

**Australian Food and Grocery Council**  
**RESPONSIBLE CHILDREN'S**  
**MARKETING INITIATIVE**  
**2013 COMPLIANCE REPORT**



The Australian Food and Grocery Council (AFGC) is the leading national organisation representing Australia's food, drink and grocery manufacturing industry.

The membership of AFGC comprises more than 178 companies, subsidiaries and associates which constitutes in the order of 80 per cent of the gross dollar value of the processed food, beverage and grocery products sectors.

With an annual turnover in the 2012-13 financial year of \$111 billion, Australia's food and grocery manufacturing industry makes a substantial contribution to the Australian economy and is vital to the nation's future prosperity.

Manufacturing of food, beverages and groceries in the fast moving consumer goods sector<sup>1</sup> is Australia's largest manufacturing industry. Representing 28 per cent of total manufacturing turnover, the sector accounts for over one quarter of the total manufacturing industry in Australia.

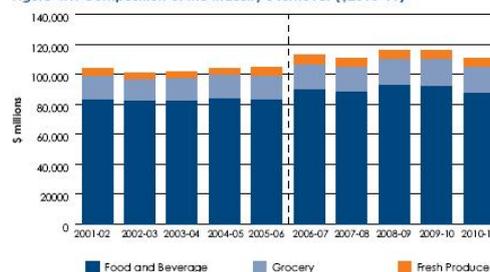
The diverse and sustainable industry is made up of over 25,662 businesses and accounts for over \$50.8 billion of the nation's international trade. These businesses range from some of the largest globally significant multinational companies to small and medium enterprises. Industry spends \$535.8 million a year on research and development.

The food and grocery manufacturing sector employs more than 298,825 Australians, representing about 3 per cent of all employed people in Australia, paying around \$11.3 billion a year in salaries and wages.

Many food manufacturing plants are located outside the metropolitan regions. The industry makes a large contribution to rural and regional Australia economies, with almost half of the total persons employed being in rural and regional Australia<sup>2</sup>. It is essential for the economic and social development of Australia, and particularly rural and regional Australia, that the magnitude, significance and contribution of this industry is recognised and factored into the Government's economic, industrial and trade policies.

Australians and our political leaders overwhelmingly want a local, value-adding food and grocery manufacturing sector.

Figure 4.1: Composition of the industry's turnover (\$2010-11)\*



Source: Based on ABS, catalogue number 8221.0 and 8159.0

1 Fast moving consumer goods includes all products bought almost daily by Australians through retail outlets including food, beverages, toiletries, cosmetics, household cleaning items etc.

2 About Australia: [www.dfat.gov.au](http://www.dfat.gov.au)

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## 1. EXECUTIVE SUMMARY

This report documents signatory compliance with the Responsible Children's Marketing Initiative (RCMI) for 2013. The review captured three monitoring components: company reported activity; an external audit; and complaint adjudications by the Advertising Standards Board (ASB).

Overall, compliance with the RCMI core principles during the fifth year of operation was high, with 99.5 per cent of signatory advertising being compliant with their commitment under the Initiative. This compliance rate exceeds that record in 2013 under the International Food and Beverage Alliance's commitment of 96.9 per cent<sup>3</sup>. **Twelve** signatories reported that they did not pay for, or actively undertake, marketing communication activities to children in 2013. A further **five** signatories undertook some marketing communication activities to children, which met the RCMI core principles.

Results of the external audit found there were some foods that did not meet the signatories' nutrition criteria advertised during children's television programs. These occurrences were found to be mainly inadvertent, resulting from either the provision of bonus airtime by the television network or the late scheduling (or change in scheduling) of programs and were not undertaken at the direction of the signatories.

Four complaints were upheld by the ASB during 2013. These advertisements were deemed to be directed primarily to children and were for products that either did not represent healthy dietary choices or did not incorporate messaging encouraging good dietary habits or physical activity.

Saturday evenings and movie programming continued to be a challenging area for signatories as signatories are not always made aware by media outlets of the exact programming when booking advertisements or prior to them airing. Bonus airtime was also identified as an issue, as in previous years.

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<sup>3</sup> <https://ifballiance.org/sites/default/files/AccentureMonitoringReportIFBA201March2014-1.pdf>

## 2. INTRODUCTION

The Responsible Children's Marketing Initiative (RCMI) was developed by the Australian food and beverage manufacturing industry in 2008 in response to community concerns about the level of advertising of foods high in energy, fat, sugar and salt to children. These concerns were highlighted by the Australian Communication and Media Authority (ACMA) in its report on the Review of the Children's Television Standards 2005<sup>4</sup>.

The Australian Food and Grocery Council (AFGC) and its members took particular note of comments made by ACMA that "industry should have regard to the strong concerns of interested parties in this area and consider how it can effectively address these concerns without additional regulation" (page 12)<sup>5</sup>. AFGC considered that a collective, voluntary approach by industry would provide an effective means to moderate the amount and type of advertising directed to children.

As a result, AFGC worked in partnership with its members and the Australian Association of National Advertisers (AANA) to develop the RCMI to provide a framework for collective action and address these concerns and demonstrate industry's commitment to the responsible marketing of food and beverages to children.

The RCMI was launched in October 2008 and became effective on 1 January 2009. In 2012 an independent review found that the RCMI had made significant changes to the way food and beverage companies market to children and deemed the complaints handling system by the ASB to be international best practice. The review concluded that the RCMI was "one of a suite of effective tools responding to the complex policy problem of childhood overweight and obesity".

As required by the initiative, signatories have submitted reports against their Company Action Plans and highlighted the specific steps they have taken to meet their commitment during 2013. This report provides an overview of compliance with the RCMI core principles during its fifth year of operation.

### 2.1. HOW THE RCMI WORKS

The goal of the RCMI is to ensure a high level of social responsibility in marketing food and beverage products to children in Australia. The RCMI captures advertisements in media with an appreciable audience of children (greater than 50 per cent) and/or that is directed primarily to children; and marketing techniques directed primarily to children<sup>6</sup>. The media captured by the initiative are television, radio, print, cinema and third-party internet sites.

The RCMI sets out clear expectations of the form, spirit and context of advertising to children (Appendix 1). Signatories to the RCMI publicly commit to undertake marketing communications to children only when it will further the goal of promoting healthy dietary choices and healthy lifestyles. Other core principles relate to:

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4 ACMA (2009), *Review of the Children's Television Standards 2005: final report of the review*, Australian Communications and Media Authority.

5 Ibid.

6 Programs and marketing techniques that are directed primarily to children are measured through the theme, visuals and language used.

- Use of popular personalities and licensed characters
- Product placement
- Use of products in interactive games
- Advertising in schools
- Use of premium offers

Companies that sign up to the initiative publish individual Company Action Plans on the AFGC website that outline their specific commitments. Each signatory is required to specify the nutrition standards that will be applied (if applicable) to meet the core principles of the initiative. While the nutrition criteria may differ between signatories, the RCMI uses an outcomes-based approach. The criteria must align with established scientific or Australian Government Standards and only products that represent healthy dietary choices may be advertised.

The Advertising Standards Bureau (ASB) administers the complaints process for the RCMI, in conjunction with a range of other industry codes, including the Quick Service Restaurant Initiative for Responsible Advertising and Marketing to Children, the AANA Code of Ethics, Code for Advertising & Marketing Communications to Children and the Food and Beverages Advertising & Marketing Communications Code.

Complaints are assessed according to the RCMI core principles on two levels:

1. Whether the product represents a healthy choice
2. Whether the advertisement is directed primarily to children

The determination of whether the products represent a healthy choice is made by an independent arbiter. The Nutritional Physiology Research Centre at the University of South Australia is the arbiter for the RCMI. The determination of whether the advertisement is directed primarily to children is made by the ASB.

The Board of the ASB meets twice a month to consider complaints received and can also meet between meetings if the Secretariat considers that a complaint should be considered as a matter of urgency. As such, complaints against the RCMI can be dealt with in a timely manner. If the complaint is upheld, the company must cease using the marketing communication. Case determination reports for all ASB adjudications are listed on the ASB website.

## 2.2. 2013 SIGNATORIES

As with 2012, there were 17 signatories to the RCMI in 2013 with these companies owning some of the leading food and beverage brands in Australia.

### RCMI signatories

Campbell Arnott's	Lion Dairy and Drinks
Cereal Partners Worldwide (Australia)	Mars Australia
Coca-Cola South Pacific	Mondelēz International (formerly Kraft Foods)
Fonterra Brands Australia Ltd	Nestlé Australia Limited
Ferrero Australia	Patties Foods
General Mills Australia	PepsiCo Australia
George Weston Foods Limited and AB Food and Beverages Australia Pty Ltd	Sanitarium Health & Wellbeing Company
Kellogg (Aust) Pty Ltd	Simplot Australia
	Unilever Australasia



### 3. METHODS

This report documents compliance with the RCMI core principles during 2013 through three monitoring components: company reported activity; an external audit; and complaint adjudications by the ASB.

#### 3.1. COMPANY REPORTED ACTIVITY

All 2013 signatories submitted reports against their Company Action Plan. Signatories reported on marketing communication activities to children and how these complied with the core principles of the RCMI. In some cases, signatories provided additional information, including details on other marketing activities and product redevelopment.

#### 3.2. EXTERNAL AUDIT

AFGC undertook an audit of food and beverage advertisements outside of these reports. AFGC purchased three months of food and beverage television advertising data, March, July and December 2013, from Ebiquity, an international provider of media and marketing analytics. The data covers advertising of food and beverage products on the three main free-to-air television channels (Seven, Nine and Ten) for Adelaide, Brisbane, Melbourne and Perth; and the eight free-to-air television channels for Sydney (including the three main channels and the additional digital channels). Overall, 93 days were included in the analysis (24 hours each day).

AFGC identified all television advertisements screened by signatories and assessed whether foods that do not meet their nutrition criteria were advertised during children's programs (greater than 50 per cent of the audience is aged under 12 years and/or programs directed primarily to children). AFGC did not assess the creative content of the advertisements as this interpretive aspect is best suited to the expertise of the ASB as part of their adjudication on complaints received.

#### 3.3. COMPLAINTS

Case reports from the ASB website were assessed and those that mentioned the RCMI identified. These reports document the nature of the complaint, the advertiser's response and the ASB determination.

### 4. FIFTH YEAR OUTCOMES

#### 4.1. COMPANY REPORTED ACTIVITY

##### 4.1.1. Marketing communication activities to children

**Campbell Arnott's** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013.

**Coca-Cola South Pacific** reported that, in keeping with their global policy, which has been in place since 2000, the business did not aim or direct any media marketing activity from any source to children under the age of 12. This policy applies to all media and all beverages.

**Fonterra** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013.

**Ferrero** reported that they did not aim or direct any marketing communication activities to children under the age of 12 years during 2013, including for brands such as Nutella and Kinder Surprise. In accordance with their commitment to not advertise to children, the media target for these products are Total Grocery Buyers, that is, the targeted audience profile are those responsible for household shopping. In regards to the Tic Tac brand, the television buying audience is people aged 25-54 years.

AFGC has viewed Ferrero's television media buying schedule and confirms that no advertisements were scheduled during children's programs.

**General Mills** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013. While children under 12 years consume their products, they are not the primary target market for any of their brands.

**George Weston Foods and AB Food and Beverages Australia** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013.

**Kellogg** reported that their intent was for no campaigns to be directed primarily to children. All advertising content was developed to appeal primarily to the main grocery buyer or teenagers. However, Kellogg's acknowledges that in three cases the Advertising Standards Bureau found their advertisements were directed primarily to children.

**Lion** reported communication activities for YoGo that were directed primarily to children. The YoGo Valley website includes information on YoGo products, some interactive games and healthy eating and physical activity tips. To encourage healthy lifestyle practices, when a child reaches 30 minutes of play a screen pops up suggesting they take a break and go outside.

Only the YoGo Choc Rock and Triple Trek 100g serve size products are displayed on the website. Both products are classified as green (the healthiest classification) in every state, based on government school canteen criteria. The majority of YoGo sales come from these 12 x 100g units.

In 2013, Lion supported the YMCA schools breakfast program in Queensland, providing breakfast meals to students across 57 schools. Lion provided Dairy Farmers milk, which is classified as 'green' or 'amber' depending on the fat content. There was no promotional activity involved in the program.

Sampling of Petit Miam was carried out at the Children's Week Picnic at Werribee Park on 27 October 2013, which was targeted at both parents and children, who were in the supervision of their parent/guardian. Petit Miam yoghurt is recommended for children – it is a reduced-fat product, with calcium and vitamin D for growth and development.

Excess stock of YoGo Mix Choc Chip 150g was handed out at Luna Park Melbourne in December 2013. This was not a planned promotional activity, but rather undertaken in response to oversupply of product and in an effort to avoid wastage and provide YoGo fans with a free trial. This product is classified as red by the state based government school canteen criteria. While children were required to be with a parent/guardian in order to receive a sample, allowing the benefits of parental supervision and decision making, Lion's usual practice is not to promote products that are classified as 'red'. This compliance miss was due to the unplanned nature of the activity and has been addressed with the

marketing team to ensure the internal review process is adhered to in the future. This YoGo flavour will be deleted later this year, which should prevent future breaches for the YoGo brand.

**Mars Australia** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013.

**Mondelēz International** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013. Marketing activity for 2013 was directed to the primary grocery buyer (ages 25-54 years).

Mondelēz undertook two activities that had a primary appeal to parents aged 24-25 years but had a secondary appeal to young adults. The following steps were taken to ensure the primary appeal to an adult was maintained, and the secondary appeal was constrained to young adults:

1. *AFL Cadbury Superteam Promotion* – Entry to the Cadbury Superteam Community Day promotion was restricted to people aged 15 years and over and those under 18 years were required to have parental permission to participate. Children were present at the Superteam Community Day event but were required to be supervised by adults. A Mondelēz staff member was present at the event and was dedicated to ensuring that the marketing to children rules were observed throughout the day. While the footballers themselves are popular personalities, their appeal to younger audiences was managed by ensuring all marketing communications and the Community Day event itself complied with the RCMI, which most notably involved designing the day around physical activity and not having the players consume any product.
2. *Monsters University Easy Mac Woolworths promotion* – The promotion was designed to appeal to parents aged 24-45 years. Entry to the promotion was restricted to young adults aged 13 years and over and those under 18 years were required to have parental permission to participate. The film the promotion leveraged was rated PG. Artwork for the promotion (digital and point of sale) used stills from the film where the characters did not take up the majority of space in the frame.

**Nestlé Australia and Cereal Partners Worldwide (CPW)** reported that they did not undertake any marketing communication activities to children under the age of 14 years during 2013 for product which did not meet their Nutrition Foundation criteria.

Nestlé sponsorships include:

- MILO, in partnership with Cricket Australia, is involved in schools through the sponsorship of Cricket Junior Development Programs (including MILO in2Cricket program). These programs are run by Cricket Australia staff and volunteers, are conducted in a safe learning environment and teach children the importance of an active lifestyle as well as the fundamentals of the game. For a school to participate in a Cricket Junior Development program the school needs to make a request to Cricket Australia, including a letter of consent signed by the school authorities. At the end of the program, children receive a bag with MILO and Cricket Australia branded items. This is clearly stipulated in the school consent letter signed by school authorities. MILO, consumed according to the label instructions, meets Nestlé's Nutrition Foundation nutrition criteria.
- Nestlé has a program in schools, 'Healthy Active Classroom' which aims to teach the benefits of a healthy lifestyle to school aged children, encouraging them to develop positive attitudes toward food and exercise. This program, which forms part of the Nestlé partnership with the Australian Institute of Sport, does not involve any product branding or branded items.

**Patties Foods** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013.

**PepsiCo** reported that they did not undertake any marketing communication activities to children under the age of 12 years during 2013. An audit of their television advertising demonstrated a 99.97 per cent compliance rate for placement of advertisements.

**Sanitarium Health & Wellbeing Company** undertook a range of marketing activities for the Sanitarium Weet-Bix Kids TRYathlon event communication and registration in which physical activity was both depicted and promoted. Marketing communications included:

- Television commercials
- Electronic Direct Mail (eDMs) (via parents providing email access to children)
- School visits promoting the event and providing the information required to register.

Communication material featured Brett Lee as a physical activity role model, speaking to parents. Weet-Bix products meet the healthy choices criteria used by Sanitarium's Corporate Nutrition Policy, based on its high wholegrain content, low salt and low sugar nutrient profile.

**Simplot** reported that they established a partnership with Disney's *Frozen* movie (in-cinemas from 26 December 2013) which was promoted via two free-to-air and subscription television commercials targeting grocery buyers with kids (some of the spots on subscription television were on shared, child and parent, viewing programs). These advertisements were also shown in cinemas during certain G-rated movies. A suite of online (including social media) and mobile phone ads were also displayed on websites targeted at grocery buyers. In-store (Woolworths) decals were also displayed promoting a sweepstakes competition ("win trips to Colorado and movie tickets to *Frozen*") on doors that contained Birds Eye products.

In addition to the above, a Birds Eye *Captain Birdseye* Fish Finger commercial was also shown in cinemas during certain G-rated movies in 2013. The same advertisement was shown on free-to-air and subscription television targeting grocery buyers with kids 0-12 years (some of the spots on subscription television were on shared, child and parent, viewing programs).

Birds Eye also has published and makes available an E-Book from its website, [www.birdseye.com.au](http://www.birdseye.com.au), which, once downloaded, is a story book containing commercial messaging which is directed primarily to children. The E-Book is also advertised on certain Birds Eye fish fingers packs. These Birds Eye Products meet the Heart Foundations Tick Criteria.

Other than these Birds Eye marketing activities, no other marketing or advertising directed primarily children was implemented by Simplot Australia in 2013.

**Unilever** reported the only communication activity directed primarily to children was under the Streets Paddle Pop brand for products that met the *Fresh Tastes @ School NSW Health School Canteen Criteria* and Unilever's global internal nutrient criteria. Unilever reported that the following marketing activities took place for Paddle Pops during 2013:

- A 15 second television advertisement was aired for *Troposaurus Slime* on free to air and subscription television. Physical activity was intrinsic to the story of the advertisement and the statement "True heroes balance energy intake with activity. Enjoy Paddle Pop as a treat within a balanced diet", to further support healthy dietary choices and physical activity.

- A 15 second television advertisement was aired for the *Lick-a-Prize* promotion on subscription television. Physical activity and adventure were shown throughout the advertisement, the emphasis was on the active prizes such as BMX bicycles and also included the statement “True heroes balance energy intake with activity. Enjoy Paddle Pop as a treat within a balanced diet”, to further support healthy dietary choices and physical activity.
- Sponsorship of Nickelodeon event *Slime Fest*. Physical activity was encouraged throughout the event.
- Screening of the *Dinoterra* Movie in Hoyts Cinemas. The film featured no visuals or reference to the Paddle Pop product. All copies of the DVD included *Active Adventure* series to further promote active lifestyle.
- PaddlePop.com.au predominantly serves as the entry mechanism for the consumer promotion *Lick-a-Prize*, however, also features product information, information for parents, branded interactive games, a film (shown as episodes) and a new film series called *Active Adventures* which encourages real life adventure and activity.
- A 30 second radio advertisement for Paddle Pops. The advertisement includes the sounds of an active summer’s day of children (kids running, riding bikes, slipping slides). The advertisement also includes the statement “Enjoy Paddle Pop as an occasional treat within a balanced diet whilst staying active in summer”.

### 4.1.2. Steps to meet requirements of RCMI

While not a requirement of the reporting activities, some signatories reported on the internal processes put in place to ensure compliance with their commitments to the RCMI:

**Campbell Arnott’s** has continued to ensure compliance with its RCMI action plan through:

- Face-to-face briefings with new and existing internal stakeholders (e.g. marketers) and external creative partners (e.g. advertising agencies, media buyers);
- Posting Campbell Arnott’s action plan on the Company’s intranet;
- ‘Adherence to Marketing to Children Action Plan’ as a specific review and approval line on Campbell Arnott’s internal advertising approval forms;
- in depth reviews of all relevant media placement schedules;
- Requirement for media buying partners to confirm bonus spot placements adhere to Campbell Arnott’s Action Plan;
- Maintenance of an additional approval process for all advertising to children which requires all relevant creative to be approved by relevant stakeholders at Campbell Soup Company’s World Headquarters.

**Coca-Cola South Pacific** continued to ensure compliance with the RCMI action plan through a range of policies and procedures including an internal approval process for all marketing communication reviewed by a senior cross functional team including Legal, Marketing, Public Affairs and Technical. Other processes included working closely with their media buying agency, the networks and their traffic departments to communicate Coca-Cola South Pacific’s commitments and to ensure they are aware any activity (paid or bonus) is subject to strict guidelines.

**Ferrero** recognises that obesity levels in Australia are a cause of concern, especially regarding children. Ferrero has always believed in the crucial role played by parents in educating their children to a balanced diet and a healthy lifestyle. Although the existence of a direct link between advertising and children’s eating habits has not been proved, Ferrero agrees that it is preferable to avoid directing

advertising to children when they are most likely exposed to commercial communications without parental supervision. To comply with their company action plan, Ferrero undertakes the following steps:

- Ensure management and media partners are aware of their commitment to the RCMI and that planned marketing activities are in accordance with it.
- The development of marketing materials for their brands is subject to a review at a corporate level to ensure they are consistent with company values.
- For television advertising, Ferrero audit the spot schedule prior to their campaign to identify any programs that Ferrero determine are predominantly for children and/or the theme, visuals and language used are directed primarily to children and make changes as required.
- Review audience share reports for media advertising for their brands which identify the program, when it was advertised and the audience share of children under 12 years old for that program.

**Fonterra** aims to deliver good nutrition and create dairy foods that children enjoy in line with the company's Dairy For Life philosophy. Globally and locally, Fonterra has implemented policies and procedures to ensure responsible marketing to children of dairy products. Fonterra Australia has implemented a robust approval process for all marketing communications which involves a cross functional team of nutrition, regulatory compliance, legal and marketing personnel. Staff at Fonterra are briefed on relevant policies as part of their induction and ongoing training to ensure all marketing communication is signed off by the senior management team.

**General Mills** is strongly committed to not undertaking marketing communication activities to children under 12 years. In line with their existing policies and Company Action Plan, General Mills have continued to:

- Brief new starters to the organisation on the commitments they have undertaken in their Company Action Plan;
- Share and reinforce their Company Action Plan with our external advertising and media buying agencies; and
- Ensure marketing activities are subject to review across the business for compliance with the RCMI.

While children under 12 years consume General Mills' products, they are not the primary target market for any of their brands. Nevertheless, to ensure that advertisements are not inadvertently screened in conflict with this policy, networks are asked to reconfirm in writing that they understand the RCMI commitments and placement instructions carry a reminder of the policy conditions. In addition, General Mills advertisements are rated to prevent placement in C or P rated programming.

**George Weston Foods and AB Food and Beverages Australia** have committed to only undertake marketing communication activities to children under 12 years for products that represent healthy dietary choices and advertisements that are presented in the context of a healthy lifestyle. They have a marketing and communications approval process in place to ensure all materials comply with relevant regulations, Codes of Practice and Guidelines. The approval process involves regulatory affairs, legal, marketing and technical and quality departments. All George Weston Food divisions receive RCMI training on a yearly basis.

**Kellogg** has committed to not advertising any products or programs to children under the age of 6 years and only advertise products that represent a healthier choice to children under 12 years. To achieve this Kellogg has instructed their agencies:

- To obtain a W rating for all advertisements which signifies that the advertisement “May not be broadcast at any time during P and C programs or adjacent to P or C periods. Exercise care when placing in cartoon and other programs promoted to children or likely to attract a substantial child audience”.
- To avoid animated shows and family targeted movies.
- To not accept bonus spots without prior agreement, in writing.
- To place advertisements around programs where the proportion of children watching is below 25 per cent.

**Lion** has committed to only undertake marketing communication activities to children under 12 years for products that represent healthy dietary choices and advertisements that are presented in the context of a healthy lifestyle. To ensure their commitment outlined in their Company Action Plan is continually applied, Lion has an internal review process that incorporates formal approval from the nutrition, research and development, external relations, legal and marketing teams. This process ensures their marketing activity is compliant with all relevant industry codes, laws and regulations.

**Mars Australia & The Wrigley Company** has committed to not undertake marketing communication activities to children under 12 years. To ensure all marketing communications are compliant with their commitment, Mars Associates and their external agencies receive interactive training to ensure they fully understand and are equipped to apply the standards set in the Mars Marketing Code. The training is mandatory for Mars Marketing Associates and all participants receive, after successful completion of the training test, a 'Mars Code driving license'.

In addition to its compliance reporting for the RCMI, Mars Inc undertakes extensive compliance reporting in the USA, Europe, Canada, China (Shanghai region), Mexico, Ukraine, Indonesia, Russia, Thailand, South Africa, Argentina, India and New Zealand. Furthermore, each year Mars prepares an internal report to measure compliance with the Mars Marketing Code and screens all company websites.

The Mars M&M's characters have adult personalities and behave and speak in ways that appeal to adults rather than children.

**Mondelēz International** has committed to only undertake marketing communication activities to children under 12 years for products that represent healthy dietary choices and advertisements that are presented in the context of a healthy lifestyle. Mondelēz continually review and improve their Company Action Plan that has been in place since 2005. They conduct internal training, including the provision of an RCMI toolkit and support and counsel from an external training provider. This training includes their media and marketing agencies and network representatives. All Mondelēz marketing concepts undergoes inter-functional review and consultation with external subject matter experts to ensure advertising does not have primary appeal to children.

**Sanitarium Health & Wellbeing Company** has committed to only undertake marketing communication activities to children under 12 years for products that represent healthy dietary choices and advertisements that are presented in the context of a healthy lifestyle. Sanitarium does not place any paid advertising during C rated programs and this is supported by a physical check of media spot schedules for any advertising campaign. Sanitarium has a set of guidelines in place for all marketing team members, in the form of Marketing Mandatories which outline the requirements to ensure compliance with the RCMI. In addition to this, all advertising materials are reviewed and signed off by the National Advertising Manager, General Manager of Marketing and the General Manager Australia.

**Simplot** has committed to only undertake marketing communication activities to children under 12 years for products that represent healthy dietary choices and advertisements that are presented in the context of a healthy lifestyle. To meet this commitment, their Company Action Plan has been disseminated to all employees involved in marketing, and training programs have been implemented. It is also a requirement that all advertising campaigns targeting children (or which could be at risk of being considered as targeting children) are reviewed against their Company Action Plan as part of Simplot's internal marketing and advertising approval process.

**Unilever** has committed to only undertake marketing communication activities to children under 12 years for products that represent healthy dietary choices and advertisements that are presented in the context of a healthy lifestyle. They have committed to targeting no advertising at children under the age of 6 years. To meet this commitment, Unilever has a strict internal marketing policy which applies to all communications, with the RCMI a primary consideration when developing and reviewing all forms of marketing communications. Unilever ensures that all new team members (and those of their agencies) understand the RCMI requirements and engages numerous internal review processes including brand teams both local and regional, accredited nutritionists, consumer relations, corporate affairs and legal departments.

### 4.1.3. Other reported activity

Some signatories reported on other marketing communications and general activity related to the application of the RCMI and to encourage healthy eating and lifestyle practices:

**Coca-Cola South Pacific** is committed to not placing any advertising material in programs with an audience of greater than 35 per cent children under 12 years on television, print and internet.

**Fonterra** reported a back-to-school promotion was conducted in January 2013 incorporating the Bega and CalciYum brands. The messaging in the promotion reflected Australian Dietary Guidelines for Healthy Eating's recommendations to include 2-3 serves of dairy for children daily and incorporated suggestions for children's lunchboxes. Other components of the promotion included advertorials in women's magazines and point of sale material. The promotional messages and content was directed at adult grocery shoppers (primarily mums) and the media buy for advertisements and advertorials were targeted accordingly.

**Ferrero** commits not to advertise its products to audiences with more than 35 per cent children under 12 years on television, print and internet.

**Kellogg** reported that they are a member of the International Food and Beverage Alliance (IFBA). In line with IFBA Policy, Kellogg commits not to advertise its products to audiences with more than 35 per cent of children under 12 years on television, print and internet. Kellogg is also a member of self-regulatory pledges in countries around the world including the United States of America and Europe. All Kellogg on pack promotions were developed with the intent of providing ideas to mum to generate fun.

**Mars Australia** reported that they are committed to making the products they offer, and the ingredients they contain, fit into a balanced diet. Across the business they continue to improve the nutrition content of their products without compromising on taste, convenience, quality or affordability. They also continue to support the promotion of healthy and active lifestyle via sponsorships and marketing, and promote the social and physical benefits of shared meals.

Mars has adopted the Daily Intake Guide front of pack labelling on their DOLMIO®, KANTONG® and MasterFoods® sauces and meal bases to make the nutritional value of these products easy to understand. They have also partnered with the National Heart Foundation to improve the nutritional profile of their products across a range of grocery categories. In 2013, reformulations of products under the DOLMIO® Extra's pasta sauce range removed approximately 16 tonnes of salt from the Australian food supply.

Mars also reported that they have also reduced the saturated fat content in MARS® bars by 22 per cent and MILKY WAY® by 19 per cent.

Wrigley continues to be a leading signatory of the Australian confectionary industry's responsible treating initiative *Be Treatwise*, which educates consumers on the role of confectionary as part of a balanced diet with energy %DI thumbnail on the front of the pack. For more than 25 years, Wrigley has also supported independent, clinical research into the benefits of chewing sugar-free gum including saliva stimulation, plaque acid neutralisation and tooth strengthening.

**Mondelēz International** takes a leading role in the *Be Treatwise* campaign and takes active steps on its packaging, and through its advertising, to inform consumers of products that are treats and should be consumed appropriately, as part of a healthy and balanced diet. Mondelēz also offers a range of format sizes to ensure consumer choice.

**Patties** reported that all Patties Foods products and brands available for sale in primary schools are registered with FOCiS (the Federation of Canteens in Schools), the Healthy Kids Association and the Victorian Schools Canteen Association (VSCA).

**Unilever** reported that to further support good dietary choices and an active lifestyle the statement "True heroes balance energy intake with activity. Enjoy Paddle Pop as a treat within a balanced diet" now appears as part of all advertising, on-pack and website communications. In addition to this, to promote physical activity, Unilever developed a series of five episodes called *Active Adventures* featuring indoor rock climbing (with the National Youth Champion) and local park training activities that are featured on their website.

## 4.2. EXTERNAL AUDIT

Results of the external audit (March, July and December 2013) identified instances in which foods that did not meet the company's nutrition criteria were shown in children's television programs (Table 1). In each instance, the placement of advertisements in children programs was unintentional; as evident through the figure that reports the proportion of screenings in children's programs as a proportion of the total number of time the advertisement screened during the audit period.

During the audit period signatories achieved a 99.5 per cent compliance rate with the placement of their advertising. This overall rate places the RCMI's compliance ahead of other world leading self-regulatory initiatives, including the International Food and Beverage Alliance which reported a compliance rate of 96.9 per cent in 2013 across 19 different countries.

Each of the signatories provided AFGC with a response regarding their instances of non-compliance.

**Campbell Arnott's:** The Tim Tam advertisements reported appeared as a result of either bonus airtime by Channel Nine or through placement in Saturday evening movies prior to the scheduling being released. Arnott's is working with its media agency to address the process for booking airtime during these periods.

**Coca-Cola South Pacific:** The majority of instances of non-compliance for Coca-Cola South Pacific were the result of the provision of bonus airtime by networks without Coca-Cola South Pacific's instruction. Coca-Cola South Pacific is working with both internal and external stakeholders to improve the processes to ensure compliance.

**Ferrero:** The four overnight screenings of the advertisement for Ferrero Rochers were the result of the provision of bonus airtime. The fifth screening was a 30 second advertisement that was placed by accident in one capital city during a children's movie. Ferrero does not screen advertisements in G-rated movies subject to strict audience checks, with this one spot being an anomaly in the established process.

**General Mills Australia:** The placement of the two Latina advertisements occurred during a G rated movie containing themes of appeal to children. This incident was isolated and unintentional. The network had considered the placement to be compliant with the RCMI on the basis that the audience under 12 years represented 5.8 per cent of the whole audience and the movie was not rated P or C.

**Kellogg:** One screening of the advertisement for LCMs Split Stix occurred due to the provision of bonus airtime during Skippy the Bush Kangaroo which screened at 2.11am. The other three instances occurred due to last minute programming changes, where the updated program was directed primarily to children.

**Mars Australia:** Mars is committed to adhering to the RCMI and their Company Action Plan and was concerned by the breaches recorded in 2013. Upon investigation it was revealed that almost 40 per cent of the breaches resulted from instances where the programming (generally movies) was unknown at the time the booking was made. A further 22 per cent were the result of bonus airtime provided by the television network. Finally, 17 per cent of the breaches were not breaches of the RCMI but rather Mars' Company Action Plan, which dictates an audience threshold of 25 per cent children, as opposed to an audience threshold of greater than 50 per cent under the RCMI. Many of the breaches occurred in programs that do not generally attract a high children audience, with most recording a children

audience between 25.1 and 26.5 per cent. Mars is working with both internal and external stakeholders to improve their processes and ensure compliance.

**Mondelēz International:** All instances of non-compliance were the result of unapproved bonus airtime being assigned to Mondelēz by television networks without the company's knowledge. Mondelēz has discussed this issue with their broadcast network and media buying partners and have since received letters of acknowledgement and apology covering all non-compliances. AFGC has viewed these letters.

**Nestlé Australia:** The placement of the Nestlé products in children's programs was the result of the provision of unapproved bonus airtime. Nestlé is working with their media buying agency to ensure a clear understanding of their commitment under the RCMI and its relevance in the allocation of bonus spots. Nestlé notes that seven of the non-compliant advertisements were for products that are of no appeal to children and present no public health concern.

**PepsiCo Australia:** Two paid television spots for a Smith's product (Smith's Popped and a promotional ad) appeared in the children's programs Dennis the Menace and Winx Club, deemed through their creative content and/or audience profile to be directed primarily to children. These instances each represented 0.2% of all screenings for the respective advertisements.

Fourteen instances of non-compliance were the result of the provision of bonus airtime placed by the television stations in programs, that through their creative content were deemed to be directed primarily to children. Half of these spots aired between 3.12am and 4.02am. PepsiCo Australia fully support the RCMI and its media agency will re-brief the relevant media to ensure compliance with placement guidelines.

**Unilever Australasia:** The majority of Unilever's instances of non-compliance were due to the provision of bonus airtime. There were some spots booked incorrectly by Unilever's media agency. Unilever will ensure that the media buying team will get necessary training to prevent this in the future.

The external audit has highlighted that on 34 occasions an advertisement that did not meet the nutrition criteria screened during *Skippy the Bush Kangaroo* or *Teenage Mutant Ninja Turtles* which aired between 12.00am and 5.30am. Due to their themes, visuals and language, these programs were classified as programs directed primarily to children, however, audience tracking data showed that there were no children watching this program at these times. All incidents of non-compliance during this program resulted from the provision of bonus airtime.

Movies continue to present a challenge for signatories with over 40 per cent of breaches occurring during movies. Signatories reported that the movie to be screened is not known at the time the advertising slot is booked and media buying agencies are often not made aware until a week prior to the date. In addition to this, programming changes can often happen at the very last minute. Signatories are looking to further strengthen their processes to ensure they are aware of the program being screened for all advertising spots and can make changes where the programming no longer aligns with their commitment under the RCMI.

**Table 1: Compliance assessment through AFGC auditing, March, July and December 2013 (TV advertising placement only)**

RCMI Signatory	Compliance details
Campbell Arnott's	An advertisement for Tim Tams screened four times in a children's program during the audit period, representing 0.6% of all screenings for the advertisement.
Cereal Partners Worldwide (Australia)	Fully compliant
Coca-Cola South Pacific	<p>An advertisement for Coca Cola Zero screened five times in a children's program during the audit period, representing 0.8% of all screenings for the advertisement. It is noted that three of these screenings occurred during children's programs screened between 1.00am and 5.30am.</p> <p>An advertisement for Coca Cola screened once in a children's program during the audit period, representing 0.4% of all screenings for the advertisement. It is noted that the children's program screened at 3.30am.</p> <p>An advertisement for Coca Cola Zero screened 13 times in a children's program during the audit period, representing 1.9% of all screenings for the advertisement. It is noted that once screening occurred during a children's program screened at 3.30am.</p> <p>An advertisement for Coca Cola screened nine times in a children's program during the audit period, representing 4.0% of all screenings for the advertisement.</p> <p>An advertisement for Coca-Cola Summer screened three times in a children's program during the audit period, representing 1.6% of all screenings for the advertisement.</p> <p>An advertisement for Powerade Zero screened four times in a children's program during the audit period, representing 1.3% of all screenings for the advertisement. It is noted that one of the screenings occurred during a children's program screened at 4.00am.</p>
Ferrero Australia	An advertisement for Ferrero Rocher screened five times in a children's program during the audit period, representing 0.4% of all screenings for the advertisement. It is noted that four of the screenings occurred during children's programs screened between 12.30am and 3.30am.
Fonterra Australia New Zealand	Fully compliant
General Mills Australia	<p>An advertisement for Latina Fresh convenience meals screened twice in a children's program during the audit period, representing 0.8% of all screenings for the advertisement.</p> <p>An advertisement for Latina Fresh pasta screened once in a children's program during the audit period, representing 0.5% of all screenings for the advertisement.</p>
George Weston Foods Limited and AB Food and Beverages Australia	Fully compliant
Kellogg (Australia)	An advertisement for LCMs Split Stix screened four times in a children's program during the audit period, representing 1.1% of all screenings for the advertisement.
Lion	Fully compliant

<p>Mars Australia</p>	<p>An advertisement for Dolmio Bolognese Extra screened 11 times in a children's program during the audit period, representing 4.5% of all screenings for the advertisement.</p> <p>An advertisement for Dolmio cooking sauces screened two times in a children's program during the audit period, representing 1.9% of all screenings for the advertisement.</p> <p>An advertisement for Snickers appeared once in a children's program during the audit period, representing 0.3% of all screenings for the advertisement.</p> <p>An advertisement for Maltesers screened three times in a children's program during the audit period, representing 1.1% of all screenings for the advertisement.</p> <p>An advertisement for Masterfoods herbs and spices screened eight times in a children's program during the audit period, representing 1.5% of all screenings for the advertisement.</p> <p>An advertisement for M&amp;Ms Crispy screened once in a children's program during the audit period, representing 0.2% of all screenings for the advertisement.</p> <p>An advertisement for Masterfoods cooking sauces appeared 21 times in a children's program during the audit period, representing 1.8% of all screenings for the advertisement. It is noted that three screenings occurred during children's programs screened between 1.30am and 5.00am.</p> <p>An advertisement for M&amp;Ms screened four times in a children's program during the audit period, representing 0.9% of all screenings for the advertisement.</p> <p>An advertisement for Maltesers screened twice in a children's program during the audit period, representing 0.6% of all screenings for the advertisement.</p> <p>An advertisement for Snickers screened three times in a children's program during the audit period, representing 0.5% of all screenings for the advertisement.</p> <p>An advertisement for Dolmio Stir-In sauces screened six times in a children's program during the audit period, representing 1.6% of all screenings for the advertisement.</p> <p>An advertisement for Skittles screened twice in a children's program during the audit period, representing 0.6% of all screenings for the advertisement.</p> <p>An advertisement for Mars Bars screened three times in a children's program during the audit period, representing 0.3% of all screenings for the advertisement.</p> <p>An advertisement for M&amp;Ms screened twice in a children's program during the audit period, representing 0.6% of all screenings for the advertisement.</p> <p>An advertisement for Eclipse Chewy Mints screened 17 times in a children's program during the audit period, representing 1.8% of all screenings for the advertisement. It is noted that two screenings occurred during a children's program screened at 1.00am.</p> <p>An advertisement for Extra Chewing Gum screened 27 times in a children's program during the audit period, representing 2.5% of all screenings for the advertisement.</p> <p>An advertisement for 5 Vortex chewing gum screened 11 times in a children's program during the audit period, representing 2.9% of all screenings for the advertisement.</p> <p>An advertisement for Extra Professional White screened eight times in a children's program during the audit period, representing 2.8% of all screenings for the advertisement.</p> <p>An advertisement for Extra chewing gum screened nine times in a children's program during the audit period, representing 1.9% of all screenings for the advertisement.</p> <p>An advertisement for 5 Cobalt chewing gum screened six times in a children's</p>
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	<p>program during the audit period, representing 1.3% of all screenings for the advertisement.</p> <p>An advertisement for Eclipse mints screened five times in a children's program during the audit period, representing 1.8% of all screenings for the advertisement.</p>
Mondelēz International	<p>An advertisement for Cadbury's Easter Range screened four times in a children's program during the audit period, representing 2.7% of all screenings for the advertisement.</p> <p>A joint advertisement between Cadbury and Channel 7 screened once in a children's program during the audit period, representing 3.2% of all screenings for the advertisement.</p> <p>An advertisement for Philadelphia Spreadable Cream Cheese screened twice in a children's program during the audit period, representing 0.3% of all screenings for the advertisement.</p> <p>An advertisement for Cadbury Marvellous Creations screened four times during a children's program during the audit period, representing 0.8% of all screenings for the advertisement. It is noted that three screenings occurred during children's programs screened between 3.00am and 5.30am.</p> <p>An advertisement for Cadbury Favourites screened once in a children's program during the audit period, representing 0.1% of all screenings for the advertisement.</p>
Nestlé Australia Limited	<p>An advertisement for Sustagen screened once in a children's program during the audit period, representing 0.2% of all screenings for the advertisement.</p> <p>An advertisement for Maggi Stir Fry Creations screened once in a children's program during the audit period, representing 0.4% of all screenings for the advertisement.</p> <p>An advertisement for Nescafe screened once in a children's program during the audit period, representing 0.2% of all screenings for the advertisement.</p> <p>An advertisement for Nespresso screened four times in a children's program during the audit period, representing 0.3% of all screenings for the advertisement. It is noted that one screening occurred during a children's program screened at 1.30am.</p>
Patties Foods	Fully compliant
PepsiCo Australia	<p>An advertisement for Smith's potato crisps screened twice in a children's program during the audit period, representing 0.4% of all screenings for the advertisement.</p> <p>An advertisement for Gatorade screened once in a children's program during the audit period, representing 0.7% of all screenings for the advertisement. It is noted that the children's program screened at 3.30am.</p> <p>An advertisement for Pepsi Next screened twice in a children's program during the audit period, representing 0.5% of all screenings for the advertisement. It is noted that one screening occurred during a children's program screened at 3.00am.</p> <p>An advertisement for Smith's Popped Chips screened three times in a children's program during the audit period, representing 0.6% of all screenings for the advertisement.</p> <p>An advertisement for Smith's Thinly Cut Potato Crisps screened six times in a children's program during the audit period, representing 1.25% of all screenings for the advertisement. It is noted that two screenings occurred during a children's program screened at 3.00am.</p> <p>An advertisement for Red Rock Deli potato chips screened three times in a children's program during the audit period, representing 0.4% of all screenings for the advertisement. It is noted that two screening occurred during a children's program</p>

	<p>screened at 3.30am.</p> <p>An advertisement for Gatorade screening once in a children's program during the audit period, representing 0.8% of all screenings for the advertisement. It is noted that the children's program screened at 4.00am.</p>
Sanitarium Health & Wellbeing Company	Fully compliant
Simplot Australia	Fully compliant
Unilever Australasia	<p>An advertisement for Flora Pro-Activ margarine screened 16 times in a children's program during the audit period, representing 3.2% of all screenings for the advertisement.</p> <p>An advertisement for Lipton Ice Tea screened twice in a children's program during the audit period, representing 0.3% of all screenings for the advertisement. Both screenings occurred during a children's program screened between midnight and 5.00am.</p> <p>An advertisement for Lipton Pyramid teabags screened twice in a children's program during the audit period, representing 1.4% of all screenings for the advertisement.</p>

## 4.3. COMPLAINTS

The ASB assessed ten complaints in 2013 in relation to the RCMI. Ten complaints were assessed in 2012, nine in 2011 and 12 in 2010.

### 4.3.1. Upheld

Four complaints against the RCMI were upheld in 2013 (up from zero in 2012, two in 2011 and three in 2010):

1. 0144/13 Coco Pops (Television) – Kellogg

The complaint raised concerns about a television advertisement for Coco Pops featuring Coco Pops swimming in a bowl of milk and playing 'Marco Polo'. The ASB Board considered that this advertisement was directed primarily to children under 12. On the basis of the confirmation by the Independent Arbiter, the Board considered that the product was a healthier dietary choice and is permitted to be advertised to children under 12. The Board noted that fruit and low fat milk featured in the advertisement and that there was an intention of referencing children playing in the pool, however, they determined that the advertisement did not include messaging that encourages good dietary habits, consistent with established scientific or government criteria nor did it encourage physical activity.

Kellogg discontinued airing this advertisement.

2. 0179/13 LCMs (Television) – Kellogg

The complaint raised concerns about a television advertisement for LCMs featuring a young girl, cartoon snails and promoting new write on wrappers. The Board determined that the advertisement was directed primarily to children, was shown in programming directed primarily to children and was for a product that did not represent a healthier choice.

Kellogg discontinued airing this advertisement.

3. 0180/13 LCMs (Television) – Kellogg

The complaint raised concerns about a television advertisement for LCMs featuring a young boy, imaginary dinosaurs and promoting new write on wrappers. The Board determined that the advertisement was directed primarily to children, was shown in programming directed primarily to children and was for a product that did not represent a healthier choice.

Kellogg discontinued airing this advertisement.

4. 0247/13 Oreos (Television) – Mondelēz

The complaint raised concerns about a television advertisement for Oreos featuring animated characters. The ASB Board dismissed the complaint, stating that the advertisement was not directed primarily to children. The complaint was referred to the Independent Reviewer who subsequently asked the Board to reconsider their initial determination and reasonings for it. On review, the Board considered the advertisement was directed primarily to children.

## 4.3.2. Dismissed

Six complaints against the RCMI were dismissed in 2013:

1. 0181/13 Magnums (Television) – Unilever
2. 0190/13 Popped Chips (Television) – Pepsico
3. 0237/13 LCMs (App) – Kellogg
4. 0258/13 LCMs (Television) – Kellogg
5. 0289/13 Coco Pops & Nutri Grain Liquid Breakfasts (Television) – Kellogg
6. 0410/13 Paddle Pop Trop-o-saurus Slime (Television) – Unilever

The nature of the complaints focused on the creative content of the advertisement for foods the complainant considered did not represent healthy dietary choices. In four of the six instances, the ASB determined that the advertisements were not directed primarily to children (cases 1, 2, 4 and 5 above).

Case 3 featured a medium not captured by the RCMI. In case 6 the product was deemed to represent a healthier dietary choice and meet the requirements of the RCMI for an advertisement directed primarily to children.

All case reports can be viewed at the ASB website: [www.adstandards.com.au](http://www.adstandards.com.au).

## 5. CONCLUSION

Overall, compliance with the RCMI in 2013 remained high. Signatory reports indicated that company processes are in place to ensure adherence with their commitment to the RCMI, and reported activity was largely in line with these commitments. Results of the external audit found that there was some placement of discretionary foods in children's television programs, which was subsequently found to be largely due to the provision of bonus airtime by the TV network and challenges associated with scheduling advertising time during movies.

AFGC has continued to strengthen the RCMI following the Independent Review, with a redrafted initiative available on the AFGC website ([www.afgc.org.au](http://www.afgc.org.au)) and coming into operation from 1 January 2014.

## 6. NEXT STAGES

AFGC has entered into a partnership with Ebiquity to ensure continued access to up-to-date, accurate advertising monitoring data. This data will enable AFGC to continue to monitor signatories' compliance with the RCMI and to measure the frequency of advertising during children's viewing periods. On-going monitoring of marketing communication activities against the RCMI core principles and during children's viewing periods is important to determine the extent of the current situation, changes over time, and identify any improvements required to the RCMI. AFGC will continue to encourage other food and beverage manufacturing companies to sign up to the initiative.

## APPENDIX 1: THE RESPONSIBLE CHILDREN'S MARKETING INITIATIVE

### Introduction

The Australian Food and Beverage Industry has developed this initiative to demonstrate its commitment to responsible marketing of foods and beverages to children.

The goal is to ensure that a high level of social responsibility in marketing communication and marketing food and beverage products in Australia is maintained.

This initiative will provide confidence in the responsible marketing practices via clear expectations of the form, spirit and context, and a transparent process for monitoring and review of practices. The aim is to provide a framework for food and beverage companies to help promote healthy dietary choices and lifestyles to Australian children.

This Initiative has been developed in collaboration with the AANA as part of the system of advertising and marketing self-regulation in Australia. Signatories to this initiative must also abide by:

- The AANA Code for Advertising & Marketing Communications to Children
- The AANA Food & Beverages Advertising & Marketing Communications Code
- The AANA Code of Ethics

This document outlines the minimum commitments required by signatories. Companies may choose to adopt additional commitments.

### Scope

The scope of this initiative is based on the definitions of **Advertising or Marketing Communications to Children** and **Media**.

Advertising or Marketing Communications to Children is defined by the AANA Code for Advertising and Marketing Communications to Children and means advertising or marketing communications which, having regard to the theme, visuals and language used, are directed primarily to Children and are for Product.

Media means television, radio, print, cinema and third-party internet sites where the audience is predominantly children and/or having regard to the theme, visuals, and language used are directed primarily to children. In regards to television, this includes all P and C programs; all programs where more than 50 per cent of the audience is children under 12 years; plus those G rated programs that meet the criteria above as being designed for children.

Further definitions are provided in Appendix I.

An indicative television program list is provided in Appendix II.

## Core Principles

Companies participating in this initiative will publicly commit to marketing communications to children under 12, only when it will further the goal of promoting healthy dietary choices and healthy lifestyles.

Each participant will develop an individual company action plan that outlines how they will meet the following core principles:

### Advertising Messaging

Participants will not advertise food and beverage products to children under 12 in media unless:

1. those products represent healthy dietary choices, consistent with established scientific or Australian government standards

### And

2. the advertising and/or marketing communication activities reference, or are in the context of, a healthy lifestyle, designed to appeal to the intended audience through messaging that encourages:
  - good dietary habits, consistent with established scientific or government criteria
  - physical activity.

### Use of Popular Personalities and Characters

Participants will not use popular personalities, program characters or licensed characters in advertising primarily directed to children under 12 unless such advertising complies with the messaging options set out above. This is in addition to requirements under the Children's Television Standards 2009 covering C and P periods (CTS section 35).

### Product Placement

Participants will commit to not paying for or actively seeking to place their food or beverage products in the program/editorial content of any medium primarily directed to children under 12 for the purpose of promoting the sale of those products unless those products are consistent with healthy dietary choices under #1 above.

### Use of Products in Interactive Games

Participants will commit that, in any interactive game primarily directed to children under 12 where the company's food or beverage products are incorporated into the game, the interactive game must incorporate or be consistent with healthy dietary choices under #1 above and healthy lifestyle messaging under #2 above.

### Advertising in Schools

Participants will refrain from product-related communications in primary schools, except where specifically requested by, or agreed with, the school administration for educational or informational purposes, or related to healthy lifestyle activities under the supervision of the school administration or appropriate adults.

### Use of Premium Offers

Participants will commit to not advertising premium offers unless the reference to the premium is merely incidental to the product being advertised in accordance with the AANA codes and the Children's Television Standards 2009 (CTS Section 33).

## Individual Company Action Plans

Companies will sign up to this initiative as a minimum commitment and will develop and publish individual *Company Action Plans* that outline their specific commitments including individual nutritional standards if applicable in order to meet the core principles of this initiative.

Because companies and their product lines vary, the way companies comply with this framework will differ. However, all commitments will be consistent with the core principles outlined in this initiative.

This initiative outlines the minimum commitments required by signatories. Companies may choose to go further if they wish.

## Complaints

AFGC and AANA have formulated a transparent public complaints system, managed by the Advertising Standards Bureau.

Sanctions may be imposed on participants who fail to meet their obligations under the terms of this initiative.

## Compliance monitoring

Companies are required to report on their marketing communication activities to children on an annual basis. Key criteria have been established to assess how companies' activities meet the core principles outlined in this initiative.

AFGC will be responsible for coordinating the monitoring of company activities on an annual basis to confirm compliance, with resultant reports being made publically available.

## Appendix I - Definitions

**Advertising or Marketing Communications** means any material which is published or broadcast using any Medium or any activity which is undertaken by, or on behalf of an advertiser or marketer, and

- over which the advertiser or marketer has a reasonable degree of control, and
- that draws the attention of the public in a manner calculated to promote or oppose directly or indirectly a product, service, person, organisation or line of conduct,

but does not include Excluded Advertising or Marketing Communications.

**Excluded Marketing Communications** means labels or packaging for products.

**Advertising or Marketing Communications to Children** is defined by the AANA Code for Advertising and Marketing Communications to Children and means advertising or marketing communications which, having regard to the theme, visuals, and language used, are directed primarily to children and are for product.

**Media** means television, radio, print, cinema and third-party internet sites where the audience is predominantly children and/or having regard to the theme, visuals, and language used are directed primarily to children.

**Children** means persons under 12 years of age.

**Popular Personalities and Characters** means:

- a personality or character from a C program or P program
- a popular program or movie character
- a non-proprietary cartoon, animated or computer generated character
- a popular personality.

**Premium** means anything offered free or at a reduced price and which is conditional upon the purchase of a children's food or beverage product.

**Product** is defined by the AANA Code for Advertising and Marketing Communications to Children and means goods, services and/or facilities which are targeted toward and have principal appeal to Children. In the case of the Responsible Children's Marketing Initiative, the Product is contained to food and beverages.

## Appendix II - Indicative Television Program List

Under the Responsible Children’s Marketing Initiative, participants will not advertise food and beverage products to children under 12 in media unless it meets the core principles in relation to advertising messaging.

The list in Table 2 has been provided to illustrate the types of television programs covered by the initiative. This list includes P and C programs; programs where more than 50 per cent of the audience is children under 12 years; plus those G rated programs that meet the criteria as being designed for children (through the themes, visuals and language used). The list in Table 3 outlines programs that are not covered by the initiative.

Note: these are indicative lists and will be updated from time to time to reflect current programming. The Advertising Standards Board makes the final determination of programs covered by the Responsible Children’s Marketing Initiative.

**Table 2: Television programs covered by the RCMI**

Aladdin	Handy Manny	Scooby-Doo programs
All for Kids	Hi-5	Scope
Alvin and the Chipmunks	Holly’s Heroes	Sea Princesses
Animalia	H2O - Just Add Water	Snake Tales
Animaniacs	Ice Age	Spit it Out
Bakugan	It’s Academic	SpongeBob SquarePants
Ben 10	Jumping Jellybeans	Stormworld
Blinky Bill	Kamen Rider Dragon Knight	Sumo Mouse
Bratz	Kid Detectives	Tamagotchi!
Bubble Town Club	Kid’s WB	The Batman
Camp Lazlo	Kitchen Whiz	The DaVincibles
Castaway	K9	The Elephant Princess
Chaotic	Legend of Enyo	The Fairies
Class of 3000	Maddigan’s Quest	The Flintstones
Combo Ninos	Master Raindrop	The Marvellous Misadventures of Flapjack
Dangermouse	Magical Tales	The Perils of Penelope Pitstop
Deadly	Me and My Monsters	The Replacements
Dennis & Gnasher	Mickey Mouse Clubhouse	The Saddle Club
Dennis the Menace	Mortified	The Shak
Dex Hamilton	Oggy and the Cockroaches	The Smurfs
Digimon Data Squad	Out of Jimmy’s Head	Thunderbirds
Dive Olly Dive	Parallax	Toasted TV
Dora The Explorer	Penguins of Madagascar	Totally Wild
Erky Perky	Phineas and Ferb	Trapped
Foster’s Home for Imaginary Friends	Pinky and the Brain	Wurrawhy
Flipper	Pokemon	Yin Yang Yo!
GASP	Power Rangers	Yu Gi Oh! 5D’s
Go, Diego Go	Pyramid	Zeke’s Pad
G2G: Got to Go	Raggs	
	Saturday Disney	

**Table 3: Programs not covered by the RCMI**

Australian Idol	Ready Steady Cook
Australia's Funniest Home Videos	Seinfeld
Australia's Got Talent	So You Think You Can Dance
Bewitched	Sunrise
Deal or No Deal	That '70s Show
Friends	The A-Team
Futurama	The Big Bang Theory
Get Smart	The Biggest Loser
Here's Lucy	The Morning Show
Home and Away	The Nanny
How I Met Your Mother	The Simpsons
I Dream of Jeannie	The Virginian
Knight Rider	The X Factor
Malcolm in the Middle	The Zoo
Masterchef	Today
Minute to Win It	Top Gear
Modern Family	Two and a Half Men
Monster Garage	Wagon Train
My Kitchen Rules	Wipeout
Neighbours	

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