



Coalition on Food Advertising to Children

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Speaking out against unhealthy food advertising to children

Submission from the Coalition on Food Advertising To Children

**The House of Representatives Standing Committee on Social Policy
and Legal Affairs Inquiry into the Regulation of Billboard and Outdoor
Advertising**

February 2011

INTRODUCTION

The Coalition on Food Advertising to Children (CFAC) appreciates the opportunity to offer this submission to the Standing Committee inquiry into the regulation of billboard and outdoor advertising.

CFAC was formed in July 2002 and includes key organisations that recognise that the commercial promotion of unhealthy foods and beverages high in fat, sugar and salt to children is a significant concern to their nutrition and future health. The Coalition's goal is to improve the diets and overall health of Australian children through a marked reduction in the commercial promotion of foods and beverages to children.

The member organisations of CFAC are:

- Australian and New Zealand Obesity Society
- Australian Council on Children and the Media
- Australian Dental Association
- Australian Dental and Oral Health Therapists Association
- Australian Health Promotion Association
- Australian Medical Association
- Cancer Council Australia
- Home Economics Institute of Australia
- Nutrition Australia
- Public Health Advocacy Institute of Western Australia
- Public Health Association of Australia
- Royal Australasian College of Physicians, Paediatric Branch
- Royal Australian College of General Practitioners
- Ms Kaye Mehta, Senior Lecturer in Nutrition and Dietetics, Flinders University
- Dr Rosemary Stanton, OAM

In accordance with CFAC's goal to reduce the levels of unhealthy food marketing that children in Australia are exposed to, we make this submission to reiterate our concerns with the self-regulation of unhealthy food advertising.

CFAC supports a regulatory system that:

- Applies to unhealthy food and beverage products, as determined using an appropriate nutrient profiling model, such as the one proposed by Food Standards Australia New Zealand (FSANZ) for restricting health claims on food packaging;
- Restricts all marketing media used to target children aged under 16 years, which includes billboards and outdoor signs;
- Restricts persuasive marketing techniques, such as the use of promotional characters and premium offers;
- Is monitored by an independent statutory body, with a clear and transparent monitoring and enforcement processes;

- Is subject to regular reviews to ensure that it covers emerging technologies and techniques used to reach children; and
- Contains significant and meaningful penalties.

CFAC strongly supports the recommendations made by the National Preventative Health Taskforce to reduce exposure of children and others to marketing, advertising, promotion and sponsorship of energy-dense nutrient-poor foods and beverages including the phasing out of premium offers, toys, competitions and the use of promotional characters, including celebrities and cartoon characters, to market EDNP food and drink to children.⁽¹⁾ However, we believe the evidence linking food marketing to childhood obesity is sufficiently compelling to warrant that this ban be enacted as speedily as possible, rather than within the four years suggested by the Taskforce. CFAC does not support industry self regulation of food marketing as to date it has not adequately addressed either the volume of food advertising to children or the persuasive marketing techniques commonly used to target children.

CFAC response to the issues raised in the Inquiry into the Regulation of Billboard and Outdoor Advertising in relation to food marketing to children

Issue 1. The existing self-regulatory scheme for advertising

The current self regulatory system does not provide a coordinated system, but rather a complex and confusing arrangement, with inefficiencies in terms of enforcement, monitoring and complaints. Some of the definitions used to define aspects of the advertising codes are loose and open to wilful misinterpretation. Examples include:

- The definition of 'primarily directed towards children'. The definition seems to be particularly open to manipulation when advertisers can say that the intent of the advertisement is aimed at the main grocery buyer when the advertisement clearly has great appeal for children.
- The definition of what constitutes a 'healthier choice' when nutrient criteria vary from company to company and are not determined by independent experts.
- The use of company-owned characters.
- The use of popular personalities including sporting personalities.
- The use of premium offers and competitions.

The current self-regulatory system fails to include sports sponsorship which is most often associated with products classified as unhealthy. This is particularly confusing for children as brand placement and sports links are a subtle form of product advertising. Outdoor advertising signage for food and beverages at sports events and in sporting arenas is primarily for unhealthy products and companies associated primarily with unhealthy foods. Regulation of billboards and outdoor advertising should include such signage if it is intended to be effective.

There is evidence that food marketing is a driver of adolescent purchase decisions with the National Secondary Students' Diet and Activity survey 2009-10 finding that 24% of males chose a food or drink linked with a movie or sports personality they liked.⁽²⁾

CFAC is particularly concerned about the voluntary nature of the existing codes with many food and beverage companies not being signatories to either of the industry codes (the *Responsible Children's Marketing Initiative of the Australian Food and Beverage Industry* or the *Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children*). It is not immediately apparent to consumers that not all food product and fast food companies are signatories to these industry developed codes, and difficult for consumers to determine which companies are signatories and which are not.

Of concern also is the lack of monitoring and absence of penalties for a breach of the codes. Often, by the time the decision has been made by the Advertising Standards Board the

advertisement has finished its run and had its impact. There is no disincentive for companies to comply with the self-regulatory codes and avoid breaches as there are no penalties or processes for reporting breaches besides the Advertising Standards Bureau website.

As well, the monitoring of these industry developed self-regulatory codes is carried out by the industry nominated Advertising Standards Bureau. Changes have been made to the AANA and food industry codes such as changes to guidelines without public consultation or a distribution process, rather information is supplied after an enquiry or placed on the website after it has been in use by the Advertising Standards Board.

Issue 2. The current arrangements, including the Industry Codes administered by the Advertising Standards Bureau, do not meet community concerns about billboard advertising

Research shows that parents support government regulation of food advertising to children⁽³⁾. In a study on parental concerns about food marketing to children over 50% of parents were concerned about outdoor signage⁽⁴⁾.

Billboards have the potential for repeated brand exposure as they may be viewed repeatedly. A study in 2008 of outdoor signs within a 500 metre radius of 40 primary schools in Sydney and Wollongong found 80% of food advertisements were for non-core foods⁽⁵⁾. Soft drinks and alcoholic beverages were the food products most commonly advertised around primary schools (24% and 22% of food advertisements, respectively)⁽⁵⁾. Non-core food products were twice as likely as other products to be advertised close to a primary school⁽⁵⁾. CFAC acknowledges that this study was published prior to the recent food industry self-regulatory initiatives, however the Australian Association of National Advertisers Codes were in place at this time.

The current determinations by the ASB often refer to 'prevailing community standards' however the process to determine this is not declared or whether in fact there is a monitoring process for community standards for food advertising to children.

Issue 5. The rate and nature of complaints about billboard advertising

The low number of food and beverage complaints made to the ASB is not an accurate reflection of community concerns on food marketing to children, but is more of a reflection on the complexity of the self regulatory codes. The relatively low rate of successful complaints and the reasoning given for the dismissals act as a deterrent for members of the public to complain.

Issue 6. Improvements that may be made to current arrangements

CFAC calls for Government regulation of marketing of unhealthy food and beverages to children and that this regulation to be monitored by an independent statutory body.

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References

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- 3 CHOICE. Food Marketing: Child's Play? Australian Consumers Association . 2006.
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- 5 Kelly B, Cretikos M, Rogers K, King L. The commercial food landscape: outdoor food advertising around primary schools in Australia. Australian New Zealand Journal of Public Health 2008; 32:522-528.