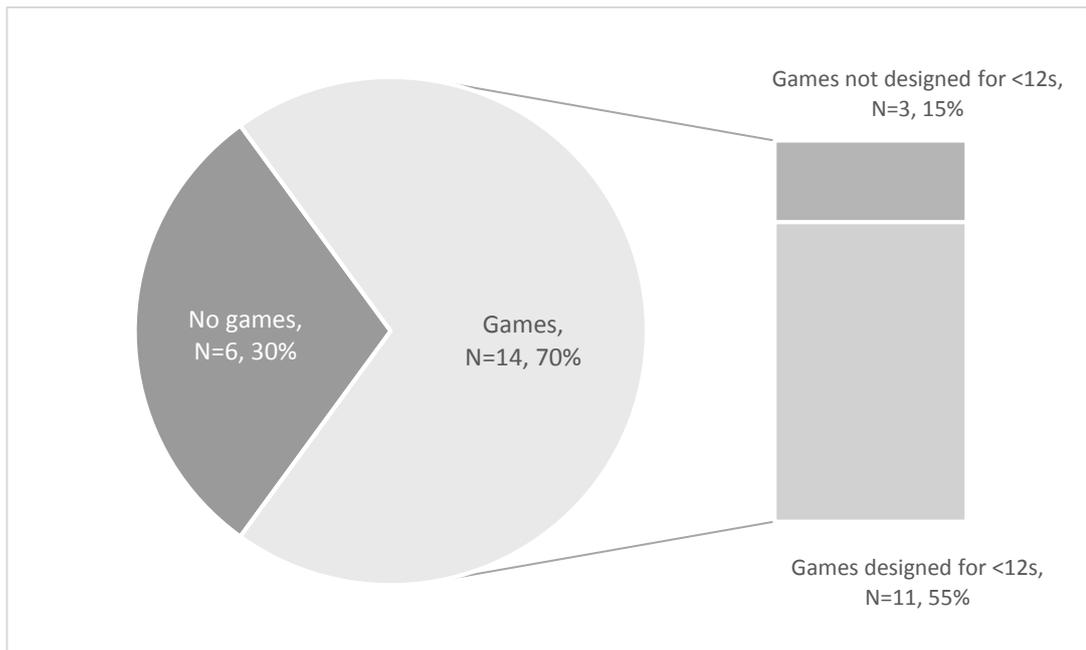


2.8 Entertainment Activities/Games

The reviewers identified entertainment activities/games on 14 of the 20 mobile applications reviewed.

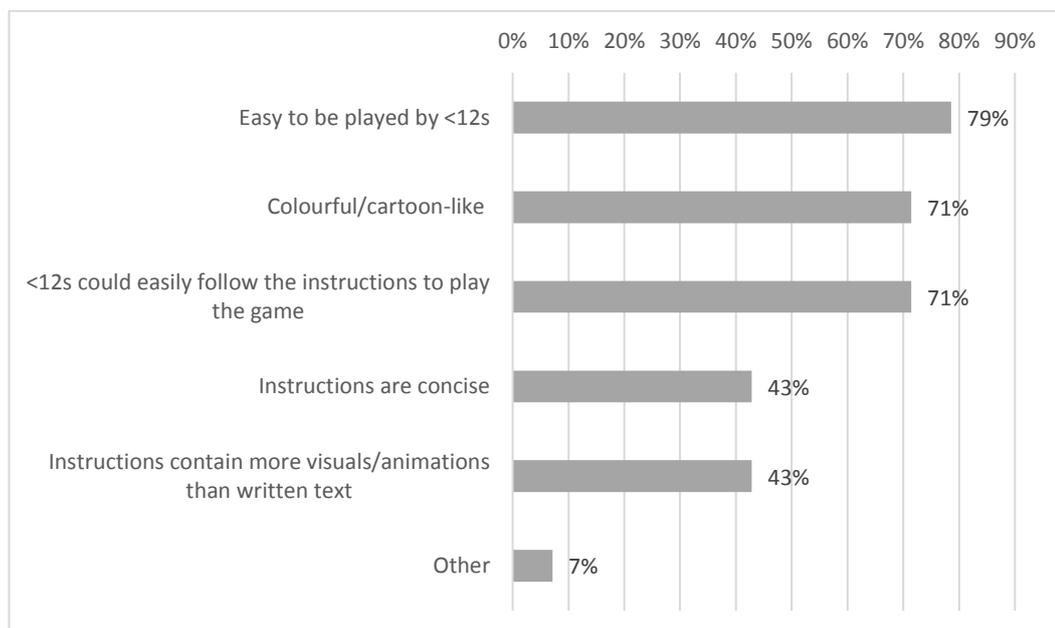
In 11 instances the reviewers considered that the entertainment activities/games were designed to appeal primarily to under-12s.

Figure 20: Number of mobile applications featuring entertainment activities/games (N=20)



Reasons as to why the reviewers considered that the entertainment activities/games were primarily appealing to children under 12 are featured in the following chart.

Figure 21: Main indicators for entertainment activities/games considered primarily appealing to under-12s (N=11)



2.9 Animations/music/sound effects/videos

15 of the 20 mobile applications reviewed featured animations such as cartoons, animations depicting fantasy situations, sound effects or videos.

According to the reviewers, 7 of these mobile applications used animations, sound effects or videos which were designed to appeal primarily to under-12s.

In addition, 2 of these mobile applications used these to promote food or beverage products to children.

Figure 22: Number of mobile applications featuring animation, sound effects or videos (N=20)

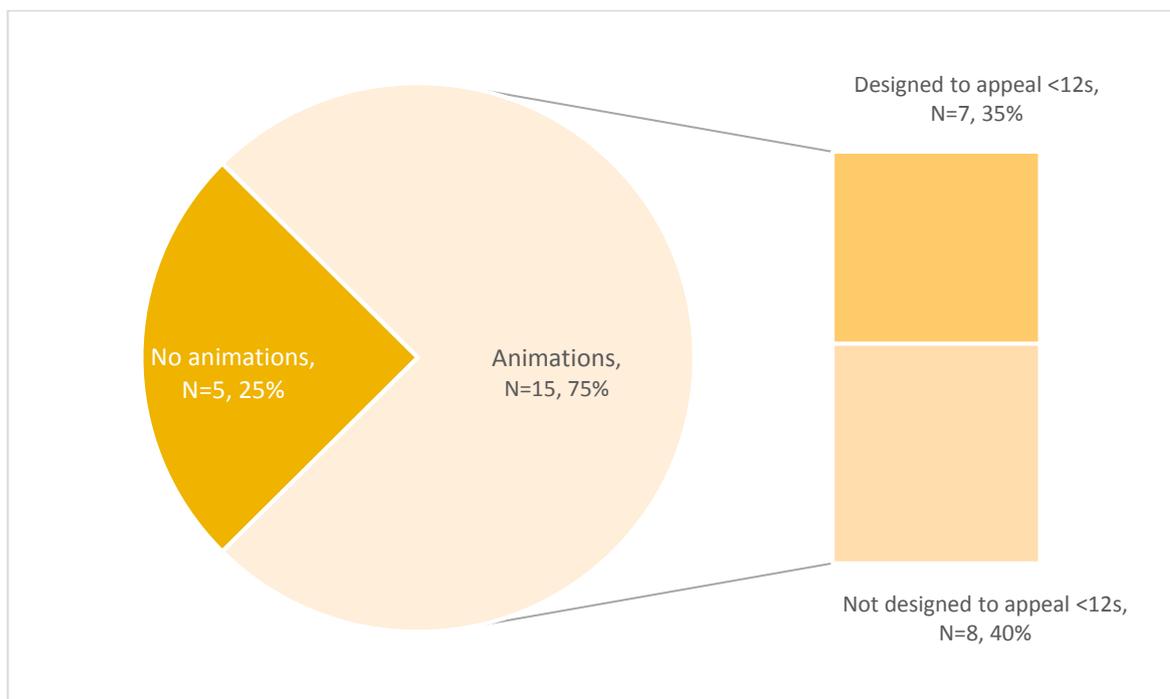
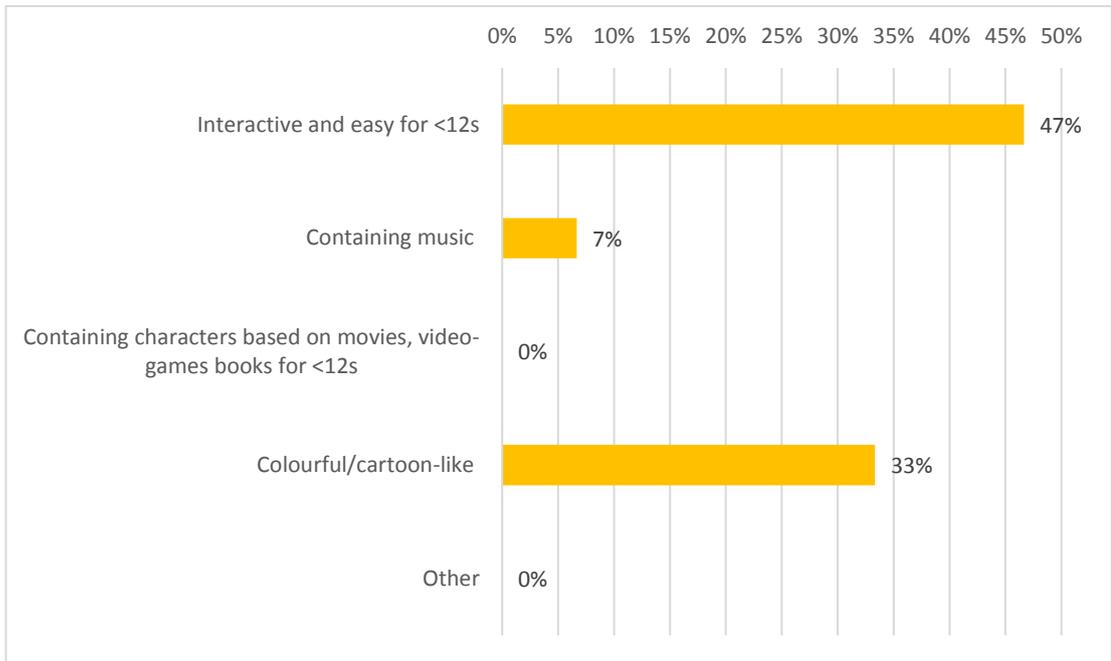


Figure 23: Main indicators for animation, sound effects or videos considered primarily appealing to under-12s (N= 7)



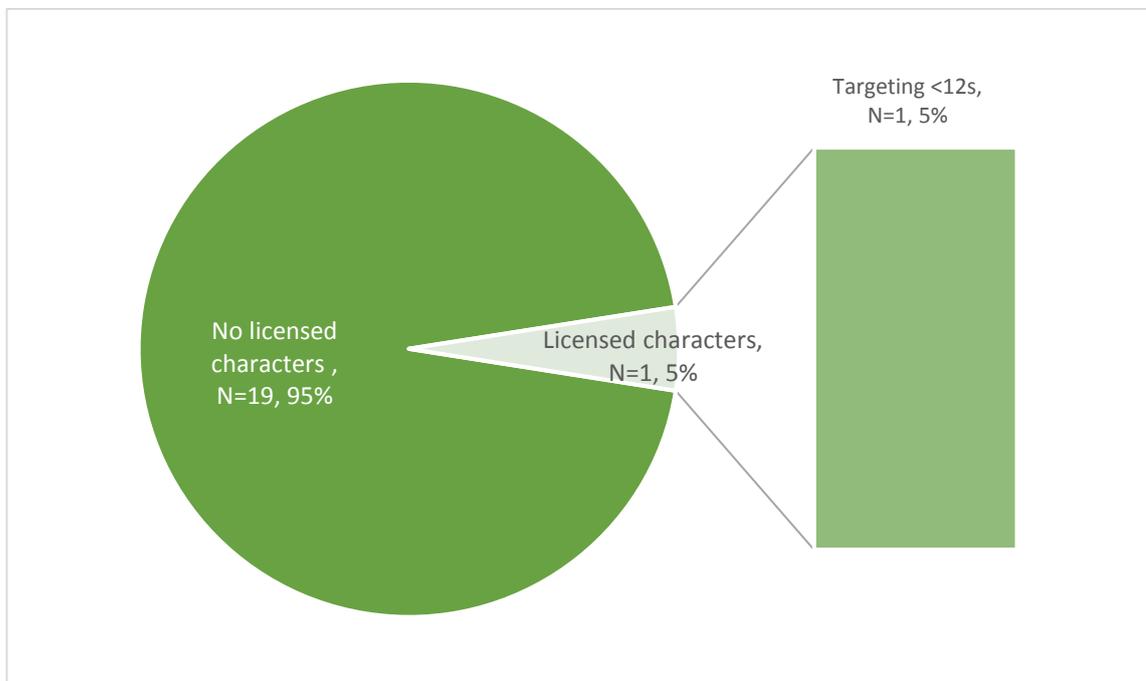
2.10 Licensed Characters/Tie-ins/Celebrities

1 out of the 20 mobile applications reviewed featured “licensed characters”.

In this 1 instance these characters/tie-ins were considered to be designed to target primarily children under 12, as they are based on movies, video-games, books etc. that children under 12 would typically like.

The characters/tie-ins were not used as means to promote a food/beverage product or logo to children under 12.

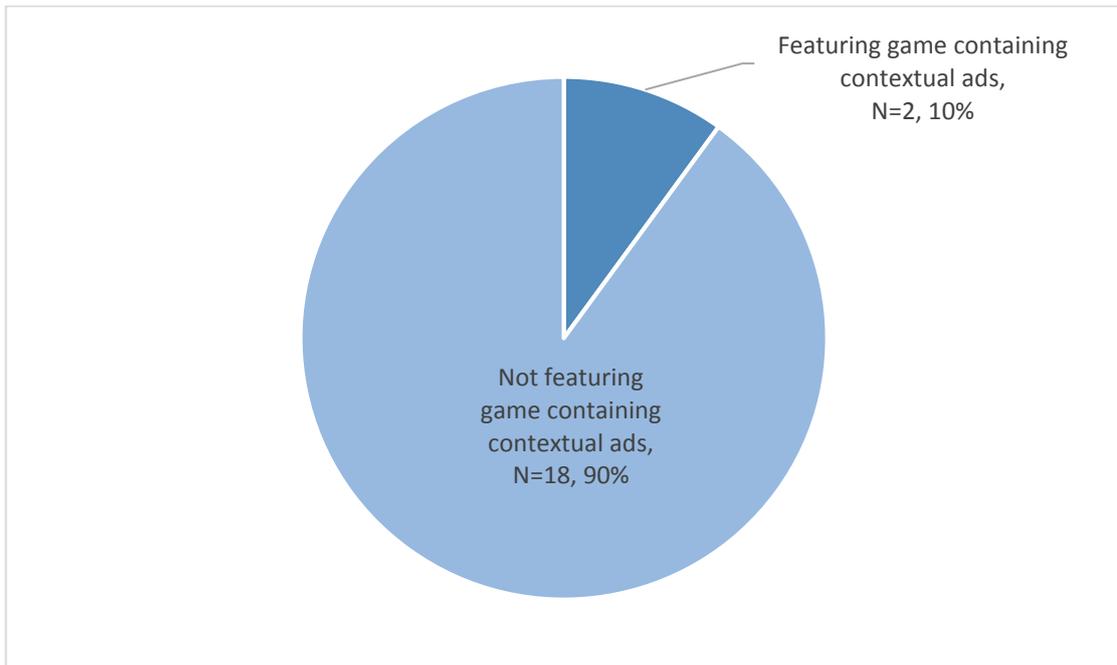
Figure 24: Number of mobile applications featuring licensed characters, tie-ins or celebrities (N=20)



2.11 Games containing contextual ads

2 out of the 20 mobile applications reviewed featured games containing contextual advertisements.

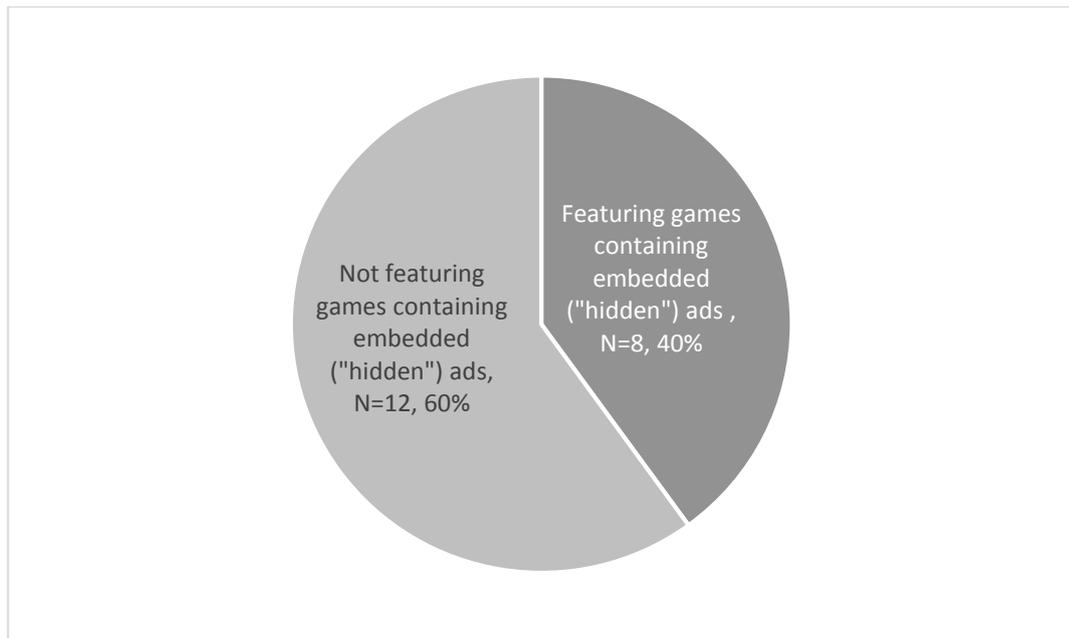
Figure 25: Number of mobile applications featuring games containing contextual ads (N=20)



2.12 Games containing embedded ads

8 out of the 20 mobile applications reviewed featured games containing embedded advertisements.

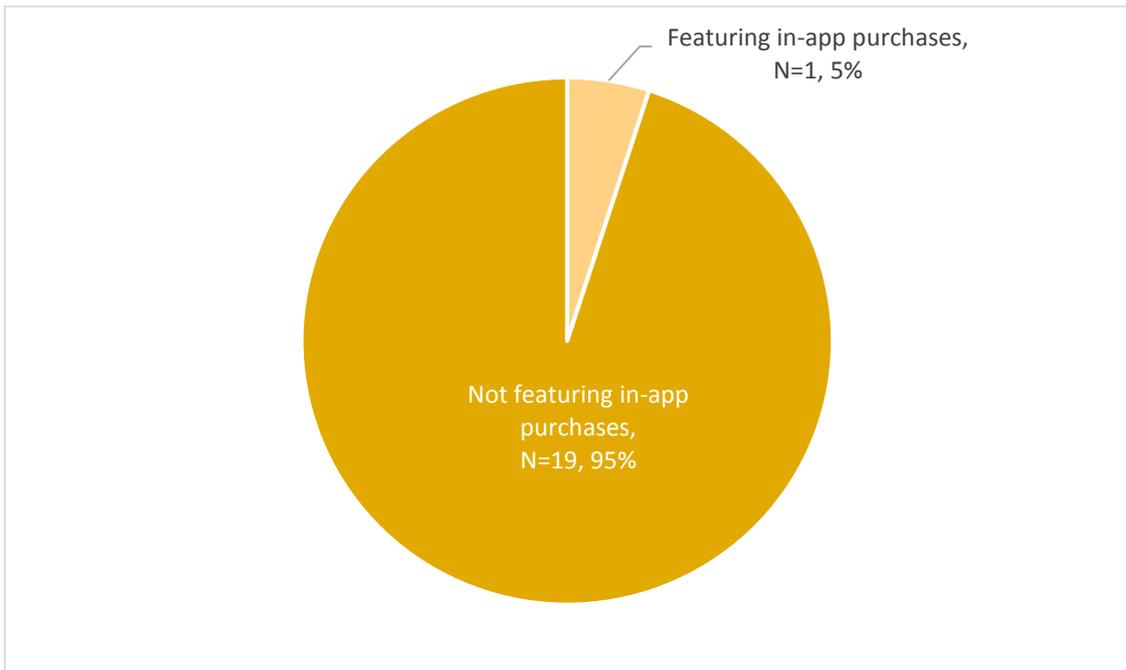
Figure 26: Number of mobile applications featuring games containing embedded ads (N=20)



2.13 In-app purchases

1 out of the 20 mobile applications reviewed featured games containing in-app purchases.

Figure 27: Number of mobile applications featuring games containing in-app purchases (N=20)

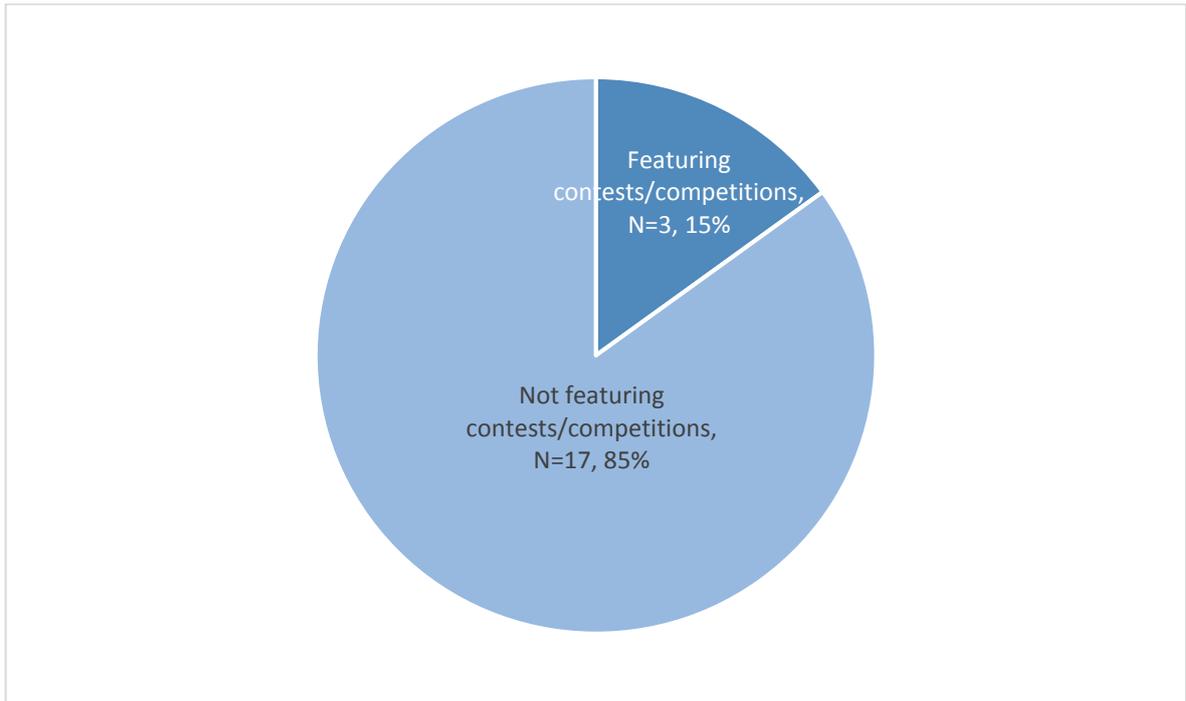


2.14 Contests/Competitions

3 out of the 20 mobile applications reviewed included contests or competitions.

The reviewers considered that these contests or competitions were not appealing primarily to children under 12.

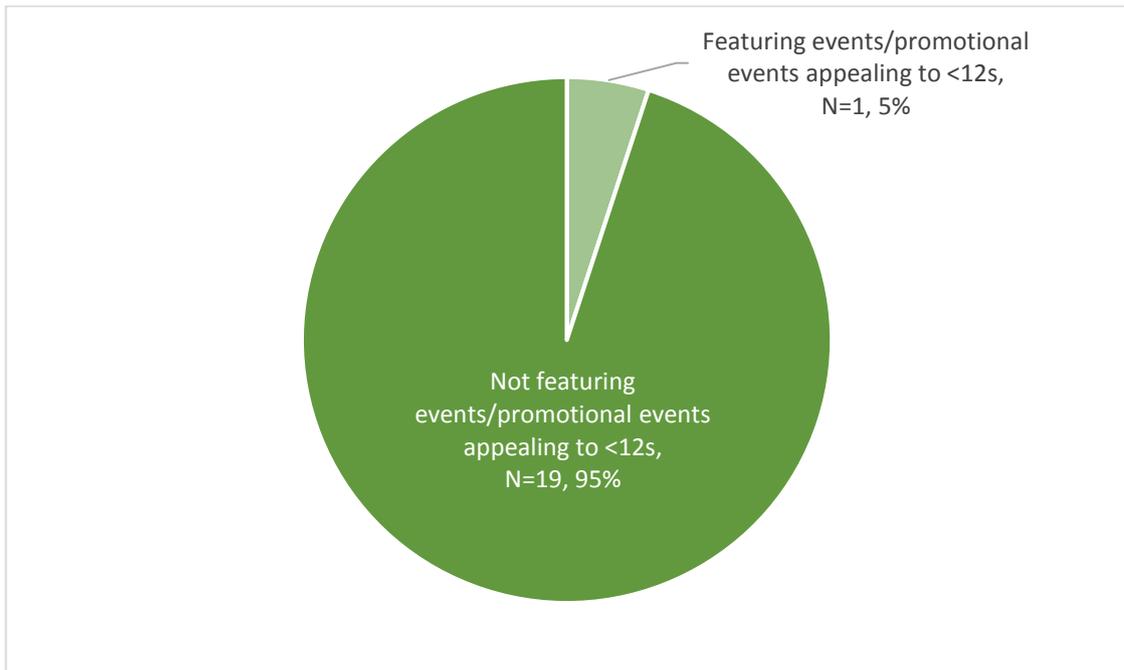
Figure 28: Number of mobile applications featuring contests/competitions (N=20)



2.15 Events/Promotional events

1 out of the 20 mobile applications reviewed included events or promotional events, which were considered to be appealing primarily to children under 12.

Figure 29: Number of mobile applications featuring events/promotional events (N=20)

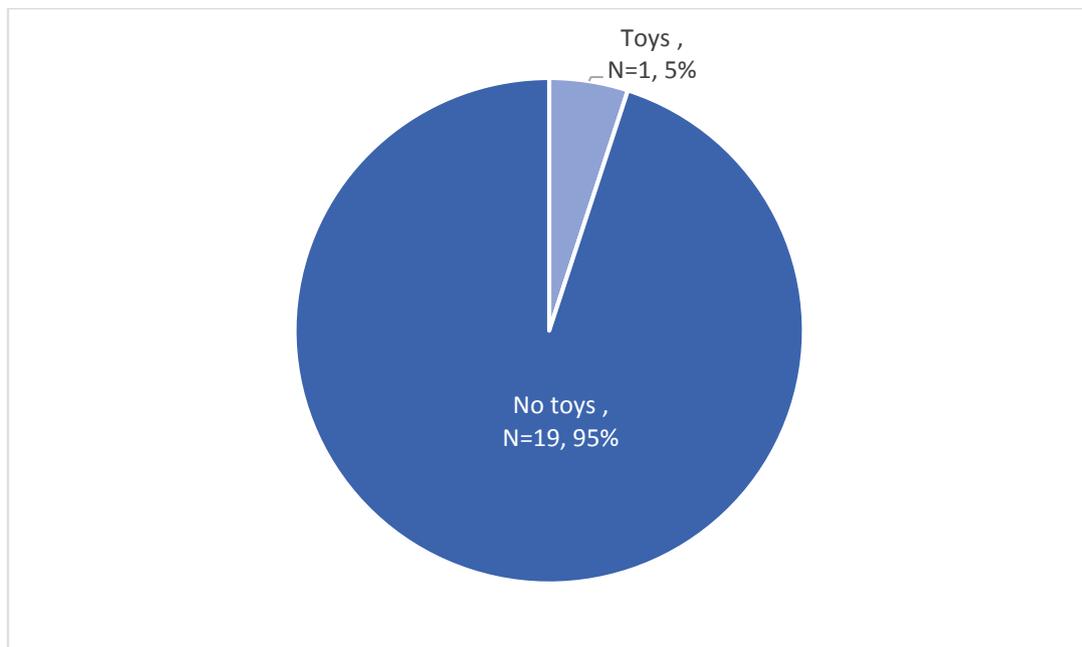


2.16 Toys used as premiums

The reviewers identified 1 mobile application that used toys or other premiums to promote a food or non-alcoholic beverage product.

In this case the toys were not considered to be designed to appeal primarily to children under 12.

Figure 30: Number of websites featuring toys used as premiums (N=20)



2.17 Primary Appeal of Brand mobile applications to under-12s

8 out of the 20 mobile applications reviewed were considered as primarily appealing to children under 12.

1 out of 8 mobile applications featured non-compliant product promotions, and was, therefore, considered as potentially in breach of the EU Pledge.

In order to determine whether a mobile application 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 presence of licensed characters, entertainment activities/ games, contests/competitions/promotional events or licensed characters as well as the language and/or level of interaction and customisation of the app.

Figure 31: Number of mobile applications primarily appealing to under-12s (N=20)

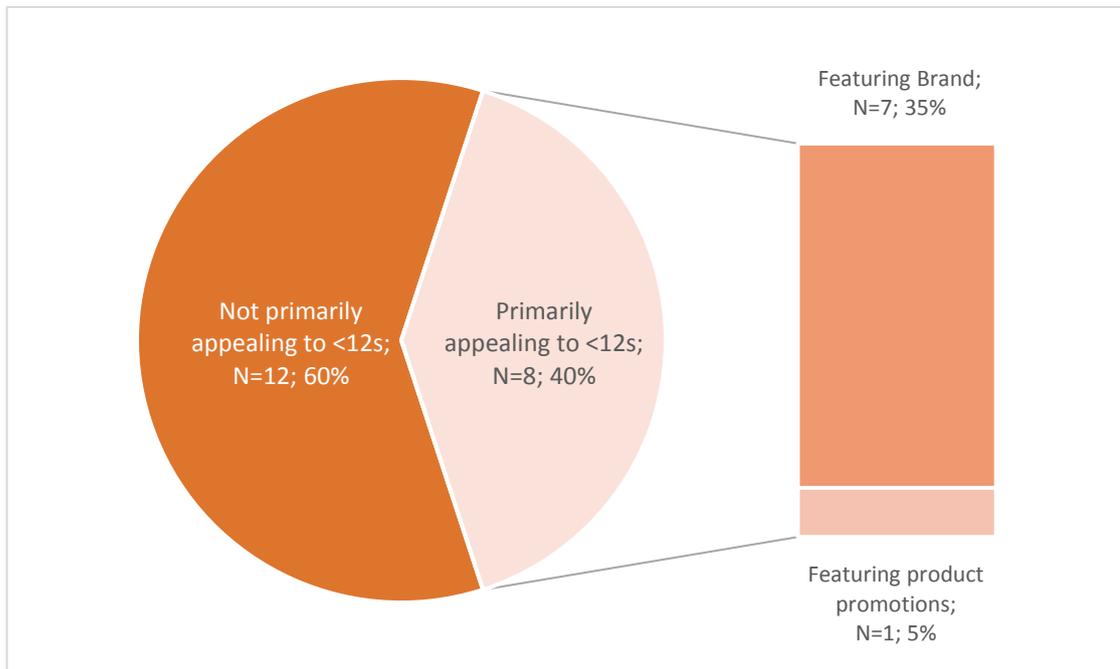
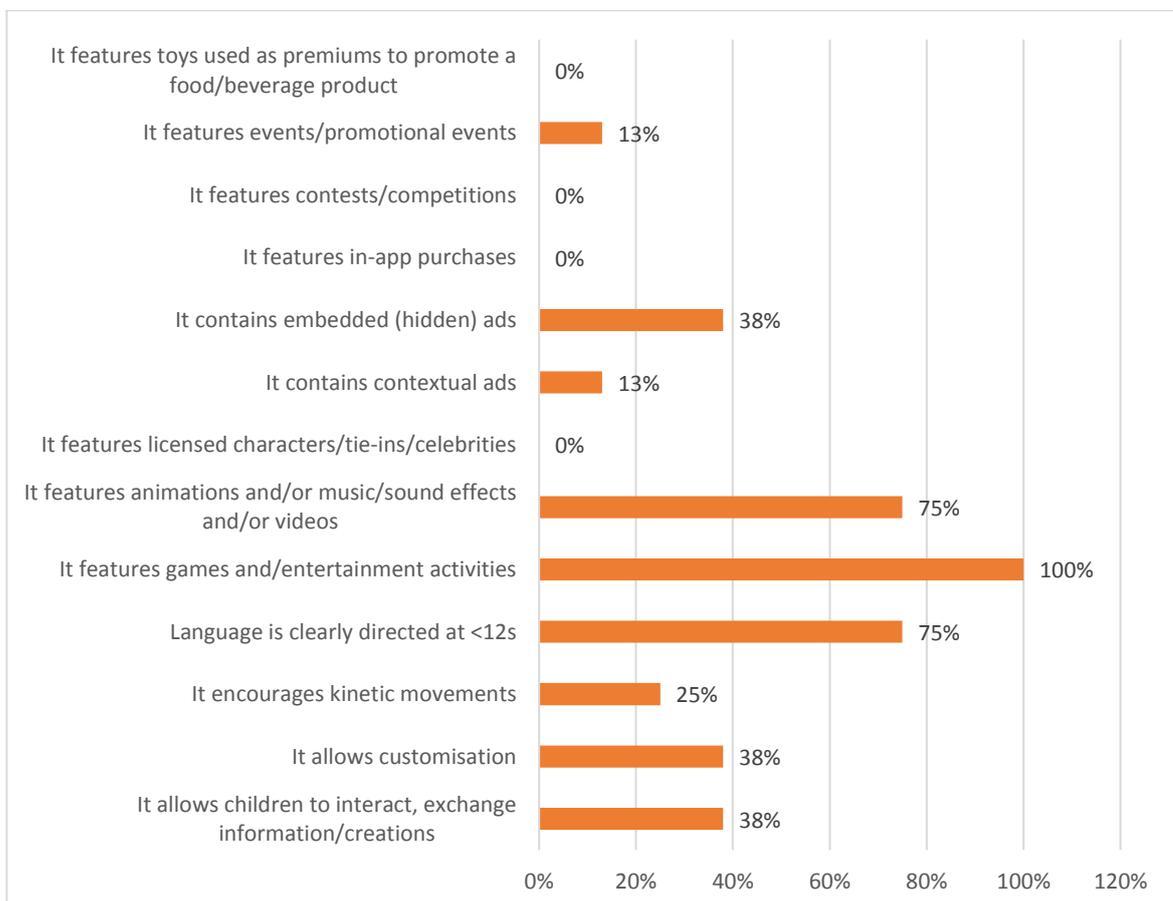


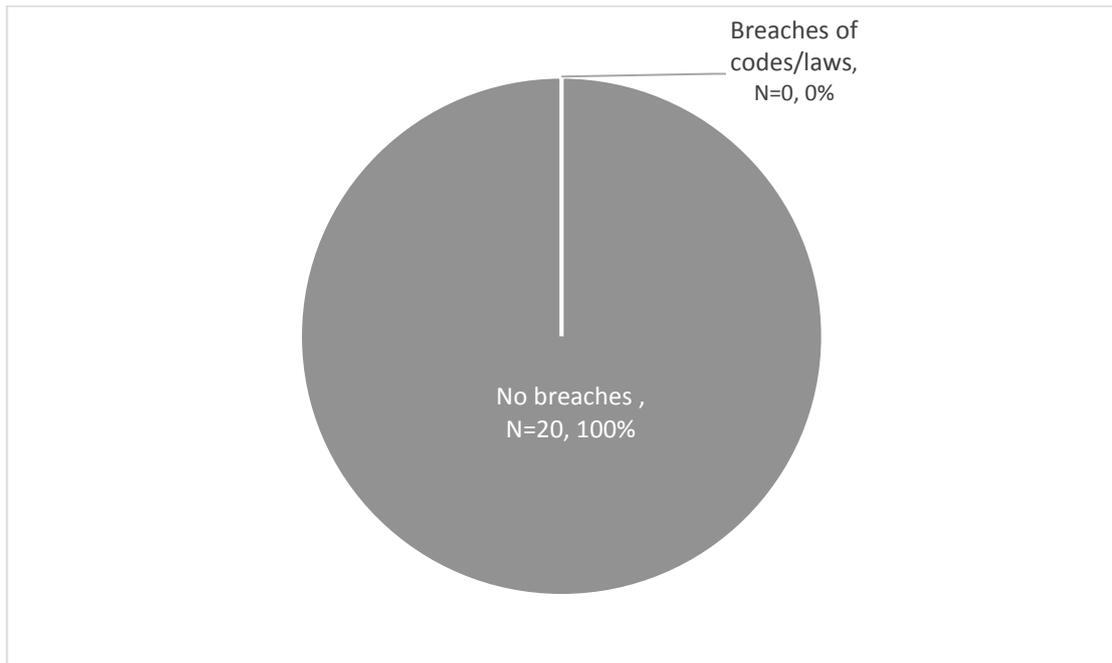
Figure 32: Elements of mobile applications primarily appealing to under-12s (N=8)



2.18 Compliance with Advertising Codes/Laws

All 20 mobile applications reviewed featured were considered to compliant with advertising codes or relevant national advertising laws.

Figure 33: Compliance with advertising codes/laws (N=20)





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