

The Children's Food & Beverage Advertising Initiative and The Children's Confection Advertising Initiative In Action

A Report on Compliance
and Progress During 2018



Maureen Enright, JD
Vice President and Director

Lauren Eskenazi, RD
Program Manager

Children's Food & Beverage
Advertising Initiative

Children's Confection
Advertising Initiative

DECEMBER 2019



CFBAI PARTICIPANTS



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EXECUTIVE SUMMARY

The Children's Food and Beverage Advertising Initiative's (CFBAI's) 13th Annual Report provides details on the significant events of 2018 and an evaluation of CFBAI and CCAI participants' 2018 compliance, which was excellent. During 2018, CFBAI participants also agreed to revise and strengthen the program's 2011 Uniform Nutrition Criteria. CFBAI's Uniform Nutrition Criteria, 2nd ed. ("Revised Criteria") is the culmination of a two-year review that sought to ensure that CFBAI's nutrition criteria reflect established nutrition policy guidance, dietary recommendations, and regulatory developments. CFBAI's participants, 19 of the leading food and beverage companies in the United States, will implement the Revised Criteria by January 1, 2020. The Annual Report also summarizes the nutrition improvements the participants made in foods that CFBAI participants may advertise to children and the results of CFBAI's annual snapshots of food advertising on Nickelodeon and Cartoon Network.

YEAR IN REVIEW


Participation. During 2018, eighteen U.S. food and beverage and quick-serve restaurants voluntarily participated in CFBAI and complied with its Core Commitments regarding food advertising to children. The CFBAI participants account for 70-80% of the advertising on children's television. In 2019, Keurig Dr Pepper became the 19th CFBAI participant. The nine confection companies that participated in the Children's Confection Advertising Initiative

(CCAI), a program modeled on CFBAI for small and medium-sized confection companies, also met their CCAI commitments.

Outreach. During 2018, CFBAI issued press releases or public statements, and engaged in presentations in a variety of settings, including briefings for federal agencies, advocacy organizations, industry members or groups, regulatory and legal conferences, and occasionally in academic settings.

Compliance Monitoring. An important function of CFBAI is monitoring CFBAI and CCAI participants' compliance with their commitments and current trends in child-directed media. This includes regular assessment of food advertising on children's TV networks, child-directed websites, and other digital content, apps, and other covered media. CFBAI also reviews the self-assessment reports that CFBAI participants are required to submit under the Core Principles. These reports document their compliance in covered media and with the Elementary School Commitment, and report any instances of non-compliance, how these occurred, and steps taken to prevent reoccurrences.

Compliance Findings. CFBAI is pleased to report excellent compliance in 2018 by participants in both programs. This result is consistent with CFBAI's findings since it began publishing annual reports in 2007 and demonstrates each participant's commitment to effective self-regulation. Except for the



few occasions described in this Report, CFBAI found that only qualifying foods that met CFBAI's Uniform Criteria appeared in advertising directed to children on covered media, including child-directed TV programming and in digital media.

Product List Changes. CFBAI's Product List identifies foods that meet the nutrition criteria and that are or may be advertised by participants to children under 12. During 2018, there were several additions to the List, as well as reformulations of foods already on the List.

Nickelodeon and Cartoon Network

Snapshot Findings. As in past annual reports, the 2018 Report provides the results of CFBAI's review and analysis of child-directed TV advertising on Nickelodeon and Cartoon Network during this calendar year (2019). In the 2019 Nickelodeon and Cartoon Network Snapshots, CFBAI found only qualifying foods in participants' advertising.

▶ **Percentage of Food and Beverage Ads.**

Ads from CFBAI participants represented about 60% of all the food and beverage ads in the Nickelodeon Snapshot and 75% of food ads on Cartoon Network.

▶ **Foods Most Frequently Advertised by the Participants.** Cereals again were the most frequently advertised food on both networks. Other frequently advertised categories included Meals, Small Meals, Snacks, and Exempt Beverages.

▶ **Foods Most Frequently Advertised by Non-Participants.** Candy and Restaurant ads were the categories most frequently advertised by non-participants.

▶ **Nutrition Highlights.** Eighty percent of participants' ads in the Nickelodeon sample provided at least a half serving of fruit, vegetables, whole grains or dairy or a good source of a nutrient of public health concern (e.g., Vitamin D). On Cartoon Network, about 65% of the ads were for such foods.

LOOKING AHEAD

The implementation date for CFBAI's Category-Specific Uniform Nutrition Criteria, 2nd ed. is January 1, 2020. During the coming year, CFBAI will be assessing the impact of the Revised Criteria on foods on its Product List. CFBAI is also assessing how the program and its Core Principles can best address the rapidly evolving digital environment and children's engagement with that environment. CFBAI and CCAI participants are committed to continuing their excellent record of compliance as children move into the digital world. CFBAI also will continue its engagement and outreach to members of the food industry and other stakeholders to expand the positive impact of self-regulation on the children's food advertising landscape.

I. Introduction and Report Overview

In 2006, the Institute of Medicine (IOM) recommended that food companies do their part to address childhood obesity by changing the mix of products in child-directed advertising to foods that are lower in calories, fats, salt and added sugars and higher in nutrient content.¹ Since then, CFBAI and its participants have been working to improve the children's food advertising landscape through strong and transparent self-regulation. As of January 2014, CFBAI participants have used CFBAI's Uniform Nutrition Criteria to determine which foods are eligible for advertising to children. These criteria set rigorous standards that require nutrition components to encourage and set limits for calories, sodium, saturated fat, *trans* fat and total sugars in foods advertised to children.

The progress CFBAI is making in improving the children's food advertising landscape has been recognized by the Federal Trade Commission² and others.³ Foods commonly advertised to children (e.g., cereals, yogurts, meals, and small meals) generally contain fewer calories, sugar or sodium, and more whole grains, fruit or vegetables and vitamins and minerals, like Vitamin D and calcium.

This Report assesses participants' compliance with their pledges⁴ and notes the improvements in foods added to CFBAI's Product List in 2018.⁵ Table 1 lists the participants assessed in this Report.

The remainder of this Report consists of the following:

- ▶ Part II, which summarizes the history of CFBAI and CCAI and the participants' representation in food advertising to children;
- ▶ Part III, which describes CFBAI's Uniform Nutrition Criteria, its Revised Nutrition Criteria, the nutrition developments and improvements that occurred during 2018, and the results of the 2019 Nickelodeon and Cartoon Network Snapshots;
- ▶ Part IV, which explains CFBAI's process for assessing compliance and the conclusion that compliance was excellent.



TABLE 1. CFBAI COMPANY COMPLIANCE ASSESSMENT LIST FOR 2018

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

NOTES

¹ See, e.g., *Institute of Medicine's 2006 report, "Food Marketing to Children and Youth: Threat or Opportunity?"* ES at 11, available at <http://www.nationalacademies.org/hmd/Reports/2005/Food-Marketing-to-Children-and-Youth-Threat-or-Opportunity.aspx>.

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

³ During the 2013 White House Convening on Food Marketing to Children, former First Lady Michelle Obama commended CFBAI's adoption of common nutrition criteria. "Remarks during White House Convening on Food Marketing to Children (Sept. 18, 2013). Available at <http://www.whitehouse.gov/the-press-office/2013/09/18/remarks-first-lady-during-white-house-convening-food-marketing-children>). Additionally, in 2014 the Interfaith Center on Corporate Responsibility led a coalition of 40 institutional investors in sending letters to food, restaurant, retail, and media companies urging them to join CFBAI "as an initial yet critical step companies can take in confronting the childhood obesity epidemic." (Letters available at http://www.iccr.org/sites/default/files/resources_attachments/08.22.14CFBAI%20InvestorSign-onwsigs.pdf)

⁴ CFBAI's 19th participant, Keurig Dr Pepper, joined the program in 2019 and thus was not a participant during the reporting period and is not assessed in this report.

⁵ Progress made in other years is documented in CFBAI and CCAI's prior annual reports and other program materials that are available on the respective websites at <http://bbbprograms.org/programs/cfbai/> and at <http://bbbprograms.org/programs/ccai/>.



II. About CFBAI, CCAI and Food Advertising to Children

A. BACKGROUND ON CFBAI

During the mid-2000's, rising concerns regarding childhood obesity led to calls from government agencies and the IOM for advertising self-regulation to do more to improve the children's food advertising landscape. The Council of Better Business Bureaus, now re-structured as BBB National Programs (BBB NP), already administered the Children's Advertising Review Unit (CARU), an advertising self-regulation program that addressed *how* foods and other products are advertised to children. In response to IOM and others, Council and 10 leading food and beverage and quick-serve restaurants launched CFBAI in 2007 to address *what* foods are advertised to children. Since then, the program has grown to 19 companies. All participants agree to follow the program requirements that are set forth in CFBAI's Core Principles, which address food advertising to children under age 12 on TV, digital, mobile media and apps, print, radio, interactive games, child-directed DVDs, word-

of-mouth advertising, licensed characters, product placement, and in elementary schools.⁶ Eleven participants commit that their child-directed advertising will include only foods that meet CFBAI's Uniform Nutrition Criteria.⁷ Seven participants commit to not advertise to this age group at all. Each company develops an individual commitment (called a "pledge") that addresses how it will comply with CFBAI's Core Principles. The participants sign a contract enforceable by BBB NP and agree to CFBAI oversight and to be held accountable for failure to comply with their commitments. CFBAI monitors covered media for compliance and requires participants to submit detailed self-assessments annually. CFBAI's monitoring and participants' reports reveal a high commitment to compliance. Issues, usually inadvertent and infrequent, are quickly remedied.

One of CFBAI's key attributes is its commitment to transparency and accountability. For this reason, the program makes information public and accessible through its website, public comments, and presentations.



Websites. CFBAI’s website includes its Core Principles, the current nutrition criteria and the Uniform Nutrition Criteria, 2nd ed. that will come into force January 2020; CFBAI’s periodically updated Product List (a list of foods that meet CFBAI’s nutrition criteria and that may be advertised to children⁸); and key documents such as fact sheets that highlight program features or improvements in foods or categories of foods, and statements and press releases regarding the program and issues related to food marketing to children. The CCAI website includes CCAI’s Core Principles, its Annual Reports, and statements and press releases.

Public comments. CFBAI occasionally files comments in the public proceedings of domestic and international governmental bodies or non-governmental organizations (NGOs) on matters relevant to CFBAI’s program and expertise. These comments are available on the program website.

Presentations and speaking engagements. CFBAI often presents at conferences and meetings on food advertising, nutrition or childhood obesity.

B. BACKGROUND ON CCAI

CBBB created CCAI in 2016 as a program for small to medium-sized confection companies to take part in CFBAI-type commitments and self-regulation efforts. CCAI’s Core Principles are directly modeled on CFBAI and require that CCAI participants commit to not engage in advertising primarily directed to children under age 12 or in elementary schools. CFBAI’s oversight provides the important element of public commitment, transparency and accountability. When it was launched in 2016, the program received positive feedback from key players such as the FTC and CSPI.

Each CCAI participant enters into a contract with CBBB/BBB NP that details the rights and duties of each party. Participants acknowledge and agree to BBB NP/CFBAI oversight and monitoring of their commitments to ensure compliance, to be held accountable for failure to comply with these commitments, and to respond on a timely basis to reasonable requests for information from CFBAI. BBB NP has the discretion to expel from CCAI any participant that does not substantially comply with its pledge after giving the company notice and

an opportunity to bring its conduct into compliance and may refer the matter to appropriate regulatory authorities.

The program recognizes that many confectionery companies have fewer resources than the companies that participate in CFBAI and that this disparity can present a barrier to their participation in CFBAI. Accordingly, CCAI's administrative requirements are more streamlined than those of CFBAI. First, CCAI participants are not required to submit an individual pledge. Instead, their contracts require that they comply with the CCAI Core Principles, and their participation is noted on BBB NP's webpage for CCAI. Second, CCAI participants are not required to submit annual compliance reports. Rather, each participant must submit an annual statement signed by a responsible company official that it has complied with the CCAI commitments. Each participant also must report any violations when it learns of their occurrence and what steps the company has taken to address the issue and prevent reoccurrence. CFBAI independently monitors compliance with the commitments to not engage in child-directed advertising in measured and other covered media.

C. CFBAI'S IMPACT ON CHILD-DIRECTED FOOD ADVERTISING

The CFBAI and CCAI Core Principles apply to advertising primarily directed to children under age 12, a group that the advertising industry has long recognized needs special protections. On TV and other measured media, CFBAI's commitments cover advertising in which children comprise at least 35% of the audience. CFBAI's TV Snapshot analyses, as well as those of others, have found that the participants' commitments cover a substantial proportion (70–80%) of all child-directed food ads on the leading children's television networks.⁹ In the past, CFBAI (and others) have found that food advertising typically represents about one-third of the overall advertising on children's television. CFBAI's commitments also apply to online child-directed advertising, where children increasingly spend their time.

NOTES

⁶ The CFBAI Program and Core Principles Statement (4th Edition) is attached as Appendix A and the CCAI Core Principles are attached as Appendix B. CFBAI participants' commitments are contained in company-specific pledges that are available on CFBAI's website.

⁷ CFBAI's Category-Specific Uniform Nutrition Criteria, 2nd ed. (2018) are attached as Appendix C. The Uniform Nutrition Criteria (2011) are available on CFBAI's website.

⁸ Not all the participants' foods that meet CFBAI's nutrition criteria are included on this list.

⁹ In 2012, the FTC reported that CFBAI-participant ad expenditures accounted for 89% of all the food advertising expenditures to children (based on 2009 data). See FTC Report at note 2. The Report's definition of advertising to children includes items not covered by CFBAI, such as shelf placement allowances, in-store ad displays and promotions, and packaging and labeling.



A. CFBAI'S CATEGORY-SPECIFIC UNIFORM NUTRITION CRITERIA (2011)

Since 2011, CFBAI's Uniform Nutrition Criteria have set strict nutrition standards for foods advertised to children. These criteria include nutrients to limit (NLTs) and nutrition components to encourage (NCTE) that are category-specific and that reflect the relative contribution of foods in those categories to the overall diet. The NLTs set maximums for calories, saturated fat, *trans* fat, sodium and sugars, while the NCTE set minimum requirements for food groups and nutrients, including (i) at least a one-half serving of fruit, vegetables, non/low-fat dairy, or whole grains, (ii) at least one "essential nutrient" at the 10% Daily Value (DV) level, or (iii) a combination of both. Participants may continue to use the 2011 Criteria until January 1, 2020, at which time the Uniform Nutrition Criteria, 2nd ed. will take effect.

B. IMPLEMENTATION OF CFBAI'S CATEGORY-SPECIFIC UNIFORM NUTRITION CRITERIA, 2ND ED. (2018) - JANUARY 2020

III. Nutrition Developments and Improvements

CFBAI's Core Principles commit that the nutrition standards used to determine what foods participants can advertise to children will be consistent with established scientific and/or government standards. When it adopted the first set of common Uniform Nutrition Criteria in 2011, CFBAI promised to review those criteria when USDA published the 2015-2020 Dietary Guidelines (DGA 2015). Accordingly, CFBAI conducted a comprehensive review of the DGA 2015 and the FDA's revised Nutrition Facts Panel (NFP) regulations after both were issued in 2016 to consider their impact on the Criteria and whether and how it should be revised. As part of its nutrition criteria review, CFBAI also sought feedback regarding the 2011 Criteria from individuals and organizations interested in and knowledgeable about childhood obesity and nutrition issues, including public health groups, academics,



and advocacy groups, and at a roundtable of key stakeholders hosted by CFBAI and the Partnership for a Healthier America at the 2016 PHA Summit. CFBAI completed its review and participants agreed to strengthen the criteria in September 2018 and to a January 2020 implementation date. The Revised Criteria are attached as Appendix C.¹⁰

The Revised Criteria adopted improvements that impact every category. The criteria now use “added sugars” rather than “total sugars” to align with FDA’s new NFP. There are sodium threshold reductions in 13 of 17 categories, added sugar threshold reductions in many categories, and the NCTE requirements have been strengthened in important ways, including an updated criteria for whole grain foods that ensures foods contribute a meaningful amount of whole grains; more food groups required in categories that typically make significant contributions to children’s overall daily diet (Main Dishes and Meals), and more rigorous

nutrient-based qualifiers that are limited to “under-consumed” nutrients rather than “essential” nutrients.¹¹ Finally, the number of food categories has expanded to be more transparent and descriptive. At the time the criteria were announced, CFBAI estimated that approximately 40% of the foods on the current Product Lists would require reformulation if they were to continue to qualify for child-directed advertising after the January 1, 2020 implementation date.

The remainder of this section summarizes the nutrition improvements CFBAI participants made in 2018 to foods they may advertise to children, and the results of CFBAI’s annual Snapshots of child-directed advertising on Nickelodeon and Cartoon Networks.

C. 2018 CFBAI PRODUCT LIST AND NUTRITION DEVELOPMENTS

As they prepared to implement FDA’s revised NFP and CFBAI’s 2018 Revised Criteria by

January 2020, participants reformulated several existing products and added new foods to CFBAI's Product List.¹² As described below, foods and meals on the list continue to evolve and improve nutritionally.

Juices. The 2011 Criteria require that juices provide at least a half cup (at least 4 fl. oz.) of 100% fruit or vegetable (F/V) juice. CFBAI amended its Juices category in May 2018 (prior to the announcement of the Revised Criteria) to allow participants to advertise fruit and/or vegetable juices with 100% F/V juice and water as long as the beverages provide no more than six ounces of 100% juice. The Revised Criteria thus allow advertising of diluted juices that provide less than a half cup of 100% juice and therefore fewer calories.¹³

McDonald's transitioned to an organic apple juice drink, which has less calories and half the total sugar than its prior 100% apple juice. This apple juice drink, Honest Kids® Appley Ever After® Organic Juice Drink, consists of 100% juice and water (diluted) and other ingredients. (Honest Kids® Appley Ever After® Organic Juice Drink – 35 calories, 8 g sugar; Prior apple juice – 80 calories, 19 g sugar).

Exempt Beverages. PepsiCo added Aquafina purified water to CFBAI's Product List.

Yogurts. Danone North America, PBC added four new yogurts, and reformulated three others to achieve calorie, sugar, and/or sodium reductions. All are low-fat yogurt or dairy drink options that provide a good source of calcium and Vitamin D.

Cereals. The cereal category has made steady nutrition improvements since CFBAI started in 2007,¹⁴ and cereals remain the most advertised food category in CFBAI's annual TV Snapshots. Most cereals on CFBAI's Product List contain no more than 130 calories, 170 mg sodium, and fewer than 10 grams of sugar. Whole grains are the first ingredient on the

label for most cereals, and nearly all provide a good source of Vitamin D, a nutrient of public health concern.

General Mills has continued to make improvements in the cereals on their CFBAI product list, including sugar and/or sodium reductions in Cocoa Puffs, Golden Grahams, Trix, and Reese's Puffs. Whole grain is the first ingredient in these cereals, and all provide a half serving or more of whole grains. These cereals also are good sources of calcium and Vitamin D, and excellent sources of iron.

Kellogg added two cereals that provide a good source of Vitamins A, C, and D, and that are excellent sources of iron (Chocolate Frosted Flakes and Wild Berry Froot Loops).

Snacks. Campbell added three Pepperidge Farm Goldfish varieties to the Product List, including Goldfish Colors Baked with Whole Grain (Cheddar), which has whole grain as the first ingredient and provides more than a half-serving of whole grain. Unilever added Real Fruit Pops to CFBAI's Product List, which feature fruit as the first ingredient after water.

Main Dishes. Conagra added a Chef Boyardee SKU that provides one serving of dairy, one serving of vegetables, and is a good source of two nutrients of public health concern (potassium and fiber).

Meals. McDonald's USA continues to offer apple slices and Yoplait® Go-GURT® low fat strawberry yogurt as Happy Meal side options. The company served more than 250 million sides of apple slices in 2018 and reported a 15% increase in the Happy Meals served with milk, water, or juice between September 2013 and September 2018.¹⁵

D. SNAPSHOTS OF FOODS ADVERTISED FOODS ON CHILDREN'S TV¹⁶

CFBAI has conducted Snapshots of ads airing on Nickelodeon since 2009, and Cartoon Network since 2016.¹⁷ In 2019, CFBAI more than doubled the number of hours of children's programming assessed in the Snapshots (from 30 to 70 hours on each network) (Table 2).¹⁸ All of the participants' foods in the Snapshots complied with either CFBAI's Uniform Nutrition Criteria or CFBAI's Revised Criteria.

Overall Snapshot results. Participants' ads again accounted for most of the food ads in the Snapshots and their collective share was comparable to CFBAI's 2017 and 2018 findings (about 70%).¹⁹ Participants' ads as a percentage of all foods ads on Cartoon Network increased in 2019 (Table 2). All participants' ads met CFBAI's Uniform Nutrition Criteria. The Snapshots on both networks included ads and foods from the same seven CFBAI participants. Eleven non-CFBAI companies advertised on both networks, although there was some variation in the non-participant companies identified in the respective Snapshots.

Frequently Advertised Food Highlights – CFBAI Participants. (Figure 1) The 2019 Snapshots found that participants generally advertised foods in the same categories as in previous recent Snapshots. The distribution of ad categories from the two networks was similar, and cereals remained the most advertised participant food category. There was a decrease in the percentage of Cereal ads 2019 as well as in the percentage of Small Meal and Meal ads.

Calorie Highlights. Table 3 shows the maximum number of calories in participants' advertised foods by food category. The results are nearly identical to results in 2017 and 2018, except for the Meal category, which has seen a reduction in calories, likely due to changes in the beverage and bundle offerings.

Nutrition Components to Encourage Highlights. The percentage of participants' ads containing a food group or a nutrient of public health concern was 80% on Nickelodeon and 65% on Cartoon Network.

Non-Participants' Ads. CFBAI found advertising by 11 non-participants in this year's Snapshots. Candy remains the most

TABLE 2. 2019 NICKELODEON AND CARTOON NETWORK FOOD & BEVERAGE ADVERTISING SNAPSHOTS	2017		2018		2019	
	Nick	CN	Nick	CN	Nick	CN
Total Number of Hours	30		30		70	
Total Number of Ads	614 822		595 788		1582 1830	
% Participant Food Ads of All Food Ads	68 61		67 59		67 75	
Total Number of Foods	52 73		40 58		59 47	
% Participant Foods of All Foods	50 41		45 45		50 57	

advertised non-participant category on both networks, followed closely by restaurant advertising. Notably, the Cartoon Network Snapshot included a significant number of restaurant ads from one company that focused on entertainment available at the restaurant and that did not feature foods. If these ads had featured foods, restaurant

advertising for Meals would have exceeded candy as the primary non-participant category. Very few (less than 5%) of non-participants' ads featured foods that appeared to meet CFBAI's nutrition criteria, generally because the foods exceeded saturated fat and/or sugar limits and contributed little or no positive nutrition components.

FIGURE 1. 2019 TV SNAPSHOTS. FREQUENTLY ADVERTISED CFBAI PARTICIPANT FOODS.

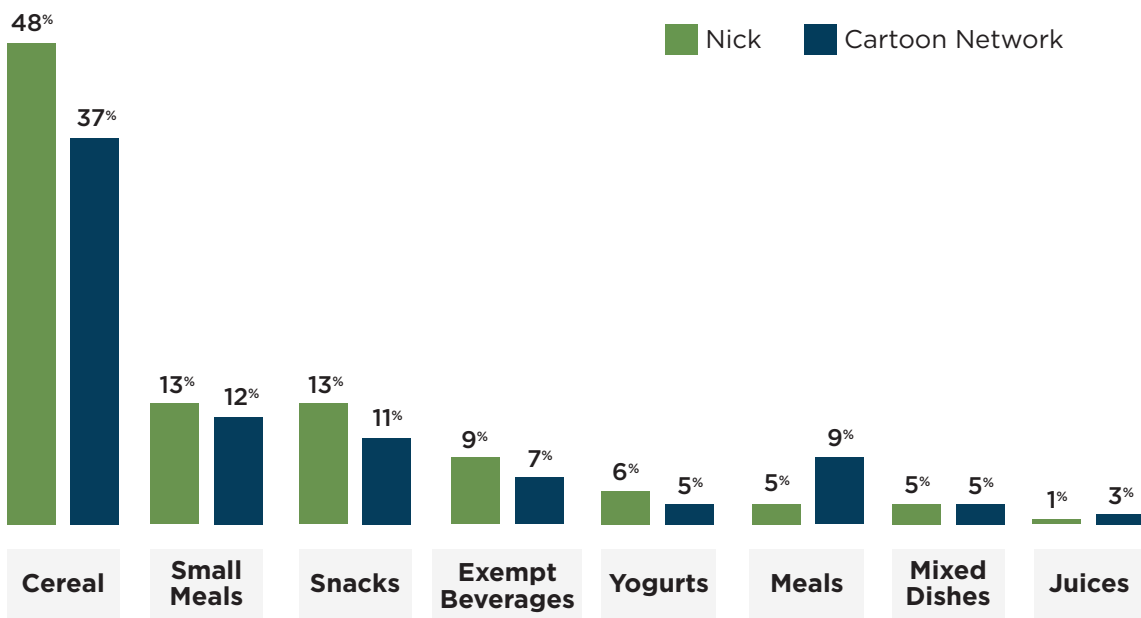


TABLE 3. 2019 TV SNAPSHOTS: MAXIMUM CALORIES BY FOOD TYPE

Exempt Beverage	Yogurt	Cereal	Snack	Mixed Dish	Small Meal	Meal
30	60	130	140	280	360	410



NOTES

¹⁰ CFBAI published a White Paper in 2018 that explains the rationale for the Revised Criteria and is available on CFBAI's website.

¹¹ Savory Snacks may qualify if the food provides 10% DV of an essential nutrient.

¹² As of September 2018, participants could use the 2011 Nutrition Criteria or the Revised Criteria until January 2020, when only the Revised Criteria apply.

¹³ The DGA 2015 recognize 100% juice as an appropriate source of fruit when consumed in moderation. Juice also is a source of dietary sugar and may provide excess calories, and for these reasons many leading public health groups recommend that children consume less 100% juice and more water. Beverages comprised of 100% juice and water, and thus fewer calories than 100% juice alone, align with these recommendations.

¹⁴ CFBAI participants have regularly reduced the calories, sodium, and/or sugar, and increased the amount of whole grains, fiber, and/or vitamins and minerals in cereals advertised to kids since the program began. The 2019 Cereal Snapshot (Appendix D) highlights nutrition improvements participants have made in RTE one-ounce serving size cereals on CFBAI's 2019 Product List.

¹⁵ Five Year Progress Report Highlights on McDonald's commitment to the Alliance for a Healthier Generation, available at https://corporate.mcdonalds.com/content/dam/gwscorp/scale-for-good/FiveYear_Highlights_2019.pdf. This report also notes that the company has served more than 3.4 billion servings of fruit, low-fat dairy, and water in Happy Meals since 2013. *Id.*

¹⁶ Recent studies suggest that overall food advertising directed to children under age 12 has declined. See, e.g., Rudd Center for Food Policy and Obesity, *Progress and opportunities to improve food advertising to children: Food Industry Self-Regulation after 10 years* at 24 (Nov. 2017) (noting declines of 45% in food-related TV ads viewed on children's programming from 2007 to 2016, as well as declines in children's overall exposure to food advertising in all types of programming, not just child-directed programming).

¹⁷ Prior to 2017, CFBAI monitored by recording children's programming in-house and manually reviewing, categorizing, and evaluating the ads. CFBAI's transitioned to using iSpot, an independent TV ad-tracking platform that captures food ads on children's programming in real-time. The platform uses audio and video fingerprinting technology to extract product advertisements, movie trailers, and other entertainment promotions. It identifies the industry, product category and brand, as well as information regarding where and when the ad aired. This database can be searched by various criteria and subscribers can view ads. The platform allows CFBAI to generate reports related to food categories, ads, networks, or brands, thus making it a useful monitoring tool.

¹⁸ As in past Snapshots, the ads aired on different weekday and weekend dayparts between January and May 2019.

¹⁹ The Snapshots do not capture the percentage of food ads compared to all ads because the data set includes more food categories than non-food categories, thus the results likely overstate the percentage of food ads. The dataset does include a few non-food categories that are relevant to children (e.g., toys, games, digital and electronic products and entertainment promotions).



IV. Pledge Compliance Evaluation

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

CFBAI and CCAI participants again delivered excellent compliance during 2018, as determined through CFBAI monitoring and its review of participants' self-assessments. There were very few issues. When CFBAI or participants identify issues, the companies address the problems or concerns, and establish or revise procedures where necessary to prevent the issue from reoccurring.

A. COMPLIANCE EVALUATION OVERVIEW

CFBAI's evaluation consists of two components. First, CFBAI conducts its own assessments of advertising in covered media to determine whether CFBAI and CCAI participants have met their commitments (i.e., to advertise only foods that meet CFBAI's nutrition criteria in child-directed advertising²⁰ or to not engage in child-directed advertising). Second, to comply with the program's self-assessment requirement, the participants collect, evaluate and submit detailed information regarding their pledge commitments.

CFBAI reviews these assessments. CFBAI also investigates any complaints received. None were received in 2018.

CFBAI's finding of excellent compliance in 2018 is consistent with its assessments in past years and with the findings reported by other groups. Achieving and maintaining compliance requires training and legal review, and a systematic process for reviewing child-directed advertising and media buys, all of which is undertaken voluntarily.²¹

B. MEDIA COMPLIANCE ASSESSMENT

1. CFBAI Monitoring

CFBAI independently and regularly monitors advertising on various platforms. Covered media includes TV, print, radio, the internet (including company-owned websites, third-party websites and child-directed YouTube channels), and mobile apps. For measured media such as TV, child-directed advertising generally means advertising for which children ages 2-11 constitute at least 35% of the expected audience ("audience threshold") at the time of the media buy. Some participants use an even more rigorous lower audience threshold.²²

Table 4 summarizes CFBAI's 2018 monitoring activities.

TABLE 4. CFBAI 2018 MONITORING

Media	Monitoring	Comments
Television	Reviewed ads from samples of programming on Cartoon Network, Disney XD, Nickelodeon and Discovery Family	Frequently used medium
Radio	Periodically monitored Radio Disney and child-directed channels on Pandora, ad-supported internet-radio outlets	Infrequently used medium
Print	Reviewed issues of children’s print titles (e.g., <i>Sports Illustrated for Kids</i> , <i>National Geographic for Kids</i>)	Infrequently used medium
Internet	<p>Monitored child-directed company-owned sites, more than 100 child-directed third-party sites, and popular child-directed YouTube channels</p> <p>Occasionally monitored ad-supported kids’ shows on Yahoo! View (VOD)</p>	<p>Company-owned child-directed sites are an infrequently used medium</p> <p>Third-party child-directed sites are a frequently used medium</p> <p>Child-directed YouTube channels are an infrequently used medium</p> <p>Ad-supported kids’ shows on VOD are an infrequently used medium</p> <p>Where visitor age composition or site visitor data not available, CFBAI considers additional factors, including an analysis of content, language, graphics, pictures, games,²³ age limits and media plans</p>
Mobile advertising and apps	Periodically monitored popular child-directed third-party apps and participants’ child-directed apps	<p>Third-party apps are a frequently used medium</p> <p>Company-owned child-directed apps are an infrequently used medium</p>

2. Key Compliance Findings

Compliance was excellent. Very few issues were found in any child-directed media. Below is a summary of CFBAI's findings by media platform and CFBAI and CCAI requirements.

➤ Television. Children continue to spend considerable time viewing television, although they increasingly favor and spend time with digital content.²⁴ CFBAI regularly monitors advertising on children's television networks. Participants also provide self-assessments regarding their TV advertising. In addition, as described in the Nutrition Developments section, CFBAI annually conducts Snapshots of advertising on children's cable TV networks and uses the iSpot platform to "spot check" specific brand or product advertising on children's networks. Most of the CFBAI participants that engaged in child-directed advertising placed ads on one or more cable TV children's networks, including Boomerang, Cartoon Network, Disney XD, Nickelodeon, Nicktoons, and on children's programming on Discovery Family.

CFBAI found very few instances of advertising for non-qualifying products and did not receive any complaints about such advertising in 2018. During the first quarter in 2018, CFBAI noted advertising for Conagra's Boomchickapop products on Nickelodeon and Cartoon Network. Although most of these products qualify under CFBAI's nutrition criteria, they had not been submitted to the program administrator for review and were not on CFBAI's Product List. When CFBAI notified Conagra of this issue, the company immediately took steps to ensure no further spots were aired on these networks. Conagra reported that it had purchased the brand at the end of 2017 and was still aligning advertising by the

new acquisition under Conagra's CFBAI commitments. No further advertising for this brand was observed by CFBAI or reported by the company. In its monitoring, including the 2019 Snapshots of 70 hours of programming on both Nickelodeon and Cartoon Network described in Section III.C, CFBAI's review found no other instances of non-qualifying foods being advertised to children by CFBAI participants.

➤ Spanish-language children's TV programs.

There is little children's programming on Spanish-language networks. There were no compliance issues observed. The percentage of children viewing adult-directed Spanish-language programming occasionally exceeds a participant's threshold, although at the time the media is purchased the predicted audience of children under age 12 is not expected to exceed this threshold. Companies monitor these occasions and may adjust their ad buys to avoid even these few occasions. Unexpectedly higher audience thresholds at time of airing are not a pledge violation.

➤ Child-directed video games or DVDs.

Participants did not report advertising in these media and CFBAI did not have any information to the contrary.

➤ Digital and mobile, including child-directed YouTube channels.

Digital technology changes at a rapid pace, and the online digital advertising environment has evolved dramatically since the first banner ad in 1994. Users may see an ad because it has been placed contextually, meaning it has been served based on the nature of the adjacent content the user is viewing. An ad may be seen by a user based on his or her location, demographics or interests, or a combination of these factors. In this complex environment, participants use a variety of tools and approaches to meet their commitments to advertise



only qualifying foods to children, or to not advertise to children at all. These tools include age targets, demographic and interest-based assessments, content filters, and detailed insertion orders that include age filters and “do not serve” lists of websites or other content where ads should not be placed.

As noted in Table 4, CFBAI monitors child-directed third-party websites, apps, and child-directed YouTube channels identified from media reports and participants’ self-assessments. Some participants that advertised to children had one or more child-directed company-owned websites with games, although there has been a significant decline in the number of company-owned child-directed websites in recent years. Many participants also advertised their foods on child-directed third-party websites. Some participants advertised on child-directed YouTube channels.

Except for the situations described below, CFBAI’s review found no instances of non-qualifying foods being advertised to children in covered digital media by CFBAI or CCAI participants in 2018. During monitoring of child-directed channels on YouTube, CFBAI found advertising for Mike and Ike®, one of Just Born’s candy brands. The company and its media partner worked with the platform to adjust its targeting tools to avoid future placements

on children’s content. No further advertising for this brand or the company’s other confections was observed in child-directed content. CFBAI also observed advertising for Kraft Heinz’s JELL-O Play through video content that included the JELL-O name and branding that CFBAI believed was featured on a child-directed YouTube channel. While the company disagreed, it successfully worked with the third-party owner of the video to remove the video from the platform.

- ▶ VOD. Advertising on child-directed VOD content also is covered by CFBAI commitments, although many of the most popular VOD services are subscription-based and ad-free. Participants did not report a significant amount of advertising in this media. For VOD programming that has a linear TV counterpart, participants follow the same restrictions as in the linear TV. CFBAI’s review of free child-directed programming on the now ceased Yahoo! View did not find any issues.²⁵
- ▶ Licensed characters, celebrities or movie tie-ins. The use of these techniques in covered media was observed only in conjunction with qualifying foods.
- ▶ Mobile apps. The foods featured in advertising on child-directed apps that were reviewed met CFBAI’s nutrition criteria.²⁶



- Print and Radio. There were no compliance issues found or reported. There are few outlets and few participants used these media to advertise to children under age 12.
- Product Placement. There were no compliance issues observed and no participant reported any issues.²⁷
- Word-of-mouth (WOM) advertising. CFBAI did not observe any WOM advertising and none was reported by the participants.
- Advertising to children under age six. This is not a CFBAI requirement although CFBAI monitors and reports on compliance with participants' policies to not direct advertising to children under age six. Compliance was very good. Participants that advertise to children under age 12 assess the audience composition of children's TV programming to ensure that the audience of children ages 2-5 does not exceed their thresholds. Although some ads appeared on programs where at least 35% of the audience were children ages 2-5 at the time of airing, that audience composition was not expected at the time of purchase when participants made ad placement decisions and purchased ad times. For this reason, ads appearing on such shows do not violate their commitments. Participants assess the relative frequency of such instances and may decide to eliminate a show from future ad buys.²⁸

3. Public Inquiries Relating to Compliance

CFBAI always has committed to review public inquiries relating to compliance. No complaints relating to participants' compliance with their pledges were received. Academics and groups interested in CFBAI's work have reported in past years that their independent reviews show CFBAI participants are complying with their commitments.²⁹

4. Other Findings Related to TV and Online Advertising

Occasionally there were ads for non-qualifying foods on child-directed TV programs or in online content. Generally, these either did not constitute violations or were technical violations for the reasons described below.

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

CFBAI assesses compliance based on the past or predicted demographics of a program or daypart at the time ads are purchased, a standard way for advertisers to make their media-buying decisions. Many participants also monitor time of airing audience demographics and report when an ad appears in a program with a child audience composition that is unexpectedly higher than predicted (i.e., at the time they purchased media for ads for non-qualifying

foods, the percentage of children under age 12 in the audience was predicted to be below the applicable threshold as set out in Appendix E). When ads for non-qualifying products air in programs that exceed participants' audience thresholds, those ads are not violations if they occur because of differences between the predicted program audience at the time the media was *purchased* and the actual audience when the ad *aired*.³⁰ The incidence rate for such problems is low (generally less than 1% of total ads for a particular company or brand). The participants may use this data to adjust their media buys or put additional screening or programming restrictions in place to avoid reoccurrences.

Digital advertising issues. CFBAI finds very few instances of ads for non-qualifying foods in our review of child-directed online content. Sometimes participants' insertion orders are not properly executed. For example, black lists may not be fully observed by a platform. Also, occasionally platforms categorize or identify arguably child-directed content on the platform as adult-directed and ads for non-qualifying foods may appear on child-directed content, even where companies' media plans require that ads not appear in such content. Companies investigate these instances and work with the parties involved in the ad delivery system to improve procedures so that ads do not appear in child-directed content.

Failure to provide prior notice of foods to be advertised. CFBAI requires that participants submit qualifying foods that they plan to advertise to children prior to running such advertising so that the nutrition information can be reviewed to ensure it meets CFBAI's criteria and the food can be added to the Product List. Ads for foods meeting the nutrition criteria occasionally air on TV or appear online prior to notification to CFBAI that they would be advertised. This is an

infrequent occurrence and lack of prior notice to CFBAI is not considered a substantive violation. Participants correct these lapses by adding the food to the Product List upon notice.

C. COMMITMENT TO NOT ADVERTISE TO CHILDREN IN ELEMENTARY SCHOOLS

CFBAI and CCAI participants commit to not advertise even qualifying foods and beverages to children in elementary schools,³¹ including through posters, pencils, book covers, or tray liners that advertise specific or product-branded foods or beverages. The focus on elementary schools aligns with the advertising commitment (children under age 12) and reflects the age of children in pre-K through sixth grade. CFBAI and CCAI's elementary school commitments bar direct food advertising to children in schools. Items provided to school administrators for their personal use, display materials that identify foods or beverages offered for sale in schools, charitable donations, support for fundraising efforts, public service messages, and curriculum-support materials are excluded from this prohibition. The participants reported excellent compliance in 2018 and CFBAI received no outside complaints regarding compliance.

Since 2016, USDA's final School Wellness Policy rule³² (and additional guidance published in 2017³³) have permitted marketing in schools during the school day only for foods that meet USDA's Smart Snacks nutrition standards. USDA also allows districts to develop stronger standards and restrictions. CFBAI and CCAI participants have continued to comply with their commitments not to advertise any foods in elementary schools, even foods that meet Smart Snacks (or CFBAI) nutrition standards.³⁴

NOTES

²⁰ This report refers to a food that meets CFBAI's nutrition criteria as a "qualifying" or "qualified" food (i.e., by meeting the criteria it is "qualified" to appear in child-directed advertising). Participants are required to submit these foods to CFBAI for review and inclusion in CFBAI's Product List before they are advertised to children. A "non-qualifying" food thus refers to a food that is not "qualified" to appear in such advertising.

²¹ The participants' procedures include regular, periodic training of employees across multiple divisions, which might include nutrition, legal, marketing, policy and planning, product development, product distribution, brand management, regulatory affairs, sales and other departments, as well as third-parties involved in advertising development and placement, such as advertising agencies, media buyers, and television and digital ad networks.

²² A chart that reflects participants' child-directed advertising commitments, including audience thresholds, is attached as Appendix E. Mars, Keurig Dr Pepper, and Nestlé use a 25% threshold and American Licorice, Hershey, Burger King and McDonald's use a 30% threshold.

²³ Animation, cartoon or licensed characters, fantasy and games are often used in sites directed to older teens and adults and thus do not necessarily make a site child-directed.

²⁴ In October 2019, Common Sense Media (CSM) reported that "TV seems to be losing favor among young people: Among tweens [ages 8-12], the percent who say they enjoy watching TV "a lot" has dropped from 61% to 50% ... both tweens and teens watch about a half hour less of TV on a TV set today than they did four years ago (25 minutes less per day among tweens, and 24 minutes less among teens)." CSM Census Media Use by Tweens and Teens 2019 (CSM Census 2019) at 4, available at <https://www.common sense media.org/research/the-common-sense-census-media-use-by-tweens-and-teens-2019>. According to CSM, "the biggest change in young people's media habits over the past four years ... [is] the amount of time they spend watching online videos like those found on YouTube. The percent of young people who say they watch online videos "every day" has more than doubled ... going from 24% to 56% among 8- to 12-year olds ... the amount of time each age group spends watching online videos has gone from about a half hour a day to about an hour a day on average (from 25 to 56 minutes a day among tweens." CSM Census at 3. Reports suggest that online time is taking the place of TV viewing ("legacy TV ... looks increasingly likely to not have a substantial standing in kids' media diets." *Children Are Increasingly Growing Up With Mobile Devices, Not TV Screens* (October 31, 2017) available at <https://www.marketingcharts.com/television-80890>. See also, the SmartyPants 2019 "Brand Love" survey (for the first time, U.S. children ranked YouTube as their number one brand), available at brand <https://www.asksmartypants.com/news>.

²⁵ Yahoo! View, discontinued in 2019, offered some free, ad-supported children's programming in 2018.

²⁶ A 2018 study that looked at Canadian children and teens (ages 7-16) exposure to food marketing on gaming apps found very little food advertising (10 ads on 138 unique gaming apps). Kent, Monique Potvin, Elise Pauze, Elisabeth-Anne Roy and Nicholas de Bill, *Children's exposure to unhealthy food and beverage advertisements on smartphones and tablets in social media and gaming applications*, School of Epidemiology and Public Health Faculty of Medicine University of Ottawa at 12 (Aug. 15, 2018). The study is available at <https://www.heartandstroke.ca/-/media/pdf-files/what-we-do/news/m2ksocialandgamingappsstudy.ashx?la=en&hash=D519DA213E0919B2100B233DFEFF310D4D03DBDD>.

²⁷ CFBAI participants commit to not paying for or actively seeking to place their food or beverage products in the program/editorial content of any medium primarily directed to children under age 12 for the purpose of promoting the sale of those products. Participants cannot guarantee, however, that child-directed entertainment or editorial content will not include their foods or beverages because movies, TV shows, or other third-parties independently may decide to feature them.

²⁸ A 2018 study that assessed young children's exposure to ads through 135 apps intended for children under age 5 found virtually no foods ads (except for one unclear reference), although almost all apps contained at least one type of ad (100% of free apps and 88% of paid apps). Meyer, Marisa; Adkins, Victoria, MSW; Yuan, Nalingna, MS; Weeks, Heidi M., PhD; Chang, Yung-Ju, PhD; Radesky, Jenny, MD, *Advertising in Young Children's Apps, A Content Analysis*, Journal of Developmental & Behavioral Pediatrics (Oct. 29, 2018), available at https://journals.lww.com/jrnl/dbp/Abstract/publishahead/Advertising_in_Young_Children_s_Apps___A_Content.99257.aspx.

²⁹ See, e.g., Rudd Center, *Food industry self-regulation after 10 years: Progress and opportunities to improve food advertising to children* at 86 (Nov. 2017) ("In compliance with their pledges, only CFBAI listed brands (i.e., brands with products included on CFBAI company lists of products that may be advertised to children) appeared to direct their advertising to children under 12, including in advertising on children's TV programming"), available at http://www.uconnruddcenter.org/files/Pdfs/FACTS-2017_Final.pdf.

³⁰ Instances of audience discrepancies on TV may occur for a variety of reasons, including:

- shows with specialized content or one-time airings for which it may be difficult to obtain accurate audience composition predictions;
- shows or networks that generally had small audiences that unexpectedly skewed younger than expected;
- shows on newer networks with demographics that differed from those predicted;
- networks that did not follow a participant's "do not air" instructions;

NOTES *continued...*

- network program line-ups that changed without notice to the participant; or
- unreliable audience composition data.

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

³¹ CFBAI’s restriction on advertising applies to the entire elementary school and school grounds and facilities, including classrooms, cafeterias, libraries, hallways, auditoriums, gyms, playgrounds and athletic fields. The commitment covers the entire school day while children are under the authority of the school or third parties on behalf of the school. The restriction also covers school buses used to transport children to and from elementary school or to any official, school-sponsored event at an elementary school. For more information, see the Fact Sheet on the Elementary School Advertising Principles (2009) at 4, available on CFBAI’s website.

³² See *Local School Wellness Policy Implementation under the Healthy, Hunger-Free Kids Act of 2010* (2016) is available at <https://www.federalregister.gov/documents/2016/07/29/2016-17230/local-school-wellness-policy-implementation-under-the-healthy-hunger-free-kids-act-of-2010>.

³³ USDA, Food and Nutrition Service, *Local School Wellness Policy: Guidance and Q&As* (April 6, 2017), available at www.fns-rod.azureedge.net/sites/default/files/cn/SP24-2017os.pdf.

³⁴ USDA guidance permits certain types of marketing if allowed by individual school districts. *Id.* USDA has stated that its marketing restrictions are not intended to prohibit label redemption programs, incentive programs, foods sold as part of fundraisers, and foods that are not intended to be consumed at school, activities that substantially align with activities permitted under CFBAI’s Elementary School Commitment exemptions.



LOOKING AHEAD

CFBAI and its participants continue to demonstrate their commitment to helping address childhood obesity by improving the children's food advertising landscape. The participants' record of delivering excellent compliance with CFBAI's Core Principles every year requires dedication of significant time and resources. Continuous incremental program improvements also are a hallmark of the program. In 2018, all 18 participants agreed to adopt revised and strengthened Uniform Nutrition Criteria that will require reformulation of many foods on CFBAI's Product List if those foods are to be advertised after January 2020.

The addition of Keurig Dr Pepper in 2019 to CFBAI increased total participation to 19 companies. CFBAI regularly engages in outreach to non-participating companies to encourage participation in the program or adoption of CFBAI's or other reasonable nutrition criteria. During 2020, CFBAI and its participants will focus on ensuring that the Core Commitments continue to appropriately define child-directed advertising. CFBAI also plans to work with CFBAI and CCAI participants to assess how to continue to deliver excellent compliance with the Core Commitments as children move increasingly to the online environment.

APPENDIX A. CFBAI Program and Core Principles Statement (4th Edition)

I. INTRODUCTION

Companies engaged in advertising and marketing foods and beverages have developed this self-regulatory initiative for advertising such products to children under age 12. The goal of this initiative is to use advertising to help promote healthy dietary choices and healthy lifestyles among American children. While it remains the primary responsibility of parents to guide their children's behavior in these areas, industry members are voluntarily pursuing this initiative as a means of assisting parents in their efforts.

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

Below, Part II describes the Core Principles. All participants agree to make commitments that are consistent with these principles. Part

III describes the administrative elements of the program. Part IV describes an additional commitment regarding not engaging in advertising primarily directed to children under age six that some participants have made and that the CFBAI has agreed to monitor and oversee.

II. CORE PRINCIPLES

Companies participating in this initiative will publicly commit to advertising that will further the goal of promoting healthy dietary choices and healthy lifestyles to children under age 12.³ These commitments will be set forth in an individual "pledge" for each participant. Because companies and their product lines vary, company commitments also will vary. All commitments, however, will be consistent with the following Core Principles:

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

1. Advertising Primarily Directed to Children Under Age 12

Participants will commit that all "advertising primarily directed to children under age 12" will be for healthy dietary choices or better-for-you foods.⁴ As of December 31, 2013, these foods must meet the CFBAI's category-specific uniform nutrition criteria (attached as Appendix A), which have replaced company-specific criteria as the basis for identifying healthier dietary choices or better-for-you foods for child-directed advertising. The CFBAI's bases for these criteria are explained in the "[White Paper on CFBAI's Uniform Nutrition Criteria](#)." With the CFBAI's consent, the participants may continue to use company-specific criteria if such criteria are at least as strong as the CFBAI's criteria.⁵

Alternatively, participants may commit to not engage in child-directed advertising as defined in this Statement.

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

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

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

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

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

2. Use of Foods in Interactive Games

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

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

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

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

4. Product Placement

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

5. Advertising in Elementary Schools

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

B. Definitions of Child-Directed Advertising

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

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

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

C. Implementation

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

III. ADMINISTRATION AND OVERSIGHT

1. Pledge Development

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

2. Monitoring and Enforcement

The program is responsible for monitoring company commitments. Monitoring includes the review of advertising materials, product information, and other information as reasonably requested by the program administrator (submitted on a confidential basis) to confirm participant compliance. The program also responds to public inquiries relating to compliance.

The program provides, by contract, for the expulsion of a company that does not comply with its pledge after being given notice and an opportunity to bring its conduct into compliance, and notice of any expulsion to regulatory authorities such as the Federal Trade Commission under appropriate circumstances.¹⁰

3. Public Reports

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

4. Periodic Program Reviews

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

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

IV. ADVERTISING TO CHILDREN UNDER SIX YEARS OLD

The CFBAI does not require that participants adopt policies regarding not engaging in advertising primarily directed to children under age six. Prior to the creation of the

CFBAI, however, a number of participants had corporate policies that prohibited advertising directed to children under six years old (of even their healthier choices), and they maintained these policies after becoming participants in the CFBAI. During 2010, other participants individually and voluntarily adopted such policies. Now the

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

1st Edition, November 2006; 2nd Edition, November 2009; 3rd Edition, September 2010; 4th Edition, January 2014.

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NOTES

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

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

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

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

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

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

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

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

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

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

¹⁰ Under the contracts, BBB will give participants at least 30 days prior written notice before termination for cause and 60 days prior written notice for termination without cause. (The participants also have the right to terminate their participation upon prior written notice.) Specifically, when appropriate, BBB will notify a participant in writing of substantial noncompliance and give the participant a reasonable opportunity to bring its conduct into compliance. Upon termination BBB may refer the matter to appropriate regulatory authorities. BBB will give a participant notice prior to making the termination and referral public.

The NCA and CFBAI Children’s Confection Advertising Initiative: A Voluntary Self-Regulation Program for Confectioners

INTRODUCTION

The Children’s Food and Beverage Advertising Initiative (CFBAI), a voluntary advertising self-regulation program of the Council of Better Business Bureaus (BBB), and NCA, a trade association representing the chocolate, candy, gum and mint industry, have established the Children’s Confection Advertising Initiative (CCAI) for NCA-member confectionery companies that comprise no more than 5 percent of confectionery market sales and are not already participating in CFBAI.¹ The CCAI is a new, voluntary, opt-in, self-regulatory program designed for NCA-member confectioners that wish to adopt CFBAI’s Core Principles but are unable to participate in the program independently. Currently, Hershey, Mars Incorporated, Mondelēz, Nestlé, Ferrero, and American Licorice Company, which represent approximately 60% of confectionery sales in the U.S., participate in CFBAI.² The CCAI will bring the benefit of participation in the CFBAI within reach for other NCA members in a program tailored to their unique needs and more limited resources.

A company that voluntarily elects to participate in the CCAI publicly commits to not engage in advertising primarily directed to children under age 12 (“child-directed advertising”), as defined below, and to not advertise to children in elementary schools. This program recognizes that many confectionery companies have fewer administrative resources than those already participating in CFBAI and that disparity can present a barrier to their participation in the full CFBAI. Accordingly, the administrative requirements in the CCAI will be more streamlined than those of CFBAI. First, a CCAI participant will not be required to submit an individual pledge.³ Instead, its participation will be noted on BBB-CFBAI’s webpage for the CCAI program. Second, a CCAI participant will not be required to submit comprehensive annual compliance reports. A CCAI participant will be required, however, to submit an annual statement that it has complied with its CCAI commitments. CFBAI also independently will monitor compliance with the commitments to not engage in child-directed advertising in measured and other covered media. CCAI participants agree to respond on a timely basis to reasonable requests for information from CFBAI.

NCA will be an associate member of CCAI and will participate with BBB-CFBAI in periodic reviews of the overall CCAI program. While CFBAI will be the CCAI program administrator, participants in CCAI are not CFBAI participants and are not eligible to participate in CFBAI program reviews.

CCAI CORE PRINCIPLES

A CCAI participant publicly commits to not engage in child-directed advertising and to not advertise to children in elementary schools, as described below.

I. No Child-Directed Advertising

A CCAI participant publicly commits to not engage in child-directed advertising as specified below.

A. Advertising on Measured Media. This means advertising on television, radio, print, and Internet (third-party sites) that is primarily directed to children under age 12.

B. Child-Directed Content in Other Media. This means advertising that is primarily directed to children on:

- Company-owned websites or micro-sites primarily directed to children under age 12.
- Video and computer games that are rated “Early Childhood” or “EC,” which are inherently primarily directed to children under age 12, and other games that are age-graded on the label or packaging as being primarily directed to children under age 12;
- DVDs of movies that are rated “G” whose content is primarily directed to children under age 12.

C. Mobile Media and Word of Mouth. This means advertising that is primarily directed to children under age 12 on cell phones, tablets and through word-of-mouth.⁴

D. Product Placement. This means participants will not pay for or actively seek to place their confections in the program/editorial content of any medium primarily directed to children under age 12 for the purpose of promoting the sale of those products.

II. Advertising to Children in Elementary Schools

A CCAI participant publicly commits to not advertise to students in elementary schools (defined for purposes of the CCAI program as schools from pre-kindergarten through 6th grade). This commitment does not apply to displays of foods, including materials that identify the products that are being offered for sale, charitable fundraising activities, public service messaging, items provided to school administrators for their personal use, and charitable donations to schools.⁵

III. Definitions of Child-Directed Advertising

For certain media, such as television, radio, print, and third-party websites, “advertising primarily directed to children under age 12” generally means advertising for which children ages 2-11 constitute at least 35% of the expected audience (viewers, listeners, readers or visitors) at the time of the media buy. CFBAI and CCAI participants also may consider a company-owned or third-party website child-directed even if less than 35% or an unknown percentage of visitors are children based on a multi-faceted analysis, including factors such as an assessment of the target audience according to the media plan, actions taken to restrict child access, such as age-screening, and the overall impression of the site’s content.

For advertising in other covered media, CFBAI will make determinations based on an analysis of factors that include the overall impression of the advertising, the target demographic based on the company’s media plan, and the audience definition for measured media. For example, the CFBAI administrator and a CCAI participant may consider the percentage of children under age 12 viewing in-cinema G-rated movies that are now on DVDs, the content developer’s designation and description of the expected target of mobile or PDA content, or the percentage of children viewing TV content that has been adapted for mobile media.

IV. Monitoring and Enforcement

Each CCAI participant will submit an annual compliance statement, signed by a responsible company official, that it did not engage in child-directed advertising in measured and other covered media and did not advertise to children in elementary schools, as specified in the CCAI core principles. CFBAI also will monitor a CCAI participant’s compliance with the above commitments in measured and other covered media. Monitoring will include a review of advertising materials, compliance statements and other information. Each CCAI participant agrees to cooperate and respond to reasonable requests for information from the program administrator to assess participant compliance.

Both CFBAI and NCA will post information on their websites to allow the public to submit inquiries or complaints regarding the CCAI. NCA will forward all such inquiries and complaints it receives to CFBAI and CFBAI will endeavor to respond to all complaints.

The program provides, by contract, for the expulsion of a company that does not comply with its CCAI commitments, after being given notice and an opportunity to bring its conduct into compliance, and notice of any expulsion to regulatory authorities such as the Federal Trade Commission under appropriate circumstances.⁶

V. Public Reports

The program will publicly issue reports detailing its activities and monitoring on a periodic basis.

VI. Periodic Program Reviews

CFBAI and NCA will conduct periodic reviews to assess the effectiveness of the program and determine whether it should be continued or changed.

¹ Participation in CCAI is entirely voluntary and there are no sanctions for companies that choose not to participate. NCA continues to urge all of its members who may choose to advertise to children to abide by the Children’s Advertising Review Unit’s (CARU) Self Regulatory Program for Children’s Advertising, which provides guidelines on how to advertise products responsibly to children (available at <http://www.caru.org/guidelines/guidelines.pdf>). NCA continues to be a member of CARU’s Supporter Council.

² This percentage is based on 2014 data, Euromonitor International.

³ NCA and each CCAI participant will enter into a contract with BBB that defines each party’s rights and responsibilities.

⁴ The commitment regarding word-of-mouth advertising refers to advertising where a participant provides incentives (financial or otherwise), product samples or other support to individuals or groups who are not employees to promote consumption of confections or to promote discussion of such products and the advertising is primarily directed to children under 12.

⁵ Additional information about how CFBAI interprets the elementary school commitment can be found in CFBAI’s Fact Sheet on the Elementary School Principles (2009), available at <http://www.bbb.org/us/storage/O/Shared%20Documents/ESFactSheetFinalWord.pdf>.

⁶ Under the contract with a CCAI participant, BBB will give the participant at least 30 days prior written notice before termination for cause and 60 days prior written notice for termination without cause. (A participant also has the right to terminate its participation upon prior written notice.) Specifically, when appropriate, BBB will notify a participant in writing of substantial noncompliance and give the participant a reasonable opportunity to bring its conduct into compliance. Upon termination BBB may refer the matter to appropriate regulatory authorities. BBB will give a participant notice prior to making the termination and referral public.

APPENDIX C. CFBAI Category-Specific Uniform Nutrition Criteria, 2nd ed. (September 2018)

Product Category	Unit	Nutrients to Limit			
		Calories	Sat Fat	Sodium	Added Sugars
1. Juices	LSS (max 8 oz)	—	0 g	≤ 105 mg	No added sugars
2. Milks	8 fl oz	≤ 150	≤ 2 g	≤ 200 mg	≤ 10 g
3. Yogurts and Yogurt-Type Products	6 oz	≤ 170	≤ 2 g	≤ 140 mg	≤ 18 g
4. Cheese and Cheese Products	LSS	≤ 80	≤ 3 g	≤ 240 mg	≤ 2 g
5. Cereals	LSS	≤ 200	≤ 1.5 g	≤ 290 mg	≤ 12 g
6a. Savory Snacks	LSS	≤ 150	≤ 1.5 g	≤ 260 mg	≤ 4 g
6b. Sweet Snacks	LSS	≤ 150	≤ 1.5 g	≤ 200 mg	≤ 9 g
7. Waffles and Pancakes	LSS	≤ 200	≤ 2 g	≤ 360 mg	≤ 10 g
8. Breads	LSS	≤ 150	≤ 1.5 g	≤ 250 mg	≤ 4 g
9. Pastas (plain)	LSS (max 8 oz)	≤ 200	0 g	0 mg	No added sugars

*Announced: September 20, 2018. Implementation date: January 1, 2020

Nutrition Components to Encourage	Notes
≤ 6 oz maximum 100% F/V juice	<ul style="list-style-type: none"> - A serving must contain 100% F/V juice or F/V juice blends OR 100% F/V juice diluted with water only; with or without carbonation - A serving must contain no more than 6 fl oz 100% juice - Sugars limited to those naturally occurring in F/V
1 c dairy <u>and</u> ≥ 10% DV calcium	<ul style="list-style-type: none"> - For LSS < 8 fl oz, NTL & NCTE to be proportionately lower
≥ ½ c dairy <u>and</u> ≥ 10% DV calcium	<ul style="list-style-type: none"> - For LSS < 6 oz, NTL & NCTE to be proportionately lower
≥ ½ c dairy equivalent <u>and</u> ≥ 10% DV calcium	<ul style="list-style-type: none"> - For LSS < 1 oz, NCTE to be scaled to ≥ ½ c dairy equivalent and ≥ 10% DV calcium
≥ ½ serving of WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	<ul style="list-style-type: none"> - LSS based on increased RACC (40 g) - RTE cereals with 60 g RACC may contain ≤ 220 calories and must meet the NTL criteria (≤ 1.5 g sat fat, 0 g labeled <i>trans</i> fat, ≤ 290 mg sodium and ≤ 12 g added sugars) and qualify based on WG content or contain ≥ 10% DV of an under-consumed nutrient
≥ ½ serving or first ingredient a F/V/D/M/WG <u>or</u> ≥ 10% of an essential nutrient	<ul style="list-style-type: none"> - If the first ingredient is a nut, the item may contain ≤ 200 calories and ≤ 2.5 g sat fat - If the first ingredient is dairy (milk, yogurt, cheese), the item may contain ≤ 200 calories and ≤ 2 g sat fat
≥ ½ serving or first ingredient a F/V/D/M/WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	<ul style="list-style-type: none"> - If the first ingredient is a nut, the item may contain ≤ 200 calories and ≤ 2.5 g sat fat - If the first ingredient is dairy (milk, yogurt, cheese), the item may contain ≤ 200 calories and ≤ 2 g sat fat
≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	
≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	
≥ ½ serving WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	

Product Category	Unit	Nutrients to Limit			
		Calories	Sat Fat	Sodium	Added Sugars
10. Fruits and Vegetables	LSS (max 8 oz)	—	No added fats	Very low sodium	No added sugars
11. Seeds, Nuts, and Nut Butters and Spreads	1 oz or 2 Tbsp	≤ 220	≤ 3.5 g	≤ 230 mg	≤ 4 g
12. Meat, Fish, and Poultry Products	LSS	≤ 120	≤ 2 g	≤ 280 mg	≤ 2 g
13. Soups and Meal Sauces	LSS	≤ 200	≤ 2 g	≤ 470 mg	≤ 4 g
14. Mixed Dishes	LSS	≤ 280	≤ 2.5 g	≤ 515 mg	≤ 7 g
15. Main Dishes and Entrées	LSS	≤ 350	≤ 10% kcal	≤ 570 mg	≤ 9 g
16. Small Meals	LSS	≤ 450	≤ 10% kcal	≤ 570 mg	≤ 14 g
17. Meals (entrée and other items including a beverage)	Meal	≤ 600	≤ 10% kcal	≤ 700 mg	≤ 15 g

Nutrition Components to Encourage	Notes
≥ ½ serving of F/V	
≥ 1 oz meat equivalent	– For LSS < 1 oz or 2 Tbsp, NTL & NCTE to be scaled proportionately
≥ 1 oz meat equivalent	– For LSS ≤ 1 oz, NTL to be proportionately lower
≥ ½ serving a F/V/D/M/WG <u>or</u> ≥ 10% DV of an under-consumed nutrient	– Tomato-based products allowed to have 7 g added sugars to balance pH
≥ ½ serving or first ingredient a F/V/D/M/WG and ≥ 10% DV of one under-consumed nutrient <u>or</u> ≥ 10% DV of two under-consumed nutrients	– Products include pasta mixes, casseroles, burritos, pizzas, & sandwiches that do not meet FDA/USDA definition for main dishes
≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient	– Items must meet FDA/USDA definition for main dishes – If the first ingredient is a nut, nut butter, or dairy (milk, yogurt, cheese) product, the item may contain up to 15% kcal sat fat of these ingredients reflecting their higher intrinsic sat fat levels
≥ 1½ servings of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient <u>or</u> ≥ 1 serving of F/V/D/M/WG <u>and</u> ≥ 10% DV of two under-consumed nutrients	– Small meals contain multiple items but do not meet FDA/USDA definition for meals – If the first ingredient is a nut, nut butter, or dairy (milk, yogurt, cheese) product, the item may contain up to 15% kcal sat fat of these ingredients reflecting their higher intrinsic sat fat levels
≥ 2 servings of F/V/D/M/WG <u>and</u> ≥ 10% DV of one under-consumed nutrient	– Meals must meet FDA/USDA definition for meals

Definitions and Notes

DV: Daily Value.

Essential Nutrients: Those occurring naturally in foods (or that are added to foods to meet standards of identity or to restore nutrients lost in processing), and for which a DV has been established.

Exemptions:

- Sugar-free mints, gum and gelatin.
- Beverages, including bottled waters that meet FDA regulations for “low calorie,” “very low sodium,” and contain \leq 5 g added sugars per LSS (does not include diet sodas).

Food with NFP dual-labeling:

1) For products that are packaged and sold as a single serving, contain more than 150% but less than 200% of the RACC, and provide dual columns on the NFP, the NTL and NCTE criteria may be based on the common household measure that most closely approximates the RACC. See, 21 C.F.R. § 101.9 (b)(6).

2) For products that are packaged as an individual unit in a multi-serve pack, weigh 50% or less of the reference amount, and provide dual columns on the NFP (per serving and per individually wrapped unit), the NTL and NCTE criteria may be based on the nutritional information per individually wrapped unit. See, 21 C.F.R. § 101.9 (b)(2)(i)(A) and 21 C.F.R. § 101.9 (b)(10)(ii).

F/V/D/M/WG: Any combination of fruits, vegetables, non/low-fat dairy, meat or meat alternate, and/or whole grains. USDA Food Group Serving Equivalents for F/V/D/M are noted in the Table below. To provide a $\frac{1}{2}$ serving of whole-grain (WG), a food must provide \geq 8 grams of whole grains and meet at least one of the following: 1) First ingredient a whole grain, or 2) \geq 50% whole grains by weight of product; or 3) 50% whole grains by weight of grains.

LSS: Labeled serving size.

NCTE: Nutrient components to encourage required under CFBAI’s nutrition criteria are F/V/D/M/WG, under-consumed nutrients, or essential nutrients. Foods that have F/V/D/M/WG as the first ingredient after water also qualify.

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

RACC: Reference amount customarily consumed.

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

Trans fat: The criteria for *trans* fat is 0 g. For foods in the meat and dairy categories served as individual foods or as part of composite dishes or meals, naturally occurring *trans* fats are excluded.

Under-consumed nutrients: The 2015 DGA recognize certain nutrients as “under-consumed” because they are widely consumed in amounts below the Estimated Average Requirement or Adequate Intake levels (2015 DGA, Chapter 2, Page 60). Under-consumed nutrients identified in the 2015 DGA are calcium, choline, fiber, iron, magnesium, potassium, and Vitamins A, C, D and E.

USDA Food Group Serving Equivalents: (See Table below). Meat/meat alternate aligns with the USDA Food Group Serving Equivalents that CFBAI currently uses to measure food groups and the USDA meal planning requirements for the federal school lunch and breakfast programs. Meat/meat alternate includes meat, poultry, seafood, eggs, legumes (beans and peas), soy products, and nuts and seeds. One oz-eq is 1 ounce of meat, poultry, or seafood; 1 egg; $\frac{1}{4}$ -cup of cooked beans or tofu; 2 Tbsp peanut butter; or 1 ounce of nuts or seeds.

Yogurt-type products: Includes products that contain cultured dairy-based yogurt in liquid form, such as yogurt-based smoothies.

Whole grains: Grains and grain products made from the entire grain seed, usually called the kernel, which consists of the bran, germ, and endosperm. If the kernel has been cracked, crushed, or flaked, it must retain the same relative proportions of bran, germ, and endosperm as the original grain in order to be called whole grain. Many, but not all, whole grains are also sources of dietary fiber (2015 DGA, Page 96).

USDA Food Group Serving Equivalents Table

Food Group Component	1 Serving	One-half Serving
Fruits and vegetables	$\frac{1}{2}$ cup	$\frac{1}{4}$ cup
Fruit and vegetable juices	$\frac{1}{2}$ cup (4 fl oz)	$\frac{1}{4}$ cup (2 fl oz)
Dried fruit	$\frac{1}{4}$ cup	$\frac{1}{8}$ cup
Milks	1 cup (8 fl oz)	$\frac{1}{2}$ cup (4 fl oz)
Yogurt	8 oz	4 oz
Cheese, natural	1.5 oz	0.75 oz
Cheese, processed	2.0 oz	1.0 oz
Meat/meat alternate	1 oz-eq	$\frac{1}{2}$ oz eq
Whole grains	See Definitions and Notes	

2019 CEREAL FACT SHEET

Children's Food & Beverage
Advertising Initiative

Since CFBAI began in 2007, its participants have increased the whole grains and positive nutrients and decreased the amount of added sugars and sodium in the cereals that they advertise to children. These cereals are a nutrient-dense breakfast option, providing whole grains and under-consumed nutrients, while containing modest amounts of calories, sat fat, sodium and sugar.

Under CFBAI's Uniform Nutrition Criteria, cereals with a one-ounce serving size must provide a food group or positive nutrient and contain no more than 10 grams of total sugars per serving. This Fact Sheet summarizes the nutritional content of the 28 RTE cereals on CFBAI's September 2019 Product List.¹

Whole grains. Whole grains are the first ingredient on the label in more than 60% of the cereals on CFBAI's 2019 Product List. Almost 70% provide at least a half-serving of whole grains,² up from 20% from in 2009.

Positive nutrients. Almost all the cereals are a good source of Vitamin D and more than half are a good source of calcium (both critical for bone-building),³ nutrients that the Dietary Guidelines for Americans identify as under-consumed nutrients.⁴

Calories. All cereals contain no more than 130 calories.

Saturated fat. All cereals contain no more than 0.5 grams of saturated fat. More than 60% contain 0 grams.

Sodium. The average sodium amount for cereals on CFBAI's Product List is 157 mg. More than 90% contain 180 mg or less.

Sugars. Before CFBAI, some cereals contained as much as 15 grams of sugar. Now, more than half the cereals on the list contain 9 grams or less and none contain more than 10 grams.⁵

Cereals meeting CFBAI's criteria can contribute to a healthy diet.

RTE cereals can improve children's overall diet quality. Compared to many non-cereal breakfast choices, RTE cereals on CFBAI's Product List provide a meaningful amount of whole grains, vitamins, minerals, and other key essential nutrients⁶ without adding excessive amounts of calories, saturated fat, sodium, or sugar. Consuming these nutrients from cereals can increase children's intake of under-consumed nutrients⁷ and nutrients of public health concern. For example, children who ate RTE cereals consumed 80% more Vitamin D and 18% more calcium than non-RTE eaters.⁸

Children who eat RTE cereal have a lower risk of being overweight. RTE cereal consumption has been associated with healthier body weights in children (lower rates of obesity and lower standardized BMIs) in global and U.S. studies, compared to children who skip breakfast or eat a different breakfast.⁹

NOTES

- 1 CFBAI's annual Snapshots of food advertising on Nickelodeon and Cartoon Network has found that cereals are the most advertised category of food, although children's exposure to cereal ads declined significantly over the last 10 years (Rudd Center, Trends in Television Food Advertising to Young People: 2017 Update, May 2018).
- 2 The 2015-2020 Dietary Guidelines for Americans (DGA) recommend making at least half of grains whole grains. Under CFBAI's Uniform Nutrition Criteria (2011), a half serving of whole grains is 8 grams. Under the Uniform Nutrition Criteria, 2nd edition, which will be implemented January 1, 2020, a half-serving of whole grains is defined as providing at least 8 grams and meeting one of the following: have whole grains as the first ingredient, have \geq 50% whole grains by weight of product or have \geq 50% whole grains by weight of grains.
- 3 A "good" source contains 10 to 19% of the government-established Daily Value (DV) for a nutrient.
- 4 The DGA identify calcium and Vitamin D as nutrients of public health concern (2015-2020 DGA at 60).
- 5 With implementation of FDA's new Nutrition Facts Panel (NFP) in January 2020, nutrition labels for the first time must include the amount of "added sugars." Also, in January 2020, CFBAI will implement revised nutrition criteria, which set an "added sugars," rather than "total sugar" limit (Uniform Nutrition Criteria, 2nd ed.) Although the reference unit for CFBAI's Cereal category has not changed (labeled serving size or "LSS"), FDA's Reference Amount Customarily Consumed (RACC) that is the basis for the LSS will increase by 33%. And, because the LSS will significantly increase, there will be a proportionate increase in all labeled nutrients, included added sugars and sodium. The added sugars limit under CFBAI's Revised Nutrition Criteria will proportionately increase to 12 g per LSS. On a per ounce basis, the 12 g limit represents a 10% decrease from the 2011 Criteria. The sodium limit under the Revised Criteria, however, remains the same despite the larger RACC.
- 6 Fortified cereals contribute essential nutrients such as Vitamin A, thiamin, niacin, folic acid, calcium, phosphorous, magnesium, and/or potassium.
- 7 Calcium, fiber, potassium, iron, magnesium, choline, Vitamins A, C, D, and E are under-consumed relative to the Estimated Average Requirement (EAR) level. Potassium and fiber are under-consumed relative to the Adequate Intake (AI) level.
- 8 National Health and Nutrition Examination Survey (NHANES), 2015-2016.
- 9 A.M. Albertson et al., The association between ready-to-eat cereal consumption, nutrient intakes of the Canadian population 12 years and older and body weight measures: results from nationally representative Canadian population. *J Food Research* (2013); 2(3):11-21; De la Hunty A., et al., Does regular breakfast cereal consumption help children and adolescents stay slimmer? A systematic review and meta-analysis, *OBESITY FACTS* (2013); 6:70-85; Michels N et al. European adolescent ready-to-eat cereal (RTEC) consumers have a healthier dietary intake and body composition compared with non-RTEC consumers. *EUR J NUTR* (2015); 54: 653-664; Priebe MG, McMonagle JR. Effects of ready-to-eat cereals on key nutritional and health outcomes: a systematic review. *PLoS ONE* (2016); 11(10): e164931; Williams PG. The benefits of breakfast cereal consumption: a systematic review of the evidence base. *Advances in Nutrition* (2014); 5: 636S-673S.

APPENDIX E. CFBAI Participants' Child-Directed Advertising Commitments and Audience Thresholds

Company	Children Under Age 6 Commitment	Children Under Age 12 Commitment	Audience Threshold
Keurig Dr Pepper	No advertising	Qualifying foods only	25%
Mars, Incorporated	No advertising primarily directed to children under age 12		
Nestlé USA	No advertising primarily directed to children under age 12 ¹		
American Licorice Company	No advertising primarily directed to children under age 12		30%
Burger King Corporation	No advertising	Qualifying foods only	
The Hershey Company	No advertising primarily directed to children under age 12		
McDonald's USA	No commitment	Qualifying foods only	35%
Campbell Soup Company	No advertising	Qualifying foods only	
The Coca-Cola Company	No advertising primarily directed to children under age 12		
Conagra Brands, Inc.	No advertising	Qualifying foods only	
Danone North America, PBC	No advertising	Qualifying foods only	
Kellogg Company	No advertising	Qualifying foods only	
Ferrero USA, Inc.	No advertising primarily directed to children under age 12		
General Mills Inc.	No advertising	Qualifying foods only	
The Kraft Heinz Company	No advertising	Qualifying foods only	
Mondelēz Global, LLC	No advertising primarily directed to children under age 12		
PepsiCo, Inc.	No advertising	Qualifying foods only ²	
Post Foods, LLC	No advertising	Qualifying foods only	
Unilever United States	No advertising	Qualifying foods only ³	

NOTES

¹ In 2018, Nestlé changed its audience threshold to 25% from 35%.

² PepsiCo uses a multifactorial analysis, including a 25% audience threshold.

³ Unilever uses a multifactorial analysis, including a 25% audience threshold.



The Children's Food and Beverage Advertising

Initiative: Since 2007, CFBAI has been changing the children's food advertising landscape to include healthier products. CFBAI's participants commit to use CFBAI's science-based Uniform Nutrition Criteria to govern what foods they advertise directly to children under 12 or to not engage in such advertising. CFBAI's 19 participants, representing a substantial majority of child-directed food advertising on TV, are: American Licorice Company; Burger King Corp.; Campbell Soup Company; The Coca-Cola Company; Conagra Brands, Inc.; Danone North America, PBC; Ferrero USA, Inc.; General Mills, Inc.; The Hershey Company; Kellogg Company; Keurig Dr Pepper, Inc.; The Kraft Heinz Company; Mars, Incorporated; McDonald's USA, LLC; Mondelēz Global, LLC; Nestlé USA; PepsiCo, Inc.; Post Foods, LLC; and Unilever USA. For more information about the CFBAI, visit bbbprograms.org/programs/cfbai/.

The Children's Confection Advertising Initiative:

Since 2016, CCAI participants agreed to not advertise their confections to children under age 12. CCAI's eight participants are: Brown & Haley; Ferrara Candy Company; Ghirardelli Chocolate Company; Impact Confections; Jelly Belly Candy Company; Just Born Quality Confections; Promotion In Motion Companies; and R.M. Palmer Company. For more information about CCAI, visit bbbprograms.org/programs/ccai/.

BBB National Programs: BBB National Programs fosters trust, innovation, and competition in the marketplace through the development and delivery of cost-effective third-party self-regulation, dispute resolution and other programs. These programs were formerly administered by the Council of Better Business Bureaus. To learn more about industry self-regulation, please visit: BBBNP.org.



BBB National Programs, Inc.
3033 Wilson Boulevard, Suite 600
Arlington, VA 22201