

THE CHILDREN'S FOOD & BEVERAGE ADVERTISING INITIATIVE IN ACTION

A REPORT ON COMPLIANCE AND IMPLEMENTATION DURING 2008



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Letter from the President

The Council of Better Business Bureaus is the headquarters for the BBB system. As the leader in advancing trust in the marketplace, BBB has helped consumers and businesses navigate that marketplace with honesty and fairness for nearly 100 years. Providing objective and impartial self-regulatory oversight programs is a key part of the services we provide to consumers, donors, businesses and charities, and the Children's Food and Beverage Advertising Initiative (CFBAI) is an excellent illustration of how self-regulation is advancing trust in today's dynamic marketplace.

Designed to support parents by shifting the mix of food and beverage products advertised to children to healthier products, the CFBAI has completed its first full year of operation. Its 2008 Report shows substantial progress and high levels of compliance. BBB and leading food and beverage manufacturers launched the Initiative in 2006 and it became operational in July 2007, when BBB announced the pledges of the initial 11 participants. Having now grown to 16 members, the CFBAI continues its ongoing efforts to change the mix of food and beverage advertising to children under 12. I think you will find this detailed Report informative and objective.

This year's report demonstrates the considerable efforts made by CFBAI participants to address concerns about childhood obesity. As in last year's Report, we found that the 12 companies that are in their second year of full implementation met their pledge obligations, with only a few minor compliance issues. The three companies whose pledges became active in January 2009 had already taken significant steps toward implementation even before that date. In addition to high compliance, the second year of CFBAI pledge commitments found some participants strengthening their pledges through even more rigorous nutrition criteria, and companies continuing to reformulate products to improve their nutritional profile. The evolution of this self-regulatory effort demonstrates the adaptability of the program to marketplace demands and the commitment of the participants to the program's goal of improving the landscape of children's advertising. We expect the excellent level of compliance and further developments in nutrition criteria and product reformulations to continue, and the innovative spirit of the program to result in more better-for-you products for children in the future.

With the addition of another leading advertiser to the program as this Report went to press, CFBAI will continue to explore responsive solutions to the complicated problem of childhood obesity. This Report clearly shows how seriously and carefully participants have worked to address an issue so important to our society and to parents. BBB will continue to support our participants in this self-regulatory endeavor, and to provide the engaged oversight and guidance that is the hallmark of all of BBB's self-regulatory efforts.

Stephen A. Cox
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Executive Summary

This is the second report that the Council of Better Business Bureaus (BBB) has issued describing the progress that is being made under BBB's Children's Food and Beverage Advertising Initiative (CFBAI or "Initiative") to change the landscape of child-directed advertising, and assessing the participants' compliance with their CFBAI pledge commitments. BBB and leading food and beverage companies started this self-regulation Initiative in November 2006 to change the mix of food and beverage products advertised to children to encourage healthier dietary choices and healthy lifestyles. The Initiative became operational in July 2007 when BBB announced the "pledges" of the then 11 (now 16) participants at a joint Federal Trade Commission (FTC) and Department of Health and Human Services (HHS) Forum, "Weighing In: A Check-Up on Marketing, Self-Regulation, and Childhood Obesity."

A key requirement of the Initiative is that participants commit that at least 50% of their child-directed advertising in measured media will be for better-for-you products (e.g., products that have fewer calories and are lower in fats, sodium and sugars, and/or are nutrient dense). All of the participants have pledged more: either that 100% of their child-directed advertising will be for better-for-you products or not to engage in child-directed advertising at all. Further, although the CFBAI does not require that participants take any particular steps to support the program's "healthy lifestyles" goal, as seen in Appendix F the participants generally provide healthy lifestyle messaging in conjunction with the interactive content on their child-directed websites. The participants also actively support an extensive array of public and private initiatives that promote nutrition education and physical activity for children and families. An illustrative list of these activities is provided in Appendix G.

This report provides an evaluation of the compliance of the 12 participants (Burger King Corporation;

Cadbury Adams USA LLC; Campbell Soup Company; The Coca-Cola Company; ConAgra Foods, Inc.; General Mills Inc.; The Hershey Company; Kraft Foods Global, Inc.; Mars Snackfoods US, LLC; McDonald's USA, LLC; PepsiCo, Inc.; and Unilever) whose pledges were in effect during 2008—the first full year that participants' pledges were operational. This report also describes the steps that three other participants (The Dannon Company Inc., Kellogg Company and Nestlé USA) took to prepare for implementing their pledges, which went into effect on January 1, 2009. Post Foods LLC joined the Initiative effective October 1, 2009 so this report does not include information about its pledge compliance.

Our review of participants' reports and our independent monitoring shows that the participants did an excellent job of implementing and complying with their pledges during 2008. Further, our review shows that the participants' commitment to the Initiative's goal to seek balance in the types of food and beverage products that are advertised primarily to children under 12 is noticeably changing the landscape of children's advertising. During 2008, participants' advertising often was for yogurt or yogurt products, soups, or products or meals that included water, whole grains, low-fat dairy products, apples, vegetables, and important nutrients children need. Examples of how advertising and products have changed since the Initiative was launched are included in Appendix H.

This report also provides an informal analysis of the nutritional content of products participants advertised during a randomly selected sample of 54 hours of children's programming during March 2009. This analysis shows that much of the participants' advertising is for products that are reduced in calories or "nutrients of concern" (fats, sodium and sugars) and are good sources of nutrients that are shortfalls for children ("shortfall nutrients") or provide at least a half-serving of a food group that the Dietary Guidelines for Americans recommend for increased consumption. Specifically,

our analysis shows that in addition to meeting their pledge nutrition standards, 83% of the advertising for participants' child-directed food and beverage products in the sample provided at least a "good" source (10% of the Daily Value or "DV") of one or more shortfall nutrients (vitamin E, calcium, magnesium, potassium, and fiber), or provided at least a half serving of fruit, vegetables, low-fat dairy, or 8 grams of whole grains (i.e., food groups the 2005 Dietary Guidelines for Americans recommend for increased consumption).

2008 Highlights

More Participants. Two additional companies, The Dannon Company and Nestlé USA, joined the Initiative during 2008. (So far during 2009, one more company, Post Foods, has joined the Initiative.)

Excellent Compliance Levels. Compliance among the 12 participants that were implemented during some or all of 2008 was high. As described in more detail in the individual company evaluation sections, our independent monitoring and our review of participants' compliance reporting found only minor violations that were remedied or are no longer occurring.

- **No child-directed advertising.** Based on our review, Cadbury Adams, The Coca-Cola Co., Hershey, and Mars did not engage in child-directed advertising, as pledged.
- **Advertising only for better-for-you products.** Based on our review, the eight other companies (Burger King Corp., Campbell Soup Company, ConAgra Foods, General Mills, Kraft Foods, McDonald's, PepsiCo, Inc., and Unilever) that were implemented during 2008 limited their child-directed advertising to better-for-you products, as specified in their pledges, with only a few minor exceptions, such as those noted below.
 - *ConAgra Foods* reported some minor problems involving its Kid Cuisine website, which inadvertently showed a few Kid Cuisine products that did not meet its nutrition standards. ConAgra Foods also

reported that it inadvertently shipped some branded *Snack Pack* lunch bags to brokers for distribution to elementary schools. When it realized its mistake it stopped the distribution and redirected the bags to a food bank.

- *Kraft Foods* reported that an adult-directed ad for a Stove Top product, a product not approved for child-directed advertising, inadvertently ran on child-directed Radio Disney. It detected the problem and pulled the ad from subsequent scheduled airings on Radio Disney.

Enhanced Pledges and Nutrition Standards.

Five companies revised their pledges; three to make their pledges even more rigorous, one to allow for positive new product developments, and one to reflect its decision that it would no longer engage in child-directed advertising.

- *Burger King Corp.* supplemented its nutrition criteria, which already set limits on calories, fats and added sugars, with a 600 mg sodium limit and a requirement that an advertised Kids Meal be at least a good source of at least two shortfall nutrients for children as identified by the 2005 Dietary Guidelines for Americans.
- *Campbell Soup Company* revised its nutrition standards to reflect that most of its kids' soups would be limited to 480 mg sodium (the level set for sodium in FDA's definition of "healthy" for individual foods). It also reduced the fat content of its line of *Pepperidge Farm® Flavor Blasted® Goldfish®* snack crackers. (In August 2009 Campbell launched its reformulated Tomato Soup with a sodium level of 480 mg. Now, 12 of the 13 soups that Campbell may advertise to children under 12 contain 480 mg or less of sodium.)
- *Kraft Foods* reduced the sodium limit for its "convenient meals" category, which includes Lunchables, to 840 mg from 960 mg. (In August 2009, CFBAI approved Kraft Foods' amended pledge, allowing the company to transition from its own *Sensible Solution* nutrition criteria to the

Smart Choices Program nutrition criteria as the company's standard to determine which products may be in advertising primarily directed to children under 12.)

- *Unilever* changed its standards for its frozen ices category to allow for the development of products made with low-fat dairy that provide one-quarter to one-third of a serving of low-fat dairy. This required increasing the total sugars limit because of the naturally occurring sugars in milk and allowing for a reasonable amount of fat in the product.
- *Mars* changed its pledge in March 2008 to state that it would no longer engage in any child-directed advertising, even for its line of better-for-you snacks.

Extensive Product Reformulation and New Product Development. To meet their nutrition standards, participants reformulated numerous products and introduced a number of new products meeting their BBB-approved standards. For example,

- *ConAgra Foods* reduced the fat and/or sodium content of some Kid Cuisine SKUs.
- *General Mills* reduced the added sugar content of iconic products, such as Trix Cereal, Chocolate Lucky Charms, and Yoplait Trix Yogurt.
- *Kellogg* reformulated flagship cereal brands, such as Cocoa Krispies®, Corn Pops®, Apple Jacks® and Froot Loops®, to contain either less sodium or sugar.
- *Kraft Foods* reformulated its Capri Sun juice drinks to reduce their sugar content.
- *McDonald's* added new meals that comply with its nutrition standards—Grilled or Regular Snack (chicken) Wraps with a fruit and low-fat yogurt parfait with granola, and a bottle of water.
- *PepsiCo* added two varieties of reformulated Quaker Oat Cereals to its approved list (Cap'n Crunch and Cap'n Crunch's Crunchberries).

CFBAI Program Enhancements. During 2008 and 2009, building on BBB's commitment for

dynamic and transparent self regulation, the CFBAI made the following improvements.

- **Nutrition and Product Charts.** First featured in the July 2008 CFBAI Progress Report on the First Six Months of Implementation: July-December 2007, the CFBAI has periodically updated and posted revised charts to the BBB's website (<http://www.bbb.org/us/children-food-beverage-advertising-initiative/>) so the public has easy-to-read and up-to-date information. (All participant pledges and supplemental pledges along with Nutrition Facts Panels for compliant products also are posted.)
- **Resources.** CFBAI added to BBB's website a resources page to direct adults and children to government and non-profit sites with helpful information about diet and nutrition and active, healthy lifestyles.
- **Electronic Newsletter.** The CFBAI launched an e-newsletter to report on program news, pledge developments and changes in child-directed product advertising.

Looking Ahead

The CFBAI's plans for the future include: (i) working to expand the number of participants, so that the program's reach, while already extensive, will be even broader; (ii) monitoring developments in nutrition science, government recommendations, and standards for labeling programs to ensure that the participants' better-for-you standards will continue to be well-grounded in science; (iii) continuing to coordinate with other organizations, such as the Alliance for a Healthier Generation and the Ad Council, that also are working to help promote healthy dietary choices and healthy lifestyles among American children; (iv) increasing awareness of the Initiative, particularly among parents; and (v) responding to feedback about and recommendations for the Initiative and continuing to review how the Initiative is performing. Later this year, the CFBAI will report on the Initiative's conclusions regarding FTC and other recommendations regarding the Initiative's principles and requirements.



I. Introduction

This report¹ describes the progress that participants have made in changing the nutritional profile of child-directed food and beverage advertising² during 2008, the first full year of implementation for BBB's Children's Food and Beverage Advertising Initiative (CFBAI or "Initiative").³ Twelve participants' pledges were in effect during some or all of 2008, and this report assesses their compliance with their pledges.⁴ This report also describes the steps that three other participants took to prepare for implementing their pledges, which went into effect on January 1, 2009.⁵

Our review of the 12 participants' compliance with their pledges found that they honored their commitments, and in some instances went beyond the literal requirements of their pledges. There were some occasional mistakes and problems. None were intentional or egregious and all were rectified upon discovery.

Through the commitments of the CFBAI participants, by the end of 2008 the landscape of children's advertising was significantly different than it was prior to November 2006 when the Initiative was announced, and meaningful changes continue to occur. Three major shifts have occurred. First, with more participants, a larger amount of child-directed advertising than before is for better-for-you products and many of those products or meals include fruit and vegetables, whole grains and low-fat dairy. Second, some participants revised their nutrition standards to make them even more rigorous. Some already have updated their standards in 2009, and we anticipate that others also will revise their standards in the coming months or later. Participants also continue to reformulate and add products that meet their nutrition standards. Third,

four major companies are no longer engaged in child-directed advertising for their food and beverage products.

Part II of this report provides a short history of the CFBAI and the CFBAI's core principles and requirements. It also includes a summary of feedback from government officials and several health and advocacy groups we consulted in fall 2008. This Part includes a description of the public-facing changes that the CFBAI has made to the program.

Part III provides information about the participants' pledges. In particular it addresses the nutrition criteria the participants use, the many common characteristics of the standards, and changes to those standards that have been made since the Initiative started. This part also explains how the participants define "advertising primarily directed to children under 12" and how the facial differences among the definitions do not result in any significant differences in application.

Part IV contains an overall assessment of the participants' compliance with their pledge obligations and the compliance issues that we identified or that companies self reported. It also provides an evaluation of each participant's implementation and compliance status. For companies with implementation dates starting January 1, 2009, we provide a status report on each company's implementation progress to date.

Part V contains our conclusions and describes next steps for the program.

Endnotes

¹ BBB Vice-President and CFBAI Director, Elaine D. Kolish, and Maureen Enright, CFBAI Assistant Director, prepared this report and the conclusions contained within are based on their analyses. The CFBAI's Administrative Coordinator, Caitlin Burke, conducted much of the monitoring referenced in the report and was instrumental in preparing the report's charts and tables. Questions or comments on the report can be directed to Ms. Kolish at ekolish@council.bbb.org or 703-247-9382.

² In this report, "child-directed advertising" means "advertising that is primarily directed to children under 12." These terms are used interchangeably throughout.

³ In July 2008, BBB issued the Initiative's first report, "A Progress Report on the First Six Months of Implementation: July-December 2007" (hereafter "CFBAI 2007 Report" or "2007 Report"), which covered the first six months of operation. At that time, six of the CFBAI's then 13 participants had implemented their commitments. Six

other participants, with implementation dates scheduled for January 1, 2008 or later, began working on implementing their pledges during the July-December 2007 period. The 13th company's pledge was announced in March 2008 so it was not a participant during the first reporting period. To read the CFBAI 2007 Report, visit http://www.bbb.org/us/storage/16/documents/CFBAI/ChildrenF&BInit_Sept21.pdf.

⁴ These participants are Burger King Corp., Cadbury Adams, Campbell Soup Company, The Coca-Cola Company, ConAgra Foods, The Hershey Company, General Mills, Kraft Foods, Mars, McDonald's USA, PepsiCo, and Unilever. ConAgra Foods' commitments regarding its Chef Boyardee brand were not in effect in 2008 and thus this Report does not cover it.

⁵ These participants are Dannon, Kellogg and Nestlé. Post Foods joined the Initiative on October 1, 2009, so this report does not include information about its pledge compliance.



II. CFBAI Background and Developments

Almost three years ago, BBB and 10 leading food and beverage companies launched an advertising self-regulation program focused on the nutritional profile of the food and beverage products featured in advertising primarily directed to children under 12.⁶ The goal of the CFBAI is to shift the mix of advertising messaging directed to children under 12 to encourage healthier dietary choices and healthy lifestyles.

The next major development occurred on July 18, 2007, when BBB announced the pledges of the then 11 participants at a joint FTC/HHS Forum, “Weighing In: A Check-Up on Marketing, Self-Regulation, and Childhood Obesity.”⁷ These pledges described how the participants would meet the CFBAI requirements and principles that had been announced in November 2006. Since then, five additional companies have joined the Initiative and their pledges have been announced publicly and posted to BBB’s website.

Below the CFBAI’s principles are described, followed by a short history of the program and the marketplace penetration the program has achieved. This Part also provides a brief summary of feedback we have received from third parties. Finally, we describe some program innovations that help the public stay informed about program and participant developments.

A. Core Principles and Requirements

Under the CFBAI’s principles, which are attached as Appendix A, participants in the CFBAI commit to devote at least half of their advertising primarily directed to children under 12 on TV, radio, print and the Internet to better-for-you products and/or to messages that encourage good nutrition or healthy lifestyles.⁸ The CFBAI also requires that participants commit to the following:

- **Third-Party Licensed Character Use.**⁹ Reduce the use of third-party licensed characters in

advertising primarily directed to children under 12, unless such advertising is for better-for-you foods or includes healthy lifestyle messaging.

- **Product Placement.** Cease paying for or actively seeking to place their food and beverage products in editorial/programming content that is primarily directed to children under 12 for the purpose of promoting the sale of those products.
- **Interactive Games.** Incorporate better-for-you foods or include healthy lifestyle messaging in interactive games primarily directed to children under 12 that integrate a company’s food or beverage products.¹⁰
- **Elementary School Advertising.** Stop advertising branded food and beverage products to children in elementary schools.¹¹ The CFBAI’s limitations do not apply to displays of food and beverage products, charitable fundraising activities, public service messaging, or items provided to school administrators. These activities fall outside the CFBAI’s objective of restricting advertising or commercial sales messages for food and beverage products directed to children in elementary schools.¹²

When participants join the CFBAI they agree, by contract, to BBB oversight and monitoring of compliance with their pledges and to be held accountable for failure to comply with their pledges. The participants also agree to submit annually to BBB reports on compliance with their pledges, and to be subject to independent BBB monitoring of their compliance. Under the contracts, BBB has the discretion to expel from the CFBAI any participant that does not substantially comply with its pledge after giving the company notice and an opportunity to bring its conduct into compliance.¹³

B. History

The CFBAI grew out of a February 2006 BBB and National Advertising Review Council (NARC)¹⁴-initiated review of the Children’s Advertising Review

Unit's (CARU) Guidelines for children's marketers.¹⁵ Among other things, the review considered recommendations from the FTC and the Institute of Medicine (IOM) about food and beverage advertising to children. In its December 2005 report, "Food Marketing To Children and Youth: Threat or Opportunity" (hereafter "IOM Report"), IOM had recommended that food and beverage companies shift their child-directed advertising emphasis to foods and beverages that are less caloric, that are lower in fats, salt and added sugars, and that are higher in nutrient content.¹⁶ Similarly, the FTC had recommended, in April 2006, that BBB determine if advertising self-regulation could do more to address the concerns about child-directed food and beverage advertising and obesity.¹⁷

Based on the review,¹⁸ in November 2006, BBB and NARC announced two actions: (1) that they had updated the CARU Guidelines, which address *how* products, including food and beverage products, are advertised;¹⁹ and (2) that they, along with 10 leading food and beverage companies, were launching a new self-regulation program, the CFBAI, to address *what* types of food and beverage products could be featured in advertising primarily directed to children under 12.²⁰ The goal of the CFBAI would be to shift the mix of child-directed advertising messaging so that it would include advertising for better-for-you foods and/or healthy lifestyle messaging at least half the time.

C. Marketplace Penetration

At the time the program began the participants represented a substantial portion of child-directed food and beverage advertising and they continue to do so. At the outset, the 10 original participants were estimated to represent at least two-thirds of the television advertising expenditures for food and beverage advertising to children in 2004.²¹ Since then, an analysis conducted by Georgetown Economic Services indicates that food, beverage and restaurant advertising from the then 15 participants represented more than 80% of the advertising that children 2-11 saw on children's programming during 2007.²²

The percentage of the child-directed advertising market the participants represent is not, of course, a static number or one that automatically increases with the addition of new participants. For example, since the last analysis was done some new participants have stopped advertising to children, and others have done less advertising than before. The amount of advertising from non-participants also will vary. Overall, the amount of food and beverage ads children are exposed to is declining, as is the amount of child-directed food and beverage ads.²³ Nevertheless, the now 16 participants unquestionably represent the majority of advertisers who engage or previously engaged in child-directed food and beverage product advertising.

D. Informal Feedback from Third Parties

In last year's report we stated that we would solicit informal feedback about the program from the FTC and other interested government officials, advocacy groups, and nutrition associations. In fall 2008, the CFBAI Director met with FTC staff, Dr. William Dietz of the CDC, Todd Haiken, then with the PTA, MaryLee Watts and John Courtney of the American Society for Nutrition, Jeff McIntyre of Children Now, and by phone with representatives of the Society of Nutrition Education. Representatives of the participants also attended or participated in most of the meetings.²⁴ These meetings provided an opportunity to share information about the CFBAI and to hear suggestions for program improvements.

Among the many suggestions, a common theme centered on the nutrition standards used by Initiative participants. All the groups advocated for the Initiative to adopt "uniform nutrition standards" to guide food marketing to children, in lieu of the company-specific standards that are now used. Second, some favored not allowing products to qualify as "better for you" solely on the basis of a 25% reduction in calories, fats, sugars or sodium. Others opined that sodium levels need to be scrutinized further and that sugar levels in cereals are still too high.

Another issue, raised to a lesser extent, concerned what is considered advertising primarily directed to children under 12.

This report addresses concerns about what constitutes a “better-for-you” product and varying nutrition standards. It also responds to concerns about the participants’ use of varying standards for what constitutes advertising primarily directed to children under 12. Later this year, the CFBAI will issue a separate paper that more comprehensively addresses program suggestions and changes to the CFBAI’s principles and requirements.

E. Program Enhancements

As the number of participants has expanded and the number of supplemental and amended pledges has grown, we decided to provide some additional tools to help the public stay informed and up to date on CFBAI developments. To supplement the posting of

pledges and amended pledges and relevant product labels on BBB’s website, the Initiative created and periodically updates and posts charts summarizing the participants’ nutrition standards and the products meeting those standards that may be featured in child-directed advertising. During 2009, the CFBAI also launched an electronic newsletter that reports periodically on program news, pledge developments, and changes in products that are being advertised to children.²⁵

Earlier this year, the CFBAI created an online “resources” page (at www.bbb.org/us/children-food-beverage-advertising-initiative/) for adults and children to direct them to government and non-profit sites with helpful information about diet and nutrition and active, healthy lifestyles. On the participants’ individual pledge pages, we also provide links to where nutrition information about participant products can be found.

Endnotes

⁶ See BBB Press Release dated Nov. 14, 2006, available at <http://www.bbb.org/us/children-food-beverage-advertising-initiative/info/>. A copy of the CFBAI’s “Core Principles” document that BBB issued that day is attached as Appendix A.

⁷ See BBB Press Release dated July 18, 2007, available at <http://www.bbb.org/us/children-food-beverage-advertising-initiative/info/>.

⁸ The “Internet” includes advertising on third-party sites and company-owned sites that are primarily directed to children under 12.

⁹ Licensed characters are characters that a company obtains permission to use through a licensing agreement with, for example, a media company or film studio that owns the character. They do not include company-owned characters.

¹⁰ These games are commonly referred to as “advergames,” and often are included on child-directed company-owned websites. This CFBAI provision does not apply to games sold as products by a third party that may include a company’s brands through a licensing agreement.

¹¹ The CFBAI is not involved in what products are sold in elementary schools. This is determined by the USDA and others. The USDA sets standards and policies for the National School Breakfast and Lunch programs. Additionally, schools or school districts may have policies regarding what types of products may be sold in schools. Finally, the Alliance for a Healthier Generation has entered into Memorandums of Understanding with beverage and food companies regarding the nutritional profile of products that may be sold in schools. See <http://www.healthiergeneration.org/>.

¹² This year the CFBAI issued a Fact Sheet on the Elementary School Principles to provide greater clarity about the scope and coverage of the CFBAI’s restriction on advertising branded food and beverage products in elementary schools. The Fact Sheet explains that the CFBAI takes an expansive view of the scope of the elementary school setting, covering the entire elementary school, not just the classrooms. It also explains that participants may provide schools with public service messages and curriculum materials that identify the sponsor so long as the sponsor identification is not the focal point

of such materials. Additionally, as explained in the Fact Sheet, the program does not limit the ability of companies to communicate with administrators, school employees, parents or other adults. It also does not restrict participants from engaging in partnerships or arrangements that schools, school-based parent organizations or school booster clubs may seek with them to advance their educational or enrichment goals for the school’s students. The CFBAI permits companies to engage in such partnerships or collaborations while at the same time prohibiting participants from promoting the sale of specific or branded food or beverage products in any materials prepared for or directed to elementary school students. To view the Fact Sheet, visit <http://www.bbb.org/us/children-food-beverage-advertising-initiative/>.

¹³ In the contracts BBB has committed to give participants at least 30 days prior written notice before termination for cause and 60 days prior written notice for termination without cause. (The participants also have the right to terminate their participation upon prior written notice.) Specifically, when appropriate, BBB will notify a participant in writing of substantial noncompliance and give the participant a reasonable opportunity to bring its conduct into compliance. Upon termination the BBB may refer the matter to appropriate regulatory authorities. BBB also will give a participant notice prior to making the termination and referral public.

¹⁴ NARC is a strategic alliance of the advertising industry and the BBB. The board is composed of key executives from the BBB, the American Association of Advertising Agencies, the American Advertising Federation, the Association of National Advertisers, the Electronic Retailing Association and the Internet Advertising Bureau.

¹⁵ CARU is a BBB-administered program whose operational policies are set by the NARC board of directors. Since 1974, CARU has promoted responsible children’s advertising. In 1975, CARU issued Guidelines to help advertisers ensure that children’s advertising is not deceptive, unfair or inappropriate for its intended audience. CARU updates these Guidelines periodically to reflect marketplace and media developments.

continued

Endnotes, continued

¹⁶ See IOM Report at 12 and 382-83. IOM also had recommended that the food industry work with CARU (and others) to establish and enforce the highest standards for the marketing of foods, beverages and meals to children.

¹⁷ The recommendation emerged from a joint FTC/HHS workshop conducted in July 2005 on “Perspectives on Marketing, Self-Regulation and Childhood Obesity,” and was contained in a follow up report on the workshop that FTC/HHS jointly issued in April 2006. See <http://ftc.gov/os/2006/05/PerspectivesOnMarketingSelf-Regulation&ChildhoodObesityFTCandHHSReportonJointWorkshop.pdf> at 50-51. Subsequent to the July 2005 workshop the then President and CEO of NARC, James Guthrie, submitted a comment for the FTC record stating, among other things, that NARC would be establishing a task force to examine the CARU guidelines and new forms of digital marketing, the use of licensed characters in advertising, and product placement in children’s programming. See Appendix D to the April 2006 FTC/HHS Report.

¹⁸ More than 40 companies in various sectors that advertise to children participated in the review.

¹⁹ The revised CARU Guidelines clarified that children’s food advertising should not depict over-consumption (i.e., the quantity being consumed in ads should not exceed the recommended labeled serving size), or discourage or disparage healthy lifestyles or healthy dietary choices. Additionally, the revised Guidelines state that ads

that depict a mealtime should show products in the context of a nutritionally balanced meal. The Guidelines already had admonished against depicting snack foods as substitutes for meals. The CARU Guidelines can be viewed in their entirety at <http://www.bbb.org/us/children-advertising-review-unit/>.

²⁰ How CARU and CFBAI, two separate, but complementary, children’s self-regulation programs, work together to promote responsible advertising and healthy diets and lifestyles is explained in a fact sheet that is attached as Appendix B.

²¹ See n.6 above.

²² See BBB Press Release dated Jan. 14, 2009 at <http://www.bbb.org/us/children-food-beverage-advertising-initiative/info/>.

²³ See, e.g., “Children’s Exposure to TV Advertising in 1977 and 2004” (June 1, 2007) (hereafter “FTC 2007 Report”) available at <http://www.ftc.gov/opa/2007/06/childrenadsstudy.shtm>.

²⁴ Additionally, the CFBAI Director, as well as various participants, frequently liaise with representatives from the Center for Science in the Public Interest as well as other groups. Such groups have expressed similar views.

²⁵ To sign up to receive the newsletter, please send a message to kidsinitiative@council.bbb.org.



III. The Participants' Pledges

When they joined the CFBAI, the participants individually submitted a pledge for BBB's review and approval.²⁶ Each pledge stated the specific commitment that the company was making regarding its future child-directed advertising in measured media and all exceeded the Initiative's baseline minimum of 50 percent. The pledge also described the participant's commitment regarding company-owned websites, interactive games, and the use of third-party licensed characters in advertising for food and beverage products. As required, each participant pledged not to actively seek out or pay for placement of their food or beverage products in the entertainment or editorial content of child-directed media for the purpose of promoting the sale of those products, and not to advertise such products to children in elementary schools.

Each participant submitted a proposed implementation schedule for review as part of its pledge. The length of implementation schedules generally related to product reformulation or new product development necessary to limit advertising to better-for-you products. Each participant also was required to submit proposed nutritional criteria to define what would constitute a healthy dietary choice or better-for-you product for its company. Such criteria are required to be grounded in established scientific and/or government standards. Finally, each participant was required to explain how it would define advertising primarily directed to children under 12. Each of these topics is discussed more comprehensively below.

A. Setting Implementation Schedules

When BBB created the CFBAI, it recognized that the participants' ability to make and execute robust commitments would be enhanced if they were permitted some discretion in determining how much time they would have to make necessary changes to implement their pledges. Accordingly, the CFBAI did

not impose one specific implementation date or time period for implementation. Instead, the CFBAI required participants to propose an implementation schedule for each of their commitments under the pledges.²⁷

The CFBAI Director discussed with each participant its proposed implementation schedule to determine the basis for it. The different implementation dates relate to when a participant joined the CFBAI and the time it needed to reformulate products to meet newly adopted nutrition standards or develop new compliant products, and/or to inform and train their employees about the pledge and how to comply with it.²⁸ The longer implementation schedules generally reflect that a company's pledge requires it to engage in significant new product development or product reformulation. The specific implementation dates are listed in Table 3.

During 2008, 12 of the then 15 participants' pledges were in effect or became effective. Since the first of 2009, the other three participants' pledges also have gone into effect. The newest participant, Post Foods, which joined the CFBAI effective October 1, 2009, made its pledge effective immediately. Accordingly, *all* participant pledges are now effective.

B. Defining Better-For-You Products

The CFBAI permits participants to use, subject to BBB approval, company-specific nutrition standards to define better-for-you foods as long as their criteria are consistent with established scientific and/or government standards and recommendations.²⁹ Such standards include, but are not limited to:

- HHS/USDA 2005 Dietary Guidelines for Americans for overall limits on fats, including saturated and trans fats, sodium, and sugars, and foods and nutrients recommended for increased consumption.
- Food and Drug Administration (FDA) standards for "healthy," "low," and "reduced."

Table 1: BBB Children’s Food and Beverage Advertising Initiative: Synopsis of Participants’ Nutrition Standards (Effective Aug. 2009)

Participants	Calories ¹	Fat	Sat Fat	Trans Fat ²	Sodium	Sugar	Positive Nutrients/ Functional Benefit/ Food Group ³	≥ 25% Reduction vs. Reference Food ⁴
Burger King Corp.								
Kids Meal	≤560	< 30% kcal	< 10% kcal	No Added	≤ 600 mg	≤ 10% kcal added	Yes	Not Used
Cadbury Adams								
Does not engage in food and beverage product advertising primarily directed to children under 12.								
Campbell Soup Company								
Soup ⁵	≤150	≤ 3g	≤ 1g & ≤ 15% kcal	0g Labeled	≤ 480 mg or 25% less than reference	≤12g (excluding f/v/dairy)**	Yes	Yes
Canned Pasta	≤ 300	w/o meat ≤35% kcal w/meat ≤ 10g	w/o meat ≤ 10% kcal w/meat ≤ 4.5g	w/o meat labeled 0 w/meat labeled ≤0.5, provided only from meat or dairy	25% less than largest selling product in category	≤12g (excluding f/v/dairy)**	Yes	Yes
Snack Crackers ⁶	≤ 170	≤ 35% kcal	≤10% kcal	0g Labeled	Not Specified	≤ 12g (excluding f/v/dairy)**	Not Specified	Not Used
The Coca-Cola Company								
Does not engage in food and beverage product advertising primarily directed to children under 12.								
ConAgra Foods, Inc.*								
Meals	≤ 500	≤ 35% kcal	≤ 10% kcal	0g Labeled	≤ 760 mg	≤ 25% kcal added	Yes	Not Used
Canned Pasta	≤ 350	≤ 35% kcal	≤ 10% kcal	0g Labeled	≤ 750 mg	≤ 25% kcal added	Yes	Not Used
Peanut Butter, Nuts and Seeds	≤ 200	Not Specified	Not Specified	0g Labeled	≤ 480 mg	≤ 25% kcal added	Yes	Not Used
The Dannon Company, Inc.								
Yogurt, Dairy Snack and Drinkable Dairy Products ⁷	Not Specified	≤25% kcal ⁸	<10% kcal OR ≤ 1g	0g Labeled	≤ 230mg	≤ 12.5g added sugar	Yes	Not Used
General Mills⁹								
FDA “Healthy” ¹⁰	≤ 175	≤ 3g	≤ 15% kcal & ≤ 1g	0g Labeled	≤ 480 mg	≤ 12g (exclusive of f/v/dairy)**	Yes	Not Used
General Mills Criteria	≤ 175	Not Specified	≤ 2g	0g Labeled	≤ 230 mg Cereal/snack ≤ 480 mg Side/Main dishes	≤ 12g (exclusive of f/v/dairy)**	Yes	Not Used
Hershey Company								
Does not engage in food and beverage product advertising primarily directed to children under 12.								

Table 1: BBB Children’s Food and Beverage Advertising Initiative: Synopsis of Participants’ Nutrition Standards (Effective Aug. 2009)

Participants	Calories ¹	Fat	Sat Fat	Trans Fat ²	Sodium	Sugar	Positive Nutrients/ Functional Benefit/ Food Group ³	≥ 25% Reduction vs. Reference Food ⁴
Kellogg Company								
All Products	≤ 200	Not Specified	≤ 2g	0g Labeled	≤ 230 mg ≤ 460 mg Entrée items/ leavening ¹¹	≤ 12g (excluding f/v/dairy)**	Not Specified	Not Used
Kraft Foods Global, Inc.* (Products may qualify if they meet either the <i>Smart Choices Program</i> criteria, available at www.smartchoicesprogram.com/, or Kraft Foods’ <i>Sensible Solution</i> criteria (below) during the next three years.)								
100% Fruit Juice	≤ 120	Not Specified	Not Specified	Not Specified	Not Specified	Not Specified	Yes	Not Used
Beverages ¹²	≤ 40	Not Specified	Not Specified	Not Specified	Not Specified	10g added sugar	Yes	Yes
Granola and Cereal Bars	≤ 150	≤ 30% kcal	≤ 10% kcal from sat fat + trans fat	See Sat Fat	≤360 mg	≤25% kcal	Yes	Yes
Crackers & Cookies ¹³	≤ 100	≤ 30% kcal	≤ 10% kcal from sat fat + trans fat	See Sat Fat	≤ 290 mg	≤ 25% kcal added	Yes	Yes
Convenient Meal Products ¹⁴	≤ 600	≤ 35% kcal	≤ 10% kcal from sat fat + trans fat	See Sat Fat	≤ 840 mg	≤ 25% kcal added	Yes	Yes
Mars								
Does not engage in food and beverage product advertising primarily directed to children under 12.								
McDonald’s USA								
Kids Meal	≤ 600	≤ 35% kcal	≤ 10% kcal	Not Specified	Not Specified	≤ 35% total by weight	Not Specified	Not Used
Nestlé USA								
100% Juice	≤ 170 ¹⁶	0g	0g	0g	≤ 70 mg	No added sugar	Yes	Not Used
Choc. Ready to Drink & Powdered Flavored Milk ¹⁷	≤ 170	≤ 3g	≤ 2g	0g Labeled	≤ 140 mg	≤ 12.5g added sugar	Yes	Not Used
Calcium Fortified Low-Fat Milk	≤100	≤ 2.5g	≤ 1.5g	0g Labeled	≤ 125 mg	No added sugar	Yes	Not Used
Push-Up/Frozen Dessert	≤100	≤ 3.5g	≤ 2g	0g Labeled	≤ 70 mg	≤ 12.5g added sugar	Yes	Not Used
PepsiCo, Inc.*								
Cereals	Not Specified	≤ 30% kcal	≤ 1g	0g	≤ 480 mg	≤ 25% added kcal ¹⁸	Yes	Not Used
Beverages ¹⁹	Not Specified	≤ 3g	≤ 1g	0g	≤ 480 mg	≤ 25% kcal added	Yes	Not Used

Table 1: BBB Children’s Food and Beverage Advertising Initiative: Synopsis of Participants’ Nutrition Guidelines (Effective Aug. 2009)

Participants	Calories ¹	Fat	Sat Fat	Trans Fat ²	Sodium	Sugar	Positive Nutrients/ Functional Benefit/ Food Group ³	≥ 25% Reduction vs. Reference Food ⁴
Unilever								
Popsicles	≤ 110	Not Specified	≤2.5g per serving	< 2% kcal excluding CLA ²⁰	≤ 1.6 mg/kcal or ≤ 100mg/ serving	≤ 25% total by weight and ≤ 20% added by weight	Not Specified	Yes (Sat. Fat)
Peanut Butter	Not Specified	Not Specified	≤ 10% kcal or ≤ 33% of total fat	< 2% kcal excluding CLA ²⁰	≤ 1.6 mg/kcal or ≤ 100mg/ serving	≤ 25% kcal total or ≤ 7g/100g of added sugars	Not Specified	Not Used

Table 1: Notes

*Criteria based only on advertised products, not all categories for which a company may have established nutrition criteria.

**Excluding f/v/dairy means excludes sugars naturally occurring in fruits, vegetables and dairy.

¹ Calories and other limits are per serving or meal, as applicable.

² Trans fat occurs naturally in trace amounts in meat and dairy products.

“No added” trans fat means no trans fat from non-animal sources.

“Og” trans fat means less than 0.5g trans fatty acids per serving, excluding conjugated trans-fatty acids such as naturally occurring Conjugated Linoleic Acid (CLA). Under FDA’s regulatory scheme, naturally occurring trans fat and added trans fat from partially hydrogenated fat are not distinguished.

³ Some guidelines require that a product provide at least a good (10% DV) or excellent (20% DV) source of one or more nutrients, or a functional benefit and/or contain at least a half serving of fruits, vegetables, or fat free or low fat dairy, in addition to meeting limitations on fats, sugars or sodium. In some cases, products may qualify because they contain a full serving of vegetables. See pledges for details. Note, the fact that a company may not include any item in this column as a requirement for a product to qualify does not mean that the product lacks these qualities.

⁴ Instead of meeting specific nutrition criteria, as outlined in the other columns, some products qualify by being “reduced” or at least 25% less in calories, sugars, fats or sodium than a reference food. Some companies subject these foods to additional scrutiny by their nutritionists to qualify and the BBB also carefully reviews the overall nutritional qualities of products that are submitted for approval under this criterion.

⁵ All values are per eight ounce serving, after adding water in the case of a condensed soup.

⁶ A snack cracker also qualifies if it is packaged in a portion control pack of 100 calories or less.

⁷ The criteria is based on “per labeled serving” to ensure that the “portion size” is recognized and thus ensure that the criteria is both “occasion” and “age” appropriate.

⁸ For products labeled for children ages 2-3 no more than 30% kcal will come from fat.

⁹ Under General Mills’ pledge, products must meet either FDA’s criteria for “healthy” per labeled serving, or General Mills’ own guidelines for Healthy Dietary Choices.

¹⁰ FDA’s definition for “healthy” also requires the following (which are not listed on this chart), 60 mg or less of cholesterol, and at least 10% DV of one of the following: vitamin A, vitamin C, calcium, iron, protein or fiber. Although not addressed in FDA’s criteria for “healthy,” General Mills also applies restrictions on calories, trans fat and sugars, on items that qualify as “healthy” per labeled serving.

¹¹ This includes items such as frozen waffles and pancakes where salt is used as a leavening agent.

¹² Under Kraft Foods’ *Sensible Solution* criteria for “refreshment” beverages, products may qualify if they are “low” or “reduced by 25%” in calories, sugars, sodium, sat fat, or fat. Such beverages are not subject to the 40 calorie or other limits. Some of Kraft Foods’ products qualify on the basis that they are “reduced,” while others meet the affirmative criteria described in the chart.

¹³ Under Kraft Foods’ *Sensible Solution* criteria, if the product contains 10% DV fiber, or contains at least 5g of whole grain or provides a functional nutrition benefit, the product may contain up to 130 calories and not more than 35% of calories from fat. Products also may qualify as *Sensible Solution* products if they are “low” or “reduced” in at least one nutrient of concern (See note 12). One product in this category qualifies on the basis that it is reduced, while others meet the affirmative criteria described in the chart or the *Smart Choices Program* criteria.

¹⁴ The guideline for this category also includes a requirement that the product contain no more than 90 mg cholesterol.

¹⁵ Under the *Sensible Solution* criteria for cheese, products may qualify by meeting the criteria in the chart or by being “low” or “reduced” in a nutrient of concern. See note 12.

¹⁶ Calorie content will vary by juice variety due to natural variations in sugar content.

¹⁷ Powdered flavored milk is evaluated against the criteria “as consumed,” once reconstituted in fat-free or low-fat milk. For the powdered flavored milk category, on label dual nutrition facts information is provided for “as purchased” and “as prepared.” Currently, the reconstitution instructions refer to reduced-fat milk, but revised reconstitution instructions for low-fat milk are being phased-in over the course of 2009 and with these instructions calories are reduced to 160 from 180. The total sugars value for the “as purchased” would be equal to added sugars in this case. Due to FDA rounding rules, the nutrition facts panel could declare up to 13 grams of total sugars and still meet the criteria outline above.

¹⁸ The 25 percent of calories from added sugar criteria applies unless the product contains 10 percent DV of fiber, or meets other criteria.

¹⁹ Currently, PepsiCo lists only Gatorade as a beverage that may be advertised to children under 12. This product qualifies on the basis of its functional hydration benefit. However, Gatorade did not advertising to children under 12 during 2008 and we have been informed that Gatorade has no plans to undertake such advertising during 2009.

²⁰ FDA excludes CLA from its definition of trans fat.

1. How Participants Define Better-for-You Products

Although the details of participants' criteria differ, they share many common characteristics.³⁰ For example, the fat guidelines are consistent with the recommendations of the Dietary Guidelines, and the sugar criteria are all within generally used and accepted limits. The differences involve exactly how a product qualifies as a better-for-you one. Some base better-for-you status on the contribution of certain nutrients, on whether a particular food group is present, and/or on its nutrient contribution in comparison to a reference product.

Table 1, above, summarizes the BBB-approved nutritional criteria the participants are using. This Table covers the major areas that the companies' criteria may include: calories, total fat, saturated fat, trans fat, sodium, sugars, and whether the company has an affirmative requirement for a specific positive nutrient (such as at least 10% DV of calcium), a functional benefit (such as more complete rehydration in circumstances where water may be insufficient), or a food group (such as a half serving of vegetables) for a product to qualify.³¹ The final column indicates whether a company's criteria permits a product to qualify as a better-for-you one if it has at least 25% fewer calories, or 25% less fat, sodium or sugars than a "reference" product (as defined in FDA regulations).

A complete list of the current products that meet the participants' criteria and that may be featured in child-directed advertising is attached as Appendix C.

a. Use of Limits on Calories, Fats, Sodium and Sugars

Many pledges set calorie limits that are derived from estimates of an average caloric requirement for sedentary to moderately physically active children. Others use 2000 calories as their baseline because that is the amount used on the federally-required Nutrition Facts Panel. Both are valid approaches. Calorie limits for meals are set at one third or less of the estimated total daily calorie requirement and individual items, such as snacks,

at 10% or less. When a participant has not specified a calorie limit, the standards for total fat, saturated fat, trans fat, and sugars ensure the product overall is consistent with dietary recommendations.

Many participants set a total fat or saturated fat level that is consistent with the recommendations of the Dietary Guidelines of not more than 35% of calories from total fat and less than 10% of calories from saturated fat. When a participant has established gram values for the total fat and saturated fat criteria (such as no more than 2 grams of saturated fat or 3 grams total fat), these values are low and the product would likely still meet the recommendations of the Dietary Guidelines of no more than 35% of calories from total fat and less than 10% of calories from saturated fat. In addition, a number of participants specify a standard of 0 grams of trans fat based on FDA labeling regulations or include trans fat in the overall saturated fat criteria.

Where a total fat standard is not established, it is because one is not necessary. For example, some beverages do not contain fat, and for other products, the saturated fat and trans fat criteria ensure that the product's fat profile is consistent with dietary recommendations.

In most cases, sodium limits, when specified in pledges, are based on FDA's limits for "healthy" claims or "disclosure" limits;³² or are derived from either the percentage Daily Value for Nutrition Facts Panel labeling, which is 2400 mg per day, or the recommendation of the Dietary Guidelines to consume less than 2300 mg per day. For some food items, sodium limits are based on a reduction compared to the product category. When sodium limits are not specified, it is generally because sodium is not relevant for the product, for example, some beverages. In some instances the participant has chosen not to specify a limit, but the products contain sodium levels below the relevant FDA requirement for "healthy" or FDA's nutrient disclosure levels.³³

Participants use various criteria for sugar content limits, for example, no more than 10% or 25% of calories from added sugars, no more than 35% total sugars by weight, or no more than 12 grams of sugars per serving (exclusive of naturally occurring sugars in fruits, vegetables and dairy). The Dietary Guidelines do not set a sugar limit and there is no Dietary Reference Intake (i.e., Upper Level) for total or added sugars. However, the IOM does suggest a maximal intake of 25% or less of total calories in the diet from added sugars based on concerns about a reduction in micronutrient intake when total calories from sugars exceed this level. Using 35% total sugars by weight or setting a limit of 12 grams added sugars per serving also are reasonable approaches; these criteria are viewed as acceptable for most products and address concerns about micronutrient dilution when added sugars are more than 25% of calories.³⁴

b. Use of “Reduced” In Nutrition Criteria

In some instances, a company’s criteria provides that a product may qualify as better for you either on the grounds that it meets its specific nutrient content requirements and/or is at least “25% reduced” on a key nutrient compared to the reference product.³⁵ One criticism of the program is that products are able to qualify on this basis. Products that are “reduced” can be better-for-you products. For example, if children or adults wish to consume chips as a snack, chips that are baked and reduced in fat will be a better option than fried chips. Similarly, cheeses that have 25% less fat clearly are a better-for-you product. They are a great source of calcium and an especially good option for children who do not like to drink milk.³⁶

Nevertheless, the number of products that qualify on the basis of being “reduced” in some way always has been small compared to the total number of products meeting the participants’ nutrition standards. Although some participants continue to include “reduced” in their nutrition criteria, because of product reformulations fewer products qualify on this basis now than when the Initiative was first launched.³⁷

We anticipate that there will be even less reliance on “reduced” in the future. For example, Kraft Foods has been using its *Sensible Solution* nutrition criteria to identify products appropriate for child-directed advertising. The *Sensible Solution* criteria usually permit products to qualify on either of two alternative grounds: one set of criteria sets limits on calories, fats, sugars and sodium, and the other requires the product to be “free,” “low,” or “reduced” in calories, fats, sugars or sodium compared to a reference product. BBB has approved Kraft Foods’ August 2009 supplemental pledge that indicates that the company is transitioning to the *Smart Choices Program* nutrition criteria. At the end of the three-year transition period, it will be relying solely on the *Smart Choices Program* criteria for determining what products may be advertised to children. The *Smart Choices Program* criteria set limits on and affirmative requirements for nutrients for products to qualify.³⁸ Accordingly, when the transition is complete, Kraft Foods no longer will rely on “reduced” to qualify products as “better for you.”

2. Developments in Participants’ Nutrition Standards and Products

A number of the participants have revised and enhanced their nutrition standards since the CFBAI was launched. Others have completed very substantial reformulation efforts to meet the new criteria they adopted as part of their original pledges. These actions reflect the participants’ commitment to changing and improving the mix of products that are advertised to children. Below, we highlight key nutrition standard and product developments during the past year.³⁹ Examples of changes in advertising and products since the CFBAI was launched also are illustrated in Appendix H. These samples include screen grabs of ads showing what BKC featured in Kids Meals pre-pledge compared to now, and Nutrition Facts Panels showing products pre-pledge and after reformulation to meet a participant’s nutrition criteria.

- *Burger King Corp.* supplemented its nutrition criteria, which already set limits on calories, fats and added sugars, with a 600 mg sodium limit and a requirement that an advertised Kids Meal be at least a “good” source (i.e., 10% DV) of at least two of the nutrients that are shortfalls in children’s diets: calcium, fiber, potassium, magnesium, Vitamin E.⁴⁰
- *Campbell Soup Company* revised its nutrition standards to reflect that most of its kids’ soups would be limited to 480 mg sodium (the level set for sodium in FDA’s definition of “healthy” for individual foods). In August 2009 Campbell launched its reformulated Tomato Soup, which now has a sodium level of 480 mg. Following this reformulation, 12 of the 13 soups that Campbell may advertise to children under 12 contain 480 mg or less of sodium. It also reduced the fat content of its line of *Pepperidge Farm® Flavor Blasted® Goldfish®* snack crackers.
- *ConAgra Foods* reformulated certain SKUs of Kid Cuisine to reduce fats and/or sodium to meet the nutrition criteria set forth in its pledge.⁴¹
- *General Mills* reformulated its Trix cereal and Yoplait Trix yogurt (and other products), which already met its Healthy Dietary Choice criteria, to contain no more than 12 grams of added sugars per serving, reducing their sugars content by one and three grams respectively.
- *Kraft Foods*, as noted above, will be transitioning to all new standards—the *Smart Choices Program* criteria. Kraft Foods also has reduced the sodium limit for its *Sensible Solution* “convenient meals” category to 840 mg, its second decrease since it joined CFBAI when this category’s limit was 960 mg.⁴² Kraft Foods also reformulated its Capri Sun juice drinks to reduce their sugar content.
- *Kellogg Company* reformulated flagship cereal brands (as well as other products), such as Cocoa Krispies®, Corn Pops®, Apple Jacks® and Froot Loops® to contain either less sodium or sugars.
- *McDonald’s* added new meals that comply with its nutrition standards—Grilled or Regular Snack (chicken) Wraps with a fruit and low-fat yogurt parfait with granola, and a bottle of water. In addition to being an excellent source of protein, the meal is a good source of calcium and Vitamin C and includes more than a half serving of fruit.⁴³ These meals add variety to the kids’ meals that already met McDonald’s standards for child-directed advertising.
- *PepsiCo* added two varieties of reformulated Quaker Oat Cereals to its approved list (Cap’n Crunch and Cap’n Crunch’s Crunchberries). These Smart Spot products also meet FDA’s definition of “healthy.”⁴⁴
- *Unilever* revised its nutritional guidelines for children’s advertising to reflect the production of dairy-based frozen novelties made from low-fat milk as well fruit-based products that may be produced in the future.⁴⁵

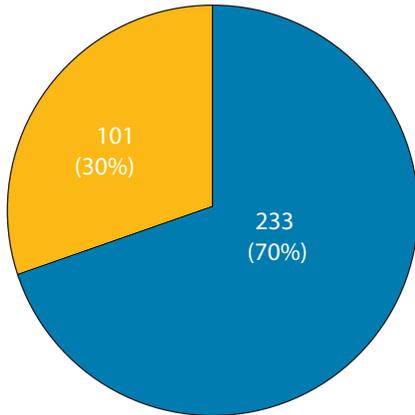
3. An Analysis of Food and Beverage Advertising During 54 Hours of Children’s Programming

This report also provides an analysis of the nutritional content of products advertised during a randomly-selected sample of 54 hours of children’s television programming during March 2009.⁴⁶ As a preliminary matter, our analysis showed that the participants’ products and ads represented a substantial percentage of the total. Specifically, as seen in Figure 1, 233 of the 334 total *ads* or 70% were for participants’ products and 25 out of the 37 *products* advertised or 68% were participant products (24 of the 25 were child-directed products).⁴⁷

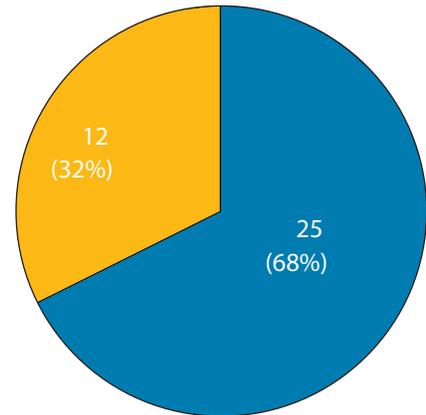
For the purpose of this analysis, we evaluated whether products provided at least a good source (10% DV) of one or more shortfall nutrients for children (calcium, potassium, fiber, magnesium or Vitamin E) or provided at least a half serving of fruit, vegetables, low-fat dairy or eight grams of whole grains (i.e., food groups the 2005 Dietary Guidelines for Americans recommend for increased

Figure 1: Analysis of Advertising During 54 Hours of Children’s Programming: Comparison of CFBAI Participant and Non-CFBAI Participant Advertising^a

Total Number of Food, Beverage and Restaurant Ads



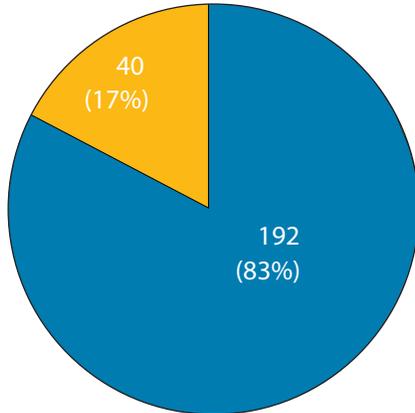
Total Number of Food, Beverage and Restaurant Products



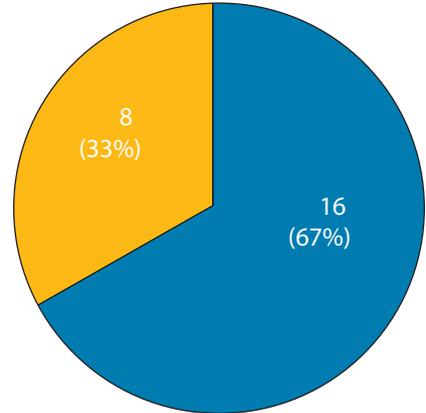
■ Total CFBAI Participant Ads/Products in Time Period
 ■ Non-Participant Food, Beverage and Restaurant Ads/Products

Figure 2: Analysis of Advertising During 54 Hours of Children’s Programming: CFBAI Participant Child-Directed Ads/Products That Provide at Least a Good Source of a Nutrient Shortfall for Children or a Food Group to be Encouraged^b

Total Number of CFBAI Ads



Total Number of CFBAI Products



■ Number that met study criteria
 ■ Number that did not meet study criteria^c

a. Totals and percentages based on 54 hours of programming data collected from March 12, 2009 through March 18, 2009 on Nickelodeon, Cartoon Network, and ToonDisney during popular children’s viewing times.

b. For the purpose of this study we excluded one participant’s adult-directed product that was permissible under its pledge. In this study we analyzed products to determine whether they provided $\geq 10\%$ of the Daily Value of potassium, fiber, calcium, magnesium, or vitamin E, identified by the 2005 Dietary Guidelines for Americans as nutrient shortfalls for children and/or supplied $\geq \frac{1}{2}$ serving of fruit, vegetables, low-fat dairy, or 8g of whole grains.

c. All CFBAI participant child-directed products analyzed for this study met the nutrition standards for calories, fat, saturated fat, trans fat and sugars set forth in the companies’ individual pledges. Products that did not meet the study criteria may have contained positive nutritional benefits such as 10% DV of other essential vitamins and minerals, or whole grains, but less than 8 grams, as used in our study.

consumption).⁴⁸ All the participant's products were compliant with their pledges and all the child-directed products met their own BBB-approved nutrition standards.⁴⁹

As seen in Figure 2, 83% of the advertising for participants' child-directed food and beverage products in that period (192 ads for 16 products) provided at least a good source of one shortfall nutrient or a food group to encourage. We did not conduct a nutrition analysis of the advertising from non-participants (a total of 101 ads for 12 products).

Our analysis also showed that:

- **Whole Grains.** 82 or 35% of participant ads were for products or meals that included at least 8 grams of whole grains.
- **Apples and Milk.** 66 or 28% of participant ads included apples and milk.
- **Yogurt Products.** 27 or 12% of participant ads featured or included low-fat yogurt products.
- **Vegetables.** 17 or 7% of participant ads were for products that included at least a half serving of vegetables.

A separate analysis of the 24 child-directed participant products advertised during this period showed that 10 products or 42% of these products and 31% of the ads met FDA's definition of "healthy" (using the Reference Amount Customarily Consumed or "RACC" as specified in FDA's regulations), and 14 or 58% of these products and 48% of the ads met FDA's definition of "healthy" on a "per labeled serving basis."

These analyses illustrate that much of the participants' child-directed advertising is for products that are both reduced in calories or nutrients of concern, such as fats, and meet FDA's "healthy" standard on a RACC or per serving basis, or provide a good source of a shortfall nutrient or a half serving of a food group to be encouraged.

C. Defining Advertising Primarily Directed to Children Under 12

The CFBAI permits participants individually to define "advertising primarily directed to children under 12." The CFBAI did not seek to set a uniform standard at the outset (November 2006). Generally, the participants already had long-standing and effective corporate policies and procedures defining advertising directed to children under 12.⁵⁰ Their definitions work well to define child-directed advertising, allowing the program to fulfill its goal of shifting the mix of advertising primarily directed to children under 12. At the same time, the definitions avoid unnecessary encroachment into adult-oriented advertising.

Most of the participants' definitions are tied to audience composition percentages.⁵¹ The audience composition percentages range from 25% to 50%. The 50% audience composition standard is a commonplace way of defining children's programming.⁵² It is frequently used in international self-regulation programs,⁵³ and for global consistency some U.S. participants use this percentage. Other participants use multi-factorial analyses to define advertising primarily directed to children and for these participants, audience composition, while not a definitive factor, also may be considered.⁵⁴ Whatever definition they use, the participants are acutely sensitive to what is considered children's programming. Our monitoring shows that, in day-to-day practice, they limit advertising to their better-for-you products or do not advertise, depending on their pledge, in a very consistent manner.⁵⁵

As we reported last year, aware that the language differences among the definitions raised some concerns, we carefully examined the application and impact of the participants' definitions. The primary concern for the Initiative was that some programming would be considered child-directed by one advertiser and not by another. After reviewing the pledges, compliance reports, marketing plans and the results of our independent monitoring, we reported that we had not identified any significant

problems that were attributable to participants' different definitions.⁵⁶ Notwithstanding the facially different language, all of these definitions, as typically *applied* by the participants, generally result in the participants limiting advertising to better-for-you products or avoiding advertising altogether on the same programming or media.

Notwithstanding these findings, we recognize that facially different definitions continue to be a source of concern, and that the FTC and others have recommended that the Initiative adopt a universal definition of advertising primarily directed to children under 12. Presumably, this would make it easier for the public to know and understand what media is affected. Accordingly, we again carefully reviewed the operational impact of the definitions on media purchases based on information from the participants' compliance reports and our own independent monitoring. As before, our review showed that any differences attributable to the use of different definitions are negligible.

As shown in Table 2 below, *in application* there is great consistency in what participants consider to

be advertising primarily directed to children. Whether a participant uses a 30% or 50% K2-11 audience standard, the result is largely the same. If a network is advertised as or considered child-directed, even if various programs or dayparts have audiences that are lower than 50% or another numeric threshold, the advertisers either explicitly or in practice tend to advertise only their better-for-you products or not place advertising on that network or daypart, depending upon the particular pledge.⁵⁷

Specifically, although the participants' media plans and strategies vary, we observed that, among the participants who are advertising, a significant portion of their child-directed advertising occurs on four cable networks devoted to children's programming (Nick⁵⁸, Nicktoons, Cartoon Network, and Toon Disney⁵⁹) and, on Saturday mornings, on broadcast networks.⁶⁰ Moreover, most participants essentially treat the entire network schedule on these networks as covered by their pledges, whether or not a particular daypart reaches a specific audience percentage threshold as specified in their pledges.⁶¹

Table 2: Better-For-You (BFY) Product Advertising/No Advertising Media

Network	Day of Week	Daypart
ABC*	Sat.	AM
CBS*	Sat.	AM
CWN*	Sat.	AM
Fox*	Sat.	AM
Nick**	M-Sun.	6 AM-8-10 PM
Nicktoons**	M-F Sat.-Sun.	2-11 PM 7 AM-11 PM
Cartoon Network**	M-S	6 AM-10 PM/12 AM
Toon Disney**	M-S	6 AM-7 PM (12 AM on Sun.)

* The broadcast networks devote Saturday morning to children's programming. Participants that advertise on broadcast networks generally do so during that daypart. Such advertising generally is limited to BFY foods, whether or not a particular audience threshold is reached.

** On these networks advertisers generally limited advertising to BFY foods or did not engage in advertising, depending upon their pledge.

Some advertisers, in a few instances, as part of an overall adult-directed campaign and as allowed by their pledges, place adult-directed ads for foods or beverages on children's programming to reach the adults watching such programming.⁶² Such ads are not primarily directed to children under 12 and can be distinguished from child-directed advertising based on the show's "rating" delivery (i.e., what percentage of a demographic, such as female 25-54, is watching) that was key to the advertiser's media plan, the product at issue, which is usually adult or family oriented (e.g., tea drinks, family dinner entrees), and/or the creative itself (e.g., the actors,

graphics and messaging used). Such ad placement, however, did not occur frequently, and the trend appears to be moving away from even the limited use of such advertising in media plans.

In light of our extensive inquiry into this issue we have decided to allow participants to continue to use their existing definitions of advertising primarily directed to children under 12. The current definitions work well to identify child-directed advertising.

Endnotes

²⁶ Table 3 in Part IV summarizes all of the participants' pledges.

²⁷ For example, a participant might need a longer period of time to implement a commitment to advertise only better-for-you foods to children in measured media than it needs to stop engaging in new product placements in child-directed program/editorial content.

²⁸ Additionally, participants would need varying amounts of time to prepare and place new advertising, to withdraw, as needed, existing advertising, or to let already-placed advertising or other commitments run their course. The amount of time a company proposed also could be affected by whether it had many or only a few products that it advertised to children.

²⁹ BBB also hired two Registered Dietitians as consultants who, when requested, assist the CFBAI Director in evaluating the participants' nutrition criteria.

³⁰ The individual pledges and supplemental pledges, which are posted on the CFBAI portion of BBB's website, <http://www.bbb.org/us/children-food-beverage-advertising-initiative/>, should be consulted for details and specifics about the criteria used. This is especially important for up-to-date information because from time to time participants change their criteria to reflect ongoing product reformulation and development efforts. The CFBAI's electronic newsletter reports on pledge developments, including updates to nutrition standards. See Part II. E.

³¹ The fact that a company may not include any item in this column as a requirement for a product to qualify does not mean that the product lacks these qualities.

³² FDA requires a company to make a "disclosure" statement calling the consumer's attention to one or more nutrients in a food that may increase the risk of a disease or health condition that is diet related when the company is making a nutrient content claim for the product. The disclosure statement is required when a food contains fat, saturated fat, cholesterol or sodium in excess of specified levels (20% of the Daily Value for those nutrients for individual food products and higher amounts for main dishes and meal products) for the reference amount customarily consumed, per labeled serving, or for foods with small serving sizes, per 50 grams. The disclosure statement identifies the nutrient(s) at issue (e.g., "See nutrition information for sodium content").

³³ For meals advertised as children's meals or as combination products that can be combined with other foods (such as a fruit) to be a complete meal, the participants' products set standards at an amount below 960 mg (e.g., 600 mg, 760 mg and 840 mg) or contain less than 960 mg of sodium—the FDA disclosure limit for "meals." Some, but not all, of the products meet FDA's regulatory standards for meals (three 40g servings from two or more food groups). Others do not meet FDA's regulatory standards for meals, but generally provide appropriate servings of two or more of the 4 food groups, and some provide, for example, a full serving of vegetables.

³⁴ Because Nutrition Facts Panels identify only "total" sugars, not "added" sugars, a 35% total sugars by weight standard is viewed as an appropriate surrogate for meeting IOM's suggestion. The requirement that a product not exceed 12 grams of sugars per serving (excluding naturally occurring sugars in dairy, fruits, and vegetables) is based on a way of applying government guidelines to individual foods rather than the entire diet. Using IOM's suggestion that added sugars intake be no more than 25% of calories and applying it to a 2000 calorie diet means no more than 125 grams of added sugars per day. Several reasonable approaches for applying this limit to individual foods support a 12 gram per serving limit. For example, FDA's disclosure requirements for nutrient content claims is based on 20% of the Daily Value per serving; if one conservatively halves that amount to 10% and applies it to the 125 grams added sugars, the result is 12.5 grams per serving.

³⁵ Occasionally, a participant qualifies a product because it is "low" in a nutrient such as fat or saturated fat.

³⁶ Reduced fat cheeses, for example, are on the HHS and the National Institute of Health's list of "go" foods (i.e., "foods that are the lowest in fat, sugar, and relatively low in calories. They also are "nutrient dense," which means they are rich in vitamins, minerals, and other nutrients important to health. GO foods are great almost anytime.") See <http://www.nhlbi.nih.gov/health/public/heart/obesity/wecan/downloads/go-slow-whoa.pdf>.

³⁷ For example, initially many of Campbell's kids soups were qualified as better for you on the basis that they had 25% less sodium than a reference product. Now, most of the soups have been reformulated and contain no more than 480 mg of sodium, the sodium level specified for individual foods in FDA's definition of "healthy."

³⁸ See www.smartchoicesprogram.com for information about the nutrition criteria.

³⁹ Participants have continued to refine and enhance pledges. For example, this year Nestlé enhanced its criteria by adding limits on various nutrients and a requirement that products in all categories provide at least 10% DV of one nutrient. These changes are reflected in Table 1, above. Nestlé's supplemental pledge can be viewed at <http://www.bbb.org/us/children-advertising-initiative/nestle/>.

⁴⁰ The supplemental pledge with the entire criteria can be viewed at <http://www.bbb.org/us/children-advertising-initiative/burger-king/>. Additionally, in 2009, BKC announced it was transitioning to fat-free milk from low-fat milk in all of its restaurants nationwide. It also announced three additional meals that meet its nutrition criteria.

⁴¹ In 2008 and 2009, ConAgra Foods also reformulated a number of its Chef Boyardee products (reducing fat and/or sodium levels) to meet its nutrition guidelines and stopped advertising the SKUs that did not meet the guidelines in June 2009.

Endnotes, continued

- ⁴² For more information about the transition, visit Kraft Foods' August 2009 supplemental pledge at <http://www.bbb.org/us/children-advertising-initiative/Kraft-Global-Foods/>.
- ⁴³ For more information about the nutrition content of these meals, visit McDonald's May 2008 supplemental pledge at <http://www.bbb.org/us/children-advertising-initiative/mcdonalds/>.
- ⁴⁴ For more information about these products, visit PepsiCo's December 2008 supplemental pledge at <http://www.bbb.org/us/children-advertising-initiative/PepsiCo/>.
- ⁴⁵ For more information about this revision, visit Unilever's July 2008 supplemental pledge at <http://www.bbb.org/us/children-advertising-initiative/Unilever/>.
- ⁴⁶ We limited our study to a random sample of product ads on television programming rather than all products that participants might advertise (including on their websites), or are eligible to advertise but may not actually be advertised, to make the study size manageable.
- ⁴⁷ The number of ads is greater than the number of products because some products were advertised multiple times.
- ⁴⁸ HHS and U.S. Department of Agriculture, *Dietary Guidelines for Americans 2005* at pages 5 and 6, available at www.healthierus.gov/dietaryguidelines. The Whole Grain Council discusses what constitutes a serving of whole grains at <http://www.wholegrainscouncil.org/whole-grains-101/what-counts-as-a-serving>.
- ⁴⁹ One of the products included in this analysis did not meet the participant's nutrition guidelines but was from a brand that was scheduled to be incorporated into the participant's pledge commitments in June 2009. Because it was permissible for the product to be advertised at the time we conducted our analysis we included it as a compliant ad. The product is a good source of fiber and provides a full serving of vegetables. As of June 2009, the participant ceased advertising this product consistent with that participant's pledge commitments because the product currently does not meet its nutrition criteria.
- ⁵⁰ Even prior to the Initiative, many of the participants needed definitions because they had policies to subject child-directed advertising to additional legal review. Many also are long-time CARU supporters, committed to engaging in responsible and ethical advertising to children. Some of them also use the pre-screening advertising services that CARU offers supporters.
- ⁵¹ This means only better-for-you foods will be advertised or no advertising will be placed on programming that has at least "x" percentage children 2-11 (or "K2-11") in the audience.
- ⁵² For example, the FTC has considered shows with at least 50% children viewing as children's shows. See FTC 2007 Report at ES-4. See also Trade Regulation Rule Pursuant to the Telephone Disclosure and Dispute Resolution Act of 1992 ("900 Number Rule"), 16 C.F.R. Part 308. "For purposes of this regulation, advertisements directed to children under 12 shall include any pay-per-call advertising appearing during or immediately adjacent to programming for which competent and reliable audience composition data demonstrate that more than 50% of the audience is composed of children under 12...." *Id.* at section 308.3(e).
- ⁵³ Some voluntary programs have chosen to establish a 50% minimum audience composition, with participants free to adopt a more stringent definition. For example, although very similar to the CFBAI overall, the European Pledge program, announced in December 2007, differs from the CFBAI by setting a definition of advertising primarily directed to children under 12. Specifically, it states that "for the purpose of this initiative, 'advertising to children under 12 years' means advertising to media audiences with a minimum of 50% of children under 12." See www.eu-pledge.eu. Similarly, pledge programs in Thailand (adopted in May 2008) and South Africa (adopted June 2009) also use a 50% standard. For the Thai program, "advertising to children under 12 years" means advertising that intentionally targets children under 12 and advertising to media audiences with an intended minimum audience of 50% of children under 12. See "Thailand Children's Food and Beverage Advertising Initiative," at www.responsible-advertising.org/news/onenews.php?Lib_ID=2125. In South Africa, "advertising to 'children 12 years and under' means advertising to media audiences with at least 50% of the target market being 12 and under." The Australian pledge program does not use a specific number, but refers to programming where the audience is predominantly children and/or the programs or media are directed primarily to children. See The Responsible Children's Marketing Initiative at <http://www.afgc.org.au>.
- ⁵⁴ CARU also uses a multi-factorial analysis to define national advertising primarily directed to children under 12. See CARU Guidelines at Part II, A. I at www.bbb.org/us/caru.
- ⁵⁵ The participants' definitions are summarized in Appendix D.
- ⁵⁶ See CFBAI 2007 Report at p. 11.
- ⁵⁷ For example, under Kraft Foods' definition, any program that falls within time periods traditionally regarded as kids viewing time is considered a time period where only its pledge-approved products may be advertised, regardless of the size of the child viewing audience. This means that even if the percentage of children 2-11 in a daypart or program is well under 35% (Kraft Foods' objective standard), but is sold as or treated as children's programming, Kraft Foods only advertises pledge-approved products.
- ⁵⁸ Nick currently switches to Nick at Nite, a family-oriented block of classic TV programming, at 8 or 10 PM depending on the day of the week.
- ⁵⁹ Disney renamed its "Toon Disney" channel "Disney XD" in February 2009. Disney XD is aimed at boys 6-14.
- ⁶⁰ This observation is consistent with the FTC's finding that 66.5 percent of children's television viewing is on cable programming. See FTC 2007 Report at p. 12, 14.
- ⁶¹ We also observed that many participants do not engage in child-directed advertising during weekday school hours, when the primary child audience is preschool age, regardless of audience composition.
- ⁶² Many different types of advertisers advertise adult-oriented products on children's programming to reach the adults co-viewing with their children.



IV. Pledge Compliance Evaluation

To assess participants' compliance BBB used a combination of independent monitoring and in-depth review of detailed reports each participant submitted. This section explains more specifically how BBB assessed participants' compliance with their pledges, provides a compliance overview, and reports on each participant's status in meeting or preparing to meet its pledge obligations. A summary of the pledges is contained below in Table 3.

A. Methodology

During 2008 12 companies partially or completely implemented their pledges and another three began preparing for implementation. BBB asked each participant to submit a detailed report and appropriate documentation regarding its compliance activities or on the steps it had taken to ensure compliance when its future implementation date became effective, as appropriate.⁶³ BBB also independently assessed compliance by monitoring company-owned, child-directed websites and by reviewing samples of TV, print and radio advertising primarily directed to children under 12. We also reviewed and investigated, as appropriate, inquiries or publicly available reports regarding participant compliance.⁶⁴

All of the participants submitted comprehensive reports that either included extensive documentation or summaries regarding what products they had advertised to children under 12 and where those ads had run. Participants readily provided additional information or documents to clarify their reports or to respond to questions, as requested.

The CFBAI followed up with participants as needed on issues we identified from our monitoring or raised by third-parties concerning compliance. When an inquiry was specifically directed to us, we also responded to the third party. We generally concluded that no violations had occurred and that any issues that arose were addressed properly by the participants. All participants cooperatively provided information to respond to issues that we flagged through our monitoring.

1. Participant-Submitted Compliance Reports

BBB asked the participants to report, for calendar year 2008, on whether and how they had met their pledge commitments for pledges that were or became effective during this period. For participants whose pledges were to become effective after December 31, 2008, we asked the companies to report on what steps they had taken to prepare for compliance and on any progress they may have made in achieving compliance.

For example, we asked the participants to do the following:

- Identify which products, if any, that they had featured in advertising in measured media (TV, radio, print, third-party Internet sites) and on company-owned websites that were primarily directed to children under 12 in accordance with their pledge definition of this term⁶⁵
- Identify any discrepancies between their commitment and actual advertising
- Provide representative copies of ads and a dissemination schedule or other information showing where each product was advertised
- Identify what child-directed interactive games incorporated the company's food or beverage products, and whether the games included, or were accompanied by, pledge-approved products and/or healthy lifestyle messaging, as specified in their pledges
- Describe how and when they implemented their commitments not to engage in product placement of their food or beverage products in the program or editorial content of any child-directed media (e.g., movies and television programs)
- Describe how and when they implemented their commitments not to advertise their food and beverage products to children in elementary schools⁶⁶

Table 3: BBB Children’s Food and Beverage Advertising Initiative: Synopsis of Participants’ Pledge Commitments for Advertising Primarily Directed to Children under 12¹

Percent Commitment for Advertising in Measured Media ²	Depictions of Branded Food on Company-Owned Websites ³	Interactive Games	Use of Licensed Characters in Advertising ⁴	Implementation Date for Measured Media Commitments ⁵
Burger King Corp.				
100% for pledge-approved, better-for-you products	All food pages will be for pledge-approved Kids Meals, side dishes or beverages	Products incorporated in games will be pledge-approved Kids Meals, side dishes or beverages	Limited to pledge-approved Kids Meals, side dishes or beverages	July 2008 ⁶
Cadbury Adams				
Does not engage in advertising primarily directed to children under 12.				March 2008
Campbell Soup Company				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products	August 2007
The Coca-Cola Company				
Does not engage in advertising primarily directed to children under 12.				Pre-2007
ConAgra Foods, Inc.				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products	September 2008 & June 2009 (Chef Boyardee brand)
The Dannon Company				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated games will be pledge-approved products	Limited to pledge-approved products	January 2009
General Mills				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products ⁷	December 2008
Hershey Company				
Does not engage in advertising primarily directed to children under 12.				January 2007

Table 3: BBB Children’s Food and Beverage Advertising Initiative: Synopsis of Participants’ Pledge Commitments for Advertising Primarily Directed to Children under 12

Percent Commitment for Advertising in Measured Media ²	Depictions of Branded Food on Company-Owned Websites ³	Interactive Games	Use of Licensed Characters in Advertising ⁴	Implementation Date for Measured Media Commitments ⁵
Kellogg Company				
100% for pledge-approved, better-for-you products	Restricts access to websites that feature products that are not pledge-approved and would appeal to children under 12	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products ⁸	December 2008
Kraft Foods Global, Inc.				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products	Pre-2007
Mars, Inc.				
Does not engage in advertising primarily directed to children under 12.				March 2008
McDonald’s USA				
100% for pledge-approved, better-for-you products	Only pledge-approved Meals will be shown	Games that depict its food or beverage products will incorporate or be accompanied by products that are healthy dietary choices or healthy lifestyle messaging	Limited to pledge-approved products	January 2008
Nestlé USA				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products	January 2009 ⁹
PepsiCo, Inc.				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products	January 2008

Table 3: BBB Children’s Food and Beverage Advertising Initiative: Synopsis of Participants’ Pledge Commitments for Advertising Primarily Directed to Children under 12

Percent Commitment for Advertising in Measured Media ²	Depictions of Branded Food on Company-Owned Websites ³	Interactive Games	Use of Licensed Characters in Advertising ⁴	Implementation Date for Measured Media Commitments ⁵
Unilever				
100% for pledge-approved, better-for-you products	Only pledge-approved products will be shown	Food and beverage products incorporated in games will be pledge-approved products	Limited to pledge-approved products	October 2007

Table 3: Notes

¹ This table does not include two provisions that are required in every participant pledge: (i) a commitment not to pay for or actively seek out placing 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; and (ii) a commitment not to advertise their food or beverage products in elementary schools.
² Measured media includes television, radio, third-party internet and print publications.
³ Participants’ child-directed sites also may show non-branded foods.
⁴ This commitment does not apply to packaging, provided the packaging does not appear in advertising primarily directed to children under 12, or to the use of company-owned characters.
⁵ Some participants used different implementation dates for their elementary school or other commitments.

⁶ Burger King Corp. implemented its measured media advertising commitment in July 2008, six months ahead of its scheduled implementation date of December 31, 2008.
⁷ General Mills also has a corporate policy to limit its use of third-party child-directed licensed characters to packaging for products that meet its Healthy Dietary Choice criteria and sugar guideline.
⁸ Kellogg also has a corporate policy to limit its use of child-directed licensed properties on the front panels of its packaging and as the basis for food forms to products that meet its nutrition guidelines.
⁹ As specified in its pledge, Nestlé will work through the first half of 2009 to modify and re-launch some company-owned websites to target general audiences. In addition, it will revise sections of websites primarily directed to children under 12 to include only products that meet its nutrition guidelines.

2. BBB-Conducted Monitoring

BBB independently assessed measured media by examining samples of advertising primarily directed to children under 12 in measured media and company-owned websites, as described below.

For television advertising, which continues to be the predominate means of advertising to children, we relied on three sources to assess compliance. First, BBB staff directly monitored advertising on children’s programming periodically. Second, we reviewed the results of monitoring that CARU independently conducts on an ongoing basis.⁶⁷ Third, we reviewed a random sample of advertising data on programming popular with children during 2008 that we obtained from The Nielsen Company.

For radio, CFBAI staff periodically listened to Radio Disney, which is generally recognized as the only radio programming primarily directed to children under 12. For print publications, CFBAI staff examined all food and beverage ads in at least 100 issues of 11 print titles

popular among children under 12.⁶⁸ Our review also included a publication printed in Spanish.

CFBAI staff also monitored an extensive list of third-party websites primarily directed to children under 12. Our list was based on sites that participants report using as well as sites that are facially directed at children or reported in the media as child-directed sites. We also periodically reviewed participants’ websites, focusing on sites and micro-sites primarily directed to children under 12. A table of company-owned websites primarily directed to children under 12 is included as Appendix E.⁶⁹ We also reviewed child-directed games on company-owned and third-party sites to verify whether the food and beverage products properly were limited to pledge-approved products. A summary of child-directed participant games is attached as Appendix F. This appendix also notes the healthy lifestyle messaging that accompanies many interactive features or that is otherwise included on participants’ child-directed sites.

B. Assessment

Based on our extensive review of the companies' reports and accompanying documentation, and our own monitoring, we have concluded that the 12 companies that implemented their pledges last year were substantially in compliance with their pledges. In all instances where BBB or the participant flagged an issue, appropriate steps were taken to remedy the situation. Our review also indicates that the three participants with future implementation dates worked diligently so they would be in compliance on January 1, 2009.

The compliance reports show that all of the participants educated and/or trained company staff and outside partners on their pledge obligations, and are continuing their education efforts to ensure ongoing compliance with their pledges. The participants also reported that the compliance reporting process is a useful tool for internal auditing, requiring them to assess the effectiveness of their educational efforts and determine whether their internal policies and procedures need refining. As explained below and in the company-specific sections, there were some initial implementation issues for newly implementing participants, and there were a small number of other mistakes and oversights. In no instance did we find or conclude that there were willful or egregious breaches.

- **Company-owned websites primarily directed to children under 12.** These sites generally are very extensive and dense with content and completely eliminating non-qualifying products and references was a complex, challenging task. The companies reported or BBB found that, in a handful of instances, some companies did not timely remove all displays of all products that did not meet their nutrition criteria, or references or links to such products. In a few cases, some websites briefly included products that were undergoing reformulation to meet the company's nutrition criteria, but did not yet meet the criteria. Another concern was raised by a section of a company-owned website that was adult-targeted but accessible and possibly appealing to children.

- **Technical reporting issues.** In implementing or preparing to implement their pledges, the companies learned or BBB discovered that, on some occasions, products that had not been submitted to BBB for review in advance were advertised to children. We concluded this was a technical, not a substantive, issue because the advertising itself had been limited properly to products that met the company's previously-approved nutrition criteria. Similarly, one company did not timely inform the CFBAI of revisions to its nutrition criteria, which resulted briefly in advertising for products that did not meet its previously approved criteria. The companies responded by tightening up their reporting controls and/or engaging in additional training.

Our review also identified a couple of minor issues involving radio and print. These problems are described in the individual company evaluation sections. Nothing in the compliance reports suggested there was any reason to question or to be concerned about adherence to pledge commitments on in-school advertising or product placements. Two instances involving advertising in schools were simply mistakes, and were promptly addressed when the companies became aware of the problems. Regarding product placements, many of the companies voluntarily provided information or data on product placements to show that their placements were or are not on media primarily directed to children under 12.

Our review did not indicate any compliance issues with advertising on television, which represented the vast majority of the advertising that was conducted. As with last year's review, BBB's independent monitoring of advertising on television found some instances where non-approved products had appeared on child-directed television programming (as defined by each participant). We comprehensively followed up with each of the relevant companies and concluded that there were not, in fact, any compliance issues. As before, unpredictable variations in audience demographics between time of purchase and time of airing usually accounted for the problem.

Our follow-up with participants was generally based on ads we observed on *programs* with a certain percentage of children ages 2-11, at *time of airing*. The participants' media purchases are based on annualized audience composition at *time of purchase* (based on historical data), generally on a "run of schedule" (ROS) basis for particular *dayparts*, e.g., 10 pm to 4 am, Monday-Friday, not particular programs. Buying media on a ROS basis is commonplace, as is making decisions based on audience composition at time of purchase, which the CFBAI principles expressly acknowledge (see Appendix A).⁷⁰ Because of this and to provide certainty and predictability, the CFBAI assesses compliance based on audience composition based on time-of-purchase data (when audience composition is the basis of the participant's definition).

For several companies, for a handful of ads, we found that a particular program within a daypart had obtained a higher than normal K2-11 audience, at the time of airing, than that daypart as a whole was expected to generate at the time it was purchased. For example, at time of purchase, the average K2-11 audience composition in a particular daypart on a particular network may have been quite small, but unexpectedly was much higher on a particular program on which the ad appeared within the daypart at the time of airing.⁷¹ The particular K2-11 audience compositions at that point in time then fell into several participants' definition of advertising primarily directed to children. Because the participants, as permitted, had relied on audience composition based on information at time of purchase to direct ads to teen or adult audiences, not children 2-11, these ads did not violate any pledge. Due to the companies' diligence regarding monitoring their advertising placements and time of airing data, these instances constituted an extremely small percentage of the companies' total advertising volume.

In other instances when advertising for non-pledge approved products intentionally appeared on children's programming, our review of the creatives and media plans confirmed that the ads were adult-

targeted and thus permitted by those participants' pledges.

Part C reports on the following 12 companies that implemented their pledges during 2008:

- Burger King Corp.
- Cadbury Adams USA LLC
- Campbell Soup Company
- The Coca-Cola Company
- ConAgra Foods, Inc.
- General Mills Inc.
- Hershey Company
- Kraft Foods Global, Inc.
- Mars, Inc.
- McDonald's USA
- PepsiCo, Inc.
- Unilever.

Part D reports on the steps that three other participants took to prepare for full implementation of their pledges and how, in some instances, they implemented portions of their pledges. The companies covered in this part of the report are:

- The Dannon Company, Inc.
- Kellogg Company
- Nestlé USA.

C. Companies That Implemented Their Pledges During 2008

The twelve companies with pledges in effect during some or all of 2008 met or substantially met their obligations under their pledges. In no instance did we find willful or egregious problems. Instead, the problems related more to transition issues tied to timing of product reformulations, or minor oversights or mistakes. The problems were corrected by the company when self-identified, or as soon as the error was called to the company's attention.

BURGER KING CORP.

Pledge Background and Developments

Burger King Corp. (BKC) joined the Initiative in September 2007. It pledged that, starting on December 31, 2008, 100% of its advertising in measured media would be for better-for-you Kids Meals, meeting nutrition criteria based on the 2005 Dietary Guidelines for Americans and other public health recommendations, and that BBB had approved. On June 30, 2008, six months in advance of its scheduled implementation date, BKC began advertising a Kids Meal that was compliant with its nutrition criteria. The new Kids Meal consisted of KRAFT® Macaroni & Cheese, BK® Fresh Apple Fries (which provide a ½ cup or one serving of fruit) with low-fat caramel dipping sauce, and HERSHEY'S Low-Fat milk (which provides a serving of low-fat dairy).

BKC subsequently enhanced its pledge and included additional foods. On October 13, 2008, with BBB's approval, BKC amended its Pledge to allow advertising for the individual side dish or beverage that is part of an approved Kids Meal. On November 19, 2008, BKC strengthened its nutrition criteria for Kids Meals by adding a 600 mg sodium limit, and a requirement that the meal provide a good source of at least two beneficial nutrients (calcium, fiber, potassium, magnesium, Vitamin E).⁷² During 2009, BKC added three additional Kids Meals that meet its nutrition criteria, and transitioned to fat-free white milk from 1% low-fat white milk in its restaurants nationwide.⁷³ In August 2009, BKC further strengthened its pledge by committing to advertise only its approved Kids Meals in its "In-Restaurant Merchandising" primarily directed to children under 12.⁷⁴

Appendix H includes screen grabs showing the evolution of BKC's Kids Meal advertising from 2004 to the present. These screen grabs show how in the past advertising for Kids Meals included depiction of soft drinks and french fries. Now its advertising is exclusively for Kids Meals that meet stringent nutrition criteria as described above.

Participant's Pledge Implementation and Oversight Actions

BKC has taken a number of actions to develop, implement and oversee its nutrition and marketing policies, including pledge compliance. For example, BKC has formed a Nutrition Advisory Panel composed of five outside scientific advisors to provide it additional guidance on nutrition and development of the *BK Positive Steps*SM nutrition program,⁷⁵ current activities and product development. For pledge implementation, in February 2008 it held a nutrition summit for key BKC internal and external agencies to review the BKC pledge and compliance requirements. BKC also is requiring its agencies to provide it with a monthly compliance report on all activities taken on BKC's behalf with respect to nutrition initiatives and pledge compliance. Finally, BKC's implementation activities include both legal and nutrition review of its criteria and advertising on an ongoing basis.

CFBAI Evaluation

Based on our review of BKC's compliance report and our independent monitoring, we have concluded that the company has met its pledge obligations.

Measured Media and Company-Owned Websites.⁷⁶ BKC's report and accompanying documentation showed that its child-directed advertising, which occurred only on television⁷⁷ and third-party websites,⁷⁸ consisted of advertising for its approved Kids Meals.

BKC launched its child-directed website, www.ClubBK.com, in July 2008 at the time the company launched its approved Kids Meal.⁷⁹ The site includes a parent-directed section and nutrition information for approved meals. The site's landing page typically displays an approved Kids Meal or the approved side dishes. Branded food does not appear on other pages on the site, although one game depicts apples, milk and cheese.

Licensed Characters. BKC uses third-party licensed characters in conjunction with the promotion of its Kids Meals. These characters typically are related to the premium offered at the

point-of-sale with the purchase of a Kids Meal. BKC's advertising primarily directed to children under 12 included depictions of the premiums in conjunction with only the approved Kids Meals, as required by its pledge.

Interactive Games. The *ClubBK*SM website features interactive games, but these do not include any branded food or beverage products.⁸⁰ One game featured on the micro-site, "Feed Brian's Cousins," incorporates generic food (milk, apples and cheese), and requires that players drag and drop food to color-coordinated creatures. BKC also reported that it did not promote its products in any third-party interactive games primarily directed to children.

Product Placement. BKC reported that it did not approve, pay for, or actively seek placement of its food or beverage products in the program or editorial content of any medium primarily directed to children under 12.⁸¹

Advertising in Elementary Schools. BKC reported that it did not engage in advertising for any of its products in elementary schools during 2008.

CADBURY ADAMS USA LLC

Pledge Background and Developments

Cadbury Adams (“Cadbury”) was one of the original Initiative members, joining in November 2006. It originally committed, starting on March 31, 2008, either to not advertise its Bubblicious brand of gum to children (the only company brand that had engaged in such advertising), or to devote at least 50% of its advertising for a better-for-you version of the product. In March 2008, Cadbury informed the CFBAI that it would no longer advertise its Bubblicious brand in advertising primarily directed to children under 12, and that it had already stopped such advertising earlier in the year.

Participant’s Pledge Implementation and Oversight Actions

Cadbury reported that its marketing code is integrated into how its marketing team operates. For example, Cadbury has provided its advertising agencies with a copy of its code. New employees are provided with a copy of Cadbury’s marketing code and its marketing team participates in an annual forum that reinforces the company’s guidelines. To ensure that its media buys comport with its pledge, Cadbury assesses audience composition prior to selecting or changing media properties for its brands and requires ongoing audience assessments so it can adjust buys as necessary.

CFBAI Evaluation

Based on our review of the company’s compliance report and our own monitoring, we have concluded that Cadbury has met its pledge obligations.

Measured Media and Company-Owned Websites. Cadbury did not advertise Bubblicious in measured media or on company-owned websites primarily directed to children under 12.⁸²

Accordingly, it did not use licensed characters in advertising primarily directed to children under 12.⁸³ In keeping with its commitment to not advertise in any medium where the majority of the audience is under 12, Cadbury reported that it purchases television advertising on networks during dayparts where over 50% of the audience is over 12. The

company also is sensitive to when ads are placed during shows (e.g., at the beginning of a program), to ensure that fluctuations in audience demographics during transitions between shows do not result in advertising to a majority under 12 audience.

Product Placement. Cadbury reported that it did not have any product placements in child-directed media.

Advertising in Elementary Schools. Cadbury reported that it did not advertise any of its products in elementary schools. As permitted by the CFBAI, Cadbury does provide schools with educational materials to encourage good oral health practices. The materials, which identify Trident® sugar free gum (a Cadbury brand) as the sponsor, are clearly directed at parents and discuss Trident’s three-year sponsorship of the Smiles Across America program with Oral Health America.⁸⁴ Cadbury also partners with Oral Health America and other groups to provide oral health care at schools for children who otherwise might not receive this care.

CAMPBELL SOUP COMPANY

Pledge Background and Developments

Campbell Soup Company (“Campbell”) was one of the Initiative’s original participants, joining in November 2006. It committed to advertising only better-for-you foods and was one of the six companies that implemented its pledge in 2007. In the latter part of 2008 the company amended its pledge to adopt a more rigorous 480 mg sodium level for most of its kid soups.⁸⁵ This amount meets the FDA’s sodium criterion for use of the claim “healthy” in individual foods. The amended pledge reflects the progress made in reformulating its soups advertised primarily to children, and represents an average reduction of 21% from the prior sodium levels.⁸⁶ In 2008, Campbell’s subsidiary, Pepperidge Farm, Incorporated, also reformulated its line of *Flavor Blasted® Goldfish®* crackers to reduce the fat level so they now meet its nutrition criteria.⁸⁷ Now approximately 80% of its *Goldfish®* crackers meet its nutrition criteria.

Participant’s Pledge Implementation and Oversight Actions

Campbell reported that its Legal Department has created a document entitled “Legal Issues in Creating Advertising,” which describes the company’s responsibilities in advertising to children. The legal department reviews this document with marketing staff in annual training programs. In addition, Review Boards at Campbell and Pepperidge Farm familiar with the company’s pledge commitments review and approve all advertising in traditional media and web-based communications prior to publication or communication. Finally, all advertising to children under 12 anywhere in the world is subject to senior executive review and approval pursuant to its Global Guidelines for Responsible Advertising to Children.

CFBAI Evaluation

Based on our review of Campbell’s compliance report and our own monitoring, we have concluded that the company has met its pledge obligations.

The CFBAI’s 2007 Report, which focused on the July–December 2007 reporting period, also addressed some issues that Campbell reported or that BBB identified that carried over from 2007 activities or occurred early in 2008. For this reason, issues addressed in more detail in the July 2008 Report are mentioned only briefly in this evaluation.

Measured Media and Company-Owned

Websites. During the first half of the reporting period, Campbell’s snack cracker advertising directed primarily to children under 12 was limited to its *Pepperidge Farm® Cheddar Goldfish* crackers. During this period, Campbell also advertised various pledge-qualified soups and its *SpaghettiOs™* Meatball canned pasta. Following reformulation of its *Flavor Blasted® Goldfish®* crackers to meet its nutrition criteria in June 2008, the company added television advertising and ran a print ad in November 2008 for this product line. In the second half of 2008 the only soups advertised on television were three newly reformulated soups meeting the company’s 480 mg sodium limit.⁸⁸

As reported in the CFBAI 2007 Report, in 2007 and early 2008 Campbell revised certain online and print product line brand (“equity”) advertising because not all the varieties within the product lines met its nutrition criteria. CFBAI has advised participants that open-ended logo only advertising for brands or product lines that include both qualifying and non-qualify products generally should not be used.⁸⁹

Since then Campbell’s advertising has been limited to pledge-approved products. Thus www.pfgoldfish.com used the *Pepperidge Farm® Goldfish* characters⁹⁰ and only the *Cheddar Goldfish* logo. Similarly, www.myslurp.com featured only qualifying products, such as the *Chicken & Stars* and *Double Noodle®* soups and *SpaghettiOs™* Meatballs.⁹¹ A “shopping list” interactive activity on www.myslurp.com featured only pledge-qualified foods as well as non-branded foods, including bananas, celery, milk and bread.⁹² Both www.myslurp.com and www.pfgoldfish.com allow visitors to view commercials, all of which depicted only pledge-qualified foods.⁹³

Licensed characters. Campbell reported that it used third-party licensed characters in advertising and on its child-directed websites only in conjunction with soups and canned pasta products that met its nutrition criteria. For example, several pledge-approved soups that feature licensed characters were advertised on www.myslurp.com, in TV ads, and in other promotional activities related to the “Tales of Desperaux” movie. Additionally, the shopping list activity on www.myslurp.com included a depiction of the pledge-approved Dora the Explorer Shaped Pasta with Chicken Soup.

Interactive Games. Both of Campbell’s child-directed websites, www.myslurp.com and www.pfgoldfish.com, included interactive games featuring either pledge-qualified foods or non-branded healthy foods. For example, on www.myslurp.com, the “Souper Slide” game involves a ride down a soup waterslide⁹⁴ on a grilled cheese sandwich wedge. During the game the player tries to pick up what appear to be Cheddar *Goldfish* crackers. As noted above, a shopping list activity involves pledge-qualified foods and non-branded foods.

Product Placement. Campbell reported that it directs its agency to place products only against adult properties and to avoid any that may be perceived as being primarily directed to an audience of children under 12. In addition, Campbell does no product placement for its *Goldfish* crackers.

Advertising in Elementary Schools.⁹⁵ During the reporting period Campbell did not engage in product advertising in elementary school. It did distribute two items intended to help reward positive behavior or to be educational.⁹⁶ Neither item included a sales message or referred to a specific or branded food product. Under the Initiative’s Elementary School Principles, these materials do not constitute advertising.

As permitted by the charitable fundraising exclusion to the CFBAI Elementary School principles, Campbell conducts its parent and gatekeeper-targeted Labels for Education program in schools.⁹⁷ This program donates equipment and educational supplies to schools based on redemption of proof of purchase of qualifying soups. Collection boxes in the schools identify the sponsor or depict program-eligible products.

THE COCA-COLA COMPANY

Pledge Background and Developments

The Coca Cola Company was one of the original CFBAI participants, joining in November 2006. Its pledge, which was effective in July 2007, continued its longstanding commitment to not engage in advertising primarily directed to children under 12.

Participant's Pledge Implementation and Oversight Actions

The company reported that it communicated its pledge obligations to all relevant employees, agents and key bottlers. It also created a Marketing to Kids (M2K) policy webinar training and made it available to all associates and its relevant partners. The training details the company's policies and provides additional sources of information should the viewer have questions. Additionally, the company reported that it has legal and marketing intranet sites that contain detailed information regarding its pledge obligations and its M2K policy to assist employees with compliance.

CFBAI Evaluation

Based on our review of the Coca-Cola Company's compliance report and our own monitoring, we have concluded that the company has met its pledge obligations.

Measured Media and Company Owned-Websites. To implement its commitment to not engage in child-directed advertising, the company primarily uses a 50% K2-11 audience benchmark at time of purchase to determine what media is primarily directed to children under 12. As a matter of policy and practice, the company also avoids media buys on networks or other media that skew primarily to K2-11, even though it is possible that certain programs or dayparts may not meet its 50% benchmark.

Additionally, although the company purchases media on a run of schedule basis in time-period blocks known as dayparts, it instructs the networks not to run any of its ads in individual programs during the daypart in which the audience

composition historically has been at least 50% K2-11. For new programs, the company monitors composition data at time of airing and adjusts its instructions if necessary.

The Coca-Cola Company voluntarily provided data on its review of television audience data at time of *airing*.⁹⁸ These data show that, notwithstanding the company's efforts, a very small number of ads appeared on programming that at time of airing had more than 50% K2-11 composition. Based on our review these occurrences were completely random and unpredictable. Further, the careful monitoring the company conducts of time of airing data reduced the number of such ad occurrences in 2008 to an even smaller number than during 2007. Overall, the number of such occurrences was an infinitesimal amount of the company's total ad occurrences.

The Coca-Cola Company does not maintain any websites that are primarily directed to children under 12.

Product Placement. The company reported that it did not feature any of its products within the editorial or entertainment content of any media primarily directed to children under 12.

Advertising in Elementary Schools. The company reported that it did not advertise its products in elementary schools.⁹⁹

CONAGRA FOODS, INC.

Pledge Background and Developments

ConAgra Foods joined the CFBAI in fall 2007. Its pledge, announced in March 2008, committed that its advertising would focus on better-for-you foods as defined by its Children's Advertising Nutritional Guidelines. These guidelines set limits on calories, fat, sodium and sugar, and established positive nutrient and food group requirements (e.g., 10% DV for at least one nutrient and half servings of fruit, vegetables, low-fat dairy or whole grain) for five product categories (meals; canned pasta; pudding; nuts, seeds and peanut butter; and popcorn).

The company had reserved the right to use healthy lifestyle messaging in connection with products (as permitted by the CFBAI) to meet a 100% advertising commitment. It never, however, used this option and on August 21, 2009 it informed BBB of its decision that it would no longer retain such messaging as a compliance option.

Its commitments for no product placement and no advertising in elementary schools went into effect in June 2008,¹⁰⁰ and its other advertising obligations for its *Kid Cuisine*, *Peter Pan* and *Hunt's Snack Pack* brands went into effect in September 2008.¹⁰¹ Its measured media, company-owned website and interactive game commitments for the *Chef Boyardee* brand were scheduled for implementation in June 2009.

Participant's Pledge Implementation and Oversight Actions

ConAgra Foods announced its pledge commitment to all employees on a company intranet site on March 5, 2008, along with an explanatory article and a complete copy of the pledge. In April 2008 the Chief Marketing Officer of the company circulated to all marketing and brand personnel the entire pledge and an explanatory summary. All recipients were required to review the pledge and return an acknowledgement of its receipt and review.

ConAgra Foods' legal personnel, who are responsible for advertising review, also are trained and educated

regarding its specific pledge commitments. They held pledge training sessions and quarterly meetings with each of the businesses that engage in advertising to children to coordinate pledge implementation. Additionally, the legal department communicated and met with ConAgra Foods' media planning/buying team and its media buying agencies about the company's pledge commitments.¹⁰² The legal department also is responsible for reviewing and clearing all advertising, marketing and sales communications prior to dissemination to ensure compliance with all laws and regulations, including pledge compliance. The company also has advised its outside advertising/regulatory counsel of its pledge commitments.

CFBAI Evaluation

Based on our review of ConAgra Foods' compliance report and our own monitoring, we have concluded that the company has met its pledge obligations and appropriately and timely addressed the minor issues that arose during the pledge implementation process.

Measured Media and Company-Owned

Websites. Since its September 1, 2008 implementation date, ConAgra has advertised on television only products from its Kid Cuisine product line that met its CFBAI-approved nutrition criteria.¹⁰³ ConAgra did not disseminate any print or radio ads in 2008.

The company identified two company-owned websites as containing advertising primarily directed to children under 12: www.kidcuisine.com and www.peterpanpb.com.¹⁰⁴ Both of these websites also include content directed to and labeled for adults to distinguish such content from the child-directed content.

ConAgra self-reported several minor issues related to its Kid Cuisine website. A game featured on the Kids Cuisine kids' micro-site, "KC's Fill the Freezer," involved the player moving back and forth trying to catch as many Kid Cuisine entrees as possible. Although the product depictions were very small and

identifying the specific products involved was difficult, one of the two entrees—the Cheeseburger Builder—did not meet the company’s nutrition criteria until it was reformulated in December 2008. Consequently it erroneously appeared on the website before it met all the company’s nutrition criteria. The reformulated and pledge-qualified version of the Cheeseburger Builder (“KC’s Constructor”) became available in stores in January 2009. Because the period that the game included a non-qualifying product was brief (September–December) and the non-qualifying product depicted was not visually prominent, we do not consider this a significant compliance issue.

ConAgra Foods also quickly resolved a second minor issue involving the Kid Cuisine website when we brought it to the company’s attention. The www.kidcuisine.com homepage is divided into three parts. One area is designated the “Kid Zone” and another area is labeled “Parent’s Corner.” A third section was captioned “New Meals, New Tastes” and stated “Check them out.” Clicking on “Check them out” linked the visitor to nutritional information for the Kid Cuisine products, which includes one entrée that does not qualify under the company’s nutritional profile.¹⁰⁵ Children visiting www.kidcuisine.com (for example, as a result of clicking on a banner ad that appeared on a third-party kid-directed website) thus might see the “Check them out” language as directed to them. Once on the nutritional profile section of the website, children could view depictions of all of the Kid Cuisine products, including the non-qualifying product. To better ensure that the depiction of the one non-qualifying product would not be perceived as directed to children under 12, the company added “Mom, check it out” to clarify that the section is directed to adults.¹⁰⁶

The Peter Pan website did not have any compliance issues. The “For Kids” section of the website contains an interactive game that features a generic Peter Pan peanut butter product. Because all Peter Pan products qualify under the company’s nutrition criteria this is acceptable.

Licensed characters. ConAgra Foods reported that it restricted its use of licensed characters in measured media primarily directed to children under 12 to its better-for-you products. During the reporting period, ConAgra Foods participated in a joint sweepstakes promotion with Nickelodeon that featured the company’s pledge-approved Sponge Bob Square Pants Chicken Breast Nuggets. The promotion featured the Sponge Bob character and other characters from the animated show on the landing page of www.kidcuisine.com.

Interactive Games. The Kid Zone micro-site on www.kidcuisine.com included several interactive games in its “Fun-O-Matic” area during the reporting period. As discussed above, ConAgra Foods self-reported and addressed the one issue associated with the Fill the Freezer game. Other games featured non-branded food images. These games included KC’s Food Power (which involved matching generic foods from the same food groups) and Mission: Nutrition (which involved finding fruits among other objects wearing infra-red or night vision goggles). The Fun-O-Matic area also included downloadable directions for a variety of active outdoor kids’ games, including Capture the Flag, Dragon Tag and a basketball game.

Product Placement. ConAgra Foods reported that, as of June 1, 2008, as specified in its pledge, it did not pay for or actively seek out any product placement in the program or editorial content of any child-directed medium. Any such placement that aired or was published in 2008 arose from arrangements made prior to the June 2008 implementation date.

Advertising in Elementary Schools. As permitted by the CFBAI’s “Food and Beverage Display” exclusion from the Elementary School Principles, ConAgra Foods provided schools with menu displays for posting in the serving areas of cafeterias on days when Chef Boyardee ravioli was being served.

ConAgra Foods also reported that it had erroneously sent 34,000 Hunt's Snack Pack branded brown lunch bags to thirteen brokers for distribution to schools between September-December 2008. Because the CFBAI does not allow branded promotional materials to be distributed to students in elementary schools, when it learned of this error, the company put a hold on distribution of these sacks. The remaining bags were then distributed to a food bank.

ConAgra Foods also reported that it revised its loyalty program to school districts by removing all branding from its premium giveaways for school administrators, personnel and children, effective June 1, 2008. The Initiative's Elementary School Principles do not cover this type of giveaway or donation of items because the items do not bear advertising or branding messages.¹⁰⁷ Additionally, the company reported information about permissible materials and samples that it provided to school administrators offsite. Specifically, it provided school staff with Chef Boyardee branded squeezable stress hats and samples of Hunt's Snack Pack pudding at food shows.

GENERAL MILLS INC.

Pledge Background and Developments

General Mills was one of the Initiative's charter members, joining in November 2006. It pledged that 100% of its child-directed advertising¹⁰⁸ would be for better-for-you products and that it would be in complete compliance by December 31, 2008. As the basis for its pledge nutrition criteria, General Mills uses its "Healthy Dietary Choice" standard, which it applies across all types of General Mills products, and a "sugar guideline" that requires that products have 12 grams or less of sugar per serving (exclusive of naturally occurring sugars from dairy, fruit, and vegetables).

Following the announcement of its pledge in July 2007, General Mills stopped advertising numerous products and began reformulating several products advertised primarily in media directed to children under 12. In 2008, the company reformulated its Trix and Chocolate Lucky Charms cereals, and its Yoplait Trix yogurt (all of which already met its Healthy Dietary Choice standard), so that they met the sugar guideline.¹⁰⁹ As a result, the products respectively have one, two and three fewer grams of added sugar (eight to 20 percent less).¹¹⁰ It also reformulated child-oriented cereals that are not advertised to children under 12. As a result of these reformulations, the company reported that, by the end of 2008, all of its "kid" cereal (advertised and non-advertised) met its Healthy Dietary Choice standard and sugar guideline.

Participant's Pledge Implementation and Oversight Actions

After its pledge was announced, the company made changes in its marketing practices, advertising development and approval procedures, and product development parameters to implement the pledge. The company's pledge requirements are incorporated into its Marketing Guidelines, which it has provided to CFBAI. These guidelines are provided to marketing and other relevant personnel who are required to review the guidelines and pass an online quiz. Additionally, outside advertising, media buying, Internet/interactive, brand design,

promotion, and multicultural marketing and public relations agencies that may be involved in advertising to children under 12 receive the Marketing Guidelines. The company also has a Child Marketing Review Council, composed of senior management, that reviews advertising plans and questions to ensure compliance with the guidelines. The review process for child-oriented marketing activity requires final approval by a marketing vice president and the Law Department.

CFBAI Evaluation

Based on our review of the company's compliance report and our own monitoring, we have concluded that General Mills met its commitment to fully implement its pledge by the end of 2008.

Measured Media and Company-Owned Websites. General Mills' report and the extensive accompanying documentation showed that its television, radio, print and third-party websites' child-directed advertising complied with its pledge commitments. Although full compliance was not required until the end of 2008, its print and radio advertising throughout the year were only for products that met its nutrition criteria and sugar guideline. Similarly, much of its third-party Internet advertising during 2008 was limited to such products.

In addition to product advertising, General Mills worked with Nickelodeon to disseminate to children under 12 its "Mighty Giants" television spots, which feature healthy lifestyle messages. These messages are delivered on the network and online at www.nick.com and on a General Mills website, www.mightygiants.com, and do not include branded products.

General Mills has numerous company-owned websites that are primarily child-directed. As of December 2008, these websites include only qualifying products (or unbranded products). In addition, it has two child-directed websites focused solely on healthy lifestyle messaging. Neither includes or references branded products. The General Mills site, www.choosebreakfast.com,

teaches kids the importance of a nutritious breakfast.¹¹¹ At www.mightygiants.com, the company's equity characters, Sprout and the Jolly Green Giant, promote good nutrition and exercise. See sample screen shot below.

Figure 3: Screen Shot of General Mills Healthy Lifestyle Messaging



Licensed characters. General Mills used third-party licensed characters in advertising primarily directed to children under 12 only for products that met its nutrition criteria and sugar guideline.¹¹²

Interactive Games. Most of the General Mills websites that are primarily directed to children under 12 contain interactive games and other interactive features. By the end of 2008 all the products met the company's nutrition criteria and sugar guideline. One of the games on www.millsberry.com is a grocery store activity. It allows children to shop from the five major food groups and encourages them to create a balanced diet. The products shown include branded products that meet the company's nutrition criteria and sugar guideline and, unbranded products, such as produce, meat and fish.¹¹³ All of the company's child-directed websites include a 30-minute "activity break" that pauses the online activity to encourage children to engage in another "more active" activity.

Product Placement. General Mills reported that it did not pay for or actively seek out product placement in the program/editorial content of any child-directed medium primarily for the purpose of promoting the sale of those products.

Advertising in Elementary Schools. General Mills did not engage in advertising in elementary schools.¹¹⁴ As permitted by the CFBAI, General Mills operates its Box Tops for Education program, which, although present in schools (K-8th grade),¹¹⁵ is primarily targeted to parents and gatekeepers. The Box Tops collection boxes do not contain product messages, General Mills equity characters, or product brand images.

Additionally, as permitted by the CFBAI, the General Mills Bell Institute of Health and Nutrition offers nutrition and physical fitness resources to schools under the "public service messaging" exemption. It also makes available to teachers a "Go With the Whole Grain for Kids" curriculum to help children learn about the benefits of whole grains and how to incorporate them into their diets. The materials do not contain sales messages or feature branded products and thus fall outside the scope of the Initiative.

General Mills also provides schools with display racks, only upon request, that include product names and/or product pictures for the purpose of identifying and storing products.

HERSHEY COMPANY

Pledge Background and Developments

The Hershey Company was one of the CFBAI's charter members, joining in November 2006.

Although participant pledges were formally announced in July 2007, Hershey implemented its commitment to not engage in any child-directed advertising for its products in January 2007.

Participant's Pledge Implementation and Oversight Actions

The company's pledge commitments are incorporated into its Global Marketing Principles, which are disseminated to its media agency planning and buying personnel. Hershey's Communications/Advertising Review Board, which consists of representatives from the legal, nutrition, consumer relations, public relations and marketing areas, reviews all advertising and communications materials for pledge compliance prior to distribution. In addition, Hershey employees review all television programs, magazine titles and websites that are being recommended by Hershey's media agency prior to purchase.

CFBAI Evaluation

Based on our review of the company's compliance report and our own monitoring, we have concluded that Hershey has met its pledge obligations.

Measured Media and Company-Owned

Websites. Under Hershey's pledge, the company will not purchase advertising in media for which at least 30% of the annual audience is under 12 or on programming traditionally considered children's programming. Hershey voluntarily reported data indicating that a very small number of commercials ran in programming where more than 30% of the audience was under 12 at time of *airing*.¹¹⁶ Hershey reported that, at the time of *purchase*, these programs were expected to deliver a smaller audience of children under 12. As noted previously, the CFBAI evaluates compliance based on the audience composition predicted at the time of purchase, not airing, because there can be unpredictable fluctuations between the two. Further,

none of the ads appeared on networks or programming traditionally considered children's programming. Accordingly, these ad occurrences did not constitute violations.¹¹⁷

Hershey does not maintain any websites that are primarily directed to children under 12.

Product Placement. The company reported that it had a pre-existing policy of not actively seeking or participating in paid product placement in media primarily directed to children under 12, and that it has continued this policy.

Advertising in Elementary Schools. Prior to joining the Initiative, Hershey already had implemented a policy of not advertising in elementary schools. As it has for many years, the company makes available to school and recreation center coaches a teaching kit that presents track and field skills in a fun way. This kit also includes, for children, baseball-like cards with pictures of famous athletes and tips from them on how to excel in a sport. The kit materials contain the name of the program, "Hershey's Fast Track to Sports," but they do not advertise any product and are thus outside the scope of the Initiative.

KRAFT FOODS GLOBAL, INC.

Pledge Background and Developments

Kraft Foods was one of the CFBAI's charter participants, joining in November 2006. Its pledge reiterated its already in-place commitment that 100% of its advertising primarily directed to children under 12 in measured media would be only for foods meeting its "Sensible Solution" nutrition criteria.

During 2008 Kraft Foods reformulated several products and added others to its approved product list for child-directed advertising. It reformulated its Capri Sun juice drink beverage products to reduce the sugar content. Kraft Foods also added the Soccer Ritz Bits cracker sandwiches, which have 33% less fat than the Original Ritz Bits crackers and provide 5 grams of whole grain. Since joining the CFBAI, Kraft Foods also has reduced the sodium limit in its *Sensible Solution* "convenient meals" category, which includes Lunchables, to 840 from 960 mg.¹¹⁸

Participant's Pledge Implementation and Oversight

Kraft Foods communicated its pledge commitments to its business units, Corporate Affairs office and the Legal Department via presentations, meetings, decks, memos and emails. Each of the company's business units has a copy review board, which include a business unit counsel and a corporate affairs representative. All of Kraft Foods' advertising runs through the applicable review board to ensure compliance with applicable laws, regulations and pledge commitments.

CFBAI Evaluation

Based on our review of Kraft Foods' compliance report and our own monitoring, we have concluded that it substantially met its pledge obligations. A few minor problems occurred, as described below.

Measured Media and Company-Owned Websites. Kraft Foods' report and supporting documentation indicate that, with only a couple of small exceptions, the company limited its advertising to *Sensible Solution* products in measured media primarily directed to children under 12.¹¹⁹

For television, Kraft Foods' committed to advertising only *Sensible Solution* products when the daypart has more than 35% children under 12, or is a traditional kids' viewing time. As a result, Kraft Foods limited its advertising to *Sensible Solution* products even during programming or dayparts in which the under 12 audience composition was well under 35%.

In addition to product-focused advertising, Kraft Foods sponsored some television advertising that focused on healthy lifestyle messaging and which identified Kraft Foods *Sensible Solution* brands as the sponsors. Specifically, Kraft Foods participated in Nickelodeon's "Show Us Your Moves" campaign, which encouraged children to engage in vigorous physical activity or sports. Kids could upload videos of themselves performing their "moves" to nick.com, which selected top performers. Winners were featured in television ads that showed them engaging in sports such as gymnastics or martial arts, drinking water, and eating fruits and vegetables. Voiceovers at the end of the ads noted that they were "brought to you by..." various Kraft Foods pledge-approved *Sensible Solution* products, including Kool-Aid singles and Macaroni & Cheese Spirals.

Kraft Foods also properly limited advertising on several company-owned websites and third-party websites that are primarily directed to children under 12 to *Sensible Solution* products. The online advertising included banner ads and streamed video of its child-directed 2008 television commercials.

Kraft Foods' child-directed print advertising met its pledge obligation except for a limited promotion of a sweepstakes related to Nickelodeon's Kids Choice Awards Show. As part of this promotion, Kraft Foods ran three print ads that depicted Ritz Bits Soccer crackers and Capri Sun Roaring Waters packages, where access codes to be used for online contest registration were located. Text in the February and May ads directed kids to packages of Capri Sun or Ritz Bits sandwiches. However, the March ad also inadvertently mentioned Kraft Foods' Cheese Nips product, which is not a *Sensible Solution* product.

Kraft Foods reported that this was a mistake that appeared only in this one print ad.

Kraft Foods reported one other problem that occurred in measured media. One adult-focused ad for Stove Top (not a *Sensible Solution* product) ran on Radio Disney, which is child-focused, in error a small number of times during March 2008.¹²⁰ The company had produced the radio ad as part of a larger campaign for Stove Top that included both print and radio. Placement on Radio Disney occurred as a result of “bundling.” When a print ad was placed in an adult-targeted Disney magazine, the related radio ad was placed on Disney Radio. Kraft Foods reported that it has advised its media services group and its media placement agency to exercise additional caution in the future with these types of media tie-ins.

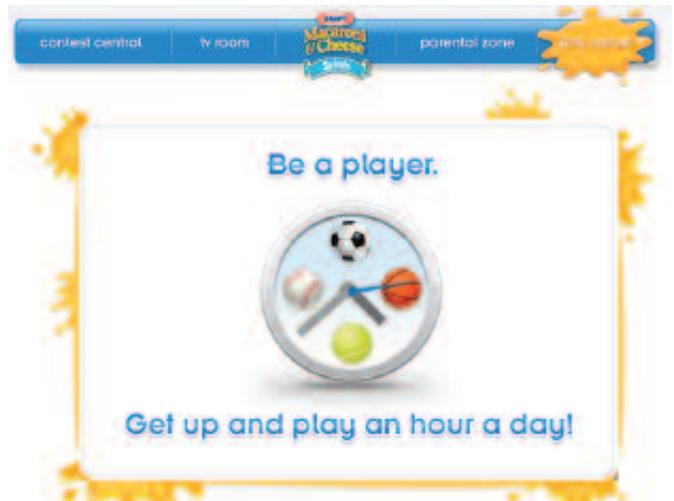
Licensed characters. As required, Kraft Foods limited its use of third-party licensed characters in advertising to children to *Sensible Solution* products.

Interactive Games. Four Kraft Foods child-directed websites included interactive games during the reporting period (www.lunchables.com, www.respectthepouch.com, www.beeboy.com, and www.postopia.com). When branded food was incorporated in these games, such products met the company’s nutrient criteria. These games featured an introductory sequence that promoted physical activity and a message that read “Be a player. Get up and play an hour a day.” See sample screen shot below.

Kraft Foods also placed some of these games on third-party websites directed to children. Additionally, the company created custom games featuring the *Sensible Solution* products Pebbles cereals and Ritz Bits Soccer Sandwiches for third-party sites such as www.neopets.com.

Product Placement. Kraft Foods reported that it did not pay for or actively seek out any product placement in the program/editorial content of any child-directed medium.

Figure 4: Screen Shot of Kraft Foods’ Healthy Lifestyle Messaging



Advertising in Elementary Schools.¹²¹ Kraft Foods reported that it did not conduct any advertising for its food or beverage products in elementary schools. It did participate in charitable fundraising activities in schools, as permitted by the CFBAI. Specifically, some of its brands participate in a program run by the company Terracycle, which recycles or “upcycles” used product wrappers into items such as tote bags or umbrellas, and offers them for sale on its website.¹²² Terracycle provides receptacles to participating organizations, which receive money based on the number of packages collected.¹²³ Because of Kraft Foods’ sponsorship, Capri Sun and Kool-Aid drink pouches may be upcycled as part of the program.¹²⁴

MARS, INC.

Pledge Background and Developments

Mars joined the Initiative in January 2007. Mars' original pledge committed not to place advertising for "traditional candy and snack products" in measured media or on company-owned websites primarily directed to children under 12. This pledge committed that any advertising would be limited to a separate line of "better-for-you" snacks that it had formulated to meet rigorous nutrition criteria. In March 2008, it amended its pledge to state that it would not advertise *any* products covered by the pledge commitment to children under 12.

Participant's Pledge Implementation and Oversight Actions

Mars reported that it made compliance with its pledge commitments a component of the company's Snack Communications Review Board, which is made up of representatives from the legal, marketing, advertising, consumer promotions, consumer relations and public relations areas, which reviews all consumer facing communications materials prior to execution. It has communicated these commitments to key personnel, including media buyers, agencies and external marketing agencies. Mars also has required U.S. marketing associates involved in pledge commitments to take computer-based training on the marketing code (which includes pledge commitments) in 2008 and to pass a test indicating understanding of it.

CFBAI Evaluation

Based on our review of the company's compliance report and our own monitoring, we have concluded that Mars has met its pledge obligations. It acted quickly to address an issue that arose and to ensure that the issue does not arise again.

Measured Media and Company-Owned Websites. Mars ceased purchasing advertising in measured media primarily directed to children under 12 in 2007. Although Mars was permitted to advertise a line of better-for-you snacks until it revised its pledge at the end of March, Mars did not do so at all in 2008. The company also does not

maintain any websites that are primarily directed to children under 12.¹²⁵

Mars reported that it purchases advertising for its traditional snack food and candy products that is primarily directed to adults and teens on a daypart basis (i.e., M-F 3-6 pm) and does not buy dayparts where it estimates the total child audience will exceed 25%.¹²⁶ The company also eliminates certain time blocks that would likely include *programs* with larger than anticipated under 12 audiences based on an evaluation of the prior year.¹²⁷

Despite these efforts, during the reporting period Mars ads appeared in certain dayparts and programs within dayparts that exceeded the expected audience at time of purchase. Our own monitoring efforts also found a few such instances during the second and third quarters of the reporting period. Television audience composition data Mars provided indicates, however, that the under 12 viewership for all dayparts purchased by Mars was well under its 25% benchmark. Indeed, even the audience for youth cable programming, intended to reach teens, had a total under 12 viewership that was less than 25%.

As noted previously, the CFBAI evaluates compliance based on the audience composition predicted at the time of purchase, not airing, because there can be unpredictable fluctuations between the two for both dayparts and individual programs within the daypart.¹²⁸ Accordingly, these ad occurrences did not constitute violations.

Nonetheless, Mars anticipates these possible discrepancies and monitors the demographics of its buys quarterly, adjusting them periodically. Based on the 2008 data showing child audiences above its strict threshold in certain programs, Mars has reported that it no longer airs advertising in certain additional time blocks and program hours in order to ensure that it does not advertise to children under 12.

Product Placement. Mars reported that it does not seek or authorize paid product placements in

television, films or other media primarily intended for children under 12.

Advertising in Elementary Schools.¹²⁹ In July 2008, Mars learned that two games featuring Mars' properties (e.g., M&M'S characters) appeared in a Scholastic catalog and a flyer distributed by Scholastic Inc. These materials are sent to elementary schools for distribution by teachers to parents, via students. Although the Scholastic program has a charitable fundraising aspect (schools earn "points" based on parent purchases that can be redeemed for books), Mars' policy is not to advertise its products in elementary schools. When it became aware of the situation,¹³⁰ Mars requested that Scholastic discontinue featuring any Mars branded products in its catalogs or flyers. Scholastic agreed to remove any such pictures and information in new print runs.¹³¹ Mars also reported that it changed its licensing contracts to reflect the company's commitment not to advertise its products in elementary schools.

McDONALD'S USA

Pledge Background and Developments

McDonald's was an original CFBAI participant, joining in November 2006. In January 2008 it fully implemented its pledge that 100% of its advertising in measured media would be for a meal that meets limits on calories, fat, saturated fat and sugar. As of January 1, 2008, the qualifying meal consisted of 4 piece Chicken McNuggets Happy Meal, low-fat white milk and Apple Dippers with low-fat caramel dip, which provides a serving of fruit and low-fat dairy, food groups the 2005 Dietary Guidelines for Americans recommend for greater consumption.¹³² In May 2008, McDonald's amended its pledge to incorporate two additional meals consisting of a Grilled Snack Wrap or a Snack Wrap with a Fruit n' Yogurt Parfait with granola and a bottle of water. The new meals provide over 25% of the daily recommended amount of protein. The yogurt parfaits are made with low-fat yogurt and are a good source of calcium and Vitamin C. The fruit in the parfait provides a half serving of fruit and the low-fat granola is made with whole grain rolled oats.

Participant's Pledge Implementation and Oversight Actions

McDonald's communicated its pledge commitments broadly within the company. It also provided its U.S. employees, franchisees and advertising agencies a copy of its pledge. In addition, the company posted its pledge commitment and related materials on a company intranet website, which is accessible by marketing personnel and outside advertising agencies. To ensure compliance, McDonald's Legal Department reviews all of its national advertising.

CFBAI Evaluation

Based on our review of McDonald's compliance report and our independent monitoring, we have concluded that the company has met its pledge obligations.

Measured Media and Company-Owned Websites. The company submitted extensive documentation to show that its advertising on television¹³³ and third-party internet sites was

limited to meals that met the company's approved nutrition criteria.¹³⁴

In 2008, McDonald's maintained three websites primarily directed to children under 12 and the content on those sites complied with its pledge obligations.

- www.happymeal.com featured only approved meals.
- www.ronald.com featured no branded food products; one game featured fruits and vegetables.
- www.minisizefun.com (aimed at "tweens") featured the Grilled or Snack Wraps, the Yogurt Parfait and the bottled water meal.

McDonald's also sponsored a "One Minute to Move It" ad campaign, urging kids to be active, on the Nickelodeon television network and on www.nick.com. The campaign featured kids engaged in various physical activities such as skateboarding and dancing. The happymeal.com site also promoted this campaign, featuring an "Activity Generator" that offered ideas for physical activities and a "One Minute to Dance" section. See sample screen shot below.

Figure 5: Screen Shot of McDonald's Healthy Lifestyle Messaging



Licensed Characters. McDonald's reported that it used third-party licensed characters in child-directed advertising in connection with only a qualifying meal. These characters typically are related to the premium offered at the point-of-sale with the purchase of a Happy Meal.

Interactive Games. The happymeal.com and ronald.com sites did not incorporate any of the company's food or beverage products in any games. (One game on www.ronald.com depicted generic fruits and vegetables.) The Line Rider game on www.minisizefun.com incorporated only the approved Grilled or Snack Wraps, Yogurt Parfait and bottled water meal.

Product Placement. McDonald's reported that it did not pay for or actively seek to place its 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. It also stated that it directed its product placement agency to turn down such product placement opportunities.

Advertising in Elementary Schools. To ensure compliance with its pledge commitments, McDonald's prepared and distributed to key employees, U.S. franchisees and its advertising agencies guidance on activities that are allowed and not allowed in pre-school, kindergarten or elementary schools. The company also conducted and continues to conduct training periodically with its regional marketing teams on its elementary school pledge commitment. The company has told employees and franchisees that all materials for any programs in schools must be sent to its Marketing and Intellectual Property Legal Group for review and approval.

As permitted by the CFBAI, at its passport2play.com site McDonald's makes available to teachers, for use with their students, curriculum materials that promote healthy lifestyles and nutritious snacks while teaching children about games and foods of other cultures. These materials identify McDonald's

as the sponsor, but they do not advertise the company's food or beverage products. McDonald's also offers to school administrators its Friendship Adventure with Ronald McDonald, a show about friendship, cooperation, anti-bullying and active play. This activity is permitted under the public service messaging exception to the Elementary School Principles. Additionally, the company provides books to pre-schools and kindergartens through its Ronald McDonald Reading Corner program, which are charitable donations permitted under the Initiative.

McDonald's also sponsors an activity that provides teachers with certificates for students for free meals or other foods, such as Apple Dippers. Although children are the beneficiaries of the program, the certificates are addressed to parents and are designed to help them reward their children for academic achievement or positive school behaviors. As with other school communications directed to parents, the notice and certificate may be transmitted to parents by children. This type of parent-directed incentive program is permitted under the Initiative's Elementary School Principles.¹³⁵

McDonald's also partners with neighborhood schools to raise funds for education through "McTeacher Nights" at local McDonald's restaurants. Teachers work at the restaurant during these events and a portion of the night's sales benefit the school. The Initiative exempts this type of charitable fundraising activity from its Elementary School Principles.

PEPSICO, INC.

Pledge Background and Developments

PepsiCo was one of the CFBAI's charter participants, joining in November 2006. It pledged that, effective January 1, 2008, 100% of its advertising would be for better-for-you products as defined by its pre-existing *Smart Spot* nutrition criteria. In March 2008, it amended its pledge to add two flavors of a new *Smart Spot* product (Cheetos® Cracker Trax™ baked snack crackers) to the list of products that it might feature in child-directed advertising.¹³⁶ In December 2008, PepsiCo again amended its pledge, removing from the list the four snack products that its Frito-Lay North America unit had been advertising.¹³⁷ It also added to the list two varieties of Cap'n Crunch ready-to-eat cereals that its Quaker Oats Company might advertise during 2009,¹³⁸ which were newly reformulated to meet its *Smart Spot* criteria.¹³⁹

During 2008, PepsiCo's child-directed advertising was limited to its Frito-Lay pledge-approved Baked! Cheetos® snacks and crackers. PepsiCo reported that, although it would have been permissible, during 2008 it did not engage in any child-directed advertising for its pledge-approved Gatorade, and currently has no plans to conduct child-directed advertising for either Gatorade or Frito-Lay products during 2009.

Participant's Implementation and Oversight Activities

Prior to its pledge implementation date, the company distributed copies of the PepsiCo pledge, together with internal education materials explaining how the company was implementing the pledge, to its marketing leadership team and associates, its advertising, promotions, public relations and product placement agency, and its media buyers for all of its business units. The company also conducted training programs to ensure that new marketing associates and new agency partners were aware of and complied with its pledge obligations regarding advertising to kids. Finally, to ensure compliance, PepsiCo requires all advertising and marketing materials, including those

directed primarily to children under 12, to be submitted to the appropriate divisional Law Departments for review.

CFBAI Evaluation

Based on our review of the company's report and our own monitoring, we have concluded that PepsiCo has met its pledge obligations.

Measured Media and Company-Owned

Websites. PepsiCo reported that it advertised only its Baked! Cheetos® snacks and Cheetos® Cracker Trax™ baked snack crackers in advertising primarily directed to children under 12 in 2008. The company advertised these pledge-approved products on cable networks primarily directed to children and in one print publication directed to kids. The company also placed banner advertising for these eligible products on two third-party child-directed websites.

In 2008, the two company-owned child-directed websites also only featured its approved snack products. PepsiCo reported that www.cheetos.com, which featured the pledge-approved Baked! Cheetos® product, was "aged-up" and is now targeted to teens and adults. The www.traxcheesysummer.com site was a joint sweepstakes promotion micro-site with Nickelodeon that featured Cheetos® Cracker Trax™ baked crackers, in which the winning participants competed in a giant obstacle course. The site was taken down in August 2008 at the conclusion of the promotion.

Licensed Characters. PepsiCo did not use any licensed characters during 2008 in advertising primarily directed to children under 12.

Interactive Games. Both www.cheetos.com and www.traxcheesysummer.com included interactive games, which featured pledge-approved Baked! Cheetos® or Cheetos® Cracker Trax™ products, respectively, and also encouraged physical activity and healthy lifestyles. The company also reported that it sponsored three custom games on a child-directed third-party website, which featured the

Cheetos® Cracker Trax™ product and the Frito-Lay character, Chester Cheetah.

Product Placement. PepsiCo continues to advise its media buying agencies not to pay for or seek out placements for its products in the content of any media primarily directed to children under 12 and reported that during 2008 it did not do any such placements. It voluntarily provided information on two placements of its Gatorade product in media that was not primarily directed to children under 12.¹⁴⁰

Advertising in Elementary Schools.¹⁴¹ PepsiCo reported that it did not engage in any advertising for its products in elementary schools. Further, although the CFBAI does not restrict what items participants provide to school administrators or personnel for their own use, PepsiCo has eliminated all product branding on prizes available through food service incentive programs that may be distributed through schools.

UNILEVER

Pledge Background and Developments

Unilever was one of the original members of the Initiative, joining in November 2006. It implemented its pledge to limit 100% of its child-directed advertising to better-for-you products in October, 2007. Its pledge commitments cover its Skippy and Popsicle brands, the only brands Unilever advertises primarily to children in the U.S.¹⁴² Unilever uses its “Eat Smart, Drink Smart” nutrition criteria logo program as the basis for its better-for-you foods.

Unilever revised its nutritional criteria for Popsicle products in 2008 to take into account new products formulated from low-fat milk. Previously, its Popsicle brand products were primarily water ice products. New frozen low-fat dairy products provide one-quarter to one-third of a serving of low-fat dairy (one of the major food groups recommended for increased consumption under the Dietary Guidelines for Americans 2005) and 5-10% of the DV for calcium. The new nutritional benchmarks also allow flexibility in future product formulations to allow the addition of fruit ingredients to frozen snacks. To accommodate these product reformulations, Unilever’s revised pledge criteria for the Popsicle category included adjustments in calorie, saturated fat and added sugar limits.¹⁴³

Participant’s Pledge Implementation and Oversight Actions

Unilever’s Law Department advised relevant brand and other personnel about the content, interpretation, timing and implementation of its pledge commitments. It also assigned a brand manager from each of the relevant brands to be responsible for implementing the pledge and submitting reports to document compliance. The Law Department reviews every advertisement and promotional activity before dissemination to assure compliance with the pledge and other applicable laws and regulations.

CFBAI Evaluation

Based on our review of Unilever’s compliance report and our own monitoring, we have concluded that the company fulfilled its pledge obligations. Unilever, however, did not timely notify the CFBAI of its proposed nutrition guideline revisions, which we approved when they were submitted. Because of the delay, certain products that met the revised guidelines, but were not yet on its CFBAI-approved product list, appeared on its website. Unilever has informed us that it has tightened its procedures to avoid such issues in the future.

Measured Media and Company-Owned Websites. During the reporting period, Unilever only advertised a couple varieties of Popsicle products on child-directed television networks, through banner ads on third-party child-directed websites and on the company-owned, child-directed website, www.popsicle.com.

Its Skippy products were advertised only on the company-owned Skippy Peanut Butter website, www.peanutbutter.com. A “Kids’ Corner” section includes several games, discussed below, and the landing page of Kids’ Corner displays the Skippy Natural Creamy and Skippy Creamy jars. These varieties, as well as all of the other Skippy Peanut Butter varieties, comply with Unilever’s “Eat Smart” program. In addition, as part of a sweepstakes conducted in partnership with Peanuts[®], Peanuts[®] cartoon characters were included on the Skippy website from September-December 2008.¹⁴⁴

During the reporting period, based on our routine monitoring, we identified advertising for two non-logo qualifying products that aired during a children’s television show. Because Unilever uses a multi-factorial definition of advertising directed primarily to children under 12, we requested that the company provide information about its media strategy for the product.¹⁴⁵ The information Unilever provided indicated that the target audiences for the respective products were women 35+ and adults 18-49, and that the purchase of the daytime weekday programming block was intended to capture these

audiences.¹⁴⁶ Unilever’s data showed that although the audience for the particular show included a large under 12 audience, the daypart block also included a significant adult audience (co-viewers), and that daytime cable was a relatively inexpensive way of reaching the targeted audiences, compared to other forms of television advertising.

After reviewing the ads and the media strategy, we concluded that Unilever did not breach its pledge obligation with the two ads. Both ads were adult-targeted and not likely to appeal to children. The media strategy indicated that the company’s intent was to target the ads to adults, not to children under 12. Finally, Unilever has advised us that it will give additional consideration to the demographics of the specific program at issue when doing future media buys.

Licensed Characters. As discussed above, Unilever limited its use of third-party licensed characters in advertising to children under 12 to its “Eat Smart” pledge-approved products. Specifically, it used licensed characters only in conjunction with its peanutbutter.com site during a seasonal promotion.

Interactive Games. The www.peanutbutter.com site includes a Kid’s Zone that features games. One game on the site features a jar of generic Skippy Peanut Butter that does not depict an actual product. The www.popsicle.com site also features interactive games with Popsicle products, all of which are logo-qualifying foods. In addition, a Cookies ‘n Cream Ice Cream Shots (a pledge-approved product) contraction game could be accessed through banner ads Unilever ran on child-directed third-party websites.

Product Placement. Unilever reported that it did not pay for or actively seek out any product placement in the program/editorial content of any child-directed medium.

Advertising in Elementary Schools. Unilever reported that it did not conduct any advertising for its food or beverage products in elementary schools. The company did provide a brochure to school administrators (not intended for distribution or display to students) from which they could order Popsicle products. This type of material is not covered by the CFBAI’s Elementary School Principles because it is adult, not student, directed.

D. Companies That Implemented Their Pledges on January 1, 2009

The three companies in this group, Dannon, Kellogg and Nestlé, all diligently prepared their organizations to meet their pledge obligations. For example, all of their compliance reports indicated that they had conducted training sessions for relevant staff, outside agencies and vendors regarding pledge commitments. The companies also reported that designated staff or committees had been put in place to review advertising for pledge compliance. As detailed below, Kellogg’s compliance report also showed that it began partial implementation in 2008 and reformulated many of the products that it markets to kids.

THE DANNON COMPANY, INC.

Pledge Background

Dannon joined the initiative in September 2008. It implemented its pledge to limit 100% of its advertising to better-for-you products on January 1, 2009. The company's nutrition guidelines, based on the 2005 U.S. Dietary Guidelines for Americans, FDA and World Health Organization standards, contain fat, trans fat, saturated fat, added sugars and sodium limits, and require products to meet minimum calcium levels. All of its approved products are nutrient dense dairy-based products, including dairy-based snacks or drinks and nonfat and low-fat yogurts.

Participant's Pledge Implementation and Oversight Actions

Dannon reported that, prior to its January 1, 2009 implementation date, it undertook a detailed review of its pledge requirements with the marketing director in charge of children's products, as well as with senior marketing leadership. Both its Legal and Regulatory Departments conduct regular training for marketing and other personnel responsible for developing or implementing advertising. Additionally, those departments review all television, radio, print and Internet communications to ensure compliance with applicable laws, regulations, the company's own principles, and the pledge.

Dannon also has committed that, through its media buying agency, it will monitor ratings and audience demographics regularly to ensure that it is aware of any changes in programming and/or audience composition. As a result it will be able to adjust its media buys, if needed, to ensure that only pledge-approved products appear in media that has 50% or more children 2-11.

Even before the date of implementation, Dannon, in practice, was using third-party licensed characters in advertising primarily directed to children under 12 only for products that were better for you. Similarly, Dannon was incorporating or using only products that were better for you in interactive games on company-owned websites primarily directed to children under 12. Thus, Dannon was already complying with these pledge obligations prior to its official implementation date.

KELLOGG COMPANY

Pledge Background and Developments

Kellogg was one of the CFBAI's ten charter members, joining in November 2006. It committed that 100% of its child-directed advertising would be for better-for-you products that would meet its new (and BBB-approved) Global Nutrient Criteria.¹⁴⁷ At that time, about half of the products it marketed to children worldwide did not meet the criteria. Because of the reformulation work that it had to do, most of its pledge commitments were scheduled to go into effect on January 1, 2009. As of that date, Kellogg pledged to advertise only products that meet its Global Nutrient Criteria to children under 12.¹⁴⁸ As scheduled under its pledge, by then it had already implemented most of its commitments regarding company-owned websites. Kellogg also has had a long-standing policy of not advertising its products in elementary schools¹⁴⁹ or engaging in product placement in child-directed media and thus has been in compliance with these CFBAI requirements since the program's inception.¹⁵⁰ Kellogg also reported that it had taken significant steps to meet other commitments ahead of schedule, as noted below.

Product Reformulations. Kellogg reported that, by the end of 2008, most of its retail products traditionally marketed to children met its Global Nutrition Criteria. Specifically, it reformulated flagship cereal brands such as Cocoa Krispies®, Corn Pops®, Apple Jacks® and Froot Loops® to contain either less sodium or sugar. The reformulation of these brands resulted on average in a sugar reduction of 2 grams per serving.¹⁵¹ Kellogg also reported that it completed, ahead of schedule, its commitment that all of its cereal food forms that are tied to movie and other theatrical characters would meet its Global Nutrition Criteria.¹⁵²

Company-Owned Websites. As scheduled, by December 31, 2007, Kellogg had revised its child-directed interactive games to include healthy lifestyle messaging. Specifically, it added a "Get Your Move On" program to encourage children to be physically active, which includes an automatic use break feature that interrupts activity after 15 minutes of screen time. Sample screen shots are shown below.

Figure 6: Screen Shot of Kellogg's Healthy Lifestyle Messaging

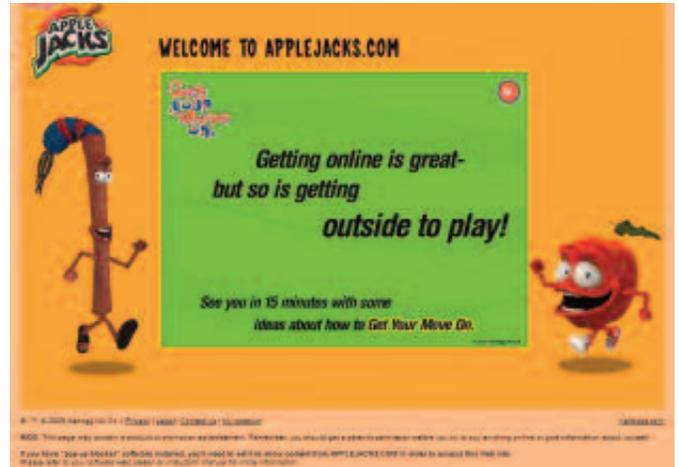


Figure 7: Screen Shot of Kellogg's Healthy Lifestyle Messaging



By the end of 2008, Kellogg also had implemented its commitment to use access limits on websites for products that do not meet its Global Nutrient Criteria. Specifically, it changed such websites to include age screening and/or parental requirements to limit children's access.¹⁵³

Participant's Pledge Implementation and Oversight Actions

Kellogg reported that it has an internal compliance plan for its pledge commitments. This includes training and one-on-one sessions with relevant Kellogg personnel and media partners. The company also has designated centralized points of contact for pledge questions, monitoring and reporting to ensure consistency. It has a multidisciplinary review process, conducted by the Advertising & Promotion Review Committee, to review all ads and promotional materials for compliance with all regulatory and self-regulatory commitments, including pledge compliance. Kellogg also has developed, with its media buying partner, written operating principles for product placement to ensure compliance with its pledge.

NESTLÉ USA

Pledge Background and Developments

Nestlé USA joined the Initiative in July 2008. It implemented its pledge to limit 100% of its child-directed advertising to better-for-you products in measured media on January 1, 2009. Nestlé's pledge requires that it advertise only better-for-you products in measured media when targeting children under 12 and when they are 35% or more of the audience. In some instances, advertising that is clearly targeted to adults and placed to reach adults may run on media with 35% or more children. It also committed not to engage in child-directed advertising for any products when children under six are 35% or more of the audience. For child-directed company-owned websites or sections of websites, the company committed that, by the end of June 2009, it would either limit advertising only to better-for-products or revise the sites to direct them to an older audience.

Initially, Nestlé's nutrition guidelines focused on calorie limits, sugar content and positive nutrient requirements. In May 2009, the company updated its nutrition standards through a supplemental pledge to include limits on fat, saturated fat, sodium and added sugar. The guidelines also require that all product categories provide at least 10% DV of one nutrient. Its approved product list now includes Juicy Juice 100% fruit juices; 8 ounce Nesquik ready-to-drink chocolate low-fat milk no sugar added; Nesquik Powder Chocolate – 25% less Sugar and Nesquik Powder - No Sugar Added; Nesquik calcium-fortified low-fat milk; and Push-Up frozen desserts. The frozen desserts are portion controlled, contain no more than 100 calories, and are an excellent source of calcium or Vitamin C.

Participant's Pledge Implementation Actions

Nestlé reported that, in mid-2008, it began implementing an internal compliance plan for its pledge obligations. This included using company-wide communications to notify employees about the new pledge and upcoming changes, issuing

notifications to agencies and vendors, and conducting one-on-one sessions with relevant Nestlé USA personnel and advertising/media partners. Nestlé also designated a team comprised of Communications, Legal, and Nutrition/Regulatory to address questions about program implementation and compliance, and to liaise with BBB's program administrators. In late 2008 and early 2009, Nestlé disseminated training materials on its new policy and its pledge obligations. Nestlé also requires its Legal Department to review US advertising for compliance purposes.

Endnotes

- ⁶³ Because Post Foods joined the CFBAI in 2009, it was not asked to submit a report.
- ⁶⁴ The public is welcome to send comments directly to the program director at ekolish@council.bbb.org, or to the program's general inquiry email box, kidsinitiative@council.bbb.org. These addresses are publicized on BBB's website, in numerous presentations about the program, and in the CFBAI's electronic newsletter.
- ⁶⁵ The request asked the participants to include in their responses information on any child-directed advertising disseminated in the United States in any foreign language, not just English. No such foreign language advertising was reported.
- ⁶⁶ We also asked participants to describe any activities they conducted in elementary schools that they believe fell outside the scope of the CFBAI's restriction on advertising in elementary schools and to submit samples of materials. See Part II, A, above for a description of the activities that are excluded from the program's restrictions on advertising in elementary schools.
- ⁶⁷ CFBAI gratefully acknowledges the assistance of CARU staff. CARU staff monitor children's television programming on an ongoing basis and send CFBAI a listing of the food and beverage product advertising they observe with a notation of the program, network and time of day that the ad appeared.
- ⁶⁸ CARU maintains subscriptions to most of the titles and sends CFBAI all food and beverage product ads. CFBAI staff also separately reviewed other children's magazines that were available in local libraries.
- ⁶⁹ To determine whether a company-owned website was directed primarily to children under 12 we assessed the net impression of the site, including the overall effect of the content, language, graphics, pictures, games, and limitations on activities (i.e., did the user have to be over 13 to participate). We also considered, as a key factor, whether there was any child-directed advertising for the participant's products or the website itself that would drive children under 12 to the site. We do not consider the use of animation, cartoon characters, licensed characters, or fantasy as features that inherently make a site child-directed because these same features are routinely used in websites that are directed to teens and adults. Similarly, the inclusion of games, even seemingly simple ones, does not in our view necessarily make a site a child-directed one. We recognize that sites that are not directed to children under 12 may sometimes attract younger visitors but such occurrences do not mean they are the target audience for the site.
- ⁷⁰ Although advertising may be purchased on a ROS basis, advertisers may instruct networks to avoid certain programs (because of audience composition or other reasons) within a daypart or transition periods as one show segues into another.
- ⁷¹ The media plan may have been, for example, to purchase time on a particular daypart because that daypart delivered the "rating" that the advertiser wanted (i.e., the percentage of a particular demographic, such as women 25-54 or young men 18-24, viewing was significant).
- ⁷² These are the nutrient shortfalls for children as identified in USDA's 2005 Dietary Guidelines for Americans.
- ⁷³ The three new Kids Meals are: a hamburger with calcium-fortified apple juice; two BK BURGER SHOTS® (mini-hamburgers) with calcium-fortified apple juice; and 4-piece CHICKEN TENDERS® with fat-free white milk. These meals also include BK® Fresh Apple Fries with low-fat caramel dipping sauce.
- ⁷⁴ The pledge defines "in-restaurant merchandising" as Kids Meals merchandising materials in BKC restaurants such as door decals, under counter banners, and Kids Meals bags and crowns.
- ⁷⁵ As part of this program, in 2008, BKC enhanced the nutritional profile of all of its foods by eliminating all trans fat cooking oils and ingredients and eliminating artificial trans fat from all BURGER KING® menu ingredients.
- ⁷⁶ BKC voluntarily reported on some event marketing that it conducted. Specifically, it stated that it was a sponsor of a Jonas Brothers tour in the summer of 2008 and promoted its BK® Fresh Apple Fries during the tour. Its promotional efforts included distribution of BK® Fresh Apple Fries samples via branded apple carts at 40 concerts nationwide and incorporation of the product in BKC's tour logo and on-site signage.
- ⁷⁷ The television ads typically depicted families, often including one or both parents and one or more children. BKC sometimes incidentally depicted the adults with a drink cup in their hands. The contents of the cup were not discernible. In one spot, a brief shot included the adult meal (a Tender Grill sandwich, salad and drink cup) on a kitchen table with the Kids Meal, although the specific adult food was difficult to discern. Because the clear visual and audio focus of these ads was the approved Kids Meal, the ads comport with BKC's commitment.
- ⁷⁸ BKC's third-party website advertising took several forms. Some ads contained a video featuring an approved Kids Meal. Other banner-type advertising touted the availability of the current premium "with every Kids Meal." These banner ads typically rotate between depictions of an approved Kids Meal and pictures of the premium. The banners also included a link to www.ClubBK.com, where the landing page depicts an approved meal.
- ⁷⁹ Prior to launch, BKC's child-directed micro-sites were sub-domains off of the BK.com directory. These sites tracked the various Kids Meal premiums BKC promoted (e.g., www.BK.com/spongebob).
- ⁸⁰ Certain pages on www.ClubBK.com depict a room with "posters" on the wall. During the course of the reporting period these posters depicted different items, including current or upcoming Kids Meal premiums, or components of approved Kids Meals (e.g., one poster might contain the KRAFT® Macaroni & Cheese container and another poster the BK® Fresh Apple Fries).
- ⁸¹ BKC products were featured in media directed to children over 12 years old; however, such placement is not covered by the Initiative.
- ⁸² Initially, Cadbury changed the website for the Bubblicious brand so that it was no longer primarily directed to children under 12. CFBAI staff reviewed the site at the time and concurred that the site was not directed to children under 12. In December 2008, Cadbury took the site down.
- ⁸³ Although only third-party licensed characters, not celebrity spokespersons, are covered by the CFBAI, Cadbury also reported that during the reporting period it voluntarily did not renew its relationship with LeBron James as a spokesperson for Bubblicious. At the time it implemented its pledge, Cadbury reported that it already had reduced its use of LeBron James as the spokesperson for the brand in child-directed advertising.
- ⁸⁴ Under the Initiative's Core Principles, companies are permitted to provide schools with educational materials that may identify the sponsor, but not product information.
- ⁸⁵ Following Campbell's reformulation of its Tomato Soup in August 2009, twelve of the thirteen qualifying soups meet the 480 mg limit. (Tomato Soup also contains a full serving of vegetables and 10 percent of the DV of Vitamin C.) Campbell also may advertise its 25 percent Less Sodium Chicken Noodle Soup, based on its sodium reduction.
- ⁸⁶ The nutrition criteria for Campbell's canned pasta category have not changed. Products in this category must contain 25% less sodium than an appropriate reference product. Additionally, its criteria include calorie, fat, saturated fat and trans fat limits, and a requirement that these products contain a serving of vegetables or a one-ounce equivalent of whole grains, plus 10% of the DV of two or more nutrients of concern (fiber, calcium, magnesium, potassium or Vitamin E).
- ⁸⁷ Previously, only *Goldfish* Cheddar Crackers and *Goldfish* Cheddar Crackers Made with Whole Grain (which provide a half serving of whole grains per serving) were advertised to children.
- ⁸⁸ These soups were the *Chicken & Stars*, *Double Noodle*® and *Noodle O's*® varieties.
- ⁸⁹ The CFBAI's position on this issue was not developed until it began reviewing compliance reports in 2008 and was only then communicated to participants.
- ⁹⁰ As discussed in the CFBAI 2007 Report, we do not consider the use of *Goldfish* characters (e.g., Finn, Brook, and Gilbert) in the same way as logo-only advertising. Although these characters have some mild association with various flavors of *Goldfish*, including ones that do not meet Campbell's nutrition criteria, we do not believe their presence in an ad (for example, the various characters often engage in a playful scenario together) *that is otherwise explicitly for a pledge-qualified food* such as Baked Cheddar *Goldfish* as constituting advertising for other non-qualifying flavors too. Similarly, we do not view the use of the name "Goldfish Central" on the pfgoldfish.com site by itself as constituting advertising for all varieties of *Goldfish*.
- ⁹¹ As discussed in the CFBAI 2007 Report, two page views of the "Rule the Park" sweepstakes on www.myslurp.com included a picture of a can of Chicken Noodle Soup, which does not meet Campbell's nutrition criteria. That promotion ended in the first half of 2008.

Endnotes, continued

- ⁹² As discussed in the 2007 Report, Campbell also previously reported that it had found and removed images of a handful of products that did not qualify under its nutrition criteria.
- ⁹³ The 2007 Report noted that early in 2008 www.pfgoldfish.com had included two commercials that showed a package of Flavor Blasted *Goldfish* crackers prior to their reformulation. Campbell self-reported this oversight and removed these commercials from the site.
- ⁹⁴ The sandwich floats on a reddish liquid that is described only as “soup.” It could be seen as tomato soup, which meets the company’s nutrition criteria.
- ⁹⁵ As a signatory to the Alliance for a Healthier Generation’s Competitive Food Guidelines, Campbell also limits the products that it makes available for sale in schools.
- ⁹⁶ One item was a Positive Message Certificate labeled “Give a Smile. Catch a Smile” intended to reinforce a school’s character education and to encourage appropriate social behavior in the school environment. The company’s sponsorship is identified in small print at the bottom of the certificate: “Brought to you by your friends at Pepperidge Farm, Inc.” The second item is a two-page printed paper-folding exercise (origami) that merely identifies the sponsor with a copyright identification in approximately 6-point type at the bottom right-hand corner of the second page (“©2008 Pepperidge Farm, Incorporated”).
- ⁹⁷ The program has relationships with 75% of U.S. schools and 40,000 coordinators. It has donated over \$110 million in equipment and materials in its 36-year history.
- ⁹⁸ As explained previously, pledge participants are held accountable for ad occurrences based on media buys at time of *purchase*, not time of *airing*. When aired, a daypart or program’s audience composition may fluctuate from what was expected at time of purchase (based on prior airings or the audiences of similar shows) and at that time fall within a participant’s threshold for determining whether advertising is primarily directed to children under 12. (In some instances, the sample size for a program in a particular market may be so small that it skews the results and causes an apparent discrepancy.) Such occurrences do not constitute violations. Nevertheless, the Coca-Cola Company, like other participants, tries to avoid such occurrences.
- ⁹⁹ As a signatory to the Alliance for a Healthier Generation’s Beverage Guidelines, the company also limits the products that it makes available for sale in schools.
- ¹⁰⁰ The commitment did not apply to any product placements secured before June 2008 that might occur after that date, or to any already-planned activities in elementary schools that might not conclude until after June 2008.
- ¹⁰¹ ConAgra removed the pudding category from its nutrition table and product list in August 2009 because it no longer advertises its Hunt’s Snack Pack Pudding to children under 12.
- ¹⁰² Under its pledge, ConAgra Foods formally treats advertising as primarily directed to kids under 12 when it is on programming (or other media) where children 2-11 make up 35% or more of the audience. For 2008, the company treated all dayparts or programming on child-directed networks as kid-directed *regardless* of whether they met its 35% threshold.
- ¹⁰³ Specifically, the company advertised the Cheeseblaster Mac’ n’ Cheese, Bug Safari Chicken Breast Nuggets, Grip-n-Dip Chicken Breast Strips (now discontinued), Fiesta Chicken & Cheese Quesadillas, Sponge Bob Square Pants Chicken Breast Nuggets, All Star Chicken Breast Nuggets and the Cheeseburger Builder (now “KC’s Constructor”). As permitted under its pledge implementation schedule, the company continued to advertise its Chef Boyardee brand in 2008.
- ¹⁰⁴ Prior to its September 1, 2008 implementation date, ConAgra re-fashioned its Hunt’s Snack Pack website to make it adult-directed. CFBAI staff reviewed the site (www.snackpack.com) and agree the site is not child-directed.
- ¹⁰⁵ Fourteen of the fifteen ConAgra Foods Kid Cuisine meals qualify under the company’s nutrition criteria.
- ¹⁰⁶ The addition of this language also addressed a concern staff raised regarding Kid Cuisine product-line advertising on third-party websites primarily directed to children under 12. Banner ads for a Kid Cuisine contest promotion conducted during the reporting period did not refer to a specific meal, and thus could be interpreted as advertising for the entire product line, including the non-qualifying product. These banner ads encouraged the viewer to click through to www.kidcuisine.com. The addition of the “Mom, check it out” language made it less likely that children would visit the parent section of the site, which includes a depiction of the non-qualifying product.
- ¹⁰⁷ Although the CFBAI’s Principles would permit the company to provide branded items for the personal use of adults such as administrators or cafeteria personnel because such branding would not be directed to children under 12, the company has taken the extra step of removing branding even from items intended for adults.
- ¹⁰⁸ General Mills also has a corporate policy to not direct advertising for any products to children under six (i.e., no advertising where 50% or more of the audience is under six years old). Although not a requirement of the CFBAI, General Mills voluntarily provided information documenting that it followed its corporate policy. Its pledge requires that it advertise only better-for-you products in measured media when children under 12 are 35% or more of the audience.
- ¹⁰⁹ Reformulated Trix became available at retail in June 2008, Chocolate Lucky Charms in September 2008, and Yoplait Trix yogurt in December 2008.
- ¹¹⁰ The cereals contain eight grams of whole grains per serving and contain important vitamins and minerals, including 10% DV of calcium and Vitamin D. The yogurt provides a half serving of low-fat dairy and is a good source of Vitamin A and calcium.
- ¹¹¹ The www.choosebreakfast.com site features entertainment such as quizzes, links to other websites (such as www.MyPyramid.gov) and video clips that feature “breakfast adventures.”
- ¹¹² General Mills also has committed to limit its use of third-party licensed characters beyond the advertising categories in the program, by limiting use of child-directed licensed properties to packaging for products that meet its Healthy Dietary Choice criteria and sugar guideline.
- ¹¹³ In this activity, some branded products that are not advertised to children in other media, such as the Green Giant Vegetable Medley and Yoplait Light Yogurts, also appear. These and the other branded products on the site meet the company’s nutrition criteria and sugar guideline.
- ¹¹⁴ General Mills reported that it also does not advertise food or beverage products of any kind, regardless of nutrition profile, in middle or high schools.
- ¹¹⁵ In the 2007-2008 school year, General Mills distributed approximately \$40 million in total to the more than 65,000 participating schools, with an average of \$600 per school. Box Top coupons are available on over 200 different products. It reports that approximately 40% of the redemptions come from non-food items, such as tissues, paper towels and food storage bags.
- ¹¹⁶ In the course of our routine monitoring, we also had identified advertising for a Hershey candy product that ran on a show that, at the time of airing, had an under 12 audience composition greater than 30%. This was part of the small number of units that Hershey reported.
- ¹¹⁷ Because Hershey is diligent about monitoring media, the number of commercials that ran in such programming was so small that it represented well under one percent of all of its ads. Further, our own data and data Hershey reported showed that the highest under 12 audiences on any of these programs at time of airing was only slightly above its 30% standard.
- ¹¹⁸ In early 2009, Kraft Foods added three flavors of its Kraft Singles (cheese) product line, all of which provide 25% of the DV for calcium and contain 25% less fat compared to a reference product. BBB also has approved Kraft Foods’ supplemental pledge stating that it will transition to the *Smart Choice Program* nutrition criteria from *Sensible Solution* over the next three years. As Kraft Foods transitions to the new criteria, it may feature products in child-directed advertising that meet either set of nutrition criteria. Once the transition period ends, Kraft Foods will use only the *Smart Choices Program* criteria to determine which products may be featured in child-directed advertising.
- ¹¹⁹ Kraft Foods sold its Post business, including the Honeycomb and Pebbles cereal lines, on August 4, 2008. Its report covers advertising primarily directed to children under 12 for Post products through this date.
- ¹²⁰ Although the ad was scheduled to run an additional month later in 2008, when Kraft Foods discovered the error it pulled the ad from the dissemination schedule.

Endnotes, continued

- ¹²¹ As a signatory to the Alliance for a Healthier Generation's Competitive Food Guidelines, Kraft Foods also limits the products that it makes available for sale in schools.
- ¹²² Terracycle, not Kraft Foods, sells the items created from recycled packaging.
- ¹²³ In conjunction with Scholastic Inc., Terracycle and Capri Sun distribute materials targeted to school administrators that explain the program and encourage sign-ups, including a kit that is mailed to administrators, an ad in Scholastic Administrator magazine and banner ads on Scholastic's website.
- ¹²⁴ Other non-Kraft Foods brands of drink pouches also may be recycled as part of the program.
- ¹²⁵ Mars' websites are primarily directed to adults and teens. The company employs age-screening devices to block kids under 13 from accessing downloads or using interactive features on these sites.
- ¹²⁶ Virtually all advertising is purchased on a daypart basis although advertisers may instruct the networks to avoid placement on individual programs within a daypart.
- ¹²⁷ Mars purchases the bulk of its television media annually, which means that the deals are structured and committed to on an annual basis in advance.
- ¹²⁸ Mars notes also that daypart purchases are often made on a "run of schedule" basis, which means that programs that run may not be scheduled regularly but may run on an occasional basis, thus creating further uncertainty about ultimate audience composition.
- ¹²⁹ As a signatory to the Alliance for a Healthier Generation's Competitive Food Guidelines, Mars also limits the products that it makes available for sale in schools.
- ¹³⁰ Mars reported that the advertisements for the games were placed by a Mars licensee.
- ¹³¹ Because Scholastic did not re-print catalogs that it already had printed, catalogs with the Mars properties could have been in circulation through November or December 2008.
- ¹³² Although its pledge also allows McDonald's to advertise a Hamburger Happy Meal with low-fat white milk and Apple Dippers, it has not advertised this Happy Meal in measured media.
- ¹³³ McDonald's also provided underwriting support of children's programming on PBS, for which it received on-air credit as required under PBS Guidelines for On-Air Underwriting Credit, which are based on FCC regulations. BBB has stated that, in light of FCC regulations, it will consider underwriting credits that comply with FCC and PBS requirements not to be advertising and thus to be outside the scope of the Initiative's requirements for advertising directed primarily to children under 12. See "Response Letter Regarding Underwriting on PBS Underwriting," Dec. 18, 2008, at www.bbb.org/us/children-food-beverage-advertising-initiative/info/. Because the on-air credit simply identifies McDonald's as the sponsor and does not depict or mention any food or beverage product it complies with PBS Guidelines, and is outside the scope of the Initiative.
- ¹³⁴ McDonald's reported that it did not engage in print or radio advertising primarily directed to children under 12 during the reporting period and our independent monitoring confirms this.
- ¹³⁵ McDonald's reported that it also provides hot lunches that parents have ordered for their children in schools. Marketing for this program is limited to order forms targeted to parents. The Initiative's focus is on advertising, not the sale, of participants' food or beverage products in schools, and this type of lunch program, marketed through adult-targeted communications, is outside the scope of the Initiative.
- ¹³⁶ The other *Smart Spot* products on its list were two flavors of Frito-Lay Baked! Cheetos® snacks and Gatorade products.
- ¹³⁷ These were Baked! Cheetos® cheese flavored snacks and Cheetos® Cracker Trax™ baked snack crackers. The company has since discontinued the Cheetos® Cracker Trax™ product.
- ¹³⁸ Previously, PepsiCo had shut down its child-directed Cap'n Crunch website (effective December 2007) because the product did not meet its *Smart Spot* criteria. The site is now active again because the product was reformulated to meet those nutrition criteria.
- ¹³⁹ Under PepsiCo's pledge, it also may market to children, on a temporary basis as seasonal or other special occasion items, other versions of its approved Cap'n Crunch products. Such products will be limited to products that meet PepsiCo's pledge-approved *Smart Spot* nutrition criteria.
- ¹⁴⁰ As reported in the CFBAI 2007 Report, Gatorade placement in the television show "Friday Night Lights" was going to be continued during the 2008-2009 season. The show is not primarily directed to children under 12 and the majority of the viewing audience is 18 or over. The company also reported that Gatorade is incorporated into sidelines scenes in Entertainment Arts' "NBA Live" interactive game, released in Fall 2008, which is rated E (for "Everyone"). The game's target audience is 13-24. The company also reported that, for this type of game, the average U.S. gamer is 33 and the majority of players are 18 and older.
- ¹⁴¹ As a signatory to the Alliance for a Healthier Generation's Beverage and Competitive Food Guidelines, PepsiCo also limits the types of beverages, snacks and side items that it makes available for sale in schools.
- ¹⁴² Separately, Unilever has a corporate policy to not direct advertising to children under six years old.
- ¹⁴³ The calorie adjustment accounted for the calories contributed by protein, sugars and fat in the low-fat dairy, the saturated fat adjustment accommodated the saturated fat that occurs naturally in low-fat milk ingredients used in frozen dairy products, and the added sugar adjustment reflects the addition of a small amount of sugar for proper ice crystal formation within low-fat dairy and fruit-based products, while still keeping the added sugar levels below IOM guidelines.
- ¹⁴⁴ Skippy products also were included in a DVD artwork insert and a coupon as part of a promotion of the "A Charlie Brown Christmas" DVD, which was available for purchase in stores.
- ¹⁴⁵ The definition requires an analysis of several factors, of which no single one is controlling. These are whether the specific medium in which the ad is placed is used primarily by children under 12, whether the ad was intended to appeal to children and, for TV ads, whether the ad appears during or just before or after a program generally understood to be children's programming, considering the time of day during which the ad appears and the media outlet, or which is counted towards the network's Children's Television Act obligations. This is the way CARU historically has defined child-directed advertising and this multi-factorial approach is used by several CFBAI participants.
- ¹⁴⁶ Unilever's intent to target adults also is clear from the other media it used to promote these products, which included night cable and evening news buys, as well as family and women's print publications.
- ¹⁴⁷ Kellogg's commitment extends beyond the U.S. to all global markets in which it conducts business.
- ¹⁴⁸ For example, Honey Smacks®, Kellogg's Smorz® and Froot Loops® Marshmallow cereals are now no longer marketed to children. Although many Eggo® products meet the Nutrient Criteria, Eggo® changed its marketing focus to adults. Some of Kellogg's pledge-approved products are not advertised to children under 12 but are included as products that meet its Global Nutrition Criteria because, at times, they could appear on non-interactive portions of certain Kellogg websites that either contain general animation (i.e., the Keebler elves) or include interactive games that are targeted to adults.
- ¹⁴⁹ Kellogg does provide public service messaging to schools, which is permitted by the CFBAI. The messaging—about the importance of breakfast, physical activity and eating a variety of foods as shown in MyPyramid—is conducted through, for example, posters and book covers. These are materials that Kellogg provides in response to requests from schools.
- ¹⁵⁰ Kellogg voluntarily reported on three product placements it had during 2008, providing data showing that none of the films was primarily directed to children under 12.
- ¹⁵¹ All of Kellogg's cereal reformulations were completed and on retail shelves by Q3 of 2008. The reformulations also include other popular products.
- ¹⁵² Kellogg committed to limit the use of licensed characters in advertising in measured media or on Kellogg websites to products that meet its nutrient criteria, subject to existing contract obligations. Although not encompassed within the scope of the CFBAI, Kellogg also has committed to limit its use of child-directed licensed properties on the front panels of its packaging and as the basis for food forms to products that meet its Nutrition Criteria.
- ¹⁵³ Content restrictions for child-directed content on such sites were implemented in 2009.



V. Conclusions and Next Steps

The first full year of CFBAI's operation has shown that the CFBAI's participants are dedicated to honoring their pledge obligations and to helping to achieve the balance in child-directed food and beverage advertising that is the program's goal. Twelve of the 16 participants have committed that 100% of their child-directed advertising will be for better-for-you products, and four have pledged to not engage in any child-directed advertising.

As one would expect, there were occasional mistakes and problems as participants implemented or continued to implement pledges that might involve many brands and significant amounts of advertising across many platforms. For those newly implementing their pledges, complying with their obligations generally necessitated adopting new internal marketing and governance policies or revising existing ones. Others needed to put new systems into place or enhance existing systems to ensure that only approved better-for-you products appeared in advertising primarily directed to children under 12, or that no product advertising was directed to them as specified in each pledge.

Throughout the year, participants updated their pledges, reformulated products and developed new ones to meet their pledge commitments. Many of the pledge-approved products that are being advertised to kids now consist of:

- *Ready-to-eat breakfast cereals*—many providing valuable whole grains in addition to other nutrients.
- *Dairy products* such as low-fat or fat-free milk, yogurts and yogurt products, and cheese—all providing significant amounts of calcium.
- *Fruits* such as sliced apples or fruit juices—providing at least a half serving of fruit.
- *Other products* such as soups, pastas or prepared meals—providing vegetables (sometimes a whole serving) and other positive nutrients.

The types of changes that occurred during 2008 also have been occurring during 2009 and there is every reason that this positive trend will continue.

Our plans for the future include the following:

Continuing to Grow the CFBAI. The current CFBAI participants represent a substantial portion of the food and beverage advertising expenditures to children under 12 on television, which continues to be the dominant means for reaching this group. We have added six participants since the CFBAI was launched with 10 charter companies in 2006, and we hope to expand the group further.

Monitoring Nutrition Science Developments and Government Guidelines. The heart of the CFBAI is shifting the mix of child-directed food and beverage product advertising to promote healthier dietary choices. Monitoring developments in nutrition science and recommendations and guidelines from government agencies is a key part of ensuring that the participants base their own nutrition guidelines on well-established science and current government or other authoritative recommendations.

Expanding Public Awareness of the CFBAI. Recognizing that parents are the primary gatekeepers of the food and beverage products that children consume, we will be continuing our efforts to raise public awareness of the program through outreach and making useful information available to parents, as we have already done through our new online “resources” page.

Liaising and Coordinating with Other Organizations. To stay abreast of relevant research, programs and messaging about healthy dietary choices and lifestyles for children, we will engage with other pertinent organizations.

Responding to Feedback on the CFBAI.

Throughout this report, we have addressed some issues about the Initiative that the FTC and others have raised. We also have been comprehensively reviewing the Initiative's requirements in light of recommendations in the FTC's 2008 Report and feedback from others, and we plan to announce the results of that review later this year. As always, we will continue to welcome feedback on the Initiative and its effectiveness.



Appendix A — Core Principles

Children’s Food and Beverage Advertising Initiative

Introduction

Companies engaged in advertising and marketing food and beverage products have developed this self regulatory initiative for advertising such products to children under 12. The goal of this initiative is to use advertising to help promote healthy dietary choices and healthy lifestyles among American children.

While it remains the primary responsibility of parents to guide their children’s behavior in these areas, industry members are voluntarily pursuing this initiative as a means of assisting parents in their efforts.

Core Principles

Companies participating in this initiative will publicly commit to advertising that will further the goal of promoting healthy dietary choices and healthy lifestyles to children under 12. These commitments will be set forth in an individual “Pledge” for each participant. Because companies and their product lines vary, company commitments will also vary. However, all commitments will be consistent with the following core principles:

• **Advertising Messaging.** Participants will devote at least 50%¹ of their television, radio, print and internet advertising primarily directed to children under 12² to advertising that will further the goal of promoting healthy dietary choices and healthy lifestyles. This will be achieved in one of two ways (or some combination of both):

(1) By advertising products that represent healthy dietary choices in accordance with company developed standards that are consistent with established scientific and/or government standards. Examples of possible standards include:

- FDA defined “healthy” foods [21 CFR 101.65(d)(2)]
- Products that qualify for an FDA authorized health claim [21 CFR 101.70-101.83]

- Products meeting FDA/USDA criteria for claims of “free,” “low,” or “reduced” calories, total fat, saturated fat, sodium or sugar
- Products that qualify for the USDA Healthier School Challenge Program criteria for Sales/Service of A La Carte and/or Vended Items
- Principles addressing recommended consumption by children under 12 under USDA Dietary Guidelines and My Pyramid
- Products representing a portion control option, such as products advertised and sold in a package size of 100 calories or less

or

(2) By advertising that prominently includes healthy lifestyle messages designed to appeal to the intended audience, such as:

- messaging that encourages physical activity
- messaging that encourages good dietary habits, consistent with established scientific and/or government standards such as USDA Dietary Guidelines and My Pyramid

• **Use of Licensed Characters.** Participants will commit to reduce their use of third-party licensed characters³ in advertising primarily directed to children under 12, unless such advertising complies with the messaging options set out above. Each participant will state in its commitment the percentage reduction in its use of licensed characters.

• **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.

- **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 accompanied by products representing healthy dietary choices under #1 above or healthy lifestyle messaging under #2 above.

- **Advertising in Schools.** Participants will commit to not advertising food or beverage products in elementary schools.⁴

- **Implementation.** Participants will formalize and publish their Pledge approximately 6 to 9 months following the establishment of the Monitoring/Enforcement entity described below. The Pledge will include an implementation schedule for each commitment made by the participant.

Monitoring/Enforcement

Company Pledges, including the specific commitments that will identify the healthy dietary choices criteria, will be established in consultation with a new program administered by the Council of Better Business Bureaus.

The new program will be responsible for monitoring company commitments. Monitoring will include the review of advertising materials, product information, and media impression information (submitted on a confidential basis) to confirm participant compliance. The program will also respond to public inquiries relating to compliance.

The new program will develop procedures that provide for the expulsion of a company that does not comply with its Pledge after being given notice and an opportunity to bring its conduct into compliance, and notice of any expulsion to regulatory authorities such as the Federal Trade Commission under appropriate circumstances.

The new program will publicly issue reports detailing its activities, including any expulsions or notices of such to regulatory authorities.

The new program, in consultation with the participants, will periodically review its procedures and the overall impact of this initiative. The first such review shall be started after the new program has been operational for at least 3 years.

¹ This minimum percentage may be increased over time.

² Measured in media impressions at the time the advertising is purchased, as determined by reliable third party data such as Nielsen ratings for TV, radio and Internet, and PIB (Publisher's Information Bureau) and MRI (Mediamark Research Inc.) data for print advertising. The 50% commitment will be calculated separately for each advertising medium. Measurement for advertising on company owned websites will be determined in accordance with standards established as part of the company's Pledge.

³ This commitment does not apply to the use of licensed characters on packaging, provided the packaging does not appear in advertising directed to children under 12. The limitation also does not apply to the use of company-owned characters.

⁴ This limitation will not apply to displays of food and beverage products, charitable fundraising activities, public service messaging, or items provided to school administrators.

Appendix B — Fact Sheet on CFBAI and CARU

BBB Children’s Self-Regulation Programs

Two separate industry self-regulation programs working together to foster trust in the marketplace by promoting balance in food and beverage marketing and truthful, responsible advertising to children under 12 years old.

	Children’s Food and Beverage Advertising Initiative (CFBAI)	Children’s Advertising Review Unit (CARU)
About the Programs	<p>The Initiative addresses what food and beverages are featured in advertising primarily directed to children under 12 years old. It aims to shift the mix of child-directed advertising to include healthier dietary choices and promote healthy lifestyles.</p>	<p>CARU addresses how all products—including food and beverages—are advertised to children under 12 years old. Taking into account their special vulnerabilities, CARU sets high standards to assure that advertising directed to children is truthful, not misleading, unfair, or inappropriate for its intended audience.</p>
The Programs in Action	<p>The Initiative is currently comprised of 16 food and beverage industry leaders. Under the Initiative, participants commit—or pledge—to devote at least half of their TV, radio, print, and Internet advertising primarily directed to children under 12 years old to better-for-you products and/or to messages that encourage good nutrition or healthy lifestyles.</p> <p>Twelve Participants—Burger King Corporation, Campbell Soup Company, ConAgra Foods, Inc., The Dannon Company, General Mills Inc., Kellogg Company, Kraft Foods Global, Inc., McDonald’s USA, Nestlé USA, PepsiCo, Inc., Post Foods, LLC and Unilever—have pledged that, going forward, 100 percent of their child-directed advertising will be for food and beverages that meet the company’s nutritional standards.</p> <p>Four participants—Cadbury Adams USA LLC, The Coca-Cola Company, Hershey Company, and Mars, Inc.—have pledged to cease advertising primarily directed to children under 12 years old.</p>	<p>CARU reviews and evaluates child-directed advertising in all media, and online privacy practices as they affect children. CARU scrutinizes thousands of television commercials and advertisements in print, radio and online media annually.</p> <p>CARU’s Self-Regulatory Guidelines for Children’s Advertising provide detailed guidance to children’s advertisers on how to deal sensitively and honestly with children. These guidelines are designed to go beyond the issues of truthfulness and accuracy to take into account the uniquely impressionable and vulnerable child audience.</p> <p>When CARU finds advertising to be misleading, inaccurate, or inconsistent with CARU’s standards, it seeks change through the voluntary cooperation of advertisers. CARU publishes its decisions to provide guidance to all advertisers. CARU also offers an ad pre-screening service for CARU supporters to help advertisers spot and correct problems before the ads are disseminated.</p>

continued

The Programs in Action, cont’d

The Initiative requires its participants, as it pertains to their marketing efforts primarily directed to children under 12 years old, to:

- Reduce the use of third-party licensed characters in ads;
- Cease paying for or actively seeking placement of foods and beverages in editorial/programming content;
- Stop advertising foods and beverages in elementary schools; and
- Incorporate better-for-you foods or include healthy lifestyle messaging in interactive games that integrate a company’s food or beverage products.

The Initiative staff reviews the companies’ pledges to ensure that they comply with the Initiative’s requirements. The companies’ nutritional standards also are subject to the approval of the Initiative’s Director and must be based on, for example, USDA/HHS Dietary Guidelines for Americans, or FDA-established definitions for “healthy,” “low” or “reduced” products. The Initiative staff monitors the participants’ advertising to ensure they are meeting their commitments, and reports annually on its findings.

In 2006, CARU Guidelines were comprehensively revised to:

- Authorize CARU to take action on “unfair advertising;”
- Address explicitly “blurring” or advertising that obscures the line between editorial content and advertising messages;
- Address explicitly the use of commercial messages in online interactive games;
- Provide additional guidance on food and beverage marketing including;
- Require that any depiction of food being consumed must be tied to the labeled serving size;
- Prohibit the disparagement of healthy foods or lifestyles, and;
- Require that mealtime depictions of foods be shown in the context of a nutritionally balanced meal.

History

The Initiative was established in November 2006 as a voluntary self-regulation program to address concerns about advertising and childhood obesity. It is administered by the Council of Better Business Bureaus (BBB).

Founded in 1912, BBB is supported by over 300,000 businesses and is dedicated to fostering fair and honest relationships between businesses and consumers, and contributing to an ethical business environment.

The National Advertising Review Council (NARC) established CARU in 1974 to promote responsible children’s advertising. NARC is administered by the Council of Better Business Bureaus.

NARC was formed in 1971 by the Association of National Advertisers, the American Advertising Federation, the American Association of Advertising Agencies and the Council of Better Business Bureaus. Its purpose is to foster truth and accuracy in national advertising through self-regulation.

Appendix C — Food and Beverage Products that Meet Participants' Approved Nutrition Standards (Sept. 2009)

This appendix lists the products that currently may be the subject of advertising directed primarily to children under 12 based on original and supplemental or amended pledges as of September 2009, for the following participants.

1. **Burger King Corp.**
2. **Campbell Soup Company**
3. **ConAgra Foods, Inc.**
4. **The Dannon Company**
5. **General Mills Inc.**
6. **Kellogg Company**
7. **Kraft Foods Global, Inc.**
8. **McDonald's USA**
9. **Nestlé USA**
10. **PepsiCo, Inc.**
11. **Unilever**

Four other participants have pledged not to engage in child-directed food and beverage advertising. These are:

1. **Cadbury Adams USA LLC**
2. **The Coca-Cola Company**
3. **Hershey Company**
4. **Mars, Inc.**

BURGER KING CORP.¹

Mac & Cheese Kids Meal

- KRAFT® Macaroni & Cheese
- BK™ Fresh Apple Fries, Low-Fat Caramel Dipping Sauce
- HERSHEY'S® Fat-Free White Milk

Hamburger Kids Meal

- Hamburger
- BK™ Fresh Apple Fries, Low-Fat Caramel Dipping Sauce
- Calcium-fortified MINUTE MAID® Apple Juice

BK BURGER SHOTS® Kids Meal

- BK BURGER SHOTS®
- BK™ Fresh Apple Fries, Low-Fat Caramel Dipping Sauce
- Calcium-fortified MINUTE MAID® Apple Juice

4-pc CHICKEN TENDERS® Kids Meal

- 4-pc CHICKEN TENDERS®
- BK™ Fresh Apple Fries, Low-Fat Caramel Dipping Sauce
- HERSHEY'S® Fat-Free White Milk

In addition, the side dish and beverages may be advertised individually.

¹ On April 27, 2009, Burger King Corp. transitioned from HERSHEY'S® 1% Low-Fat White Milk to HERSHEY'S® Fat-Free White Milk in BURGER KING® restaurants nationwide. As of that date, the KRAFT® Macaroni & Cheese advertised Kids Meal and the CHICKEN TENDERS® advertised Kids Meal included HERSHEY'S® Fat-Free White Milk.

CAMPBELL SOUP COMPANY

Soups

- Campbell's 25% Less Sodium Chicken Noodle
- Campbell's Tomato
- Campbell's Chicken & Stars
- Campbell's 25% Less Sodium Tomato
- Campbell's Double Noodle
- Campbell's Dora the Explorer Shaped Pasta with Chicken
- Campbell's Chicken NoodleO's
- Campbell's Goldfish Pasta with Chicken
- Campbell's Cars Shaped Pasta with Chicken
- Campbell's Mega Noodle
- Campbell's Shrek Shaped Pasta with Chicken
- Campbell's Chicken Alphabet
- Campbell's Goldfish Pasta with Meatballs
- Campbell's Curly Noodle
- Campbell's Condensed Soup – Princess

Canned Pastas

- Campbell's SpaghettiOs plain
- Campbell's SpaghettiOs meatball
- Campbell's SpaghettiOs plus Calcium
- Campbell's SpaghettiOs – Princess Shapes with Meatballs
- Campbell's SpaghettiOs – Princess Shapes

Snack Crackers

- Pepperidge Farm Goldfish Cheddar
- Pepperidge Farm Goldfish Cheddar made with Whole Grain
- Pepperidge Farm Flavor Blasted Goldfish – Xtra Cheddar
- Pepperidge Farm Flavor Blasted Goldfish – Nothin' But Nacho
- Pepperidge Farm Flavor Blasted Goldfish – Xplosive Pizza
- Pepperidge Farm Flavor Blasted Goldfish – Monstrous Mozzarella Sticks
- Pepperidge Farm Flavor Blasted Goldfish – Racing Ranch
- Pepperidge Farm Goldfish Mix Up Adventures
- Pepperidge Farm Goldfish – Colors

CONAGRA FOODS, INC.

Frozen Meals

- Kid Cuisine Deep Sea Adventure Fish Sticks
- Kid Cuisine KC's Primo Pepperoni Double Stuffed Pizza
- Kid Cuisine Carnival Corn Dog
- Kid Cuisine Bug Safari Chicken Breast Nuggets
- Kid Cuisine Twist & Twirl Spaghetti & Mini Meatballs
- Kid Cuisine Pop Star Popcorn Chicken
- Kid Cuisine Dip and Dunk Toasted Ravioli
- Kid Cuisine Cowboy KC's Ham and Cheese Ropers
- Kid Cuisine Fiesta Chicken and Cheese Quesadillas
- Kid Cuisine All-Star Chicken Breast Nuggets
- Kid Cuisine Magical Cheese Stuffed Crust Pizza
- Kid Cuisine Constructor Cheeseburger
- Kid Cuisine Cheese Blaster Mac-n-Cheese
- Kid Cuisine Karate Chop Chicken Sandwich
- Kid Cuisine Campfire Hotdog

Seeds

- David Original Sunflower Seeds
- David Pumpkin Seeds
- David Dill Pickle Sunflower Seeds
- David Reduced Sodium Sunflower Seeds
- David Original Team Bucket

Peanut Butter

- Peter Pan Creamy peanut butter
- Peter Pan Crunchy peanut butter
- Peter Pan Creamy Whipped peanut butter
- Peter Pan Reduced Fat Creamy peanut butter
- Peter Pan Reduced Fat Crunchy peanut butter
- Peter Pan Plus 8 Creamy peanut butter
- Peter Pan Honey Roast Creamy peanut butter
- Peter Pan Honey Roast Crunchy peanut butter

Canned Pasta

- Chef Boyardee Microwave Bowls - Rice with Chicken and Vegetables
- Chef Boyardee Two Pepperoni Pizza Kit
- Chef Boyardee Pepperoni Pizza Kit
- Chef Boyardee Lasagna Dinner Kit
- Chef Boyardee ABC's & 123's Plain in sauce
- Chef Boyardee Dinosaurs Plain in sauce
- Chef Boyardee Mini O's

- Chef Boyardee Overstuffed Beef Ravioli
- Chef Boyardee Mini Bites Micro Beef Ravioli
- Chef Boyardee Forkables Sports
- Chef Boyardee Forkables Sea Life

THE DANNON COMPANY

Dairy Products

- Danonino Dairy Snack
- Danimals Low-Fat Yogurt
- Danimals Drinkable Smoothies
- Dannon Plain Nonfat Yogurt
- All Natural Low-Fat Yogurt
- Activia Lowfat Yogurt
- Activia Light Non-Fat Yogurt
- Light N Fit Nonfat Yogurt
- Light N Fit Dairy Based Smoothie
- Danactive Light Probiotic Cultured Dairy Drink

GENERAL MILLS INC.

Cereals

- Chocolate Lucky Charms
- Cinnamon Toast Crunch
- Cocoa Puffs
- Cocoa Puffs Combos
- Cookie Crisp
- Cookie Crisp Sprinkles
- Frosted Cheerios
- Honey Nut Cheerios
- Lucky Charms
- Reese's Puffs
- Trix

Yogurts

- Yoplait Go-Gurt (all flavors)
- Yoplait Fizzix (all flavors)
- Yoplait Trix (all flavors)

Snacks

- Fruit by the Foot (all flavors)
- Fruit RollUps (all flavors)
- Fruit Stickerz (all flavors)
- Fruit Gushers (all flavors)

KELLOGG COMPANY

Cereal and Breakfast Items

- Apple Jacks®
- Cereal straws (Apple Jacks™, Cocoa Krispies™ and Froot Loops™)
- Cocoa Krispies®
- Corn Pops®
- Eggo® Crunch Maple
- Eggo® French Toast Sticks (Maple)
- Eggo® Waffles (all flavors except Chocolate Chip)
- Froot Loops® (all flavors except marshmallow)
- Frosted Mini-Wheats® (all flavors except Maple/Brown Sugar)
- Hannah Montana (third party mark, not owned by Kellogg)
- High School Musical (third party mark, not owned by Kellogg)
- Jumbo Multi-Grain Krispies™
- Keebler Cookie Crunch™
- Kellogg's Frosted Flakes® (all flavors)
- Mini-Swirlz® Cinnamon
- Pop-Tarts® toaster pastries (Brown Sugar Cinnamon Whole Grain)
- Rice Krispies® (all flavors)
- Rice Krispies Treats®

Snacks

- Dora the Explorer* Animal Crackers
- Cheez-It® Gripz® (Regular and Nacho) crackers
- Fruit Snack pieces (all flavors)²
- Grahams (all flavors except Fudge Shoppe® Deluxe Grahams) crackers
- Gripz® Cookies (Chips DeLuxe® Rainbow™ and Chocolate Chip)
- Keebler® Iced Animal Cookies
- Rice Krispies Treats® snack squares (all flavors)
- Sponge Bob* Cheez-It crackers
- Yogos Rollers® (all flavors)
- Yogos® Bits (all flavors)²
- Zoo and Sea-licious Animal Crackers

* Third-party trademark.

² Fruit Snack pieces, as labeled, contain approximately 13g of sugar, of which approximately 1g is from fruit. Yogos® Bits also contain approximately 1g of sugar from fruit.

KRAFT FOODS GLOBAL, INC.

Ready-to-Drink Beverages

- Capri Sun Roarin' Waters (all flavors)
- Capri Sun Juice Drinks (all flavors)
- Capri Sun 100% Juice (all flavors)
- Capri Sun Sunrise Juice Drinks (all flavors)
- Kool-Aid Jammers 10 (all flavors)

Powdered Beverages

- Kool-Aid Singles (all flavors)
- Kool-Aid Sugar Free (all flavors)

Crackers and Cookies

- Honey Maid Bees Grahams – Honey
- Kraft Macaroni and Cheese Baked Cheese Crackers
 - Parmesan Crunch
- Nabisco Confetti Crème Ritz Bits Cracker Sandwiches
- Nabisco Teddy Grahams (all flavors)
- Ritz Bits Cracker Sandwiches – Peanut Butter Chocolatey Blast

Cheese and Dairy

- Kraft Singles American Pasteurized Prepared Cheese Product
- Kraft Singles Sharp Pasteurized Prepared Cheese Product
- Kraft Singles Swiss Pasteurized Prepared Cheese Product

Convenient Meal Products³

- Lunchables Chicken Dunks
- Lunchables Fun Pack Extra Cheesy Pizza
- Lunchables Fun Pack Pepperoni Pizza
- Lunchables Mini Hot Dogs
- Lunchables Beef Tacos Wrapz
- Lunchables Pizza Treatza
- Lunchables Chicken Wrapz
- Lunchables Lunch Combinations – Cheese Pizza
- Lunchables Lunch Combinations – Turkey and Cheddar Sub
- Kraft Easy Mac Macaroni & Cheese Dinner – Original Flavor
- Kraft Macaroni & Cheese Shapes
- Kraft Macaroni & Cheese Spirals

Granola and Cereal Bars

- Balance BKids Bar (Chocolate Chip; Peanut Butter)

³ The content of *Lunchables* products may vary from time to time. Although the main component will remain the same, Kraft Foods may periodically modify the treat and/or drink (i.e., *Capri Sun Roarin' Waters* switched for *Capri Sun 100%* fruit juice). The product's nutritional profile, however, will always stay within the boundaries of the *Sensible Solution* criteria or the *Smart Choices Program* criteria. For the most current information about *Lunchables* products' content, consult the Kraft Foods' website at www.kraftfoods.com.

McDONALD'S USA

Chicken McNuggets Happy Meal

- 4 Piece Chicken McNuggets
- Apple Dippers with Low-Fat Caramel Apple Dip
- 1% Low-Fat White Milk

Hamburger Happy Meal

- Hamburger
- Apple Dippers with Low-Fat Caramel Apple Dip
- 1% Low-Fat White Milk

Grilled Snack Wrap with choice of 3 sauces (ranch, honey mustard, and chipotle BBQ)

- Grilled Snack Wrap
- Fruit and Yogurt Parfait with Granola
- Bottled Water

Snack Wrap with choice of 3 sauces (ranch, honey mustard, and chipotle BBQ)

- Snack Wrap
- Fruit and Yogurt Parfait with Granola
- Bottled Water

NESTLÉ USA

100% Fruit Juices

- Nestlé Juicy Juice (all flavors)

Chocolate Flavored Milk and Powder

- 8 ounce Nesquik Ready to Drink Chocolate Low-Fat Milk No Sugar Added
- Nesquik Powder Chocolate – 25% Less Sugar
- Nesquik Powder Chocolate – No Sugar Added

Calcium Fortified Low-Fat Milk

- Nesquik Calcium Fortified Low-Fat Milk

Push Up Frozen Dessert

- Nestlé Push Up Variety Pack
- Nestlé Push Up Rainbow
- Nestlé Push Up Laffy Taffy
- Nestlé Push Up Nesquik Milk Chocolate/Double Chocolate Swirl

PEPSICO, INC.⁴

Beverages

- Gatorade Thirst Quencher (all flavors)

Cereal⁵

- Cap'n Crunch
- Cap'n Crunch's Crunchberries

⁴ PepsiCo has hundreds of products that meet its *Smart Spot* criteria. It chooses, however, to feature only a handful of products in child-directed advertising.

⁵ Under PepsiCo's pledge, it also may market to children, on a temporary basis as seasonal or other special occasion items, other versions of its approved Cap'n Crunch products. Such products will be limited to products that meet PepsiCo's pledge-approved *Smart Spot* nutrition criteria. For the most current information about Cap'n Crunch cereals, consult the Cap'n Crunch website at www.capnkrunch.com.

Popsicles

- Big Stick Cherry/Pineapple
- Bubble Gum Swirl
- Cotton Candy Swirl
- Dora the Explorer
- Creamsicle Bar
- Creamsicle Pop
- No Sugar Added Creamsicle
- Low-Fat Creamsicle
- Firecracker Jr.
- Firecracker Red, White & Blue
- Firecracker with Exploding Candy Tip
- Firecracker Sour
- Fudgsicle Bar
- Fudgsicle Pop
- Fudgsicle 100 Calorie Giant Fudge Bar
- Fudgsicle Triple Chocolate
- Low Fat Fudgsicle
- Fat Free Fudgsicle Bar
- No Sugar Added Fudgsicle
- Hyper Stripe
- Lemon Lime Shots
- LifeSavers Pops
- Lick A Color
- Mega Missile Explosion
- Mega Missile Red White & Blue
- Mega Missile Firecracker
- Mega Missile Mega Warheads
- Mega Missile Watermelon
- Nick Toons SpongeBob SquarePants
- Popsicle Diet Soda Pops
- Popsicle Dora The Explorer
- Popsicle Juice Scribblers
- Popsicle SpongeBob SquarePants Pop-Ups
- Popsicle Shot Cookies and Cream
- Popsicle Sugar Free LifeSaver Pops
- Popsicle Super Heroes Meet Super Villains
- Popsicle Super Twins Orange, Cherry, Grape, Lime
- Popsicle Twister

Popsicles

- Pop-Ups Reckless Rainbow Sherbet
- Pop-Ups Orange Burst
- Screwball Cherry
- Slow Melt Pops
- Slow Melt Ice Age
- Snoopy
- Snow Cone
- Spiderman
- SpongeBob Banana Splits Shots
- Sugar Free Healthy Bunch
- Super Sour Shots
- Swirlwinds
- The Great White

Peanut Butter

- Skippy Creamy Peanut Butter
- Skippy Roasted Honey Nut Creamy Peanut Butter
- Skippy Roasted Honey Nut Super Chunk Peanut Butter
- Skippy Super Chunk Peanut Butter
- Skippy Natural Creamy Peanut Butter
- Skippy Natural Super Chunk Peanut Butter
- Skippy Reduced Fat Creamy Peanut Butter
- Skippy Reduced Fat Super Chunk Peanut Butter

Appendix D — Table of Definitions of Advertising Primarily Directed to Children Under 12

Company	Definition*
Burger King Corp.	For all media: 30% or more of the audience is composed of children under 12.
Cadbury Adams USA LLC	For all media: 50% or majority of the audience is composed of children under 12.
Campbell Soup Company	For all media: Audience composition that is approximately two times the proportion of that age group in the general population (composition index of 200 or more). There may be exceptions when advertising is clearly and objectively directed to adults and the media properties in which the advertising is placed are chosen to reach an adult audience.
The Coca-Cola Company	For all media: 50% or more of the audience is composed of children under 12.
ConAgra Foods, Inc.	For all media: 35% or more of the audience is composed of children under 12.
The Dannon Company	For all media: 50% or more of the audience is composed of children under 12.
General Mills Inc.	For all media: 35% or more of the audience is composed of children under 12.
Hershey Company	For all media: 30% or more of the audience is composed of children under 12.
Kellogg Company	For TV: 50% or more of the audience is made up of children under 12; when 35%–49% of the audience is made up of children under 12 company will review facts and circumstances surrounding the show, and will advertise only products that meet its nutrient criteria if it determines the show is specifically targeted to, or is designed specifically to appeal primarily to children under 12. For Radio or non-Kellogg/third-party internet: 50% or more of the audience is composed of children under 12. For Print: Will not advertise products that do not meet company nutrient criteria in publications that are specifically designed to appeal to, or which are targeted primarily to, children under 12.

Company

Definition*

Kraft Foods Global, Inc.

For TV and Internet: 35% or more of the audience is composed of children under 12, and, for TV, any program that falls within time periods traditionally regarded as kids viewing time regardless of the size of the child viewing audience.

For Print and Radio: Will advertise only those products that meet its *Sensible Solutions* nutrition criteria in publications and on radio directed primarily to children under 12, based on MRI-reported readership data for publications and Radio Disney for radio.

Mars, Inc.

For all media: 25% or more of the audience is made up of children under 12.

McDonald's USA

For all media: 30% or more of the audience is made up of children under 12; or media purchased according to Nielsen standard demographics for audiences under 12 for TV and internet.

Nestlé USA

For all media: Targets children and 35% or more of the audience is composed of children under 12.

In some instances advertising that is clearly targeted to adults and placed to reach adults may run on media with 35% or more children under 12.

PepsiCo, Inc.

Based on an analysis of the following factors, no single one of which will be controlling:

- Whether the content of the media is designed for children under 12
 - Whether the advertised product or service is intended for use by, or is of interest to, children under 12
 - Where the media in which the advertising appears is promoted and advertised;
 - Available projections, at the time the advertising is placed, of audience demographics; and
 - For television programs, whether they are aired during what is generally understood to be children's programming.
-

Unilever

Based on an analysis of the following factors, no single one of which will be controlling:

- Whether the specific medium in which the ad is placed is used primarily by children under 12
- Whether the ad was intended/created to appeal primarily to children under 12; and
- For TV ads, whether the ad appears during, or just before or after, a program generally understood to be children's programming, considering the time of day during which the ad appears and the media outlet, or which is counted towards the broadcaster's or cablecaster's Children's Television Act obligations.

*Audience composition figures refer to projected audience at the time the media is purchased.

Appendix E — Table of Child-Directed Company-Owned Websites (2008)¹

Company	Website(s)
Burger King Corp.	www.ClubBk.com
Cadbury Adams USA LLC	www.bubblicious.com (In 2008 the site was changed to no longer be directed to children under 12. The site is now inactive.)
Campbell Soup Company	www.myslurp.com www.pfgoldfish.com
The Coca-Cola Company	None
ConAgra Foods, Inc.	www.kidcuisine.com www.peterpanpb.com
The Dannon Company	Not Applicable (pledge not in effect during 2008)
General Mills Inc.	www.sillyrabbit.millsberry.com www.sillyrabbit.com* www.trixworld.com* www.fruitontheloose.com www.gushersredoyourroom.com** www.ultimateboarding.com** www.tonguetracks.com** www.millsberry.com www.reesespuffs.com www.choosebreakfast.com www.cookiecrisp.com www.3footheater.com www.gogurt.com www.gogurtfizzix.com www.nutsabouthoney.millsberry.com www.nutsabouthoney.com*** www.luckycharms.millsberry.com www.luckycharms.com**** www.mightygiants.com www.cuckooshow.com
The Hershey Company	None
Kellogg Company	Not Applicable (pledge not in effect during 2008)

Company	Website(s)
Kraft Foods Global, Inc.	www.lunchables.com www.thecheesiest.com www.kool-aid.com www.postopia.com/pebbles3d ² www.postopia.com/campdino/index.aspx ² www.respectthepouch.com www.postopia.com ² www.postopia.com//beeboy/game.aspx ² www.beeboy.org ² www.postopia.com/bda/index.aspx ²
Mars, Inc.	None
McDonald's USA	www.happymeal.com www.ronald.com www.minisizefun.com
Nestlé USA	Not Applicable (pledge not in effect during 2008)
PepsiCo, Inc.	www.cheetos.com (no longer a site primarily directed to children under 12 as of December 2008) www.traxcheesysummer.com (now inactive)
Unilever	www.popsicle.com www.skippypeanutbutter.com

* Site redirects to www.sillyrabbit.millsberry.com

** Site redirects to www.fruitontheloose.com

*** Site redirects to www.nutsabouthoney.millsberry.com

**** Site redirects to www.luckycharms.millsberry.com

¹ The websites included in this table are ones that the participants reported as being directed primarily to children under 12 in 2008 based on their media plans, demographic information regarding site visitors (if available) and the nature, and content of the site. Some sites may no longer be active.

² Kraft Foods sold Post Foods in 2008.

Appendix F – Synopsis of Interactive Features on Participant Websites Primarily Directed to Children Under 12 (2008)¹

Website	Examples of Interactive Features on Website	Food and Beverages Depicted in Interactive Features	Healthy Lifestyle Messaging on Website ²
Burger King Corp.			
www.ClubBk.com	A virtual world where players create their own characters and play games	"Feed Brian's Cousins" features unbranded images of milk, cheese and apples	
Cadbury Adams USA LLC			
No advertising primarily directed to children under 12.			
Campbell Soup Company			
www.myslurp.com	<p>"Souper Slide" where players navigate a grilled cheese sandwich down a slide filled with soup</p> <p>A shopping list game where players can pick out foods</p>	Features foods that meet Participant's nutrition guidelines, unbranded images of soups and noodles and generic food items such as fruits and bread	Shopping list activity encourages healthy dietary choices by including products such as fruits and bread in the game
www.pfgoldfish.com	<p>"Web Cartoons" involving Goldfish characters in which players create their own animated story</p> <p>GameMaker where kids can pick the number of players, field and equipment to generate a customized active game</p>	Features foods that meet Participant's nutrition guidelines, primarily in the Goldfish Films section	<p>In the "Goldfish Games" section, kids can print out directions and tips for active games to play with minimal equipment and use the Game Maker to create customized games</p> <p>Kids can take the "Get Active Pledge" and promise to "get up, get active and get moving"</p> <p>The website advertised a national promotion where kids were invited to submit an original active game</p>
The Coca-Cola Company			
No advertising primarily directed to children under 12.			

Website	Examples of Interactive Features on Website	Food and Beverages Depicted in Interactive Features	Healthy Lifestyle Messaging on Website ²
ConAgra Foods, Inc.³			
www.kidcuisine.com/index.jsp	"KC Fill the Freezer" (players move the KC player back and forth to catch as many falling <i>Kid Cuisine</i> entrees as possible)	Kid Zone features foods that meet Participant's nutrition guidelines, unbranded images of components of <i>Kid Cuisine</i> meals, and generic food items such as fruit	The "Fun-O-Matic" section includes downloadable directions for ten active outdoor games such as Capture the Flag and Dragon Tag
www.peterpanpb.com	"Lost in Neverland" game	Features foods that meet Participant's nutrition guidelines	
The Dannon Company			
Pledge not in effect during 2008.			
General Mills Inc.			
www.choosebreakfast.com	Online quizzes to test kids' knowledge about breakfast and video clips featuring "breakfast adventures"	Features generic images of foods and beverages	Links to websites that provide information about healthy dietary choices such as MyPyramid.gov Site also contains information about the importance of breakfast
www.mightygiants.com	Features various games, content and quizzes that encourage healthy dietary choices and promote exercise using the Jolly Green Giant and Sprout characters	Features generic images of food such as fruits and vegetables	Links to websites that provide information about healthy dietary choices such as MyPyramid.gov and the President's Challenge Physical Activity and Fitness Awards Program Videos featuring Sprout character that focus on exercising and eating right
www.millsberry.com	Virtual world with various content and games, including mazes, virtual snowboarding, and a grocery store where kids can shop from the five main food groups	Features foods that meet Participant's nutrition guidelines and unbranded foods	Screen breaks every ½ hour that encourage players to engage in physical activities Variety of games that encourage physical activity and balanced diets The site contains links to the USDA MyPyramid website
www.sillyrabbit.millsberry.com (www.sillyrabbit.com and www.trixworld.com redirect to this site)	Virtual worlds and games that involve the Trix Silly Rabbit character	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in physical activities

Website	Examples of Interactive Features on Website	Food and Beverages Depicted in Interactive Features	Healthy Lifestyle Messaging on Website ²
General Mills Inc. (Continued)			
www.fruitontheloose.com (www.ultimateboarding.com www.tonguetracks.com and www.gushersredoyourroom.com redirect to this site)	Decorate a virtual room, virtual snowboarding, obstacle courses and other games	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in more physical activities
www.nutsabouthoney.millsberry.com (www.nutsabouthoney.com redirects to site)	Games that involve Buzz, the Honey Nut Cheerios character	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in physical activities
www.luckycharms.millsberry.com (www.luckycharms.com redirects to this site)	Various games featuring the Lucky Charms character Lucky the Leprechaun	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in more physical activities
www.cookiecrisp.com	Players catch cereal in a bowl and earn points	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in physical activities
www.3footheater.com	Content and games that feature characters Jack and Bob and their adventures	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in physical activities
www.gogurt.com	Interactive rooms, downloadable stickers, an interactive drum kit, and driving simulators	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour encouraging players to engage in more physical activities
www.gogurtfizzix.com	Games that feature flavor labs, a burp organ and a burp modulator	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in physical activities
www.cuckooshow.com	"Elevator Madness" and "Spell Bound" games and other content featuring Sonny the Cuckoo Bird	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in more physical activities
www.reesespuffs.com	Various games including a sound mixing board and dance battle	Features foods that meet Participant's nutrition guidelines	Screen breaks every ½ hour that encourage players to engage in more physical activities
Hershey Company			
No advertising primarily directed to children under 12.			
Kellogg Company⁴			
Pledge not in effect during 2008.			

Website	Examples of Interactive Features on Website	Food and Beverages Depicted in Interactive Features	Healthy Lifestyle Messaging on Website ²
Kraft Foods Global, Inc.			
www.lunchables.com (site revised in 2009)	Games in which the objective is to race against time and collect points	Features foods that meet Participant's nutrition guidelines	Features an introductory sequence promoting healthy living activities before each game on the site. The copy reads, "Be a player. Get up and play an hour a day!"
www.respectthepouch.com	Players chase rabbits out of a Capri Sun Factory by shooting plungers at them	Features products that meet Participant's nutrition guidelines	
www.postopia.com/pebbles3d ⁵	Board game style activity where players control pieces to move through a volcano	Features foods that meet Participant's nutrition guidelines	Games featured an introductory sequence promoting healthy living activities (swimming, Frisbee) and a healthy living message plays as a game loads: "Be a Player. Get up and play an hour a day!"
www.postopia.com/campdino/index.aspx ⁵	Games simulate the experience of being at summer camp	Features foods that meet Participant's nutrition guidelines	Games featured an introductory sequence promoting healthy living activities (swimming, Frisbee) and a healthy living message plays as a game loads: "Be a Player. Get up and play an hour a day!"
www.postopia.com//beeboy/game.aspx ⁵	Players create their own bee who works to collect nectar in order to make honey	Features foods that meet Participant's nutrition guidelines	Games featured an introductory sequence promoting healthy living activities (swimming, Frisbee) and a healthy living message plays as a game loads: "Be a Player. Get up and play an hour a day!"
www.beeboy.org ⁵	The "Beeboy" gathers Honeycomb pieces to gain points	Features foods that meet Participant's nutrition guidelines	
www.postopia.com/bda/index.aspx ⁵	Players use either a keyboard to type in sequences or stand on a Kraft Active Game Pad that encourages physical activity	Features foods that meet Participant's nutrition guidelines	Active game pad allows physical play to be incorporated during game Games featured an introductory sequence promoting healthy living activities (swimming, Frisbee) and a healthy living message plays as a game loads: "Be a Player. Get up and play an hour a day!"

Website	Examples of Interactive Features on Website	Food and Beverages Depicted in Interactive Features	Healthy Lifestyle Messaging on Website ²
Mars, Inc.			
No advertising primarily directed to children under 12.			
McDonald's USA			
www.happymeal.com	Virtual soccer, hockey, pinball and racecar simulator games	No food or beverage products featured	Site encourages physical activity with the "One Minute to Move It" promotions
www.ronald.com	Educational games that develop mouse, keyboard, memory, counting and alphabet skills	One game features fruits and vegetables	[Focuses on early education]
www.minisizefun.com	Draw a course for the Line Rider character to sled on	Player draws course through foods that meet Participant's nutrition guidelines	
Nestlé USA			
Pledge not in effect during 2008.			
PepsiCo, Inc.			
www.cheetos.com (No longer kid-directed)	Games featured "Chester the Cheetah" demonstrating physical activity	Featured foods that meet Participant's nutrition guidelines	
www.traxcheesysummer.com (Site discontinued)	Site promoted "Cheesiest Messiest Summer Ever Sweepstakes," an obstacle course contest	Featured foods that meet Participant's nutrition guidelines	Encouraged participation in contest (obstacle course) that required physical activity
Unilever			
www.popsicle.com	Interactive games that involve depictions of the Popsicle products	Features foods that meet Participant's nutrition guidelines	
www.skippypeanutbutter.com	Puzzles and a photo hunt	Features foods that meet Participant's nutrition guidelines	

¹ This chart focuses on interactive features, such as games and downloads, on kid-directed websites or micro-sites.

² Healthy lifestyle messaging may include nutrition information about products, other nutrition information that helps children learn how to make good dietary choices, or content that encourages or supports positive food choices or physical activity.

³ ConAgra Foods' Chef Boyardee brand came into compliance in June 2009 as scheduled and outlined in ConAgra Foods' pledge. This chart reflects interactive games on company-owned child-directed websites for brands implemented in the pledge program during 2008.

⁴ Kellogg implemented its interactive game commitment in two parts. By December 31, 2007 it had included healthy lifestyle messaging and automatic activity breaks on its child-directed sites.

⁵ Kraft Foods sold Post Foods in August 2008 and no longer controls or maintains these websites.

Appendix G — Examples of Participants' Healthy Lifestyle Programs, Messaging and Initiatives (2008)¹

Programs Supported by Multiple Participants²

- USDA's "Partnering with MyPyramid." Partners use MyPyramid messages to help a family's nutrition gatekeeper make healthy dietary choices.
 - CFBAI participants: Burger King Corp., Campbell Soup Company, ConAgra Foods, Inc., General Mills Inc., Kellogg Company, Kraft Foods Global, Inc., Nestlé USA, and PepsiCo, Inc.
 - Alliance for a Healthier Generation's *School Beverage* or *Competitive Food Guidelines* for beverages and foods available for purchase in schools.
 - CFBAI participants: Campbell Soup Company, The Coca-Cola Company, The Dannon Company, Kraft Foods Global, Inc., Mars, Inc., and PepsiCo, Inc.
 - Ad Council's Coalition for Healthy Children provides clear, consistent research-based messages to children and parents on the importance of practicing a healthier lifestyle and offers them the means to do it.
 - CFBAI participants: The Coca-Cola Company, General Mills Inc., Hershey Company, Kellogg Company, Kraft Foods Global, Inc., McDonald's USA, and PepsiCo, Inc.
-

Burger King Corp.

- Promotes physical activity with the BURGER KING® Adventures newsletters and the BURGER KING® Kids Club Welcome Kit, which contain physical activity messages.
 - Makes available in BURGER KING® restaurants nutrition brochures that contain a MyPyramid Panel and highlight recommended daily calorie, fat and sodium amounts.
-

Cadbury Adams USA LLC

- Promotes oral health education to children with its *Smiles Across America* program.
-

Campbell Soup Company

- Through the Goldfish Games platform, encourages kids to "get up, get active, and play their game," including national television advertising featuring Dwayne Wade of the Miami Heat playing games with kids, a national promotion in which kids submitted an original active game and sponsorship of an "active play" area at the NBA All-Star Game Jam session.
 - The Fishful Thinking program provides parents resources to help children develop emotional well-being.
 - Provides consumers tools and resources regarding nutrition, fitness, wellness and recommendations on sodium intake at <http://www.campbellwellness.com>.
-

The Coca-Cola Company

- Supports the *Think, Drink, Move* campaign, which promotes nutrition education, low-calorie hydration and physical activity in collaboration with, for example, The Boys and Girls Club's *Triple Play Program* and the Center for Disease Control and Prevention.
- Founded *The Beverage Institute for Health & Wellness* in 2004 to advance scientific knowledge, awareness and understanding of beverages, and the importance of an active, healthy and balanced lifestyle.

ConAgra Foods, Inc.

- Funds child hunger initiatives nationwide, from Kids Café to Summer Food Service programs, as a national donor/partner of *Feeding America*, the nation's leading domestic hunger-relief organization.
 - Sponsors *Share our Strength's Operation Frontline*, a nutrition education program that addresses the nutritional needs of children in America by teaching low-income families how to prepare healthy, tasty meals on a limited budget.
 - Raises awareness and helps fight childhood hunger through the ConAgra Foods Foundation's *Nourish Today, Flourish Tomorrow* platform, which focuses on providing kids with access to the foods and facts needed to eat nutritiously, live balanced lifestyles and succeed in school and life.
-

The Dannon Company

- Provides annually, through *Dannon Next Generation Nutrition Grants*, funding to nonprofit organizations in support of community-based childhood nutrition education programs.
 - Provides funding for *The Dannon Institute*, an independent, nonprofit foundation that promotes research, education, and communication about the link between nutrition and good health. Program areas include children's nutrition education—especially preschool nutrition and school wellness as well as initiatives fostering the success of tomorrow's leaders in the field of nutrition.
-

Hershey Company

- Sponsors the *HERSHEY'S Track & Field Games* that, during its 30-year history, have introduced more than 10 million children in 3,000 communities across the U.S. and Canada to the fun and rewards of physical fitness.
-

General Mills Inc.

- Funds and supports the *General Mills Foundation*, which, among other things,
 - Awards grants to local YMCAs and Boys and Girls Clubs to support their youth nutrition and fitness programs.
 - Sponsors *The Champions for Healthy Kids* grant program, in partnership with the American Dietetic Association, which awards fifty \$10,000 grants to grassroots organizations around the country that provide innovative youth nutrition and fitness programs.
-

Kellogg Company

- Provides grants to *Action for Healthy Kids*, which makes resources and assistance available to implement school wellness policies.
 - Provided a grant to the *Make It Right Foundation* that was used to build a playground in the Lower Ninth Ward of New Orleans, Louisiana.
-

Kraft Foods Global, Inc.

- Supports programs such as *Fishing for Good Nutrition* and the *Greater Chicago Food Depository* that make healthy foods more readily available to families in need.
- Provided funding for KaBoom!, an organization dedicated to building safe playgrounds for children.

Mars, Inc.

- Promotes youth fitness by sponsoring Little League Baseball and other activities such as health fairs, fun runs and soccer, in communities in which Mars operates.
 - Provides nutrition information for all products, health and fitness tips and links to other helpful health sites on www.marshealthyliving.com.
-

McDonald's USA

- Supports the Produce for Better Health Foundation by:
 - Incorporating its “*Fruit & Veggies—More Matters*” message into McDonald’s programs and communications.
 - Providing funding for its *Campaign for Children’s Health*, a program that encourages the nation’s children to eat more fruits and vegetables for better health.
 - Provides customers easy access to nutrition information in five ways, including on food packaging, using a simple-to-understand icon and bar chart format for much of its foods, on in-restaurant brochures and tray liners, on its website and through a toll-free number.
-

Nestlé USA

- Nestlé conducted these activities in 2009. Its pledge was not implemented in 2008.
 - Partnered with KaBoom! to support communities in creating playgrounds for kids.
 - Includes information, on the kids’ section of Nesquik.com, regarding the importance of building strong bones through proper nutrition and exercise, and provides suggestions for outdoor activities.
-

PepsiCo, Inc.

- Partnered with America on the Move to develop *Balance First*,TM middle school classroom lesson plans that teach the concept of energy balance.
 - Supports the PE Central website, which provides resources, ideas and activities for PE and health lessons.
 - Created (through the Gatorade brand) the *GoGirlGo Ambassador Program* to enlist teen athletes to become activists in young women’s health and fitness.
-

Unilever

- Through the Unilever United States Foundation, Inc., provides funding for the Feeding America’s Kids Café & Backpack and Kids Café Programs, designed to feed children at risk of hunger and provide them nutrition education.
- Supports the preservation and protection of the National Parks, including an awareness campaign that spotlights the recreation resources inherent in the Parks, through its Lipton® Tea Healthy Parks-Healthy Living Program.

¹ This list is intended to be illustrative. It does not necessarily include every relevant participant program or support that a participant may provide to an organization that promotes healthy lifestyles or healthy dietary choices. Further, the items listed here reflect 2008 actions, and may not, in every case, be an ongoing activity.

² Eleven participants also are members of the Healthy Weight Commitment Foundation (HWCF), which in October 2009 launched its three-part program to provide and promote solutions that help people achieve a healthy weight through energy balance by making healthy choices and increasing physical activity. The 11 CFBAI participants, Campbell Soup Company; ConAgra Foods, Inc.; General Mills Inc.; Kellogg Company; Kraft Foods Global, Inc.; Mars; Nestlé USA, Inc.; Post Foods, LLC; The Coca-Cola Company; The Hershey Company; and Unilever, are part of a larger group that includes other manufacturers, associations, food retailers, and foundations that are partnering to reduce obesity, especially childhood obesity, by 2015. More information about the HWCF is available at www.healthyweightcommit.org.

Appendix H — Burger King Corp. Changes in Kids Meals (Advertising from 2004–2009)

National television advertising for BK® Kids Meals has changed over the years from meals that included french fries and soft drinks to only meals that meet strict nutritional criteria. Below is a brief outline of the products featured in BKC’s national television commercials over the last five years.

November 2004 – SpongeBob The Movie



- TV commercials featured Double Cheeseburger BK® Big Kids Meal, including a kids french fry and kids beverage

February 2006 – SpongeBob “Lost in Time”



- TV commercials featured a variety of BK® Kids Meals:
 - Cheeseburger, kids beverage, Mott’s® Strawberry Applesauce
 - 4 piece CHICKEN TENDERS®, Minute Maid® Apple Juice, kids french fry
 - 4 piece CHICKEN TENDERS®, kids beverage, kids french fry
 - Cheeseburger, HERSHEY’S® 1% low-fat chocolate milk, Mott’s® Strawberry Applesauce

April 2009 - SpongeBob vs. The Big One



- TV commercials only feature BK® Kids Meals that meet BKC's current CFBAI commitment:
 - Kraft Macaroni & Cheese, HERSHEY'S® fat-free white milk* and BK® Fresh Apple Fries with a low-fat caramel packet
 - Stars & Bolts shaped CHICKEN TENDERS® (4 piece), HERSHEY'S® fat-free white milk and BK® Fresh Apple Fries with a low-fat caramel packet
 - BK BURGER SHOTS® 2-Pack, calcium-fortified Minute Maid® Apple Juice and BK® Fresh Apple Fries with a low-fat caramel packet

* BKC transitioned to HERSHEY'S® fat-free white milk from HERSHEY'S® 1% low-fat white milk, effective April 27, 2009.

Appendix H — Campbell Soup Company

Chicken & Stars Soup

Pre-2007 Pledge

July 2007

Nutrition Facts	Amount/serving	%DV*	Amount/serving	%DV*
	Total Fat 2g	3%	Total Carb. 10g	3%
Serv. Size 1/2 cup (120mL) condensed soup Servings about 2.5	Sat. Fat 0.5g	3%	Fiber 1g	4%
Calories 70 Fat Cal. 20	Trans. Fat 0g		Sugars 2g	
	Cholest. 5mg	2%	Protein 3g	
	Sodium 940mg	39%		
*Percent Daily Values (DV) are based on a 2,000 calorie diet.				
Vitamin A 10% • Vitamin C 0% • Calcium 0% • Iron 0%				

Nutrition Facts	Amount/serving	%DV*	Amount/serving	%DV*
	Total Fat 2g	3%	Potassium 80mg	3%
Serv. size 1/2 cup (120 mL) condensed soup Servings about 2.5	Sat. Fat 0.5g	3%	Total Carb. 10g	3%
Calories 70 Fat Cal. 20	Trans Fat 0g		Fiber 1g	4%
	Cholest. 5mg	2%	Sugars 1g	
	Sodium 840mg	27%	Protein 3g	
*Percent Daily Values (DV) are based on a 2,000 calorie diet.				
Vitamin A 15% • Vitamin C 0% • Calcium 0% • Iron 2%				

Current Formulation

Nutrition Facts	Amount Per Serving	% DV *	Amount Per Serving	% DV *
	Total Fat 2g	3%	Sodium 480mg	20%
Serving Size: 1/2 cup (120 ml) condensed soup Servings: about 2.5 Calories 70 Fat Cal. 20	Sat. Fat 0.5g	3%	Potassium 560mg	16%
	Trans Fat 0g		Total Carb. 11g	4%
	Polyunsat. Fat 0.5g		Fiber 1g	4%
	Monounsat. Fat 1g		Sugars 1g	
	Cholest. 5mg	2%	Protein 3g	
* Percent Daily Values (DV) are based on a 2,000 calorie diet.				
Vitamin A 15 % • Vitamin C 0 % • Calcium 0 % • Iron 2 %				

Appendix H — ConAgra Foods, Inc.

Kid Cuisine Cheese Blaster Mac-n-Cheese¹

Pre-2008 Pledge

Current Formulation

Nutrition Facts

Serving Size 1 Meal

Amount Per Serving

Calories 380 **Calories from Fat** 100

% Daily Value*

Total Fat 11g **17%**

Saturated Fat 5g **25%**

Trans Fat 0g

Cholesterol 15mg **5%**

Sodium 750mg **31%**

Total Carbohydrate 58g **19%**

Dietary Fiber 5g **20%**

Sugars 11g

Protein 11g

Vitamin A 20% • Vitamin C 40%

Calcium 10% • Iron 4%

* Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories:	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Nutrition Facts

Serving Size 1 Meal (301g)

Amount Per Serving

Calories 410 **Calories from Fat** 90

% Daily Value*

Total Fat 9g **14%**

Saturated Fat 4g **20%**

Trans Fat 0g

Cholesterol 15mg **5%**

Sodium 590mg **28%**

Potassium 680mg **19%**

Total Carbohydrate 69g **23%**

Dietary Fiber 6g **24%**

Sugars 6g

Protein 12g **24%**

Vitamin A 20% • Vitamin C 35%

Calcium 10% • Iron 10%

Thiamine 20% • Riboflavin 15%

Niacin 15% • Vitamin B6 4%

Folic Acid 35% • Vitamin B12 10%

Phosphorus 30% • Magnesium 15%

Zinc 10% • Manganese 15%

* Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories:	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g
Protein		50g	65g

¹ Note, the reformulation resulted in reductions in sodium/fat/added sugars and a slight increase in protein. The NFP for the reformulated product now also reports on additional vitamins that the product has been providing.

Appendix H – General Mills Inc.

Chocolate Lucky Charms®

Pre-2007 Pledge

Current Formulation

Nutrition Facts		
Serving Size ¾ cup (28g)		
Servings Per Container about 14		
Amount Per Serving	Chocolate Lucky Charms	with ½ cup skim milk
Calories	110	150
Calories from Fat	10	10
% Daily Value**		
Total Fat 1g*	2%	2%
Saturated Fat 0g	0%	0%
Trans Fat 0g		
Polyunsaturated Fat 0g		
Monounsaturated Fat 0.5g		
Cholesterol 0mg	0%	0%
Sodium 160mg	6%	9%
Potassium 50mg	2%	7%
Total Carbohydrate 24g	8%	10%
Dietary Fiber 1g	5%	5%
Sugars 14g		
Other Carbohydrate 9g		
Protein 1g		
Vitamin A	10%	15%
Vitamin C	10%	10%
Calcium	10%	25%
Iron	25%	25%
Vitamin D	10%	25%
Thiamin	25%	30%
Riboflavin	25%	35%
Niacin	25%	25%
Vitamin B ₆	25%	25%
Folic Acid	50%	50%
Vitamin B ₁₂	25%	35%
Phosphorus	4%	15%
Magnesium	4%	8%
Zinc	25%	30%

* Amount in cereal. A serving of cereal plus skim milk provides: 1g total fat, 220mg sodium, 250mg potassium, 30g total carbohydrate (20g sugars) and 5g protein.

** Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Nutrition Facts		
Serving Size ¾ cup (28g)		
Servings Per Container About 12		
Amount Per Serving	Chocolate Lucky Charms	with ½ cup skim milk
Calories	110	150
Calories from Fat	10	10
% Daily Value**		
Total Fat 1g*	2%	2%
Saturated Fat 0g	0%	0%
Trans Fat 0g		
Polyunsaturated Fat 0.5g		
Monounsaturated Fat 0.5g		
Cholesterol 0mg	0%	1%
Sodium 160mg	7%	9%
Potassium 60mg	2%	7%
Total Carbohydrate 24g	8%	10%
Dietary Fiber 1g	5%	5%
Sugars 12g		
Other Carbohydrate 11g		
Protein 1g		
Vitamin A	10%	15%
Vitamin C	10%	10%
Calcium	10%	25%
Iron	25%	25%
Vitamin D	10%	25%
Thiamin	25%	30%
Riboflavin	25%	35%
Niacin	25%	25%
Vitamin B ₆	25%	25%
Folic Acid	25%	25%
Vitamin B ₁₂	25%	35%
Phosphorus	4%	15%
Magnesium	2%	6%
Zinc	25%	30%

* Amount in cereal. A serving of cereal plus skim milk provides: 1.5g total fat, less than 5mg cholesterol, 220mg sodium, 260mg potassium, 30g total carbohydrate (18g sugars) and 5g protein.

** Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs:

	Calories	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Trix® Yogurt



Pre-2007 Pledge

Current Formulation

<p>Nutrition Facts Serving Size: 1 container (113g) Servings Per Pack: 6, Amount Per Serving: Calories 110, FatCal. 10, Total Fat 1.5g (2% DV), Sat. Fat 1g (4% DV), Trans Fat 0g, Cholesterol 5mg (2% DV), Sodium 55mg (2% DV), Potassium 180mg (5% DV), Total Carb. 21g (7% DV), Dietary Fiber 0g (0% DV), Sugars 17g, Protein 4g (7% DV), Vitamin A (10% DV), Vitamin C (0% DV), Calcium (10% DV), Iron (0% DV), Vitamin D (10% DV), Phosphorus (10% DV). Percent Daily Values are based on a 2,000 calorie diet.</p>	<p>Nutrition Facts Serving Size: 1 container (113g) Servings Per Pack: 6, Amount Per Serving: Calories 90, FatCal. 5, Total Fat 0.5g (1% DV), Sat. Fat 0.5g (2% DV), Trans Fat 0g, Cholesterol < 5mg (1% DV), Sodium 50mg (2% DV), Potassium 160mg (5% DV), Total Carb. 18g (6% DV), Fiber 0g (0% DV), Sugars 14g², Protein 4g (6% DV), Vitamin A (10% DV), Vitamin C (0% DV), Calcium (10% DV), Iron (0% DV), Vitamin D (10% DV), Phosphorus (8% DV). Percent Daily Values (DV) are based on a 2,000 calorie diet.</p>
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² Approximately 4g of sugars come from naturally occurring sugars in dairy.

Appendix H — The Kellogg Company

Apple Jacks® Cereal

Pre-2007 Pledge

Serving Size	1 Cup (31g/1.1oz)	
	Cereal with 1/2 cup Vitamins A&D Fat Free Milk	
Amount Per Serving	Cereal	
Calories	120	160
Calories from Fat	5	5
% Daily Value**		
Total Fat 0.5g*	1%	1%
Saturated Fat 0g	0%	0%
Trans Fat 0g		
Cholesterol 0mg	0%	0%
	6%	9%
Sodium 150mg		
	1%	7%
Potassium 35mg		
	9%	11%
Total Carbohydrate 28g		
Dietary Fiber 1g	4%	4%
Sugars 15g		
Other Carbohydrate 12g		

Protein 1g

Vitamin A	10%	15%
Vitamin C	25%	25%
Calcium	0%	15%
Iron	25%	25%
Vitamin D	10%	25%
Thiamin	25%	30%
Riboflavin	25%	35%
Niacin	25%	25%
Vitamin B ₆	25%	25%
Folic Acid	25%	25%
Vitamin B ₁₂	25%	35%
Zinc	10%	15%

* Amount in cereal. One half cup of fat free milk contributes an additional 40 calories, 65mg sodium, 6g total carbohydrates (6g sugars) and 4g protein.

**Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs

	Calories:	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Current Formulation

Serving Size	1 Cup (28g/1oz)	
	Cereal with 1/2 cup Vitamins A&D Fat Free Milk	
Amount Per Serving	Cereal	
Calories	100	140
Calories from Fat	5	5
% Daily Value**		
Total Fat 0.5g*	1%	1%
Saturated Fat 0g	0%	0%
Trans Fat 0g		
Cholesterol 0mg	0%	0%
	5%	8%
Sodium 130mg		
	1%	7%
Potassium 35mg		
	8%	10%
Total Carbohydrate 25g		
Dietary Fiber 3g	10%	10%
Sugars 12g		
Other Carbohydrate 10g		

Protein 1g

Vitamin A	10%	15%
Vitamin C	25%	25%
Calcium	0%	15%
Iron	25%	25%
Vitamin D	10%	25%
Thiamin	25%	30%
Riboflavin	25%	35%
Niacin	25%	25%
Vitamin B ₆	25%	25%
Folic Acid	25%	25%
Vitamin B ₁₂	25%	35%
Zinc	10%	15%

* Amount in cereal. One half cup of fat free milk contributes an additional 40 calories, 65mg sodium, 6g total carbohydrates (6g sugars) and 4g protein.

**Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie needs

	Calories:	2,000	2,500
Total Fat	Less than	65g	80g
Sat Fat	Less than	20g	25g
Cholesterol	Less than	300mg	300mg
Sodium	Less than	2,400mg	2,400mg
Potassium		3,500mg	3,500mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

Appendix H – Kraft Foods Global, Inc.

Lunchables Cheese Pizza Products

Pre-2007 Pledge – Max'd Out Cheese Pizza

Jan. 2009 – Max'd Out Cheese Pizza
(Discontinued Summer 2009)

NUTRITION FACTS PANEL

NUTRITION FACTS		
Serving Size 1 package (475 g)		
Amount Per Serving		
Calories	510	Calories from Fat 110
		% Daily Value*
Total Fat	13 g	20%
Saturated Fat	4.5 g	23%
Trans Fat	0 g	
Cholesterol	15 mg	5%
Sodium	920 mg	38%
Total Carbohydrate	77 g	26%
Dietary Fiber	3 g	12%
Sugars	37 g	
Protein	24 g	47%
Vitamin A 25%	•	Vitamin C 20%
Calcium 50%	•	Iron 4%

*Percent Daily Values are based on a 2,000 calorie diet.

NUTRITION FACTS		
Serving Size 1 package		
Amount Per Serving		
Calories	500	Calories from Fat 110
		% Daily Value*
Total Fat	12 g	18%
Saturated Fat	4 g	20%
Trans Fat	0 g	
Cholesterol	15 mg	5%
Sodium	820 mg	34%
Total Carbohydrate	77 g	26%
Dietary Fiber	3 g	12%
Sugars	35 g	
Protein	24 g	46%
Vitamin A 25%	•	Vitamin C 20%
Calcium 60%	•	Iron 15%

*Percent Daily Values are based on a 2,000 calorie diet.

New – Deep Dish Cheese Pizza

Calories 370	Calories From Fat 90
	% Daily Value *
Total Fat 11g	17%
Saturated Fat 3.5g	18%
Trans Fat 0g	
Cholesterol 15mg	5%
Sodium 500mg	21%
Total Carbohydrate 60g	20%
Dietary Fiber 5g	20%
Sugars 37g	
Protein 10g	17%
Vitamin A 8%	• Vitamin C 100%
Calcium 25%	• Iron 10%



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