

The Canadian Children's Food and Beverage Advertising Initiative: 2016 Compliance Report



About Advertising Standards Canada

Founded in 1957, Advertising Standards Canada (Ad Standards) is the national, independent, not-for-profit advertising self-regulatory body. Ad Standards members – leading advertisers, advertising agencies, media organizations and suppliers – are committed to responsible and effective advertising self-regulation.

Ad Standards administers the *Canadian Code of Advertising Standards (Code)*, the principal instrument of advertising self-regulation in Canada. The *Code* sets the criteria for acceptable advertising and provides a procedure for accepting and responding to consumers' complaints about advertising. Complaints are adjudicated by independent volunteer councils, comprising senior industry and public representatives. Ad Standards reports to the public on upheld complaints in its online *Ad Complaints Reports*. Complaints may be submitted online at: adstandards.ca/complaints

As well, Ad Standards administers the Canadian Children's Food and Beverage Advertising Initiative, the Accountability component of the Digital Advertising Alliance of Canada AdChoices Program, and the Voluntary National Automobile Advertising Guidelines. And, through Ad Standards Clearance Services, Ad Standards provides copy review in five regulated categories to help ensure compliance with specific laws, regulations and guidelines.

Learn more about Ad Standards Clearance Services at: adstandards.ca/clearance

Foreword

Canadian advertisers have a 40-plus year history of responsible advertising to children through Canada's rigorous regulatory and self-regulatory framework, which requires mandatory preclearance of all broadcast advertising directed to children under 12 years of age. This ensures that advertising by food and beverage companies complies with the stringent requirements of *The Broadcast Code for Advertising to Children* and the *Food and Drugs Act and Regulations*.

Together, the framework and the Canadian Children's Food and Beverage Advertising Initiative (CAI), a program supported by 18 leading Canadian food and beverage advertisers, help ensure that Canadian parents can be confident the advertising their children see is responsible and respectful. As well, the framework and the CAI help them make healthier dietary choices for their children and families.

Through the CAI, food and beverage advertisers have committed either to advertise only products that meet the CAI's strict Uniform Nutrition Criteria to children under 12 years of age in broadcast, print, digital, online and other media, or to not direct food and beverage advertising to children under 12. Participating companies have also committed to be publicly accountable, and as the independent program administrator, Advertising Standards Canada is pleased to report that Participants continue to fully comply with their individual program commitments.

Details can be found in the Report that follows. We invite you to review this Report, and to visit adstandards.ca/childrensinitiative to learn more about the CAI.

Jani Yates
President & CEO
Ad Standards

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Executive Summary

The Canadian Children's Food and Beverage Advertising Initiative: 2016 Compliance Report documents the continuing progress made by the participating companies (Participants) in the Canadian Children's Food and Beverage Advertising Initiative (CAI). As Canada's national, independent, not-for-profit advertising self-regulatory body, Ad Standards serves as the CAI program administrator. This public Report provides an assessment of the Participants' performance in implementing and meeting their CAI commitments from January 1 to December 31, 2016.

The Report sets out the CAI key principles and criteria, and assesses the Participants' compliance with each principle.

The Participants reviewed in this Report are: Campbell Company of Canada; Coca-Cola Ltd.; Danone Inc.; Ferrero Canada Ltd.; General Mills Canada Corporation; Hershey Canada Inc.; Kellogg Canada Inc.; Kraft Canada Inc.; Mars Canada Inc.; McDonald's Restaurants of Canada Limited; Mondelēz Canada; Nestlé Canada Inc.; Parmalat Canada Inc.; PepsiCo Canada ULC; Post Foods Canada Inc.; Unilever Canada Inc.; and Weston Bakeries Limited.

Ten Participants did not engage in advertising directed primarily to children under 12 years of age. The balance committed to include only better-for-you products¹ in child-directed advertising².

In assessing Participant compliance, Ad Standards' methodology consisted of an independent assessment process, as well as a detailed review of reports and documentation submitted by each Participant.

Performance

Ad Standards is pleased to report excellent compliance by all Participants with their commitments. This is consistent with findings over the previous eight years and demonstrates the commitment to the program by each of the Participants and their advertising and media buying partners.

Uniform Nutrition Criteria

This is the first full year of required compliance by the Participants with the Uniform Nutrition Criteria. In order to continue to be advertised to children under 12, products had to meet the new criteria by December 31, 2015. By early 2016, products had been reformulated or were no longer planned to be advertised directly to children under 12.

Future Developments

Recent developments in 2017 may result in fundamental changes to the regulatory framework for the advertising of food and beverages to children. Of note is the introduction in the Canadian Senate of Senator Greene Raine's Bill S-228, An Act to amend the Food and Drugs Act (prohibiting food and beverage marketing directed at children), and Health Canada's public consultation, as part of its Healthy Eating Strategy, on restricting the marketing of unhealthy food and beverages to children.

In the meantime, the CAI continues in force and its members are actively considering further improvements to the program.

¹ In this Report, the terms "better-for-you" and "healthy dietary choices" are used interchangeably.

² In this Report, the phrase "child-directed advertising" is used interchangeably with the phrase "advertising directed primarily to children under 12".



I. Report Overview

The 2016 Compliance Report assesses the performance of the participating companies (Participants) in the Canadian Children's Food and Beverage Advertising Initiative in complying with their public commitments under the program. This Report covers the period from January 1, 2016 to December 31, 2016.

The following Participants are assessed in this Report:

1. Campbell Company of Canada (Campbell Canada)
2. Coca-Cola Ltd. (Coca-Cola)
3. Danone Inc. (Danone)
4. Ferrero Canada Ltd. (Ferrero)
5. General Mills Canada Corporation (General Mills)
6. Hershey Canada Inc. (Hershey's)
7. Kellogg Canada Inc. (Kellogg Canada)
8. Kraft Canada Inc. (Kraft Canada)
9. Mars Canada Inc. (Mars)
10. McDonald's Restaurants of Canada Limited (McDonald's)
11. Mondelez Canada (Mondelez)
12. Nestlé Canada Inc. (Nestlé)
13. Parmalat Canada Inc. (Parmalat)
14. PepsiCo Canada ULC (PepsiCo)
15. Post Foods Canada Inc. (Post)
16. Unilever Canada Inc. (Unilever)
17. Weston Bakeries Limited (Weston Bakeries)

Maple Leaf Foods joined the CAI in 2016 and will be included in the 2017 Compliance Report.





II. Background and Developments

As the issue of childhood health and obesity came to the fore as a serious and complex global issue, leading Canadian food and beverage companies recognized that they could make a meaningful contribution to support the health of Canadian children. To this end, the CAI was launched in 2007. The program was developed to promote better-for-you dietary choices and healthy lifestyles to children under 12, and to shift the emphasis in advertising directed to children by the Participants to food and beverages that are consistent with the principles of sound nutrition guidance.

A. CAI Core Principles and Key Program Improvements

There are five Core Principles under the program.

1. Advertising Messaging and Content Principle

Participants devote 100% of their advertising directed primarily to children under 12 years of age in covered media to products that represent healthier dietary

choices (better-for-you products). As of December 31, 2015, all products featured in advertising directed primarily to children under 12 years of age must meet the Uniform Nutrition Criteria (Appendix 3). Alternatively, Participants may commit to not direct advertising primarily to children under 12 years of age.

Media covered:

- television, radio, print and Internet advertising;
- video and computer games rated Early Childhood (EC) that are inherently directed primarily to children under 12, and other games that are age-graded on the label and packaging as being directed primarily to children under 12;
- DVDs of G-rated movies in which content is directed primarily to children under 12, and other DVDs in which content is directed primarily to children under 12; and
- mobile media such as cellphones, tablets and through word of mouth³, where advertising on those media is directed primarily to children under 12.

2007



CAI Launched

Participants commit to promote healthier dietary choices in ads directed to children under 12, or to not advertise to them at all

2008



Commitments Fully Implemented

Requirement to advertise healthier dietary choices increased from 50% to 100%

2009



First Compliance Report Published

Participants met or exceeded commitments

³ 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 branded food or beverage products or to promote discussion of such products, and the advertising is directed primarily to children under 12 years of age.

2. Use of Products in Interactive Games

Incorporate only products that represent healthier dietary choices in interactive games directed primarily to children under 12 years of age.

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

Reduce the use of third-party licensed characters in advertising directed primarily to children under 12 for products that do not meet the CAI's product criteria⁴.

4. Product Placement

Do not pay for or actively seek to place food and beverage products in program/editorial content of any medium directed primarily to children.

5. Advertising in Schools

Do not advertise food or beverage products in elementary schools⁵.

In consultation with Ad Standards, each Participant develops, and updates as necessary, its individual commitment which, once approved by Ad Standards, is published on a dedicated section of Ad Standards' website at: adstandards.ca/childrensinitiative

Complete details of the CAI Core Principles can be found in Appendix 5 of this Report.

B. Definition of Advertising Directed Primarily to Children Under 12⁶

The CAI's Advertising Messaging and Content Principle requires Participants to commit that 100% of their advertising directed primarily to children under 12 years of age, in media covered by the program, will be for the promotion of better-for-you products, or that they will not direct advertising to children under 12.

In the case of a measured medium, such as television, Participants use a threshold definition of "advertising directed primarily to children" that is tied to audience composition percentages. These audience composition percentages are derived from third-party measurements, such as Numeris for broadcast or ComScore for Internet, supplemented in many cases by a company's existing corporate policies and procedures. Most CAI Participants have committed to definitions of advertising to children as advertising in programming for which the percentage of viewers who are children under 12 is greater than 35, as shown in the following table.

2010



Expanded Coverage
to ads in digital and mobile media channels, children's video games and DVDs of G-rated movies

2014



Participants Adopt Uniform Nutrition Criteria

2015



Uniform Nutrition Criteria Implemented

⁴ This criterion applies to advertising in media other than broadcast advertising, as the use of licensed characters in children's broadcast advertising is already restricted under *The Broadcast Code for Advertising to Children*.

⁵ This limitation does not apply to displays of food and beverage products, charitable/not-for-profit activities including fundraising, public service messaging and educational programs.

⁶ The CAI does not extend to Quebec, where the Quebec *Consumer Protection Act* prohibits advertising in that province to children under the age of 13.

Summary of Participants' Definitions of Advertising Directed Primarily to Children Under 12 Years of Age

	Threshold Audience % Under 12	Status
Campbell Company of Canada	35% or more of audience	Advertise approved products only
Coca-Cola Ltd.	35% or more of audience	No advertising
Danone Inc.	35% or more of audience	Advertise approved products only
Ferrero Canada Ltd.	30% or more of audience	No advertising
General Mills Canada Corporation	35% or more of audience	Advertise approved products only
Hershey Canada Inc.	30% or more of audience	No advertising
Kellogg Canada Inc.	35% or more of audience	Advertise approved products only
Kraft Canada Inc.	35% or more of audience	No advertising
Mars Canada Inc.	25% or more of audience	No advertising
McDonald's Restaurants of Canada Limited	35% or more of audience	Advertise approved products only
Mondelēz Canada	35% or more of audience	No advertising
Nestlé Canada Inc.	35% or more of audience; 25% as of January 1, 2018	No advertising
Parmalat Canada Inc.	35% or more of audience	Advertise approved products only
PepsiCo Canada ULC	35% or more of audience	No advertising
Post Foods Canada Inc.	35% or more of audience	Advertise approved products only
Unilever Canada Inc.	35% or more of audience	No advertising
Weston Bakeries Limited	35% or more of audience	No advertising

It is important to note that the Participants' commitments address only advertising directed primarily to children under 12. As a result, advertising directed primarily to parents/caregivers or aired in family programming or non-children's programming where viewership by children under 12 is less than 35% falls outside the scope of the CAI.

For non-measured media, such as interactive games, a number of factors are used to determine if advertising is directed primarily to children, such as the overall impression of the advertisement, the target demographic, whether the medium is used primarily by children under 12 years of age, and whether age-screening mechanisms are in place.

C. CAI Nutrition Criteria

Prior to the adoption of the Uniform Nutrition Criteria, each Participant directing advertising primarily to children under 12 identified the specific nutrition criteria it used to determine those products to be included in its commitment. The CAI permitted Participants to use, subject to Ad Standards assessment and approval, company-specific nutrition criteria that were based on Canadian regulations and international scientific reports/guidelines, including those published by Health Canada and the National Academy of Medicine.

Uniform Nutrition Criteria – effective December 31, 2015

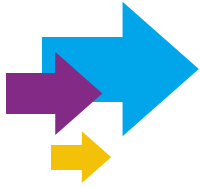
New Uniform Nutrition Criteria came into effect on December 31, 2015, which:

- set uniform nutrition criteria for eight distinct product categories: milk and alternatives; grain; soups; meat and alternatives; vegetables and fruit; occasional snacks; mixed dishes; and meals on the go;
- include calorie limits for products within all eight product categories;
- include criteria for Nutrition Components to Limit, i.e. saturated and trans fats, sodium and total sugars; and
- include criteria for Nutrition Components to Encourage, i.e. vitamins, minerals and fibre.

These new criteria are more stringent than many that were previously allowed and, for the first time, all products that a Participant advertises directly to children under 12 must meet criteria for both Nutrition Components to Limit **and** Nutrition Components to Encourage.

A summary of the category-specific Uniform Nutrition Criteria can be found in Appendix 3. Additional information can be found in the *Uniform Nutrition Criteria White Paper* at:

adstandards.ca/nutritioncriteria



III. Television Spot Check

Ad Standards Television Spot Check of Food and Beverage Advertising to Children

In addition to ongoing monitoring, Ad Standards conducts an annual spot check of children’s television advertising. In 2016, Ad Standards monitored nine days of child-directed television advertising on three Canadian stations that broadcast programming specifically intended for the under-12 audience. Each station classifies “children’s programming” based on program content and audience viewership. These stations also identify “co-viewing” and “family” programming that is broadcast during times when the majority of viewers are **over** the age of 12. The spot check was limited to advertising broadcast during children’s programming only.

Stations and children’s programming covered by the spot check were⁷:

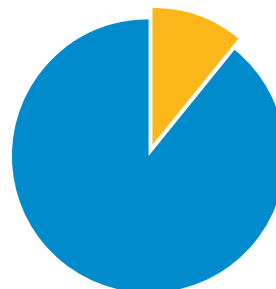
Teletoon	6am – 5pm weekdays; 6am – 11am Sunday
YTV	6am – 9am weekdays; 6am – 12pm Saturday
Nickelodeon	6am – 6pm weekdays

In total, the spot check covered 48 hours of children’s programming, during which 1,231 commercials were aired. As Ad Standards has noted in its previous reports, by far the majority of television advertising directed to children is for toys, games, DVDs, in-theatre movies and attractions. In the 2016 spot check, food and beverage commercials accounted for 11% of the total number of commercials.

For the second consecutive year, during the surveyed period, all commercials for food and beverage products that aired during children’s

programming were for CAI-approved products covered under the CAI program. Ad Standards’ spot check represents a snapshot of the commercials aired during a specific period of time. The 2016 spot check did not identify any advertising directed to children in children’s programming by companies that were not participating in the CAI during the covered period. However, advertising to children by companies not participating in the CAI did air at other times during 2016.

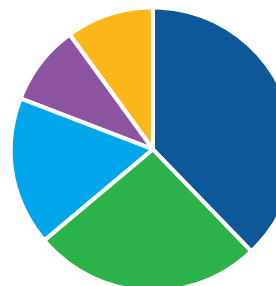
In terms of food and beverage categories, almost two-thirds of the commercials sponsored by Participants under the program were for grain products. The balance included dairy products, quick service restaurant meals and snack products.



11% of all commercials directed primarily to children in 2016 were food and beverage ads

Ad Standards 2016 Television Spot Check

CAI Commercials by Product Type



38% Ready-to-Eat Cereals
26% Other Grain Products
17% Dairy
9% Quick Service Restaurant Meals
10% Other

⁷ Under CRTC policy, public service announcements, program promotions and statements of sponsorship that identify the sponsor of the program or the station are not considered to be commercial messages, and were not covered by the spot check.



IV. Evaluation of Commitment Compliance

Of the 17 Participants evaluated in 2016:

- Ten Participants did not direct advertising to children under 12 years of age: Coca-Cola, Ferrero, Hershey's, Kraft Canada, Mars, Mondelēz, Nestlé, PepsiCo, Unilever and Weston Bakeries.
- Seven Participants committed to include only products meeting the Uniform Nutrition Criteria: Campbell Canada, Danone, General Mills, Kellogg Canada, McDonald's, Parmalat and Post. These Participants all committed to devote 100% of their television, radio, print, Internet, movie DVD, video and computer game, and mobile media advertising directed primarily to children under 12 years of age to better-for-you products.

Methodology

Ad Standards evaluated each Participant's compliance with its individual commitment through an independent audit and a detailed review of the Participant's compliance report, completed and certified as complete and accurate by a senior corporate officer.

A. Independent Audit

Ad Standards audits Participants' compliance in the following manner.

Television Advertising

As a condition of broadcast licence by the Canadian Radio-television and Telecommunications Commission, all children's commercials must be precleared by Ad Standards' Children's Clearance Committee under *The Broadcast Code for Advertising to Children*, and must carry a valid approval number. Ad Standards conducts a second review of these commercials to ensure that the advertised products are those approved for inclusion in the Participants' CAI commitments. As an additional compliance check, Ad Standards conducts an annual

independent spot check of advertising directed to children on major children's channels.

Radio Advertising

No Participants utilized this medium to advertise to children under 12.

Print Advertising

No Participants utilized this medium to advertise to children under 12.

Out-of-Home Advertising

No Participants utilized this medium to advertise to children under 12.

Internet Advertising

Ad Standards regularly monitors both company-owned and third-party websites directed primarily to children under 12.

B. Consumer Complaints Review

All consumer complaints submitted to Ad Standards in 2016 were reviewed to identify any concerns from members of the public with regard to a Participant's compliance with its CAI commitment. Of the 65 complaints involving advertising by food manufacturers, retailers and restaurants that were submitted to Ad Standards in 2016, none involved concerns about a Participant's compliance with CAI commitments.

C. Participant Compliance Reports

Each CAI Participant was required to submit a comprehensive report detailing its compliance during the reporting period. Participants that committed to not advertise directly to children under 12 submitted data demonstrating compliance with their commitments.

Participants that engaged in advertising directed primarily to children under 12 submitted reports that included documentation from their advertising and media buying groups and copies of child-directed advertising. Each Participant's report was certified by a senior executive or officer of the company as to its veracity and completeness.

Participant compliance reports include details of: all products advertised directly to children under 12 years of age; the placement of these advertisements by both specific media and the programs or magazines in which the advertisements were run; and the percentage of the audience by age for the programs or magazines at the time the advertisements were placed.

D. Compliance Assessment

Overall Compliance Evaluation

Participants' compliance with their respective commitments in 2016 has been excellent. The following are the results of Ad Standards' 2016 compliance evaluation.

1. Advertising in Measured and Unmeasured Media, Company-Owned and Third-Party Websites

Television Advertising

Even with the proliferation of new media, television remains the primary medium used by children's advertisers. It is therefore a key compliance element, and it is noteworthy that Ad Standards' audit and spot check revealed full compliance.

Radio Advertising

No Participant utilized this medium for advertising directed primarily to children under 12.

Print Advertising

No Participant utilized this medium for advertising directed primarily to children under 12.

Out-of-Home Advertising

No Participant utilized this medium for advertising directed primarily to children under 12. However, there was one isolated instance where advertising

was inadvertently directed to children under 12.

A confectionery product was advertised during the Ice Age on Ice tour. This was an inadvertent inconsistency because when this advertising was purchased, the event was classified as a "family event." However, post-buy information indicated an audience of children under 12 that was greater than 35%.

Company-Owned and Third-Party Websites

Ad Standards' monitoring of Participants' websites and micro-sites, several third-party websites and micro-sites, as well as the individual Participant compliance reports, were used to assess compliance in this medium. Ad Standards did not find any non-compliant advertising on either company-owned or third-party websites.

The Heart & Stroke Foundation's *2017 Report on the Health of Canadians* specifically mentioned two products by CAI Participants as being "among the most frequently advertised products on popular children's websites." However, this does not accord with Ad Standards' compliance audit, which confirmed that the two Participants did not place child-directed advertising for the identified products in **any** Canadian medium, including children's websites. In fact, one of the products is not even available for sale in Canada. Furthermore, of the ten children's websites that were reviewed in the Heart & Stroke Foundation's *Report*, it appears that only one was a Canadian website.

2. Use of Licensed Characters

The independent audit conducted by Ad Standards and the individual Participant compliance reports were used to assess compliance with this CAI principle. No infractions of this principle were identified.

3. Use of Products in Interactive Games

Four of the seven Participants that direct advertising to children incorporated interactive games on their own websites that are directed to children under 12. Only the better-for-you products that were included in the Participants' commitments were incorporated into these interactive games. Ad Standards did not identify any instances of non-compliance. It is notable that one Participant incorporates an automatic break which kicks in after 15 minutes of screen-time use.

4. Product Placement

As per the commitments, no Participant engaged in product placement.

5. Advertising in Schools

The CAI requires Participants to adhere to standards established by schools individually and by school boards overall. In addition, they are required to commit to not advertise food and beverage products in schools. All of the Participants complied with this principle. Excluded from the CAI are charitable and not-for-profit activities such as school-approved fundraising and educational programs, public service messaging, and displays of food and beverage products (for example in school cafeterias).

As detailed in Appendix 4, several Participants engaged in sponsorship of educational and other not-for-profit and charitable activities, as allowed under the CAI.

6. Video and Computer Games⁸

One Participant utilized this medium for advertising directed primarily to children under 12.

No non-compliant advertising was found.

7. DVDs of Movies

No Participant utilized this medium for advertising directed primarily to children under 12.

8. Mobile Media

No Participant utilized this medium for advertising directed primarily to children under 12.

⁸ Video and computer games rated Early Childhood (EC), which are inherently directed primarily to children under 12, and other games that are age-graded on the label and packaging as being directed primarily to children under 12

Appendix 1

List of Advertised Products in 2016

Campbell Company of Canada

Pepperidge Farm® Goldfish® Baked Graham Snacks – Vanilla Cupcake
Pepperidge Farm® Goldfish® Baked Snack Crackers – Cheddar

Coca-Cola Ltd.

None

Danone Inc.

Danino Drinkable
Danone Creamy

Ferrero Canada Ltd.

None

General Mills Canada Corporation

Cinnamon Toast Crunch
Honey Nut Cheerios
Lucky Charms
Chocolate Lucky Charms
Special Edition Finding Dory cereal
Star Wars™ cereal
Finding Dory Soft Baked Snacks
Despicable Me Minions™ Fruit Flavoured Snacks
Fruit Gushers™ Fruit Flavoured Snacks
Fruit by the Foot™ Fruit Flavoured Snacks

Hershey Canada Inc.

None

Kellogg Canada Inc.

Froot Loops cereal
Kellogg's Frosted Flakes cereal
Rice Krispies Squares cereal bars (Original)
Eggo Waffles (Original and Original Minis)
Rice Krispies cereal

Kraft Canada Inc.

None

Mars Canada Inc.

None

McDonald's Restaurants of Canada Limited

Hamburger *Happy Meal* with 1% white milk and Apple Slices and Danino Strawberry Yogurt Tube

Mondelēz Canada

None

Nestlé Canada Inc.

None

Parmalat Canada Inc.

Black Diamond Ficello Cheestrings (3 flavours)

PepsiCo Canada ULC

None

Post Foods Canada Inc.

Honeycomb
Alpha-Bits

Unilever Canada Inc.

None

Weston Bakeries Limited

None

Appendix 2

List of Child-Directed Company-Owned Websites in 2016

Campbell Company of Canada

None¹

Coca-Cola Ltd.

None

Danone Inc.

www.danone.ca/en/products/danino/games

Ferrero Canada Ltd.

None

General Mills Canada Corporation

www.fruitsnackia.ca²

Hershey Canada Inc.

None

Kellogg Canada Inc.

www.clubkelloggs.ca
www.frootloops.ca
www.frostedflakes.ca
www.snapcracklepop.ca
www.eggo.ca
www.spoons.kelloggs.ca

Kraft Canada Inc.

None

Mars Canada Inc.

None

McDonald's Restaurants of Canada Limited

None

Mondelēz Canada

None

Nestlé Canada Inc.

None

Parmalat Canada Inc.

www.cheestrings.ca
www.ficello.ca

PepsiCo Canada ULC

None

Post Foods Canada Inc.

None

Unilever Canada Inc.

None

Weston Bakeries Limited

None

¹ Canadian children may have the ability to access www.goldfishfun.com, maintained by the U.S. Biscuits and Bakery division of the Campbell Soup Company in the United States. The games and other content on the site comply with the Campbell Soup Company's commitment pursuant to the Children's Food and Beverage Advertising Initiative in the United States (US Commitment Program). Details of the US Commitment Program may be found at: <http://www.bbb.org/council/the-national-partner-program/national-advertising-review-services/childrens-food-and-beverage-advertising-initiative/>.

² As of June 1, 2016, this site was no longer available.

Appendix 3

Uniform Nutrition Criteria

Summary Table of New Uniform Nutrition Criteria by Product Category

Product	Unit ⁶	Components Required to Limit				Components Required to Encourage
		Calories (kcal)	Sat Fat (g) ¹	Sodium (mg)	Total Sugars (g)	
1. MILK AND ALTERNATIVES						
Milks and Milk Substitutes	250 mL	≤170	≤2	≤200	≤25	1 serving Milk and Alternatives
Yogurts and Yogurt-type Products	175 g	≤175	≤2	≤140	≤24	1 serving Milk and Alternatives AND ≥5% DV calcium
Dairy-based Desserts	125 mL	≤120	≤2	≤110	≤20	≥¼ cup milk AND ≥5% DV calcium
Cheese and Cheese Products (except as listed separately below)	30 g	≤125	≤3	≤480	≤2	≥½ serving Milk and Alternatives AND ≥5% DV calcium
Cottage Cheese and Ricotta	110 g	≤150	≤7	≤480	≤7	≥½ serving Milk and Alternatives AND ≥5% DV calcium
Hard Grated Parmesan and Romano Cheese	15 g	≤75	≤4.5	≤380	N/A	N/A
2. GRAIN						
Small Reference Amount, Lighter Density Products	LSS ⁷	≤150	≤1.5	≤190	≤10	8 g whole grain OR 2 g fibre OR ≥5%* DV any essential nutrient except sodium (*≥15% DV if cereals)
Large Reference Amount, Higher Density Products	LSS ⁷	≤200	≤2	≤250 ≤360 (for products that require leavening e.g., pancakes and waffles)	≤12	8 g whole grain OR 2 g fibre OR ≥5%* DV any essential nutrient except sodium (*≥15% DV if cereals)
3. SOUPS						
	LSS ⁷	≤200	≤2	≤480	≤6 ≤12 (tomato-based)	≥½ serving Vegetables and Fruit or Milk and Alternatives OR 8 g whole grain OR ≥5% DV any essential nutrient except sodium
4. MEAT AND ALTERNATIVES						
Meat Products (including fish and poultry)	60 g	≤120	≤2	≤480	NA	≥30 g meat, fish or poultry AND ≥5% DV any essential nutrient except sodium
For labelled serving sizes ≤30 g	30 g	≤60	≤1	≤240	NA	
Meat Alternatives (except Peanut Butter)	30 g	≤230	≤3.5	≤140	≤4	≥5% DV any essential nutrient except sodium
Peanut Butter	15 g	≤115	≤1.9	≤65	≤2	≥5% DV any essential nutrient except sodium
5. VEGETABLES AND FRUIT						
Vegetable- and Fruit-based Beverages	LSS ⁷	≤160	0	≤140	No added sugars	≥½ serving Vegetables and Fruit OR ≥5% DV any essential nutrient except sodium

Product	Unit ⁶	Components Required to Limit				Components Required to Encourage
		Calories (kcal)	Sat Fat (g) ¹	Sodium (mg)	Total Sugars (g)	
Vegetable- and Fruit-based Snacks	125 mL 60 g (if dried)	≤150	≤2	≤140	No added sugars	≥½ serving Vegetables and Fruit OR ≥5% DV any essential nutrient except sodium
6. OCCASIONAL SNACKS						
Chips, popcorn and extruded snacks	LSS ⁷	≤200	≤2	≤360	≤12	8 g whole grain OR 2 g fibre OR ≥5% DV any essential nutrient except sodium
Other Snacks (snack items not in other categories)	LSS ⁷	≤150	≤1.5	≤190	≤10	8 g whole grain OR 2 g fibre OR ≥5% DV any essential nutrient except sodium
7. MIXED DISHES						
Side Dishes (single foods)	LSS ⁷	≤280	≤2.5	≤375	≤10	≥½ serving of any one of Vegetables and Fruit, Grain Products (with 8 g whole grain or 2 g fibre), Meat and Alternatives or Milk and Alternatives OR ≥5% DV any essential nutrient except sodium
Centre of Plate (combination foods and side dishes)	LSS ⁷	≤450	≤10% of calories	≤480	≤15	≥1 serving of any one of Vegetables and Fruit, Grain Products (with 8 g whole grain or 2 g fibre), Meat and Alternatives or Milk and Alternatives OR ≥5% DV any essential nutrient except sodium
Complete Meals (main dishes and retail meal products that meet the “meal” regulatory definition)	LSS ⁷	≤500	≤10% of calories ²	≤600	≤17 ³ OR ≤12 ³	≥1 serving of Vegetables and Fruit or Grain Products (with 8 g whole grain or 2 g fibre) AND ≥1 serving of Meat and Alternatives or Milk and Alternatives OR ≥5% DV any essential nutrient except sodium
8. MEALS ON THE GO						
Meals On The Go	Meal	≤510	≤10% of calories meets Health Canada’s voluntary trans fat limits	≤660	≤20 ⁴ OR ≤15 ⁵	≥1 serving of Vegetables and Fruit or Grain Products (with 8 g whole grain or 2 g fibre) AND ≥1 serving of Meat and Alternatives or Milk and Alternatives

¹ The trans fat limit across all categories is 0 g labelled; for foods in the Milk and Alternatives and Meat and Alternatives categories that are served either as individual foods or as part of mixed dishes or meals, naturally occurring trans fats are permitted.

² Saturated fat from a cheese component present in a Complete Meal is not counted if the cheese component meets its corresponding Milk and Alternatives category criteria.

³ Sugars from qualifying Milk and Alternatives or Vegetables and Fruit products present in a Complete Meal are not counted, but the total sugars limit is set to account for sugars from all other items – the higher limit reflects when one such item is present and the limit is reduced if two such items are present.

⁴ Sugars from a beverage present in a meal are not counted if the beverage is a Milk and Alternatives category beverage and contains ≤25 g total sugars per 250 mL (consistent with the Milk and Alternatives category) or if it is 100% fruit juice; sugars from a yogurt or fruit product present in a meal are not counted if the product meets its corresponding Milk and Alternatives or Vegetables and Fruit category criteria and if the yogurt product is ≥175 g and ≤24 g total sugars (consistent with the Milk and Alternatives category) or if the fruit product is ≥½ serving fruit and contains no added sugar (consistent with the Vegetables and Fruit category).

⁵ If any combination of two or more of the above qualifying beverage, yogurt and fruit products are present in a meal, sugars from the products are not counted, but the total sugars limit is reduced to 15 g.

⁶ Any future changes to CFIA’s serving size guidance, or legislation by Health Canada, will require a review of the Uniform Nutrition Criteria by CAI Participants.

⁷ Labelled Serving Size

Appendix 4

Examples of Participants' 2016 Healthy Active Living Messaging, Initiatives and Programs

Campbell Company of Canada

- Campbell Canada continued to implement Labels for Education, a school fundraising program with a focus on encouraging healthy eating and living habits for children. Eligible registered schools can collect labels from participating Campbell products and redeem them for educational resources ranging from sports equipment and musical instruments to health and wellness videos and books. All Labels for Education communication is directed to adults (teachers and parents).

Coca-Cola Ltd.

- Coca-Cola has been a proud supporter of Breakfast Club of Canada for over 15 years. They provide Minute Maid 100% juices to over 1,400 Breakfast Club school programs, which serve over 25 million breakfasts annually. In 2016, Coca-Cola celebrated the second annual Minute Maid Breakfast Day in Canada to raise awareness about the importance of a balanced breakfast.
- Coca-Cola was among the first companies to provide calorie information on the front of its packages and played a leadership role in developing and implementing Clear on Calories, the beverage industry's voluntary national front-of-package labelling initiative to help Canadians make informed beverage choices for themselves and their families.
- Coca-Cola was a leader with the Canadian Beverage Association and the Conference Board of Canada on the Balance Calories Initiative, which has a goal of reducing the non-alcoholic beverage calories consumed per person in Canada by 20% by 2025. This industry initiative leverages each company's marketing and innovation strengths to increase access to beverages with reduced calories and smaller package sizes, and also to promote calorie balance where consumers purchase products.

General Mills Canada Corporation

- General Mills provides funding for nine school breakfast programs serving more than 2,100 children in First Nations, Métis and Inuit communities through Breakfast Club of Canada. The program delivers food, funds, equipment and training to schools in low-income communities, helping them serve 350,000 breakfasts each year.
- General Mills also provides support for a greenhouse project in a community devastated by flooding in Alberta, helping students and community members to sustainably grow nutritious food. Located at a school with an existing Breakfast Club of Canada program, the greenhouse serves members of an adjacent First Nations community struggling with poverty and food insecurity.
- As a member of Food & Consumer Products of Canada (FCPC), General Mills and 33 other food companies, in partnership with Health Canada, launched the Nutrition Facts Education Campaign (NFEC) in October 2010. The purpose of the NFEC is to increase the usage and understanding of the % Daily Value on the Nutrition Facts table. In 2015, the NFEC took on a new form with participation by retailers through the Retail Council of Canada and the Canadian Federation of Independent Grocers, which worked with General Mills and Health Canada to support one consistent set of messages that will amplify the campaign's impact and increase engagement with Canadian consumers. This next phase of the NFEC will have a simple, focused approach to help increase consumers' understanding and use of serving size information, together with the % Daily Value on the Nutrition Facts table.

Hershey Canada Inc.

- Hershey's promotes healthy active lifestyles through the Run Jump Throw Wheel program, which is delivered through Athletics Canada.

Kellogg Canada Inc.

- Kellogg Canada continued its support of the NFEC, an innovative collaboration between Health Canada, Food & Consumer Products Canada, and the Retail Council of Canada. The objectives of the NFEC are to increase Canadians' awareness, use and understanding of serving size and % Daily Value information on the Nutrition Facts table.
- Kellogg Canada has been a long-time supporter of hunger relief programs in Canada and around the world through its global Breakfasts for Better Days™ program. Since its launch in 2013, Kellogg Canada has provided more than 1.9 billion servings of cereal and snacks to those who need them most – surpassing the initial goal of one billion servings by 2016. In 2016, Kellogg Canada increased its commitment by setting a goal to create three billion Better Days for people worldwide by 2025.
- The company continued to commercialize support of the Kellogg's brand with in-market support of its Breakfasts for Better Days™ program, which encourages consumers to “Buy a box. Help give a child breakfast.” Specifically, for every box of cereal sold in Canada, Kellogg Canada donates a portion of the proceeds, up to a maximum of \$100,000, to its breakfast partners across the country.
- Building on the company's 10+ year partnership with Breakfast Club of Canada, Kellogg Canada provided funding to support and expand breakfast programs across the country. In addition, Kellogg Canada continued its longstanding support of Food Banks Canada (FBC) through product and financial donations. Furthermore, its support of FBC's After the Bell initiative helps provide children who are experiencing hunger during the summer months with increased access to much needed nutritious food.
- Kellogg Canada continued to support nutrition research through sponsorship of the Canadian Foundation for Dietetic Research.
- Kellogg Canada continued to play a role in the education of healthcare professionals. In 2016, the company shared the results of a new study

with dietitians, nurses and diabetes educators that quantifies the positive impact of increased fibre intake. The research demonstrated that if Canadian adults increased their intake of cereal fibre by just 1 gram per day, annual healthcare costs related to cardiovascular disease and type 2 diabetes could be reduced by up to \$143.2 million.

Kraft Canada Inc.

- For 12 years Kraft Heinz has brought communities together to rebuild infrastructure in their community through the contribution of over \$6 million to 166 communities. Vibrant and active communities start with better places to play. In fact, a study found that Canadians perceive that recreation services make a significant contribution to improved health (93%) and boost social cohesion (89%).¹
- This has been achieved through two key consumer programs, Kraft Heinz Project Play and Kraft Hockeyville.
- Kraft Heinz Project Play encourages Canadians to help build a better future by building better places to play. During the months of July and August, communities can nominate their local project for a chance to win a quarter of a million dollars towards upgrading a recreation facility. The program provides a platform for Canadians to showcase their community's unique contributions to sport. The submissions include a wide variety of recreational activities in Canada, from basketball to riding to Nordic skiing. Each submission motivates Canadians to participate in active living.
- Each January, Kraft Hockeyville invites Canadians to nominate their local arena for a chance to host an NHL® Pre-Season Game, win \$100,000 for arena upgrades, and also win the coveted Kraft Hockeyville title. Kraft Heinz knows communities build hockey and hockey builds communities in Canada. Kraft Hockeyville unites the spirit and passion of Canadian hockey communities, where the heart of Canada's game truly lives. The program is a chance for all Canadians from coast to coast to nominate, vote for and support their fellow neighbours in their town or city. Building a better world, one community at a time.

¹ Parks and Recreation Ontario. Public Opinion Survey, 2009 and Harper, J. Public Perceptions of and Attitudes towards Community Recreation and Parks Services in Canada, Recreation and Parks Matter. Prepared for the 2011 National Recreation Summit. lin.ca/sites/default/files/attachments/Harper_Jack%5B1%5D.pdf
See also: National Recreation Framework Working Group, “Pathways to Wellbeing: A National Framework for Recreation in Canada”, Ottawa: Canadian Parks and Recreation Association, April 2014. Page 8. <http://www.cpra.ca/UserFiles/File/EN/sitePdfs/initiatives/National%20Framework/PathwaystoWellbeing%20d3%20web.pdf>

Mars Canada Inc.

- Mars expanded its responsible marketing practices in 2016 with a new guideline designed to provide consumers a choice of products and promote responsible category consumption. Going forward, Mars will ensure cross-promotion bundles and licensed products that include Mars products do not exceed 250 calories or 50 grams of added sugar per serving.
- In 2016, Mars announced its commitment to remove artificial colours from its food portfolio by 2021. In Canada, Mars offers chewing gum products without artificial colours and sweeteners.
- In September 2016, Mars announced a new three-year national partnership with Ronald McDonald House Charities of Canada. Wrigley and Mars Chocolate will bring smiles to the faces of children and their families through volunteering and funding support.
- Mars Food operates with a core purpose in mind: “Better Food Today. A Better World Tomorrow.” Mars Food is committed to creating and promoting healthier food choices and to encouraging consumers to cook and share healthier meals with others. The Health and Wellbeing Ambition focuses on five main areas: improving nutritional content; providing consumers with more nutrition information to help them make more balanced meal choices; inspiring consumers to cook and eat healthy meals with friends and family; exploring new formats and opportunities to offer products in more places at affordable prices; and providing Mars Food Associates opportunities to improve well-being through nutrition education, cooking facilities, and healthier food options. Through these initiatives, Mars Food encourages families to share one billion more healthy meals at dinner tables around the world.

McDonald’s Restaurants of Canada Limited

- McDonald’s is proud to be a part of the Clinton Global Initiative and to partner with the Alliance for a Healthier Generation and the Clinton Foundation. Through this partnership, McDonald’s has made a global commitment to leveraging our menu and marketing power to educate, empower and encourage our guests to make informed choices so they can live a balanced, healthy lifestyle. Under this commitment, McDonald’s Canada promotes only water, milk and juice as the Happy Meal beverage

on menu boards and in restaurant and external advertising.

- In 2010, McDonald’s Canada was one of 34 leading food and beverage companies in Canada to launch the Nutrition Facts Education Campaign in partnership with Health Canada. The campaign is a consumer education initiative to help consumers better understand and use % Daily Value on the Nutrition Facts table.
- McDonald’s Canada is a proud supporter of Breakfast Club of Canada’s Leadership Camps, which have united over 5,000 children from across Canada to further foster their growth and development as young leaders in their communities.
- To support guests in making informed choices, McDonald’s was one of the first foodservice companies to display calorie information on our menu boards in all restaurants across Canada.
- Partnering with Hockey Canada, McDonald’s Canada is proud to support minor hockey in communities across the country by offering young players a unique opportunity to build their sense of teamwork and focus on the joy of playing. Through its Atom Hockey and Équipe McDo (in Quebec) house league hockey programs, McDonald’s Canada sponsors more than 53,000 Atom and Bantam players across Canada each year.
- In support of childhood literacy, McDonald’s Canada partnered with HarperCollins Publishers to introduce a book program so families can choose a book or a toy with their Happy Meal purchase. Over 1.5 million children’s books were distributed through the program, which aims to foster in children a deeper love of reading and encourage families to share storytime together.

Mondelēz Canada

- Mondelēz Canada continued to partner with Boys and Girls Clubs of Canada to support its Cool Moves program, which provides education to children aged 7 to 12 about healthy eating, nutritious snacks and active play.
- Mondelēz Canada also continues to support the United Way and directs all corporate donations to children’s programs focused on increasing access to healthy food and snacks, and active play.
- As a partner of Food Banks Canada, Mondelēz Canada continued its commitment to helping FBC

secure fresh food for Canadians and expand its national fresh food program.

- Mondēlez Canada is a supporter of the NFEC, a collaborative partnership between Health Canada and FCPC to help Canadians better understand the Nutrition Facts table and make informed choices.

Nestlé Canada Inc.

- Nestlé is a partner of the Canada Agriculture and Food Museum (CAFM). As part of this partnership, Nestlé is the title sponsor of the Nestlé Good Food, Good Life Learning Lab and the exhibition entitled *Food Preservation: The Science You Eat*. This exhibit highlights the role science plays in delaying food decay and keeping food nutritious and safe from farm to fork. In this interactive museum experience, visitors can explore the fascinating world of food preservation, both at home and in larger-scale operations.
- As well, the CAFM has developed a program that will educate kids in classrooms across Canada about the importance of healthy eating and physical activity. The Healthy Kids Quest is a free resource package for teachers and community group leaders aimed at encouraging young people to make healthy lifestyle choices. This resource package is part of the CAFM's five-year commitment to food literacy. The program was developed by the CAFM with support from Nestlé Canada and the Government of Canada.
- Nutritional Compass – All of Nestlé's packaging includes information to help consumers make informed choices by highlighting a nutrient such as calcium, or an ingredient such as whole grain, and discussing how the product fits into an overall diet.
- Nestlé is a founding sponsor of Kids Help Phone, a national, bilingual, 24-hour, toll-free telephone and e-mail counselling service that provides the immediate support children and youth need and deserve.
- Nestlé Canada donates regularly to Food Banks Canada.
- Nutrition Facts Education Campaign – Nestlé is a supporter of the NFEC, a collaborative program between Health Canada and FCPC to help Canadians better understand the Nutrition Facts table and % Daily Value.
- Nestlé Canada is committed to helping Canadians make informed food choices and has Guideline Daily Amounts for calories on the front of its packaging and information to encourage responsible portions on all of its children and all-family products. Between

2014 and 2016, Nestlé Canada reduced sodium and saturated fat by 10% and sugar by 8% across its portfolio and has committed to achieve further reductions by the end of 2020.

Parmalat Canada Inc.

- Parmalat Canada is a founding sponsor of Kids Help Phone, a national, bilingual, 24-hour, toll-free telephone and e-mail counselling service that provides the immediate support children and youth need and deserve.
- In order to help consumers make informed choices about the snack foods they consume, Black Diamond Cheestrings revised the front of package health benefit information on its packages.

Pepsico Canada ULC

- PepsiCo's Performance with Purpose agenda for the coming decade is focused on three core priorities:
 - Helping to improve health and well-being through the products it sells.
 - Protecting our planet.
 - Empowering people around the world.
- Across its business and in partnership with others, PepsiCo is taking a holistic approach to achieving progress in all three areas. The company's plans have been informed by current scientific research, consumer expectations and dialogue with key stakeholders, as well as by the United Nations' 2030 Agenda for Sustainable Development. In pursuing these goals, the company's actions will be consistent with responsible capital allocation, commitment to its financial targets, and the creation of shareholder value. The company believes that achieving these goals will enhance its long-term financial performance and returns. Full details about PepsiCo's Performance with Purpose agenda and specific goals by priority can be found at www.pepsico.com
- PepsiCo partnered with the beverage industry to launch Clear on Calories, a front of pack caloric labelling initiative designed to help Canadians understand the caloric content of beverages so they can make more informed purchasing and consumption decisions for themselves and their families.
- PepsiCo supported charitable organizations and program sponsorships including: the YMCA Strong Kids events, Food Banks Canada, United Way, and ONEXONE First Nations breakfast program.

- PepsiCo supports nutrition research through sponsorship of the Canadian Foundation for Dietetic Research.
- PepsiCo complies with voluntary guidelines through the Canadian Beverage Association regarding the sale of healthier beverages in schools, ensuring that students have greater access to nutritious and lower-calorie beverages.
- PepsiCo Beverages Canada partnered with the beverage industry, the Canadian Beverage Association and the Conference Board of Canada to launch a new beverage industry effort called the Balance Calories Initiative, the goal of which is to reduce per capita beverage calories consumed by 20% by 2025.

Post Foods Canada Inc.

- In an effort to fight hunger in its communities, Post continued to be a proud supporter of food banks across Canada. In 2016, Post donated over 600,000 bowls of cereal and many volunteer hours to help schoolchildren and families have a healthy and nutritious start to their day through the Breakfast Club of Canada.
- To support social services in its communities, Post continued to proudly fundraise for United Way, an organization dedicated to creating opportunities people need to improve their lives and build a better future.

Appendix 5

CAI Core Principles (updated January 2016)

Our Vision

The food and beverage industry in Canada is committed to advertising and marketing products to Canadian children in a responsible way to help prepare them to make wise decisions about nutrition and health. We recognize that the special nature and needs of children requires particular care and diligence on the part of advertisers.

Our Commitment

The food and beverage industry plays a significant role in supporting the health of Canadians, especially children. Accordingly, companies participating in this initiative are committed to shifting their children’s advertising and marketing emphasis to foods and beverages that are consistent with the principles of sound nutrition guidance, including those that are lower in total calories, fats, salt and added sugars and that are higher in nutrients that are significant to public health.

These commitments are realized through the five Core Principles that follow. The principles have been expanded, since they were first developed in 2007, to reflect the ongoing commitment of the Participants to continue to broaden their efforts to support healthier dietary choices and healthy lifestyles to children under 12 years of age.

Core Principles

Advertising messaging and content

Participants commit that 100% of their television, radio, print and Internet advertising directed primarily to children under 12 years of age¹ will be for products that represent healthier dietary choices (better-for-you products) pursuant to the Canadian Children’s Food and Beverage Advertising Initiative’s category-specific Uniform Nutrition Criteria, set out in the *Uniform Nutrition Criteria White Paper*. Alternatively, they may commit to not direct advertising primarily to children under 12 years of age².

¹ Measured in media impressions at the time the advertising is purchased, as determined by reliable third-party data such as Numeris ratings for TV and radio, ComScore for Internet, Vividata for print, COMB (Canadian Out-of-Home Measurement Bureau) for outdoor and others. The commitment will be calculated separately for each advertising medium. Measurement of advertising on company-owned websites will be determined in accordance with standards established as part of the company’s commitment.

² Participants also are encouraged to disseminate healthy lifestyle messaging. This could include messaging that encourages physical activity or good dietary habits, consistent with established scientific and/or government standards.

Child-Directed Content

This principle also applies to advertising that is directed primarily to children in the following media:

- company-owned websites or micro-sites directed primarily to children under 12 years of age;
- video and computer games rated Early Childhood (EC), which are inherently directed primarily to children under 12, and other games that are age-graded on the label and packaging as being directed primarily to children under 12;
- DVDs of movies that are rated “G”, whose content is directed primarily to children under 12, and other DVDs whose content is directed primarily to children under 12;
- mobile media such as cellphones, smartphones, tablets, other personal digital devices, and through word of mouth³ where advertising on those media is directed primarily to children under 12.

Use of Products in Interactive Games

Participants commit that, in any interactive game directed primarily to children under 12 (in whatever format: online, disk or cartridge), where the company’s food or beverage products are incorporated into the game, the interactive game must incorporate or be accompanied by products representing better-for-you products.

Use of Licensed Characters, Celebrities and Movie Tie-ins

While the use of licensed characters, celebrities and movie tie-ins is already restricted in children’s broadcast advertising⁴, Participants also commit to ensure that their use of third-party licensed characters, celebrities and movie tie-ins in advertising that appears in other media directed primarily to children under 12⁵ complies with the messaging and content principles set out above.

Product Placement

Participating companies commit to not paying for or actively seeking to place their food or beverage products in the program/editorial content of any medium directed primarily to children under 12 for the purpose of promoting the sale of those products.

Advertising in Schools

Participating companies remain committed to adhering to standards established by schools individually and by school boards overall. Furthermore, Participants commit to not advertise food or beverage products in elementary schools – pre-kindergarten through Grade 6⁶.

Implementation

Each participating company formalizes and publishes an individual plan, commitment details, and implementation schedule that have been approved by Ad Standards, the program administrator. A copy of each participating company’s current commitment document is posted on the Canadian Children’s Food and Beverage Advertising Initiative section of Ad Standards’ website:

adstandards.ca/childrensinitiative

Auditing and Enforcement

The plans for each participating company, including their specific commitments, are established in consultation with Ad Standards.

Ad Standards is responsible for auditing commitments by participating companies. In order to confirm compliance by participating companies, auditing includes the review of advertising materials, product information, and media impression information submitted to Ad Standards on a confidential basis.

Ad Standards publishes annual Compliance Reports identifying those companies that meet/exceed their commitments, as well as those who have failed to do so. Ad Standards also responds to all public inquiries relating to these Reports.

³ 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 branded food or beverage products or to promote discussion of such products, and the advertising is directed primarily to children under 12 years of age.

⁴ *The Broadcast Code for Advertising to Children* – Clause 7: Promotion by Program Characters, Advertising-Generated Characters, and Personal Endorsements.

⁵ This commitment does not extend to the use of licensed characters on packaging, provided the packaging does not appear in advertising directed to children under 12. This limitation will not apply to the use of company-created/owned characters.

⁶ This limitation will not apply to displays of food and beverage products, charitable/not-for-profit activities, including fundraising, public service messaging and educational programs.

Appendix 6

Framework for Regulating Children’s Advertising in Canada[†]

Overview

Canada has a robust framework for regulating children’s advertising, including both regulatory and self-regulatory components. Children’s food and beverage commercials are subject to *The Broadcast Code for Advertising to Children (Children’s Broadcast Code)*. Adherence to the *Children’s Broadcast Code*, which requires preclearance of each children’s commercial by ASC’s Children’s Clearance Committee in advance of airing, is a condition of broadcast licence by the Canadian Radio-television and Telecommunications Commission (CRTC). In accordance with the provisions of the *Children’s Broadcast Code*, the Children’s Clearance Committee includes industry and parent representatives, as well as a CRTC representative. In addition, prior to broadcast, each children’s food and beverage commercial undergoes a separate technical review to ensure compliance with the applicable provisions of the federal *Food and Drugs Act* and *Regulations* and the Canadian Food Inspection Agency’s *Food Labelling for Industry*.

In addition, all children’s television commercials must receive clearance from Telecaster services of think**tv** prior to being aired by its private broadcaster members. In accordance with think**tv**’s Rating Code Guideline, Telecaster assigns a “C” rating to commercials approved by ASC’s Children’s Clearance Committee. The “C” rating informs the member broadcasters that a commercial has received approval from ASC’s Children’s Clearance Committee and that the commercial may air during children’s programming.

Canada’s self-regulatory system also includes a rigorous system for responding to consumer complaints about advertisements in all media, including the Internet, under the provisions of the *Canadian Code of Advertising Standards (Code)*, which covers all media. The *Code* and its *Interpretation Guidelines* include special provisions regarding advertising to children.



Excerpts from *The Broadcast Code for Advertising to Children*

II. The Code

1. Definitions

- (a) “Children’s Advertising” refers to any paid commercial message that is carried in or immediately adjacent to a children’s program. Children’s advertising also includes any commercial message that is determined by the broadcaster as being directed to children and is carried in or immediately adjacent to any other program.
- (b) Children – “Children” refers to persons under 12 years of age.
- (c) A Child Directed Message – “A child directed message” refers to a commercial message on behalf of a product or service for which children are the only users or form a substantial part of the market as users, and the message (i.e. language, selling points, visuals) is presented in a manner that is directed primarily to children.
- (d) Children’s Program – A “children’s program” refers to a program that is directed to the under-12 audience, as defined by the broadcaster.

[†] The Quebec *Consumer Protection Act* prohibits advertising in that province to children under the age of 13.

- (e) Commercial Message – A “commercial message” has the same meaning as that defined in the Television Broadcasting Regulations, 1987.
- (f) Premium – A “premium” is anything offered with or without additional cost, and is conditional upon the purchase of the advertiser’s regular product or service.
- (g) The Code – This Code shall be known as “The Broadcast Code for Advertising to Children” and shall hereinafter be referred to as “the Code”.

2. Jurisdiction

All Children’s advertising must conform to the Code, be precleared in accordance with the procedures set out from time to time by the ASC and have the requisite ASC clearance number.

3. Factual Presentation

- (a) No children’s advertising may employ any device or technique that attempts to transmit messages below the threshold of normal awareness.
- (b) Written, sound, photographic and other visual presentations must not exaggerate service, product or premium characteristics, such as performance, speed, size, colour, durability, etc.
- (c) The relative size of the product must be clearly established.
- (d) When children’s advertising shows results from a drawing, construction, craft or modelling toy or kit, the results should be reasonably attainable by an average child.
- (e) The words “new”, “introducing”, “introduces” or similar words may be used in the same context in any children’s advertising for a period of up to one year only.

4. Product Prohibitions

- (a) Products not intended for use by children advertised either directly or through promotions that are primarily child-oriented.
- (b) Drugs, proprietary medicines and vitamins in any pharmaceutical form, with the exception of children’s fluoride toothpastes.

5. Avoiding Undue Pressure

- (a) Children’s advertising must not directly urge children to purchase or urge them to ask their parents to make inquiries or purchases.

- (b) Direct response techniques that invite the audience to purchase products or services by mail or telephone are prohibited in children’s advertising.
- (c) In children’s advertising which promotes premiums or contests, the product must receive at least equal emphasis. Promotion of the premium or contest must not exceed one-half of the commercial time. In promoting contests which have an age restriction that excludes children, this must be made clear orally or visually.

6. Scheduling

- (a) The same commercial message or more than one commercial message promoting the same product cannot be aired more than once in a half-hour children’s program. In children’s programs of longer duration, the same commercial message or more than one commercial message promoting the same product must not appear more than once in any half-hour period.
- (b) No station or network may carry more than four minutes of commercial messages in any one half-hour of children’s programming or more than an average of 8 minutes per hour in children’s programs of longer duration.
- (c) In children’s programs, only paid commercial messages are included in the four minutes per half-hour limitation. Promotions and public service announcements may occupy the time difference between the Code limit and the CRTC regulation limit. Broadcasters will, however, consider the appropriateness of the content of public service announcements before scheduling in children’s programs.
- (d) For the purposes of this section, the time devoted to the broadcasting of a children’s program includes any time devoted to a commercial message that is inserted within the program and/or immediately adjacent to the end of the program and also includes any time devoted to a child-directed commercial message inserted between the end of the program and the beginning of the following program.

7. Promotion by Program Characters, Advertiser-Generated Characters, and Personal Endorsements

- (a) Puppets, persons and characters (including cartoon characters) well-known to children and/

or featured on children’s programs must not be used to endorse or personally promote products, premiums or services. The mere presence of such well-known puppets, persons or characters in a commercial message does not necessarily constitute endorsement or personal promotion. (For example, film clips or animation are acceptable as a mood or theme-setting short introduction to commercial messages before presenting the subject of the commercial message itself.) These puppets, persons and characters may not handle, consume, mention or endorse in any other way the product being advertised.

- (b) This prohibition does not apply to puppets, persons and characters created by an advertiser which may be used by advertisers to sell the products they were designed to sell as well as other products produced by the same advertiser or by other advertisers licensed to use these characters for promotional purposes.
- (c) Professional actors or announcers who are not identified with characters in programs appealing to children may be used as spokespersons in advertising directed to children.
- (d) Puppets, persons and characters well-known to children may present factual and relevant generic statements about nutrition, safety, education, etc. in children’s advertising.

8. Price and Purchase Terms

- (a) Price and purchase terms, when used, must be clear and complete. When parts or accessories that a child might reasonably suppose to be part of the normal purchase are available only at extra cost, this must be made clear in audio and video.
- (b) The cost must not be minimized as by the use of “only”, “just”, “bargain price”, “lowest price(s)”, etc.
- (c) The statement in audio, “it has to be put together” or a similar phrase in language easily understood by children must be included when it might normally be assumed that the article would be delivered assembled.
- (d) When more than one toy is featured in a commercial message it must be made clear in audio and video, which toys are sold separately (this includes accessories).

9. Comparison Claims

- (a) Commercial messages shall not make comparisons with a competitor’s product or service when the effect is to diminish the value of other products or services.
- (b) In the case of toys or children’s possessions, comparisons should not be made with the previous year’s model, even when the statements or claims are valid.

10. Safety

- (a) Commercial messages, except specific safety messages, must not portray adults or children in clearly unsafe acts or situations (e.g. the use of flame or fire is not permitted in children’s advertising).
- (b) Commercial messages must not show products being used in an unsafe or dangerous manner (e.g. tossing a food item into the air and attempting to catch it in the mouth, etc.).

11. Social Values

- (a) Children’s advertising must not encourage or portray a range of values that are inconsistent with the moral, ethical or legal standards of contemporary Canadian society.
- (b) Children’s advertising must not imply that possession or use of a product makes the owner superior or that without it the child will be open to ridicule or contempt. This prohibition does not apply to true statements regarding educational or health benefits.

Interpretation Guidelines for Clause 11

- i. Child-directed messages for food products in broadcast advertising that are inconsistent with the pertinent provisions of the *Food and Drugs Act* and *Regulations*, or the Canadian Food Inspection Agency’s *Food Labelling for Industry* shall be deemed to violate Clause 11 (Social Values) of *The Broadcast Code for Advertising to Children*. This *Interpretation Guideline* is intended, among other purposes, to ensure that advertisements representing mealtime clearly and adequately depict the role of the product within the framework of a balanced diet, and

snack foods are clearly presented as such, not as substitutes for meals.*

- ii. Every “child-directed message” for a product or service should encourage responsible use of the advertised product or service with a view toward the healthy development of the child.**
- iii. Advertising of food products should not discourage or disparage healthy lifestyle choices or the consumption of fruits or vegetables, or other foods recommended for increased consumption in *Canada’s Food Guide to Healthy Eating*, and Health Canada’s nutrition policies and recommendations applicable to children under 12.**
- iv. The amount of food product featured in a “child-directed message” should not be excessive or more than would be reasonable to acquire, use or, where applicable, consume, by a person in the situation depicted.**
- v. If an advertisement depicts food being consumed by a person in the advertisement, or suggests that the food will be consumed, the quantity of food shown should not exceed the labelled serving size on the Nutrition Facts Panel (where no such serving size is applicable, the quantity of food shown should not exceed a single serving size that would be appropriate for consumption by a person of the age depicted).**

12. Substantiation Required

Where measurable claims are made regarding specific products - performance, safety, speed, durability, etc., the advertiser must be prepared on request to provide the Children’s Advertising Section with evidence supporting such claims, and/or a sample of the product.

13. Assessment

Each commercial message shall be judged on its individual merit.

Excerpts from the *Canadian Code of Advertising Standards*

1. Accuracy and Clarity

In assessing the truthfulness and accuracy of a message, advertising claim or representation under Clause 1 of the *Code* the concern is not with the intent of the sender or precise legality of the presentation. Rather the focus is on the message, claim or representation as received or perceived, i.e. the general impression conveyed by the advertisement.

- (a) Advertisements must not contain, or directly or by implication make, inaccurate, deceptive or otherwise misleading claims, statements, illustrations or representations.
- (b) Advertisements must not omit relevant information if the omission results in an advertisement that is deceptive or misleading.
- (c) All pertinent details of an advertisement must be clearly and understandably stated.
- (d) Disclaimers and asterisked or footnoted information must not contradict more prominent aspects of the message and should be located and presented in such a manner as to be clearly legible and/or audible.
- (e) All advertising claims and representations must be supported by competent and reliable evidence, which the advertiser will disclose to ASC upon its request. If the support on which an advertised claim or representation depends is test or survey data, such data must be reasonably competent and reliable, reflecting accepted principles of research design and execution that characterize the current state of the art. At the same time, however, such research should be economically and technically feasible, with regard to the various costs of doing business.
- (f) The advertiser must be clearly identified in the advertisement, excepting the advertiser of a “teaser advertisement” as that term is defined in the *Code*.

* April 2004

** September 2007

Note: These Guidelines do not form part of the *Code*. They are intended to provide guidance regarding the interpretation and application of Clause 11 to food product advertising.

2. Disguised Advertising Techniques

No advertisement shall be presented in a format or style that conceals the fact that it is an advertisement.

3. Price Claims

- (a) No advertisement shall include deceptive price claims or discounts, unrealistic price comparisons or exaggerated claims as to worth or value. “Regular Price”, “Suggested Retail Price”, “Manufacturer’s List Price” and “Fair Market Value” are deceptive terms when used by an advertiser to indicate a savings, unless they represent prices at which, in the market place where the advertisement appears, the advertiser actually sold a substantial volume of the advertised product or service within a reasonable period of time (such as six months) immediately before or after making the representation in the advertisement; or offered the product or service for sale in good faith for a substantial period of time (such as six months) immediately before or after making the representation in the advertisement.
- (b) Where price discounts are offered, qualifying statements such as “up to”, “XX off”, etc., must be in easily readable type, in close proximity to the prices quoted and, where practical, legitimate regular prices must be included.
- (c) Prices quoted in advertisements in Canadian media, other than in Canadian funds, must be so identified.

4. Bait and Switch

Advertisements must not misrepresent the consumer’s opportunity to purchase the goods and services at the terms presented. If supply of the sale item is limited, or the seller can fulfill only limited demand, this must be clearly stated in the advertisement.

5. Guarantees

No advertisement shall offer a guarantee or warranty, unless the guarantee or warranty is fully explained as to conditions and limits and the name of the guarantor or warrantor is provided, or it is indicated where such information may be obtained.

6. Comparative Advertising

Advertisements must not unfairly discredit, disparage or attack one or more products, services, advertisements,

companies or entities, or exaggerate the nature or importance of competitive differences.

7. Testimonials

Testimonials, endorsements or other representations of opinion or preference must reflect the genuine, reasonably current opinion of the individual(s), group or organization making such representations, must be based upon adequate information about or experience with the identified product or service and must not otherwise be deceptive.

8. Professional or Scientific Claims

Advertisements must not distort the true meaning of statements made by professionals or scientific authorities. Advertising claims must not imply that they have a scientific basis that they do not truly possess. Any scientific, professional or other authoritative claims or statements must be applicable to the Canadian context, unless otherwise clearly stated.

9. Imitation

No advertiser shall imitate the copy, slogans or illustrations of another advertiser in such a manner as to mislead the consumer.

10. Safety

Advertisements must not, without reason justifiable on educational or social grounds, display a disregard for safety by depicting situations that might reasonably be interpreted as encouraging unsafe or dangerous practices or acts.

11. Superstitions and Fears

Advertisements must not exploit superstitions or play upon fears to mislead the consumer.

12. Advertising to Children

Advertising that is directed to children must not exploit their credulity, lack of experience or their sense of loyalty, and must not present information or illustrations that might result in their physical, emotional or moral harm.

Child-directed advertising in the broadcast media is separately regulated by *The Broadcast Code for Advertising to Children*, also administered by ASC. Advertising to children in Quebec is prohibited by the *Quebec Consumer Protection Act*.

13. Advertising to Minors

Products prohibited from sale to minors must not be advertised in such a way as to appeal particularly to persons under legal age, and people featured in advertisements for such products must be, and clearly seen to be, adults under the law.

14. Unacceptable Depictions and Portrayals

It is recognized that advertisements may be distasteful without necessarily conflicting with the provisions of this Clause 14; and the fact that a particular product or service may be offensive to some people is not sufficient grounds for objecting to an advertisement for that product or service.

Advertisements shall not:

- (a) condone any form of personal discrimination, including discrimination based upon race, national or ethnic origin, religion, gender identity, sex or sexual orientation, age or disability;
- (b) appear in a realistic manner to exploit, condone or incite violence; nor appear to condone, or directly encourage, bullying; nor directly encourage, or exhibit obvious indifference to, unlawful behaviour;
- (c) demean, denigrate or disparage one or more identifiable persons, group of persons, firms, organizations, industrial or commercial activities, professions, entities, products or services, or attempt to bring it or them into public contempt or ridicule;
- (d) undermine human dignity; or display obvious indifference to, or encourage, gratuitously and without merit, conduct or attitudes that offend the standards of public decency prevailing among a significant segment of the population.

Interpretation Guideline #2 to the Canadian Code of Advertising Standards

2.1 As used in Clause 12 of the *Code*, the phrase “advertising that is directed to children”, (advertising to children), includes a commercial message on behalf of a product or service for which children are the only users or form a substantial part of the market as users, and the message (i.e. language, selling points, visuals) is presented in a manner that is directed primarily to children under the age of 12.

2.2 Advertising to children that appears in any medium (other than the media specifically excluded under the *Code* from the definition “medium” and from the application of the *Code*) shall be deemed to violate Clause 12 of the *Code* if the advertising does not comply with any of the following principles or practices:

a. Food Product Advertising to Children

- i. Food product advertising addressed to children must not be inconsistent with the pertinent provisions of the *Food and Drugs Act* and *Regulations* and the Canadian Food Inspection Agency’s *Food Labelling for Industry (CFIA Industry Labelling Tool)*. This *Code Interpretation Guideline* is intended, among other purposes, to ensure that advertisements representing mealtime clearly and adequately depict the role of the advertised product within the framework of a balanced diet, and that snack foods are clearly presented as such, not as substitutes for meals.
(April 2004)

b. Healthy, Active Living

- i. Advertising to children for a product or service should encourage responsible use of the advertised product or service with a view toward the healthy development of the child.
- ii. Advertising of food products should not discourage or disparage healthy lifestyle choices or the consumption of fruits or vegetables, or other foods recommended for increased consumption in *Canada’s Food Guide to Healthy Eating*, and in Health Canada’s nutrition policies and recommendations applicable to children under 12.

c. Excessive Consumption

- i. The amount of product featured in food advertising to children should not be excessive or more than would be reasonable to acquire, use or, where applicable, consume, by a person in the situation depicted.
- ii. If an advertisement depicts food being consumed by a person in the advertisement, or suggests that the food will be consumed, the quantity of food shown should not exceed

the labelled serving size on the Nutrition Facts Panel (where no such serving size is applicable, the quantity of food shown should not exceed a single serving size that would be appropriate for consumption by a person of the age depicted).

d. Factual Presentation

- i. Audio or visual presentations must not exaggerate service, product or premium characteristics, such as performance, speed, size, colour, durability, etc.
- ii. Advertising to children must not misrepresent the size of the product.
- iii. When showing results from a drawing, construction, craft or modelling toy or kit, the results should be reasonably attainable by an average child.
- iv. The words “new”, “introducing” and “introduces” or similar words may be used in the same context in any children’s advertising for a period of up to one year only.

e. Product Prohibitions

- i. Products not intended for use by children may not be advertised either directly or through promotions that are primarily child-oriented.
- ii. Drug products, including vitamins, may not be advertised to children, with the exception of children’s fluoride toothpastes.

f. Avoiding Undue Pressure

- i. Children must not be directly urged to purchase or to ask their parents to make inquiries or purchases.

g. Price and Purchase Terms

- i. Price and purchase terms, when used in advertising directed to children, must be clear and complete. When parts or accessories that a child might reasonably suppose to be part of the normal purchase are available only at extra cost, this must be clearly communicated.
- ii. The costs of goods, articles or services in advertising directed to children must not be minimised, as by the use of “only”, “just”, “bargain price”, “lowest price(s)”, etc.
- iii. The statement “it has to be put together” or a similar phrase in language easily understood

by children must be included when it might normally be assumed that an article featured in advertising directed to children would be delivered assembled.

- iv. When more than one product is featured in advertising directed to children, it must be made clear in the advertising which of the products are sold separately (this includes accessories).

h. Comparison Claims

- i. In advertising to children, no comparison may be made with a competitor’s product or service when the effect is to diminish the value of other products or services.

i. Safety

- i. Adults or children must not be portrayed in clearly unsafe acts or situations except where the message primarily and obviously promotes safety.
- ii. Products must not be shown being used in an unsafe or dangerous manner (e.g. tossing a food item into the air and attempting to catch it in the mouth).

j. Social Values

- i. A range of values that are inconsistent with the moral, ethical or legal standards of contemporary Canadian society must not be encouraged or portrayed.
- ii. Advertising to children must not imply that, without the advertised product, a child will be open to ridicule or contempt; or that possession or use of a product makes the owner superior (this latter prohibition does not apply to true statements regarding educational or health benefits).

k. General

- i. Advertising to children must:
 - use age-appropriate language that is easily understandable by children of the age to whom the advertisement is directed;
 - refrain from using content that might result in harm to children;
 - collect only the information reasonably required to allow children to engage in the activity, e.g. collect only the minimal

amount of personal information sufficient to determine the winner(s) in contests, games or sweepstakes-type of advertising to children;

- limit the advertiser's right to deal with anyone other than the parents or guardians of children who win a contest, game or sweepstakes promotion;
- require children to obtain their parent's and/or guardian's permission before they provide any information; and make reasonable efforts to ensure that parental consent is given;
- refrain from using the data collected from children to advertise and promote products or services other than those designed for/ appropriate for children;
- not attempt to collect from children data related to the financial situation or the privacy of any member of the family. Furthermore, advertisers must not, and must not ask for permission to, disclose personal information that may identify children to third parties without obtaining prior consent from parents, unless authorized by law. For this purpose, third parties do not include agents or others who provide support for operational purposes of a website and who do not use or disclose a child's personal information for any other purpose.

(April 2006)

I. Assessment

- i. Each advertisement shall be judged on its individual merit.

(January 2007)



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