



2012 Monitoring Report

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Executive summary & Key results

Background

The EU Pledge is a voluntary initiative launched by leading food and beverage companies to change food and beverage advertising on TV, print and internet to children under the age of twelve in the European Union.

Signatories commit to changing the way they advertise to children under 12 years old by respecting the two following requirements:

- No advertising of products to children under 12 years, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines¹.
- No communication related to products in primary schools, except where specifically requested by, or agreed with, the school administration for educational purposes.

The fourth EU Pledge monitoring programme was carried out in the first half of 2012 by the following independent third parties:

- Accenture Media Management², to review EU Pledge member companies' compliance with the commitment relating to TV advertising;
- BDRC Continental³, to monitor compliance with the commitment on product-related communications in primary schools;
- EASA – The European Advertising Standards Alliance, to review EU Pledge companies' branded websites, for compliance with the EU Pledge commitment.

The methodology and processes of monitoring exercises for TV and primary schools have been independently reviewed by Mr. Lucien Bouis, former member of the European Economic and Social Committee and former Director of the Bureau de Verification de la Publicité (BVP, now called ARPP, Autorité de Régulation Professionnelle de la Publicité – the French advertising Self-Regulatory Organisation). Mr Bouis' independent review is available in Annex II.

The methodology and process of the monitoring of company-owned websites was reviewed by Dr Verónica Donoso, a Research fellow at the Catholic University Leuven (KUL), Project manager e-safety at the Child Focus NGO in Belgium, and independent consultant. Dr Donoso is highly experienced in the areas of research, children and young people's uses of new media and e-safety. She has worked on a number of European and Belgian projects, including the projects EU Kids Online I, II and III. She also coordinated the 2nd Assessment of the Safer Social Networking Principles for the EU.

¹ To date there is no one single global or European set of nutritional guidelines, because of the substantial differences across food cultures. There are nonetheless national and some elements of international guidance (e.g. World Health Organisation). Such guidelines usually include recommendations on daily caloric/nutritional intake and dietary habits/regimens and are dietary guidelines, not specific to individual foods. EU Pledge companies have developed their own nutritional guidelines on the basis of the most widely accepted national and international guidelines that exist (e.g. WHO, FAO, USDA, IOM, EURODIET). They have done so individually to reflect the diversity of members' product portfolios. Some include products from a number of categories; others include only one category (e.g. confectionery, soft drinks). Other EU Pledge member companies still have taken the decision not to advertise any of their products to children under 12. All applicable nutritional guidelines are published as part of the individual company commitments under the EU Pledge on www.eu-pledge.eu

² Accenture is a global management consulting, technology services and outsourcing company. Accenture Media Management helps companies measure and optimise investments in marketing, media, retail and digital.

³ BDRC Continental is UK's largest independent full service market research agency.

Key 2012 results

Four years into the EU Pledge, the record of compliance is again very positive and consistent with previous years.

- **TV: The overall compliance rate is 98.3%**
- **Primary schools: The overall compliance rate is 98%**

In addition to monitoring the implementation of commitments, EU Pledge member companies have sought to measure the change in the overall balance of their food and beverage TV advertising to children as a result of the EU Pledge and of companies' individual commitments.

For the fourth year running, monitoring confirms a downward trend in children's exposure to TV food advertising by EU Pledge member companies:

- A very substantial reduction in children's exposure to advertising for products that do not fulfil better-for-you criteria through children's programmes (>35% <12 audiences): -73% this year. Over all markets monitored in the past 4 years the average is -83.5%
- A reduction in children's exposure to advertising for products that do not fulfil companies' better-for-you criteria in all programmes: -48% this year. Over all markets monitored in the past 4 years the average is -48.5%.
- An overall reduction in children's exposure to advertising for all EU Pledge member companies' products (regardless of nutritional criteria): -29% this year. Over all markets monitored in the past 4 years the average is also -29%.

For the first time since the extension of the EU Pledge commitment to company-owned websites at the end of 2011, EASA – The European Advertising Standards Alliance, monitored member companies' brand websites. Over 200 national brand websites were monitored in seven EU countries. The results show that:

- **95% of websites reviewed were deemed compliant with the EU Pledge. 11 websites out of 210 were found non-compliant with the EU Pledge commitment.**

EU Pledge nutrition criteria: Adoption of common criteria for companies advertising to children under 12

At the end of 2012, the EU Pledge was further strengthened through the adoption of harmonised nutrition criteria for those companies that so far have used company-specific criteria to determine what foods they may choose to advertise to children under 12.

By the end of 2014, these criteria will replace individual company criteria applied until now. The common criteria set energy caps, maximum thresholds for nutrients to limit (salt, saturated fat and sugar) and minimum requirements for positive nutrients, category by category.

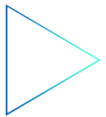
EU Pledge member companies that do not advertise any of their products to children under 12 at all will maintain their current policies. Therefore, the common nutrition criteria will not be relevant for them.

Growth in membership

The EU Pledge was launched in December 2007 by eleven leading food and beverage companies, representing approximately two-thirds of food and non-alcoholic beverage advertising spend in the European Union.

The initiative gained seven new members in 2010, as the European Snacks Association (ESA) joined as an associate member, with seven of its leading corporate members. One of these, Procter & Gamble, has since sold its single food brand, Pringles, to Kellogg's, a founding member of the EU Pledge. Two additional leading companies joined the initiative as a result of their acquisition by existing EU Pledge member companies: Wrigley through its acquisition by Mars Inc. in 2009; and Cadbury through its acquisition by Kraft Foods in 2010. McDonald's joined in November 2011.

In September 2012, Royal FrieslandCampina, one of the leading international dairy companies, joined the EU Pledge, bringing membership to 19 companies, representing over 80% of EU food and beverage advertising spend in the EU.



About the EU Pledge

The EU Pledge is a voluntary initiative by leading food and beverage companies to change food and beverage advertising to children under the age of twelve on TV, print and internet in the European Union.

The EU Pledge was launched in December 2007 as part of signatories' commitment to the European Union Platform for Action on Diet, Physical Activity and Health, the multi-stakeholder forum set up by the European Commission in 2005 to encourage stakeholders to take initiatives aimed at promoting healthy lifestyles in Europe. In the context of the EU Platform, the EU Pledge commitment is owned by the World Federation of Advertisers (WFA), which also supports the programme.

EU Pledge Members

The founding members of the EU Pledge are the following companies: Burger King, Coca-Cola, Danone, Ferrero, General Mills, Kellogg, Kraft Foods, Mars, Nestlé, PepsiCo and Unilever.

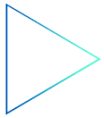
The initiative gained six new members in 2010, as the European Snacks Association (ESA) joined as an associate member, with six of its leading corporate members signing up to the EU Pledge commitments: Estrella-Maarud, Intersnack, Lorenz Snack-World, Procter & Gamble, Unichips - San Carlo and Zweifel Pomy-Chip. A further ESA member company, the Chips Group, joined in 2011.

Two additional leading companies have joined the initiative as a result of their acquisition by existing EU Pledge member companies: Wrigley through its acquisition by Mars Inc. in 2009; and Cadbury-Schweppes through its acquisition by Kraft Foods in 2010. McDonald's joined in November 2011.

In September 2012, Royal FrieslandCampina, one of the leading international dairy companies, joined the EU Pledge, bringing membership to 20 companies, representing over 80% of EU food and beverage advertising spend in the EU. Since the sale of Procter & Gamble's only food brand to Kellogg's – a founding member of the EU Pledge – in 2012, EU Pledge membership is made up of 19 companies.



The initiative is open to any food and beverage company active in Europe and willing to subscribe to the EU Pledge commitments.



The EU Pledge commitments

The EU Pledge is a framework initiative whereby signatories are committed to changing the way they advertise to children under 12 years old by respecting the two following requirements:

- **No advertising of products to children under 12 years, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines⁴.**

For the purpose of this initiative, “advertising to children under 12 years” means advertising to media audiences with a minimum of 35%⁵ of children under 12 years⁶.

- **No communication related to products in primary schools, except where specifically requested by, or agreed with, the school administration for educational purposes.**

Participating companies must all meet these criteria, but can go further. The framework EU Pledge commitments provide a common benchmark against which companies can jointly monitor and verify implementation.

Since the initiative was launched, all participating companies have made their individual corporate commitments within the framework of the EU Pledge programme. All founding member company commitments, published on the EU Pledge website (www.eu-pledge.eu), were implemented across the EU by 31 December 2008⁷. Members that joined the EU Pledge in 2010 implemented their commitments by the end of that year. Chips Group, which joined in April 2011, implemented the commitments by the end of 2011. McDonald’s and Friesland Campina implemented the commitments upon joining, in January and September 2012 respectively.

To facilitate compliance with the EU Pledge commitments, member companies developed detailed implementation guidance, for all relevant staff in marketing, media planning and corporate affairs departments in all EU markets.

⁴ To date there is no one single global or European set of nutritional guidelines, because of the substantial differences across food cultures. There are nonetheless national and some elements of international guidance (e.g. World Health Organisation). Such guidelines usually include recommendations on daily caloric/nutritional intake and dietary habits/regimens and are dietary guidelines, not specific to individual foods. EU Pledge companies have developed their own nutritional guidelines on the basis of the most widely accepted national and international guidelines that exist (e.g. WHO, FAO, USDA, IOM, EURODIET). They have done so individually to reflect the diversity of members’ product portfolios. Some include products from a number of categories; others include only one category (e.g. confectionery, soft drinks). Other EU Pledge member companies still have taken the decision not to advertise any of their products to children under 12. All applicable nutritional guidelines are published as part of the individual company commitments under the EU Pledge on www.eu-pledge.eu

⁵ This is a commonly agreed benchmark to identify media with an audience composed of a majority of children under 12 years old. This method of audience indexing has been agreed as a pragmatic system to determine the applicability of advertising rules. Nevertheless, this is a minimum common benchmark for all EU Pledge member companies. For further detail see: www.eu-pledge.eu

⁶ The rationale for this threshold is the strong degree of academic consensus that by the age of 12 children develop their behaviour as consumers, effectively recognise advertising and are able to adopt critical attitudes towards it. Although children between the ages of 6 and 12 are believed to generally understand the persuasive intent of advertising, care should be taken because they may not have a fully developed critical understanding. For further information see: http://www.wfanet.org/pdf/adv_papers/when_is_a_child_a_child.pdf

⁷ In case of mergers or acquisitions, an agreed transition period is allowed for the implementation of measures taken under the EU Pledge.

Third-Party Monitoring

In line with the Terms of Reference of the EU Platform for Action on Diet, Physical Activity and Health, EU Pledge signatories are required to monitor and report on the implementation of their commitments. EU Pledge member companies have committed to carry out independent third-party compliance monitoring of the EU Pledge commitments.

This is the fourth such monitoring exercise. The 2009, 2010 and 2011 Monitoring Reports are available on www.eu-pledge.eu. In 2012, EU Pledge member companies commissioned the following independent third parties to monitor implementation of the EU Pledge commitments:

- **Accenture Media Management**⁸, to review EU Pledge member companies' compliance with the commitment relating to food and beverage advertising on TV.
- **BDRC Continental**⁹, to monitor compliance with the commitment on product-related communications in primary schools.
- **EASA – The European Advertising Standards Alliance**¹⁰, to review EU Pledge companies' brand websites for compliance with the EU Pledge commitment.

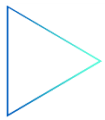
All monitoring exercises was carried out during the first half of 2012 and were independently reviewed by Mr. Lucien Bouis, member of the European Economic and Social Committee and former Director of the Bureau de Verification de la Publicité (BVP, now called ARPP, Autorité de Régulation Professionnelle de la Publicité – the French advertising Self-Regulatory Organisation), and Dr Veronica Donoso, a research fellow at the Catholic University Leuven (KUL) a highly experienced researcher in the areas of children and young people's uses of new media and e-safety.

Their appraisal of the fairness and accuracy of the monitoring methodologies and processes is given in this report.

⁸ Accenture is a global management consulting, technology services and outsourcing company. Accenture Media Management helps companies measure and optimise investments in marketing, media, retail and digital.

⁹ BDRC Continental is UK's largest independent full service market research agency.

¹⁰ The [European Advertising Standards Alliance](http://www.easa.europa.eu) brings together national advertising self-regulatory organisations in Europe. Based in Brussels, EASA is the European voice for advertising self-regulation.



Compliance Monitoring: TV advertising

Objective and Scope

Accenture Media Management was commissioned to carry out the independent monitoring of member companies' compliance with the following EU Pledge commitment:

"No advertising of products to children under 12 years, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines. For the purpose of this initiative, "advertising to children under 12 years" means advertising to media audiences with a minimum of 35% of children under 12 years."

This is the first monitoring exercise assessing the compliance of EU Pledge member companies with the enhanced commitment. Until the end of 2011, the audience threshold used was 50% children under 12. By lowering the audience threshold to 35% of children under 12 years, the EU Pledge commitment covers more media channels that have a significant child audience. This commitment entered into force on 1 January 2012¹¹

For this exercise, five sample EU markets were chosen: **Germany, Hungary, Italy, Poland and Portugal**. The intent has been to cover a number of new markets each year, within the limits of data availability and affordability, so as to assess performance in as broad a sample of Member States as possible. Some markets have been covered repeatedly (e.g. Spain in 2009 and 2010; Poland in all four years) in order to provide a benchmark.

Methodology

Accenture Media Management was commissioned to analyse national audience data in the sample markets over a full three-month period. This data is provided by official national TV audience measurement agencies. Viewing estimates are obtained from panels of television-owning private homes representing the viewing behaviour of households.

The data provides detailed statistics about advertising spots: advertiser, product, channel, programme, date and time of broadcast, estimated audience and demographic breakdown – typically including the segment 4-12 years of age. In Portugal the only available demographic segment is children aged 4-14. The implication is a likely overstatement of non-compliance in these markets with respect to the EU Pledge commitment.

On this basis, Accenture gathered and reviewed all advertising spots for products marketed by EU Pledge member companies, aired in the seven markets during the period 1 January to 31 March 2012 - 774,207 spots were reviewed.

Spots for products that do not meet EU Pledge companies' nutritional criteria, where applicable, were identified, on the basis of full product lists submitted by each member company for each market. For

¹¹ In order to allow for adjustment of media buying practices and licensing agreements, individual companies may be granted a transition period not exceeding one year, i.e. until 1 January 2013 at the latest, provided this is stated clearly in their individual corporate commitment published on the EU Pledge website. The transition period was granted to PepsiCo until 30 June 2012 and to Ferrero until 31 December 2012. These two companies' compliance with the EU Pledge commitment on TV advertising in 2012 was therefore assessed on the basis of a 50% under-12 audience threshold. All companies will be assessed on the basis of the enhanced commitment as of 1 January 2013.

those member companies that do not apply nutritional criteria and do not advertise any products to children under twelve, all spots were included.

For all these spots, audience composition at the time of broadcast was analysed on the basis of national ratings data. This allowed Accenture to isolate ads aired at a time when more than 35% of the audience was composed of children under twelve years of age.

All spots for products that EU Pledge member companies have committed not to advertise to children under twelve, aired at times when the audience was composed of over 35% children under twelve, were deemed non-compliant with the EU Pledge.

Results

The overall compliance rate was as follows:

- **98.3% of signatories' TV advertising spots were compliant with the EU Pledge commitment**

The detailed compliance rates reported by Accenture per market can be found in the Accenture presentation included in this report.

This figure is comparable to those reported in previous years in different markets (2011 compliance rate: 99.1%).

Statistical anomalies and overstatement of non-compliance

It is worth noting that the vast majority of spots found technically non-compliant (i.e. achieving an under-twelve audience share above 35%, regardless of the time of broadcast and of the adjacent programme), only a few can be considered to be certainly in breach of the spirit of the EU Pledge commitment, i.e. broadcast in or around children's programmes as such.

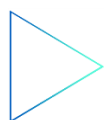
Most spots included as non-compliant in this report are spots broadcast in or around general/adult programmes that were reported in national ratings data as displaying a share of children under 12 above 35%.

The reason for this discrepancy is that audience statistics for programmes and advertising spots with a small audience – included in these monitoring results – are not reliable: a small audience means a small sample of households, rendering the demographic analysis of the audience unreliable. For statistical reliability, marketers typically exclude advertising spots below 1 Gross Rating Point (GRP). GRPs are the measure of television ratings. They are calculated in relation to the target audience – children under 12 for the purposes of this analysis. In this case a spot with less than 1 GRP is a spot that reaches less than 1% of the under-12 audience in the country in question. These spots often display an implausible share of under-12 viewers: e.g. a spot during a sports programme broadcast at 2AM shows a child audience of 100%. This is the result of statistical anomalies.

Accenture's analysis shows that if spots below 1 GRP (unreliable audience data) and night-time spots (clearly not targeted at children) are excluded, only 0.1% spots by EU Pledge member companies are non-compliant, as opposed to 1.7% if all spots are counted. All these cases were nonetheless included in the reported non-compliance rates for the sake of transparency and simplicity, even though they are, at worst, examples of "technical" non-compliance.

Follow-up

All instances of non-compliance were reported to the EU Pledge member companies concerned. Companies were thus able to identify each non-compliant spot by market, product, channel and time. This has allowed companies to take corrective action where necessary, to adapt media planning where appropriate, and to update guidance to marketing departments where needed.



Beyond compliance:

Measuring Change in the Balance of Advertising

Objective and scope

In an effort to go beyond the assessment of compliance with their commitments, EU Pledge member companies have sought to measure the change in the balance of food and beverage products advertised to children under twelve, in order to assess the impact of the initiative and corporate policies implemented in the framework and spirit of the initiative.

The year 2005 was chosen as a benchmark, coinciding with the launch of the EU Platform for Action on Diet, Physical Activity and Health.

Methodology

The outcome indicator used to measure the change in the balance of food advertising to children was the number of times that children under 12 years old saw ads by EU Pledge member companies, for products that do not meet companies' nutritional criteria and for all EU Pledge company products, in the period 1 January – 31 March 2005 vs. the same period in 2012. This was measured in "impacts", which is the statistical number of times each spot is viewed by one person and hence the most accurate measure of "exposure".

Accenture was asked to report the findings in terms of:

- Change in programmes with an audience composed of over 35% of children, the minimum common benchmark applied under the EU Pledge initiative.
- Change in general programming, i.e. all programmes aired during the monitoring periods in the seven markets during Q1 2005 and Q1 2012.

This analysis was carried out by contrasting two comparable sets of data:

- The advertising and ratings data already analysed to measure compliance in Q1 2012.
- The equivalent data for Q1 2005, i.e. all advertising spots for products marketed by EU Pledge member companies in that period on the same channels.

Outcome

The results reported by Accenture show a marked decline in children's exposure to ads for products that do not meet companies' nutritional criteria since 2005. This trend is visible on the basis of both change measurement parameters chosen, namely:

- **A 73% reduction in programmes with an audience composed of over 35% of children.**
- **A 48% reduction overall, i.e. in all programmes on all channels at all times.**

For all EU Pledge member companies' advertising across all products, i.e. regardless of nutritional criteria, this represents, in the seven markets monitored:

- **A 29% reduction overall, i.e. in all programmes on all channels at all times.**

These figures appear to confirm the overall trend observed over four years of monitoring, of a significant decrease in children's exposure. The four year average observed (2009-2012) is as follows:

- **An 83.5% reduction in exposure to ads for products that do not meet nutritional criteria in programmes with an audience composed of over 35% of children.**
- **A 48.5% reduction in exposure to ads for products that do not meet nutritional criteria overall, i.e. in all programmes on all channels at all times.**
- **A 29% reduction in exposure to ads for all products, regardless of nutrition criteria, overall, i.e. in all programmes on all channels at all times.**



Compliance monitoring: Communication in primary schools

Objective and scope

BDRC Continental was commissioned to carry out independent monitoring of member companies' compliance with the following EU Pledge commitment:

"No communication related to products in primary schools, except where specifically requested by, or agreed with, the school administration for educational purposes."

For the purposes of this verification, three sample EU markets were chosen, to complement the geographical sample chosen for the advertising monitoring component: Austria, Finland and France. This fourth audit took place between 1 June and 28 June 2012 in Austria and France, and between 20 August and 14 September 2012 in Finland.

Methodology

BDRC Continental pulled from lists of all primary schools of each country a random sample of schools, representative of the population of schools in terms of their geographical distribution in each of the countries. Schools selected from the sample lists were recruited by telephone and asked to complete an online questionnaire. The email addresses of the appropriate school contacts were gathered during the recruitment phone calls to allow an email with the embedded questionnaire link and audit instructions to be sent.

310 online interviews were conducted for the audit – 100 in each of the participating countries (110 in Finland), ensuring a minimum confidence level of 95% and a maximum margin of error of 5%.

Online interviews lasted approximately 10-15 minutes and were conducted in the local language.

As an incentive, respondents received a €30 voucher or charity donation for participating.

Instances of non-compliance reported include all incidences of commercial communications in schools – both authorised and unauthorised. The only exception concerned the provision of branded or unbranded sponsored school materials, authorised by the school in question and deemed to have an educational purpose. In this respect, only unauthorised sponsorship is included in the non-compliance figures.

The interviews aimed to identify whether advertising for products of EU Pledge signatories was present in the following locations/instances:

- School property
- Vending machines (including branded vending machines)
- School infrastructure
- In publications and products produced for or distributed by the school
- During events organised by the school on school grounds

- Material from food and beverage companies (unless provided with the school's agreement and with an educational purpose)

Responses were collected and analysed by BDRC Continental.

Results

The overall weighted compliance rate was 98%

A breakdown per type of infringement provided in Figure II below:

Figure I – Compliance Results 2009-2012 – per type of infringement (BDRC)

| | Areas of the school (any)** | Vending machines (any)** | School property (any)** | School events (any)** | Publications / products (any) | Branded sponsorship (unauthorised) | Fully compliant schools |
|-------------|-----------------------------|--------------------------|-------------------------|-----------------------|-------------------------------|------------------------------------|-------------------------|
| 2012 | 1% | 0.3% | 0% | 0.6% | 0.3% | 0% | 98% |
| 2011 | 0% | 0.8% | 0.5% | 0.3% | 0.5% | 0% | 98% |
| 2010 | 2.8% | 1.8% | 0.3% | 3.3% | 0.5% | 0% | 92%* |
| 2009 | 3% | 3% | 1% | 1% | 2% | 0% | 93%* |

The results of the schools compliance monitoring exercise are set out in more detail in the BDRC report in Annex II.

Analysis of the results

The 2012 compliance results confirm the improvement attained in 2011 over the 2009 and 2010 results. It is likely that these improved results are due at least in part to the refinement of the questionnaire used by BDRC Continental. The survey used in 2011 and 2012 included an additional question inviting respondents to describe in some detail the commercial communication found. This enabled BDRC to conduct a better qualitative assessment of the responses and isolate instances that were reported as non-compliant but were actually not (e.g. a branded diary brought in by a teacher or an advertisement at a venue outside school premises, visited on a school trip).

Areas of the School

Four instances of communications were reported in "areas of the school" in Finland, namely in staff rooms (2), canteens (1) and administrative spaces (1). Elsewhere, just one school in France reported advertising displayed in a parking space, with no breaches recorded in Austria. In France, permission was not gained from the school authority for the commercial communication reported on the parking space in one school.

No instances of communications for EU Pledge brands were reported in/on: classrooms, corridors, doors, playgrounds, school entrance gate, sports fields, sports room(s) or windows.

Vending machines

One instance of food /drink advertising displayed on a vending machine was reported in Austria. No French or Finnish schools reported any breaches.

School property

No instances of communications for EU Pledge brands were reported on: tables, chairs, blackboards/whiteboards, stationary, toys, sports equipment.

School events

Just one school in Austria and one school in Finland reported instances of non-compliance relating to school parties/fairs.

No instances of communications for EU Pledge brands were reported during: Information days, sports events, school performances, school parties.

Publications/products

Just one reported incident of advertising for food / drinks being found in school publications or products in Austria.

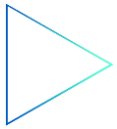
No instances of communications for EU Pledge brands were reported in: annual reports, school clothes, information brochures, books, courses, school agendas, school newspaper, documents to support awareness sessions.

Sponsorship of school materials

Despite a number of instances of sponsorship of school materials by food and drinks companies in Austria, just one school reported the material being branded by an EU Pledge member. None of the sponsored school material found in Finland was branded by an EU Pledge member. The one case of material being branded was done with the agreement of the school authority.

Follow-up

Each EU Pledge member company was informed of reported instances of non-compliance relating to their brands, per instance of breach and per market. School staff members interviewed were asked for the permission to be re-contacted by either BDRC Continental or EU Pledge member companies themselves, allowing companies to follow-up with schools on cases of non-compliance learn from these instances and adapt their practices and/or guidelines where appropriate.



Compliance monitoring: Company-owned websites

In 2011, EU Pledge members decided to enhance their framework voluntary commitments by **improving the coverage of the commitment in the online sphere. Since its inception**, the EU Pledge commitment has applied to advertising on TV, print media and third-party internet advertising. As of 1 January 2012, **EU Pledge member companies have extended their commitment to company-owned websites¹²**. By extending the coverage of the commitment to cover both third-party online advertising and brand websites, the EU Pledge covers online marketing comprehensively.

Methodology

EASA – the European Advertising Standards Alliance was commissioned to undertake the review of the compliance of EU Pledge branded websites with their commitment.

Compliance with the EU Pledge criteria is determined on the basis of whether:

- The website features marketing communications
- Such marketing communications promote food or beverage products, as opposed to a brand/corporate brand in general
- Such food and beverage products meet or do not meet EU Pledge companies' nutritional criteria
- Such marketing communications are designed to be targeted primarily at children under 12.

A methodology with a 'consumer-oriented approach' was drawn up by the EASA secretariat in collaboration with the EU Pledge Secretariat and the independent reviewer of this exercise, Dr Verónica Donoso.

National self-regulatory organisations for advertising (SROs) from seven countries (Czech Republic, France, Germany, Poland, Spain, Sweden and the UK) were asked to review a selection of national brand websites of all the EU Pledge member companies. They could review national brand websites as well as promotional websites set up by the companies, but not the main corporate websites as these are per definition more intended to inform the public rather than to provide services and entertainment, especially to children.

Each SRO was asked to review a total of 30 brand websites. SROs needed to make sure they covered national brand websites of all the EU Pledge member companies unless a company had no brand websites available in the given country. SROs then reviewed whether the selected websites complied with the EU pledge criteria using a dedicated questionnaire and methodology developed by EASA, the EU Pledge secretariat and Dr Verónica Donoso.

During the review of the websites, SROs had to identify if the brand websites promoted products. Subsequently, they checked if the websites contained elements, such as games, animation, licensed characters and toys and decided whether these were in their view primarily designed for children

¹² In order to allow for adjustment of media buying practices and licensing agreements, individual companies may be granted a transition period not exceeding one year, i.e. until 1 January 2013 at the latest, provided this is stated clearly in their individual corporate commitment published on the EU Pledge website. The transition period was granted to PepsiCo until 30 June 2012 and to Ferrero until 31 December 2012. As the EASA monitoring programme was carried out in quarter 3, 2012, Ferrero's websites were reviewed but any related non-compliance issues not included in the overall compliance figures.

under 12. Lastly, they had to judge if these elements, in conjunction with the creative execution of the website (i.e. simplicity of language, use of font size and typeface, use of colours, etc.) were clearly intended to make the marketing communication(s) on the website primarily appealing to under-12s.

SROs also noted whether a website contained features to screen the age of the website visitor. This element was however not considered as sufficient to ensure compliance.

After the completed review process the respective EU Pledge member companies were sent a list of products which had been reviewed during this exercise, and were asked to check whether these products met the company's nutritional criteria. The EASA secretariat matched all the information received and determined the final compliance figures.

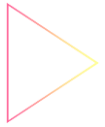
Monitoring results

A total of 210 national brand websites were reviewed, all of which contained product promotion. Out of these 210 websites, 41 were considered to be appealing primarily to children under 12 as they contained elements, such as games, toys or animations designed primarily for under-12s as well as language/text or navigation clearly intended to make the marketing communications on the website appealing primarily to under-12s

- 38 websites featured games that can be considered as designed for under-12s
- 37 websites contained animations appealing to under-12s
- 9 websites exhibited licensed characters
- 9 websites were connected to a toy designed for under-12s

In total, 11 websites were found not to comply with EU Pledge criteria, as they were websites deemed to be designed to be of particular appeal to children under 12 and promoting products that did not meet the nutritional criteria of the EU Pledge member companies.

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



EU Pledge nutrition criteria: Implementing common criteria for companies advertising to children under 12

The EU Pledge is a voluntary initiative and as such, it is able to respond promptly to new challenges and evolving consumers' expectations. Since its adoption in 2007, the EU Pledge has significantly enhanced its commitment by increasing the types of media covered and by increasing its membership. These changes are the result of a constant review of the commitments and an on-going dialogue with key stakeholder and decision-makers, first and foremost in the context of the Platform on Diet, Physical Activity and Health.

EU Pledge member companies embarked in 2012 on an ambitious project to respond to concerns regarding the nutrition criteria applied by those companies that chose to continue advertising certain of their products to children under 12. Until now, members used company-specific nutrition criteria which, although science-based, raised potential problems of transparency and consistency. The EU Pledge therefore committed to developing common criteria, applicable only to those companies that currently use nutrition criteria. The criteria will not be applicable to companies that do not advertise any of their products to children under 12.

The EU Pledge nutrition criteria are designed for the exclusive purpose of defining better-for-you options in the context of food and beverage advertising to children under twelve and specifically for the product categories covered. This reflects international guidelines underlining the necessity to develop nutrient criteria that are tailored for a specific purpose. The use of the EU Pledge nutrition criteria for other purposes, such as for instance nutrition and health claims or taxation, would not be appropriate or scientifically credible.

The common EU Pledge nutrition criteria were developed on the basis of available international guidance and underpinned by some key principles agreed at the outset, including: a firm scientific basis; comprehensiveness; ability to make a difference; appropriateness in an EU-wide context; suitability for validation; and a clear and communicable rationale.

Different approaches to developing and applying nutrition criteria have been adopted across the globe. One approach is not necessarily better than another, but each system has specific advantages and disadvantages and all have inherent limitations. On the basis of a comprehensive discussion informed by the available evidence and guidance and underpinned by the above principles, the EU Pledge opted for a category-based approach, based on thresholds for key nutrients.

A category-based approach was selected because it is better able than a universal, across-the-board approach to reflect the role that different types of foods and beverages play in the average diet. It is also better at discriminating between food products within categories and therefore appropriate to further the core aim of the EU Pledge, i.e. to limit the types of food and beverage products that are advertised to children, while incentivising competition for the development of better-for-you options, through innovation and reformulation.

A threshold-based system was preferred to a scoring system since a key driver of common criteria was to enhance the consistency of existing company-specific criteria, most of which were based on threshold systems. Another factor in favour of a threshold-based system was increased transparency, a threshold system being more transparent and easier to communicate than a scoring system, whereby nutritional scores are worked out on the basis of an algorithm.

The common nutrition criteria are not intended as a universally applicable system. They cover nine defined categories produced or marketed by EU Pledge member companies. The choice of categories was motivated by the need to balance the need for simplicity and consistent treatment of similar products on the one hand and, on the other, the need to avoid categories so broad that only lax nutrition criteria would accommodate all types of products represented in a category. In order to ensure both robustness and fairness, it was necessary to create sub-categories within most of the nine categories.

No nutrition criteria were developed for certain categories, such as chocolate, confectionery and soft drinks. This reflects existing commitments by several member companies active in these categories and it confirms that none of the EU Pledge member companies will advertise these products to children under 12, as defined in the EU Pledge commitments.

The common nutrition criteria are based on a set of “nutrients to limit” and “components to encourage” (nutrients and food groups). A system taking into account both is more in line with the core objective of the EU Pledge – to foster innovation, reformulation and competition for a shift towards advertising of better-for-you products – than a system based solely on “nutrients to limit”.

The “nutrients to limit” - sodium, saturated fat and total sugars – were chosen on the basis of widely available evidence that they are of public health concern because population average intakes are in excess of those recommended or desirable for health. Importantly, and in contrast to a scoring system, in the EU Pledge nutrition criteria “components to encourage” do not counterbalance “nutrients to limit”: to be eligible for advertising to children under twelve, a product will need to contain the required quantity of “components to encourage”, *in addition to* being below the thresholds for “nutrients to limit” and under the calorie cap set for each category. A specific rationale is outlined for the choice of energy caps and nutrient values in each category.

The common nutrition criteria will apply as of the end of 2014. In line with the framework approach of the EU Pledge, whereby companies must meet a common benchmark but can go beyond if they wish, member companies may use different nutrition criteria than the common criteria, but on condition that they are demonstrably more stringent than the common ones.

The EU Pledge nutrition criteria should be seen against the backdrop of the great challenge of developing EU-wide criteria. It is clear that any nutrition criteria will have their advantages and drawbacks and all systems will have inherent limitations. However, EU Pledge member companies believe that these common criteria are an important step forward in terms of improved transparency and consistency. These criteria will also make a tangible difference in practice: for many of the companies that currently use nutrition criteria, the new criteria mean that significantly fewer products will be eligible for advertising to children under twelve than is currently the case.

The full EU Pledge Nutrition Criteria White Paper is available at www.eu-pledge.eu

Conclusions and next steps

After four years of independent third-party monitoring, the EU Pledge has been able to demonstrate a high level of member companies' compliance with their commitments, as well as a significant change in the balance of food advertising to children in the EU towards better-for-you options. The membership of the initiative has also grown from 11 to 19 member companies, to cover over 80% of food and beverage advertising spend in the EU.

The EU Pledge is a dynamic initiative. While it provides a common framework, member companies can make commitments that go beyond it, and several do. Since its launch, over half of the founding member companies have stepped up their corporate commitments, tightening the way they define advertising to children, broadening the scope of their actions and strengthening the nutritional criteria they use to classify better-for-you options.

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

The 2012 monitoring programme has shown that member companies were able to achieve high compliance levels with the new commitments. However, the compliance monitoring programme for company-owned websites has shown that there is significant room for improvement. While reported instances of non-compliance have already or are being addressed by member companies, the EU Pledge will prepare detailed guidance to ensure improved compliance rates in 2013. The first monitoring programme for company-owned websites has also enabled the EU Pledge to draw lessons on how to further refine the monitoring methodology for the future – the development of a robust methodology for measuring compliance with the company-owned commitments was a challenge in itself.

The development of common nutrition criteria for those companies that apply nutrition criteria was an even more complex undertaking. Having adopted the new criteria, affected member companies will need to begin working on their implementation swiftly, as significant adjustments to marketing, reformulation and R&D plans will be needed.

The EU Pledge is confident that the new nutrition criteria will significantly enhance the transparency and accountability of the initiative, as well as making a difference in practice by further shifting the balance of food and beverage advertising to children towards better-for-you options. EU Pledge member companies look forward to discussions with all stakeholders on these further improvements to the initiative.

Annex I – Accenture Compliance Report

EU Pledge Advertising to Children Commitment

Compliance and Change
Measurement Report 2012

High performance. Delivered.

 **accenture**

consulting | technology | outsourcing

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- 1** TV compliance monitoring 2012
- 2** Measuring change: Trends in TV
- 3** Appendix

TV Methodology

The purpose of this report is to assess EU Pledge member companies' compliance with the following commitment:

"No advertising of products to children under 12 years, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines. For the purpose of this initiative, "advertising to children under 12 years" means advertising to media audiences with a minimum of 35% of children under 12 years."

5 sample EU markets were chosen for monitoring: **Germany, Hungary, Italy, Poland and Portugal***. All spots aired in these markets in Q1 2012 and Q1 2005 (benchmark) were reviewed for audience composition at the time of broadcast. Spots for products not meeting nutritional criteria and reporting an audience >35% children under 12 were deemed non-compliant.

EU Pledge member companies covered: Burger King, The Coca-Cola Company, Danone, Ferrero, General Mills, Kellogg's, Kraft Foods, Mars, McDonald's, Nestlé, PepsiCo, Unilever, The Chips Group, Estrella Maarud, Intersnack, Lorenz Snack World, Unichips San Carlo, Zweifel Pomy Chips and Friesland Campina.

* For Portugal children are defined as individuals aged 4-14.

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3

TV Methodology

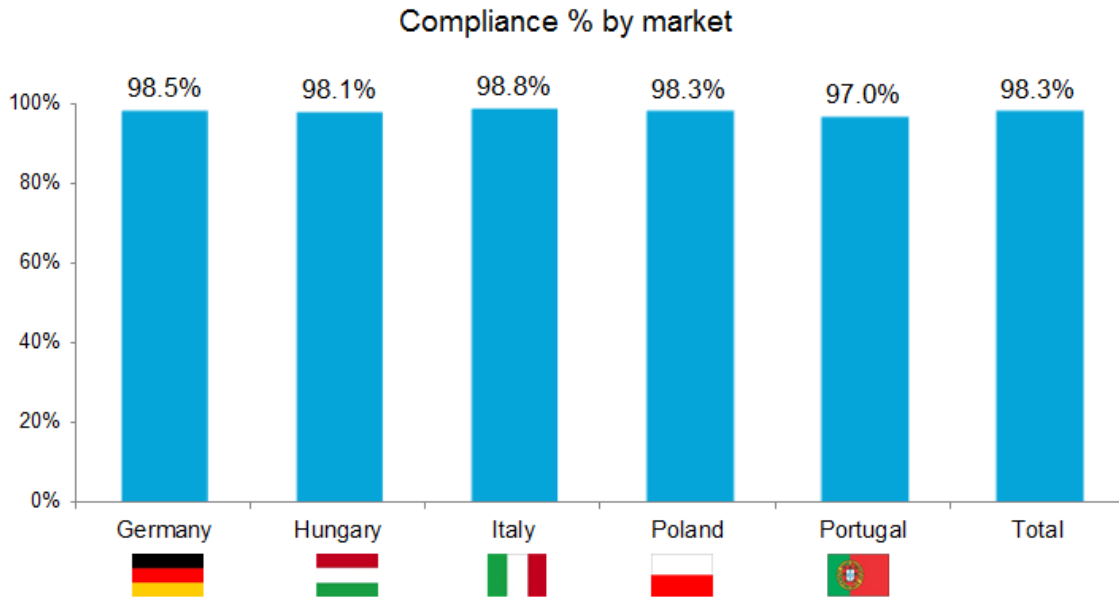
- All spots by all EU Pledge member companies, aired in the 5 markets from 1 January to 31 March 2012 were analysed. This was a total of **774,207 spots**
- Spots for products that do not meet EU Pledge companies' nutritional criteria, where applicable (some member companies do not advertise any products to children <12), were identified on the basis of product lists supplied by companies.
- Audience composition at the time each spot was aired was analysed, on the basis of national ratings data, to identify ads aired in and between programmes with an audience in which the majority were children <12*.
- Those ad spots were deemed non-compliant with the EU Pledge, i.e. all those ads for products that EU Pledge member companies have committed not to advertise to children <12 ("products that do not meet companies' nutritional criteria"), aired at times when the audience was composed of a majority of children <12*.

* For Portugal children are defined as individuals aged 4-14.

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Overall Compliance Results – All Spots



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Non compliant spots are Spots for restricted products with children profile >35%, PepsiCo and Ferrero are monitored at 50%

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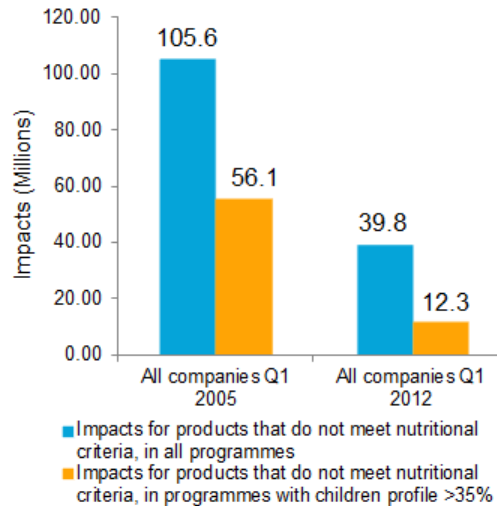


Germany: TV Trends Q1 2012 vs. Q1 2005

All spots advertising products that do not meet companies' nutritional criteria:
Children under 12 Impacts

Children's exposure to advertising for products that do not meet companies' nutritional criteria in all markets:

- Fell by 78% in spots with a reported profile of 35% or more of children under 12
- Fell by 62% across all programming



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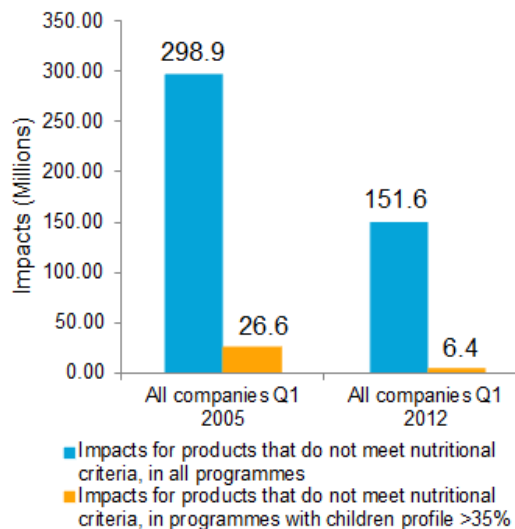


Hungary: TV Trends Q1 2012 vs. Q1 2005

All spots advertising products that do not meet companies' nutritional criteria:
Children under 12 Impacts

Children's exposure to advertising for products that do not meet companies' nutritional criteria in all markets:

- Fell by 76% in spots with a reported profile of 35% or more of children under 12
- Fell by 49% across all programming



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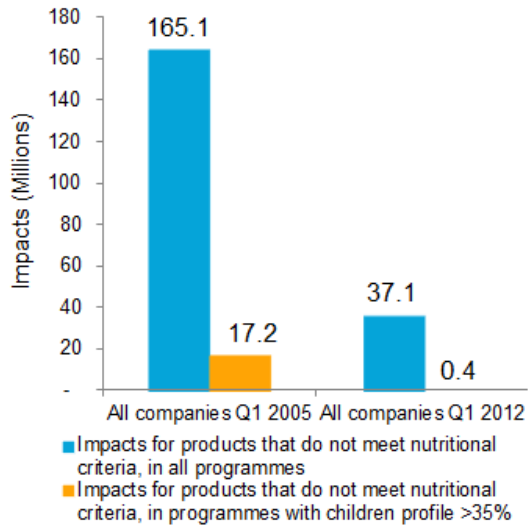


Italy: TV Trends Q1 2012 vs. Q1 2005

All spots advertising products that do not meet companies' nutritional criteria:
Children under 12 Impacts

Children's exposure to advertising for products that do not meet companies' nutritional criteria in all markets:

- Fell by 98% in spots with a reported profile of 35% or more of children under 12
- Fell by 78% across all programming



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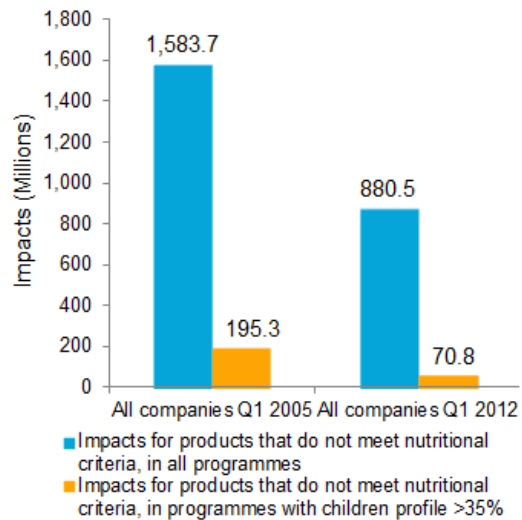


Poland: TV Trends Q1 2012 vs. Q1 2005

All spots advertising products that do not meet companies' nutritional criteria:
Children under 12 Impacts

Children's exposure to advertising for products that do not meet companies' nutritional criteria in all markets:

- Fell by 64% in spots with a reported profile of 35% or more of children under 12
- Fell by 44% across all programming



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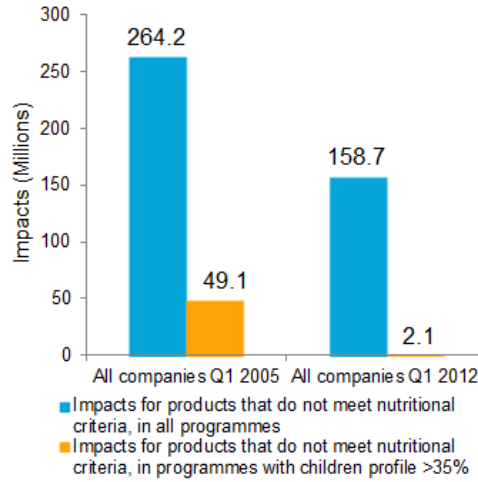


Portugal: TV Trends Q1 2012 vs. Q1 2005

All spots advertising products that do not meet companies' nutritional criteria:
Children under 14 Impacts

Children's exposure to advertising for products that do not meet companies' nutritional criteria in all markets:

- Fell by 96% in spots with a reported profile of 35% or more of children under 12
- Fell by 40% across all programming



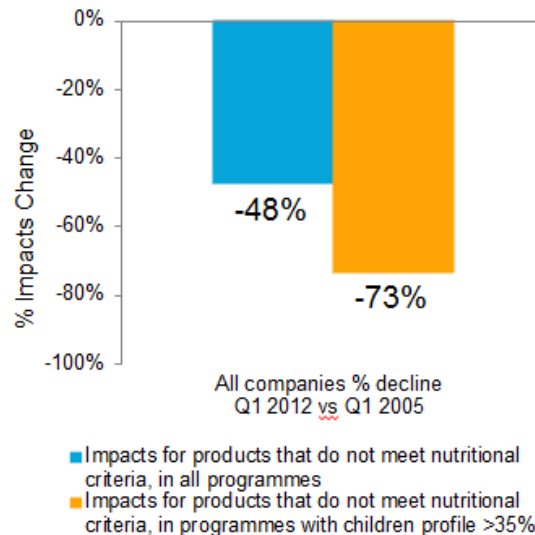
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All Markets & All Advertisers

All products that do not meet companies' nutritional criteria – impacts: Children under 12

Children's exposure to EU Pledge member companies' TV advertising for products that do not meet companies' nutritional criteria has dropped since 2005 by:

- 73% in programmes with a reported profile of 35% or more of children under 12
- 48% across all programming



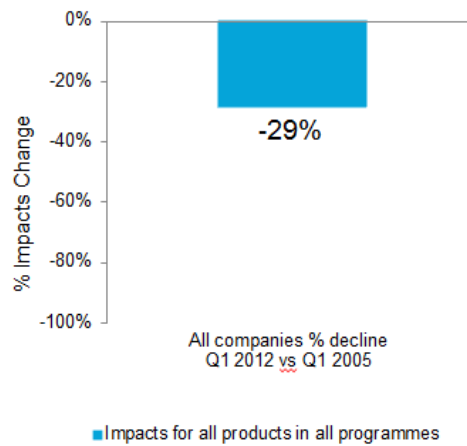
Copyright © 2011 Accenture All Rights Reserved. Non compliant spots are Spots for restricted products with children profile >35% 12

All Markets & All Advertisers

All products regardless of nutritional criteria – impacts: Children under 12

Children's exposure to EU Pledge member companies' TV advertising for **all** products has dropped since 2005 by:

- 29% across all programming



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TV Definitions

Spot

Each individual advertising activity - the airtime used by the advertiser

Restricted products

Products that do not meet the advertiser's nutritional criteria for marketing to children

Profile

Demographic breakdown of the audience at spot level, with regard to children under 12 (under 14 in Portugal)

Impacts (Impressions)

Number of times a message is seen by the audience

GRP (Gross Rating Point)

Percentage of the target audience reached by an advertisement, multiplied by the frequency that the audience sees it. For example, a TV advertisement that is aired 5 times reaching 50% of the target audience, would have 250 GRPs (GRP = 5 x 50%)

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TV Channels Monitored

| Germany | Hungary | Portugal |
|----------|------------------------|----------------|
| ARD | ATV | AXN |
| COMEDY C | AXN | Disney Channel |
| DMAX | CARTOON NETWORK | Fox |
| DSF | COMEDY CENTRAL | FoxLife |
| K1 | COOL | Hollywood |
| KABEL 1 | DISCOVERY CHANNEL | MTV Portugal |
| N 24 | DISNEY CHANNEL | Panda |
| N_TV | DUNA TV | RTP1 |
| N24 | F+ | RTP2 |
| Nick | FEM3 | SIC |
| N-TV | FILM+2 | SIC Mulher |
| PRO7 | FILMMUZEUM | SIC Noticias |
| RTL | HALOZAT | SIC Radical |
| RTL II | LifeNetwork | TVI |
| RTL2 | M1 | TVI24 |
| SAT.1 | MGM | |
| SPORT1 | MINIMAX | |
| SUP RTL | MTV (MUSIC TELEVISION) | |
| SUPRTL | MUZIKA TV | |
| Tele5 | NAT GEO WILD | |
| VIVA | NATIONAL GEOGRAPHIC | |
| VOX | CHANNEL | |
| ZDF | NOTA TV | |
| | OzoneNetwork | |
| | PRIZMA TV | |
| | REFLEKTOR TV | |
| | RTL KLUB | |
| | SOROZAT+ | |
| | SPEKTRUM | |
| | SPEKTRUM HOME | |
| | SPORT1 | |
| | SPORT2 | |
| | STORY4 | |
| | STORY5 | |
| | TV PAPRIKA | |
| | TV2 | |
| | UNIVERSAL CHANNEL | |
| | VIASAT3 | |
| | VIASAT6 | |
| | VIVA | |
| | ZONE REALITY | |
| | ZONE ROMANTICA | |

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TV Channels Monitored

| Poland | | | |
|--|----------------------------------|--------------------------------------|-----------------------------|
| 13th Street Universal [Hallmark] | Disney Channel | Polsat Cafe | TVN Style |
| 4fun.tv | Disney Junior [Playhouse Disney] | Polsat Crime & Investigation Network | TVN Turbo |
| Ale Kino | Disney XD | Polsat Film | TVN+1 |
| Animal Planet | Domo | Polsat JimJam [JimJam] | TVN24 |
| AXN | Eska TV | Polsat News | TVN7 [RTL7] |
| AXN Crime | Extreme Sports | Polsat Play | TVP HD |
| AXN Sci-Fi | FilmBox | Polsat Sport | TVP Historia |
| BBC CBeebies | FOX | Polsat Sport Extra | TVP INFO [TVP3] |
| BBC Entertainment | FOXLife | Polsat2 | TVP Kultura |
| BBC Knowledge | HISTORY | Rebel.tv | TVP Polonia |
| BBC Lifestyle | Investigation Discovery | Religia.tv | TVP Seriale |
| Boomerang | ITV | Scifi Universal | TVP Sport |
| Canal+ | Jetix [Fox Kids] | Sportklub | TVP1 |
| Canal+ Gol [Canal+ Sport2] | Kino Polska | Superstacja | TVP2 |
| Canal+ Sport [Canal+ Niebieski] | Kino Polska Muzyka | TCM | TVR |
| Cartoon Network | kuchnia.tv | Tele5 | TVS |
| Cartoon Network/TCM | MiniMini | teleTOON+ [ZigZap/Hyper] | Universal Channel |
| Club TV [ZoneClub] | MTV Polska | TLC | VH1 Europe |
| Comedy Central | Nat Geo Wild | Travel Channel | ViacomBlink |
| Comedy Central Family [VH1 Polska] | National Geographic | TTV - Twoja Telewizja | VIVA Polska |
| CSB TV | Nickelodeon | TV PULS [PULS] | Wedding TV |
| Czworka Polskie Radio | Orange Sport [Orange Sport Info] | TV.DISCO | Zone Europa [Europa Europa] |
| Discovery | Planete | TV4 | Zone Reality [Reality TV] |
| Discovery Historia | Polo TV | TV6 | Zone Romantica [Romantica] |
| Discovery Science [Discovery Sci-Trek] | Polonia1 | TVN | |
| Discovery World | Polsat | TVN Meteo | |

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TV Channels Monitored

| Italy | | |
|--------------------|--------------------------------|-------------------|
| Boing | NatGeo Wild | Sky Cinema Max |
| Canale 5 +1 | National Geographic Channel +1 | Sky Cinema Max +1 |
| Cielo | National Geographic Channel/HD | Sky Meteo24 |
| CinemaEmotion | Premium Calcio 1 | Sky Sport 1 |
| CinemaEnergy | Premium Calcio 2 | Sky Sport 2 |
| Fox +1 | Premium Calcio 3 | Sky Sport 24 |
| Fox +2 | Premium Calcio 4 | Sky Sport 3 |
| Fox Crime +1 | Premium Calcio 5 | Sky Sport Extra |
| Fox Crime +2 | Premium Calcio/HD | Sky Super Calcio |
| Fox Crime/HD | Premium Cinema | Sky TG24 |
| Fox Life | Sky Calcio 1 | Sky TG24 Eventi |
| Fox Life +1 | Sky Calcio 2 | Sky Uno |
| Fox Life +2 | Sky Calcio 3 | Sky Uno +1 |
| Fox Retro | Sky Calcio 4 | Steel |
| Fox/HD | Sky Calcio 5 | Studio |
| Frisbee | Sky Calcio 6 | |
| History Channel | Sky Calcio 7 | |
| History Channel +1 | Sky Calcio 8 | |
| Iris | Sky Cinema +1 | |
| Italia1 +1 | Sky Cinema +24 | |
| Joy | Sky Cinema 1 | |
| K2 | Sky Cinema Classics | |
| La5 | Sky Cinema Family | |
| Mediaset Extra | Sky Cinema Hits | |
| Mya | Sky Cinema Italia | |
| NatGeo Adventure | Sky Cinema Mania | |

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Annex II – BDRC Compliance Report

EU Pledge

Schools Audit
2012 Report



providing intelligence

Management summary

- Incidence of non-compliance with the EU Pledge remains low in 2012 at just 2% overall (comparable to 2011).
- The number of instances of prohibited communication at each of the non-compliant schools continues to decline.
 - Those schools in Austria and France reporting the presence of commercial communication by an EU Pledge member experienced just one incident each
 - Slightly higher incidence rate in Finland
- In Austria where commercial communications were displayed, they had been agreed with the relevant school authority. However, in France, the single incident of commercial communication, displayed on the parking spaces, had not been authorised by the school authority.
- In Finland, there were several instances in a few schools where the commercial communication displayed had not been authorised by the relevant party:
 - In the staff room
 - In the dining room / canteen
 - In administrative spaces
 - At fetes / fairs

Non-compliance year-on-year comparison (overall)

Countries audited in 2012: Austria, France, Finland **Countries audited in 2011:** Germany, Ireland, Poland, Spain
Countries audited in 2010: UK, Belgium, Italy, Slovakia **Countries audited in 2009:** Portugal, The Netherlands, Hungary, Finland

| | Areas of the school (any)* | Vending machines (any)* | School property (any)* | School events (any)* | Publications/products (any) | Branded sponsorship (unauthorised) | Fully compliant schools |
|-----------------------|----------------------------|-------------------------|------------------------|----------------------|-----------------------------|------------------------------------|-------------------------|
| 2012 EU Pledge brands | 1% | 0.3% | 0% | 0.6% | 0.3% | 0% | 98% |
| 2011 EU Pledge brands | 0% | 0.8% | 0.5% | 0.3% | 0.5% | 0% | 98% |
| 2010 EU Pledge brands | 2.8% | 1.8% | 0.3% | 3.3% | 0.5% | 0% | 92% |
| 2009 EU Pledge brands | 3% | 3% | 1% | 1% | 2% | 0% | 93% |

Equal proportion of fully compliant schools in 2012 to 2011.

Possible variables explaining higher compliance rates in 2012 / 2011 vs. 2010 / 2009:

- Non-compliance levels may have declined.
- Introduction of additional questions, clarifying the details of any breaches, uncovered misinterpretation by some respondents of what constituted prohibited communications. This lowered the proportion of reported incidences being classified as non-compliant.
- Non-compliance levels could be lower in the countries selected for audit in 2011/2012.

* Please note that non-compliance incorporates all incidences of branding including those which were agreed with the relevant authority, with the exception of branded sponsorship of school materials, which are deemed to have an educational purpose. In this respect, only unauthorised sponsorship is included in the non-compliance figures.

 bdr continental 3

2012 EU Pledge member non-compliance

| | Areas of the school (any)** | Vending machines (any)** | School property (any)** | School events (any)** | Publications/products (any) | Branded sponsorship (unauthorised) | Fully compliant schools |
|---------|-----------------------------|--------------------------|-------------------------|-----------------------|-----------------------------|------------------------------------|-------------------------|
| Austria | 0% | 1% | 0% | 1% | 1% | 0% | 97% |
| France | 1% | 0% | 0% | 0% | 0% | 0% | 99% |
| Finland | 2% | 0% | 0% | 1% | 0% | 0% | 97% |

** Please note that non-compliance incorporates all incidences of branding including those which were agreed with the relevant authority, with the exception of branded sponsorship of school materials, which are deemed to have an educational purpose. In this respect, only unauthorised sponsorship is included in the non-compliance figures.

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Background

School demographics

Commercial communication in schools

Appendix

J:\Current Jobs\F\11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BC IS\20.09.2012

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Background and objectives

The EU Pledge is a voluntary commitment by leading food and beverage companies in Europe to comply with the following:

- Not to advertise any products to children under 12 years of age unless they meet specific nutrition criteria and/ or national/ international dietary guidelines.
- Not to engage in any “communication related to products in primary schools, except where specifically requested by, or agreed with, the school administration for educational purposes.”

Participating companies include: Burger King, Coca-Cola, Danone, Ferrero, General Mills, Kellogg's, Kraft Foods, Mars, Nestlé, PepsiCo and Unilever, Estrella Maarud, Friesland Campina, Intersnack, Lorenz Snack-World, McDonald's, Procter & Gamble, Unichips – San Carlo and Zweifel Pomy-Chip.

The initiative was launched in December 2007 with the first compliance audit being conducted in the first half of 2009. The initial audit in 2009 was conducted via a postal survey, a subsequent audit in 2010 saw the move to telephone recruitment in order to minimise any self-selection bias, a methodology maintained for the third and this fourth audit.

In order to assess continued adherence to the Pledge, a fourth audit to assess compliance was undertaken by BDRG Continental between 1st June and 28th June 2012 (Austria & France), and 20th August and 14th September 2012 (Finland).

J:\Current Jobs\F\11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BC IS\20.09.2012

bdrC continental  7

Methodology

Lists of the universe of schools in each country were sourced by BDRC Continental. From these lists the sample was drawn to be representative of the population of schools in terms of their geographical distribution in each of the countries.

To ensure a fully representative sample, schools selected from the sample lists were recruited by telephone and asked to complete the online questionnaire. The email addresses of the appropriate school contacts were gathered during the recruitment phone calls to allow an email with the embedded questionnaire link and audit instructions to be sent.

310 online interviews were conducted for the audit – 100 in each of the following of EU countries:


- Austria
- France
- Finland (NB. 110 interviews completed)

Online interviews lasted approximately 10-15 minutes and were conducted in the local language – i.e. German, French or Finnish.

Respondents received a €30 voucher or charity donation for participating.

Findings in this report are based on non-compliance amongst EU Pledge members. Mentions of other brands have been discounted to give a clear picture of EU Pledge compliance (unless otherwise stated).

Throughout the report, at school level, prohibited material detailed incorporates all incidences of branding including those which were agreed with the relevant authority, with the exception of branded sponsorship of school materials, which are deemed to have an educational purpose. In this respect, only unauthorised sponsorship is included in the non-compliance figures.

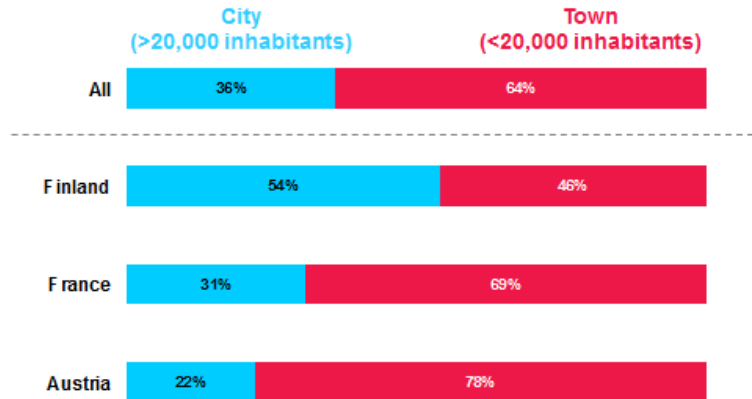


2012 school
demographics

School location

Finland report a higher ratio of city to town location splits, with over half of schools surveyed being situated in cities. Austria showed the lowest incidence of city schools with just over 1 in 5 being city based.

Q. In which type of area is your school located?



Q2. Base: All schools

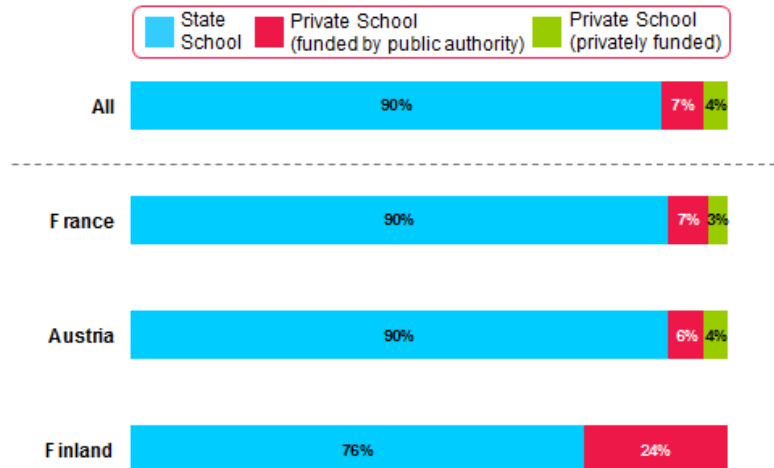
J:\Current Jobs\F+11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BG IS\20 09 2012

bdrç continental 10

School funding

Similar distribution of school type for both France and Austria, with 9 in 10 being state schools. Higher incidence of privately funded schools in Finland, at around a quarter.

Q. Please mark the kind of funding system that applies to your school:



Q3. Base: All schools

J:\Current Jobs\F+11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BG IS\20 09 2012

bdrç continental 11

Space sharing with secondary schools

Finland report a higher frequency of primary school pupils sharing buildings / areas with secondary schools, with just over a third operating on the same site. A quarter of Austrian schools and just 1 in 10 primary schools in French share their site with a secondary school.

Q. Do the pupils in your primary school share buildings/areas (classrooms, open spaces, sports rooms, play grounds...) with students of a secondary school?



24. Base: All schools

...Continental... bdroc continental

bdroc continental 12

2012 Compliance Results

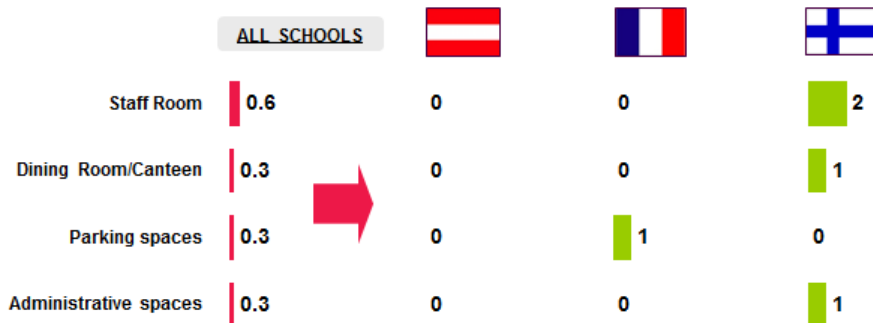
bdroc continental

Areas of the school

Several instances of prohibited communications in areas of the school reported in Finland. Elsewhere, just one school in France reported food / drink advertising being displayed in parking spaces, with no breaches recorded in Austria.

Q. Is any prohibited communication for food or drink products found in any of the following locations around the school?

% of SCHOOLS where prohibited communications are displayed (N.B. May be multiple brands advertised in a school)*



No recorded food / drink advertising for EU Pledge brands in / on:
 Classrooms Corridors Doors
 Playgrounds School entrance gate Sports fields
 Sports room(s) Windows

Please note that prohibited communication incorporates all incidence of branding, including those which were agreed with the relevant authority

Q5. Base: All schools

J:\Current Jobs\F+11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BC IS\20.09.2012

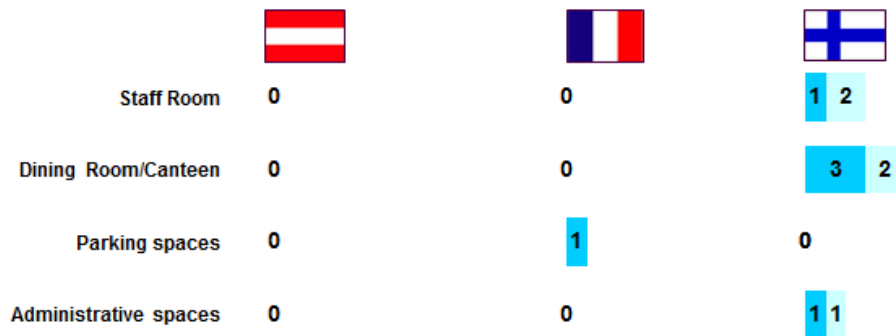
bdr continental 14

Areas of the school

Just under half of the commercial communications recorded in Finland were agreed with the relevant authorities. In France, permission was not gained from the school authority for the commercial communication reported on the parking space in one school.

Q. Was the commercial communication agreed with the relevant school authorities?

NUMBER of BRANDS where prohibited communications are displayed



■ Not agreed with school authority ■ Agreed with school authority

Q5c. Base: All schools displaying prohibited commercial communication

J:\Current Jobs\F+11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BC IS\20.09.2012

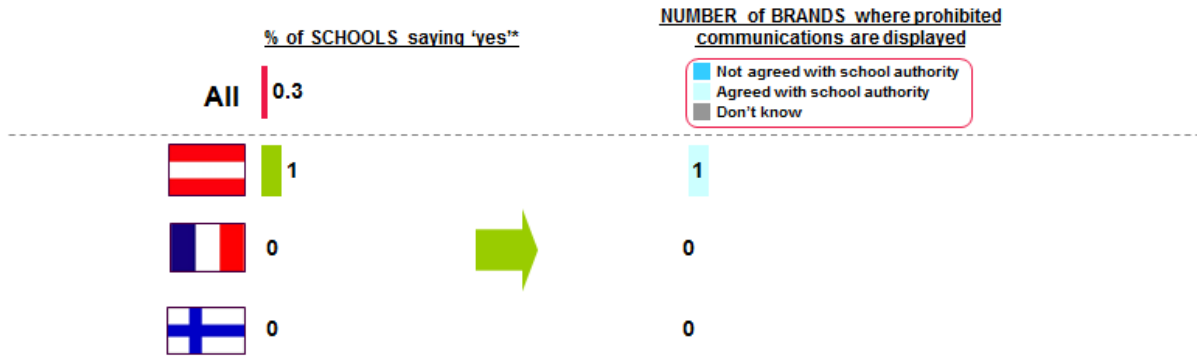
bdr continental 15

Vending machines

The one instance of food / drink advertising being displayed on vending machines was in Austria and had been agreed by the relevant school authority. No French or Finnish schools reported any breaches.

Q. Is any prohibited commercial communication for food or drink found on any vending machines in school?

Q. Was the commercial communication agreed with the relevant school authorities?



* Please note that prohibited communication incorporates all incidence of branding, including those which were agreed with the relevant authority

Q6. Base: All schools

Q6c. Base: All schools displaying prohibited commercial communication

School property

No reported incidents of food / drink advertising for EU Pledge brands being displayed in any of the locations listed in the box below.

Q. Is any prohibited commercial communication for food or drink products found on any of the following school property/equipment?

Q. Was the commercial communication agreed with the relevant school authorities?

% of SCHOOLS where prohibited communications are displayed*



No recorded food / drink advertising for EU Pledge brands on:

- Tables
- Chairs
- Blackboards / whiteboards
- Stationary
- Toys
- Sports equipment

* Please note that prohibited communication incorporates all incidence of branding, including those which were agreed with the relevant authority

Q7. Base: All schools

J:\Current Jobs\F\11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRC Audit Report September 2012 v1\BG IS\20.09.2012

School events

Just one school in Austria and one school in Finland reported breaches at school fetes / fairs.

Q. Has any prohibited commercial communication for food or drink products been displayed during any events organised on school premises (in the last 12 months)?

% of SCHOOLS where prohibited communications are displayed*



No recorded food / drink advertising for EU Pledge brands on:

- Information days
- Sports events
- School performances
- School parties

* Please note that prohibited communication incorporates all incidence of branding, including those which were agreed with the relevant authority

Q8. Base: All schools

J:\Current Jobs\F+11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BC IS\20.09.2012

School events: authorisation of commercial communication

The single instance of food / drink advertising at the school fete / fair in Austria was agreed with the school authority, however, the advertising in the Finnish school was not agreed.

Q. Was the commercial communication agreed with the relevant school authorities?

NUMBER of BRANDS where prohibited communications are displayed



Not agreed with school authority | Agreed with school authority

Q8. Base: All schools displaying prohibited commercial communication

Publications/ products

Just one reported incident of advertising for food / drinks being found in school publications or products.

Q. Is any prohibited commercial communication for food or drink found in publications and products produced for or distributed by the school?

% of SCHOOLS where commercial communications are displayed*



No recorded food / drink advertising for EU Pledge brands on:

Annual reports
Information brochures
Courses
School newspaper
Documents to support awareness sessions
School clothes
Books
School agendas

29. Base: All schools

bdr̄c continental 20

Publications/ products: authorisation of commercial communication

The instance of commercial communication on products distributed by the school in Austria was agreed by the relevant authority.

Q. Was the commercial communication agreed with the relevant school authorities?

NUMBER of BRANDS where commercial communications are displayed



Not agreed with school authority | Agreed with school authority

29. Base: All schools displaying prohibited commercial communication

J:\Current Jobs\F\11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDR̄c Audit Report September 2012 v1\BC 15\20.09.2012

bdr̄c continental 21

Sponsorship of school materials (EU Pledge & other brands)

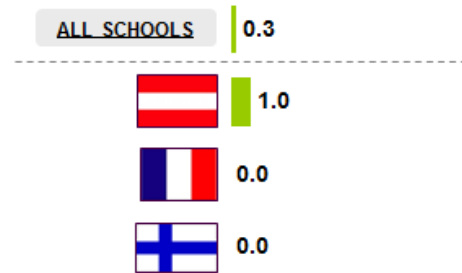
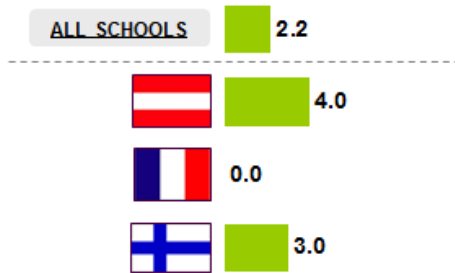
Despite a number of instances of sponsorship of school materials by food and drinks companies in Austria, just one school reported the material being branded by an EU Pledge member. None of the sponsored school material in Finland was branded by an EU Pledge member.

Q. Are any of the school materials sponsored by food or drink companies?

Q. Is/ are the materials branded by the sponsor?

% of SCHOOLS with ANY sponsored materials (including unbranded and non-EU Pledge brands)

% of SCHOOLS with BRANDED sponsored material from an EU PLEDGE MEMBER



Q10. Base: All schools

Q10c. Base: All schools with sponsored school materials

J:\Current Jobs\F\11680 Landmark Europe EU Pledge 2012\Report\Landmark Europe EU Pledge BDRG Audit Report September 2012 v1\BC 18/20.09.2012

bdrcc continental 22

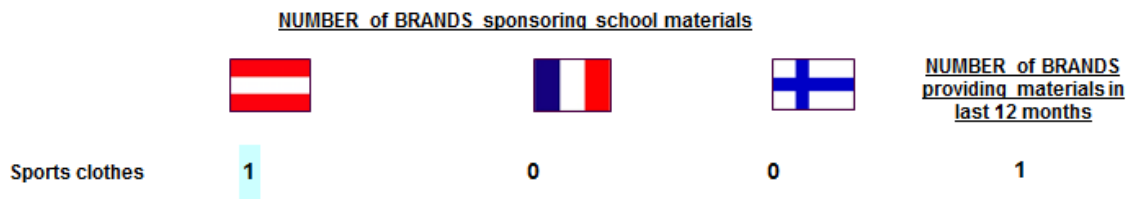
Sponsorship of school materials: authorisation of commercial communication

The one case of material being branded was done with the agreement of the school authority and was provided in the last 12 months.

Q. What kind of material is sponsored?

Q. Was the commercial communication agreed with the relevant school authorities?

Q. Was this material provided to the school within the last 12 months?



■ Branded by sponsor but NOT agreed with school authority
 ■ Branded by sponsor & authorised by school authority

210. Base: All with school materials sponsored & branded by EU Pledge member

bdrcc continental 23

Appendix

Response rate

| | Austria | France | Finland | Total |
|--|------------|------------|------------|-------------|
| Approached by telephone | 682 | 622 | 742 | 2046 |
| Recruited by telephone | 127 | 159 | 294 | 580 |
| Email failed (rebound from address provided) | 3 | 3 | 2 | 8 |
| Incomplete surveys | 5 | 12 | 4 | 21 |
| Completed surveys (Online) | 100 | 100 | 110 | 310 |
| % of schools approached completing the audit | 15% | 16% | 15% | 15% |

Confidence levels

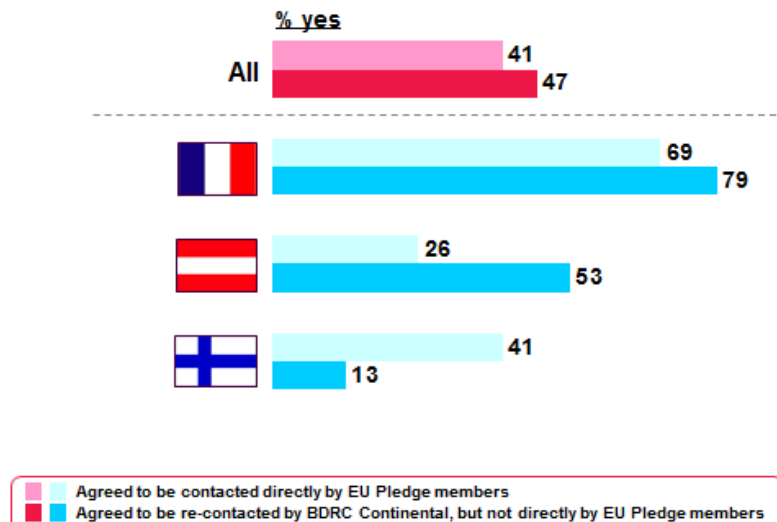
- This research was designed to ensure robust sample sizes for analysis.
- As the survey is conducted with a sample of the target audience, we cannot be 100% certain that a census of the whole population would yield the same results.
- We can be 95% certain that the actual figure (in the population as a whole) falls within a certain range of the survey figure.
- The percentages within the table below represent the error variance:

| Base size | 5 / 95% | 20 / 80% | 50 / 50% |
|--------------------|---------|----------|----------|
| 310 (Total) | +/-2.4% | +/-4.5% | +/-5.6% |
| 100 (Each country) | +/-4.3% | +/-7.8% | +/-9.8% |

Permission to re-contact

Q. Would you be happy for us to re-contact you concerning any of the answers which you have given as part of this survey, or for further research?

Q. Would you be happy to be contacted directly by EU Pledge members or administrators about this research, if necessary?



For further information...

Please contact us if you have any questions or comments regarding the contents of this report



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Annex III – Report by Lucien Bouis, independent reviewer

Objectives

In the context of the EU Platform for Action on Diet, Physical Activity and Health set up by the European Commission's Directorate General for Health and Consumers, and with the support of the World Federation of Advertisers (WFA), 18 major food and beverage companies have made a commitment affecting the way they advertise to children under 12, called the "EU Pledge".

Three reviews of the EU Pledge were conducted in 2009, 2010 and 2011 and were presented to EU Platform Members and to the European Commission. Those reviews found the methodology and results of the monitoring satisfactory.

EU Pledge members have decided to undertake a similar monitoring exercise during the first three months of 2012 using their updated criteria. New members have also joined the programme and were subject to the regular monitoring exercise.

At the request of the EU Pledge, I agreed to act as independent reviewer for this new monitoring exercise. The objective was to assess whether the compliance monitoring, performed by two independent agencies (Accenture Media Management and BDRC Continental) was carried out with an appropriate methodology, with sufficient resources and diligence.

The commitment of the EU Pledge is twofold:

- No advertising of food and beverage products to children under the age of twelve years old on TV, print and internet, except for products which fulfil specific nutrition criteria based on accepted scientific evidence and/or applicable national and international dietary guidelines.
- No product-related communications for food and drinks in primary schools unless requested by or agreed with the school administration for educational purposes.

Communication in primary schools

Concerning the compliance of the EU Pledge commitment for communications in schools, adequate means were put in place in order to ensure the reliability of the results. The independent agency BDRC Continental picked a sample of schools in France, Austria and Finland.

The monitoring took place between May and September 2012 during which **over 2000 schools** were contacted to be recruited for the survey. Those that accepted were surveyed electronically.

The answers of **310** schools, 100 per country – a sample determined by BDRC as statistically sufficient – were obtained and analysed. Schools were selected to reflect a suitable geographic and socio-economic balance in each country.

Consistently with previous years, the questionnaire was submitted to senior school staff (headmasters, teachers) in order to assess children's exposure to EU Pledge member companies' commercial communications on or at:

- school property
- vending machines
- school furniture and equipment
- school publications

- events organised at/by the school
- sponsoring requested by or agreed with the school administration.

Taking into account potential interpretation issues, BDRC drafted a series of definitions that have ensured reliable responses. It is worth noting that the non-compliance rate is low at just **2% overall**.

It is interesting to point out that some open questions were asked this year in order to obtain more detailed answers from school staff on non-compliance cases. EU Pledge members have been able to take corrective actions quickly where necessary.

Furthermore, the results of the survey have allowed EU Pledge members to get in touch directly with schools that highlighted a case of non-compliance (if agreed by the school). Most respondents agreed to be contacted by the advertiser in breach of the EU Pledge commitment to discuss the case.

TV advertising

Between January and March 2012, Accenture Media Management monitored television channels in the countries selected. Accenture put in place sufficient resources to ensure that the compliance monitoring was rigorous and reliable. Appropriate techniques were used in order to identify channels, publications and websites, and to conduct TV audience analysis.

For the television compliance monitoring exercise, all advertisements broadcast on all channels (except for satellite and cable channels when the data was not available) in the 5 sample countries (**Germany, Hungary, Italy, Poland and Portugal**) were analysed to see whether any of them promoted EU Pledge members' products at a time of broadcast when the audience was composed of more than 35% of children under 12 years – in line with the EU Pledge's new criteria.

During the compliance monitoring period, between January and March 2012, EU Pledge members broadcast **774,207 spots, which were all reviewed for compliance**. Less than 2% of all ads broadcast by EU Pledge members were found in breach.

Accenture compared these figures with similar data from 2005, before the EU Pledge was adopted, and concluded that the signatories have effectively reduced children's exposure to the advertising of some of their products.

Print/internet advertising

Given the very positive results achieved in previous years in print advertising and on third-party websites (banner ads), EU pledge members decided not to repeat the monitoring exercise on these platforms and to use the available resources to further develop monitoring on company-owned websites.

Conclusions

Taking into account the number of countries in the sample, the populations covered, the significant number of companies that are part of the EU Pledge, the diversity of their brands and product portfolios, as well as the range of media analysed, the compliance monitoring performed by Accenture and BDRC can be considered as faithful and reliable.

I have been fully informed of all the steps taken through the entire process and after having consulted the final reports, I can vouch for the seriousness and reliability of the results. They correspond to the terms of reference agreed to by all operators involved, BDRC and Accenture.

During the course of my mission, I want to point out that I have had full access to all information and all my questions were answered by the EU Pledge Secretariat and the other agencies with whom I have been in regular contact and whom I have interviewed to assess the quality of their reports.

In view of the significant number of food and drink companies involved, and in light of their willingness to submit their commitments to independent verification, the results of this EU-wide self-regulatory initiative should be of great interest to all stakeholders involved in health and consumer protection.

Finally, it is worth noting that other advertisers in the food and beverage sector have expressed their interest in joining the EU Pledge, and that this programme has been and is being replicated in several countries across the world.

Brussels, October 2012

Lucien Bouis

A handwritten signature in dark ink, consisting of stylized initials 'LB'.



2012 EU PLEDGE SURVEY



EASA

The European Advertising Standards Alliance (EASA) is the single authoritative voice of advertising self-regulation. EASA promotes high ethical standards in commercial communications by means of effective self-regulation for the benefit of consumers and business. For further information, please visit: www.easa-alliance.org.

As a non-profit organisation based in Brussels, EASA brings together national advertising self-regulatory organisations and associations representing the advertising industry in Europe.

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Compiled in September 2012

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Introduction

EASA has been commissioned by the World Federation of Advertisers (WFA) and the EU Pledge Secretariat to review a number of food and beverage brand websites belonging to EU Pledge¹ member companies. The goal of the review was to determine whether the reviewed websites are compliant with the EU Pledge commitment on company-owned websites.

Compliance with the EU Pledge criteria is determined on the basis of whether:

- The website features marketing communications,
- Such marketing communications are promoting food or beverage products, as opposed to a brand in general,
- Such food and beverage products meet or do not meet EU Pledge companies' nutritional criteria,
- Such marketing communications are designed to be targeted primarily at children under 12.

In order to offer unbiased, independent and accountable results, a 'consumer-oriented approach' was drawn up by the EASA secretariat in collaboration with the EU Pledge Secretariat and the independent reviewer of this exercise, Verónica Donoso². The advertising self-regulatory organisations (SROs) were requested to surf the Internet for brand websites in the same way consumers look for information about a brand. They had to pick companies from a given list and review a number of their brand websites at random. Due to the nature of this project, the SROs also had the task to try and think from the perspective of a child younger than twelve and keep in mind what a child of this age would find interesting and attractive. Special attention had to be paid to specific aspects of the website that would make it appealing to children younger than twelve.

Project overview

Seven European self-regulatory organisations (SROs) were chosen by EASA and the EU Pledge Secretariat to conduct the monitoring exercise from May to July 2012 in order to assess the appeal of marketer-owned websites to children under twelve. The chosen SROs represent different systems in terms of size (big vs. small SROs), location (geographical coverage) and maturity (new vs. old systems).

¹ The EU Pledge is a voluntary commitment of leading food and non-alcoholic beverage companies to limit their advertising to children under 12 to products that meet high nutritional standards (as defined by each company). This pledge was initiated in response to calls by the European Union and the World Health Organisation (WHO) for industry to help combat obesity and take responsibility for building a healthier environment.

² Verónica Donoso (PhD) is a Research fellow at the Catholic University Leuven (KUL), Project manager e-safety at the Child Focus NGO in Belgium, as well as an independent consultant. Her main areas of expertise are user experience research, children and young people's uses of new media and e-safety. Verónica has worked on a number of European and Belgian projects, including the EU Kids: Online I, II and III. She also coordinated the 2nd Assessment of the Safer Social Networking Principles for the EU.

Czech Republic (CRPR), established in 1994
France (ARPP), established in 1935
Germany (DW), established in 1972
Poland (RR), established in 2006
Spain (Autocontrol), established in 1977
Sweden (Ro), established in 2009
UK (ASA), established in 1962

Methodology

The seven national SROs were asked to review, when available, national brand websites of all the EU Pledge member companies listed in table 1 (see page 6). They could review national brand websites as well as promotional websites set up by the companies, but not the main corporate websites as these are per definition more intended to inform the public rather than to provide services and entertainment, especially to children.

Each SRO was asked to review a total of 30 brand websites. The SRO needed to make sure it covered national brand websites of all the EU Pledge member companies unless a company had no brand website available in the SRO's country. The SRO was then requested to review if the selected marketer-owned websites complied with the EU pledge criteria using a dedicated questionnaire and methodology developed by EASA, the EU Pledge secretariat and Verónica Donoso.

During the review of the websites, the SROs had to first identify if the brand websites promoted products. Subsequently, they needed to check if the websites contained elements, such as games, animation, licensed characters and toys and to decide if these were in their view primarily designed for children under 12. Lastly, they had to judge if these elements, in conjunction with the creative execution of the website (i.e. simplicity of language, use of font size and typeface, use of colours, etc.) were clearly intended to make the marketing communication(s) on the website primarily appealing to under-12s.

SROs also noted if a website contained features to screen the age of the website visitor. This element was, however, not considered as sufficient to ensure compliance if the marketing communications on the website were clearly designed to appeal primarily to children under 12.

After the completed review process the respective EU Pledge member companies were sent a list of products which had been reviewed during this exercise, and were asked to check whether these products met the company's nutritional criteria. The EASA secretariat matched all the information received and determined the final compliance figures.

Table 1: List of companies

| EU Pledge Signatories | |
|-----------------------|------------------------------|
| Burger King | Kraft Foods |
| Chips Group | Lorenz Snack-World |
| Coca-Cola Company | Mars |
| DANONE | McDonald's |
| Estrella-Maarud | Nestlé (and Cereal Partners) |
| Ferrero* | PepsiCo |
| FrieslandCampina | Unichips-San Carlo |
| General Mills | Unilever |
| Intersnack | Zweifel Pomy-Chip |
| Kellogg's | |

* In line with the [enhanced EU Pledge commitments](#) (see Footnote 1 on page 4), Ferrero will apply the commitment concerning their company websites from 01/01/2013. Nevertheless, Ferrero websites have been reviewed and problematic items on the websites have been highlighted to the company. However, as these websites are to date beyond the scope of the EU Pledge commitment, any problematic aspects found on these websites were not considered as "in breach" for the purposes of this report.

SROs also flagged any items on a website that breached either one or several of the following advertising codes or laws:

- ICC Food Framework,
- Relevant national advertising standards codes and national sectoral codes,
- Relevant national advertising laws.

All reviews were performed by national SROs, whereas EASA ensured that the results were reported in a consistent manner.

For reasons of impartiality and due process the independent reviewer Verónica Donoso, knowledgeable in both digital media and youth issues, was appointed to perform the following functions:

- Verify that appropriate criteria have been set up,
- Check that due process is observed throughout,
- Sign off on the EASA report that is created from the monitoring results for release and testify to the correctness of the monitoring procedure and the scoreboard.

Note from the independent reviewer

My background

I was invited by the European Advertising Standards Alliance (EASA) to be the independent reviewer of this year's survey on food and non-alcoholic beverage brand websites, commissioned by the World Federation of Advertisers (WFA) and the EU Pledge Secretariat because of my expertise in user experience research, as well as my research experience on children and young people's uses of new media and e-safety.

The project

The goal of this monitoring exercise was to review a number of brand websites of food and non-alcoholic beverage producers, who had signed up to the EU Pledge, in order to determine whether they were compliant with the EU Pledge criteria. More specifically, my role was to help design a thorough methodology that would make it possible to establish, in the most objective and unbiased way possible, whether a particular (commercial) website had been designed to primarily target children under the age of twelve.

Methodology

The methodology developed was based on existing research on online advertising and web usability with children. The existing literature was useful to develop objective indicators that could help determine whether a particular website was appealing to children younger than 12. These indicators included "observable" website elements such as whether the website contained specific children's sections, games, animations, toys, etc. Other parameters such as the "look & feel" and the perceived user and child-friendliness of the website were also taken into consideration.

Even though a certain degree of subjectivity is inevitable in this type of assessment especially because different reviewers assessed different websites, the methodology employed aimed at being as reliable and objective as possible in order to ensure consistent results across the 210 websites tested. Some of the main strengths of this methodology lies thus in the fact that it is applicable to different types of websites and that it offers comparable results.

Results

In total, 210 national brand websites were reviewed of which 41 were considered as appealing to children younger than 12 (20% of the websites analysed). Some of the elements employed to determine if a website was primarily designed for children were the presence of games, toys or animations as well as the ease of language and navigation, among others. Of these, the most child-appealing element employed were games (on 38 websites) and animations (on 37 websites) followed by licensed characters (on 9 websites) and toys (on 9 websites). Out of these 41 websites, 11 were found not to comply with EU Pledge criteria as

they promoted products to children, which did not meet the nutritional criteria of the companies. Furthermore, 14 out of the 210 websites reviewed contained items that were in breach of national advertising codes or relevant advertising laws. In total 23 problematic items were flagged by the SROs.

In 14 of the 210 websites analysed age screening was employed as a mechanism to verify the age of the user visiting (specific sections of) the website. Age screening is employed to prevent children younger than a certain age to be confronted with "inappropriate" content and/or advertising. Nevertheless, current research indicates that these types of age-control mechanisms are not really effective because they can be rather easily bypassed by children and teenagers. It would, therefore, be advisable to evaluate the efficacy of such mechanisms in future versions of this assessment.

Challenges & suggestions

One of the most important challenges encountered during this assessment was developing an objective and sound methodology. Also important to take into consideration is the fact that even though a huge effort was made to ensure the consistency and validity of the methodology, some aspects of the assessment would have been more accurately evaluated if children (interacting with these websites) had been involved in the assessment process. On the contrary, all the results presented in this report are based on the expert assessment carried out by adults. However, by encouraging reviewers to perform expert evaluations that took into consideration children's perspectives they were able to develop empathy with the potential young users and so could look at the websites beyond an adult-only perspective. We must also recognise, however, that attempting to think from the perspective of young users/consumers has its limitations because the adult reviewer cannot accurately know for sure if a certain website (or parts of its content) would really be appealing to children younger than 12.

Another limitation of the methodology is the fact that each website was reviewed by only one expert at each SRO. Usability research has demonstrated that the results from expert evaluations can be maximised when these are carried out by several experts (at least two) rather than by one single individual (Nielsen, 1990). However, by facilitating the close collaboration between the SROs and EASA throughout the whole testing and analysis process this second shortcoming was overcome.

Conclusions

Marketing techniques have extended, and in many cases even migrated to online environments. Potential customers of all backgrounds and ages, including children and teenagers, are being targeted in ever more personalised ways via all sorts of online platforms ranging from the more traditional e-commerce websites to the popular social networking sites (SNS). In order to carry out a sound and more exhaustive assessment methodology, it is necessary to start including popular children's websites and online

services such as SNS in future versions of this assessment. It is exactly in these online platforms where young children may be more likely to be confronted with direct and indirect advertising and brand awareness practices.

Finally, I would like to point out EASA's professionalism, objectiveness, and dedication throughout the whole assessment exercise. Self-regulatory, transparent and fair advertising and marketing practices, especially those targeting minors, can only succeed if objective and critical assessment of such practices is in place. By continuously performing this type of independent assessment we can guarantee the rightful implementation of self-regulatory practices and ensure, to the extent possible, that marketing communication is both responsible and sensitive towards children, their needs and their rights.

Verónica Donoso

Important note

In collaboration with the EU Pledge secretariat and the independent reviewer Verónica Donoso, EASA has taken great care to ensure that the results of this project are comparable and accountable. It has done so by developing a detailed methodology. However, while it might be relatively easy to determine if a website appeals to children in general, it is much harder to determine if a website is designed to appeal primarily to children younger than twelve. Therefore, despite all the measures taken to ensure objectivity, decisions of reviewing SROs retain an unavoidable degree of subjectivity. Readers are requested to bear this in mind.

Executive summary

- A total of 210 national brand websites were reviewed.
- All of the websites reviewed contained product promotion.
- Out of the 210 websites, 41 were considered to be appealing primarily to children under 12 as they contained elements, such as games, toys or animations designed primarily for under-12s as well as language/text or navigation clearly intended to make the marketing communications on the website appealing primarily to under-12s.
 - 38 websites featured games that can be considered as designed for under-12s
 - 37 websites contained animations appealing to under-12s
 - 9 websites exhibited licensed characters
 - 9 websites were connected to a toy designed for under-12s
- 11 out of the 41 websites considered to be appealing to under-12s were found not to comply with EU Pledge criteria, as they promoted products that did not meet the nutritional criteria of the EU Pledge member companies.
- 14 out of the 210 websites reviewed contained items that were in breach of national advertising codes or relevant advertising laws. In total 23 problematic items were flagged by the SROs.

Monitoring results

1. General information

The table below provides an overview of the number of websites that were reviewed per country. A total of 210 websites were reviewed by the participating advertising self-regulatory organisations (SROs).

Table 2: Number of websites reviewed per country

| Country | Number of websites reviewed |
|----------------|-----------------------------|
| Czech Republic | 30 |
| France | 30 |
| Germany | 30 |
| Poland | 30 |
| Spain | 30 |
| Sweden | 30 |
| UK | 30 |
| TOTAL | 210 |

2. Product promotion

The SROs identified product promotion on all websites reviewed.

3. Age screening / Parental consent

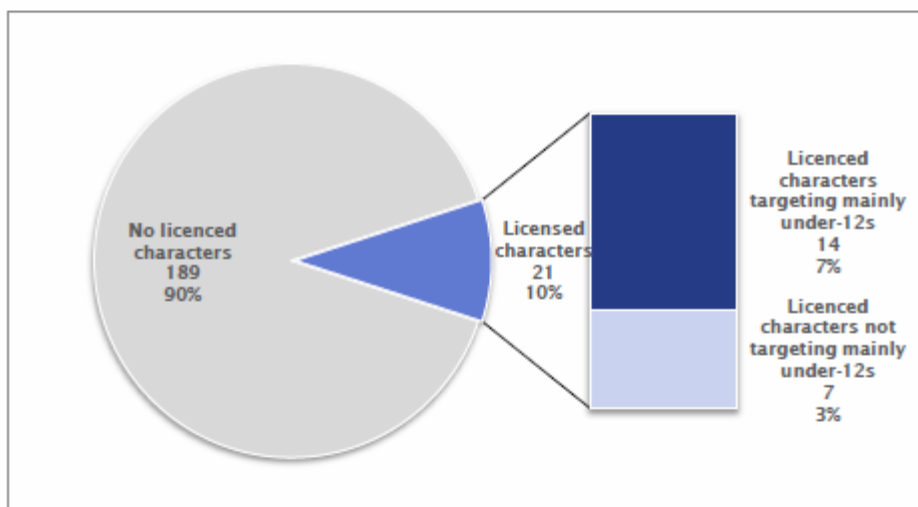
14 brand websites out of 210 reviewed websites contained a mechanism to screen the age of the website visitor. Methods ranged from a field where the visitor had to enter his/her age of birth to a pop-up asking whether the visitor was older than a certain age. Furthermore, out of the 14 websites, four notified children that they needed parental consent in order to surf the website in question.

While some age screenings were installed to ensure that a child of a certain age requests parental consent, others were intended to function as a gatekeeper to avoid that children younger than a certain age enter websites or sections of the website restricted to teens or adults.

4. Licensed characters

The SROs checked if the websites or the children's section(s) of the website featured "licensed characters", i.e. characters acquired externally and linked for example to movies, cartoons or sports, or if they featured movie tie-ins as a means to promote a food or beverage. 21 out of the 210 websites did feature such characters and the SROs considered that in 14 instances these characters or tie-ins were targeted primarily at an under-12 audience.

Fig. 1: Number of websites featuring licensed characters (N=210)

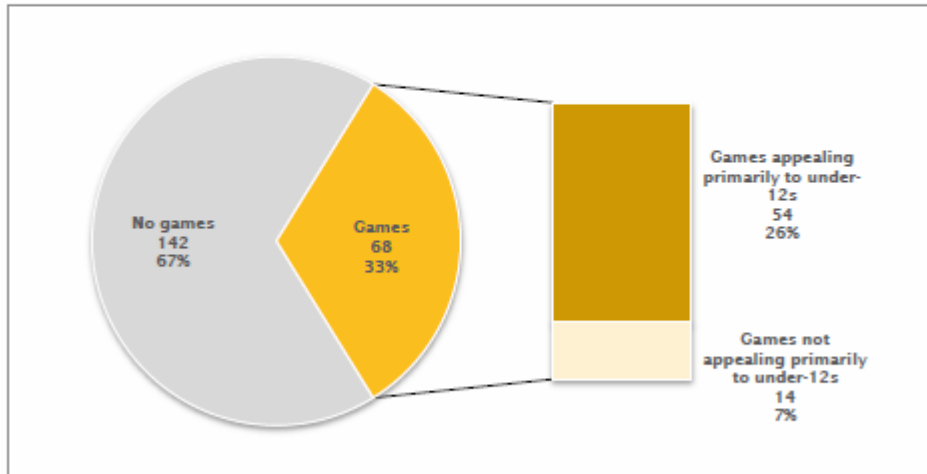


When deciding which kind of audience the licensed characters were mainly targeting, SROs considered both the characters themselves as well as the context in which they were used. However, the use of licensed characters that were considered as mainly appealing to an under 12 audience did not necessarily imply that the website as such was directed towards children.

5. Games

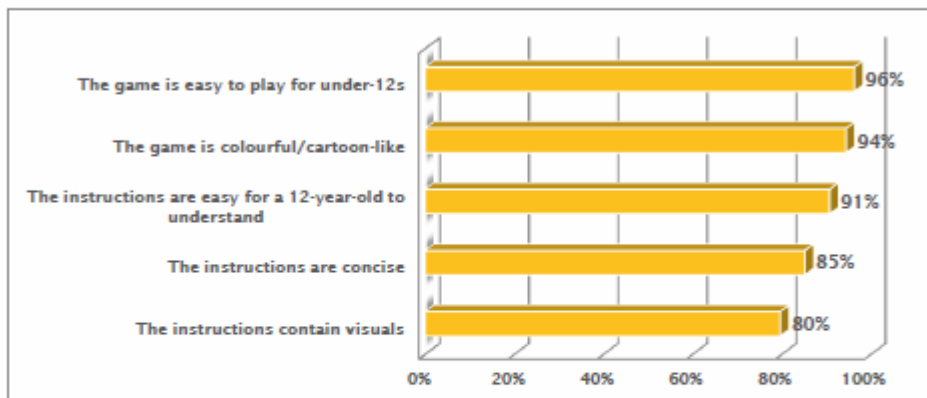
The possibility to engage with online games was featured in 68 of the 210 websites. In 54 instances, SROs considered that the games were designed to appeal primarily to under-12s and that 47 of these websites used the games to promote food or beverages.

Fig. 2: Number of websites featuring games (N=210)



Reasons as to why the SROs considered the games to be appealing primarily to under-12s are featured in the following chart. The combination of several of these criteria is a strong indicator that the game is primarily appealing to young children.

Fig. 3: Main indicators for games considered primarily appealing to under-12s (N=54)

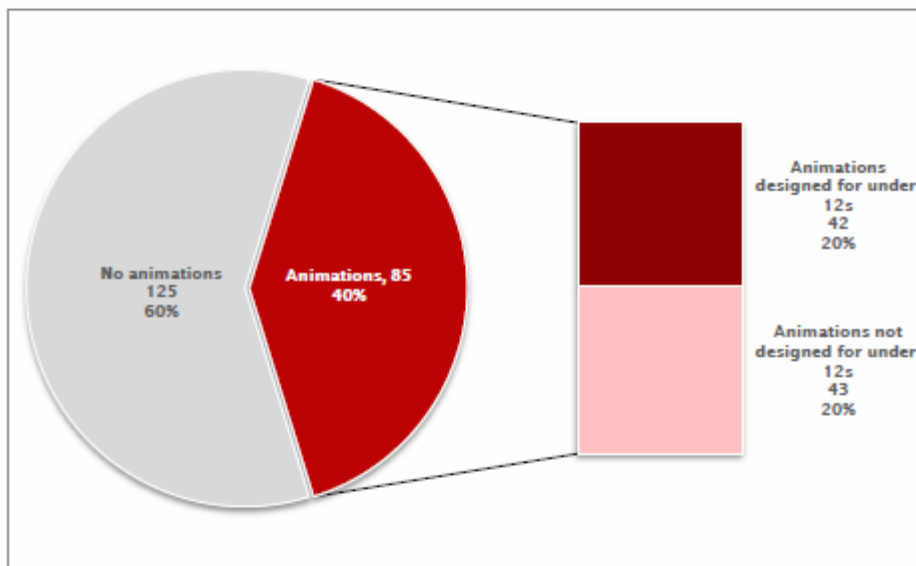


As illustrated in figure 3, almost all the games (96%) were easy to play for children younger than twelve. 94% were colourful and cartoon-like and contained animations that are appealing to young children. In 91% of the cases the instructions were easy for a 12-year-old to understand as they were concise (85%) and contained visuals (80%).

6. Animation and sound effects

85 (40%) of the 210 websites reviewed featured animations, such as cartoons, animations depicting fantasy situations, sound effects or music. According to the SROs, 42 of these websites used animations, which primarily appealed to under-12s. The SROs considered that the animations were designed for small children if they were colourful, resembled cartoons used in children’s programmes or were considered as too childish to be designed to appeal to teenagers and/or adults.

Fig. 4: Number of websites featuring animation (N=210)

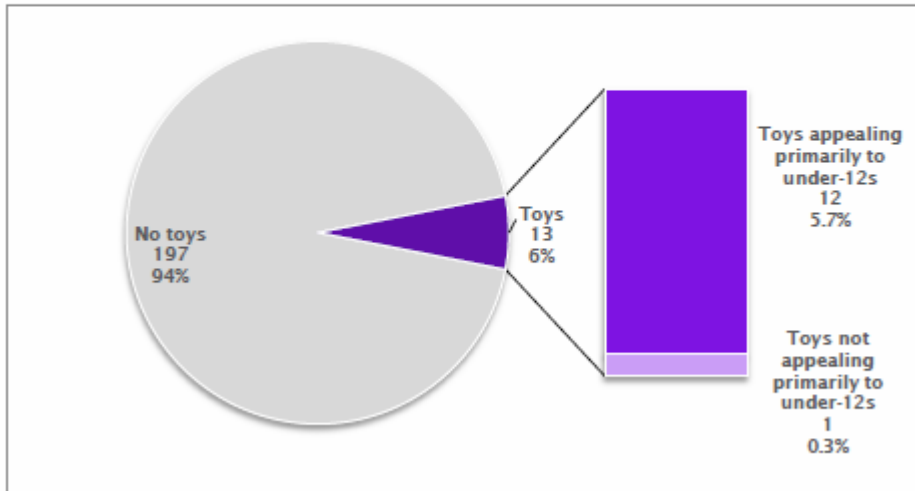


In 31 instances the SROs considered that the animations were used to promote a food or beverage product.

7. Toys/Premiums

SROs identified during their review 13 websites that used toys or other premiums to promote a food or non-alcoholic beverage product. Examples of toys include dolls, figures of cartoon characters, audiobooks, balls, card games and other premiums such as CDs. In the majority of the cases (12 websites) these toys were designed to appeal primarily to young children under the age of 12.

Fig. 5: Number of websites featuring toys or premiums (N=210)



8. Creative execution

As explained in the methodology all the previously identified elements, such as animations, games, toys or licensed characters had to be considered in conjunction with the creative execution of the website, that is the overall impression of the website design (use of colours, typeface, font size, language, etc.) in order to assess the target group of the website. Therefore, a combination of the different factors was used to assess if the marketing communications were intended to appeal primarily to under-12s (see also figure 7).

Keeping that in mind, SROs considered that 41 websites out of the 210 reviewed were designed to appeal primarily to children under 12. Decisive factors in judging the appeal of a website to young children were the usability of the websites (i.e. ease of navigation), font size, colour schemes as well as the level of entertainment offered on the websites³.

³ Nielsen (2010). Jakob Nielsen's Alertbox, Children's Websites: Usability Issues in Designing for Kids, September 13, 2010

Fig. 6: Number of websites designed to appeal primarily to young children (N=210)

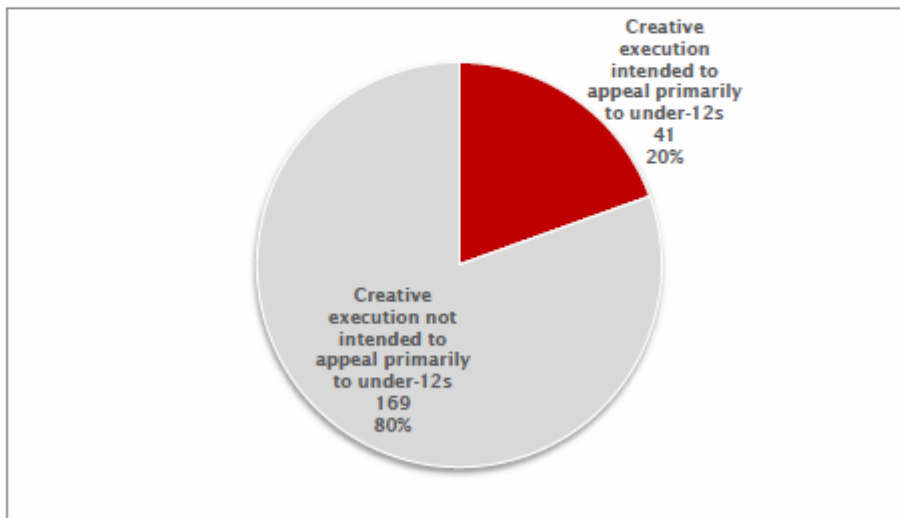
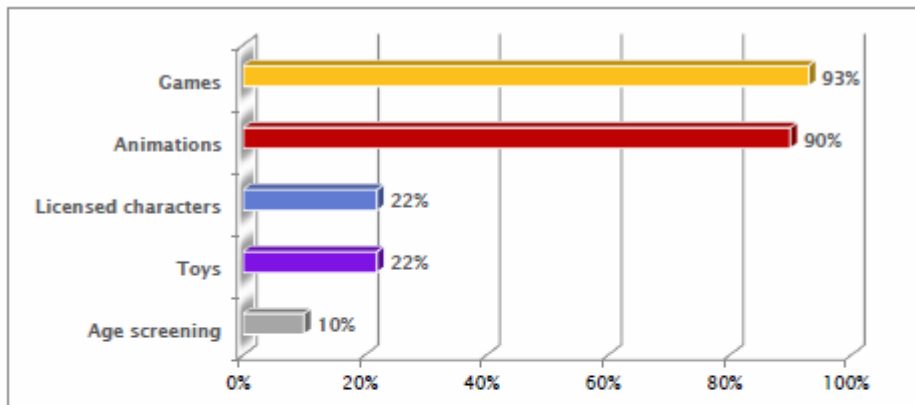


Fig. 7: Number of websites designed to appeal primarily to young children (N=41)



Almost all of the 41 websites considered as designed to appeal primarily to young children featured games designed for under-12s (38 websites, 93%) as well as animations considered to be appealing primarily to under-12s (37 websites, 90%). Furthermore, 22% (nine websites) exhibited licensed characters and 22% (nine websites) toys designed for children.

Four websites featured an age screening mechanism, out of which one website required parental consent.

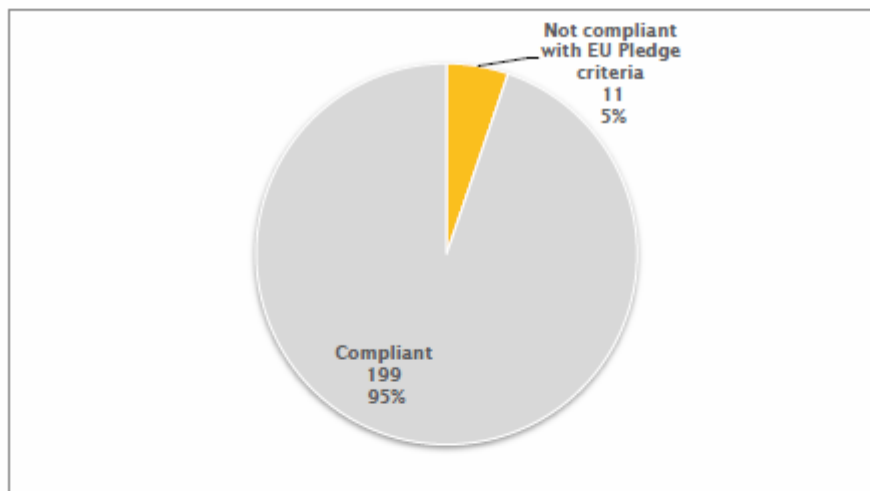
9. Compliance with the EU Pledge criteria

The final element used to determine compliance with the EU Pledge criteria was the examination of whether the products marketed on the websites reviewed met the nutritional criteria of the companies or not. If the product on a website did not meet the specific nutritional criteria established by the EU Pledge member company and the SRO considered the website designed to appeal primarily to under-12s, then the website was deemed to be non compliant with EU Pledge criteria.

In total 11 of the 210 analysed websites were found not to comply with EU Pledge criteria.

Some websites containing problematic items have not been considered as "in breach" under this Report as they do not fall under the scope of the EU Pledge. This is because the company to which the websites belong has made use of a transition period granted until 31/12/2012.

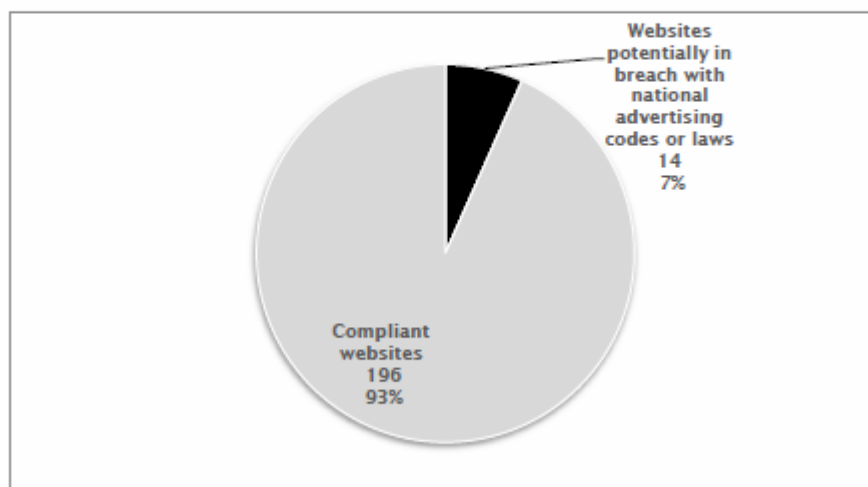
Fig. 8: Number of websites not compliant with EU Pledge criteria (N=210)



10. Breaches of the code

In 14 out of the 210 reviewed websites, the SROs identified items that were potentially in breach of national advertising codes or a relevant national advertising law.

Fig. 9: Compliance results (N=210)

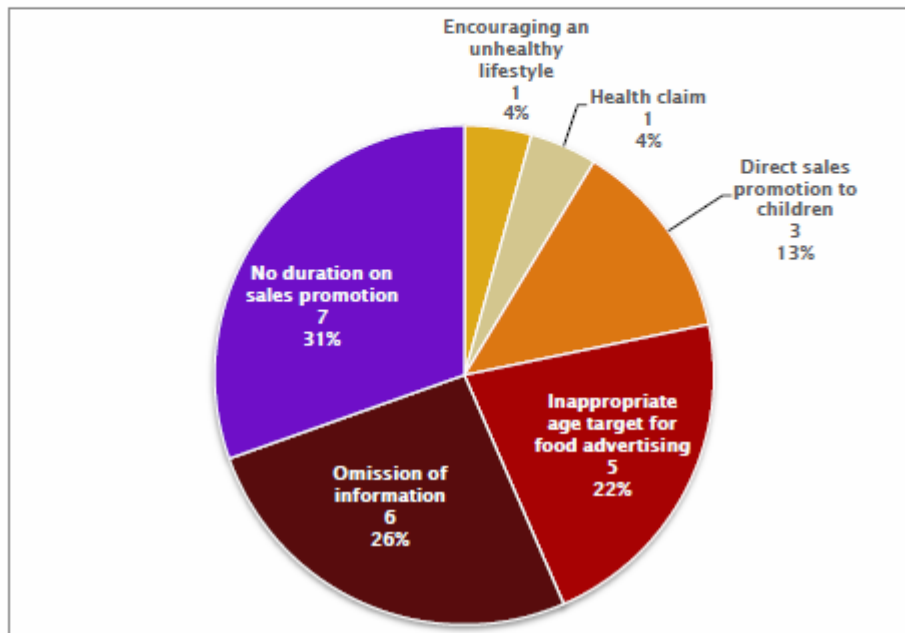


On these 14 websites a total of 23 problematic items were found.

Looking at the 23 items found to be likely in breach of national advertising codes or laws, the main issue identified during this survey was the lack of information regarding the duration of the sales promotion (seven websites), followed by the omission of information when it came to specifying the size reference of the promoted toys on the websites (six websites). Five websites were considered to be potentially in breach of the national Standards of Food Advertising Targeting Children, which specifies that food products should not be promoted directly to children younger than 12 unless the product meets nutritional criteria based on accepted scientific proofs and/or national or international nutritional recommendations.

Furthermore, SROs identified on three websites direct sales promotions to children, on one a problematic health claim and on another one a claim that could be considered as condoning or encouraging poor nutritional habits or an unhealthy lifestyle to children.

Fig. 10: Potential breaches of the advertising code or law (N=23)



On the remaining 196 websites no items were found that were in breach of either the national advertising codes or laws.



Nutrition Criteria

Overview

Table 1: EU Pledge Nutrition Criteria Overview

| Category 1: Vegetable and animal based oils, fats and fat containing spreads & emulsion-based sauces | | | | | |
|---|------------------------|----------------------------|-------------------------------------|---------------------------------|--|
| Sub-category A: Vegetable & animal based oils, fats & fat containing spreads: all animal and vegetable based fats & oils used as spreads on bread and/or food preparation. ¹³ | | | | | |
| Examples | Energy (kcal/portion*) | Sodium (mg/100g or 100ml*) | Saturated fats (g/100g or 100ml*) | Total sugars (g/100g or 100ml*) | Components to encourage |
| <i>*Energy values are per portion and nutrient values per 100g, except when specified otherwise</i> | | | | | |
| Oils and fats (all types), full & low-fat margarine, butter mélanges, solid or liquid oil/fat products for roasting and frying | ≤ 85 | ≤ 500 | ≤ 33% total fat is SAFA (incl. TFA) | (5) | ≥ 25% of total fat is PUFA |
| Sub-category B: Emulsion-based sauces: sauces that constitute only a minor component of the meal to which an emulsifying agent is added OR have a fat content ≥ 10% w/w. | | | | | |
| Mayonnaise, salad dressings, marinades, vinaigrettes... | ≤ 85 | ≤ 750 | ≤ 33% total fat is SAFA (incl. TFA) | ≤ 5 | ≥ 25% of total fat is PUFA |
| Category 2: Fruits, vegetables and seeds, ¹⁴ except oil Vegetables include legumes and potatoes. Seeds include seeds, kernels, nuts. Nuts include peanuts and tree nuts. | | | | | |
| Sub-category A: Products of fruits and vegetables except oils & potatoes (≥ 50g fruit and/or veg per 100g of finished product) that constitute a substantial component of the meal. | | | | | |
| Vegetable gratin, canned vegetables, baked beans, fruit compote, fruit in syrup, fruit salad | ≤170 | ≤ 300 | ≤ 1.5 | ≤ 15 | Min. ½ portion fruit and/or veg. Nutrients delivered through ingredients (fruit and/or veg). |
| Subcategory B: Potato & potato products, except dehydrated potato products: all potato based dishes (≥ 50g potato per 100g of finished products) that constitute a substantial component of the meal. | | | | | |
| Mashed potato, gnocchi, gratin, dumplings, fried or roasted potato... | ≤170 | ≤ 300 | ≤ 1.5 | ≤ 5 | Nutrients delivered through main ingredient (potato) |
| Subcategory C: Potato chips and & potato based snacks, incl. dough-based products | | | | | |
| Potato chips/crisps | ≤170 | ≤670 | ≤10% kcal from SAFA | ≤ 10 | Fibre : ≥3g/100g/ml; and/or ≥70% UFA/total fat |
| Extruded & pelleted snacks, stackable chips | ≤170 | ≤900 ¹⁵ | ≤10% kcal from SAFA | ≤10 | Fibre : ≥3g/100g/ml; and/or ≥70% UFA/total fat |

¹³ Butters as defined in Council regulation (EC) 1234/2007 Annex XV, are excluded from this category because they will not be advertised towards children.

¹⁴ Exemptions: 100% fruit and vegetables and their products, including 100% fruit and vegetable juices, as well as 100% nuts and seeds and mixes thereof (with no added salt, sugar or fat). These products, presented fresh, frozen, dried, or under any other form may be advertised to children without restrictions.

¹⁵ Individual ESA member companies may benefit from a longer period – up to the end of 2015 – in respect of this value, reflecting the uneven advancement of salt reduction programmes among EU member states. Should any member wish to benefit from such derogation, individual member companies shall specify this in their corporate EU Pledge commitments published on the EU Pledge website. During the additional transition period, the applicable sodium threshold shall not exceed 970mg/100g.

| Sub-category D: Seeds and nuts | | | | | |
|---|--|-----------------------------------|--|--|--|
| Examples | Energy (kcal/portion*) | Sodium (mg/100g or 100ml*) | Saturated fats (g/100g or 100ml*) | Total sugars (g/100g or 100ml*) | Components to encourage |
| <i>*Energy values are per portion and nutrient values per 100g, except when specified otherwise</i> | | | | | |
| Salted or flavoured nuts, mixed nuts, nut-fruit mixes, peanut butter | ≤200 | ≤670 | ≤10 | ≤ 15 | Nutrients delivered through ingredients (nuts and seeds) |
| Sub-category E: Fruit/Vegetable based meal sauces: all fruit/vegetable based sauces (≥ 50g fruit and/or vegetable per 100g of finished products) that constitute a substantial component of the meal | | | | | |
| Tomato sauce, pasta sauce... | ≤ 100 | ≤ 500 | ≤ 1.5 | ≤ 10 | Nutrients delivered through ingredients (fruits and/or veg) |
| Sub-category F: Fruit/Vegetable based condiments: all fruit/vegetable based condiments (≥ 50g fruit and/or vegetable per 100g of finished products) that constitute only a minor component of the meal | | | | | |
| Tomato ketchup, chutney... | ≤ 85 | ≤ 750 | ≤ 1.5 | ≤ 25 | Nutrients delivered through ingredients (fruit and/or veg) |
| Category 3: Meat based products: processed meat/poultry, and meat products, consisting of minimally 50g of meat per 100g finished product | | | | | |
| Meatballs, salami, grilled ham, chicken fillet, sausages... | ≤ 170 | ≤ 800 | ≤ 6 | (≤ 5) | ≥ 12% of energy as protein |
| Category 4: Fishery products: processed fish, crustaceans and shellfish, consisting of min. 50g of fish, crustaceans, and/or molluscs per 100g of finished product | | | | | |
| Cod parings, fried fillet of haddock, fish fingers, pickled mussels, tinned tuna | ≤ 170 OR > 170 IF ≥ 25% total fat is PUFA | ≤ 450 | ≤ 33% total fat is SAFA (including TFA) | (≤5) | ≥ 12% of energy as protein |
| Category 5: Dairy products | | | | | |
| Sub-category A: Dairy Products other than cheeses: Must contain minimum 50% dairy (Codex Alimentarius standard) | | | | | |
| Milks & milk substitutes; yoghurts; sweet fresh/soft cheese; curd & quark; fermented milks; dairy desserts | ≤170 | ≤ 300 | ≤ 2.6 | ≤ 13.5 | Protein: ≥12 E% or ≥ 2g /100g or 100ml AND/OR At least 1 source of: Ca or Vit D or any Vit B |
| Sub-category B: Cheese and savoury dairy based products: Must contain minimum 50% dairy (Codex Alimentarius standard) | | | | | |
| Hard, semi-hard cheeses | ≤85 | ≤ 900 | ≤ 15 | (< 5) | At least one source of: Ca, Vit B12, Vit B2 |
| Other cheeses, curd & quark and savoury dairy-based products | ≤170 | ≤ 800 | ≤ 10 | ≤ 8 | |
| Category 6: Cereal based products | | | | | |
| Sub-category A: Sweet biscuits, fine bakery wares and other cereal based products: cereal must be listed as the main ingredient on the ingredient declaration. | | | | | |

| Examples | Energy (kcal/portion*) | Sodium (mg/100g or 100ml*) | Saturated fats (g/100g or 100ml*) | Total sugars (g/100g or 100ml*) | Components to encourage |
|---|------------------------|----------------------------|-----------------------------------|---------------------------------|--|
| <i>*Energy values are per portion and nutrient values per 100g, except when specified otherwise</i> | | | | | |
| All kinds of biscuits and cakes, cereal bars, flapjacks... | ≤200 | ≤ 450 | ≤10 | ≤35 | Fibre (≥3 g/100g) and/or whole grain (15% total ingredients) and/or 20%E from UFA and ≥70% UFA/total fat |
| Sub-category B: Savoury biscuits, fine bakery wares and other cereal based products, including dough-based products: cereal must be listed as the main ingredient on the ingredient declaration. | | | | | |
| Savoury crackers, extruded, pelleted & popcorn-based snacks, popcorn, pretzel products | ≤170 | ≤900 ¹⁶ | ≤10% kcal from SAFA | ≤10 | Fibre : ≥3 g/100g; and/or ≥70% UFA/total fat |
| Sub-category C: Breakfast Cereals including porridge | | | | | |
| Ready to eat breakfast cereals such as cornflakes, puffed rice, porridge | ≤210 | ≤450 | ≤5 | ≤30 | Fibre (≥3g/100g) and/or wholegrain (15% whole grain per total ingredients) |
| Sub-category D: Cereal and cereal products except breakfast cereals, biscuits and fine bakery wares: cereal must be listed as the main ingredient. | | | | | |
| Bread, rusks, rice, noodles, pasta, polenta | ≤340 | ≤500 | ≤5 | ≤5 | Fibre (≥3 g/100 g) and/or wholegrain (15% of total ingredients) |
| Category 7: Soups, composite dishes, main course and filled sandwiches | | | | | |
| Sub-category A: Soups: all kinds of soups and broths containing min 1 of the following: 30g fruit, vegetables, cereals, meat, fish, milk or any combination of those (calculated as fresh equivalent) per portion. (Thresholds apply to food as reconstituted, ready for consumption, following manufacturer's instructions). | | | | | |
| Tinned tomato soup, instant vegetable soup, soup in stand-up pouches | ≤ 170 | ≤ 350 | ≤ 1.5 | ≤ 7.5 | Nutrients delivered through ingredients (fruits and/or veg, cereals, meat, fish, milk) |
| Sub-category B: Composite dishes, main dishes, and filled sandwiches: all kinds of dishes & sandwiches containing min 2 of the following: 30g fruit, veg, cereals, meat, fish, milk or any combination of those (calculated as fresh equivalent) per portion. (Thresholds apply to food as reconstituted, ready for consumption, following manufacturer's instructions). | | | | | |
| Pasta salad with veg, noodles with sauce, pizza, croque-monsieur, moussaka, filled pancakes | ≤ 425 | ≤ 400mg | ≤ 5 | ≤ 7.5 | Nutrients delivered through ingredients (fruits and/or veg, cereals, meat, fish, milk) |

¹⁶ See footnote 3.

| Category 8: Meals: The combination of items served as meal (main dish, side item (s) and a beverage) for breakfast, lunch or dinner. | | | | | |
|---|--|----------------------------|-----------------------------------|---|--|
| Examples | Energy (kcal/portion*) | Sodium (mg/100g or 100ml*) | Saturated fats (g/100g or 100ml*) | Total sugars (g/100g or 100ml*) | Components to encourage |
| <i>*Energy values are per portion and nutrient values per 100g/100ml, except when specified otherwise</i> | | | | | |
| Children's meals | ≤510/meal ^{a)} ≤340/meal ^{b)} | ≤660/meal | ≤10% Kcal from saturated fats | ≤20/meal (minus natural occurring sugar ^{c)} from 1 portion ^{d)} J/F/V/M/D) | Each meal must contain min. of: 1 portion ^{d)} fruit/ vegetables or/and 1 portion ^{d)} 100% juice or/and 1 portion qualified ^{d,e)} dairy product or milk or/and 1 portion ^{d)} of whole grain ^{f)} |
| Category 9: Edible ices: all kinds of edible ices (water ices and ice cream) | | | | | |
| Ice cream, water ice, ice lollies, sherbet ice | ≤ 110 | ≤ 120 | ≤ 5 | ≤ 20 | - |
| Exclusions (no nutrition criteria; are not advertised to children <12 by EU Pledge member companies) | | | | | |
| <ul style="list-style-type: none"> Sugar and sugar-based products, which include: Chocolate or chocolate products; Jam or marmalade; Sugar, honey or syrup; Non-chocolate confectionary or other sugar products¹⁷ Soft drinks¹⁸ | | | | | |

Notes:

^{a)} For lunch/dinner (30% energy)

^{b)} For breakfast (20% energy)

^{c)} If sugar content is higher than 20g for a meal and contains more than 1 J/F/V/M/D.

^{d)} Portions are:

- Fruits (F)/Vegetables (V): 60-80g
- 100% juice (J): 150-250ml
- Dairy (D): e.g. 30g cheese/100-150g yoghurt
- Milk (M): 150-250ml

^{e)} Meet individual category requirements

^{f)} Product qualified for a reasonable source of fiber which contains ≥ 8g whole grain

¹⁷ Sugar-free gum and sugar-free mints are exempted, i.e. outside the scope of EU Pledge restrictions.

¹⁸ The rationale for this exclusion is that currently some EU Pledge companies committed in 2006 not to market any soft drinks directly to children younger than 12 years old (see UNESDA commitments: <http://www.unesda.org/our-unesda-commitments-act-responsibly#year2006>). Discussions are ongoing regarding low-energy beverages. In the meantime companies that are not signatories to the UNESDA commitment will continue using their own nutrition criteria for these beverages, including fruit-based drinks. Bottled water is exempted from the EU Pledge restrictions.



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