

Industry Progress to Market a Healthful Diet to American Children and Adolescents

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Appendix A

Published Articles and Reports Included in the Evidence Table to Evaluate Industry Progress to Achieve the IOM Food Marketing Report Recommendations, December 1, 2005 to January 31, 2011

Study	Evidence source Study design or report description	Major findings
FOOD AND BEVERAGE COMPANIES		
Recommendation 1A: Product development and reformulation		
FTC and DHHS (2006) ¹	<p>Government report</p> <p>A descriptive report of a joint workshop of the FTC and DHHS held in July 2005</p>	<p>Companies reported introducing lower-calorie products, modifying packaging for portion control, making products more appealing to children and convenient for parents, and using labeling icons to help consumers identify healthier products in stores.</p> <p>Public health and consumer interest groups reported that company product reformulations represented a small amount of all product portfolios, and that using many company icons in the marketplace would confuse consumers.</p>
Harris (2009) ²	<p>Academic report</p> <p>A nutrient analysis of 277 RTE cereals marketed by 13 companies in the U.S. based on a Nutrition Profiling Index score, and a comparison of child, family, and adult cereal brand quality</p>	<p>The Nutrition Profiling Index scores for new cereal introductions and cereal brand extensions introduced during 2007 and 2009 show that major cereal companies (i.e., General Mills and Kellogg Company) have not substantially improved the nutrition quality of their product portfolios.</p> <p>Children's RTE cereals contain 85% more sugar, 65% less fiber, and 60% more sodium than adult cereals. Only one cereal brand, Cascadian Farm Clifford Crunch, was eligible to be offered through the U.S. Department of Agriculture's Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) program.</p> <p>Companies report reformulating about 66% of their child and family RTE cereals, but changes have been minimal, representing the equivalent of reducing the sugar content from 3.5 teaspoons to 3 teaspoons per serving.</p> <p>The large cereal companies continue to target children by marketing their least healthful products.</p>

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IOM (2007) ³	<p>Expert committee report</p> <p>The IOM Committee on Progress in Preventing Obesity in Children and Youth reviewed industry progress, including food and beverage companies, since the release of the 2005 IOM Health in the Balance Report.</p>	<p>The IOM committee found that many companies had made efforts to implement the recommendations pertaining to reformulating or developing new products and packaging innovations that considered energy density, nutrient density, and standard serving sizes to help consumers make healthy dietary choices.</p> <p>The IOM committee found that making a substantial change in companies' product portfolios toward healthier options is an evolving process that requires sufficient time and resources to conduct marketing research and market testing to determine the level of consumer demand and support for these products over the long term.</p> <p>The IOM committee found that industry changes need to be evaluated to assess the extent of the changes that companies have made, and the impact of these changes on consumer response, dietary behaviors, and business impact.</p>
Kolish (2008) ⁴	<p>Industry report</p> <p>A descriptive report evaluating company compliance with pledges for the first 6 months of the CFBAI implementation from July to December 2007</p>	<p>The CFBAI reported high company compliance adhering to child-directed advertising pledges</p> <p>The criteria for each company's nutrition standards differed but were based on the 2005 DGA and the FDA's labeling guidelines.</p> <p>Six companies (i.e., Campbell Soup Company, The Coca-Cola Company, Hershey Company, Kraft Foods Global, Mars and Unilever) implemented their pledges during the first 6 months of CFBAI operation.</p> <p>Six companies (i.e., Burger King Corporation, Cadbury Adams, General Mills, Kellogg Company, McDonald's Corporation, and PepsiCo) partially implemented their pledges or had implementation dates after December 2007.</p> <p>Examples were provided of member company pledges to reformulate or develop new products according to their own nutrition criteria.</p>
Langlois (2008) ⁵	<p>Industry report and NGO report</p> <p>A descriptive report summarizing a combination of interviews with company staff; and a content analysis of the annual reports, corporate social responsibility reports, and websites of the top 10 global food and beverage companies (i.e., Cadbury Schweppes, The Coca-Cola Company, Danone, Heinz, Kellogg Company, Kraft Foods, Nestlé, PepsiCo, Premier, and Unilever) evaluated against a best practices framework for 12 areas in 2007.</p>	<p>Few companies had a core strategic commitment to health and wellness. No company had clear objectives and targets to guide actions in health and wellness. Companies reported taking different approaches to product reformulation and progress was slow. Public reporting of progress by companies was generally weak.</p> <p>Danone, Unilever, and Nestlé performed well in terms of developing healthier product portfolios, developing a comprehensive policy and strategy to address health, and engaging with stakeholders and policymakers.</p> <p>Kellogg, Kraft Foods, Cadbury and PepsiCo lagged in some areas. The Coca Cola Company, Premier, and Heinz scored poorly in several categories.</p>

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Peeler (2009) ⁶	<p>Industry report</p> <p>A descriptive report evaluating compliance with company pledges for the first year of CFBAI implementation from July 2007 to July 2008</p>	<p>The CFBAI reported that companies defined better-for-you products as having fewer calories, and were lower in fat, sodium, and sugar and/or were nutrient dense.</p> <p>A total of 12 companies implemented their pledges in 2008 (i.e., Burger King Corporation, Cadbury Adams USA, Campbell Soup Company, The Coca-Cola Company, ConAgra Foods, General Mills Inc., The Hershey Company, Kraft Foods Global, Mars, McDonald's USA, PepsiCo, Unilever); and three companies implemented their pledges starting January 2009.</p> <p>Five companies revised their pledges, three companies to make them more rigorous, and one company to allow for new product developments. Companies reported product development or reformulation that met each individual company's nutrition standards.</p> <p>Examples of reformulated products were provided, but the total amount of new or reformulated products for all companies was not reported.</p>
Peeler (2010) ⁷	<p>Industry report</p> <p>A descriptive report evaluating compliance with company pledges for the CFBAI implementation during 2009</p>	<p>CFBAI reported high compliance for a total of 16 participating companies that implemented their pledge in 2009 (i.e., Burger King Corporation, Cadbury Adams USA, Campbell Soup Company, The Coca-Cola Company, ConAgra Foods, General Mills Inc., The Hershey Company, Kellogg Company, Kraft Foods Global Inc, Mars Snackfoods US, McDonald's USA, Nestlé USA, PepsiCo Inc., Post Foods, and Unilever).</p> <p>This evaluation led to proposed changes that took effect in January 2010. The scope of advertising commitments were expanded to include:</p> <p>Using licensed characters that include celebrities and movie tie-ins, which must be consistent with participating companies' advertising commitment</p> <p>Expanding venues covered by the initiative beyond advertising to children aged <12 years on traditional measured media (i.e., TV, print, radio and company-owned and third-party child-directed websites) to include new and emerging advertising venues and channels including: interactive games that are child-directed in all formats that are provided free or at nominal charge (including advergames); video and computer games for children aged <12 years; DVDs of G-rated movies and other nonrated DVDs that are primarily directed to children aged <12 years; mobile media (i.e., cell phones); and word-of-mouth advertising</p>

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Recommendation 1B: Advertising and marketing emphasis shift to products with healthier nutrient profiles		
Alvy (2008) ⁸	<p>Peer-reviewed journal article</p> <p>A content analysis of 10 popular children's websites to examine the presence, type, and features of marketing to children conducted in February 2005</p>	<p>A majority (7 out of 10) of websites contained food marketing primarily for candy, cereal, QSRs, and snacks.</p>
Batada (2008) ⁹	<p>Peer-reviewed journal article</p> <p>A cross-sectional study conducted in May 2005 that examined 27.5 hours of TV programming for 7 networks to identify the types of foods and their nutritional quality, and marketing techniques and messages used in food advertising targeting preschool and elementary school-aged children during Saturday morning children's TV programming</p>	<p>A total of 91% of food advertisements were for foods or beverages high in fat, sodium, or added sugars or low in nutrients. The most commonly advertised food categories were RTE cereals and cereal bars (27% of all food advertisements); restaurants (19% of all food advertisements); and snack foods (18% of all food advertisements).</p> <p>Cartoon characters were used in 74% of all food advertisements, and toys or giveaways were used in 26% of food advertisements. About 86% of food advertisements contained emotional appeals.</p> <p>About half of food advertisements contained health, nutrition, or physical activity messages.</p>
Batada (2009) ¹⁰	<p>NGO report</p> <p>A nutritional analysis was conducted of 452 branded food and beverage products approved by companies to market to children through CFBAI pledges between February and April 2009.</p>	<p>A total of 267 of 452 products (59%) did not meet recommended nutrition standards based on the DGA 2005. All fruit-flavored snacks (<i>n</i> = 68), cookies, and sweet snacks (<i>n</i> = 10) and puddings (<i>n</i> = 2) failed to meet recommended nutrition standards.</p> <p>Advertisements for poor nutritional quality foods decreased from 88% in 2005 to 79% in 2009.</p> <p>About three quarters (73%) of yogurt products met nutrition standards.</p> <p>Companies with the largest proportion of products that did not meet recommended nutrition standards were PepsiCo (100% of products); Kraft Foods (90% of products); and McDonald's (88% of products).</p>

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Macmullan (2010) ¹¹	<p data-bbox="499 253 638 277">NGO report</p> <p data-bbox="499 297 1146 456">A content analysis of websites of 10 global food, beverage, and restaurant companies (i.e., Coca-Cola Company, Danone, Kellogg's, Kraft Foods, Mars Inc., McDonald's, Nestlé, PepsiCo and Unilever, and Yum Brands) was conducted for five countries (i.e., U.S., Canada, Thailand, Australia, and Mexico) and the European Union in 2009.</p>	<p data-bbox="1192 253 1934 305">Major global food and beverage companies have introduced new policies and pledges concerning marketing to children.</p> <p data-bbox="1192 324 1707 349">Commitments varied across regions and countries.</p> <p data-bbox="1192 368 1934 420">Several companies define a child audience as more than 50% of children aged <12 years.</p> <p data-bbox="1192 480 1948 613">Three companies had no global policies, and some companies with global policies were limited or lacked transparency. Packaging and point-of-sale materials are often excluded from company pledges. Companies use more-lenient criteria for products that they specialize in manufacturing and marketing.</p> <p data-bbox="1192 633 1948 792">Most companies continue to market in schools if school authorities allow it and the program supports healthy lifestyles. No companies made commitments to stop marketing of products to children through their parents and caregivers, and most companies did not address the needs of adolescents. Fast food companies (especially Yum Brands) lag behind the commitments made by food and beverage companies.</p>
FTC and DHHS (2006 (17) ¹	<p data-bbox="499 812 726 836">Government report</p> <p data-bbox="499 855 1163 907">A descriptive report of a joint workshop of the FTC and DHHS held in July 2005</p>	<p data-bbox="1192 812 1948 889">Companies reported making products more appealing to children and convenient for parents, and using labeling icons to help consumers identify healthier products in stores.</p> <p data-bbox="1192 909 1934 961">Public health and consumer interest groups reported that many company icons in the marketplace would confuse consumers.</p>

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Gantz (2007) ¹²	<p data-bbox="483 253 724 277">Foundation report</p> <p data-bbox="483 293 1165 375">A content analysis of 1638 hours of TV content using Nielsen data that was recorded and analyzed (126 hours for each of the 13 networks) for children aged 2–17 years conducted in 2005</p>	<p data-bbox="1176 253 1669 277">Exposure to food advertisements varied by age.</p> <p data-bbox="1176 293 1957 350">A majority of food advertising appeals were based on product novelty, taste, fun, and offering toys or premiums.</p> <p data-bbox="1176 367 1957 472">Children aged 8–12 years viewed an average of 21 food advertisements /day; 7609 food advertisements/year; more than 50 minutes of food advertisements/year; and viewed an average of one fitness or nutrition PSA every 2–3 days.</p> <p data-bbox="1176 488 1957 594">Adolescents aged 13–17 years viewed an average of 17 food advertisements/day; 6098 food advertisements/year; more than 40 hours of food advertisements/year; and viewed less than one fitness or nutrition PSA per week.</p> <p data-bbox="1176 610 1957 716">Children aged 2–7 years viewed an average of 12 food advertisements/day; 4427 food advertisements/year; more than 29 minutes of food advertisements/year; and viewed an average of one fitness or nutrition PSA every 2–3 days.</p>
Grier (2008) ¹³	<p data-bbox="483 740 850 764">Peer-reviewed journal article</p> <p data-bbox="483 781 1165 862">A systematic review of studies published between 1992 and 2006 to compare food and beverage marketing to African Americans to that to other racial groups</p>	<p data-bbox="1176 740 1957 797">African-American consumers received more target marketing exposure than white consumers.</p> <p data-bbox="1176 813 1957 862">African-American consumers are consistently exposed to food promotion and distribution patterns with greater potential adverse health effects.</p>

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Harris (2009) ²	<p>Academic report</p> <p>A mixed-method examination of the marketing practices of 13 companies that promoted RTE cereal brands to children through TV advertising, Internet marketing, and in-store marketing</p>	<p>General Mills and Kellogg Company are leading RTE cereal advertisers to children in the media, spending 94% of \$156 million in 2008. Quaker (a company of PepsiCo) spent less than \$200,000 on promoting the child brand called Cap'n Crunch.</p> <p>General Mills and Kellogg Company pledged not to advertise to preschoolers; however, the average child aged 2–5 years viewed more than 500 television advertisements for child cereals in 2008, of which 89% were promoted by these two companies.</p> <p>General Mills is responsible for nearly 60% of all cereal advertisements viewed by children.</p> <p>The products advertised most extensively (i.e., Cinnamon Toast Crunch, Honey Nut Cheerios, Lucky Charms, Cocoa Puffs, and Trix) are on the company's list of "better-for-you" foods that can be advertised to children, but the nutrient profiles are substantially less healthy compared to other RTE cereals. Kellogg Company and Post also promote less-healthy cereals to children. Kellogg Company advertises its lower-sugar children's cereals (i.e., Rice Krispies and Frosted Mini-Wheats) directly to parents instead of children.</p> <p>Child-targeted advertising and marketing is extensive on the Internet. General Mills and Kellogg Company use banner advertising on third-party websites extensively to direct children to their own child-targeted websites. These banner advertisements are highly engaging promotional devices. Children consumed 45% more snack foods when exposed to food advertising, and the effects were not related to reported hunger or other conscious influences.</p>
Harris (2009) ¹⁴	<p>Peer-reviewed journal article</p> <p>An observational study that assessed school-aged children's (<i>n</i> = 118) snack consumption while watching a TV cartoon that showed either food advertising or advertising for other products</p>	<p>Food advertising stimulated automatic eating behaviors and influences more than brand preference for products.</p>

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Harris (2010) ¹⁵	<p>Academic report</p> <p>An analysis of Nielsen data for 7 consecutive years from 2002 to 2008 to measure children's and adolescents' exposure to food and beverage advertising by age (2–11 and 12–17 years) and race on national TV (i.e., network, cable and syndicated programming) and local (spot marketing) programming</p>	<p>Improvements were observed in both children and adolescents exposed to advertising for some food and beverage categories between 2002 and 2008. Advertising declined for carbonated beverages and other (SSBs); candy and sweet snacks; and advertising increased for some healthy food categories.</p> <p>Between 2002 and 2008, children's exposure to all food advertising declined by 12% from its peak in 2004. During this period, adolescent exposure to all food advertising increased by 9%, and the majority of this increase was from 2007 to 2008.</p> <p>African-American children and adolescents experienced a 9% increase in total food advertising exposure between 2002 and 2008, and they viewed 37% more advertisements in 2008 compared to all children and adolescents.</p>
Henry (2009) ¹⁶	<p>Peer-reviewed journal article</p> <p>A systematic content analysis of 131 food and beverage brand websites with top media expenditures based on the America's Top 2000 Brands section of Brandweek magazine's annual "Superbrands" report, and a nutrient analysis of food and beverages advertised on these websites.</p>	<p>Nearly half (48%) of 130 branded websites analyzed used designated children's areas to market food and beverages to children, 87% of which were of low nutritional quality, according to criteria set by the National Alliance for Nutrition and Activity that aligned with the DGA 2005.</p>
Holt (2007) ¹⁷	<p>Government report</p> <p>An FTC study of TV advertising exposure to children (aged 2–11 years) and adolescents (aged 13–17 years) using proprietary Nielsen Monitor-Plus/Nielsen Media Research data linking Nielsen audience estimates to TV advertising (<i>n</i> = 25,600 paid advertisements, promotions for other programming, and PSAs) that aired during 4 weeks in 2003 and 2004</p>	<p>Between 1977 and 2004, children's exposure to paid advertisements decreased about 7%.</p> <p>Children's exposure to all advertising increased by about 17% during the same period. The increase represented children's exposure to promotional advertisements for TV programs. Sedentary entertainment dominated other advertisements seen by children in 2004.</p> <p>In 2004, children aged 2–11 years viewed about 25,600 TV advertisements (2.25 hours of advertising-supported TV daily or about 16 hours/week).</p> <p>Of this amount, children were exposed to 5500 food advertisements (22% of all advertisements).</p> <p>Major categories of food advertisements were restaurants and fast foods, sweetened cereals, desserts and sweets, snacks, and sweetened beverages.</p> <p>In both 1977 and 2004, advertised foods were concentrated in the snacking, breakfast, and restaurant product categories.</p> <p>Children's TV viewing is concentrated on cable TV and 97% of their food advertising exposure is during prime-time and other nonchildren's cable TV programming.</p>

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Kovacic (2008) ¹⁸	<p data-bbox="493 253 1176 280">Government report</p> <p data-bbox="493 297 1176 431">A Congressionally requested study conducted by FTC staff assessing 2006 industry expenditures by 44 food, beverage, and restaurant companies for 20 advertising or promotional activity categories to children and adolescents, and an evaluation of progress with industry self-regulation</p>	<p data-bbox="1186 253 1976 358">In 2006, the 44 companies spent about \$1.62 billion to promote food and beverage products to children (aged 2–11 years) and adolescents (aged 12–17 years). About \$870 million was spent on children and more than \$1 billion was spent on adolescents.</p> <p data-bbox="1186 375 1976 480">Carbonated SSBs, quick-serve restaurant (QSR), and breakfast cereals accounted for \$1.02 billion (63%) of the \$1.6 billion spent on marketing to young people. Nearly 24% or \$116 million of SSBs was for in-school expenditures.</p> <p data-bbox="1186 496 1976 602">TV advertising still dominated the marketing landscape to promote foods and beverages to young people. Traditional measured media (i.e., TV, radio, and print) represented \$853 million (53%) of industry marketing expenditures.</p> <p data-bbox="1186 618 1976 708">New media (i.e., Internet, digital including e-mail and text messaging, and viral or word-of-mouth marketing) are used more frequently to reach young people.</p> <p data-bbox="1186 724 1976 766">If cost of QSR toys (premiums) is added to marketing expenditures, the total marketing expenditures in 2006 approach \$2 billion.</p>

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Kunkel (2009) ¹⁹	<p>NGO report</p> <p>An assessment 15 CFBAI-member company compliance with voluntary pledges using the DHHS/NIH “go-slow-whoa” food rating system from the <i>We Can!</i> Program compared at three time points: 2005, 2007, and 2009. Food advertisements were categorized by product type and primary theme or commercial appeal.</p> <p>Two composite days of children’s broadcast and cable TV programming (1 weekday, one Saturday) for each network were included in the study. A total of 139 children’s shows and 75 hours of children’s programming across seven networks were analyzed. Company’s licensed spokes-characters and/or celebrity endorsers were also examined.</p>	<p>Industry self-regulatory efforts have made slow and incremental progress to market healthier foods and beverages to children on TV.</p> <p>In 2009, for every healthy advertisement shown to children, there were 75 other food and beverage commercials that do not meet healthful criteria.</p> <p>The rate at which food advertisements appear during children’s shows has declined over the 4-year period of the study (2005–2009) from 10.9 advertisements/hour in 2005 to 7.6 advertisements/hour in 2009.</p> <p>Food advertisements represent a smaller proportion of the overall children’s advertising environment than in 2005 due to reductions in traditional measured media advertising.</p> <p>In 2009, commercials promoting sugared cereals, fast-food restaurant meals, and snacks constituted over 70% of all food advertising during children’s TV shows, which was relatively consistent compared to 67.6% of all food advertising in 2005.</p> <p>Fast foods and restaurants have increased the share of TV advertisements from 2005 to 2009. Fruit and vegetable promotion during children’s programming accounted for 0.4% of all advertising in 2009 compared to 0.7% in 2005.</p> <p>Fun, happiness, taste, flavor, smell, and premiums (toys) were common advertising techniques used to promote food and beverage products.</p> <p>The nutritional quality of advertised food does not vary between broadcast and cable TV.</p> <p>Go foods (most healthy) represented only 0.9% (<i>n</i> = 5 advertisements) out of 534 food advertisements; <i>slow</i> foods (sometimes foods) represented 2.01% (<i>n</i> = 142 advertisements) and <i>whoa</i> foods (least healthy) represented 5.5% (<i>n</i> = 387 advertisements).</p> <p>Four companies (i.e., The Coca-Cola Company, Cadbury Adams, Hershey, and Mars) that pledged not to advertise to children aged <12 years adhered to this pledge. All companies complied with all aspects of their commitments regarding nutritional content of products advertised to children aged <12 years.</p>

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Lee (2009) ²⁰	<p>Peer-reviewed journal article</p> <p>A content analysis of 251 advergames targeting children that appeared on the leading food marketers' websites from July to September 2006, and a nutritional content analysis of the food products promoted in the advergames analyzed</p>	<p>A majority (87.6%) of 220 advergames analyzed contained some type of brand identifier including the brand logo (present in 90.9% of the advergames); followed by the product package (40.5%); the branded food item (36.8%); and the brand spokes-character (36.8%).</p> <p>Candy and gum or food products that are high in sugar frequently appeared in the advergames analyzed. Children were encouraged to 'play with' the foods integrated as active game components.</p> <p>Fewer than 3% of the games analyzed in this study appeared to educate children about nutrition and health issues.</p>
Lingas (2009) ²¹	<p>Peer-reviewed journal article</p> <p>A nutritional analysis of 77 food and beverage products advertised on 28 children's websites compared to 2007 IOM nutrition standards for school foods</p>	<p>Of the 77 advertised products for which nutritional information was available, 49 products (64%) met the IOM criteria for foods to avoid; 23 products (30%) met criteria for foods to neither avoid nor encourage; and 5 products (6.5%) met criteria for foods to encourage.</p>
Moore (2006) ²²	<p>Foundation report</p> <p>A systematic content analysis of advertising messages of major food and beverage company websites (<i>n</i> = 77) conducted in 2005.</p> <p>An examination of 82 food brands in 12 product categories frequently advertised on TV programming to children aged 2–11 years.</p>	<p>More than eight out of ten (85%) of the top food brands that target children through TV advertising also use branded websites to market to children online. Advergames, brand-related content, and viral marketing are common techniques used to market to children through the Internet.</p>
Powell (2007) ²³	<p>Peer-reviewed journal article</p> <p>A nutritional content analysis of TV food advertising viewed by American children and adolescents, on 170 top-rated TV shows that aired between September 2003 and May 2004, based on Nielsen Media Research ratings.</p> <p>A total of 50,351 30-second equivalent food-product TV advertisements for children aged 2–11 years were analyzed, and 47,955 30-second equivalent food-product TV advertisements and their related nutritional content for adolescents aged 12–17 years were analyzed.</p> <p>Products were placed into one of five categories (i.e., cereal, sweets, snacks, drinks, other food products).</p>	<p>The majority of food product advertisements seen on TV by American children and adolescents are of poor nutritional content.</p> <p>Most advertisements viewed by children aged 2–11 years (97.8%) and adolescents aged 12–17 years (89.4%) were for products high in fat, sugar, or sodium; 97.6% of RTE cereal advertisements viewed by children aged 2–11 years were for high-sugar cereals.</p> <p>No differences were found in the nutritional content of advertisements seen by African-American and white children aged 2–11 years.</p>

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Powell (2010) ²⁴	<p>Peer-reviewed journal article</p> <p>A trend analysis of children's and adolescents' TV food advertising exposure by age and race/ethnicity based on Nielsen Media Research ratings between 2003 and 2007</p> <p>The analysis compared exposure for white and African-American children aged 2–5 years, 6–11 years, and 12–17 years.</p>	<p>Between 2003 and 2007:</p> <p>The daily average TV food advertising exposure fell by 13.7% and 3.7% among those aged 2–5 years and 6–11 years, respectively, but increased by 3.7% for those aged 12–17 years.</p> <p>Children's and adolescents' exposure to advertisements for sweets decreased between 12% and 41% for those aged 2–5 years, 6–11 years, and 12–17 years.</p> <p>Children's and adolescents' exposure to SSB advertisements decreased for all age groups, between 27% and 30%, depending on the viewers' ages.</p> <p>Between 2003 and 2007:</p> <p>Children's and adolescents' exposure to fast food advertisements increased by 4.7%, 12.2%, and 20.4%, respectively, for those aged 2–5 years, 6–11 years, and 12–17 years.</p> <p>African Americans in all age groups in all 3 years were exposed to more food advertisements/day than their white counterparts. African-American adolescents viewed nearly one third more TV advertisements for burgers, pizza, fried chicken, and sandwiches sold by nearly a dozen QSR companies.</p>
Schwartz (2010) ²⁵	<p>Peer-reviewed journal article</p> <p>A description of the amount of child-directed breakfast cereal advertising in 2007, a nutrient analysis of child-directed RTE breakfast cereals advertised on TV to children in 2007, and an assessment of the relationship between nutrition quality and child exposure to TV advertising for major cereal brands.</p>	<p>In 2007, the average American child viewed 757 cereal advertisements on TV, 98% of which promoted RTE cereals with unhealthy nutritional profiles. Healthy cereals were advertised on TV in 2007 but primarily to adults and not children.</p>
Weber (2006) ²⁶	<p>Peer-reviewed journal article</p> <p>A content analysis of food- and beverage-brand websites and the marketing techniques and advertising strategies present on these sites</p> <p>The top five brands in eight food and beverage categories (<i>n</i> = 40 brands) were selected based on annual sales data from Brandweek magazine's annual Superbrands report.</p>	<p>Advergaming was present on 63% of the websites. Half or more of the websites used cartoon characters (50%); or spokes-characters (55%); or had a specially designated children's area (58%) with a direct link from the homepage.</p>

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Wootan (2010) ²⁷	<p>NGO report</p> <p>An analysis of 128 food, beverage, chain restaurant, and entertainment company policies on marketing foods and beverages to children aged <12 years and for marketing in elementary and secondary schools</p> <p>Policies were evaluated based on the strength of the companies' nutrition standards, scope of media covered by their policies, and companies' definitions for "child-directed" media.</p> <p>Data were collected by telephone interviews, company websites, online searches including articles in the Nexis news service.</p>	<p>Of the 128 companies analyzed, two thirds (68%) did not have a policy for food marketing to children.</p> <p>A larger proportion of food and beverage companies (64%, <i>n</i> = 18) had marketing policies compared to restaurants (24%, <i>n</i> = 10) or entertainment companies (22%, <i>n</i> = 13).</p> <p>Food companies were more likely to have policies for TV, radio, print, the company's own website, advertising on third-party Internet sites, product placement, and using licensed characters.</p> <p>Food companies were less likely to have policies or policies were weaker for digital marketing, on-package promotions, and marketing in schools.</p> <p>No company received an A for its policy. The food company with the strongest policy was Mars, which received a B+. The Mars policy did not allow for its products to be marketed to children aged <12 years and covered most of the media used to reach children (except for on-package marketing and most marketing in high schools).</p>
Recommendation 1C: Front-of-package (FOP) labeling and health claims		
Colby (2010) ²⁸	<p>Peer-reviewed journal article</p> <p>A survey of food labels (<i>n</i> = 56,900) at six grocery stores in Grand Forks, ND evaluated for marketing strategy, nutrient label information, whether the product was fruit- or milk-based, and target audience age</p>	<p>Nutrition marketing is commonly used on products high in saturated fat, sodium, and/or sugar and is more often used on products marketed to children than products marketed to adults.</p> <p>Half (49%) of all products contained nutrition marketing. Of these, 48% had both nutrition marketing and were high in saturated fat, sodium, and/or sugar (11%, 17%, and 31%, respectively). More than two thirds (71%) of products marketed to children had nutrition marketing. Of these, 59% were high in saturated fat, sodium, and/or sugar content, with more than half being high in sugar. The most commonly used nutrition marketing statements were "good source of calcium", "reduced/low/fat free", and "food company's health symbol."</p>

Study	Evidence source Study design or report description	Major findings
IOM (2010) ²⁹	<p>Expert committee report</p> <p>The IOM Committee on Examination of Front-of-Package Nutrition Ratings Systems and Symbols reviewed the existing evidence for FOP systems and their underlying nutrition criteria. This Phase I report will be followed by a Phase II report focusing on issues related to consumer understanding and use of FOP systems.</p> <p>The committee selected 20 systems representing those used in the marketplace on which to base its review, which were placed into one of three categories: (1) nutrient-specific systems that display on the front of the food package the amount/serving of select nutrients from the Nutrition Facts panel or use symbols based on claim criteria; (2) summary indicator systems the use a single symbol, icon, or score to provide summary information about the nutrient content of a product; or (3) food group information systems that use symbols given to a food product based on a food group or food ingredient. The IOM committee characterized the attributes, purposes, strengths, and weaknesses of each system.</p>	<p>The IOM Committee reached six conclusions:</p> <p>FOP rating systems and symbols would be best geared toward the general population.</p> <p>The most useful primary purpose of FOP systems and symbols would be to help consumers identify and select foods based on the nutrients most strongly linked to public health concerns for Americans.</p> <p>Regardless of type of system, it would be useful to declare calorie and serving size information prominently in FOP symbols.</p> <p>The most critical nutritional components to include in FOP nutrition rating systems are calories, saturated fat, <i>trans</i> fat, and sodium.</p> <p>There is insufficient evidence to suggest that including the following nutrients would be useful in all types of FOP rating systems or symbols: total fat, cholesterol, total carbohydrate, total or added sugars, protein, fiber, vitamins, and minerals other than sodium.</p> <p>Several options exist to set criteria for two types of rating systems (nutrient-specific information and a summary indicator based on nutrient thresholds), but further testing of consumer use and understanding is required to assess their overall viability.</p>
Mikkelsen (2007) ³⁰	<p>NGO report</p> <p>A nutrient analysis of ingredients of 37 out of 96 brands commonly advertised to children. Brands were examined for words, health claims, and images on the package with reference to fruit identified in a grocery store in California, and placed into four categories based on type of fruit ingredient (i.e., fruit, 100% fruit juice, minimal fruit juice, no fruit). Food and restaurant brands not containing fruit were excluded from the study.</p>	<p>Nearly two thirds of highly advertised children's food products with images or references to fruit on the package contained little or no fruit and were high in added sweeteners. Only two out of the six beverages contained 100% fruit juice. The remaining four beverage products contained primarily water and added sweeteners.</p>

Study	Evidence source Study design or report description	Major findings
Sims (2011) ³¹	<p>NGO report</p> <p>An examination of 58 children’s products with FOP labeling identified as “healthier” or “better-for-you” according to the CFBAI company member list of approved products that can be advertised to children aged <12 years</p> <p>The nutrition criteria were based on the IOM’s FOP label definition which included: nutrient-specific systems, summary indicator systems, and food group information systems.</p> <p>The nutrition standard criteria include:</p> <p>Derive less than 35% of their total calories from fat (exceptions were made for nuts, nut butters, and seeds) and less than 10% from saturated fat;</p> <p>Get less than 25% of their total calories from sugar;</p> <p>Contain at least 1.25 grams of fiber per serving (milk products and 100% fruit juices got a pass); and</p> <p>Contain less than 480 milligrams per serving of sodium (for snacks) or less than 600 milligrams per serving of sodium (for meals).</p>	<p>A total of 84% (<i>n</i> = 49) of 58 products with FOP claims for cereals, meals, beverages, and snacks that are marketed to children failed to meet basic nutritional standards for healthy products.</p> <p>More than half (57%) of the products qualified as high sugar, and 95% of products contained added sugar.</p> <p>More than half (53%) of the products were low in fiber, and more than half (53%) of products did not contain any fruits or vegetables; of the fruits and vegetables found, half were derived from two ingredients – tomatoes and corn.</p> <p>One quarter (24%) of prepared foods was high in saturated fats, and more than one third (36%) of prepared foods and meals were high in sodium.</p> <p>FOP labels developed by food and beverage companies may have limited ability to assist families to make informed, healthy purchasing decisions in grocery stores and food retail outlets.</p>

Study	Evidence source Study design or report description	Major findings
QUICK-SERVE AND FULL-SERVICE RESTAURANTS		
Recommendation 2A: Expand healthier choices at restaurants for children and adolescents		
Harris (2010) ³²	<p>Academic report</p> <p>A mixed-methods comprehensive study design was used to examine the meal choices of children and adolescents at 12 leading QSR chains during January 2008–July 2010.</p> <p>The methods included analyzing the nutritional quality of restaurant menu items; analyzing data on media exposure and spending from syndicated sources (i.e., The Nielsen Company, comScore Inc. and Arbitron Inc); conducting content analyses of TV advertisements, company websites, Internet banner advertising, social and viral media, and mobile marketing applications; commissioning an audit of marketing practices of food restaurants across the U.S.; evaluating syndicated data from The NPD Group, a market research company, documenting menu item purchases; and conducting a survey of parents about their fast food purchases for their children.</p> <p>These data sources were supplemented by collecting information from company websites, monitoring the business and consumer press, and visiting numerous fast food restaurants and contacting their consumer help-lines.</p>	<p>Less than 1% of meals qualified as healthy, as only 12 out of 3039 children’s meal combinations met established nutrition criteria for preschoolers; only 15 meals met the nutrition criteria for older children; and meals purchased by adolescents provided an average of 800–1100 calories/meal representing half of their recommended daily calories.</p> <p>Meals sold to young people contained excessive amounts of added sugars, saturated fat, and sodium; and rarely offered healthy side dishes as the default choice.</p>
The Keystone Center (2006) ³³	<p>NGO report</p> <p>A report summarizing the findings and recommendations of a diverse group of 40 public- and private-sector representatives from industry, government, civil society, and academia that was convened during 2004–2005 by the Keystone Forum, and funded by FDA, to focus on obesity prevention and away-from-home foods</p>	<p>The Keystone Forum reviewed the evidence for away-from-home foods for food retailers and restaurants and provided seven recommendations for industry stakeholders to influence consumers’ attitudes and behaviors when eating away from home. The forum concluded that restaurants could expand healthier options, smaller portions, and provide menu labeling.</p>
Kolish (2008) ⁴	<p>Industry report</p> <p>A descriptive report evaluating company compliance with pledges for the first 6 months of the CFBAI implementation, July to December 2007</p>	<p>Burger King Corp. reported partially implementing its pledges starting September 2007 and McDonald’s reported implementing its pledge in January 2008.</p> <p>Both restaurant companies reported adhering closely to making 100% of national advertising in measured media primarily directed to children aged <12 years for better-for-you children’s meals using their own nutrition standards; using licensed characters only when meals met their own nutrition criteria; and using interactive games for meals that met their own nutrition criteria.</p>

Study	Evidence source Study design or report description	Major findings
O'Donnell (2008) ³⁴	<p>Peer-reviewed journal article</p> <p>A survey and nutrient analysis of 10 national and regional fast food chain restaurant companies (i.e., Arby's, Burger King, Chick-fil-a, McDonald's, Sonic, Subway, Taco Bell, Wendy's, Whataburger, Jack in the Box) that provided nutrition information about children's restaurant meals in Houston, TX compared to the nutritional criteria of the NSLP</p>	<p>Only 3% of children's restaurant meals met all NSLP criteria. Meals that met the criteria offered a side dish of a fruit and milk.</p> <p>Meals that did not meet the NSLP criteria were more than 1.5 times more energy dense than meals that met the nutrition criteria.</p>
Peeler (2009) ⁶⁶	<p>Industry report</p> <p>A descriptive report evaluating compliance with company pledges for the first year of CFBAI implementation from July 2007 to July 2008</p>	<p>A high level of compliance was reported by Burger King Corp. and McDonald's for the following pledges:</p> <p>Commitment of 100% of national advertising in measured media primarily directed at children aged <12 years were for better-for-you "kids meals"; using their own nutrition criteria as the basis for their healthier kids meals; and website promotion and use of licensed characters will be limited to children's meals that met their own nutritional criteria.</p>
Peeler (2010) ⁷	<p>Industry report</p> <p>A descriptive report evaluating compliance with company pledges for the CFBAI implementation during 2009</p>	<p>CFBAI reported high compliance for two participating restaurant companies (i.e., Burger King Corporation and McDonald's USA) that implemented their pledge in 2009.</p> <p>This evaluation led to proposed changes that took effect in January 2010. The scope of advertising commitments were expanded to include:</p> <p>Using licensed characters that include celebrities and movie tie-ins, which must be consistent with participating companies' advertising commitment;</p> <p>Expanding venues covered by the initiative beyond advertising to children aged <12 years on traditional measured media (i.e., TV, print, radio and company-owned and third-party child-directed websites) to include new and emerging advertising venues and channels including: interactive games that are child-directed in all formats that are provided free or at nominal charge (includes advergaming); video and computer games for children aged <12 years; DVDs of G-rated movies and other nonrated DVDs that are primarily directed to children aged <12 years; mobile media (i.e., cell phones); and word-of-mouth advertising.</p>

Study	Evidence source Study design or report description	Major findings
Wootan (2008) ³⁵	<p data-bbox="499 250 638 274">NGO report</p> <p data-bbox="499 293 1142 451">A survey and nutrient analysis of 1474 children's meals at 13 U.S. chain restaurants that examined the total number of children's meal combinations offered and number and percentage of meals exceeding 430 calories, which represents one third of 1300 calories/day recommended for children aged 4–8 years</p> <p data-bbox="499 470 1142 578">Data collected were based on restaurant websites, information obtained from company headquarters, USDA's nutrient analysis system for restaurant items, or an estimate based on a restaurant with a similar menu item.</p>	<p data-bbox="1192 250 1957 357">A majority (93%) of 1474 children's meal choices at 13 chain restaurants (i.e., KFC, Sonic, Jack in the Box, Chick-fil-A, Taco Bell, Chili's, Wendy's, McDonald's, Burger King, Dairy Queen, Arby's, Denny's, Subway) exceeded 430 calories/meal.</p> <p data-bbox="1192 376 1957 423">Subway offered healthier choices and was the only restaurant analyzed that did not offer SSBs with children's meals.</p>
Recommendation 2B: Prominent menu labeling		
Roberto (2010) ³⁶	<p data-bbox="499 643 848 667">Peer-reviewed journal article</p> <p data-bbox="499 686 1163 764">An examination of the impact of restaurant menu calorie labeling on consumers' food choices, total calories ordered, and total calories consumed from restaurant menu items</p> <p data-bbox="499 784 1163 943">Participants (<i>n</i> = 303 adults) were assigned to one of three menu labeling conditions between August 2007 and 2008: a menu without any calorie labels, a menu with calorie labels, and a menu with calorie labels and a second label providing the recommended daily caloric intake for an average adult = 2000 calories/day).</p>	<p data-bbox="1192 643 1957 721">Calorie labeling for restaurant menus affected consumers' food choices, especially when a recommended daily caloric requirement label was provided.</p> <p data-bbox="1192 740 1957 846">When two menu labels were provided, one indicating menu item calorie content and the second offering recommended daily caloric need, participants consumed about 14% fewer calories or about 250 calories less with both labels.</p>
Tandon (2010) ³⁷	<p data-bbox="499 963 848 987">Peer-reviewed journal article</p> <p data-bbox="499 1006 1163 1084">This study examined 99 parents' reported meal choices for their children (aged 3–6 years) informed by available nutrition information.</p> <p data-bbox="499 1104 1163 1151">The study was a randomized controlled experimental intervention conducted in a pediatric clinic in Seattle, WA.</p> <p data-bbox="499 1170 1163 1279">Parents were presented with a McDonald's menu and asked to select meals for themselves and their child. The intervention group had nutrition information whereas the control group did not have information about meal nutritional content.</p>	<p data-bbox="1192 963 1957 1068">Parents in the intervention group ordered an average of 102 calories less per meal compared to the control group. This is the first study to suggest that menu labeling may lead to lower calorie content in restaurant meals purchased for children.</p>

Study	Evidence source Study design or report description	Major findings
INDUSTRY TRADE ASSOCIATIONS		
Recommendation 3A-D: Industry trade associations support members and show leadership; food retailers improve availability of healthful foods in grocery stores		
American Beverage Association (2007) ³⁸	<p>Industry report</p> <p>The first annual assessment of the impact and status of the 2006 MOU agreement among the Alliance for a Healthier Generation, the American Beverage Association, and three beverage companies, Cadbury Schweppes Americas Beverages, The Coca-Cola Company, and PepsiCo, Inc. to phase out the sale of full-calorie SSBs in U.S. schools and accelerate the shift to make available lower-calorie and healthier beverages</p>	<p>Shipments of full-calorie carbonated soft drinks to schools were 45% lower during the 2006–2007 school year than in 2004, with the average high school student purchasing 5.9 ounces (or less than half a can) of sweetened beverages/week compared to 12.5 ounces per week in 2004.</p> <p>In this first year of monitoring, over one third (35%) of all contracts between bottlers and school districts achieved compliance with the 2006 MOU agreement for adhering to the school beverage guidelines.</p>
American Beverage Association (2008) ³⁹	<p>Industry report</p> <p>The second annual assessment (between 2007 and 2008) of the impact and status of the school beverage MOU agreement</p> <p>The assessment measured the volume of different products sold in elementary, middle and high schools; and the percentage of all school contracts complying with the MOU guidelines for the different categories of schools.</p>	<p>A total of 79% of schools under contract were in compliance with the guidelines, which exceeded the MOU 2-year goal of having 75% of schools under contract in compliance with the guidelines by the start of the 2008–2009 school year.</p> <p>There was a reduction in the shipment of full-calorie carbonated soft drinks that resulted in a 58% decrease in total beverage calories shipped to schools between 2004 and the 2007–2008 school year.</p>
American Beverage Association (2010) ⁴⁰	<p>Industry report</p> <p>The third and final assessment (comparing the 2004–2005 and 2009 and 2010 school years) for the 3-year implementation period of the MOU agreement</p> <p>The assessment measured the volume of different products sold in elementary, middle and high schools; and the percentage of all school contracts complying with the MOU guidelines for the different categories of schools.</p>	<p>There was an 88% decrease in total beverage calories shipped to schools between the first half of the 2004–2005 school year and the first half of the 2009–2010 school year.</p> <p>There was a substantial shift toward lower-calorie and higher-nutrient beverages in schools, including waters, 100% juices, and portion-controlled sports drinks.</p> <p>The shipment volumes of full-calorie carbonated SSBs to schools were 95% lower in the first half of the 2009–2010 school year than they were in the first half of the 2004–2005 school year, before the beverage guidelines went into effect.</p> <p>In the third year of implementation, 98.8% of all measured schools and school districts were in compliance with the guidelines.</p>

Study	Evidence source Study design or report description	Major findings
Borrandaile (2009) ⁴¹	<p>Peer-reviewed journal article</p> <p>Observational study conducted from January to June 2008, which examined the most frequently purchased food and beverage items and amount spent per purchase by children.</p> <p>The study included 833 intercept interviews with children in Grades 4 to 6 from 10 urban K–6 schools with more than 50% of students eligible for free or reduced-price school meals.</p>	<p>Purchases at corner stores contributed significantly to urban children's energy intake. Children reported shopping at corner stores frequently and purchased energy-dense, low-nutrient foods and beverages including chips, candy, and SSBs that average more than 356 calories/purchase.</p>
Farley (2010) ⁴²	<p>Peer-reviewed journal article</p> <p>Observational study conducted at 1082 retail stores in 19 U.S. cities, 2007–2008</p> <p>The study examined 17 types of retail outlets and divided foods into six energy-dense snack categories (i.e., candy, sweetened beverages, salty snacks, baked sweets, coffee, frozen sweets) and three snack-accessibility categories (i.e., within arm's reach of cash register, offered for free, or located in a vending machine).</p>	<p>Energy-dense snack foods and SSBs are widely available in retail outlets, especially pharmacies, gas stations, and other locations whose primary business is not selling food.</p> <p>Snack foods were available in 41% of stores and the most common forms were candy (33%); SSBs (20%); and salty snacks (17%) that were often within arm's reach of the cash register line. Snack foods were available in 96% of pharmacies, 94% of gasoline stations, 22% of furniture stores, 16% of apparel stores, and 29%–65% of other types of stores. Availability varied somewhat by region but not by racial or socioeconomic characteristics of nearby census tracts.</p>
MARKETING PRACTICE STANDARDS		
Recommendations 4A: Revise and improve industry self-regulatory guidelines and 4C: Evaluate and enforce the expanded self-regulatory guidelines		
FTC and DHHS (2006) ¹	<p>Government report</p> <p>Descriptive report of a joint workshop of the FTC and DHHS held in July 2005</p>	<p>FTC acknowledged some progress made by food, beverage, media, and entertainment companies to promote healthier food and beverage products and promote healthy lifestyles.</p>
Kolish (2008) ⁴	<p>Industry report</p> <p>Descriptive report evaluating company compliance with pledges for first 6 months of the CFBAI implementation, July to December 2007.</p>	<p>CFBAI reported a very high company compliance adhering to child-directed advertising pledges.</p> <p>The criteria for each company's nutrition standards differed, but were based on the DGA 2005 and FDA labeling guidelines.</p>

Study	Evidence source Study design or report description	Major findings
Kovacic (2008) ¹⁸	<p>Government report</p> <p>Congressionally requested study conducted by FTC staff that assessed progress with industry self-regulation</p>	<p>The FTC acknowledged that since the 2005 FTC/DHHS Workshop on Marketing, Self Regulation & Childhood Obesity and the 2006 report, food, beverage, entertainment, and media companies had taken important steps to encourage better nutrition among the nation's children.</p> <p>The FTC acknowledged that the CFBAI was established by the Council of Better Business Bureaus (CBBB) in November 2006, which represented a significant effort to change the mix of food and beverage advertising messages directed to children aged <12 years and to encourage healthier diets.</p> <p>The FTC acknowledged that 13 of the largest food and beverage companies had joined the CFBAI and pledged either to not direct TV, radio, print, or Internet advertising to children aged <12 years or to limit their advertising to foods that meet specified nutritional standards. Other aspects of company pledges acknowledged by FTC included limiting the use of licensed characters to the promotion of healthier products or lifestyles, not seeking product placements in child-directed media, not advertising food or beverages in elementary schools, and using only "healthy dietary choices" in interactive games directed to children.</p> <p>The FTC acknowledged several areas where companies could make greater progress. The report recommended that food and beverage companies adopt and adhere to meaningful nutritional standards for marketing their products to children aged <12 years; improve the nutritional profiles and packaging of their products; improve the nutrition criteria for "better-for-you" products. Other recommendations were provided to food and beverage companies related to nutrition labeling, healthy messaging, the CFBAI to expand the scope of advertising to children to encompass all advertising and promotional activities; require that 100% of children's advertising promotes healthy dietary choices.</p>
Peeler (2009) ⁶	<p>Industry report</p> <p>Descriptive report evaluating compliance with company pledges for the first year of CFBAI implementation from July 2007 to July 2008.</p>	<p>CFBAI reported a very high company compliance adhering to child-directed advertising pledges.</p> <p>The member companies defined better-for-you products as having fewer calories, being lower in fat, sodium, and sugar, and/or being nutrient-dense.</p>
Peeler (2010) ⁷	<p>Industry report</p> <p>A descriptive report evaluating compliance with company pledges for the CFBAI implementation during 2009</p>	<p>CFBAI reported a very high compliance for 16 companies adhering to child-directed advertising pledges.</p>

Study	Evidence source Study design or report description	Major findings
Wootan (2010) ²⁷	<p>NGO report</p> <p>An analysis of 128 food, beverage, chain restaurant, and entertainment company policies on marketing foods and beverages to children aged <12 years and for marketing in elementary and secondary schools</p> <p>Policies were evaluated based on the strength of the companies' nutrition standards, scope of media covered by their policies, and companies' definitions for "child-directed" media.</p> <p>Data were collected by telephone interviews, company websites, and online searches including articles in the Nexis news service.</p>	<p>Of the 128 companies analyzed, two thirds (68%) did not have a policy for food marketing to children.</p> <p>A larger proportion of food and beverage companies (64%, <i>n</i>=18) had marketing policies compared to restaurants (24%, <i>n</i>=10) or entertainment companies (22%, <i>n</i>=13).</p>
Recommendation 4B: Use licensed characters to promote healthful diets to children and adolescents		
Harris (2010) ⁴³	<p>Peer-reviewed journal article</p> <p>Analysis of cross-promotions and nutritional quality of 399 branded food products targeted to children and adolescents on food product packaging in a leading supermarket chain over a 3-year period on separate occasions in 2006, 2007, and 2008) within the northeastern U.S.</p> <p>Products were classified as healthy or unhealthy based on the IOM Nutrition Standards for School Foods.</p>	<p>During 2006–2008, the number of products with child-oriented cross-promotions increased by 78%, and 71% of cross-promotions involved third-party licensed characters, and 57% appealed to children aged <12 years.</p> <p>The use of other forms of promotion increased from 5% in 2006 to 53% in 2008. Promotions targeting preschool and general audiences increased from 23% to 54% of the total.</p> <p>Only 18% of products met accepted nutrition standards for food products marketed to children, and the nutritional quality of products declined during the period examined.</p> <p>Food companies with policies limiting marketing to children represented 65% of the cross-promotions, and the nutritional quality of products did not improve over time.</p>
Kunkel (2009) ¹⁹	<p>NGO report</p> <p>Assessment of 15 CFBAI-member company compliance with voluntary pledges regarding the use of licensed spokes-characters and/or celebrity endorsers to promote products to children</p>	<p>When licensed characters were used by CFBAI-participating companies, they complied with the company's nutritional standards.</p> <p>Use of licensed characters to promote foods to children increased from 8.8% in 2005 to 15.2% in 2009. In 2009, six companies (i.e., McDonald's, Kraft Foods, Dannon, Burger King, and ConAgra) used licensed characters in commercials where there was a 50–50 split between "slow" and "whoa" products.</p> <p>No characters were used to promote "go" products.</p>

Study	Evidence source Study design or report description	Major findings
Roberto (2010) ⁴⁴	<p>Peer-reviewed journal article</p> <p>An intervention to assess the influence of licensed cartoon characters (i.e., Scooby Doo, Dora the Explorer, Shrek) on children's taste preferences (measured by Likert scale) and snack choices (i.e., graham crackers, fruit gummy candy, baby carrots)</p>	<p>Children preferred the taste of foods and snacks with a licensed character versus without a character, especially for energy-dense foods (candy) compared to healthier options (baby carrots).</p>
MEDIA AND ENTERTAINMENT COMPANIES		
Recommendation 5A: Use media platforms to promote healthful diets to children and adolescents		
Batada (2007) ⁴⁵	<p>Peer-reviewed journal article</p> <p>The 2005 study that assessed the number and percentage of food advertisements that met and did not meet nutritional standards based on the DGA 2005</p> <p>A content analysis was undertaken of 28 hours of Nickelodeon programming (<i>n</i>=652 advertisements) of which 168 were TV food advertisements and 21 were magazine food advertisements. A nutritional quality analysis of products advertised to children through Nickelodeon media outlets conducted during Fall of 2005, including: 15 grocery store products using Nickelodeon characters and 48 restaurant meals for children with Nickelodeon promotional ties.</p>	<p>A total of 8 of 10 food, beverage, and restaurant meals advertised on Nickelodeon TV, in its magazine, or tied to its cartoon characters are of poor nutritional quality; 148 of 168 food ads (88%) were for foods of poor nutritional quality; three quarters (76%) or 16 of 21 Nickelodeon magazine food ads were for foods of poor nutritional quality; and 45 of 48 children's restaurant meals using Nickelodeon promotional ties were of poor nutritional quality.</p>
Center for Science in the Public Interest (2008) ⁴⁶	<p>NGO report</p> <p>A follow-up assessment of the 2005 baseline assessment reported by Batada et al., 2007⁴⁵ (described above)</p>	<p>There were small reductions in TV food advertisements and magazine advertisements that Nickelodeon/Viacom targeted to children between 2005 and 2008. Even though the TV advertisements decreased slightly from 88% to 78%, they were still for products of poor nutritional quality; of the 31 magazine food advertisements, 24 (77%) were for foods of poor nutritional quality; 78% of products at a grocery store used licensed characters on food packages that were of poor nutritional quality; and three restaurants (i.e., McDonald's, Chuck E. Cheese, and Subway) used promotional tie-ins with Nickelodeon characters. The majority of tie-ins for McDonald's (92%) and Chuck E. Cheese (89%) were of poor nutritional quality, whereas 56% of the menu items at Subway were of poor nutritional quality.</p>

Study	Evidence source Study design or report description	Major findings
Wootan (2010) ²⁷	<p>NGO report</p> <p>An analysis of 128 food, beverage, chain restaurant, and entertainment company policies on marketing foods and beverages to children aged <12 years and for marketing in elementary and secondary schools</p> <p>Policies were evaluated based on the strength of the companies' nutrition standards, scope of media covered by their policies, and companies' definitions for "child-directed" media.</p> <p>Data were collected by telephone interviews, company websites, and online searches including articles in the Nexis news service.</p>	<p>Of the 128 companies analyzed, two thirds (68%) did not have a policy for food marketing to children.</p> <p>A larger proportion of food and beverage companies (64%, <i>n</i>=18) had marketing policies compared to restaurants (24%, <i>n</i>=10) or entertainment companies (22%, <i>n</i>=13).</p>
Recommendation 5B: Media serve as accurate interpreters and reporters to the public related to children's diets		
Schwitzer (2009) ⁴⁷	<p>Foundation report</p> <p>A report based on a literature review of over 100 published articles about the state of health journalism, along with a survey of members of the Association of Health Care Journalists and interviews with over 50 journalists who worked for newspapers, radio, TV stations, magazines, and websites</p>	<p>The methods used for reporting health and health policy information for journalists are evolving. Newsrooms are reducing staff and adding multimedia tasks to their workload while consumers want "quick hit" stories and "news you can use" about health.</p> <p>Financial pressures on the media industry and competition to break news on innovative and expanding Internet-based media platforms are influencing and will continue to affect the quality of health reporting. These challenges have caused the media to be concerned about the lack of in-depth, detailed reporting and the influence of public relations and advertising that could influence news content.</p> <p>Journalists should be better trained in evidence-based medicine principles to provide sound health information for consumers. Training on using multimedia approaches is necessary to reach potential consumers who are using a variety of media tools. Research could help to understand how Americans comprehend stories about health information to better target media messages about public health and healthy policy issues.</p>

CFBAI, Children's Food and Beverage Advertising Initiative; DGA, Dietary Guidelines for Americans; FDA, U.S. Food and Drug Administration; FOP, front of package; FTC, Federal Trade Commission; MOU, memorandum of understanding; NGO, nongovernmental organization; NSLP, National School Lunch Program; PSA, public service announcement; QSR, quick-serve restaurants; RTE, ready-to-eat; SSB, sugar-sweetened beverage

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Appendix B

Media Stories and News or Press Releases Included in the Evidence Table to Evaluate Industry Progress to Achieve the IOM Food Marketing Report Recommendations, December 1, 2005 to January 31, 2011

Source, Date ^a	Release Title	Description
FOOD AND BEVERAGE COMPANIES		
Recommendation 1A: Product development and reformulation		
GMA, December 6, 2005 ¹	GMA statement regarding IOM report on food marketing to children	The GMA announced that its members share the IOM's concerns about childhood obesity, and they have already undertaken many of the committee's recommendations...[the companies] look forward to continuing work in partnership with all stakeholders in finding effective solutions for reducing childhood obesity.
Yale Rudd Center for Food Policy & Obesity, October 26, 2009 ²	Kids spoon-fed marketing and advertising for least-healthy breakfast cereals	The Yale Rudd Center announces the release of a study about children's cereal products and marketing showing that the least-healthy breakfast cereals are those most frequently and aggressively marketed directly to children as young as age 2 years. The researchers' evaluation of cereal marketing, the first such study of its kind, shows pervasive targeting of children across all media platforms and in grocery stores.
General Mills, December 9, 2009 ³	General Mills to reduce sugar in cereals	General Mills announced a public commitment to reduce sugar in cereals advertised to children to single-digit grams of sugar per serving.
The White House Office of the First Lady, February 9, 2010 ⁴	First Lady Michelle Obama launches Let's Move!: America's move to raise a healthier generation of kids	First Lady Michelle Obama announced an ambitious national goal of solving childhood obesity within a generation through a nationwide campaign called Let's Move! The Let's Move! campaign will combat the childhood obesity epidemic using a comprehensive approach that builds on effective strategies, and mobilizing public and private sector resources. Let's Move! will engage every sector that affects the health of children to achieve the national goal, and will provide schools, families, and communities simple tools to help children be more active and eat healthier foods. The First Lady also announced that children's health foundations have created a new independent foundation called the Partnership for a Healthier America, to accelerate existing efforts addressing childhood obesity and facilitate new commitments toward the national goal.
The Washington Post, March 16, 2010 ⁵	First lady asks food makers to be on front line tackling childhood obesity	First Lady Michelle Obama spoke at a GMA meeting and called on corporate food giants such as Coca-Cola, General Mills, and Kraft Foods to step up efforts to produce more healthful food and then market that, rather than junk food, to children. Michelle Obama applauded the industry's early efforts in reformulating its products but warned that future action must also be substantial. She cautioned against tricks such as replacing fat with salt or adding a gram of fiber to a product already laden with calories. "This isn't about finding creative ways to market products as healthy," she said..."it's about producing products that actually are healthy—products that can help shape the health habits of an entire generation."

Kraft Foods, March 17, 2010 ⁶	Kraft Foods Inc. plans to reduce sodium in North American products an average of 10% by 2012.	Kraft Foods Inc. announced plans to reduce sodium by an average of 10% across its North American portfolio over the next 2 years. This represents the elimination of more than 10 million pounds—or more than 750 million teaspoons—of salt from some of North America's most popular foods.
Reuters, March 21, 2010 ⁷	Pepsi to cut salt, sugar, and saturated fats	PepsiCo, which produces Frito-Lay and Quaker brands, announced that it plans to reduce by 25% the average sodium per serving in major global food brands in key markets by 2015. It also would reduce the average saturated fat per serving by 15% by 2020, and cut the average added sugar per serving in key global beverage brands by 25% by 2020. The company announced that it will increase whole grains, fruits and vegetables, nuts, seeds, and low-fat dairy in its product portfolio.
The White House Office of the First Lady, May 17, 2010 ⁸	Remarks by the First Lady at Healthy Weight announcement press conference	<p>First Lady Michelle Obama shared the findings of the White House Task Force on Childhood Obesity Prevention Report that outlined important steps that the private and public sectors should take in the months and years ahead. She announced that the HWCF and the PHA have forged a major agreement on the part of the private sector corporations to improve the food that consumers buy and consume. The HWCF is a partnership between 16 corporations that account for roughly 20%–25% of the American food supply.</p> <p>She announced that they have pledged to cut a total of 1 trillion calories from the food they sell annually by the year 2012, and 1.5 trillion calories by 2015. The companies have agreed to reformulate their foods in several ways, including by addressing fat and sugar content, by introducing lower-calorie options, and by reducing the portion sizes of existing single-serve products. They also agreed to work with the PHA to make specific commitments to reduce sugar and fat in their products within 6 months. The Robert Wood Johnson Foundation will serve as an independent evaluator as these companies work towards their goals, and the PHA will hold the participating companies accountable for meeting the pledge.</p>
HWCF, May 17, 2010 ⁹	Food and beverage manufacturers pledging to reduce annual calories by 1.5 trillion by 2015	The HWCF joined First Lady Michelle Obama and the PHA in announcing its new pledge to reduce annual calories by 1.5 trillion by the end of 2015, and to sustain that level. The HWCF member companies will pursue their calorie reduction goal by developing and introducing lower-calorie options, changing recipes where possible to lower the calorie content of current products, or reducing portion sizes of existing single-serve products. The calorie reduction compares to the level available in the marketplace in 2008. The PHA, for which the First Lady serves as honorary chair, is an independent, nonpartisan organization that is working to mobilize action around the specific goals of the Let's Move! campaign to curb child obesity within a generation.
General Mills, December 9, 2010 ¹⁰	General Mills achieves further sugar reductions in cereals	General Mills announced that it has reduced sugar in cereals advertised to children by an additional 8%, on average, in 2010. The company announced an average sugar reduction of 14% for cereals advertised to children since 2007. Cereals advertised to children aged <12 years will all be at 10 grams of sugar or less per serving by December 31, 2010.

Recommendation 1B: Advertising and marketing (see Recommendation 4: Marketing practice standards)

Recommendation 1C: Front-of-package labeling

American Society for Nutrition, August 5, 2009 ¹¹	Smart Choices Program helps shoppers identify better food and beverage choices.	<p>The American Society for Nutrition announced the release of the Smart Choices Program, with a trademark that will appear on hundreds of products in supermarkets and other retail outlets across the country. This is the first uniform FOP nutrition labeling program, developed by a diverse coalition of scientists, nutritionists, consumer organizations, and food industry leaders. The purpose of Smart Choices is to help shoppers make smarter food and beverage choices within product categories.</p> <p>Unlike nutrient scoring systems, rankings or store-based programs, the Smart Choices Program uses a single, green check mark on the front of the product package to provide "at-a-glance" assurance that a product has met strict science-based nutrition criteria derived from the Dietary Guidelines for Americans, reports from the IOM, and other sources of authoritative nutrition guidance.</p> <p>Qualifying products also will display a calorie indicator on-pack that identifies calories per serving and servings per container. Participating companies with their own "better for you" nutrition labeling symbols have begun replacing them with the Smart Choices Program. This program will provide shoppers with a consistent program to identify smarter food and beverage choices, regardless of the stores they shop in or brands they buy.</p>
FDA, October 20, 2009 ¹²	New FOP labeling initiative	<p>The FDA announced that under the leadership of Margaret Hamburg, M.D., reliable nutrition labeling of food products is a top priority for the agency. Dr. Hamburg encouraged food companies to review their labeling to ensure that they were in compliance with FDA regulations. The FDA also announced that the agency would propose guidance for the industry regarding nutrition labeling on the front of food packages, and planned to work collaboratively with the food industry to design and implement innovative approaches to FOP labeling to help consumers choose healthy diets.</p> <p>Dr. Hamburg issued an open letter to industry on the importance of accurate nutrition labeling of food products. The agency issued warning letters to 17 manufacturers informing the firms that the labeling for 22 of their food products violates provisions of the Federal Food, Drug, and Cosmetic Act that require labels to be truthful and not misleading. The violations cited in the warning letters include unauthorized health claims, unauthorized nutrient content claims, and the unauthorized use of terms such as "healthy," and others that have strict, regulatory definitions. Companies that received warning letters have 15 business days to inform the FDA of the steps they will take to correct their labeling.</p>

<p>Smart Choices Program, October 23, 2009¹³</p>	<p>Smart Choices Program postpones active operations</p>	<p>The Smart Choices Program announced that it would voluntarily postpone active operations and not encourage wider use of the logo at this time by either new or currently enrolled companies. The move followed an announcement by FDA Commissioner Margaret Hamburg, M.D. on October 20, 2009, which said that the agency intends to develop standardized criteria on which future FOP nutrition or shelf labeling will be based.</p> <p>"We welcome the FDA's interest in developing uniform FOP and shelf-labeling criteria," said Mike Hughes, chair, Smart Choices Program and vice president for science and public policy at the Keystone Center. "Our nutrition criteria are based on sound, consensus science," said Hughes. "But with the FDA's announcement this week that they will be addressing both on FOP and on-shelf systems, and that uniform criteria may follow, it is more appropriate to postpone active operations and channel our information and learnings to the agency to support their initiative." "The Smart Choices Program stands ready to work with and support the FDA, US Department of Agriculture (USDA) and the Institute of Medicine in this effort," he added.</p>
<p>The New York Times, October 23, 2009¹⁴</p>	<p>Food label program to suspend operations</p>	<p>Under pressure from state and federal authorities who feared consumers would be misled, the food industry started backing away from a major labeling campaign meant to highlight the nutritional benefits of hundreds of products. Officials with the program said that Smart Choices would suspend most of its operations while they waited for the FDA to devise regulations for FOP nutrition labeling. Those rules could differ from the program's criteria. "I regard it as a partial victory," said Richard Blumenthal, the Connecticut attorney general, who recently began an investigation into the program to see if the labeling campaign violated his state's consumer protection law. He called on more companies to pull out of the program. "Quite bluntly, without a commitment by the companies to stop using the logo, there is absolutely no benefit to consumers," he said. The actions were a remarkable turnabout for an initiative that was developed by many of the country's largest food manufacturers. It had taken at least 2 years to develop.</p>
<p>FDA, March 2, 2010¹⁵</p>	<p>FDA survey finds more Americans read information on food labels</p>	<p>The FDA announced the findings from the 2008 U.S. Health and Diet Survey based on a random-digit-dialing telephone survey of more than 2500 American adults from all 50 states and the District of Columbia conducted between September and December 2008. The survey examined consumer behavioral intent for reading food labels before purchasing products. The survey found that more than half of American consumers report often reading a label the first time they buy a product. Consumers report that they are skeptical of industry claims such as low-fat, high-fiber, or cholesterol-free on the FOP food labels.</p>

<p>FDA, March 3, 2010¹⁶</p>	<p>FDA calls on food companies to correct labeling violations; FDA Commissioner issues an open letter to the industry</p>	<p>The FDA notified 17 food manufacturers that the labeling for 22 of their food products violated the Federal Food, Drug, and Cosmetic Act. The action follows an October 2009 statement by Commissioner of Food and Drugs Margaret Hamburg, M.D., encouraging companies to review their labeling to ensure that they were in compliance with FDA regulations, and were truthful and not misleading. In an open letter to Industry dated March 3, 2010, Dr. Hamburg underscored the importance of providing nutrition information that consumers could rely on.</p> <p>The violations cited in the warning letters include unauthorized health claims, unauthorized nutrient content claims, and the unauthorized use of terms such as “healthy,” and others that have strict, regulatory definitions. Companies that received warning letters have 15 business days to inform the FDA of the steps they will take to correct their labeling. Dr. Hamburg has made nutrition labeling a priority for the FDA. The warning letters are the agency’s most recent action to help improve consumers’ ability to make nutritious choices. The FDA soon will propose guidance regarding calorie and nutrient labeling on the front of food packages and plans to work collaboratively with the food industry to design and implement innovative approaches to FOP labeling that can help consumers choose healthy diets.</p>
<p>FDA, April 29, 2010¹⁷</p>	<p>FDA seeks comment FOP labeling and shelf tag symbols</p>	<p>The FDA asked for comments and information from the public and other interested parties about FOP nutrition labeling and on-shelf tags in retail stores. The FDA is accepting comments until July 28, 2010. The FDA is seeking public participation as it deliberates about how to enhance the usefulness to consumers of point-of-purchase nutrition information. This includes information on the main display panel of food products, called FOP labeling, as well as information on shelf tags in retail stores.</p> <p>The FDA is seeking to learn more about: the extent to which consumers notice, use, and understand nutrition symbols on FOP labeling of food packages or on-shelf tags in retail stores; research that assesses and compares the effectiveness of particular approaches to FOP labeling; graphic design, marketing and advertising data and information that can help develop better point-of-purchase nutrition information; and how point-of-purchase information may affect decisions by food manufacturers to reformulate products. The goal of this request is to make calorie and nutrition information available to consumers in ways that will help them choose foods for a more healthful diet.</p>
<p>The Prevention Institute, January 20, 2011¹⁸</p>	<p>New study finds FOP labels misleading</p>	<p>The Prevention Institute released a study that examined products with FOP labeling that food companies choose to identify as healthier. The study, Claiming Health, found that 84% of products studied failed to meet basic nutritional standards. Contrary to the claims of the label, the study revealed that more than half (53%) were low in fiber; more than half (53%) did not contain any fruits or vegetables; of the products with fruits or vegetables, half came from two ingredients—tomatoes and corn; and 24% of prepared foods were high in saturated fats. Additionally, more than one third (36%) of prepared foods and meals were high in sodium. The organization stated that without FDA regulation, families would be misled by food companies.</p>

<p>GMA, January 24, 2011¹⁹</p>	<p>Food and beverage industry launches nutrition keys FOP nutrition labeling initiative to inform consumers and combat obesity</p>	<p>The GMA announced that America's leading food and beverage manufacturers and retailers launched Nutrition Keys, a new voluntary FOP nutrition labeling system that will help busy consumers make informed choices when they shop. The program represents the most significant modernization of food labels since the Nutrition Labeling and Education Act of 1990. The Nutrition Keys program was developed in response to a request from First Lady Michelle Obama in March of last year. "We share First Lady Michelle Obama's goal of solving childhood obesity within a generation," said Pamela G. Bailey, President and Chief Executive Officer of the GMA.</p> <p>"Today's announcement would not have been possible without her leadership. Food and beverage companies have a strong track record of providing consumers with the products, tools and information they need to achieve and maintain a healthy lifestyle, and this program represents a significant milestone in our ongoing effort to help consumers construct a healthy diet."</p>
<p>Food Marketing Institute, January 24, 2011²⁰</p>	<p>Food and beverage industry launches Nutrition Keys Front-of-Pack Nutrition Labeling Initiative to inform consumers and combat obesity; nutrition icon to be supported by \$50 million industry-funded consumer education campaign</p>	<p>The Food Marketing Institute (FMI) announced that America's leading food and beverage manufacturers and retailers launched <i>Nutrition Keys</i>, a new voluntary FOP nutrition labeling system that will help busy consumers make informed choices when they shop. "Today's sophisticated consumer wants more information about their food than ever before," said Leslie Sarasin, President and Chief Executive Officer of the Food Marketing Institute. "Nutrition Keys, combined with the many innovative nutrition education tools and programs in retail stores, is helping us meet that challenge and exceed consumer expectations."</p> <p>The Nutrition Keys program will change the look of the vast majority of the country's most popular food and beverage products by placing important nutrition information (calories, saturated fat, sodium, and total sugars content) on the front of packages. To appeal to busy consumers, the information will be presented in a fact-based, simple and easy-to-use format. The icon will inform consumers about how the key nutrients in each product fit into a balanced and healthy diet as part of the federal government's daily dietary advice.</p> <p>Companies will begin to place the icon on their products in 2011 according to seasonality and production schedules. Consumers will begin to see the Nutrition Keys icon on their favorite products in the next few months, and the number of products that carry the icon will continue to grow throughout the year. To build consumer awareness and promote use of the icon, America's food and beverage manufacturers and retailers have agreed to support the change to their product labels with an unprecedented consumer education campaign. Participating manufacturers and retailers will initially invest at least \$50 million in an advertising, public relations, and in-store marketing campaign aimed at those who serve as the primary shopper for their family.</p>

<p>The New York Times, January 24, 2011²¹</p>	<p>Food makers devise own label plan</p>	<p>The GMA and Food Marketing Institute announced a voluntary Nutrition Keys FOP Labeling initiative and education campaign that was developed after First Lady Michelle Obama challenged them to help consumers make more healthful food choices. But the industry went its own way after months of talks with the White House and the FDA broke down. The Obama administration wanted the FOP labels to emphasize nutrients that consumers might want to avoid, like sodium, calories, and fat. But manufacturers insisted that they should also be able to use the labels to highlight beneficial nutrients, including vitamins, minerals, and protein.</p> <p>The industry move was viewed as an attempt to influence the FDA's continuing effort to establish voluntary guidelines for FOP labeling. Once those guidelines are issued, the industry could come under pressure to change its packaging. The White House said the FOP labeling initiative was "a significant first step" but that it would "look forward to future improvement" in the system. The FDA would closely monitor the effort "to evaluate whether the new label is meeting the needs of American consumers."</p>
<p>Recommendation 1C: Health and nutrition claims</p>		
<p>CARU, May 24, 2010²²</p>	<p>CARU recommends Kellogg Company discontinue certain claims on 'Pop-Tarts' packaging</p>	<p>CARU of the Council of Better Business Bureaus, Inc., has recommended that Kellogg Company discontinue product packaging that suggests Pop-Tart Toaster Pastries are made with significant amounts of real fruit. The company said the packaging at issue, which includes a "Cut & Collect" premium, has been discontinued. Product packaging for Pop-Tarts came to the attention of CARU, the children's advertising industry's self-regulatory forum, through CARU's routine monitoring of advertising directed to children. CARU reviewed packaging for Unfrosted Strawberry, Strawberry Low fat, Frosted Blueberry, Unfrosted Blueberry, Frosted Cherry, Frosted Raspberry and Frosted Wild! Berry Pop-Tarts and examined the "Kids" section of the Pop-Tarts website (www.poptarts.com) for advertising claims.</p>

FTC,
June 4, 2010²³

FTC investigation of ad claims that
Rice Krispies benefits children's
immunity leads to stronger order
against Kellogg Company

The FTC announced that the Kellogg Company has agreed to new advertising restrictions to resolve a FTC investigation into questionable immunity-related claims for Rice Krispies cereal. This is the second time in the last year that the FTC has taken action against the company. "We expect more from a great American company than making dubious claims – not once, but twice – that its cereals improve children's health," said FTC Chairman Jon Leibowitz. "Next time, Kellogg needs to stop and think twice about the claims it's making before rolling out a new ad campaign, so parents can make the best choices for their children." Kellogg has agreed to expand a settlement order that was reached last year after the FTC alleged that the company made false claims that its Frosted Mini-Wheats cereal was "clinically shown to improve kids' attentiveness by nearly 20 percent."

At about the same time that Kellogg Company agreed to stop making these kinds of false claims in its cereal ads, the company began a new advertising campaign promoting the purported health benefits of Rice Krispies, according to the FTC. On product packaging, Kellogg Company claimed that Rice Krispies cereal "now helps support your child's immunity," with "25 percent Daily Value of Antioxidants and Nutrients – Vitamins A, B, C, and E." The back of the cereal box stated that "Kellogg's Rice Krispies has been improved to include antioxidants and nutrients that your family needs to help them stay healthy." Under the original settlement order covering Frosted Mini-Wheats, Kellogg Company was barred from making claims about the benefits to cognitive health, process, or function provided by any cereal or any morning food or snack food unless the claims were true and substantiated. The expanded order against Kellogg Company prohibits the company from making claims about any health benefit of any food unless the claims are backed by scientific evidence and not misleading.

<p>FTC, July 14, 2010²⁴</p>	<p>Nestlé subsidiary to settle FTC false advertising charges; will drop deceptive health claims for BOOST Kid Essentials</p>	<p>A subsidiary of Nestlé S.A., the world's largest food and nutrition company, has agreed to drop allegedly deceptive advertising claims about the health benefits of its children's drink BOOST Kid Essentials, as part of a settlement resolving the FTC's first case challenging advertising for probiotics. The FTC complaint charges that from fall 2008 to fall 2009, Nestlé HealthCare Nutrition, Inc. made deceptive claims in TV, magazine, and print ads that BOOST Kid Essentials prevents upper respiratory tract infections in children, protects against colds and flu by strengthening the immune system, and reduces absences from daycare or school due to illness. BOOST Kid Essentials is a nutritionally complete drink intended for children aged 1–13 years. The probiotics in BOOST Kid Essentials are embedded in a straw that comes with the drink, which was prominently featured in ads for the product. Probiotics are live, beneficial bacteria that are found naturally in many foods, and they are known for aiding digestion and fighting harmful bacteria.</p> <p>"Nestlé's claims that its probiotic product would prevent kids from getting sick or missing school just didn't stand up to scrutiny," said David Vladeck, Director of the FTC's Bureau of Consumer Protection. "...the FTC is helping them by monitoring ads and stopping those that are deceptive." The FTC charged that the ads falsely claimed that BOOST Kid Essentials is clinically shown to reduce illness in children, to protect from colds and flu by strengthening the immune system, and to help children aged ≤13 years recover more quickly from diarrhea. Under the proposed settlement, Nestlé HCN has agreed to stop claiming that BOOST Kid Essentials will reduce the risk of colds, flu, and other upper respiratory tract infections unless the claim is approved by the FDA. Although FDA approval of health claims generally is not required for compliance with the FTC Act, in this case, the FTC determined that requiring FDA pre-approval before Nestlé HealthCare Nutrition makes claims that certain products prevent or reduce the risk of upper respiratory tract infections will provide clearer guidance. In turn, this will facilitate Nestlé HealthCare Nutrition's compliance with the proposed settlement order and will make the order easier to enforce.</p>
<p>Recommendation 1D: Engage all marketing vehicles and venues</p>		
<p>HWCF, October 5, 2009²⁵</p>	<p>HWCF introduced</p>	<p>A food and beverage industry coalition is announced that forms an industry coalition, the HWCF, to reduce obesity, especially in children aged 6–11 years, by 2015. The HWCF is comprised of 40 companies including food retailers such as United Supermarkets, manufacturers including Kellogg Co. and PepsiCo, nonprofit organizations, and industry trade associations. Members have committed \$20 million to the effort. The HWCF will promote ways to help people achieve a healthy weight through energy balance, while focusing on the marketplace, the workplace, and schools. The HWCF will partner with organizations like the American Council for Fitness and Nutrition Foundation, the American Dietetic Association Foundation and Girl Scouts of the USA.</p>

<p>Huffington Post, November 4, 2009²⁶</p>	<p>As soda tax bubbles up, food lobby mobilizes industry groups that spent more than \$24 million this year to sway lawmaker</p>	<p>The Huffington Post reported that soft drink makers, supermarket companies, agriculture, and the fast-food business have poured millions into campaigning against what they fear could be a burgeoning national movement to raise money for health care reform by taxing sweetened beverages. During the first 9 months of 2009, the industry groups stepped up their lobbying in Congress. They have spent more than \$24 million on the issue of a national excise tax on sweetened beverages and on other legislative and regulatory issues, according to an examination of lobbying reports filed with the Senate Office of Public Records.</p> <p>The review shows that 21 companies and organizations reported that they lobbied specifically on the proposed tax on sugar-sweetened beverages – which among other things would include sodas, juice drinks, and chocolate milk. About \$5 million of the money was spent on a national advertising campaign aimed at Capitol Hill lawmakers and promoting a newly formed coalition called Americans Against Food Taxes. The group bills itself on its website as a coalition of “responsible individuals, financially-strapped families, [and] small and large businesses” but its 400-plus membership list is dominated by industry heavyweights such as Burger King Corporation, Coca Cola, Pepsico, and Domino’s Pizza.</p>
RESTAURANTS		
<p>FDA, June 6, 2006²⁷</p>	<p>FDA receives Keystone Forum Report on Away-From-Home Foods improving consumers ability to manage calorie intake key to anti-obesity efforts</p>	<p>The FDA announced receiving a report from The Keystone Center that was funded by the agency. The Forum convened a group of experts from industry, government, civic sector organizations, and academia to improve consumers’ ability to manage calorie intake from foods prepared and purchased away-from-home. The Keystone Report offered recommendations related to: (1) understanding and influencing consumer behaviors; (2) increasing the availability of lower-calorie products, menu items, and meals; and (3) providing consumers with nutrition information.</p>
<p>CSPI, August 4, 2008²⁸</p>	<p>Obesity on the kids’ menus at top chains</p>	<p>CSPI announced the release of a report investigating the nutritional quality of children’s meals at 13 top restaurant chains showing that 93% of 1474 possible choices at the 13 chains exceed 430 calories—an amount that is one third of what the IOM recommends that young children, aged 4–8 years, should consume in a day.</p>

<p>Yum! Brands, October 1, 2008²⁹</p>	<p>Yum! Brands announced U.S. divisions will place calories on all company restaurant menu boards.</p>	<p>Yum! Brands, Inc. announced that its U.S. divisions, Kentucky Fried Chicken, Taco Bell, Pizza Hut, Long John Silver's, and A&W All-American Food, will become the first national restaurant chains to begin voluntarily placing product calorie information on their respective menu boards in company-owned restaurants nationwide. Franchisees will be encouraged to provide the same information on their menu boards. Calorie information will be based on individual serving sizes and will be phased onto menu boards beginning this year and completed by January 1, 2011.</p> <p>The company also will call for federal legislation using the recently enacted legislation in California as a model to establish uniform guidelines for menu-board labeling with calorie information. As part of a broader Health and Wellness effort across the U.S., the company announced a new policy not to advertise its products on TV programs specifically aimed at children aged <12 years. It also will continue to provide full nutritional information on its websites and in brochures, available upon request, at its restaurant drive-thru windows and in-store ordering counters. "We believe we have a continued responsibility to offer "Better For You" options, educate consumers about the foods they eat, and promote exercise so they can maintain a balanced lifestyle," said Jonathan Blum, Yum! Brands chief public affairs officer.</p>
<p>The New York Times, June 15, 2009³⁰</p>	<p>Kid goes into McDonald's and orders...yogurt?</p>	<p>A brief description of NPD's Consumer Reports on Eating Share Trends Survey in 2009 that was based on a representative sample of 3500 American households and 500 teenagers; in 2009, orders for children's meals that included a toy were reportedly 11% lower than in 2008. Orders had increased for "value-menu" items (i.e., cheeseburgers, fries, and colas) but their consumption by children aged <13 years had reportedly decreased.</p>
<p>CSPI, June 22, 2010³¹</p>	<p>CSPI to sue McDonald's if it continues using toys to market junk food to children</p>	<p>The CSPI announced that it will sue McDonald's if the fast-food chain continues to use toys to promote Happy Meals. According to the nonprofit CSPI, using toys to lure small children into McDonald's is unfair and deceptive marketing and is illegal under various state consumer protection laws. CSPI today served McDonald's a notice of its intent to sue, fulfilling a legal requirement of several states in which CSPI might bring the lawsuit. "McDonald's is the stranger in the playground handing out candy to children," said CSPI litigation director Stephen Gardner. "McDonald's use of toys undercuts parental authority and exploits young children's developmental immaturity—all this to induce children to prefer foods that may harm their health. It's a creepy and predatory practice that warrants an injunction."</p>

The Chicago Tribune,
July 8, 2010³²

McDonald's chief executive officer
stands up for Happy Meals.

McDonald's defended its Happy Meals on Wednesday against claims by a consumer advocacy group, CSPI. McDonald's chief executive officer Jim Skinner said that "Happy Meals are a fun treat, with right-sized, quality food choices." Skinner's letter addressing this issue comes 1 week after the CSPI sent a letter to McDonald's threatening to sue if the company didn't stop using toys to market Happy Meals to young children. "By advertising that Happy Meals include toys, McDonald's unfairly and deceptively markets directly to children," the letter stated. CSPI said Happy Meals lead children to develop a lifelong habit of eating meals that are "too high in calories, saturated fat, added sugars, and sodium, and devoid of whole grains." In addition, CSPI said that none of the 24 Happy Meal combinations listed on McDonald's website meet the 430-calorie lunch target, one third of the 1300-calorie recommended daily intake for children aged 4-8 years.

McDonald's said it offers parents choices and variety in Happy Meals, and "makes available in-depth, comprehensive nutrition information." It emphasized that parents are fully capable of making their own decisions when it comes to feeding their children. "It seems that you purposefully skewed your evaluation of our Happy Meals by putting them in the context of a highly conservative 1,300 calorie per day requirement," Skinner contended. "I'm sure you know this category generally applies to the youngest and most sedentary children." Walt Riker, McDonald's vice president of global media relations, said CSPI's letter crossed the line with their "unprofessional rhetoric and insulting tone." The Happy Meal, Riker said, is a popular and positive experience that can be a part of a healthy meal. "There are plenty of options and combinations that would fit within a daily diet," Riker said, adding that in the U.S., the company advertises a Happy Meal with white-meat nuggets, low-fat milk, and apple dippers.

Margo Wootan, CSPI director of nutrition policy, said that customers find a disconnect between what McDonald's advertises and what they experience at the restaurants. Wootan said CSPI found that when customers ask for a Happy Meal, 93% of the time they are automatically given fries.

<p>CBS Business Network, July 13, 2010³³</p>	<p>McDonald's magic: calories disappear from Happy Meals after chain is threatened with lawsuit</p>	<p>A McDonald's nutrition document from early June 2010 (before the CSPI threatened to sue McDonald's for using toys to lure children to eat fattening food) showed that the chain quietly lopped off 70 calories from 12 of the possible 24 offending Happy Meal combinations. Happy Meals are now less fattening! Is this mysterious calorie disappearance an attempt to head off further criticism and make Happy Meals look healthier? The timing suggests so. Although McDonald's says it was a "technological error."</p> <p>On June 3rd, a Happy Meal with Chicken Nuggets, Apple Dippers and a 12 oz. Sprite had 460 calories. But by the 25th, 3 days after CSPI stirred up trouble for McDonald's with a well-covered press conference, that same Happy Meal was 390 calories, according to nutrition information on the company's website. This makes it one of three that now falls under the 430-calorie threshold CSPI cited as a reasonably sized meal for children aged 4 to 8 years. In its letter to McDonald's, CSPI chastised the company for not having a single Happy Meal that met that target. McDonald's spokesperson Danya Proud says that the packages of low-fat caramel dip in the Happy Meal Apple Dippers were accidentally counted twice in the earlier nutrition information, resulting in an overstatement of calories. In other words, any connection this had to CSPI's legal threats is pure coincidence.</p>
<p>The San Francisco Chronicle, August 11, 2010³⁴</p>	<p>S.F. proposal: Healthier kids meals or no toys</p>	<p>Toys that have been synonymous with kids' meals at fast-food restaurants could soon be banned in San Francisco under a new law proposed Tuesday if the food contains too much fat, sugar, or salt. Earlier this year, Santa Clara County became the first local government in the nation to adopt such a law, but it only applies to unincorporated areas and affects a handful of restaurants. San Francisco's proposal could have a far greater impact. The restrictions would pertain to all restaurants but effectively would target the dozens of fast-food establishments in the city, among them McDonald's, Jack in the Box, and Burger King.</p> <p>San Francisco's legislation would not prohibit toy giveaways outright, but limit them to menu items that meet strict nutrition guidelines. For example, no single item could contain more than 200 calories or 480 milligrams of sodium. An entire meal could have no more than 600 calories. That would wipe out all but a handful of the Happy Meal offerings at McDonald's - and none of those options include a small hamburger. Several meet the calorie count, but would fail on the sodium content. "Our legislation will encourage restaurants that offer unhealthy meals marketed toward children and youth to offer healthier food options with incentive items or toys," said Supervisor Eric Mar, chief sponsor of the legislation. "It will help protect the public's health, reduce costs to our health care system and promote healthier eating habits," he said.</p>
<p>The White House Office of the First Lady, September 13, 2010³⁵</p>	<p>Remarks by the First Lady in address to the National Restaurant Association meeting</p>	<p>First Lady Michelle Obama presented to the National Restaurant Association's annual meeting and acknowledged that while restaurants are offering more options and families are taking advantage of them, they are not always the healthiest choices. She asked the restaurant industry sector to provide children and families with healthier options.</p>

<p>Yale Rudd Center for Food Policy & Obesity, November 8, 2010³⁶</p>	<p>Fast food restaurants dish up unhealthy marketing to youth: researchers release unprecedented report on fast food nutrition and marketing</p>	<p>The Yale Rudd Center reports that children as young as age 2 years are viewing more fast food advertisements than previously, and restaurants rarely offer parents the healthy kids' meal choices. The new evaluation is the most comprehensive study of fast food nutrition and marketing ever conducted. The study showed that fast food marketers target children across a variety of media and in restaurants. The study also found that restaurants provide largely unhealthy defaults for the side dishes and drinks that accompany children's meals.</p>
<p>SFGate, November 23, 2010³⁷</p>	<p>SF fast-food toy ban gets supervisors' first OK</p>	<p>San Francisco Board of Supervisors gave preliminary approval Tuesday to banning toy giveaways in Happy Meals and similar fast-food offerings aimed at kids unless they have reduced sodium, fat, and sugar content and include fruit and vegetables. The legislation, which sponsors said is intended to promote healthy eating and help combat childhood obesity, was passed on an 8-3 vote—the bare minimum needed to overturn Mayor Gavin Newsom's promised veto. The board is scheduled to take a final vote next week. If it goes on the books, the restrictions wouldn't go into effect until December 2011.</p>
<p>CSPI, December 15, 2010³⁸</p>	<p>Class action lawsuit targets McDonald's use of toys to market to children</p>	<p>A mother of two from Sacramento, Calif., says that McDonald's uses toys as bait to induce her kids to clamor to go to McDonald's and to develop a preference for nutritionally poor Happy Meals. With the help of the CSPI, the mom, Monet Parham, is filing a class action lawsuit aimed at stopping McDonald's use of toys to market directly to young children. The suit will be filed in California Superior Court in San Francisco shortly after the court opens for business Wednesday morning.</p> <p>In June, CSPI first notified McDonald's it might be the target of a lawsuit. Repeatedly, CSPI offered to meet with McDonald's to try to reach an agreement that would avoid litigation, but McDonald's refused. In anticipation of filing its suit, CSPI served McDonald's with a letter on Tuesday instructing the company to preserve any documents in its possession related to the use of toys to market Happy Meals to children. Lawyers for Parham will seek to examine those documents in discovery as the case proceeds. In addition to CSPI's Litigation Unit, Parham is also represented by private attorney Richard Baker of Baker Law, P.C. in Birmingham, Alabama.</p>

INDUSTRY TRADE ASSOCIATIONS

AHG, May 3, 2006³⁹

AHG—Clinton Foundation & AHA and industry leaders set healthy school beverage guidelines for U.S. schools: announces first industry agreement as part of the Alliance's Healthy Schools Program will affect tens of millions of students

The AHG—a joint initiative of the William J. Clinton Foundation and the AHA—has worked with representatives of Cadbury Schweppes, Coca-Cola, PepsiCo, and the American Beverage Association (ABA) to establish new guidelines to limit portion sizes and reduce the number of calories available to children during the school day. Under these guidelines, only lower calorie and nutritious beverages will be sold to schools. This is the Alliance's first industry agreement as part of its Healthy Schools Program, and it affects close to 35 million students across the country.

The guidelines will cap the number of calories available in beverages in schools at 100 calories per container, except for certain milks and juices whose nutritional value warrants the higher number of calories. Under the terms of the agreement, the beverage industry will work to spread these standards to 75% of the nation's schools prior to the beginning of the 2008–2009 school year. The industry will strive to fully implement these guidelines prior to the beginning of the 2009–2010 school year, provided schools and school districts are willing to amend existing contracts.

AHG, October 6, 2006⁴⁰

President Clinton and AHA announce joint agreement between Alliance for a Healthier Generation and food industry leaders to set healthy standards for snacking in school

The AHG— a joint initiative of the William J. Clinton Foundation and the AHA—announced a breakthrough collaboration today with five of the nation's leading food manufacturers to help combat childhood obesity in America. Campbell Soup Company, Dannon, Kraft Foods, Mars, and PepsiCo have joined with the Alliance to establish first-ever voluntary guidelines for snacks and side items sold in schools that will provide healthier food choices for the nation's children.

These five food industry leaders will invest in product reformulation and new product development, while encouraging broader support of the guidelines. The new guidelines, which were developed in conjunction with nutrition experts at the AHA, will apply to foods offered for sale in schools outside of the National School Lunch Program to students before, during, and after the school day. The guidelines cover foods and snacks, desserts, side items, and treats sold throughout schools, including school vending machines, ala carte lines, school stores, snack carts, and fundraisers.

The new, science-based guidelines will provide kids with food and snack products that are lower in calories, reinforcing the nutrition lessons they learn at home and in the classroom about healthy, balanced diets. Notably, the guidelines promote the consumption of fruits, vegetables, whole grains, nutrient-rich foods, fat-free, and low-fat dairy foods and place limits on calories, fat, saturated fat, trans fat, sugar, and sodium. These foods cover a wide range of choices, including everything from chips to chocolate, crackers to cookies, candy, ice cream, granola bars, nuts, soup, and yogurt. With these key companies on board, the guidelines will have a real impact across America.

<p>National Restaurant Association, July 27, 2009⁴¹</p>	<p>Produce and foodservice leaders set goal to double produce use in 10 years</p>	<p>Produce and foodservice industry leaders announced that they have set an ambitious goal to double use of fresh produce in the foodservice sector over the next 10 years, and have identified five strategies for doing so. The announcement came during the opening general session of PMA's 2009 Foodservice Conference & Exposition, held July 24–26 in Monterey, California. The goal was set during a July 24 invitation-only “Executive Think Tank” discussion of senior foodservice and produce industry leaders that was co-led by PMA President and CEO Bryan Silbermann, National Restaurant Association President and CEO Dawn Sweeney, and International Foodservice Distributor Association (IFDA) President and CEO Mark Allen.</p> <p>Silbermann announced the group’s goal in his conference opening remarks, and then outlined for conference attendees the five priority areas the think tank participants identified to help achieve that goal of doubling produce use: re-imagine the restaurant experience, with produce having a stronger presence and telling its story from field to fork; increase consumer confidence in fresh produce, including product safety, trust, and integrity; demonstrate social responsibility, balancing the needs of people, the planet, and profitability; foster closer collaboration among the industry sectors, including operators, distributors, and grower/shippers; and foster closer collaboration with government and other stakeholders.</p>
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American Beverage Association,
February 9, 2010⁴²

Beverage industry will make calories
more clear and useable for consumers

The American Beverage Association announced that in response to First Lady Michelle Obama's call for innovative industry initiatives that contribute to her healthy families program, America's non-alcoholic beverage companies are coming together to make the calories in their products even more clear and consumer-friendly by putting the information on the front of all their packages, vending machines, and fountain machines. The voluntary commitment contributes to Mrs. Obama's efforts to help families make informed choices as part of a balanced lifestyle. The companies will coordinate with the FDA to implement the calorie initiative, which will go above and beyond what is required by the federal agency's food-labeling regulations. The industry will start implementing the initiative across the country this year with completion in 2012.

"The beverage industry is taking the extra step of making the calories on its products more clear and useable for consumers so they can make balanced choices wherever they purchase our products," Susan Neely said. "By contributing to the First Lady's initiative, our industry is once again leading with a meaningful program to do its part in addressing social challenges. We applaud Mrs. Obama for her common-sense, balanced approach to a tough issue like childhood obesity, which will require contributions from all segments of society to fully tackle." The beverage industry—whose leading companies include The Coca-Cola Company, Dr Pepper Snapple Group, PepsiCo, Nestlé Waters North America, and Sunny Delight—is also committing to continue reducing the beverage calories in the marketplace through innovation, smaller portion sizes, and further marketing of their low-calorie beverages.

This new initiative will display calories more prominently on: (1) product labels: total calorie counts will be displayed on the front of labels for the entire container, up to and including 20-ounce products. A 12-ounce serving size will be used in displaying calories for multi-serve beverage packages (such as 2-liter bottles); (2) vending machines: total calorie counts for the entire container will be displayed on the beverage selection buttons of vending machines controlled by the companies; and (3) fountain machines: calorie counts will be shown prominently on fountain beverage machines controlled by the companies. The industry will coordinate with the FDA on its new calorie labeling initiative to ensure that the information on the front and back of a package is consistent. The industry supports the FDA evaluating serving sizes for the entire food and beverage industry as part of their current review of food labels.

<p>National Restaurant Association, March 22, 2010⁴³</p>	<p>National Restaurant Association says nutrition information provision is win for consumers and restaurants</p>	<p>The National Restaurant Association issued a statement praising passage of a provision that will provide more nutrition information to consumers in chain restaurants across the country. The rule was a component of healthcare legislation that passed the U.S. House of Representatives Sunday and is expected to be signed into law by President Obama. The agreement creates a national, uniform standard for chain restaurants with 20 or more locations that would provide customers with a wide range of nutrition information— mirroring the information available on packaged foods—at the point of purchase. Caloric information would be highlighted on menus, menu boards, and drive-thru boards. “The passage of this provision is a win for consumers and restaurateurs,” said Dawn Sweeney, National Restaurant Association President and CEO. “We know the importance of providing consumers with the information they want and need, no matter in which part of the country they are dining. This legislation will replace a growing patchwork of varying state and local regulations with one consistent national standard that helps consumers make choices that are best for themselves and their families.”</p>
<p>ANA, May 12, 2010⁴⁴</p>	<p>Focusing on real solutions to childhood obesity</p>	<p>Dan Jaffe, Executive Vice President for the ANA, commended the White House Task Force on Childhood Obesity for releasing its report. The ANA reports that the Task Force report contains some good and bad news. It once again confirms the IOM’s finding that “a causal link between marketing and increasing childhood obesity rates has yet to be firmly established.” Additionally, the report acknowledges that any effort by the government to restrict food marketing would raise important First Amendment concerns. Nevertheless, the ANA has concerns about the report’s discussion of food marketing and several of the specific recommendations in this area.</p> <p>The ANA believes that the report seriously undervalues the efforts of the CFBAI. Through the voluntary commitments of the CFBAI participants, the landscape of children’s advertising is significantly different than it was several years ago. While more can be done, this deserves to be acknowledged. In addition, the CFBAI has recently expanded the scope of media venues that are covered by the pledge program. It’s also worth noting that food and beverage advertising has actually declined while obesity rates have grown. ANA and the GMA have conducted several studies of ad spending and exposures using Nielsen Media Research data. Each survey has shown that the amount of spending for food and beverage ads directed to children has significantly declined over the last decade. FTC studies have confirmed this finding as well.</p> <p>While the report acknowledges First Amendment interests, several of the specific recommendations raise those very same concerns. For example, Recommendation 2.8 proposes involving the FCC in the development of a system of ratings for TV commercials that would enable parents to block “unhealthy food and beverage advertising from all programming.” Recommendation 2.9 notes that if voluntary efforts to limit the marketing of “less healthy foods and beverages” do not yield substantial results, the FCC should consider changes in the laws regulating advertising during children’s programming.</p> <p>Any effort by the FCC to restrict food marketing or impose a commercial ratings and blocking system would raise very serious First Amendment concerns. It would also seriously undermine the economic foundation that advertising provides for TV programming, particularly children’s TV.</p>

<p>FMI and the GMA, October 27, 2010⁴⁵</p>	<p>Food & beverage industry announces front-of-pack nutrition labeling initiative to inform consumers and combat obesity</p>	<p>America's leading food and beverage manufacturers and retailers joined forces today in the fight against obesity and announced their commitment to develop a new FOP nutrition labeling system. The consumer initiative will make it easier for busy consumers to make informed choices when they shop. This program will add important nutrition information on calories and other nutrients to limit to the front of the packages of many of the country's most popular food and beverage products. To appeal to busy consumers, the information will be presented in a fact-based, simple, and easy-to-use format.</p> <p>In the coming months, the GMA and FMI will finalize the details of the initiative, including the technical and design elements. In addition, details will be finalized on how to provide consumers with information on nutrients needed to build a "nutrient-dense" diet and on "shortfall nutrients" that are under-consumed in the diets of most Americans. GMA and FMI will continue to consult stakeholders on these and other details in the coming weeks. "The food and beverage industry is committed to empowering consumers by providing them with the products, tools and information they need to achieve and maintain a healthy diet," said GMA president and CEO Pamela G. Bailey. "This initiative comes on top of the 20,000 healthier product choices we have developed, the responsible marketing practices we have adopted and the tens of millions of dollars we spend annually on healthy lifestyle promotion." Consumers will begin to see the new label in the marketplace early next year.</p>
<p>GMA, January 24, 2011¹⁹</p>	<p>Food and beverage industry launches nutrition keys front-of-pack nutrition labeling initiative to inform consumers and combat obesity</p>	<p>The GMA announced that America's leading food and beverage manufacturers and retailers launched Nutrition Keys, a new voluntary FOP nutrition labeling system that will help busy consumers make informed choices when they shop. The program represents the most significant modernization of food labels since the Nutrition Labeling and Education Act of 1990. The Nutrition Keys program was developed in response to a request from First Lady Michelle Obama in March of last year. "We share First Lady Michelle Obama's goal of solving childhood obesity within a generation," said Pamela G. Bailey, President and Chief Executive Officer of the GMA.</p> <p>"Today's announcement would not have been possible without her leadership. Food and beverage companies have a strong track record of providing consumers with the products, tools and information they need to achieve and maintain a healthy lifestyle, and this program represents a significant milestone in our ongoing effort to help consumers construct a healthy diet."</p>

<p>FMI, January 24, 2011²⁰</p>	<p>Food & beverage industry launches Nutrition Keys Front-of-Pack Nutrition Labeling Initiative to inform consumers and combat obesity; nutrition icon to be supported by \$50 million industry-funded consumer education campaign</p>	<p>The FMI announced that America's leading food and beverage manufacturers and retailers launched Nutrition Keys, a new voluntary FOP nutrition labeling system that will help busy consumers make informed choices when they shop. "Today's sophisticated consumer wants more information about their food than ever before," said Leslie Sarasin, President and Chief Executive Officer of the FMI. "Nutrition Keys, combined with the many innovative nutrition education tools and programs in retail stores, is helping us meet that challenge and exceed consumer expectations."</p> <p>The Nutrition Keys program will change the look of the vast majority of the country's most popular food and beverage products by placing important nutrition information (calories, saturated fat, sodium, and total sugars content) on the front of packages. To appeal to busy consumers, the information will be presented in a fact-based, simple and easy-to-use format. The icon will inform consumers about how the key nutrients in each product fit into a balanced and healthy diet as part of the federal government's daily dietary advice.</p> <p>Companies will begin to place the icon on their products in 2011 according to seasonality and production schedules. Consumers will begin to see the Nutrition Keys icon on their favorite products in the next few months, and the number of products that carry the icon will continue to grow throughout the year. To build consumer awareness and promote use of the icon, America's food and beverage manufacturers and retailers have agreed to support the change to their product labels with an unprecedented consumer education campaign. Participating manufacturers and retailers will initially invest at least \$50 million in an advertising, public relations, and in-store marketing campaign aimed at those who serve as the primary shopper for their family.</p>
<p>The Washington Post, January 20, 2011⁴⁶</p>	<p>With praise from Michelle Obama, Wal-Mart announces healthy food campaign</p>	<p>First lady Michelle Obama joined Wal-Mart executives at a Southeast Washington community center Thursday morning to announce a campaign by the low-priced retail giant to offer more healthful foods and push its suppliers to do the same. Obama called Wal-Mart's effort "a huge victory for folks all across this country" and said it has the "potential to transform the marketplace." "When I see a company like Wal-Mart launch an initiative like this, I feel more hopeful than ever before," said Obama, who has made fighting childhood obesity and increasing nutritious food options in poor neighborhoods a top priority. "We can improve how we make and sell food in this country." Officials said Wal-mart will make thousands of the packaged food items that it sells more healthful and affordable by 2015, build more stores in underserved areas, and increase its charitable donations to nutrition programs. The plan includes reducing sodium and sugar in some foods, lowering prices on produce, and developing a logo so customers can more easily identify healthful items.</p>

MARKETING PRACTICE STANDARDS

The New York Times, January 19, 2006⁴⁷

Kellogg and Viacom to face suit over ads for children

The CSPI, the Boston-based group Campaign for a Commercial-Free Childhood and two parents served notice that they intended to sue Viacom, the maker of the popular children's TV show "SpongeBob SquarePants," and the Kellogg Company, a big marketer of food to children, which features the lovable SpongeBob on packages of cereal, Pop Tarts, and cookies. At a news conference in Washington yesterday, the groups argued that using cartoon characters to sell to children is deceptive and unfair. "It's unfair because kids under 5 don't even know it's a commercial," said Stephen Gardner, director of litigation for the CSPI. "They think it's a very short SpongeBob program. And it's unfair because at a very important time in their physical and psychological development, kids are being encouraged to eat food that is just not good for them."

The suit, to be filed in Massachusetts under the state's aggressive consumer protection laws, seeks to ban the marketing of food of "poor nutritional quality" to children under 8. Under the law, plaintiffs are required to give a 30-day notice to defendants before filing a suit. If successful, the suit would apply only to marketing activities in Massachusetts, but Michael Jacobson, executive director of the CSPI, said he thought the suit would have national implications.

The Washington Post, February 6, 2006⁴⁸

FTC veteran to review ads for kids

The advertising industry announces that it has selected a Washington insider to help determine how companies should promote their products, particularly food and beverages, to children. Joan Z. "Jodie" Bernstein, a former director of the Federal Trade Commission's Bureau of Consumer Protection, will head a review of the industry's voluntary guidelines for children's advertising. The review by CARU—the industry's self-regulatory arm—comes 2 months after a national science panel called on the industry to revise and expand its guidelines for marketing of food and beverages to children.

Noting that most food products promoted to children were high in calories, sugar, salt, and fat and low in nutrients, the IOM said there was strong evidence linking TV advertising to obesity. CARU's guidelines were written 30 years ago. Increasingly, consumer advocates, regulators, and some food industry officials have urged changes, seeking limits on online games promoting products, paid product placement in TV programs, and the licensing of popular characters to sell food. "This is the first full-scale examination of the CARU guidelines.

All issues will be reviewed and considered" and opinions of all interested parties will be welcome, said James R. Guthrie, president of the National Advertising Review Council, which oversees CARU. Bernstein was selected to head the review because "she's well respected as a champion for consumers," Guthrie said. Bernstein said she hopes to "facilitate a wide-ranging debate toward a set of recommendations especially addressing the impact of obesity."

<p>MediaPost News, February 9, 2006⁴⁹</p>	<p>Kellogg looks to settle kids ad suit, Nickelodeon demurs</p>	<p>MediaPost reports that Kellogg is interested in negotiating a settlement to a pending lawsuit charging it with harmful marketing to kids, according to a group pursuing the case. Representatives of the CSPI, one of several plaintiffs, said they have met with Kellogg and discussed options for settling the matter. They declined, however, to offer details about what a resolution might include. "We'd certainly like to reach a settlement without going to court," said CSPI Executive Director Michael Jacobson. No further face-to-face talks are scheduled, and the suit is scheduled to be filed the week of Feb. 20. Kellogg declined comment. Last month, CSPI signaled its intention to file suit in Massachusetts against both Kellogg and Viacom, which operates children's programmer Nickelodeon, seeking to prevent them from marketing junk food to kids younger than eight. Massachusetts law requires plaintiffs—which here also include another advocacy group and four parents—to give 30 days' notice of intent to file this type of suit, which charges "unfair and deceptive" marketing practices. CSPI representatives said they have not been contacted by Viacom about the suit. A Nickelodeon representative said, "We will absolutely respond according to Massachusetts state law."</p>
<p>Council of Better Business Bureaus, November 14, 2006⁵⁰</p>	<p>New food, beverage initiative to focus kids' ads on healthy choices; revised guidelines strengthen CARU's guidance to food advertisers</p>	<p>The CBBB and the National Advertising Review Council announced two significant developments in the self-regulation of advertising directed to children aged <12 years. First is the establishment of the CFBAI, a voluntary self-regulation program with ten of the largest food and beverage companies as charter participants. The CFBAI is designed to shift the mix of advertising messaging to children to encourage healthier dietary choices and healthy lifestyles. Charter participants are Cadbury Schweppes USA; Campbell Soup Company; The Coca-Cola Company; General Mills, Inc.; The Hershey Company; Kellogg Company; Kraft Foods Inc.; McDonald's; PepsiCo, Inc., and Unilever. It is estimated that these companies account for more than two thirds of children's food and beverage TV advertising expenditures.</p> <p>Second is the approval of significant revisions to the Self-Regulatory Guidelines for Children's Advertising. The revised guidelines strengthen the ability of the CBBB's CARU, which monitors all advertising directed to children aged <12 years, to provide guidance and oversight to all industry sectors. Both the CFBAI and the revisions to the CARU Guidelines evolved from the in-depth review of the guidelines undertaken by the National Advertising Review Council and led by Joan Z. (Jodie) Bernstein, a former director of the FTC's Bureau of Consumer Protection.</p>
<p>News Report, January 31, 2007⁵¹</p>	<p>FCC announces Childhood Obesity Taskforce participants</p>	<p>The FCC announced the list of participants on the task force on "Media and Childhood Obesity: Today and Tomorrow". The task force will hold its first meeting on Wednesday, February 14, 2007. The task force consists of representatives of consumer advocacy groups, the food and beverage industry, media companies, and advertisers, as well as healthcare and academic experts.</p> <p>The task force is a bipartisan effort initiated by the FCC and members of the U.S. Senate. The Commission is represented by Chairman Kevin J. Martin and Commissioners Deborah Taylor Tate and Michael Copps. They are joined by Senator Sam Brownback and Senator Tom Harkin. The task force goal is to provide a forum for the public and private sectors to jointly examine the impact of the media on childhood obesity rates and collaborate on voluntary recommendations to address the alarming rise in the rates of obese children.</p>

<p>CSPI, June 14, 2007⁵²</p>	<p>Kellogg makes historic settlement agreement, adopting nutrition standards for marketing foods to children</p>	<p>The Kellogg Company announced that it will adopt nutrition standards for the foods it advertises to young children, and the CSPI, the Campaign for Commercial-Free Childhood (CCFC), and two Massachusetts parents will not proceed with a lawsuit against the company. Foods advertised on media—including TV, radio, print, and third-party websites—that have an audience of 50% or more children aged <12 years will have to meet Kellogg's new nutrition standards, which require that one serving of the food has: no more than 200 calories; no more than zero grams of trans fat and no more than 2 grams of saturated fat; no more than 230 milligrams of sodium (except for Eggo frozen waffles); and no more than 12 grams of sugar (excluding sugar from fruit, dairy, and vegetables). Kellogg will continue its practice of not advertising to children aged <6 years.</p> <p>Kellogg also agreed not to advertise to children any foods in schools and preschools that include kids aged <12 years; sponsor product placements for any products in any medium primarily directed at kids aged <12 years; use licensed characters on mass-media advertising directed primarily to kids aged <12 years, as a basis for a food form or on the front labels of food packages unless those foods meet the nutrition standards; and use branded toys in connection with foods that do not meet the nutrition standards. "We are pleased to work collaboratively with industry and advocacy groups to unveil these standards," said David Mackay, president and chief executive officer, Kellogg Company. "We feel the Kellogg Nutrient Criteria set a new standard for responsibility in the industry."</p>
<p>MediaPost News, July 30, 2008⁵³</p>	<p>Marketing to kids: FTC, CBBB weigh in with reports</p>	<p>Marketing Daily reported on the release of two independent reports—the FTC's new study on food marketing to children, and the CBBB's first compliance report on food and beverage companies participating in its new CFBAI—both of which appear to be positive, on the whole, for the companies. The bottom line on the two reports is that the CBBB concluded that the voluntarily participating food and beverage companies are complying with their pledges.</p> <p>The FTC, while making several recommendations and stressing that it will continue to monitor the situation closely, referred to progress on the self-regulatory front and did not advocate federal government intervention at this time. During the press conference releasing their results, FTC officials stated that for the time being, they would "like to see how the self-regulatory process is working" in terms of food and beverage companies adhering to their CFBAI pledges and adopting the FTC's recommendations. They added that the self-regulatory process "is not yet fully implemented" by companies, and must be implemented "over a period of time."</p> <p>The FTC did not have access to the contents of CBBB's report in preparing its study (nor did CBBB have pre-release access to content from the FTC report), Elaine Kolish, director of the CFBAI, told <i>Marketing Daily</i>. The same-day timing of the release of the two independent reports was possible because CBBB had already committed to releasing its first compliance report this July (the 1-year anniversary of its announcement that major food & beverage companies had pledged to participate in CFBAI), and because it was public knowledge that the FTC was scheduled to testify at a Senate Appropriations Committee hearing Tuesday, Kolish said.</p>

Office of U.S. Senator Dick Durbin, September 23, 2008 ⁵⁴	Durbin co-chairs hearing on childhood obesity	U. S. Senator Dick Durbin (Democrat-Illinois) co-chaired a hearing on the effects of food marketing on childhood obesity, 2 months after the FTC issued a comprehensive report on the issue. The FTC report recommended that food and media companies make a formal effort to limit food marketing aimed toward children to “healthy” foods based on objective, uniform standards. Durbin urged the food and marketing industries to continue to improve marketing and to adopt the FTC’s recommendation to formally adopt a set of uniform standards for marketing to children. Durbin singled out the efforts of Kraft Foods, a witness at today’s hearing, as an example of successful self-regulation. Kraft has made a commitment, along with several other food companies, to limit marketing to children to only healthy foods. Others who testified included representatives of the FTC, FCC, and the CDC; representatives from Viacom/MTV/Nickelodeon; Children Now and the IOM. The hearing was convened jointly by Senator Durbin’s Appropriations Subcommittee on Financial Services and General Government and Senator Tom Harkin’s (Democrat-Iowa) Subcommittee on Labor, Health, and Human Services.
Worldscreen, September 24, 2008 ⁵⁵	FCC dissatisfied with media’s reluctance to fight childhood obesity	<p>In an address to the U.S. Senate, FCC chairman Kevin Martin expressed deep concern that not enough media companies are limiting food and beverage advertisements targeting children. Although he mentioned the voluntary measures taken by The Walt Disney Company, the ION Television Network, Sesame Workshop, Discovery Kids, and Cartoon Network, Martin did leave open the possibility that the FCC may have to impose restrictions if the rest of the media industry does not take action. Martin praised the work accomplished by the FCC’s Joint Task Force on Media and Childhood Obesity, which sought to bring together government officials, media companies, advertisers, and the food and beverage industry to work on behalf of America’s children. However, Martin was very concerned and disappointed that more media organizations had “refused to agree to any kind of limit on advertising targeted toward our children.”</p> <p>“While the Task Force succeeded in producing some significant voluntary commitments aimed at reducing the negative impact of the media on children’s eating habits and increasing its positive influence on their behavior,” continued Martin, “ultimately it did not reach an agreement on two key issues: a uniform standard of what constitutes healthy versus unhealthy foods; and the willingness of most media companies to place any limit on the advertising of unhealthy foods on children’s programs.”</p> <p>On the media side, Martin continued, “Disney and Ion have made the most-aggressive commitments.” The Disney company’s Healthy Kids Initiative set new standards for the food served in Disney’s parks, disallowed the licensing of Disney characters to foods that did not meet strict nutritional standards and disallowed the promotion of foods on the Disney Channel that do not meet those same standards. While Martin applauds these developments, he clearly stated they are not enough. “While it was—and always is—my hope that we will not have to resort to actual requirements, and I strongly encouraged the media companies to propose some voluntary limitations on advertising targeting our children, in the end no widespread voluntary commitment on behalf of the media industry was forthcoming. On the voluntary side, I am left to conclude that, sadly, no limit was even close to being presented.”</p>

MediaPost News, December 17, 2009 ⁵⁶	CFBAI tightens nutrition standards in kid ads	The CBBB announced that the CFBAI will expand its "core principles" starting January 1, 2010. The principles will now require that participating food and restaurant companies commit that 100%, instead of the previous minimum standard of 50%, of their advertising to children aged <12 years will be for "healthier dietary choices or better-for-you products," according to the nutrition standards defined in their individual pledges.
CSPI, March 9, 2010 ⁵⁷	Most food & entertainment companies get failing grade for policies on marketing food to children	The CSPI announced the release of a report that rated 128 companies' policies with regard to food marketing aimed at children. Three quarters of companies are getting an F, either for having weak policies or for failing to have any policies. CSPI's highest grade, a B+, went to Mars, Inc., although the group emphasized that the grade is not for the foods Mars sells, but rather for its policy on marketing to children. Mars' policy excludes marketing to children aged <12 years and covers most of the key marketing tactics used to reach children. The entertainment company given CSPI's highest grade, a B, is Qubo, a family-friendly children's TV channel delivered nationwide over ION Media Networks 59 local digital TV stations. Qubo's policy is comprehensive, applying reasonably good nutrition standards to its full range of programming, according to CSPI. One food company (Procter & Gamble, which makes Pringles) received a B, six got a B-, 17 got a C, and 7 a D. Ninety-five companies received an F grade.
GMA, March 9, 2010 ⁵⁸	GMA: more than two thirds of the advertisements seen by children and teens today promote more nutritious foods and healthy lifestyles	<p>The GMA issued a statement in response to the Center for Science in the CSPI's Report Card on Food Marketing to Kids. "Obesity is one of the nation's most serious public health challenges, and our industry has significantly changed the way we develop and market our products to provide more healthy choices and to help consumers build a healthy diet. We all have a role to play—the public sector, private industry, and parents—if we are going to reduce the number of overweight and obese children in America.</p> <p>"The food and beverage industry has already changed the recipes of more than 10,000 products to reduce calories, sugar, sodium, and fat. We are working with experts at FDA and USDA to design new labels that make information about calories and nutrition facts clearer for busy parents. And, we have changed the way we advertise our products during children's programming. Because our industry has applied nutrition standards to our advertising seen during children's programming, two-thirds of advertisements viewed on children's programming now feature healthy food and active lifestyles."</p> <p>As food and beverage marketers have reduced and shifted the mix of products advertised to children (aged 2–11 years) and teens (aged 12–17 years), a recent Georgetown Economic Services ("GES") study found that children are seeing fewer food, beverage, and restaurant ads on TV. Between 2004 and 2008: (1) advertisements for food, beverages, and restaurants during children's programming fell by 31%; (2) children viewed many more advertisements for healthy choices and significantly fewer advertisements for snacks; (3) advertisements for soups, fruits, and vegetables rose dramatically; (4) advertisements for snacks fell by 60%; and (4) advertisements for cookies fell by 82%.</p> <p>GMA reported that "Everyone has a role to play, including government, if we are going to meet First Lady Michelle Obama's goal of ending childhood obesity within a generation. We look forward to continuing to work with the First Lady, the Obama Administration and Congress to help all Americans build and maintain a healthy diet."</p>

<p>FTC, May 28, 2010⁵⁹</p>	<p>FTC seeks comments on proposed orders requiring food-and-beverage industry to produce information about marketing to kids</p>	<p>The FTC requested comments on a proposal to compel information from major food and beverage manufacturers, distributors, and marketers, as well as quick-service restaurant companies. The orders seek data about the companies' spending and marketing activities targeting children and adolescents, as well as nutritional information for food and beverage products that the companies market to these consumers. The commission intends to use 2009 marketing and nutritional data collected to analyze changes in food marketing to children that have occurred since 2006, and plans to issue a follow-up report.</p>
<p>The New York Times, July 24, 2010⁶⁰</p>	<p>Ad rules stall, keeping cereal a carton staple</p>	<p>The New York Times reported that the effort by the federal government to forge tougher advertising standards that favor more healthful products has become stalled amid industry opposition and deep divisions among regulators. A report to Congress from several federal agencies — expected to include strict nutritional definitions for the sorts of foods that could be advertised to children — is overdue, and officials say it could be months before it is ready. Some advocates fear the delay could result in the measure being stripped of its toughest provisions.</p> <p>Among the requirements under consideration and included in a preliminary proposal by the agencies: Cereals could have only 8 grams of sugar per serving, far less than many cereals that are heavily advertised to children (Lucky Charms and Cocoa Pebbles have 11 grams and Froot Loops has 12 grams). The level for saturated fats would be set so low it would exclude peanut butter. And to qualify for advertising, all foods would have to contain significant amounts of wholesome ingredients like whole grains, low-fat milk, fruits, or vegetables.</p> <p>The report was expected last week. Betsy Lordan, a spokeswoman for the FTC, said she could not predict when it would be finished. She said the agencies would first release their plan for public comment before submitting it to Congress. The far-reaching preliminary proposal — and the resistance it encountered — appear to have put the agencies in a bind and created divisions among them, with some federal officials wanting to step back and take a more measured approach. Restrictions on advertising are problematic in any event, in large part because of free speech issues. To avoid a showdown, the FTC has said it wants the food and advertising industries to voluntarily accept changes. But the preliminary proposal would have to be substantially modified to gain industry support — and such changes would undoubtedly lead to charges that the government had backed down under pressure.</p>
<p>Advertising Age, September 1, 2010⁶¹</p>	<p>FTC subpoenas 48 food companies regarding marketing to kids</p>	<p>Advertising Age reported that the FTC has handed out subpoenas to companies that market food to children and teens. Three years after initially delivering what is technically known as "orders to file special report" to 44 marketers, the FTC last week began sending subpoenas to 48 companies in order to prepare a follow-up to its 120-page report issued in 2008, "Marketing Food to Children and Adolescents:</p> <p>A Review of Industry Expenditures, Activities and Self-Regulation." "This is a follow-up to measure the effects that self-regulation has had over the last three years," said Carol Jennings, spokeswoman for the FTC's Division of Advertising Practices/Bureau of Consumer Protection. "We are supportive of industry voluntary efforts to limit their marketing to kids and this will see whether more is needed." Ms. Jennings said the findings will be made available to the public.</p>

CBBB, September 23, 2010 ⁶²	Sara Lee Corporation joins industry initiative to promote healthier foods to kids	The CBBB announced that the Sara Lee Corporation has become the newest participant in the CFBAI. As part of the initiative, Sara Lee has pledged that all TV, print, radio, Internet, and other CFBAI-covered advertising directed primarily to children aged <12 years will be for products that meet government standards defining the term "healthy" or the AHA's HeartCheck program criteria. Since its inception in 2006 with 10 founding companies, the CFBAI has grown to include 17 industry leaders that have all committed to encourage healthier dietary choices and healthier lifestyles in children's advertising. To that end, participants in the initiative pledge to advertise only better-for-you products in media primarily directed to children aged <12 years or not to engage in any child-directed advertising.
MediaPost News, December 15, 2010 ⁶³	CFBAI reports on kids' marketing compliance	Marketing Daily reported that according to the just-released third annual report on food/beverage marketers' compliance with their CFBAI pledges in regard to marketing to children aged <12 years, compliance rates continue to be high. The report from the CBBB, which oversees the program's administration and pledge compliance, concludes that, through product reformulation and innovation, major food makers that are participants "continue to achieve steady progress in promoting products to kids that are better for them." Compliance was "excellent" during 2009, with only "a handful" of instances where non-CFBAI-approved products appeared in advertising to children, and these were detected and resolved quickly, according to the report.

MEDIA AND ENTERTAINMENT COMPANIES

The Walt Disney Company,
October 16, 2006⁶⁴

The Walt Disney Company introduces new food guidelines to promote healthier kids' diets. New policy to associate Disney brands and characters with a more nutritionally balanced range of foods

The Walt Disney Company announced introducing new food guidelines aimed at giving parents and children healthier eating options. The guidelines for licensed foods and promotions aimed at children will govern Disney's business partnerships and activities in the U.S. on a going-forward basis and will be adapted internationally over the next several years. The new policies call for Disney to use its name and characters only on kid-focused products that meet specific guidelines, including limits on calories, fat, saturated fat, and sugar. Disney also announced nutritionally-beneficial changes in the meals served to children at all Disney-operated restaurants in its Parks and Resorts and unveiled a company-wide plan to eliminate added trans fats from food served at its Parks by the end of 2007 and from its licensed and promotional products by the end of 2008. "Disney will be providing healthier options for families that seek them, whether at our Parks or through our broad array of licensed foods," said Disney President and CEO Robert Iger. "The Disney brand and characters are in a unique position to market food that kids will want and parents will feel good about giving them." The guidelines are based on The Dietary Guidelines for Americans. Specifically, the guidelines governing kid-focused licensed foods call for limits such as the following:

- A cap on calories that results in appropriate kid-sized portions.
- Total fat will not exceed 30% of calories for main and side dishes and 35% for snacks.
- Saturated fat will not exceed 10% of calories for main dishes, side dishes, and snacks.
- Added sugar will not exceed 10% of calories for main dishes and side dishes and 25% of calories for snacks.
- Disney will continue to license special-occasion sweets such as birthday cakes and seasonal candy as part of its product range but will limit the number of indulgence items in its licensed portfolio to 15% by 2010. In addition, most special-occasion sweets will be available in single-serving packets.

The New York Times, August 16,
2007⁶⁵

Nickelodeon to limit use of characters
on junk foods

Nickelodeon announced that it would prohibit the use of its characters on junk food products, except on special occasions like Halloween. The characters include SpongeBob SquarePants, Dora the Explorer, and the Rugrats. Those characters will be allowed to appear only on packaged food products that meet "better for you" criteria established by Nickelodeon's marketing clients. The changes will become effective in 2009, when the current 2-year licensing agreements expire.

<p>CSPI, September 23, 2008⁶⁶</p>	<p>Despite pledges, Nickelodeon still marketing nutritionally poor food</p>	<p>CSPI reported that despite its public statements and pledges to help combat childhood obesity, the overwhelming majority of foods marketed by the children's media giant Nickelodeon are of poor nutritional quality, according to an analysis conducted by CSPI. CSPI first analyzed Nickelodeon food marketing in 2005, and found that 88% of foods marketed to children were nutritionally poor.</p> <p>Despite the threat of litigation, an industry-wide self-regulatory initiative, and new interest in food marketing on the part of Congress and the FTC, the company has improved its practices only marginally: In 2008, 79% of the foods it markets to children are foods like sugary cereal, candy, sugary drinks with little or no fruit juice, and fast food. And the percentage of food packages sporting Viacom characters such as SpongeBob SquarePants, Dora the Explorer, and Shrek contain increasingly unhealthy foods.</p> <p>Today Nickelodeon executive Marva Smalls will defend its practices in testimony before a joint Senate Appropriations subcommittee meeting convened by Senators Tom Harkin (Democrat-Iowa) and Sam Brownback (Republican-Kansas). In 2005 Smalls told the FTC that Nick would use its characters to promote spinach, oranges, and other health foods, but advertisements for those foods are totally absent from the company's airwaves and magazine advertisements.</p>
<p>Sesame Workshop, June 16, 2008⁶⁷</p>	<p>Giant Berry Farms teams up with Giant Foods and Sesame Street to promote healthy eating and exercise</p>	<p>California Giant, a partner in Sesame Street's Healthy Habits for Life program, has teamed up with Giant Foods of Carlisle, PA, and at their booth, they will be encouraging children to make healthy choices through activities, hand-outs, and an appearance by walkaround Cookie Monster. California Giant Berry Farms will also be supporting health and fitness messaging by distributing fresh strawberries carrying the Sesame Street Healthy Habits for Life messaging.</p>
<p>HWCF, May 4, 2010⁶⁸</p>	<p>HWCF forms partnership with Discovery Education and Meredith Corporation to fight childhood obesity</p>	<p>The HWCF announced an innovative alliance with leading media companies Discovery Education and Meredith Corporation to help parents, educators, and children address the problem of childhood obesity. HWCF is launching web-based outreach campaigns with both Discovery Education and Meredith to encourage and promote physical activity and healthy eating, especially among children. The two complementary outreach programs are uniquely designed to support children whether at home with their families or at school with their teachers. A simple interface empowers users to easily transition between the websites creating a virtually seamless user experience educating parents and children, no matter where they are, about healthy food choices, eating tips, and physical activities.</p> <p>The comprehensive student engagement program presented by HWCF and Discovery Education at www.energybalance101.com leverages Discovery Education's communications expertise and demonstrated ability to provide educators with useful tools to help their students. Discovery Education, a division of Discovery Communications, whose networks include Discovery Channel, Science Channel, and Animal Planet, combines proven digital media and a dynamic user community to empower teachers to improve student achievement. Discovery Education's digital services are currently available in over half of U.S. schools.</p>

The Walt Disney Company, February 9, 2010 ⁶⁹	Disney announces collaboration with First Lady Michelle Obama to create a healthier generation	The Walt Disney Company announced that as part of its ongoing effort to promote healthy lifestyles and nutrition for kids and families, the company will develop a program in collaboration with First Lady Michelle Obama supporting "Let's Move!," her newly announced campaign to create a healthier generation. Disney will create a series of public service advertising (PSAs) featuring the First Lady and leading Disney Channel stars to inspire healthier eating habits, physical activity, and more. The messages will be featured across Disney's kid and family targeted media platforms, including Disney Channel, Disney XD, Radio Disney, and Disney.com and will begin airing later this year.
Cartoon Network, June 16, 2010 ⁷⁰	Cartoon Network tour takes on childhood obesity	Cartoon Network announces that it is changing its platform from Get Animated to the Move-It-Movement. The new tour and website (moveitmovement.com) offers activity stations and tips for families on how to combat childhood obesity through a healthy lifestyle. The 30-city tour kicked off on May 1 in Washington D.C. and will continue to visit local baseball and soccer games, community parks, and festivals. Cartoon Network has partnered with several organizations including the Boys & Girls Clubs of America and the President's Council on Physical Fitness & Sports.

^aMedia stories and news or press releases are presented in chronological order from December 1, 2005 to January 31, 2011.

AHA, American Heart Association; AHG, Alliance for a Healthier Generation; ANA, Association of National Advertisers; CARU, Children's Advertising Review Unit; CBBB, Council of Better Business Bureaus; CEO, Chief Executive Officer; CSPI, Center for Science in the Public Interest; FCC, Federal Communications Commission; FDA, U.S. Food and Drug Administration; FMI, Food Marketing Institute; FOP, front of package; FTC, Federal Trade Commission; GMA, Grocery Manufacturers Association; HWCF, Healthy Weight Commitment Foundation; PHA, Partnership for a Healthier America; PMA, Produce Marketing Association; SF, San Francisco

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