

The Children's Food & Beverage Advertising Initiative in Action

A Report on Compliance
and Progress During 2016



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LETTER FROM THE PRESIDENT

The Report on Compliance and Progress During 2016 documents the continuing improvement in children's food advertising thanks to the efforts of the Council of Better Business Bureaus' (CBBB) Children's Food and Beverage Advertising Initiative (CFBAI). Eighteen program participants have maintained their excellent record of compliance with their CFBAI pledges. The continuing impact of CFBAI's uniform nutrition criteria means that the foods that CFBAI participants advertise to children provide important food groups and nutrients. BBB also was proud to announce the launch of the Children's Confection Advertising Initiative (CCAI) in 2016. Directly modeled on CFBAI, CCAI offers small-to-medium size confection companies to participate in self-regulation through formal commitments to not advertise to children under age 12. Clearly, CFBAI and its participants continue to have a positive impact in children's food and beverage advertising.

Given the rapidly changing marketplace that food companies face, it is impressive that CFBAI's participants continue to voluntarily be held publicly accountable under CFBAI's thoughtful and rigorous self-regulation program. We were pleased that their efforts were recognized at CBBB's 2016

BetterBusiness Conference, when the Honorable Maureen Ohlhausen, FTC Commissioner, noted that the industry's response in creating CFBAI was "a very good model for how government and business and consumer groups and medical organizations can work together and move forward on these issues." Commissioner Ohlhausen also recognized the benefits of CBBB's self-regulation programs, which for decades have set strong-yet-practical standards that help instill consumer confidence and contribute to marketplace trust.

The work that CFBAI had done for over 10 years has led to positive changes in the foods advertised to children by program participants. In 2016, the program began the hard work of considering how to update and improve the uniform nutrition criteria it first issued in 2011.

CBBB is proud to be working with these industry leaders to take another step in their commitment to being a part of the solution to childhood obesity.

Beverly Baskins
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CFBAI PARTICIPANTS



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EXECUTIVE SUMMARY

In 2016, CFBAI continued to contribute to the national conversation about policies to address childhood obesity. CFBAI engaged with public health and advocacy groups, launched a program (the Children's Confection Advertising Initiative) for small-to-medium confection companies that is modeled on CFBAI, and worked with participants to assess revisions to the CFBAI uniform nutrition criteria in light of the 2015 Dietary Guidelines for Americans and FDA's overhaul of the food label announced in 2016.

CFBAI's 11th Annual Report provides details on the significant events of 2016, some events from 2017, an assessment of participants' 2016 compliance, which again was excellent, a summary of nutrition improvements the participants made in foods they may advertise to children, and the results of our evaluation of food advertising during samples of food ads on Nickelodeon and Cartoon Networks.


YEAR IN REVIEW

Participation. Eighteen of the largest U.S. food and beverage and quick serve restaurants participate in CFBAI. In 2016, BBB created a niche program modeled on CFBAI, the Children's Confection Advertising Initiative (CCAI), in partnership with the National Confectioners Association. CCAI provides small-to-medium size confection companies with the opportunity to publicly commit to not engage in advertising primarily directed to

children under age 12, the same commitment that the larger confectionery companies make in CFBAI. The program included eight confectionery companies in 2016.

Outreach. CFBAI issued two press releases or public statements, submitted two comments with domestic and global governmental bodies or non-governmental organizations, published a fact sheet, and presented or exhibited several times in a variety of settings, including webinars, regulatory and legal conferences and classrooms. CFBAI provided briefings for interested regulators, advocacy groups, and companies interested in learning about CFBAI and its approach to food marketing to children issues. CFBAI also spoke individually and in a roundtable with multiple public health and nutrition organizations and academics about how CFBAI's nutrition criteria might be updated in light of current dietary and nutrition guidance.

Compliance Monitoring. CFBAI's ad monitoring included regular assessments of food advertising on children's TV networks, child-directed websites, apps, child-directed YouTube channels, and other media. CFBAI also reviewed the self-assessment reports that it requires participants to submit. These reports document their compliance and report any instances of non-compliance and the steps they took to prevent reoccurrences.



Compliance Findings. Compliance in 2016 was very high, as reported in past years. CFBAI's independent monitoring as well as the participants' reports showed that there were very few occasions when foods that did not meet CFBAI's uniform criteria appeared in child-directed TV, video-on-demand programming or in digital media. CFBAI found no egregious or significant problems.

Food Changes. During 2016, there were several changes to CFBAI's Product List, which identifies foods that meet the nutrition criteria and that are or may be advertised by participants to children. Participants added foods in the cereals, yogurts and snacks categories. These foods provide significant amounts of whole grains, dairy and/or key nutrients.

Nickelodeon 2017 Snapshot Findings. As in past years, CFBAI reviewed and analyzed food ads that aired in a 30-hour sample of Nickelodeon programming.

- ▶ *Percentage of Food and Beverage Ads.* Food and beverage ads represented 37% of all ads for products typically advertised on children's TV networks.
- ▶ *Participants' Share of Food Ads.* Ads from CFBAI participants represented 68% of all the food and beverage ads.

- ▶ *Foods Most Frequently Advertised by the Participants.* Cereals again were the most frequently advertised food. Other frequently advertised categories included exempt beverages, mixed dishes, and meals and small meals.

- ▶ *Nutrition Highlights.* Sixty-five percent of participant foods in the sample contained at least a half-serving of fruit, vegetables, whole grains or dairy. These foods were advertised more often than other foods in the sample, representing 65% of the ads in the sample.

LOOKING AHEAD

This was the fourth year since implementation of CFBAI's uniform nutrition criteria. CFBAI is proud of the positive impact that the program has had and the participants' ongoing commitment to improving the children's food advertising landscape. As promised when the program adopted these criteria in 2011, CFBAI and its participants have been assessing possible updates to the criteria. In 2016, the program sought external input from groups interested in childhood nutrition and food marketing, and also worked internally to assess how CFBAI's uniform nutrition criteria might be strengthened. In 2017, food labeling regulatory developments raised additional factors to consider. Our nutrition criteria review continues and we look forward to announcing the outcome in the near future.

I. Introduction and Report Overview



Childhood obesity continues to be an enormous problem in the United States. During 2015-2016, 40% of American adults and 18% of American children were obese, according to CDC, and ethnic and racial disparities persist.¹ Overall, the prevalence of obesity among adolescents and school-aged children was higher than among preschool-aged children. On a positive note, the obesity rate among children ages 2 to 5 has decreased from 13.9% in 2003-2004 to 8.9% in 2011-2014.² Additionally, there have been studies that report different successful community interventions to address childhood obesity. Despite these welcome developments, childhood obesity remains a serious problem. All societal sectors must play an active role in addressing this challenge.

In 2006, the Institute of Medicine recommended that food companies do their part by changing the mix of products in child-directed advertising to include healthier foods.³ In response to that challenge, BBB and 10 leading food and beverage and quick serve restaurants launched CFBAI in 2007. Since then, the program has grown to 18 companies, all of whom have been working to improve the children's food advertising

landscape. Each participant develops a pledge that incorporates how it will meet CFBAI's Core Principles regarding advertising on TV, digital media, mobile media and apps and other media, licensed characters, product placement and activities in elementary schools ("child-directed advertising"). Starting in 2014, CFBAI participants have used CFBAI's uniform nutrition criteria to determine which foods are eligible for advertising to children. These criteria set rigorous standards that require nutrition components to encourage and set limits for calories, sodium, saturated fat, trans fat and total sugars in foods advertised to children.

The progress CFBAI is making in improving the children's food advertising landscape has been widely recognized by the Federal Trade Commission⁴ and others.⁵ There have been many improvements in advertised foods that are tied to the implementation of CFBAI's uniform nutrition criteria. Foods commonly advertised to children (e.g., cereals, yogurts, meals, and small meals), and some that are not even advertised, now generally contain fewer calories, less sugar or sodium, and more whole grains, fruit or vegetables and vitamins and minerals, like Vitamin D and calcium.

This Report assesses the participants' compliance with their pledges and notes the improvements in foods added to CFBAI's Product List in 2016.⁶ Table 1 lists the participants assessed in this Report.



TABLE 1. CFBAI COMPANY COMPLIANCE ASSESSMENT LIST FOR 2016

American Licorice Company	Ferrero USA, Inc.	McDonald's USA, LLC
Burger King Corporation	General Mills, Inc.	Mondelēz Global, LLC
Campbell Soup Company	The Hershey Company	Nestlé USA
The Coca-Cola Company	Kellogg Company	PepsiCo, Inc.
Conagra Brands, Inc.	The Kraft Heinz Company ¹⁰	Post Foods, LLC
The Dannon Company, Inc.	Mars, Incorporated	Unilever USA

The remainder of this Report consists of the following:

- ▶ Part II, which summarizes CFBAI's history and the participants' representation in food advertising to children;
- ▶ Part III, which describes the nutrition developments and improvements that occurred during 2016 and the results of our 2017 Nickelodeon Snapshot;
- ▶ Part IV, which explains CFBAI's process for assessing compliance and our conclusion that compliance was excellent;
- ▶ Part V, which highlights CFBAI's plans for the next year.

NOTES

¹Center for Disease Prevention and Control. Prevalence of Obesity Among Adults and Youth: United States, 2015-2016 ("Prevalence of Obesity"), NCHS Data Brief No. 288. October 2017, available at <https://www.cdc.gov/nchs/products/databriefs/db288.html>. There was no significant change between 2013-2014 and 2015-2016 in adults or youths.

²*Id.* See also CDC data at <http://www.cdc.gov/obesity/data/childhood.html>.

³Institute of Medicine, "Food Marketing to Children and Youth: Threat or Opportunity?," (2006). Available at <http://www.iom.edu/Reports/2005/Food-Marketing-to-Children-and-Youth-Threat-or-Opportunity.aspx>.

⁴The FTC's 2012 "Review of Food Marketing to Children and Adolescents" reported an improvement in the overall nutritional profile of foods advertised to youth: "Calories and the food components to reduce (sodium, sugar, saturated fat, and *trans* fat) all decreased, while all of the nutrients to increase showed improvements (namely, fiber, whole grain, calcium, vitamin D, and potassium)." "A Review of Food Marketing to Children and Adolescents Follow-Up Report," FTC (Dec. 2012) at 30 ("FTC Report"). The FTC Report also noted that "The food and beverage industry, and in particular the CFBAI, has made major strides since the early days of self-regulation in 2006," and that CFBAI's "New uniform criteria . . . will likely lead to further improvements in the nutritional quality of foods marketed to children . . ." FTC Report at ES-2, available at <http://www.ftc.gov/reports/review-food-marketing-children-adolescents-follow-report>.

⁵For example, during the 2013 White House Convening on Food Marketing to Children, former First Lady Michelle Obama stated, "I was so pleased that 17 major American companies came together on their own as part of the Children's Food and Beverage Advertising Initiative to adopt new standards for marketing to kids. And I know this wasn't easy. Forging consensus among fierce competitors is a challenge to say the least. But these new standards are beginning to have an impact, and I commend all of these companies for taking action." Remarks during White House Convening on Food Marketing to Children (Sept. 18, 2013). Available at <http://www.whitehouse.gov/the-press-office/2013/09/18/remarks-first-lady-during-white-house-convening-food-marketing-children>). Additionally, in 2014 the Interfaith Center on Corporate Responsibility led a coalition of 40 institutional investors in sending letters to more than 30 food, restaurant, retail, and media companies urging them to join CFBAI "as an initial yet critical step companies can take in confronting the childhood obesity epidemic." (Letters available at http://www.iccr.org/sites/default/files/resources_attachments/08.22.14CFBAI%20InvestorSign-onwsigs.pdf.)

⁶Progress made in other years is documented in CFBAI's prior annual reports and other program materials that are available on CFBAI's website at <http://bbbprograms.org/programs/cfbai/>. The first report on compliance for participants in the Children's Confection Advertising Initiative (CCAI), a BBB self-regulation program that is modeled on CFBAI, was issued in May 2017. CCAI is designed for smaller confectionery companies that are members of the National Confectioners Association, BBB's partner in launching CCAI. CCAI's annual report discusses the eight 2016 participants' outstanding compliance with their commitment to not advertise their confections to children under age 12, which can be found at <http://bbbprograms.org/programs/ccai/>.



II. About CFBAI and Food Advertising to Children

CFBAI was created so that responsible food and restaurant companies could respond to calls from government agencies and the Institute of Medicine to do more to address the childhood obesity epidemic by changing the children's food advertising landscape. IOM urged that the food industry change the mix of advertised products to foods with fewer calories, less sugar and sodium, and more positive nutrients to encourage healthier dietary choices and healthy lifestyles.

To do this, CFBAI participants voluntarily develop individualized pledges that commit to use specified nutrition standards to govern the foods they advertise directly to children under age 12 in covered media. Some participants do not advertise to this age group at all. CFBAI complements another BBB program, the Children's Advertising Review Unit (CARU), which addresses *how* foods and other products are advertised to children. CFBAI focuses primarily on *what* foods are advertised to children.

CFBAI's standards apply to advertising primarily *directed* to children under age 12, a group that the advertising industry has long recognized needs special protections.⁷ CFBAI is not intended and was not designed to address the entire food marketing landscape and all ads children might see across that landscape. Such a goal would be unworkable

and would disproportionately impact advertising directed to and intended for other audiences. For example, although numerically many children may watch primetime shows, sporting events and other programs, they typically represent a small percentage of the audience. CFBAI's commitments cover food ads on children's TV networks, still the most popular media for children, when children are at least 35% of the audience, as well as child-directed advertising in digital media, a platform which increases in popularity with children every year.

BACKGROUND

All participants agree to follow CFBAI's requirements as set forth in CFBAI's Core Principles, which address food advertising to children on TV, digital, mobile media and apps, print, radio, interactive games, child-directed DVDs, word-of-mouth advertising, licensed characters, product placement, and activities in elementary schools.⁸ Participants' company-specific pledges commit that in

advertising primarily directed to children under age 12 (“child-directed advertising”) they will depict only healthier or better-for-you foods as defined by CFBAI’s uniform nutrition criteria. The participants sign a contract with BBB and agree to CFBAI oversight and to be held accountable for failure to comply with their commitments.

CFBAI monitors covered media for compliance and requires participants to submit detailed self-assessments annually. CFBAI’s monitoring and the participants’ reports reveal a high commitment to compliance. The inadvertent and infrequent problems detected are quickly remedied.

Today, CFBAI has 18 participants, up from 10 when the program started in 2007. The program’s scope has expanded over the years to cover additional child-directed media, and the program was further strengthened by the implementation of CFBAI-developed uniform nutrition criteria in January 2014.⁹

One of CFBAI’s key attributes is its commitment to transparency and thus it makes program information public and accessible through a variety of means:

Website. CFBAI’s website¹⁰ includes company pledges, a list of foods that meet CFBAI’s nutrition criteria and that may be advertised to children (i.e., CFBAI’s Product List¹¹), CFBAI’s comments to various governmental bodies and non-governmental organizations (NGOs), statements regarding food marketing to children issues, and presentations to various organizations.

Press Releases, Press Statements, Fact Sheets. CFBAI issues fact sheets that highlight program features or improvements in foods or categories of foods. In 2016, CFBAI issued a Statement on “Trends in Television Food Advertising to Young People: 2015 Update” (August 2016) and a Cereal Fact Sheet (November 2016).

Public Comments. CFBAI occasionally participates in the public proceedings of domestic and international governmental bodies or NGOs on matters relevant to CFBAI’s program and expertise. In 2016, CFBAI submitted a comment in a UN Food and Agricultural Organization proceeding, Comment to the FAO Global Forum on Food Security and Nutrition on Successful Programs to Prevent Overweight and Obesity (July 2016).

Events as Participant, Presenter, Exhibitor.

CFBAI often presents at conferences and meetings on food advertising and childhood obesity, and occasionally exhibits at conferences and expos related to food, nutrition or children’s health and well-being. During 2016, these activities included the following:

- Tufts University Friedman School of Nutrition Science & Policy seminar (March 2016)
- CARU West Coast Conference (May 2016)
- Congressional Health and Fitness Expo, exhibitor (May 2016)
- ACI, Advertising to Children and Parents (May 2016)
- National PTA Conference, exhibitor (July 2016)

PARTICIPANTS’ REPRESENTATION IN CHILD-DIRECTED FOOD ADVERTISING ON TV

Television continues to be the most popular media platform for children under 12, although recent surveys indicate that young children are increasingly viewing television programming and digital media on mobile



devices.¹³ CFBAI's analyses as well as those of others have found that the participants' commitments cover a substantial proportion of all child-directed food ads on leading children's television networks.

CFBAI. In 2016, CFBAI found that 63% of food ads from a sample of Nickelodeon programming were for CFBAI participants' qualifying foods.¹⁴ The participants' ads have accounted for the majority of all the food ads on children's programming since 2009 (based on yearly analyses of ads that air during approximate 30-hour samples of Nick programming that CFBAI began conducting in that year). Food advertising is typically a modest percentage of the overall advertising. In the last few years, we have found that food

ads comprise between 17-30% of all ads.

Center for Science in the Public Interest.

CSPI, a national consumer advocacy organization, in an analysis of a sample of food ads from May-June 2015 Nickelodeon programming, found that 77% of the food ads were from CFBAI participants and that food ads accounted for 30% of all the ads in the sample.¹⁵

Federal Trade Commission. In 2012, the FTC reported that CFBAI-participant ad expenditures accounted for 89% of all the food advertising expenditures to children (based on 2009 data).¹⁶

NOTES

⁷ Although studies suggest various ages at which children begin to understand the persuasive intent of advertising, it is generally agreed that by age 12 children do have that ability. Because special protections are important for this age group, the advertising industry always has had a set of stringent rules for advertising primarily directed to children under age 12. Through its Self-Regulatory Guidelines for Children's Advertising, CARU has promoted high standards of responsible advertising to children under age 12 since 1974. (CARU's operational policies are set by the Advertising Self-Regulation Council, which is a strategic alliance of the advertising industry and BBB.) The guidelines seek to ensure that advertising is not deceptive, unfair or inappropriate for its intended audience. CARU's guidelines apply to all children's advertisers while CFBAI is an opt-in program.

⁸ The Program and Core Principles Statement (4th Edition) is attached as Appendix A. Participants' commitments are contained in company-specific pledges that are available on CFBAI's website, <http://bbbprograms.org/programs/cfbai>.

⁹ CFBAI's Category-Specific Uniform Nutrition Criteria are attached as Appendix B.

¹⁰ CFBAI's website was revamped in 2017.

¹¹ CFBAI's Product List is a list of foods that meet CFBAI's nutrition criteria and that are or may be advertised to children. Not all of the participants' foods that meet CFBAI's nutrition criteria are included on this list. CFBAI's Product List is updated periodically.

¹² CFBAI fact sheets, public comments, and press statements generally are available on CFBAI's website.

¹³ Common Sense Media recently reported that the amount of time children up to age eight spend watching TV is the same as it was in 2011. Commonsense Media, *The Common Sense Census: Media Use by Kids Zero to Eight 2017* ("Zero to Eight 2017") (Oct. 2017) at 13, available at <https://www.common sense media.org/research/the-common-sense-census-media-use-by-kids-age-zero-to-eight-2017>. However, *how* children are consuming media has changed significantly. Mobile device use has gone from 5 minutes a day in 2011, to 15 minutes a day in 2013, to 48 minutes a day in 2017. Time on mobile devices reflects different activities, including TV/videos, mobile games, video-chatting and other activities. *Id.* In terms of total time spent on screens, the proportion spent on mobile devices has gone from 4 percent in 2011 to 35% in 2017. *Id.* Regarding "tweens" (children ages 8-12), Commonsense Media reported in 2015 that this age group ranked TV as their favorite media source and spent the most time on it. *The Common Sense Census, Media Use by Tweens and Teens* (Nov. 2015), available at <https://www.common sense media.org/research/the-common-sense-census-media-use-by-tweens-and-teens>.

¹⁴ In 2016, CFBAI also analyzed ads that aired during a 30-hour sample of Cartoon Network programming. CFBAI participants' representation on Cartoon Network (47%) was lower than on Nickelodeon. The overall percentage of food vs. non-food advertising also was lower on Cartoon Network (only 12% of the total ads were for foods and beverages).

¹⁵ What Nickelodeon is Peddling to Kids ("CSPI Nickelodeon Report") (Sept. 2016), available at <https://cspinet.org/news/study-finds-nickelodeon-posts-modest-decline-junk-food-marketing-20160913>. See also Kunkel, Dale L., Jessica S. Castonguay, Christine R. Filer, "Evaluating Industry Self-Regulation of Food Marketing to Children" ("Evaluating Industry"), 2015 AM J PREV MED at 4. (CFBAI participant advertising represents approximately 70% of food advertising on children's television.) A recent Rudd report also found that CFBAI participants accounted for approximately 60% of ads and 70% of ads viewed by children and young teens on children's programming. Rudd Center F.A.C.T.S. 2017, *Food industry self-regulation after 10 years*, at 8 (Nov. 2017), available at <http://www.uconnruddcenter.org/facts2017>.

¹⁶ See FTC Report, note 4 above. The Report's definition of advertising to children includes items not covered by CFBAI, such as shelf placement allowances, in-store ad displays and promotions, and packaging and labeling.



III. Nutrition Developments and Improvements

CFBAI's nutrition criteria,¹⁷ which went into effect December 31, 2013, have led to many nutrition improvements in foods advertised to children. Participants have reformulated foods within their product portfolios (sometimes more than once) and developed new foods to meet these nutrition standards. Former First Lady Michelle Obama,¹⁸ the Federal Trade Commission,¹⁹ the U.S. Department of Agriculture,²⁰ and others, have cited CFBAI's criteria as progress and as a vehicle to drive further improvements in the nutritional quality of foods advertised to children. CFBAI's criteria also have had effects beyond what the participants advertise directly to children, as some participants use CFBAI's criteria to develop or renovate foods that are intended for children but not advertised to them.²¹

This section discusses CFBAI's nutrition criteria and highlights nutritional improvements that occurred in 2016 in foods that participants may advertise to children. It also includes the results of CFBAI's annual review of child-directed advertising on the popular children's TV networks, Nickelodeon and Cartoon Network.

CFBAI'S CATEGORY-SPECIFIC UNIFORM NUTRITION CRITERIA

CFBAI's nutrition criteria set meaningful limits on calories, saturated fat, *trans* fat, sodium and sugars ("nutrients to limit") and require minimum amounts of "nutrition components to encourage" (NCTE). CFBAI's NCTE requirements include (i) at least a ½ serving of fruit, vegetables, whole grains or non/low-fat dairy, (ii) at least one "essential nutrient" at the 10% Daily Value (DV) level, or (iii) a combination of both. These requirements increase (become more stringent) as calories increase and as the category of food makes a more substantial contribution to the diet (e.g., meals).

CFBAI developed its nutrition criteria based on a comprehensive review of government

and other relevant dietary recommendations, including the 2010 Dietary Guidelines for Americans (2010 DGA).²² CFBAI also issued a White Paper that explains how the criteria were designed to reflect meaningful, but realistic, goals for each of the 10 categories that CFBAI created and the basis for those categories and nutrient requirements.²³ As discussed below, CFBAI and its participants currently are reviewing the nutrition criteria in light of recent dietary guidance and regulatory changes.

2016 HIGHLIGHTS

In 2016, participants added foods to several categories on CFBAI's Product List, as described below.

Cereals. The cereal category has had many improvements since CFBAI started in 2007. Cereals also are the category of foods that we find most advertised in our annual Nickelodeon snapshots. For that reason, we have published an annual Cereal Fact Sheet. The 2017 Cereal Fact Sheet (Appendix C) highlights nutrition improvements over time in ready-to-eat one-ounce serving size

cereals on CFBAI's Product List. Nearly three-quarters of the cereals list whole grains as the first ingredient on the label, more than twice as many compared to 2012, and over 80% provide at least 8 grams of whole grains.²⁴ Cereals are rich in vitamins and minerals with nearly all providing a good source (10% DV per serving) of vitamin D, a nutrient of public health concern.

- **Kellogg** in 2016 introduced Cinnamon Frosted Flakes. It is a good source of vitamins A, C, and D, as well as an excellent source (at least 20% DV per serving) of seven additional vitamins and minerals, including iron.

Meals.

- **McDonald's** re-introduced Cuties mandarins in 2016 as a fresh, whole fruit side option in six of its Happy Meal combinations. Available seasonally (from January to May), Cuties provide ½ serving of fruit (¼ cup mandarins). From November 2014 through December 2016, McDonald's USA sold more than 53 million Cuties with children's meals. In addition to Cuties, McDonald's continued



to offer apple slices and Go-Gurt low-fat strawberry yogurt as side options.²⁵ With all of these options, McDonald's has served more than 2.8 billion fruit sides and low-fat dairy sides and beverages in kids' meals since 2012.

Yogurts.

- **Dannon** added four low-fat dairy yogurts that are good sources of calcium and good or excellent sources of Vitamin D.

Snacks.

- **Campbell Soup Company** introduced two new Pepperidge Farm *Goldfish* Baked with Whole Grain varieties, which contain 14 and 12 grams of whole grains per serving respectively.
- **The Kraft Heinz Company** reduced several nutrients to limit in one of their string cheeses. This dairy product²⁶ is also a good source of calcium.

SNAPSHOTS OF FOODS ADVERTISED ON CHILDREN'S TV

Background on CFBAI's Nickelodeon Snapshots

CFBAI has conducted snapshots of ads airing on Nickelodeon yearly since 2009.²⁷ This year, rather than record children's programming in-house and manually review, categorize and evaluate the ads as we have done in the past, we used an independent real-time TV ad-tracking platform to review ads on children's programming.²⁸ This platform allows us to more efficiently create reports regarding ads and brands within a specified timeframe, making it a helpful monitoring tool. CFBAI generates reports on ads for food categories on our product list and for other food categories that we typically see

on children's programming. The reports also generate data on ads for non-food product categories typically advertised to kids (e.g., toys, games, digital and electronic products, and entertainment promotions). There are fewer non-food child-directed categories, and, for this reason, our results may overstate the percentage of food ads.

CFBAI evaluated a sample of advertising from 30 hours of children's programming on Nickelodeon that aired on different weekday and weekend dayparts from March to July 2017 (Table 2). All of the participants' foods in our reports complied with CFBAI's nutrition criteria. It is difficult, however, to compare the 2017 data to past snapshots because of the change in methodology. For this reason, this year's snapshot discussion focuses on 2017.

Food Ads on Nickelodeon. In 2017, we found that CFBAI participants accounted for 68% of the food ads. Although we cannot strictly compare results with past years, this result is fairly consistent with the past two years when we saw participants' share decline from prior years, perhaps because some CFBAI participants have shifted from advertising qualifying foods to not advertising at all on children's programming,²⁹ which could increase the proportion of advertising by non-participants. As discussed above, the "total number of ads" in Table 2 includes non-food ads that typically are intended for children.

TABLE 2. NICKELODEON FOOD AND BEVERAGE AD SNAPSHOT

	2017
Total Number of Hours	30
Total Number of Ads	614
% Food Ads of Total Ads	37%
% Participant <i>Food Ads</i> of All Food Ads	68%
Total Number of Foods	52
% Participant <i>Foods</i> of All Foods	50%

Frequently Advertised Food Highlights.

This year we found that cereals, exempt beverages, mixed dishes, meals, and small meals were the foods the participants most frequently advertised to children (Figure 1). Other foods advertised in 2017 were yogurts and snacks.

Calorie Highlights. Based on our Nickelodeon Snapshot, Table 3 shows the maximum amount of calories in participants’ advertised foods by food type. Individual foods contained 140 calories or less per labeled serving size, and meals, small meals and mixed dishes contained no more than 530 calories each.

Nutrition Components to Encourage Highlights.³⁰ Virtually all participants’ ads (94%) were for foods that provided at least a half-serving of fruit, vegetables, whole grains or non/low-fat dairy or that were a good source of a nutrient of public health concern³¹ (e.g., Vitamin D). Sixty-five percent of the ads featured foods that provide at least a half-serving of one of the four food groups.³²

Non-Participant Ads. Some non-participant companies advertised foods that appear to

meet CFBAI’s nutrition criteria, including a kids’ meal containing a sandwich, fruit, a 100% fruit juice, and cheese. Most of the non-participant ads, however, were for foods that do not meet CFBAI’s nutrition criteria because they exceed the limits for sugars or saturated fat and contribute little or no positive nutrition components.³³

Food Ads on Cartoon Network. In 2017, CFBAI analyzed ads from a 30-hour Cartoon Network sample composed of different weekday and weekend dayparts from March to July 2017. All the participants’ ads met CFBAI’s criteria. The percentages of food ads overall and from CFBAI participants on Cartoon Network were lower than what we found on Nickelodeon. As in the past, the foods that CFBAI participants advertised on Cartoon Network were similar to the foods they advertised on Nickelodeon. Most of the non-participant ads on Cartoon Network, as on Nickelodeon, were for foods that do not appear to meet CFBAI’s nutrition criteria. A small percentage of ads (for two children’s beverages) appeared to meet CFBAI’s criteria.

FIGURE 1. FOOD CATEGORIES ADVERTISED BY CFBAI PARTICIPANTS

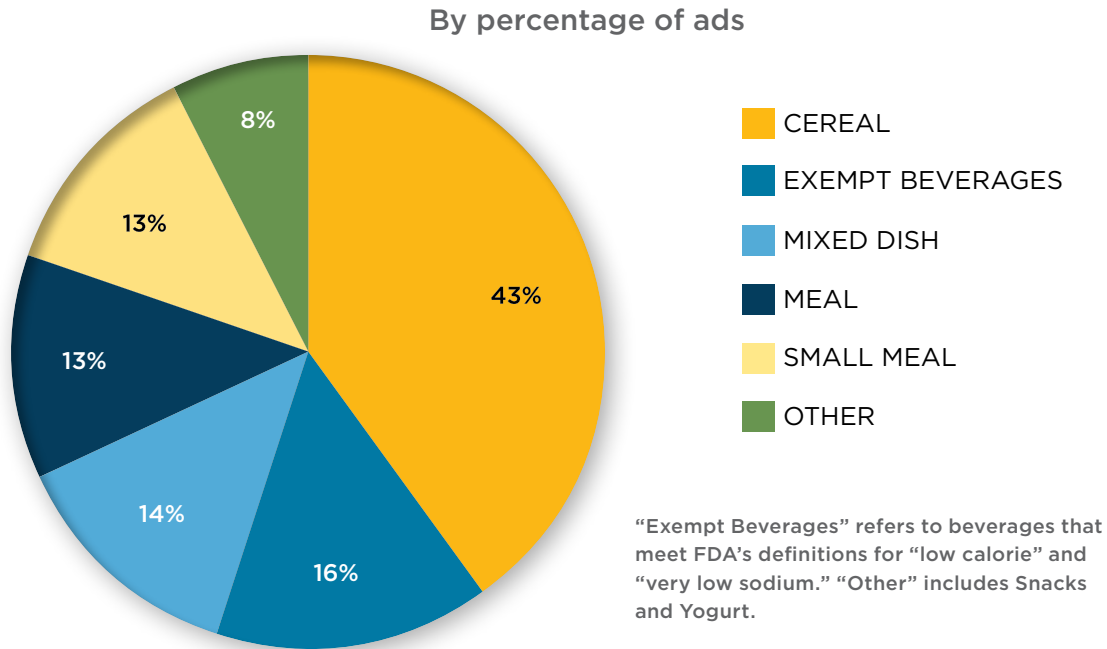


TABLE 3. MAXIMUM CALORIES BY FOOD TYPE

Exempt Beverage	Yogurt	Cereal	Snack	Mixed Dish	Small Meal	Meal
30	60	130	140	280	360	530



CFBAI'S UNIFORM NUTRITION CRITERIA REVIEW

When CFBAI announced its uniform criteria in 2011, we also published a White Paper to inform the public regarding the basis for the criteria. The White Paper noted that CFBAI intended “to review the nutrition criteria periodically to determine whether new or different categories or sub-categories are necessary to reflect innovation and new products in the marketplace, and in keeping with our core requirement that nutrition standards be consistent with established scientific and/or government standards.”³⁴ It stated that the criteria would be reviewed after the issuance of the 2015 Dietary Guidelines for Americans (2015 DGA).

In 2015, CFBAI prepared for its planned review by evaluating government and other appropriate sources of dietary recommendations, along with third-party nutrition standards. When the 2015 DGA were released in early 2016, we analyzed the recommendations. We gathered feedback on a one-on-one basis from various health and

advocacy organizations and during a roundtable meeting with academic, advocate, investor, retail and food industry attendees on ways CFBAI might update or strengthen its uniform nutrition criteria.

FDA's labeling rules also are relevant because CFBAI seeks to align its nutrition criteria with information on the NFP in order to be transparent about how participants' foods meet the criteria. FDA's new Nutrition Facts Panel (NFP) regulations (announced in May 2016) incorporated changes to the label that are important for CFBAI to consider in its review. Several label changes proposed in 2016 are particularly critical to our evaluation.³⁵

CFBAI has been working on the uniform criteria and we hope to complete our review and announce revisions in as timely a fashion as possible.



NOTES

¹⁷ See Appendix B.

¹⁸ See note 5, above.

¹⁹ In 2011, the FTC described the new criteria as “substantial progress” and as being “considerably stronger than the status quo.” Prepared Statement of the Federal Trade Commission on the Interagency Working Group on Food Marketed to Children Before the Energy and Commerce Committee, Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Health, U.S. House of Representatives (Oct. 12, 2011), at 9. Available at <http://www.ftc.gov/os/testimony/111012foodmarketing.pdf>.

²⁰ In 2011, Dr. Robert Post, then Deputy Director, Center for Nutrition Policy and Promotion, USDA stated, “The new uniform CFBAI nutrition criteria appear to be a step forward in changing the food advertising landscape, while also taking into consideration the feasibility of manufacturers making meaningful changes to the nutrient content of foods.” Statement of Dr. Robert Post, Before the Energy and Commerce Committee, Subcommittee on Commerce, Manufacturing, and Trade and the Subcommittee on Health, U.S. House of Representatives (Oct. 12, 2011). Available at http://archives.republicans.energycommerce.house.gov/Media/file/Hearings/Joint/101211_CMT_Health/Post.pdf.

²¹ Since January 2014, the Cartoon Network has aligned its nutrition standards for use of its licensed characters with CFBAI’s nutrition criteria.

²² In addition to the 2010 DGA, CFBAI considered a number of other government-issued guidance, including regulatory standards for nutrition labeling and nutrient content claims for foods and beverages; recommendations for nutritional criteria for foods marketed directly to children, foods sold in competition with school meals, and school breakfast and school lunch programs; standards of identity for foods; the Interagency Working Group’s (IWG) December 2009 proposed tentative nutrition standards for marketing to children; and the IWG’s subsequent April 2011 proposed voluntary nutrition principles. CFBAI also considered food technology issues and challenges regarding consumer acceptance of reformulated or newly-developed foods, as well as competitive issues. CFBAI’s nutrition criteria are purposefully flexible to encourage competition and even greater participation in CFBAI self-regulation.

²³ The White Paper is available on CFBAI’s website.

²⁴ The 2015 DGA consider 8 grams per ounce-equivalent to be a meaningful amount of whole grains: “If a food has at least 8 g of whole grains per ounce-equivalent, it is at least half whole grains.” See 2015 DGA at 22 (citing Food Safety and Inspection Service guidance on whole-grain claims). The 2015 DGA recommend making at least half of grains whole grains.

²⁵ McDonald’s has reported that it sold 406 million Go-Gurt yogurts in Happy Meals and a lá carte from 2014-2016.

NOTES *continued*

McDonald's Healthier Generation Partnership Report at 10 (Sept. 2017).

²⁶ CFBAI's dairy requirement is adjusted proportionately for cheese with LSS less than 1 oz.

²⁷ We did not do a snapshot in 2011.

²⁸ The platform uses audio and video fingerprinting technology to extract product advertisements, movie trailers, and other entertainment promotions. It identifies the industry, product category and brand, as well as information regarding where and when the ad aired. This database can be searched by various criteria. Subscribers also can view the ads.

²⁹ American Licorice Company, The Coca-Cola Company, Ferrero USA, The Hershey Company, Mars, Incorporated, Mondeléz Global, and Nestlé USA commit to not advertise directly to children under age 12.

³⁰ Exempt beverages are not required to meet the NCTE requirements.

³¹ The 2015 DGA identify vitamin D, calcium, potassium, and fiber as "nutrients of public health concern" because low intakes of these nutrients are associated with health concerns for both adults and children. 2015 DGA at 60.

³² We did not use a half-serving minimum for dairy products because some products, such as yogurts, are individually packaged in less than 4-ounce serving sizes.

³³ CFBAI and others have asked many of these companies to join the program or to adopt CFBAI's or other reasonable nutrition criteria.

³⁴ CFBAI White Paper at 27.

³⁵ FDA's new regulations have established, for the first time, a Daily Value (DV) for added sugars. The regulations also require the disclosure of added sugars on the NFP; update DVs for certain nutrients such as sodium, fiber and vitamin D; and revise serving sizes and reference amounts customarily consumed (RACCs) for several foods, including ready-to-eat cereal and yogurt. CFBAI used information available on the NFP in establishing several aspects of the 2011 criteria (e.g., to set limits for the "nutrients to limit," and to set food category units through reference to FDA's labeled serving sizes, which are tied to its RACC regulations).



CFBAI participants again delivered excellent compliance during 2016, as determined through CFBAI monitoring and participants' self-assessments submitted as part of the program's compliance procedures. There were very few compliance issues, and none were significant. When CFBAI or a participant identifies issues, the parties quickly address the problems or concerns, and establish or revise procedures where necessary to prevent the issue from reoccurring.

This section of the Report summarizes CFBAI's evaluation process, including an overview of our media monitoring practices, and the results of CFBAI's assessment of the participants' compliance with their pledges.

COMPLIANCE EVALUATION OVERVIEW

CFBAI's evaluation consists of two components. First, CFBAI conducts its own assessments of advertising in covered media to determine whether the participants have met the commitments in their individual pledges (i.e., to advertise only foods that meet CFBAI's nutrition criteria in child-directed advertising³⁶ or to not engage in

child-directed advertising). Second, CFBAI reviews the annual self-assessments that each participant is required to submit. CFBAI also investigates any complaints that we may receive.

CFBAI's finding of excellent compliance is consistent with past years' assessments and with the findings reported by other groups. Each company has developed, implemented and monitored an extensive internal system to ensure that it meets its CFBAI commitments. To comply with the program's self-assessment requirement, the participants collect, evaluate and submit detailed information regarding their pledge commitments. Achieving and maintaining compliance requires training and legal review, and a systematic process for reviewing child-directed advertising and media buys. Notably, all of these procedures and reporting requirements are undertaken voluntarily.³⁷

IV. Pledge Compliance Evaluation

MEDIA COMPLIANCE ASSESSMENT

This section describes how CFBAI monitors compliance with covered media and our findings.

1. CFBAI Monitoring

CFBAI independently monitors advertising on various platforms on a regular basis, including TV (including Spanish-language children's programs), video on demand ("VOD"), print, radio, the internet (including company-owned websites, third-party websites and child-directed YouTube channels), and mobile apps. For measured media such as TV and some digital media, child-directed advertising generally means advertising for which children ages 2-11 constitute at least 35% of the expected audience ("audience threshold") at the time of the media buy. Some participants use an even more rigorous lower audience threshold.³⁸

In 2016, most of the participants that advertised to children had at least one child-directed website with games and many advertised their foods on child-directed third-party websites. In addition, most of the CFBAI participants that engaged in child-directed advertising placed ads on TV. The majority of this advertising was placed on

three children's cable television networks - Nickelodeon, Cartoon Network, and Disney XD. Advertising also appears on children's programming on Discovery Family, Nicktoons and Boomerang.³⁹ As reported last year, participants' self-assessments indicated that they engaged in almost no child-directed Spanish-language food advertising and our monitoring has confirmed this.

Television remains children's favorite media for content,⁴⁰ and the one on which they spend the most time. Nevertheless, recent surveys indicate that young children are increasingly viewing television programs, videos and other digital activities on smaller screens.⁴¹ CFBAI and its participants treat advertising on child-directed VOD content as covered by CFBAI commitments, regardless of the type of device on which children view that content. Many of the most popular VOD services are subscription-based and ad-free. In 2016, Hulu offered some free, ad-supported programming, including children's programming, which CFBAI monitored.⁴²

Table 4 summarizes CFBAI's 2016 monitoring activities.



TABLE 4. CFBAI 2016 MONITORING

Media	Monitoring	Comments	Participant Use
Television (including Spanish-language TV)	Reviewed thousands of ads	Also reviewed food ads from CARU's ad monitoring on children's TV networks	Frequently used (There are few child-directed Spanish-language programs)
Radio	Periodically listened to Radio Disney	Radio Disney is the primary station that is child-directed	Infrequently used
Print	Reviewed issues of children's print titles available at the Library of Congress	Also reviewed food ads from CARU's children's magazine subscriptions	Infrequently used by only a few participants; most ads are in <i>Sports Illustrated for Kids</i> , <i>National Geographic for Kids</i>
Internet	Regularly monitored child-directed company-owned sites, more than 100 child-directed third-party sites, and multiple child-directed YouTube channels	Where visitor age composition or site visitor data is not available, CFBAI considers additional factors Sites may be deemed child-directed based on a qualitative analysis of content, language, graphics, pictures, games, ⁴³ age limits and/or where other ads for the foods or websites are placed	Advertising through company-owned child-directed sites is infrequently used Third party site advertising is frequently used Advertising on child-directed YouTube channels is infrequently used
Mobile advertising and apps	Periodically monitored participants' child-directed mobile apps and third-party apps		Third-party apps are frequently used (company-owned child-directed apps infrequently used)
VOD (Hulu)	Occasionally monitored free kids' shows	Hulu was primary source of ad-supported VOD	Hulu was primary source of ad-supported VOD

2. Key Compliance Findings

Compliance was excellent. We found very few issues in any child-directed media, including digital media and television programming. Below we summarize our findings by media platform and CFBAI requirements.

- Child-directed video games or DVDs. Companies did not report advertising in these media and we do not have any information to the contrary.
- Digital. Participants use a variety of means to meet their commitments to advertise only qualifying foods to children, or to not advertise at all.⁴⁴ For example, companies often develop detailed insertion orders that include specific websites or types of content on which they do not wish their ads to be served. Occasionally these orders may not be properly executed and ads may be served. Companies investigate these infrequent instances and augment procedures to ensure greater compliance.

CFBAI also monitored popular child-directed YouTube channels and found very little participant advertising on those channels. Participants' self-assessments confirmed that few companies advertise on these channels. We found no compliance issues. In fact, we did not find much food advertising on child-directed channels.⁴⁵
- Licensed characters, celebrities or movie tie-ins. We observed their use only in conjunction with qualifying foods.
- Mobile apps. The foods featured in advertising on child-directed apps we reviewed met CFBAI's nutrition criteria.
- Print and Radio. We found no compliance issues. There are few outlets and few participants used these media to advertise to children under age 12.

- Product Placement. We did not observe any compliance issues and no participant reported any issues.⁴⁶
- Spanish-language children's programs. There is little children's programming on Spanish-language networks. We did not observe any compliance issues. Occasionally the percentage of children viewing an adult-directed Spanish-language program exceeds a participant's threshold, although the predicted audience of children under age 12 at the time of the media buy did not exceed this threshold. Unexpectedly higher audience thresholds at time of airing are not a pledge violation. Participants assess the relative frequency of such instances and may decide to eliminate that show, or even a network, from future ad buys.
- Television. We did not observe any compliance issues and no participant reported any issues.
- VOD. Participants did not report a significant amount of advertising in this media. We did not find any issues in our review of free child-directed programming on Hulu.
- Word-of-mouth (WOM) advertising. CFBAI did not observe any WOM advertising and none was reported by the participants.
- Advertising to children under age six. CFBAI monitors and reports on compliance with the participants' policies to not direct advertising to children under age six. (This is not a CFBAI requirement although almost all participants have adopted this policy.) Compliance with these policies was very good. Participants that advertise to children under age 12 monitor the audience composition of children's programming to ensure that the audience of children ages 2-5 does not exceed their thresholds.



Although some ads appeared on programs where at least 35% of the audience were children ages 2-5 at the time of airing, that audience composition was not expected at the time of purchase (when participants made ad placement decisions and purchased ad times). For this reason, as explained below, ads appearing on such shows do not violate their commitments. Participants assess the relative frequency of such instances and may decide to eliminate that show, or even a network, from future ad buys.

3. Public Inquiries Relating to Compliance.

CFBAI has committed to review public inquiries relating to compliance. We did not receive any complaints relating to participants' compliance with their pledges. As noted earlier, academics and groups interested in CFBAI's work often have reported that their independent reviews show CFBAI participants are complying with their commitments.⁴⁷

4. Other Findings Related to TV Programs and Websites

Occasionally there were ads for non-qualifying foods on TV programs and on internet sites that either did not constitute violations or were technical violations for the reasons described below.

Differences between predicted audience composition for programs/dayparts when ads were purchased and when they aired

When ads for non-qualifying products air in programs that exceed participants' audience thresholds, those ads are not violations if they occur because of differences between the predicted program audience at the time the media was *purchased* and the actual audience when the ad *aired*. CFBAI assesses compliance based on the past or predicted demographics of a program or daypart at the time ads are purchased, a standard way for advertisers to make their media-buying decisions.

Many participants also monitor time of airing audience demographics, and report when an ad appears in a program with a child audience composition that is unexpectedly higher than predicted (i.e., at the time they purchased media for ads for non-qualifying foods, the percentage of children under age 12 in the audience was predicted to be below the applicable threshold as set out in Appendix D). The incidence rate for such problems is low (generally less than 1% of total ads for a particular company or brand).⁴⁸ The participants may use this data to adjust their media buys or put additional screening or programming restrictions in place to avoid reoccurrences.

Failure to provide prior notice of foods to be advertised

CFBAI requires that participants submit foods that they plan to advertise to children prior to running such advertising so that we can review nutrition information and add the food to CFBAI's Product List. On both television and the internet, ads for foods meeting CFBAI's nutrition criteria occasionally air prior to notification to CFBAI that they would be advertised. This is an infrequent occurrence

and we do not consider the lack of prior notice to CFBAI to be a substantive violation. Because the foods meet CFBAI's nutrition criteria, we consider these "technical" compliance issues. Participants correct these lapses upon notice.

COMMITMENT TO NOT ADVERTISE TO CHILDREN IN ELEMENTARY SCHOOLS

CFBAI participants commit to not advertise even qualifying foods and beverages to children in elementary schools,⁴⁹ including through the use of coupons, food samples, or through any student-directed items such as posters, pencils, book covers, or tray liners that advertise specific or product-branded foods or beverages. The elementary school restriction aligns with the age of children covered under the program and our recognition that because elementary schools are a special environment, commercialism of foods and beverages should be avoided. The participants reported excellent compliance in 2016.

CFBAI's elementary school commitment bars direct food advertising to children in schools.⁵⁰ Excluded from this prohibition are a limited number of participant-supported programs that schools may request or choose to take part in, including charitable donations, sponsorships, fundraising programs, public service messaging and curricular materials. CFBAI guidelines regarding these exclusions emphasize that only minimal brand or corporate identification related to such activities is permitted.⁵¹

USDA issued its final rule addressing *Local School Wellness Policy Implementation under the Healthy, Hunger-Free Kids Act of 2010 (HHFKA)* in 2016, and published additional guidance in 2017. The final rule requires that school districts develop school wellness policies that address certain issues and

topics, including marketing in schools, and implement these policies by May 2017. The rule permits marketing in all schools only for foods that meet USDA's Smart Snack nutrition standards during the school day, and also permits individual school districts to have stronger standards and policies. USDA's 2017 guidance states that its marketing restrictions are not intended to prohibit certain activities (e.g., label redemption programs, incentive programs, and foods made available to students but not sold to them (e.g., donated food), although schools must set standards for such foods).⁵²

CFBAI participants have continued to comply with their commitments not to advertise in elementary schools, even foods that meet Smart Snacks (or CFBAI) nutrition standards. CFBAI commitments continue to cover the regular and the extended school day when children are under the authority of the school or third parties on behalf of the school. This means that the time period before and after the official school day is covered. The exempted activities identified in CFBAI's elementary school commitment substantially align with USDA's guidance regarding permitted activities. At the same time, CFBAI participants that engage in such activities with schools that elect to do so are mindful of the requirements that HHFKA and the Local School Wellness rule impose on schools, and the discretion it affords to individual school districts to develop stricter policies for their schools.

NOTES

³⁶ For purposes of this report we refer to a food that meets CFBAI's nutrition criteria as a "qualifying" or "qualified" food (i.e., by meeting the criteria it is "qualified" to appear in child-directed advertising). These foods are supposed to be on CFBAI's Product List before they are advertised to children. A "non-qualifying" food thus refers to a food that is not "qualified" to appear in such advertising.

³⁷ The participants' procedures include regular, periodic training of employees across multiple divisions, which might include nutrition, legal, marketing, policy and planning, product development, product distribution, brand management, regulatory affairs, sales and other departments, as well as third-parties involved in advertising development and placement, such as advertising agencies, media buyers, and television and digital ad networks.

³⁸ A chart that reflects participants' child-directed advertising commitments, including audience thresholds, is attached as Appendix D. Mars uses a 25% threshold and American Licorice, Hershey Company, Burger King Corporation and McDonald's use a 30% threshold.

³⁹ Boomerang, Cartoon Network's "sister" network, is a Viacom children's network that features classic cartoon programming. In 2017, Cartoon Network launched a Boomerang app, which is a subscription based, ad-free streaming service that features classic and newer cartoons.

⁴⁰ Common Sense Media recently reported that the amount of time children up to age eight spend watching TV is the same as it was in 2011 and that TV consumption time continues to surpass time spent on other media. *Zero to Eight 2017* at 14.

⁴¹ *Id.* Mobile device use has gone from 5 minutes a day in 2011, to 15 minutes a day in 2013, to 48 minutes a day in 2017. Time on mobile devices reflects different activities, including TV/videos, mobile games, video-chatting and other activities. *Id.* In terms of total time spent on screens, the proportion spent on mobile devices has gone from 4 percent of total in 2011 to 35% in 2017. *Id.* Regarding "tweens" (children ages 8-12), Commonsense Media reported in 2015 that this age group ranked TV as their favorite media source and spent the most time on it. The Common Sense Census, Media Use by Tweens and Teens (Nov. 2015), available at <https://www.common sense media.org/research/the-common-sense-census-media-use-by-tweens-and-teens>. A 2015 Nielsen reported some interesting differences between younger and older children in terms of the different types of content they consume on respective media. "Kids' Audience Behavior Across Platforms" (Aug. 2015) at 8, available at <http://www.nielsen.com/us/en/insights/reports/2015/kids-audience-behavior-across-platforms.html>. For example, on TV, younger kids watch more children's programming, while teens watch more dramas. In terms of websites accessed, the search website category (e.g., google.com) was generally the top category for all kids' age groups. (It was the second most popular for kids 8-10). *Id.* at 13. Tablet and smartphone use among children of all ages also is high, with 61% of children ages 2-4 using a tablet if one is available, and 30% using a smartphone if available. *Id.* at 19.

⁴² In 2016, Hulu phased out its free service, and Yahoo introduced a new TV-watching portal, Yahoo View, which features Hulu's free shows and other content.

⁴³ Animation, cartoon or licensed characters, fantasy and games are often used in sites directed to older teens and adults and thus do not necessarily make a site child-directed.

⁴⁴ Although errors occasionally occur in digital media, companies report that they are infrequent as a percentage of overall digital impressions. CFBAI participants develop multiple strategies to ensure compliance with their digital commitments, using a combination of age targets, demographic assessments, content filters, and detailed insertion orders that include age filters and "do not serve" lists of websites where ads should not be placed. CFBAI's own monitoring of child-directed third-party websites and mobile apps infrequently finds participant ads for non-qualifying foods.

⁴⁵ In 2016, CFBAI also continued to work with its participants regarding assertions in a December 2015 petition filed with the FTC that alleged that CFBAI's participants violated their CFBAI commitments because ads for non-qualifying foods were available on YouTube Kids, a Google app for young children. CFBAI's review of the allegations indicated that the participants were not purchasing advertisements on the app, even for foods that meet CFBAI's nutrition criteria, and thus were not violating their commitments. Nevertheless, CFBAI and the participants worked with Google to try to ensure that company-owned YouTube channels would not be available on the YouTube Kids app.

⁴⁶ CFBAI participants 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 age 12 for the purpose of promoting the sale of those products. Participants' commitments cannot guarantee, however, that child-directed entertainment or editorial content will not include their foods or beverages because movie or other media production teams independently may decide to use them.

⁴⁷ See, e.g., CSPI Nickelodeon Report at 2; "Evaluating Industry Self-Regulation" ("Examination of compliance with industry self-regulation revealed complete conformity with company pledges."); Harris, J.L., et al., "Sweet promises: Candy advertising to children and implications for industry self-regulation" at 6, *Appetite* (2015) ("there is no indication that CFBAI companies did not comply with their pledges). Available at www.ncbi.nlm.nih.gov/pubmed/26232330.

NOTES *continued*

⁴⁸ Instances of audience discrepancies occurred for a variety of reasons, including:

- * shows with specialized content or one-time airings for which it may be difficult to obtain accurate audience composition predictions;
- * shows or networks that generally had small audiences that unexpectedly skewed younger than expected;
- * shows on newer networks with demographics that differed from those predicted;
- * networks that did not follow a participant's "do not air" instructions;
- * network program line-ups that changed without notice to the participant; or
- * unreliable audience composition data.

Participants address these issues in a manner appropriate to the circumstances, including reminding networks about their ad placement requirements, or requesting that networks add programming to a "do not air" list to prevent future airings on the show in question.

⁴⁹ CFBAI's restriction on advertising to children in elementary schools applies to the entire elementary school and school grounds and facilities, including classrooms, cafeterias, libraries, hallways, auditoriums, gyms, playgrounds and athletic fields. The commitment covers the entire school day while children are under the authority of the school or third parties on behalf of the school. The restriction also covers school buses used to transport children to and from elementary school or to any official, school-sponsored event at an elementary school. For more information, see the Fact Sheet on the Elementary School Advertising Principles (2009) at 4.

⁵⁰ CFBAI's restriction on advertising to children in elementary schools thus does not apply to school-sponsored or school-related activities that take place off of school grounds where advertising for food and beverage products may be present. It also does not apply to events that are not sponsored by a school but that take place on school grounds and facilities because they have been leased or loaned to an outside group, and where unaccompanied children under age 12 are not expected to be the primary audience. Similarly, the use of school buses for non-school events is not covered. *Id.*

⁵¹ The restriction also does not apply to items provided to school administrators for their personal use or display materials that identify foods or beverages offered for sale in schools.

⁵² USDA, Food and Nutrition Service, Local School Wellness Policy: Guidance and Q&As (April 6, 2017), available at www.fns-rod.azureedge.net/sites/default/files/cn/SP24-2017os.pdf.

LOOKING AHEAD

For over 10 years, CFBAI and its participants have demonstrated their commitment to helping turn the tide on childhood obesity by improving the children's food advertising landscape. At the time the program's uniform nutrition criteria were published in 2011, we committed to reviewing the criteria after the publication of the next Dietary Guidelines for Americans. Accordingly, we have been considering how the 2015 Dietary Guidelines for Americans and revisions to food labeling regulations impact CFBAI's nutrition criteria. We hope to conclude this review and announce the outcome of our work in the near future.

I. INTRODUCTION

Companies engaged in advertising and marketing foods and beverages have developed this self-regulatory initiative for advertising such products to children under age 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.

This Statement was first issued in November 2006 when the Council of Better Business Bureaus (BBB) and 10 companies launched the Children's Food and Beverage Advertising Initiative (CFBAI) to shift the mix of foods in advertising primarily directed to children under age 12 ("child-directed" advertising) to include healthy dietary choices or better-for-you foods. In 2009, the CFBAI and its participants expanded the scope of the original advertising commitments to include, for example, new and emerging social and digital media. The expanded commitments went into effect on January 1, 2010.¹ In 2010, a number of participants strengthened their definitions of child-directed advertising.² In July 2011, the participants agreed that new CFBAI category-specific uniform nutrition criteria would be the foundation for participants' pledge commitments as of December 31, 2013. This, the Fourth Edition of the CFBAI Program and Core Principles Statement, incorporates use of the CFBAI's uniform criteria as a program requirement.

Below, Part II describes the Core Principles. All participants agree to make commitments that are consistent with these principles. Part III describes the administrative elements of the program. Part IV describes an additional

commitment regarding not engaging in advertising primarily directed to children under age six that some participants have made and that the CFBAI has agreed to monitor and oversee.

II. 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 age 12.³ These commitments will be set forth in an individual "pledge" for each participant. Because companies and their product lines vary, company commitments also will vary. All commitments, however, will be consistent with the following Core Principles:

A. Advertising, Interactive Games, Licensed Characters, Product Placement and Elementary School Requirements

1. Advertising Primarily Directed to Children Under Age 12

Participants will commit that all "advertising primarily directed to children under age 12" will be for healthy dietary choices or better-for-you foods.⁴ As of December 31, 2013, these foods must meet the CFBAI's category-specific uniform nutrition criteria (attached as Appendix B), which have replaced company-specific criteria as the basis for identifying healthier dietary choices or better-for-you foods for child-directed advertising. The CFBAI's basis for these criteria are explained in the "White Paper on CFBAI's Uniform Nutrition Criteria." With the CFBAI's consent, the participants may continue to use company-specific criteria if such criteria are at least as strong as the CFBAI's criteria.⁵ Alternatively, participants may commit to not engage in child-directed advertising as defined in this Statement.

Measured Media. This principle applies to advertising in measured media:

- Television
- Radio
- Print
- Internet (third-party websites).

Child-Directed Content in Other Media. This principle also applies to advertising that is primarily directed to children on:

- Company-owned websites that are primarily directed to children under age 12 (traffic to such websites may or may not be measured)
- Video and computer games that are rated “Early Childhood” or “EC,” which are inherently primarily directed to children under age 12, and other games that are age-graded on the label or packaging as being primarily directed to children under age 12
- DVDs or movies that are rated “G” whose content is primarily directed to children under age 12, and other DVDs whose content is primarily directed to children under age 12.

Mobile Media and Word of Mouth. This principle also applies to advertising that is primarily directed to children under age 12 on cell phones, smart phones, tablets, other personal digital devices, and through word of mouth.⁶

2. Use of Foods in Interactive Games

Participants will commit that in any interactive game that is primarily directed to children under age 12, which is provided free or at nominal charge (in any format), where the company’s foods or beverages are incorporated into the game, the interactive game will incorporate or be accompanied

only by healthy dietary choices or better-for-you foods.

3. Use of Licensed Characters, Celebrities and Movie Tie-Ins

Participants will commit that the use of third-party licensed characters, celebrities (including athletes) and movie tie-ins in advertising primarily directed to children under age 12 will be consistent with their advertising commitments.⁷

4. Product Placement

Participants will commit to not paying for or actively seeking to place their foods or beverages in the program/editorial content of any medium primarily directed to children under age 12 for the purpose of promoting the sale of those products.

5. Advertising in Elementary Schools

Participants will commit to not advertising branded foods or beverages to children in elementary schools, pre-K through 6th grade.⁸

B. Definitions of Child-Directed Advertising

Participants are permitted, within reasonable limits and subject to the CFBAI’s review and approval, to define “advertising primarily directed to children under age 12.” Below we summarize the approaches that participants use to define such advertising.

For certain media, such as TV, radio, print, and third-party websites, “advertising primarily directed to children under age 12” generally means advertising for which children ages 2-11 constitute at least 35% of the expected audience (viewers, listeners, readers or visitors) at the time of the media buy, depending upon the participant.⁹ The CFBAI and participants also may consider a company-owned or third-party website

child-directed even if less than a specific percentage or an unknown percentage of visitors are children based on a multi-faceted analysis, including factors such as an assessment of the target audience according to the media plan, actions taken to restrict child access, such as age-screening, and the overall impression of the site's content.

For advertising in other covered media, determinations will be made in accordance with standards established by the company and set forth in its pledge. Participants may use an analysis of factors, including the overall impression of the advertising, the target demographic based on the company's media plan, and the audience definition for measured media. For example, participants may consider the percentage of children under age 12 viewing in-cinema G-rated movies that are now on DVDs, the content developer's designation and description of the expected target of mobile or PDA content, or the percentage of children viewing TV content that has been adapted for mobile media.

C. Implementation

Each pledge will include an implementation schedule for each commitment made by the participant, unless an implementation date is specified by this Statement.

III. ADMINISTRATION AND OVERSIGHT

1. Pledge Development

Company pledges are established in consultation with the BBB-administered CFBAI program.

2. Monitoring and Enforcement

The program is responsible for monitoring company commitments. Monitoring includes the review of advertising materials, product information, and other information as reasonably requested by the program administrator (submitted on a confidential

basis) to confirm participant compliance. The program also responds to public inquiries relating to compliance.

The program provides, by contract, 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.¹⁰

3. Public Reports

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

4. Periodic Program Reviews

The program originally planned to review its procedures and the overall impact of this initiative after the new program had been operational for at least three years. The expanded Core Principles reflected in the Second Edition of this Statement were the result of an extensive review that occurred ahead of the planned 2010 review. The Third Edition reflected changes that individual participants made during 2010. This, the Fourth Edition, reflects the adoption of category-specific uniform nutrition criteria based on a more than year-long nutrition science review conducted by the CFBAI and its participants.

The program will continue to conduct periodic reviews, but recognizes the need for a reasonable interval between reviews to allow participants to implement and assess the operation of any program enhancements. Accordingly, the program, in consultation with the participants, will conduct reviews at least once every five years.

IV. ADVERTISING TO CHILDREN UNDER SIX YEARS OLD

The CFBAI does not require that participants adopt policies regarding not engaging in advertising primarily directed to children under age six. Prior to the creation of the CFBAI, however, a number of participants had corporate policies that prohibited advertising directed to children under six years old (of even their healthier choices), and they maintained these policies after

becoming participants in the CFBAI. During 2010, other participants individually and voluntarily adopted such policies. Now the majority of participants have policies on not engaging in advertising primarily directed to children under six that are reflected in their CFBAI pledges. Although such policies are not required, the CFBAI has agreed to monitor and report on compliance with these policies when they are incorporated into a participant's Pledge.

1st Edition, November 2006; 2nd Edition, November 2009; 3rd Edition, September 2010; 4th Edition, January 2014. © 2014 Council of Better Business Bureaus, Inc.

NOTES

¹ These changes were memorialized in the Second Edition of the CFBAI Program and Core Principles Statement.

² Participants defining child-directed advertising as advertising on media where the audience was composed of at least 50% children ages 2-11 changed to a definition of at least 35% children ages 2-11, harmonizing with other participants already using a 35% or lower threshold. These changes were memorialized in the Third Edition of the CFBAI Program and Core Principles Statement.

³ Participation in the CFBAI is entirely voluntary and there are no sanctions for companies that choose not to participate.

⁴ Participants also are encouraged to disseminate healthy lifestyle messaging, such as messaging encouraging:

- Physical activity, or
- Good dietary habits, consistent with established scientific and/or government standards, such as USDA Dietary Guidelines and MyPlate.

⁵ If a participant has made additional commitments restricting child-directed advertising based on nutrition criteria that are more restrictive than the CFBAI's criteria, the participant may follow the more restrictive criteria to meet its obligations. A participant also may use a bifurcated approach of using its own criteria, or portions thereof, when these are stronger or the CFBAI's criteria, when they are stronger. In no event will a participant be able to qualify a product for child-directed advertising that does not meet and/or exceed the CFBAI's criteria.

⁶ The commitment regarding word of mouth advertising refers to advertising primarily directed to children under age 12 where a participant provides incentives (financial or otherwise), product samples or other support to individuals or groups who are not employees to encourage such individuals or groups to influence others to discuss or consume the company's branded foods or beverages.

⁷ This commitment applies to the advertising discussed in the advertising principle above. It does not apply to other marketing channels, such as point-of-sale materials or packaging (provided that the packaging does not appear in advertising primarily directed to children under age 12). This commitment also does not apply to the use of company-owned characters.

⁸ This commitment does not apply to displays of foods and beverages, including materials that identify the products that are being offered for sale, charitable fundraising activities, public service messaging, items provided to school administrators for their personal use, and charitable donations to schools.

⁹ Some participants choose to use a lower percentage and some also include supplemental measures to identify "advertising primarily directed to children under age 12." The company pledges specify the audience percentage, and other factors, where applicable, that the company uses to determine whether advertising is "primarily directed to children under age 12." Visit the CFBAI's website at <https://bbbprograms.org/programs/CFBAI/cfbai-pledges/> to view company pledges or a summary of each participant's current definition. Audience demographics will be based on reliable third-party information on media impressions or other relevant metrics at the time the advertising is purchased.

¹⁰ Under the contracts, BBB will 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, BBB may refer the matter to appropriate regulatory authorities. BBB will give a participant notice prior to making the termination and referral public.

APPENDIX B: CFBAI Category-Specific Uniform Nutrition Criteria

Product Category	Unit	Nutrients to Limit (NTL)			
		Calories	Sat Fat	Sodium	Total Sugars
1. Juices	LSS	≤ 160	0 g	≤ 140 mg	No added sugars
2. Dairy Products					
- Milks and milk substitutes	8 fl oz	≤ 150	≤ 2 g	≤ 200 mg	≤ 24 g
- Yogurts and yogurt-type products	6 oz	≤ 170	≤ 2 g	≤ 140 mg	≤ 23 g
- Dairy-based desserts	½ c	≤ 120	≤ 2 g	≤ 110 mg	≤ 20 g
- Cheese and cheese products	LSS	≤ 80	≤ 3 g	≤ 290 mg	≤ 2 g
3. Grain, fruit and vegetable products, and items not in other categories	LSS	≤ 150	≤ 1.5 g	≤ 290 mg	≤ 10 g
	LSS	> 150-200	≤ 2 g	≤ 360 mg	≤ 12 g
4. Soups and meal sauces	LSS	≤ 200	≤ 2 g	≤ 480 mg	≤ 6 g
5. Seeds, nuts, and nut butters and spreads	1 oz or 2 tbsp	≤ 220	≤ 3.5 g	≤ 240 mg	≤ 4 g
6. Meat, fish, and poultry products	LSS	≤ 120	≤ 2 g	≤ 480 mg	≤ 2 g
7. Mixed dishes	LSS	≤ 280	≤ 2.5 g	≤ 540 mg	≤ 10 g
8. Main dishes and entrées	LSS	≤ 350	≤ 10% kcal	≤ 600 mg	≤ 15 g
9. Small Meals	LSS	≤ 450	≤ 10% kcal	≤ 600 mg	≤ 17/12 g (See notes)
10. Meals (entrée and other items including a beverage)	Meal	≤ 600	≤ 10% kcal	≤ 740 mg	≤ 20/15 g (See notes)

Nutrition Components to Encourage (NCTE)	Notes
≥ ½ c F/V juices	<ul style="list-style-type: none"> A serving must contain ≥ 4 fl oz of 100% F/V juice Sugars limited to those naturally occurring in F/V
1 c dairy	<ul style="list-style-type: none"> For LSS < 8 fl oz, NTL & NCTE to be scaled proportionately Powder/syrup flavorings mixed with 8 fl oz non-fat milk are allowed ≤ 25 g total sugars as prepared
≥ ½ c dairy and ≥ 10% DV calcium	<ul style="list-style-type: none"> 6 oz (170 g) is most common single serving size For LSS < 6 oz, NTL & NCTE to be proportionately lower
≥ ¼ c dairy and ≥ 10% DV calcium	<ul style="list-style-type: none"> Serving sizes limited to ½ c For LSS < ½ c, NTL & NCTE to be scaled proportionately
≥ ½ c dairy equivalent (provides ≥ 10% DV calcium)	<ul style="list-style-type: none"> For LSS < 1 oz, NCTE to be scaled to ≥ ½ c dairy equivalent and ≥ 10% DV calcium
≥ ½ serving of F/V/D/WG or ≥ 10% DV of any essential nutrient	<ul style="list-style-type: none"> Subcategories differentiate, on a calorie basis, among products that have a small RACC (i.e., ≤ 30 g or ≤ 2 tbsp) and/or are lighter in density (e.g., g/cup) from those with a larger RACC and/or higher density Examples of ≤ 150 calorie products: most children's breakfast cereals, crackers, & pretzels Examples of > 150-200 calorie products: denser breakfast cereals (e.g., shredded wheat), waffles, & vegetable products with sauces
≥ ½ serving of F/V/D/WG or ≥ 10% DV of any essential nutrient	<ul style="list-style-type: none"> Tomato-based products allowed ≤ 12 g of total sugars/LSS to include sugars naturally occurring in tomatoes & those added to balance product pH
≥ 1 oz protein equivalent	<ul style="list-style-type: none"> For LSS < 1 oz or 2 tbsp, NTL & NCTE to be scaled proportionately
≥ 1 oz equivalent of meat, fish, or poultry <u>and</u> ≥ 10% DV of any essential nutrient	<ul style="list-style-type: none"> For LSS ≤ 1 oz, NTL reduced to ≤ 60 kcal, ≤ 1 g sat fat, ≤ 240 mg sodium and ≤ 1 g total sugars
≥ ½ serving of F/V/D/WG or ≥ 10% DV of <i>two</i> essential nutrients	<ul style="list-style-type: none"> Products include casseroles, burritos, pizzas, & sandwiches that do not meet FDA/USDA definition for <i>main dishes</i> Items that contain ≤ 200 kcal and meet NTL criteria may qualify if they contain ≥ ½ serving of F/V/D/WG or ≥ 10% DV of any essential nutrient
≥ 1 serving of F/V/D/WG or ≥ ½ serving of F/V/D/WG <u>and</u> ≥ 10% DV of <i>two</i> essential nutrients	<ul style="list-style-type: none"> Items must meet FDA/USDA definition for <i>main dishes</i>
≥ 1 ½ servings of F/V/D/WG or ≥ 1 serving F/V/D/WG <u>and</u> ≥ 10% DV of <i>three</i> essential nutrients	<ul style="list-style-type: none"> Small meals contain multiple items but do not meet FDA/USDA definition for <i>meals</i> Meals must meet FDA/USDA definition for <i>meals</i>
≥ 2 servings of F/V/D/WG or ≥ 1 ½ servings of F/V/D/WG <u>and</u> ≥ 10% DV of <i>three</i> essential nutrients	<ul style="list-style-type: none"> Sugars from <u>one</u> qualifying milk/milk substitute, <u>or</u> qualifying yogurt/yogurt-type product, <u>or</u> qualifying fruit (i.e., without added sugars) <u>or</u> qualifying F/V juice are not counted in the 17 g or 20 g total sugars limits When <u>two</u> qualifying items are present, the sugars from both items are not counted in the total sugars limit, but the limits (to account for all other items) are reduced to 12 g (small meals) and 15 g (meals) All other NTL criteria for small meals and meals (calorie, sat fat, and sodium limits) must be met

NOTES

Trans fat. The criteria for *trans* fat is 0 g labeled for all categories. For foods in the meat and dairy categories served as individual foods or as part of composite dishes or meals (e.g., soups, mixed dishes, entrées, meal-type products), naturally occurring *trans* fats are excluded.

Exemptions

1. Sugar-free mints and gum.
2. The following products also are exempt from the nutrient criteria specified above, except as indicated in notes to Categories 9 & 10:
 - Fruit products without added sugars;
 - Vegetable products without added fats and which meet FDA regulations for “very low sodium;”
 - Beverages, including bottled waters, that meet FDA regulations for “low calorie” and “very low sodium” (diet sodas are excluded from this exemption).

Abbreviations and Glossary

DV: Daily Value.

Essential Nutrients: Those occurring naturally in foods (or that are added to foods to meet standards of identity or to restore nutrients lost in processing), and for which a DV has been established. If fortification is used to meet the criteria, the nutrient must be a DGA 2010 nutrient of concern (calcium, fiber, potassium, vitamin D) or a nutrient that is required to be listed on the Nutrition Facts Panel (iron, vitamins A & C).

F/V/D/WG: Any combination of fruits, vegetables, non/low-fat dairy, and/or whole grains.

LSS: Labeled serving size.

NA: Not applicable.

NCTE: Nutrient components to encourage are F/V/D/WG or Essential Nutrients.

NTL: Nutrients to limit are calories, saturated (sat) fat, *trans* fat, sodium and total sugars.

Qualifying F/V Juice: Any fruit or vegetable juice or blend that contains no added sugars and meets the requirements of Category 1.

Qualifying Flavored Milk/Milk Substitute/Yogurt/Yogurt-type Product: These are products that meet the Category 2 criteria for milk/milk substitutes, or yogurt/yogurt-type products.

RACC: Reference amount customarily consumed.

Serving(s): See USDA Food Group Serving Equivalents.

Total Sugars: Include naturally occurring and added sugars.



CFBAI

CHILDREN'S FOOD AND BEVERAGE ADVERTISING INITIATIVE



2017 Cereal Snapshot

Ready-to-eat (RTE) cereals that participants in the Children's Food and Beverage Advertising Initiative (CFBAI) advertise to children are a nutrient dense breakfast option that can contribute to a healthy diet.

CFBAI participants have reduced sugars, calories or sodium and increased the amount of whole grains, fiber, and/or vitamins and minerals in cereals advertised to kids. Sometimes the names are the same, but over the last 10 years the cereal inside has improved. CFBAI's uniform nutrition criteria for cereals and all foods that its participants advertise to children under age 12 have driven improvements in the foods advertised on kids' media. This Snapshot provides a nutritional overview of the 31 RTE cereals on CFBAI's Product List in 2017.¹

RTE cereals provide a meaningful amount of whole grains, vitamins, minerals, or other key essential nutrients.² Consuming these nutrients from cereals can increase children's intake of under-consumed nutrients, without packing on calories, sugar or sodium. Milk usually accompanies cereals and adds calcium, protein and Vitamin D.

Calories. All of the cereals contain no more than 130 calories.

Sugars. Before CFBAI, cereals may have contained as much as 16 grams per serving. Now all cereals contain no more than 10 grams of sugar, and the majority contain fewer than 10 grams.³

Sodium. More than 75% contain no more than 170 mg per serving.

Saturated fat. Nearly all cereals (97%) have no more than 0.5 grams per serving; more than 75% contain 0 grams.

Whole grains. Whole grains are the first ingredient on the label for about 75% of the cereals on CFBAI's Product List. Over 80% contain a half-serving or more,⁴ up from 20% in 2009.

Beneficial nutrients. Nearly all cereals are a good source of vitamin D, and more than half are also a good source of calcium. Both nutrients are critical for bone-building. Many cereals provide at least a "good" source of other nutrients that are under-consumed according to the 2015 Dietary Guidelines.⁵

Cereals contain **modest amounts** of calories, sugar, sodium and saturated fat.

Cereals that CFBAI participants advertise to children now are **even better nutritionally** than just a few years ago.

Children who eat RTE cereal, presweetened or non-presweetened, have a lower risk of being overweight than those who do not eat cereal. Multiple studies have found a positive association between RTE cereal consumption in children and healthier body weights compared to children who skip breakfast or eat a different breakfast.⁶

For more information about CFBAI, visit bbbprograms.org/programs/cfbai

¹ July 2017 CFBAI Product List.

² Fortified cereals contribute essential nutrients such as vitamin A, thiamin, niacin, calcium, phosphorous, magnesium and/or potassium.

³ Cereals with a larger serving size may contain no more than 12 grams of total sugars per serving. (One cereal on CFBAI's product list has a 54-gram serving size and contains 11 grams of sugar.)

⁴ The 2015 Dietary Guidelines for Americans (DGA) recommend making at least half of grains whole grains. According to USDA's Food Safety and Inspection Service guidance on whole-grain claims, "If a food has at least 8 grams of whole grains per ounce-equivalent, it is at least half whole grains."

⁵ A "good" source contains 10 to 19% of the government-established Daily Value (DV) for a particular nutrient. The four under-consumed nutrients of public health concern are calcium, fiber, potassium, and vitamin D.

⁶ A K. Miller, et al., The Association Between Body Metrics and Breakfast Food Choice in Children, *INFANT, CHILD & ADOLESCENT NUTRITION* (2013); M. Albertson et al., Ready-to-Eat Cereal Intake is Associated with an Improved Nutrient Intake Profile among Food Insecure Children in the United States, *J HUNGER ENVIRON NUTR* (2013); A.M. Albertson et al., The Relationship between Ready-to-Eat Cereal Consumption Categorized by Sugar Content and Body Measures in American Children: Results from NHANES 2001-06, *FASEB J* (2009); de la Hunty, A., et al., Does regular breakfast cereal consumption help children and adolescents stay slimmer? A systematic review and meta-analysis, *OBES FACTS* (2013).



APPENDIX D: CFBAI PARTICIPANTS' CHILD-DIRECTED ADVERTISING COMMITMENTS

Company	Children Under Age 6 Commitment	Children Under Age 12 Commitment	Audience Threshold
Campbell Soup Company	No advertising	Qualifying foods only	35%
The Coca-Cola Company	No advertising primarily directed to children under age 12		
Conagra Brands, Inc.	No advertising primarily directed to children under age 12		
The Dannon Company, Inc.	No advertising	Qualifying foods only	
Ferrero USA, Inc.	No advertising primarily directed to children under age 12		
General Mills, Inc.	No advertising	Qualifying foods only	
Kellogg Company	No advertising	Qualifying foods only	
The Kraft Heinz Company	No advertising	Qualifying foods only	
Mondelēz Global, LLC	No advertising primarily directed to children under age 12		
Nestlé USA	No advertising primarily directed to children under age 12		
PepsiCo, Inc.	No advertising	Qualifying foods only	
Post Foods, LLC	No advertising	Qualifying foods only	
Unilever United States	No advertising	Qualifying foods only	
American Licorice Company ¹	No advertising	Qualifying foods only	
Burger King Corporation	No advertising	Qualifying foods only	
The Hershey Company	No advertising primarily directed to children under age 12		
McDonald's USA	No commitment	Qualifying foods only	25%
Mars, Incorporated	No advertising primarily directed to children under age 12		

NOTES

¹ As of 2016, American Licorice Company moved from a 35% to a 30% audience threshold.



About the Children's Food and Beverage Advertising Initiative

Since 2007, CFBAI has been changing the children's food advertising landscape to include healthier products. CFBAI's participants commit to use CFBAI's science-based uniform nutrition criteria to govern what foods they advertise directly to children under 12 or to not engage in such advertising. CFBAI's 18 participants, representing a substantial majority of child-directed food advertising on TV, are: American Licorice Company; Burger King Corp.; Campbell Soup Company; The Coca-Cola Company; Conagra Brands, Inc.; The Dannon Company; Ferrero USA; General Mills, Inc.; The Hershey Company; Kellogg Company; The Kraft Heinz Company; Mars, Incorporated; McDonald's USA, LLC; Mondelēz Global, LLC; Nestlé USA; PepsiCo, Inc.; Post Foods, LLC; and Unilever United States. For more information about CFBAI, visit bbbprograms.org/programs/cfbai.

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