



# RESPONSIBLE ADVERTISING OF FOOD AND BEVERAGE PRODUCTS TO CHILDREN

Annual Report (2025)

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# Introduction

Ad Standards is pleased to present this second report of its work in administering the *Code for Responsible Advertising of Food and Beverage Products to Children (Industry Code)*, which sets restrictions on advertising to help ensure responsible advertising of food and beverage products in Canada.

The Industry Code relies on a combination of preclearance and complaints, which together establish the standards and drive compliance. Both preclearance and complaints are administered by Ad Standards. Ad Standards is Canada's advertising self-regulator and an independent body responsible for ensuring that advertising on all media is responsible, truthful, fair and accurate. Sitting at the intersection between the public, government agencies and regulators, and the advertising industry, Ad Standards brings a unique and specialized perspective to its skills of advertising analysis and employs multiple checks and balances to ensure the Industry Code is applied in a way that is transparent and accountable.

It is part of Ad Standards' mandate to report annually on its work in the administration of the Industry Code, including the preclearance activity and complaints received under the Industry Code.

Through 2025, the advertising industry worked diligently to update the Industry Code and its accompanying **Guide to the Children's Food and Beverage Advertising Code** (Guide) to ensure their language matched the intention of the drafters. After more than two years of experience with the documents, it was thought that some adjustments to the text would make it clearer in its scope and intent.

To that end, beginning January 2026, the Industry Code now has a new name: the **Code for the Restriction of Food and Beverage Product Advertising to Children**. This better articulates the nature of the requirements on advertisers. The updated language makes it clear that the Industry Code establishes an industry-wide mandatory prohibition on food and beverage product advertising primarily directed to children, with limited nutrition-based exceptions.

This report uses the original industry code as the basis for reporting, as that was the code in effect throughout 2025. It also outlines the changes to the code that now apply.

We are very pleased to share this second annual report to provide transparency to all stakeholders.



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**Catherine Bate**  
President & CEO



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**Shelley Samel**  
Chief Legal Officer

# The Role of Ad Standards in Implementing the Industry Code

As described in the Inaugural Report related to the Industry Code, Ad Standards is committed to fostering confidence in Canadian advertising and to ensuring the integrity and viability of advertising through effective industry self-regulation. As an independent, not-for-profit body, Ad Standards administers the *Canadian Code of Advertising Standards*, the principal instrument of advertising self-regulation in Canada, and a national mechanism for accepting and responding to consumer complaints about ads. Ad Standards Clearance Services reviews creative and offers consultative services in six categories to help ensure advertising complies with relevant regulations and industry codes.

The food and beverage industry, and specifically the four industry associations leading the program from the industry — Association of Canadian Advertisers (ACA), Food, Health and Consumer Products Canada (FHCP), Canadian Beverage Association (CBA), and Restaurants Canada — appointed Ad Standards to administer the Industry Code. Ad Standards' role in administering the Industry Code mirrors our work in other sectors and, specifically, is achieved through industry education, preclearance and complaints-based enforcement.

An overview of Ad Standards work in administering the Industry Code is outlined below.

## DID YOU KNOW?

### **The Industry Code has a new name starting in 2026!**

The *Code for Responsible Advertising of Food and Beverage Products to Children* will now be called the *Code for the Restriction of Food and Beverage Product Advertising to Children*.

This addresses a previous misunderstanding by some, implied by the former title, that food and beverage products could be advertised responsibly to children and the code was a roadmap for how to do so. In fact, the vast majority of food and beverage products cannot be advertised to children under this code.

Look for the new name in Ad Standards' 2026 report.

## Industry Training

Since the Industry Code launched, Ad Standards continues to offer presentations and webinars related to the Industry Code. Throughout 2025, our awareness and education activities included presentations to industry, social media posts, and other outreach. We specifically highlight the Industry Code as a category for consumer complaints on our website. Given the changes to the Industry Code in 2026, we have planned more presentations designed to educate industry.

## Preclearance

Preclearance by Ad Standards, as an independent third party, provides advertisers with assurance that an ad complies with the Industry Code in that the ad is not child-directed or, where it meets specific nutrient criteria, that it is advertised responsibly. Preclearance is recommended within the Industry Code because compliance with the code is mandatory for all advertisers (see Compliance & Enforcement below).

Ad Standards has developed a robust preclearance mechanism to ensure compliance with the Industry Code. As with all areas of preclearance by Ad Standards, two analysts who have undergone training specific to this category review each piece of creative for thoroughness and consistency. Our analysts review submitted



advertisements in all media to determine whether or not an ad is primarily directed to children according to the criteria established in the Industry Code and Guide.

In each instance of non-approval, our analysts work with the submitters by providing directional suggestions and reviewing revisions to assist the submitter in reaching compliance, where compliance is achievable.

Ads that are precleared and deemed to be compliant with the Industry Code are not subject to complaint.

## Compliance & Enforcement

Ad Standards promotes compliance with the Industry Code through a complaints-based enforcement mechanism. Like Ad Standards' *Canadian Code of Advertising Standards*, reporting and compliance with the Industry Code apply to all advertisers in all media regardless of whether the advertiser signs on to the code and regardless of membership in Ad Standards or in any industry association.

For complaints related to an advertisement that has been precleared by Ad Standards Clearance Services, as described above, and determined not to be primarily directed to children under the age of 13, the complainant will be advised that the ad is compliant and no further action will be taken.

For complaints related to advertisements that were not previously approved by Ad Standards Clearance Services under the Industry Code, these complaints are reviewed and adjudicated by the Director, Clearance Services, an analyst with experience in the preclearance of food advertising, children’s advertising, and/or advertising under the Industry Code, and the Chief Legal Officer.

If an advertiser fails to comply with a decision requiring the advertiser to withdraw or amend their advertisement, Ad Standards will notify carrying media that the advertisement violates the Industry Code and seek their assistance to remove the ad from circulation/display/publication. Ad Standards will also name the advertiser in its annual compliance report and may post a notice of noncompliance on its website.

## **Adding New Nutrient Criteria for Specific Eligible Foods**

Since launch of the Industry Code, there have been no submissions to Ad Standards for consideration of a new food/beverage for eligibility for unique nutrient criteria. In the update to the Industry Code, the unique nutrient criteria for ‘cereals’ were removed.



## Overview of the Self-Regulation of Children’s Food and Beverage Advertising in Canada

Canada has one of the strongest frameworks in the world for regulating food and beverage advertising primarily directed to children under 13 years of age.

Canada’s system starts with preclearance of food and beverage advertisements under the Industry Code and Guide. Under this national standard, only food and beverages that meet specified nutrition criteria may be advertised in a manner that is primarily directed to children under the age of 13.

Next, the system includes the preclearance of food and beverages under the provisions of the Food and Drugs Act and the Canadian Food Inspection Agency’s Food Labelling for Industry (CFIA Industry Labelling Tool).

Additionally, children’s food and beverage commercials directed to children under 12 years of age are subject to the requirements of **The Broadcast Code for Advertising to Children**. Adherence to this broadcast code, including preclearance of each children’s commercial by a committee that includes industry and parent representatives, is a condition of broadcast license by the Canadian Radio-television and Telecommunications Commission. For advertising in any other media, the advertisement is subject to Interpretation Guideline #2 (Advertising to Children) under Clause 12 of the **Canadian Code of Advertising Standards** (the Code).

Canada’s self-regulatory system also includes a rigorous system for responding to consumer complaints about advertisements under the provisions of the Code as well as under the Industry Code, which covers all media. The Code and its **Interpretation Guidelines** include special provisions regarding advertising to children.



# Report on the Industry Code (2025)

## Preclearance

Ad Standards Preclearance Services supports advertisers in finding ways to achieve compliant advertising under the Industry Code. This may mean providing suggestions to advertisers on how to amend or adjust the advertising, or to request further information (such as through an attestation related to media buys), to bring the proposed creative into compliance with the Industry Code if that is possible. In 2025, this was achieved in the vast majority of cases, with many submissions requiring very few adjustments to make them compliant.

In our analysts' assessment under the Industry Code's rigorous standards, a very small number (approximately three percent) of submissions were not ultimately approved.

In Ad Standards' view, the preclearance process continues to work as an effective mechanism to pivot the advertising industry to the prohibitions and restrictions imposed by the Industry Code. The vast majority of ads submitted for preclearance in 2025 were compliant with the principles of the Industry Code.



## Enforcement

Ad Standards developed a comprehensive **complaints procedure** that is posted on the Ad Standards website.

Consumers can submit their complaints through the **online complaints portal** or by mail. Advertisers (including advocacy groups) can also lodge complaints and are subject to a small cost-recovery fee for doing so.

Each year, Ad Standards receives hundreds of complaints from the public about advertising. In 2025, Ad Standards did not receive any complaints that fell under the Industry Code. This is likely attributable to at least two factors: first, the effectiveness of preclearance as a mechanism to impact the advertising that reaches the market; and second, the relative newness of the Industry Code itself.

Ad Standards will continue to highlight the availability of this complaint mechanism to consumers and advertising industry stakeholders, in order to help support effective enforcement through complaints of the Industry Code's requirements.

# An Overview of the Updated Industry Code

Updates to the Industry Code took effect in January 2026. These updates do not alter the intent of the code but serve to remove ambiguity and reinforce its language to ensure that its original purpose is more clearly expressed.

The Industry Code starts with a prohibition that applies to the whole of industry: unless the food or beverage product in question meets specific limited nutrition criteria, the advertising may not be primarily directed to children. The Guide helps advertisers understand the Industry Code's intended scope and application and informs Ad Standards in its interpretation of the Industry Code.

The updated Industry Code recognizes that children may be a vulnerable audience, and that to help promote the health and wellbeing of Canadian children by improving the food environment, particular care must be taken in limiting advertising primarily directed to children about food and beverage products that do not meet the strict nutrition criteria of the Industry Code.

Under this national standard, only foods that meet specified nutrition criteria may be advertised in a manner that is primarily directed to children under the age of 13. These nutrition criteria have been updated to make clear that the product must satisfy all of the nutrition criteria in order to be advertised, and that the requirements apply to all food and beverages, not simply prepackaged ones. This interpretation is

consistent with how Ad Standards applied the Industry Code since it launched, but it is now better captured in the updated language.

Furthermore, under the update, only Restaurant and Food Service Meals have their own specific nutrition criteria; these apply to products advertised and sold in combination as meals. All other food and beverage products, including individual restaurant and food service items, must comply with the requirements set out in Appendix A of the Industry Code.

## DID YOU KNOW?

### **The Industry Code Applies to *All* Advertising Across *All* Media**

Ad Standards accepts preclearance submissions, and complaints, for the following types of advertising:

- Traditional broadcast
- Websites
- Digital
- Social media posts
- Influencer content
- Print
- Radio
- Streamed audio/visual
- Out-of-home
- Any other form of advertising

In determining whether an advertisement is primarily directed to children, Ad Standards will consider three criteria:

- (a) the nature of the food or beverage product advertised (the What);
- (b) the manner of presenting the advertisement (the How); and
- (c) the time and place it is shown (the Where/When).

No one factor is determinative. Note that the previous version of the Industry Code listed the first criteria as “the nature and intended purpose of the food or beverage product advertised” but since the purpose of food and beverage products is consumption, that element was removed from factors for consideration.

The Guide was also updated to codify the fact that the time and place of the ad (the Where/When) is not determinative. For instance, the Guide provides that where an ad appears likely to be primarily directed to children based on the What and the How, the Where/When of the ad must be considered, and the ad may not be deemed to be primarily directed to children, if for example, it runs during programming for which children represent a minimal share of the audience.

Because compliance with the Industry Code is mandatory for all advertisers, the updates emphasize the recommendation that advertisers submit advertising of food and beverage products to Ad Standards for preclearance in order to limit their risks of contravening the Industry Code.

The updates to the Industry Code also state for the sake of clarity that complaints related to alleged non-compliance with the code can come from the public, competitor advertisers, advocacy groups and government departments and agencies. The amendments also make it clear that advertisers who are found to violate the Industry Code will be publicly identified by Ad Standards unless they voluntarily amend the advertisement to correct the alleged infraction prior to a decision being made.



## About Ad Standards

Ad Standards is the self-regulatory body for Canada's advertising industry.

Through member support and cooperative industry initiatives, we build public confidence in advertising by helping ensure ads, in all media, are truthful, fair and accurate. We administer the *Canadian Code of Advertising Standards*, which sets criteria for acceptable advertising, and provides a mechanism for adjudicating and resolving consumer complaints and competitive disputes. We also review advertising creative and offer consultative services to help ensure compliance with relevant laws, regulatory guidelines and industry codes.

Our collaborative relationships with Canadian regulators and global self-regulatory organizations provide a diversity of valuable insights, which inform our initiatives and goals.



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